

Town of
Port Hedland



TOWN OF PORT HEDLAND

MINUTES ORDINARY COUNCIL MEETING

**WEDNESDAY 26 NOVEMBER 2014 AT
5:30PM**

**COUNCIL CHAMBERS, MCGREGOR
STREET, PORT HEDLAND**

**“A nationally significant, friendly city that people
are proud to call home”**

*M.J. (Mal) Osborne
Chief Executive Officer*

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ITEM 1 OPENING OF MEETING

The Mayor declared the meeting open at 5:33pm and acknowledged the traditional owners, the Kariyarra people.

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

Elected Members

Mayor Kelly Howlett
Councillor Gloria Jacob
Councillor George Daccache
Councillor Jan Gillingham
Councillor David Hooper
Councillor Julie Hunt
Councillor Lorraine Butson
Councillor Troy Melville

Officers

Mal Osborne	Chief Executive Officer
Eber Butron	Director Planning & Development
Peter Kocian	Acting Director Corporate Services
Jenella Voitkevich	Manager Infrastructure Development
Grace Waugh	Minute Taker/ Governance Officer

Members of the Public	4
Media	1
Town of Port Hedland Staff	13

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Nil

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 22 October 2014**

Nil

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 22 October 2014

Nil

ITEM 4 PUBLIC TIME

Important note:

'This meeting is being recorded on audio tape as an additional record of the meeting and to assist with minute-taking purposes which may be released upon request to third parties. If you do not give permission for recording your participation please indicate this at the meeting. The public is also reminded that in accordance with Section 6.16 of the Town of Port Hedland Local Law on Standing Orders nobody shall use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the presiding member to do so.'

Mayor opened Public Question Time at 5:34pm.

4.1 Public Question Time**4.1.1 Mr Camilo Blanco, Harwell Way, Wedgefield**

I had a meeting with the Manager Financial Services and in the quarter budget review there is an \$8 million adjustment being made to the airport redevelopment. The money was included in the budget and is now being taken out. In accordance with the Local Government Act, funds that are included in the budget must be received therefore funds cannot be put in the budget unless there is confirmation they will be received in that financial year. How was \$8 million included in the budget and then subtracted in the quarterly review?

Chief Executive Officer advised that the \$8 million was a notional amount that the Town expected to receive through a successful grant application however the grant is not available this financial year.

This happened with the Auzcorp \$2.5 million for the Wanangkura Stadium that was not received in the 2013/14 budget. Did the Town not learn from past mistakes by putting large amounts of money in the budget and then not receiving that money in the financial year?

Mayor advised that the \$2.5 million from Auzcorp had been included in the budget as a donation and was not a grant application. It is standard practice to include aspirations and a number of applications that are pending various grants that are available which are not always successful.

Chief Executive Officer further advised that there is a difference between the Auzcorp funding and the \$8 million for the airport redevelopment. By the time the Auzcorp funding was meant to be received the money had already been committed and invested into the Wanangkura Stadium. The \$8 million was expected to be received through a successful grant application for the airport redevelopment. The grant has not been received and no money has been expended so there is no impact on the budget.

Council has been making decisions on the airport redevelopment based on \$8 million being included in the budget. Have there been any decisions made between when the budget was adopted to when the \$8 million was subtracted that would affect the budget?

Chief Executive Officer advised that the Town regularly reviews the cash flow and project prioritisation in accordance with the Town's capacity to deliver projects. The \$8 million will not be expended within this year's budget as it does not exist.

Mayor closed Public Question Time at 5:38pm.

Mayor opened Public Statement Time at 5:38pm.

4.2 Public Statement Time

4.2.1 Mr Arnold Carter, 47 Moore Street, Port Hedland

I refer you to the item discussed on the agenda of the Ordinary Council Meeting 22 October 2014 in reference to applications for the community membership of the Airport Committee.

The following remarks were made by Mayor Howlett. I quote from the tape recording obtained from the Town of Port Hedland.

"...that Mr Carter has made tremendous contribution not only to the Town but also to the airport and certainly his endeavours over the years. However, times have changed and I know Mr Carter has had ill health in the past and been at the age of around 86.

"Point of order" - said by Councillor Gillingham."

This point of order was completely ignored. I refer you to Standing Orders 10.3 2a which states the member raising the point of order has been heard. This did not happen.

"I am speaking against. He is 86 and certainly the rigours of a board of committee appointments and the meetings and the way that things have changed now, the environment of the airport, I certainly I don't recommend and certainly Mr McMahon is the third ranked applicant and rightly should be considered third if we are to extend and put further people in there. So I do not support the recommendation that is being made by Councillor Gillingham."

I find these comments about my age and capabilities and state of health objectionable and insulting and accordingly request that the Mayor issues an apology and retraction of same.

My application to the vacancy was carefully considered and when you take into consideration that I have been a member of the Committee since 1984, never missed a meeting, and attended every interstate conference over the last 30 years, I find it difficult to accept these comments. It is ironic that two members of the panel that recommended my omission were interviewed by me on their assessment panel. No comment on the third member. Surely my judgement and Council contribution could not have deteriorated to such a degree.

Given the circumstances of age discrimination in the Mayor's comments, it is appropriate that the selection panel of the Airport Committee recommendations as to the appointment of the community members of the Committee be retracted.

The appointment of the community members should be made with reference to the selection criteria and brought back to the Council for their consideration.

The selection panel is to be prohibited from making any inference as to age and any other unsupported comments.

Mayor Howlett thanked Mr Carter for his statement and advised that she stands by her statement and will not be retracting it. Mayor Howlett also advised that she was not a member of the selection panel and the outcomes of the selection panel will remain as it. Mayor Howlett advised that the Airport Committee community membership will be considered tonight and encouraged Mr Carter to stay for the consideration of the item.

4.2.2 Mr Camilo Blanco, Harwell Way, Wedgefield

I did not attend the last Council meeting but I have heard the recording of the comments Mayor Howlett made about Mr Carter. Mr Carter and I may not agree on everything but he has contributed a lot of time and money to the town. For it to be said that he should not be on the Airport Committee because of his age is discrimination. This is something I have been talking about for the past five years when I attend Council meetings and I am very disappointed.

Mayor closed Public Statement Time at 5:43pm.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

Mayor Howlett	Councillor Hooper
Councillor Jacob	Councillor Hunt
Councillor Daccache	Councillor Butson
Councillor Gillingham	Councillor Melville

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 22 October 2014****201415/099 RECOMMENDATION/ COUNCIL DECISION****MOVED: CR JACOB****SECONDED: CR DACCACHE**

That Council confirm that the Minutes of the Ordinary Meeting of Council held on Wednesday 22 October 2014 are a true and correct record.

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

Mayor Activity Report for the October/November 2014 period to date is as follows:

*October 2014*Wednesday, 8th October

- Attended Elected Member & Executive Meetings
- Pilbara JDAP Meeting – Telephone

Thursday, 9th October

- Attended Alcohol Management Working Group Meeting
- Meeting Local Resident (Pat Mason)

Sunday 12th October

- Attended and Judged Games At 2014 Hedland Paws Walk

Monday, 13th October

- Attended BOM & DFES Cyclone Season Outlook Information Session
- Weekly Spirit Radio Pre-Record
- Attended Rotary Port Hedland Induction Meeting

Tuesday, 14th October

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Meeting Re Pilbara Institute South Hedland
- Meeting Director General Department of Training & Workforce Development (Dr Ruth Shean)
- Weekly TOPH/North West Telegraph Catch Up
- Attended PHCCI Business After Hours Function

Wednesday, 15th October

- Visit South Hedland Skate Park & Youth Space Site
 - Attended Elected Member & Executive Meetings
- Chair Public Agenda Briefing

- Thursday, 16th October
- Breakfast Meeting Taxi Drivers Re South Hedland CBD Roadworks Trial
- Meeting With @ Leisure Consultants
- Attended RSL Port Hedland 100th Anzac Centenary Planning Meeting

Friday, 17th October

- Meeting With FMG (Anna Shave)
- Chair Multi-Agency Task Force Meeting Children At Risk/Youth On Streets

Saturday, 18th October

- Mayor Coffee Session – Port Hedland
- Mayor Coffee Session – South Hedland
- Volunteered At 2014 McHappy Day

Monday, 20th October

- Weekly Spirit Radio Pre-Record

Tuesday, 21st October

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Media Photo South Hedland Skate Park & Youth Space Site
- Meeting With Local Resident Kim Gentle Re Gentle By Nature
- Weekly TOPH/North West Telegraph Catch Up
- Cruise Ship Town Ambassadors Information Session

Wednesday, 22nd October

- Presented At PHCCI/SHBA Business Breakfast Event – Value Of Cruise Ships To The Town of Port Hedland
- Visit Port Hedland International Airport (interim Improvements & International Area Expansion)
- Attended Elected Member & Executive Meetings
- Chair OCM October

Thursday, 23rd October

- Attended YIC AGM
- Attended Baler Primary School Musical: Kids In Camelot

Friday, 24th October

- Attended 2014 Hedland Well Women's Centre Pink Breast Cancer Fundraiser Breakfast

Saturday, 25th October

- Attended TOPH Friends of South Hedland Cemetery Meeting
- Attended West End Markets

Monday, 27th October

- Attended TOPH CEO Recruitment & Performance Evaluation Working Group Workshop
- Weekly Spirit Radio Pre-Record

Tuesday, 28th October

- Attended Morning Tea For Senior Olympics Dedication
- Weekly TOPH/North West Telegraph Catch Up

Wednesday, 29th October

- Attended Elected Member & Executive Meetings

Thursday, 30th October

- Attended Pilbara J-DAP Meeting
- Attended Hedland Women of Influence Luncheon Event
- Interview ABC TV Re TWA Strategy & Flying Miners TV Show
- Attended Rose Nowers Board Meeting
- Attended RSL Port Hedland AGM

Friday, 31st October

- Meeting Earbus Dr Paul Higginbotham
- Opened South Hedland Child and Parent Centre & Open Day
- Opened & Cut Ribbon Bellevue Apartments 55 Kingsmill St Port Hedland

November

Saturday, 1st November

- Spoke At Day For Daniel Day Event, Cemetery Beach Park

Sunday, 2nd November

- Volunteered As A Town Ambassador – Radiance of Seas Cruise Ship Visit (approx. 1,545 passengers disembarked at Port Hedland)

Mayor attended the Department of Fire and Emergency Services (DFES) and Bureau of Meteorology (BoM) cyclone session at the JD Hardie which had a good turnout. Mayor advised that it is great to see the road works trial in the South Hedland CBD in place after numerous meetings with the Police and taxi drivers and that the Town is already receiving feedback. The planning for the 100th ANZAC centenary event is going very well; at the last meeting a list of commitments from the Town was tabled which included the Town coordinating the gunfire breakfast. Mayor attended the Well Women's Pink Breast Cancer Fundraiser Breakfast which was very successful and was sold out.

Mayor attended the Radiance of the Seas cruise ship visit which was a big event. It has been estimated that of the 2,400 people on board 1,545 people disembarked and all the BHP Nelson Point visits were booked out. The market stall holders did very well and there was a lot of local trade. Many visitors commended the ambassadors on how well organised the welcome was and some said it was more organised than Darwin and Sydney. Mayor asked that the Chief Executive Officer pass on her commendations to the Manager Economic Development and Strategy, the Community Development team and the other staff that donated their time.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**9.1 Councillor Jacob**

Councillor Jacob commended staff on the successful cruise ship visit. The Governor-General visited Port Hedland which was a great occasion. He officiated the citizenship ceremony which would have been an honour for the new citizens. Councillor Jacob thanked Manager Corporate Information, Ms Anna Duffield, and the team for organising the Governor-General's visit which was seamless. Councillor Jacob, as the President of the South Hedland Business Association, hosted a meeting with Town of Port Hedland Mayor and Chief Executive Officer, Member for the Pilbara Brendon Grylls and the President and Deputy of the Chamber of Commerce to consolidate relationships and to discuss the straightening of approaches to business and community priorities. Councillor Jacob attended the Remembrance Day service at the memorial in Port Hedland which was held by the Returned and Services League. Councillor Jacob attended the Pilbara Development Commission business after hours event with the new chairperson of the PDC, Mr Chris Gilmore. At the first meeting of the Youth Involvement Council four new board members were welcomed. Councillor Jacob acknowledged the Director Corporate Services, Ms Clare Phelan, for her performance while at the Town. In her short time with the Town she contributed considerably to the Corporate Services department. Cr Jacob congratulated her and her team for delivering robust financial reports, the Corporate Business Plan and the Strategic Community Plan. Councillor Jacob attended the opening of the Yaandina Family Centre Turner River Rehab opening. It is a great facility for people with drug and alcohol problems who will receive proper support in a great environment. Councillor Jacob congratulated Yaandina Family Centre on the opening of the facility and is looking forward to stage two where the facility will accommodate youth.

9.2 Councillor Gillingham

Councillor Gillingham attended the cruise ship visit and the markets which were great. She also attended the West End Markets and hopes the markets continue as they are good for the community. Councillor Gillingham attended the Governor-General reception and citizenship ceremony which was great. Councillor Gillingham welcomed author Ms Jackie French at the Matt Dann Centre who spent one week in Port Hedland visiting schools. Councillor Gillingham attended a Western Australian Local Government Association training course in Perth where it was great meeting Elected Members from other local governments.

9.3 Councillor Hooper

Councillor Hooper officiated over an elderly aboriginal gentleman's funeral on the weekend. Councillor Hooper wanted to bring to attention the great job the Town of Port Hedland crew are doing at the cemetery. Councillor Hooper officiated at the gentleman's wife's funeral five years ago when the process was very different. The current process in digging the graves and putting in the frames to stop the dirt collapsing and putting out fake grass is very respectful and very safe. Councillor Hooper wanted to commend the Town of Port Hedland staff that were very respectful by standing to the side and waiting for

the funeral to proceed. The gentleman and his wife were the parents of Ms Dianna Robertson who is the elder of the Kariyarra people and opened the indigenous address at the Governor-General's reception, which is really what it means to respect the owners of the land.

ITEM 10 PETITIONS/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS**10.1 Presentation of the letter received from His Excellency General the Honourable Sir Peter Cosgrove AK MC (Retd)**

Mayor Howlett read out the following letter.



His Excellency General the Honourable Sir Peter Cosgrove AK MC (Retd)
Governor-General of the Commonwealth of Australia

17 November 2014

Councillor Kelly Howlett
Mayor
Town of Port Hedland
A Civic Centre
McGregor Street
Port Hedland WA 6721



Dear Kelly

Lynne and I were honoured to visit the Town of Port Hedland between Thursday 6 and Friday 7 November 2014. Although our time on the ground was relatively brief, we very much appreciated the opportunity meet with members of the community, and to see first-hand the diverse range of business which the Town supports.

I would like to thank you and your team at the Town of Port Hedland, in particular Ms Anna Duffield, who was instrumental in ensuring the busy schedule was a success. Port Hedland is a developing and vibrant town which continues to grow onwards and upwards and that is a credit the wonderful team at the Town of Port Hedland.

My best wishes to you and your staff.

Yours sincerely

Warm regards
Peter Cosgrove

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Chief Executive Officer advised that an acknowledgement letter has been sent to the Governor General. He also acknowledged the cross organisation support within the Town and congratulated the whole team for how smooth and professional the visit was.

Mayor asked that letters be sent to all agencies that were involved in the Governor-General's visit. Chief Executive Officer advised that this has already been done.

Chief Executive Officer officially recognised Nur Halik who finished with the Town of Port Hedland today after four years in her role of Publicity Officer. Miss Halik has had a close association with the broad community and also with Elected Members especially through her writing of a number of media releases, attending nearly every community event and by being the back bone of the PR/marketing team.

Chief Executive Officer recognised the Employee Representative Group that negotiated and worked very hard to get the Enterprise Bargaining Agreement (EBA) through. The EBA was successfully voted on last week by the staff. Chief Executive Officer also thanked Patrick Brown, Manager People & Culture, and his team for supporting the process. It was a great effort by the staff and some good negotiation skills were used by many of those staff to get an appropriate EBA through.

Chief Executive Officer echoed Councillor Jacob's sentiments in regards to the departing Director Corporate Services, Clare Phelan, who unfortunately had to leave yesterday for family reasons. Ms Phelan would have liked to attend the meeting to farewell Elected Members individually. Chief Executive Officer reiterated how much Ms Phelan has provided to the Town of Port Hedland in a fairly short period of time. In her 12 months at the Town she made an amazing contribution and provided great support to the CEO's office and Elected Members and was also able to speak very clearly to corporations, individual stakeholders and groups of stakeholders. Mudgee's gain is our loss and the Town wishes Ms Phelan every success.

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 Delegated Planning, Building & Environmental Health Approvals and Orders for October 2014**

Carly Thompson, Executive Assistant – Planning & Development
File No. 18/07/0002 & 07/02/0003

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/100 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR DACCACHE

That Council receive the Schedule of Planning and Building approvals, Environmental Health Orders issued by Delegated Authority and the listing of current legal actions for the month of October 2014.

CARRIED 8/0

EXECUTIVE SUMMARY

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

DETAILED REPORT

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

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND POLICY IMPLICATIONS

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

ATTACHMENTS

1. Statistics for Building, Planning and Health Approvals for the month of October.

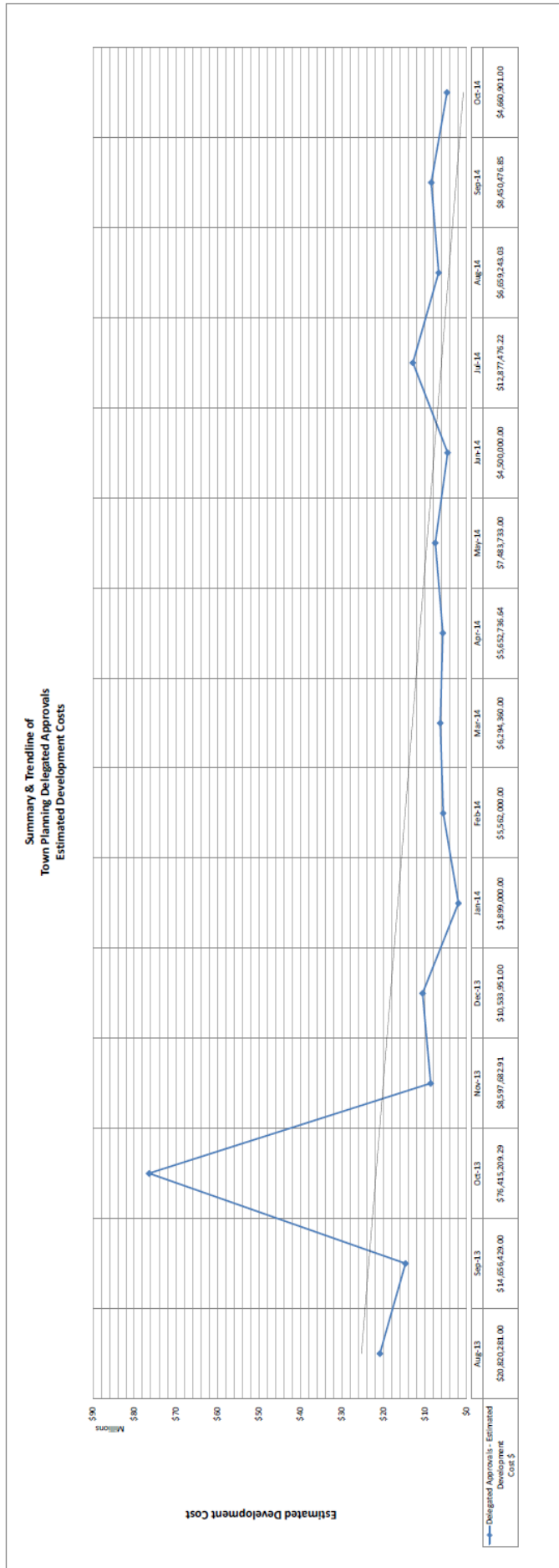
7 November 2014

ATTACHMENT 1 TO ITEM 11.1.1

DELEGATED PLANNING APPROVALS FOR OCTOBER 2014

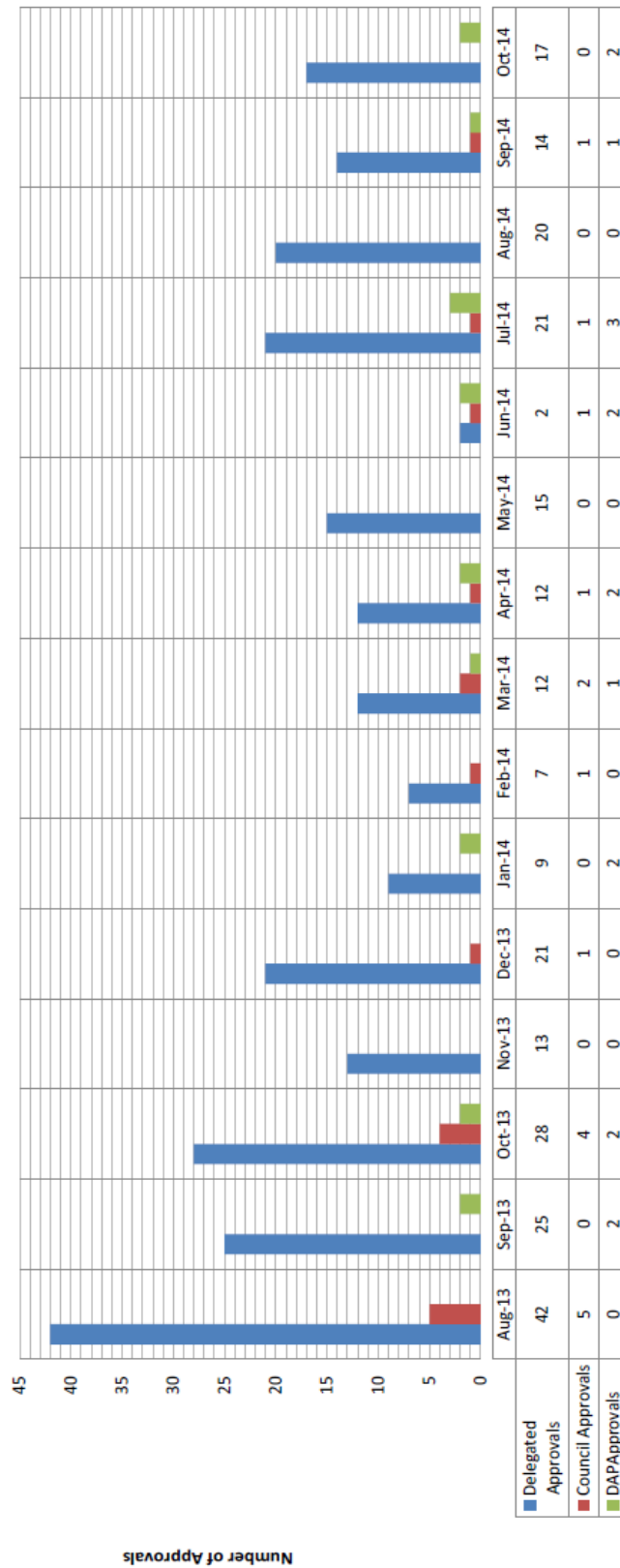
APPLICATION NO.	DESCRIPTION	LOT	PROPERTY ADDRESS	DATE APPROVED	APPLICANTS NAME	DEVELOPMENT VALUE
2014/224	SIX (6) MULTIPLE DWELLINGS	2003	10 LAWSON STREET SOUTH HEDLAND 6722	01/10/2014	ANDREW BLEE	\$ 1,500,000.00
2014/230	SIX (6) MULTIPLE DWELLINGS	2122	5 HAWKINS STREET SOUTH HEDLAND 6722	02/10/2014	PROPERTY PASSION	\$ 1,100,000.00
2014/265	HOME BUSINESS - BAKED GOODS	96	9 WARRALONG WAY SOUTH HEDLAND 6722	06/10/2014	BRADLEY GOODEN	\$ -
2014/272	SIGNAGE	1	2-8 THROSSELL ROAD SOUTH HEDLAND 6722	06/10/2014	CHECKPOINT BUILDING SURVEYORS	\$ 5,000.00
2014/277	PATIO	4004	44 EGRET CRESCENT SOUTH HEDLAND 6722	06/10/2014	CUSTOM CONSTRUCTION WA PTY LTD	\$ 12,500.00
2014/255	HOME BUSINESS - FAMILY DAY CARE	1	173A ANDERSON STREET PORT HEDLAND 6721	07/10/2014	RENAE NOTIS	\$ -
2014/278	STOREROOMS TO PORT HEDLAND YACHT CLUB	5550	5550 SUTHERLAND STREET PORT HEDLAND 6721	07/10/2014	CUSTOM CONSTRUCTION WA PTY LTD	\$ 48,000.00
2014/283	SINGLE HOUSE - R-CODE VARIATION (FRONT SETBACK)	208	13 MCKENNA WAY SOUTH HEDLAND 6722	10/10/2014	MEGARA DEVELOPMENTS PTY LTD	\$ 453,636.00
2014/249	SINGLE HOUSE - RETROSPECTIVE STORAGE SHED	3116	5 LOVELL PLACE SOUTH HEDLAND 6722	16/10/2014	SHAUN STANLEY CARR	\$ 7,000.00
2014/225	INFRASTRUCTURE - TELECOMMUNICATIONS EQUIPMENT SHELTER	2052	UNIT LSE LOT 2052 MCGREGOR STREET PORT HEDLAND 6721	17/10/2014	NEXTGEN NETWORKS PTY LTD	\$ 200,000.00
2014/244	MOTOR VEHICLE AND/OR MARINE REPAIR - DOME WORKSHOP ADDITION, OFFICE RELOCATION, ABLUTIONS AND CRIB ROOM	1675	3 HARWELL WAY WEDGEFIELD 6721	20/10/2014	ROWE GROUP	\$ 623,000.00
2014/234	HOLIDAY ACCOMMODATION - ADDITIONAL EIGHT (8) CABINS	2115	LOT 2115 NORTH CIRCULAR ROAD SOUTH HEDLAND 6722	21/10/2014	APC PT HEDLAND PTY LTD	\$ 400,000.00
2014/287	INDUSTRY LIGHT - SIGNAGE	117	L117 PINNACLES STREET WEDGEFIELD 6722	21/10/2014	MODUS COMPLIANCE PTY LTD	\$ 3,000.00
2014/288	SIGNAGE	308	29 PHOSPHORUS STREET WEDGEFIELD 6721	21/10/2014	T & Z ARCHITECTS	\$ 18,765.00
2014/310	HOME OCCUPATION - FAMILY DAY CARE	2400	37 BRODIE CRESCENT SOUTH HEDLAND 6722	28/10/2014	LINDSEY NUNN	\$ -
2014/271	PLACE OF MEETING, ASSEMBLY OR WORSHIP (RSL CLUB) AND ANCILLARY SHOP	550	LOT 550 HEDDITCH STREET SOUTH HEDLAND 6722	29/10/2014	PILBARA SUPERVISION & CONSULTING SERVICES	\$ 120,000.00
2014/295	CHILD CARE FACILITY - STAFF ROOM EXTENSION	2791	LOT 2791 BORONIA CLOSE SOUTH HEDLAND 6722	29/10/2014	CHEST CONSTRUCTIONS	\$ 170,000.00
TOTAL 17						\$ 4,660,901.00

DELEGATED PLANNING APPROVALS FOR OCTOBER 2014



COUNCIL, DELEGATED & DAP PLANNING APPROVALS FOR OCTOBER 2014

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



DELEGATED BUILDING APPROVALS FOR OCTOBER 2014

BUILDING PERMITS								
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
14-313	09.10.2014	44 EGRET CRESCENT	SOUTH HEDLAND 6722	CUSTOM CONSTRUCTION GROUP PTY LTD	Construction of 1 x Patio	\$ 13,500.00	18	10a
14-335	28.10.2014	4 BLACKHEART WAY	SOUTH HEDLAND 6722	ARB Carpentry Pty Ltd	Carport including modifications to an existing carport	\$ 19,500.00	36	10a
14-304	09.10.2014	52 PARKER STREET	SOUTH HEDLAND 6722	PEARL COAST POOLS	Below ground Swimming Pool	\$ 32,000.00	21	10b
14-317	13.10.2014	7 WISE TERRACE	SOUTH HEDLAND 6722	Jaxon Pty Ltd	Site sign board	\$ 30,000.00	0	10b
14-326	22.10.2014	2 DENIMAN PLACE	SOUTH HEDLAND 6722	Reve Pools and Spas	Below ground swimming pool	\$ 35,300.00	12	10b
14-332	23.10.2014	10 BUTLER WAY	PORT HEDLAND 6721	Jocelynn Shanks	Replacement of existing swimming pool fence	\$ 2,000.00	0	10b
14-333	28.10.2014	L9500 COLLIER DRIVE	SOUTH HEDLAND 6721	Fleetwood Pty Ltd	2x Shade sails with supporting posts	\$ 8,000.00	0	10b
14-327	29.10.2014	10 DARTER STREET	SOUTH HEDLAND 6722	Reve Pools & Spas	Below ground swimming pool	\$ 30,000.00	18	10b
14-330	27.10.2014	30 WRASSE CRESCENT	SOUTH HEDLAND 6722	Megara Constructions Pty Ltd	Single storey dwelling and fence	\$ 499,000.00	144	1a
14-315	10.10.2014	32 CATAMORE ROAD	SOUTH HEDLAND 6722	MEGARA CONSTRUCTION PTY LTD	Single storey dwelling and fence	\$ 479,000.00	144	1a & 10b
14-322	13.10.2014	17 MCKENNA WAY	SOUTH HEDLAND 6722	Megara Constructions Pty Ltd	Single storey dwelling and fence	\$ 489,000.00	144	1a & 10b
14-323	13.10.2014	24 WRASSE CRESCENT	SOUTH HEDLAND 6722	Megara Constructions Pty Ltd	Single storey dwelling and fence	\$ 499,000.00	144	1a & 10b
14-321	14.10.2014	13 MCKENNA WAY	SOUTH HEDLAND 6722	Megara Constructions Pty Ltd	Single storey dwelling and fence	\$ 499,000.00	144	1a & 10b
14-331	23.10.2014	3 KWINANA STREET	SOUTH HEDLAND 6722	Winfield Constructions Pty Ltd	Construction of firewall and fence	\$ 19,756.00	0	1a & 10b
14-329	24.10.2014	2 HULL PLACE	SOUTH HEDLAND 6722	Megara Constructions Pty Ltd	Single storey dwelling and fence	\$ 475,000.00	144	1a & 10b
14-338	31.10.2014	6 HULL PLACE	SOUTH HEDLAND 6722	Megara Constructions Pty Ltd	Single storey dwelling and fence	\$ 499,000.00	148	1a & 10b
14-308	07.10.2014	16 WRASSE CRESCENT	SOUTH HEDLAND 6722	CHAN RAMAKRISHNAN	Construction of Single storey dwelling	\$ 495,950.00	297	1a 10a & 10b
14-309	08.10.2014	18 WRASSE CRESCENT	SOUTH HEDLAND 6722	CHAN RAMAKRISHNAN	Construction of Single storey dwelling	\$ 495,950.00	297	1a 10a & 10b
14-298	09.10.2014	8 WEAVER PLACE	SOUTH HEDLAND 6722	PIVOT WAY PTY LTD T/A MCGRATH HOMES	Construction of 1 Single Storey Dwelling	\$ 451,515.00	121	1a 10a & 10b
14-314	14.10.2014	8 THREADFIN LOOP	SOUTH HEDLAND 6722	THOMAS BUILDING PTY LTD	Single storey dwelling, patio, carport & fence	\$ 555,766.00	172	1a 10a & 10b
14-324	20.10.2014	32 THREADFIN LOOP	SOUTH HEDLAND 6722	Thomas Building Pty Ltd	Single storey dwelling, patio, carport & fence	\$ 590,000.00	172	1a 10a & 10b
14-328	21.10.2014	4 MCGREGOR STREET	PORT HEDLAND 6721	Pindan Contracting	Construction of 22 x Grouped dwellings	\$13,751,378.00	3960	1a 10a & 10b
14-337	30.10.2014	73 TREVALLY ROAD	SOUTH HEDLAND 6722	Thomas Building Pty Ltd	Single storey dwelling, patio, carport & fence	\$ 555,326.00	172	1a 10a & 10b
14-336	30.10.2014	6 THREADFIN LOOP	SOUTH HEDLAND 6722	Thomas Building Pty Ltd	Single storey dwelling, patio, carport & fence	\$ 590,000.00	172	1a 10a & 10b
14-318	14.10.2014	7 WISE TERRACE	SOUTH HEDLAND 6722	Jaxon Pty Ltd	Stage 1 - Forward Works for Mixed Use Development	\$ 4,880,000.00	0	1a 2 5 6 & 10a
14-311	30.10.2014	L45/219 MINING TENEMENT	PORT HEDLAND 6721	CRUSHING SERVICES INTERNATIONAL PTY LTD	Construction of 48 additional rooms	\$ 1,500,000.00	726	1b & 3
14-325	14.10.2014	13 MCGREGOR STREET	PORT HEDLAND 6721	Solution 4 Building	Roof replacement and remedial works	\$ 426,195.00	0	5
14-306	08.10.2014	9-31 THROSSELL ROAD	SOUTH HEDLAND 6722	Nicholas Lyall	Food tenancy fitout (Muffinbreak)	\$ 265,000.00	105	6
14-307	15.10.2014	43 COUNIHAN CRESCENT	PORT HEDLAND 6721	Chan Ramakrishnan	Fitout of the ground floor commercial tenancy	\$ 604,688.00	210	6
14-316	29.10.2014	2-8 THROSSELL ROAD	SOUTH HEDLAND 6722	Checkpoint Building Surveyors	Construction of Takeaway restaurant	\$ 150,000.00	160	6
Total 30						\$ 28,940,824.00	7681	

TOWN OF PORT HEDLAND CERTIFICATION	
Certificate Type	Number Issued
Certificate of Design Compliance	16
Certificate of Construction Compliance	0
Certificate Building Compliance	0
TOTAL	16

OCCUPANCY PERMIT FOR OCTOBER 2014

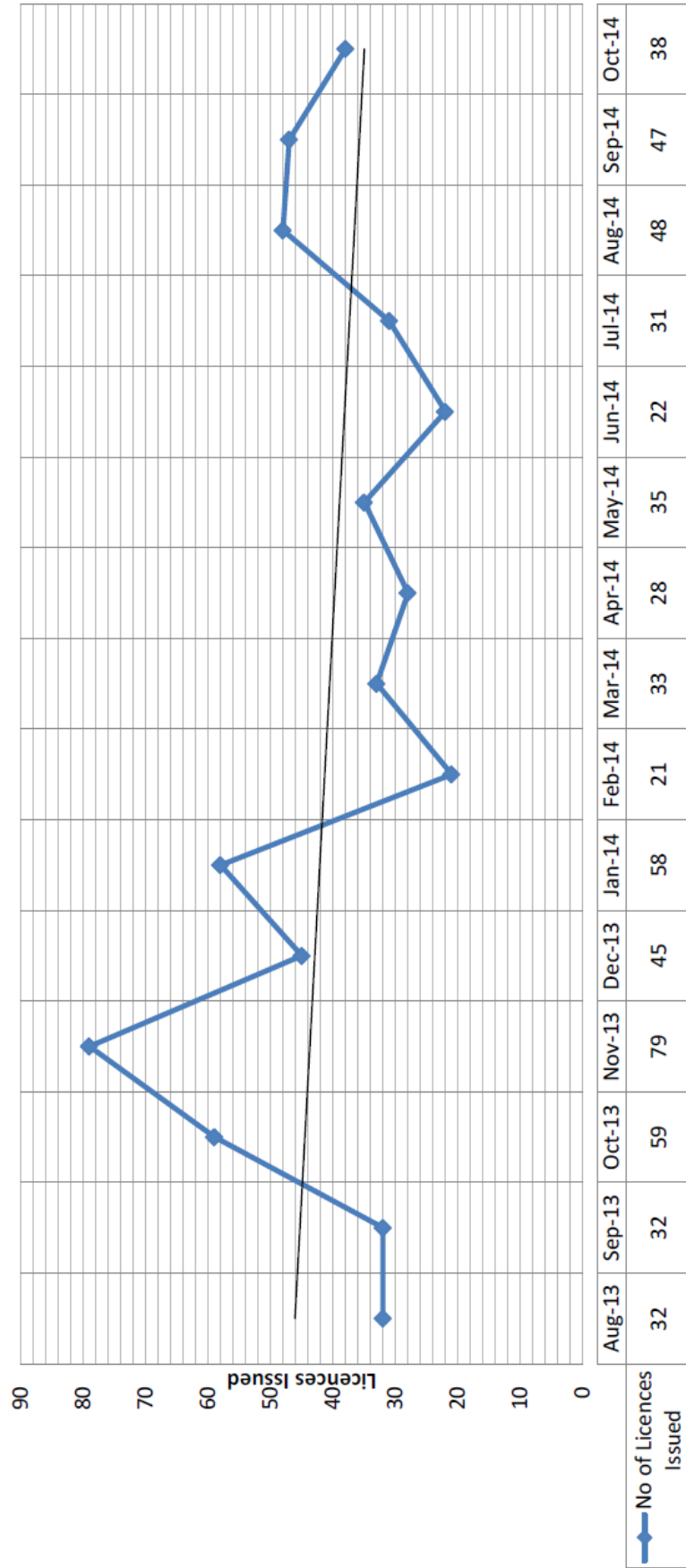
OCCUPANCY PERMIT				
Permit Number	Decision Date	Property Address	Description of Work	
14-305	07/10/2014	LOT 110 IRON ORE STREET WEDGEFIELD	Part of building - Unauthorised Mezzanine	
13-265	08/10/2014	LOT 733 (60) MOORE STREET, PORT HEDLAND	13x Residential Units	
13-197	07/10/2014	LOT 213 (5) STEEL LOOP, WEDGEFIELD	Office/Warehouse	
14-245	20/10/2014	LOT 2053 (77-95) HAMILTON ROAD, SOUTH HEDLAND	2x laundry buildings, 160 class 3 sole occupancy units and renovation of 9 existing units	
14-027	31/10/2014	LOT 303 (29) PHOSPHORUS STREET, WEDGEFIELD	STAGE 1 - CIVIL WORKS, IN-GROUND SERVICES AND FOUNDATION	
Total 5				

OVERVIEW SUMMARY FOR OCTOBER 2014

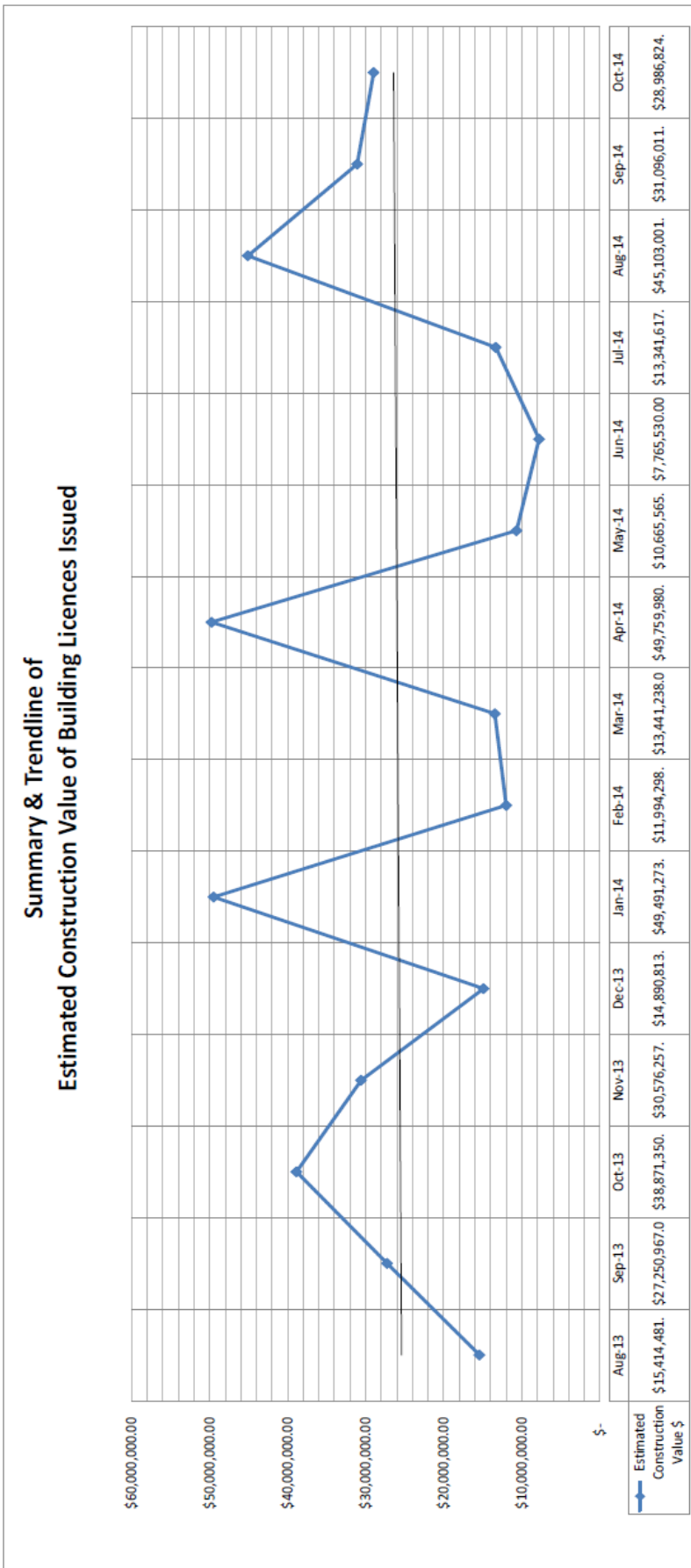
SUMMARY				
No of Permits	Permit Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
2	Demolitions	\$46,000	310	\$148.39
18	Dwellings	\$27,324,641	7,101	\$3,848.00
2	Class 10a	\$33,000	54	\$611.11
6	Class 10b	\$137,300	51	\$2,692.16
4	Commercial	\$1,445,883	475	\$3,043.96
6	Strata / Occupancy	N/A	N/A	N/A
38		\$28,986,824	7,991	

BUILDING APPROVALS FOR OCTOBER 2014

Summary & Trendline for Building Licence Approvals



BUILDING APPROVALS FOR OCTOBER 2014



RANGER ACTIVITY FOR THE MONTHS JANUARY - OCTOBER 2014

2014	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Year Total
Camping Jobs	2	2	4	5	14	11	7	3	3	6			
Cat Jobs	30	32	37	23	17	12	50	23	21	24			
Dog Jobs	73	59	64	82	114	131	124	80	74	88			
Fire Jobs	7	15	17	6	7	27	8	7	10	10			
Litter Jobs	9	11	20	13	11	10	15	36	63	21			
Livestock Jobs	0	1	0	1	3	0	1	0	1	0			
Off road Vehicles Jobs	0	1	2	0	2	10	2	18	1	0			
Parking Jobs	40	33	27	23	45	27	34	49	90	35			
Abandoned Vehicles Jobs	28	24	25	39	25	31	51	67	37	51			
Wildlife Jobs	19	17	12	5	13	8	8	17	24	15			
Dog Health Program	0	0	0	0	0	0	0	0	1	36			
Dogs Impounded	42	50	30	29	44	61	53	35	42	40			
Cats Impounded	39	33	43	24	48	7	61	14	18	40			
Total Infringements	114	234	119	57	143	64	119	133	82	120			
Animals Adopted	13	16	5	4	13	17	8	3	18	16			

	13	16	5	4	13	17	8	3	18	16		
Animals Adopted	13	16	5	4	13	17	8	3	18	16		
*Total Jobs Attended	209	205	212	197	255	255	338	274	350	252		
OT HOURS										62		
Fires										30		
										20		

*Total Jobs Attended not reflective of the following:-Patrols of parks, reserves, foreshores & pound duties.

NB: Cat Jobs relates to calls about lost, found, wanted, abandoned or feral trapped cats. Cats impounded relates to the total number of impounded cats.

CURRENT LEGAL MATTERS FOR OCTOBER 2014

CURRENT LEGAL MATTERS				
File No.	Address	Issue	Current Status	Officer
117650G	Lot 2505 # 7 Moorambine Street, Wedgefield	Unauthorised Residential Structures	Handed over to the attorney. - 1st Hearing set for Friday 2nd August 2013. - Adjourned until 30th August 2013. - Adjourned until 18th October 2013. - Sentencing scheduled for 22nd November 2013. - Adjourned until 20th Feb 2014. - Sentencing scheduled for the 9th April 2014. - Adjourned until 9th May 2014. - Set down for trial on 2nd December 2014.	BM
401840C	Lot 841 # 34 Sutherland Street, Port Hedland	Asbestos house dumped on reserve (Old hospital site)	First mention on 15th August 2014. - Trial in March 2015	MS
154413G	Lot 3 # 9-11 Greenfield Street, South Hedland	3 x Sea Containers	Prosecution notice to be served on offender.	MS
154427G	Lot 16 # 59-61 Greenfield Street, South Hedland	Unauthorised use as a laydown and storage facility	Prosecution notice to be served on offender	RS

CURRENT HEALTH ORDERS AS OF OCTOBER 2014

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

***Please note that we will advise when this order is lifted.**

6:05pm Mayor Howlett and Councillor Hunt declared an impartiality interest in item 11.1.2 'Request to Create a Reserve on the Unallocated Crown Land located at Lot 510 and Lot 511 on DP 71580 and Accept the Management Order' as she is a member of Care for Hedland.

Mayor Howlett and Councillor Hunt did not leave the room.

11.1.2 Request to Create a Reserve on the Unallocated Crown Land located at Lot 510 and Lot 511 on DP 71580 and Accept the Management Order.

Katherine Shaw, Lands and Technical Officer
File No. 18/07/0009

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/101 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HOOPER

SECONDED: CR MELVILLE

That Council:

- 1. Support the creation of a Reserve to include Lots 510 and 511 on Deposited Plan 71580;**
- 2. Accept the Management Order over the Reserve for the purpose of 'Community, Parks and Recreation';**
- 3. Support the initiation of the process of removing the Native Title from the Lots 510 and 511 on Deposited Plan 71580;**
- 4. Request the Chief Executive Officer, or his delegate(s), to request the Department of Lands to create a Reserve with the Management Order to the Town of Port Hedland for the purpose of 'Community, Parks and Recreation', with the ability to lease.**

CARRIED 8/0

EXECUTIVE SUMMARY

The Town requests a Reserve be created to include Lot 510 and 511 on Deposited Plan 71580. It is proposed that the Management Order be granted to the Town for the purpose of 'Community, Parks and Recreation'.

It is recommended Council approve the Town's request.

DETAILED REPORT

Town officers have been in discussions with representatives from Care for Hedland to identify potential sites to establish community gardens. Various sites have been identified and are being investigated. One of the sites identified has been Lots 510 and 511 on DP71580.

Both these lots are currently Unallocated Crown Land (UCL). The Town proposes the lots be rehabilitated into a Community Garden.

The UCL lots are currently undeveloped with Lot 511 have a footpath connecting Godrick Place and Cottier Drive. By accepting the Management Order over the lots and facilitating Care for Hedland to develop a Community Garden, it will improve the appearance of the area and provide an additional space for recreational/community activities.

It is noted that the two UCL lots are subject to Native Title. The Native Title will need to be cleared before a Reserve can be created and Management Order is accepted by the Town. The process to clear Native Title can take 6-12 months.

Please refer to Attachment 1 - Locality Plan.

FINANCIAL IMPLICATIONS

By accepting the Management Order over the Reserve the Town will become responsible for its care and maintenance and all associated costs. A lease may be entered into with Care for Hedland to take on the responsibility of care and maintenance of the site, subject to local government requirements.

STATUTORY AND POLICY IMPLICATIONS

Strategic Community Plan

1.1 A unified community across our townships

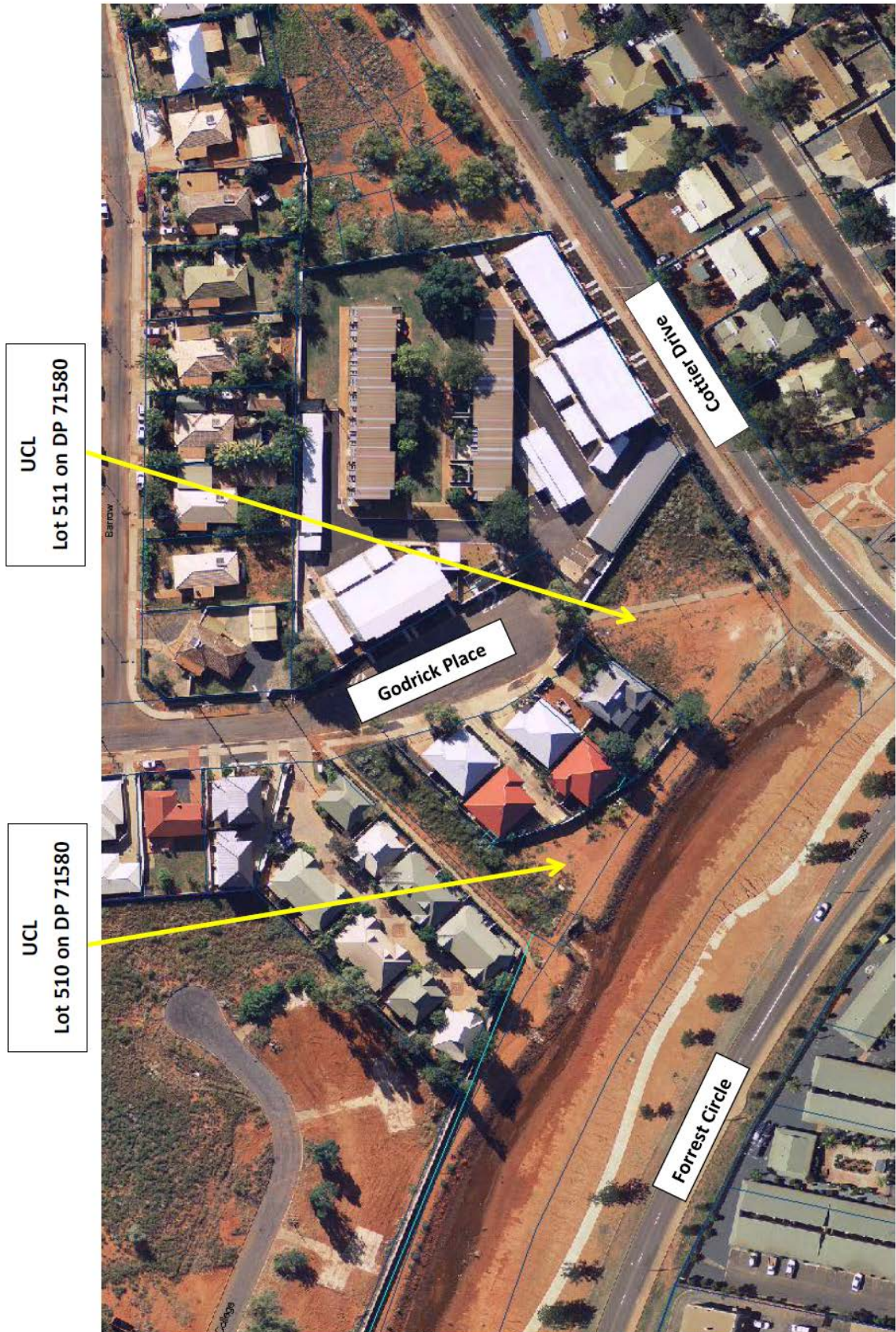
Provide safe and accessible community facilities, services, events and open spaces that connect people and neighbours

ATTACHMENTS

1. Locality Plan.

31 October 2014

ATTACHMENT 1 TO ITEM 11.1.2



11.1.3 Adoption Local Development Plans for Lot 331 Hamilton Road, South Hedland

Ryan Del Casale, Strategic Planning Officer
File No. 18/08/0006.

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION

That Council:

- 1. Adopt the Local Development Plans for Lot 331 Hamilton Road, South Hedland with the following modification;**

Parking shall be provided as prescribed by the RCodes, “where on street parking is directly abutting a proposed development this car parking may be used to provide visitor car parking”.

- 2. Request the Chief Executive Officer, or his delegate(s), to approve the Local Development Plans for Lot 331 Hamilton Road – Type Lot A and B and ensure they are included in the Town of Port Hedland Local Planning Policy Manual as a policy statement in accordance with Section 5.2.2 of Town Planning Scheme No.5; and**
- 3. Request the Chief Executive Officer, or his delegate(s), to forward the Local Development Plans to the Western Australian Planning Commission within 42 days of the adoption requesting the Local Development Plan is endorsed in accordance with Section 6.1, Appendix 6 of Town Planning Scheme No.5.**

201415/102 AMENDED RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR HOOPER

That Council:

- 1. Adopt the Local Development Plans for Lot 331 Hamilton Road, South Hedland with the following modifications;**
 - 1.1 Parking shall be provided as prescribed by the R-Codes. Where on street parking is directly abutting a proposed development, this car parking may be used to provide visitor car parking; and**
 - 1.2 The blue-dot notation on the Location Plan for the Lot Type A Local Development Plan including the notation reading “passive surveillance over laneway is required” be removed.**

2. Request the Chief Executive Officer, or his delegate(s), to approve the Local Development Plans for Lot 331 Hamilton Road – Type Lot A and B (as modified) and that they are included in the Town of Port Hedland Local Planning Policy Manual as a policy statement in accordance with Section 5.2.2 of Town of Port Hedland Town Planning Scheme No. 5; and
3. Request the Chief Executive Officer, or his delegate(s), forward the Adopted Local Development Plans to the Western Australian Planning Commission within 42 days of the adoption requesting the Local Development Plan is endorsed in accordance with Section 6.1, Appendix 6 of Town Planning Scheme No. 5.

CARRIED 8/0

EXECUTIVE SUMMARY

An application was received in March 2014 for a Local Development Plan formerly known as a Detailed Area Plan over a development area in South Hedland known as the Hamilton Precinct. The Local Development Plan concerns Lot 331 Hamilton Road, South Hedland, formerly referred to as Lot 330 Hamilton Road in previous Council reports.

The purpose of the Local Development Plan is to vary the provisions of the RCodes with respect to setbacks, building height, vehicular access, visitor car parking, stormwater disposal and retaining walls.

The Local Development Plan was prepared and lodged by TPG Planning Consultants as part of the detailed planning of the site. At the Ordinary Council Meeting of 27 August 2014, Council resolved to initiate the Local Development Plans with amendments.

DETAILED REPORT

Site Description

The subject site is located on Lot 331 Hamilton Road, South Hedland (formerly referred to as Lot 330 Hamilton Road in previous Council reports) at the corner of Hamilton and North Circular Roads. The subject site concerns two parcels of lots within the Hamilton Precinct known as 'four pack lots' (lot types A & B). The subject site was designed to be developed to create approximately 300 residential lots, capable of supporting 450 residential dwellings in various styles and types.

Background

To facilitate the development of the subject site, the site was rezoned to 'Urban Development'. A Development Plan (DP) was prepared over the subject site endorsed by Council in April 2012, approved by the Western Australian Planning Commission (WAPC) in June 2012 and subdivision approval was granted by the WACP in August 2012. The DP proposed a range of residential densities from R20, R25, R80 and R160. The proposed R80 lots were intended to be developed to support "Multiple Dwellings" in a 'four pack' arrangement.

In accordance with the approved DP, Local Development Plans (LDPs) were required for the sites zoned R80 and R160, and all lots zoned R20 and R25 that address drainage reserves. It is important to note that this does not apply to all of the R20 & R25 lots within the DP Area. The purpose of preparing LDPs was to guide the built form of the subject lots within the DP Area.

The LDP was initiated at the Ordinary Council Meeting on 27 August 2014 as per *Council Resolution 20145/022*). Council resolved to initiate the LDP with the following amendments;

1. *Requests the applicant to modify the Local Development Plan for Lot Type A to include provisions for the R20 lots abutting the rear laneways to require passive surveillance over the rear laneway;*
2. *Requires the applicant to modify the provision for car parking and access for both Local Development Plans to read;*
 - a. *Parking shall be provided as prescribed by the R-Codes, where on street parking is directly abutting a proposed development this car parking may be used to provide visitor parking;*
 - b. *Where the landowner makes use of the abutting on street car parking the landowner shall enter into maintenance/licence agreement with the Town of Port Hedland.*

The Council resolution also required the LDP be work-shopped with the Elected Members at a future concept forum. This workshop session was held with the Elected Members on Wednesday 29 October 2014.

Consultation

The application was circulated as follows:

Internally:

A/Senior Statutory Planning Officer
Building Surveyor
Then Manager Infrastructure and Development Services
Manager Engineering Services
Manager Community and Cultural Services
Manager Recreation Services

No objections were received from the internal departments of the Town.

In accordance with the *Council resolution 2014/5/022* the LDP was advertised for a period of no less than 14 days, including advertising in the North West Telegraph for 2 consecutive weeks, a notice was placed on the site and on the information board at the Civic Centre Offices. One (1) submission was received from the applicant; TPG, whom objected to the abovementioned provisions 1 and 2 to the LDP.

Passive Surveillance

The intention behind including provision 1 is a valid planning concern. The provision seeks to address concerns regarding a lack of passive surveillance between the R80 lots and the R20 lots. However, after further consultation with the applicant, it is considered passive surveillance could be dealt with via a policy, as single dwelling developments are exempt from requiring planning approval.

It is considered there are more effective measures of achieving passive surveillance for these lots as follows;

- Through provisions of a Local Planning Policy; and
- Through overlooking of the rear laneway from the upper level habitable windows of dwellings from the Type A, R80 lots.

The Towns officers are currently preparing a draft Local Planning Policy (draft policy) concerning residential design in the Town and regional variations to the Residential Design Codes of Western Australia (RCodes). This draft policy specifically looks at passive surveillance of the street from corner lots which have dual frontage, such as the R20 lots in question. The draft policy proposes such lots should have fencing which is permitted to be solid where it abuts the primary outdoor living area of the site to a maximum of 50% of the secondary street boundary. The draft policy is considered a more appropriate measure to deal with passive surveillance as it will apply to all residential development within the Town.

The draft policy is intended to be presented to Council for initiation in late 2014. If initiated the draft policy would be advertised formally and be presented back to Council for adoption.

Parking

The DP provided formal street parking abutting various R80 Lots, the Public Open Space and the R160 lots. The inclusion of street or embayed parking is not considered an issue; however the following concerns regarding parking in general were raised by the Town's Officers;

- Where a developer would propose to build more than four (4) multiple dwellings (the Town would require additional parking bays to be used as visitor bays); and
- Would the Town be left to cover the cost of the ongoing maintenance of embayed car bays if they are used by landowners?

Part a. of provision 2 proposes to deal with the a situation where a developer provides more than 4 bays by including the following wording in (*italics*) to the existing provision;

- Parking shall be provided as prescribed by the RCodes, where on street parking is abutting a proposed development this car parking may be used to provide visitor car parking.

This modification is supported and it is recommended the LDPs be adopted as detailed above.

The inclusion of part b. of provision 2 addresses concerns regarding how the Town would cover costs of ongoing maintenance. Whilst this is a valid concern and after further consultation with the applicant it is considered more appropriate to apply this provision at the development application stage rather than at the LDP stage.

The objections raised by TPG concerning provisions 1 & 2 (part b.) have been considered and the following modification is recommended:

Parking shall be provided as prescribed by the R-Codes, where on street parking is directly abutting a proposed development this car parking may be used to provide visitor parking.

FINANCIAL IMPLICATIONS

The applicant has paid the prescribed fee of \$1,572.00 to initiate and adopt the LDPs.

STATUTORY AND POLICY IMPLICATIONS

In accordance with the *Planning and Development Act 2005*, the proposed Local Development Plan is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5) and the Residential Design Codes.

Strategic Planning Implications

3.1 Sustainable services and infrastructure

Support the development of education, research and strategic investment opportunities for 'clean technology' industrial development and energy production

Develop and maintain our infrastructure to ensure the long-term sustainability of our built and natural environment

Provide and promote sustainable waste management practices, including recycling initiatives

Facilitate the delivery of high quality and enduring built and natural environment

Success Indicators

Increased awareness of environmental initiatives

Provision of sustainable waste management practices

Increased partnership with key agencies to support sustainable development
Effective preparation, response and recovery from emergencies such as cyclones
Increase in amenity CBD and residential areas

Planning Comment

The proposed LDPs are consistent with the Town's Strategic Community Plan. These statutory documents seek to allow for appropriate development controls over the subject sites to facilitate a preferred built form outcome.

The following section of the Pilbara's Port City Growth Plan is considered relevant to the Proposal:

5.6.6 Precinct 10 – South Hedland West

Precinct Summary

South Hedland West is South Hedland's newest land release area. It supports immediate and short term land supply, bringing a permanent population catchment to the west of the City. Densities are greatest in proximity to the City Centre, with more traditional home sites provided to the south west and south of the precinct.

Planning Comment

The LDPs contribute to one of the Precinct highlights, which is to ensure medium/long future residential land supply.

Policy Implications

Should Council resolve to adopt the LDPs, the LDPs shall be included in the Town of Port Hedland Local Planning Policy Manual as a policy statement in accordance with Section 5.2.2 of Town Planning Scheme No.5.

10/001 – Existing Trees

"Pundal trees shall not be removed without prior consent of Council".

ATTACHMENTS

Attachment 1: Local Development Plan for Lot 330 Hamilton and Hamilton Development Plan
Attachment 2: Submission(s)

23 October 2014

HAMILTON PRECINCT DETAILED AREA PLAN (DAP) Lot Type A

The requirements of the Residential Design Codes (R-Codes) and any relevant Local Planning Policies are varied as shown on this Detailed Area Plan (DAP).

The requirements for the R-Codes, the Town of Port Hedland Town Planning Scheme and any other relevant policy or legislation shall be satisfied in all other matters.

Setbacks and Height

- All setbacks are as per the plan opposite. Where a setback is not specified within the DAP the provisions of the R-Codes shall prevail.
- The maximum height is two storeys and a loft with a maximum wall height of 7.0m and a maximum roof height of 10.0m, measured from finished ground level.
- Nil setbacks to truncations will be permitted.

Garaging

- Garages, carports or parking areas are to be located at the rear, accessed from the rear lane/road and provided with a minimum setback of 1.0m from the laneway/road.

Laneways/Secondary Streets

- All dwellings shall be suitably designed to ensure passive surveillance over the public domain. Dwellings shall have one or more major openings to a habitable room facing the laneway and secondary streets.

Car Parking and Access

- Parking shall be provided as prescribed by the R-Codes with the exception that no visitor parking is required to be provided on site.
- Vehicle access is permitted directly onto the laneway or rear street and the crossover may extend to 90% of the rear frontage of the lot.

Stormwater Disposal

- All water draining from roofs and other impermeable surfaces should be directed to garden areas but given the climatic and soil conditions may be directed towards public roads for collection and disposal.

Retaining Walls/Estate Fencing

- Any existing retaining wall and fence is to remain unaltered. No fixtures or appendages shall be added to the fence that may result in an increased wind load during cyclonic events.

Passive Surveillance

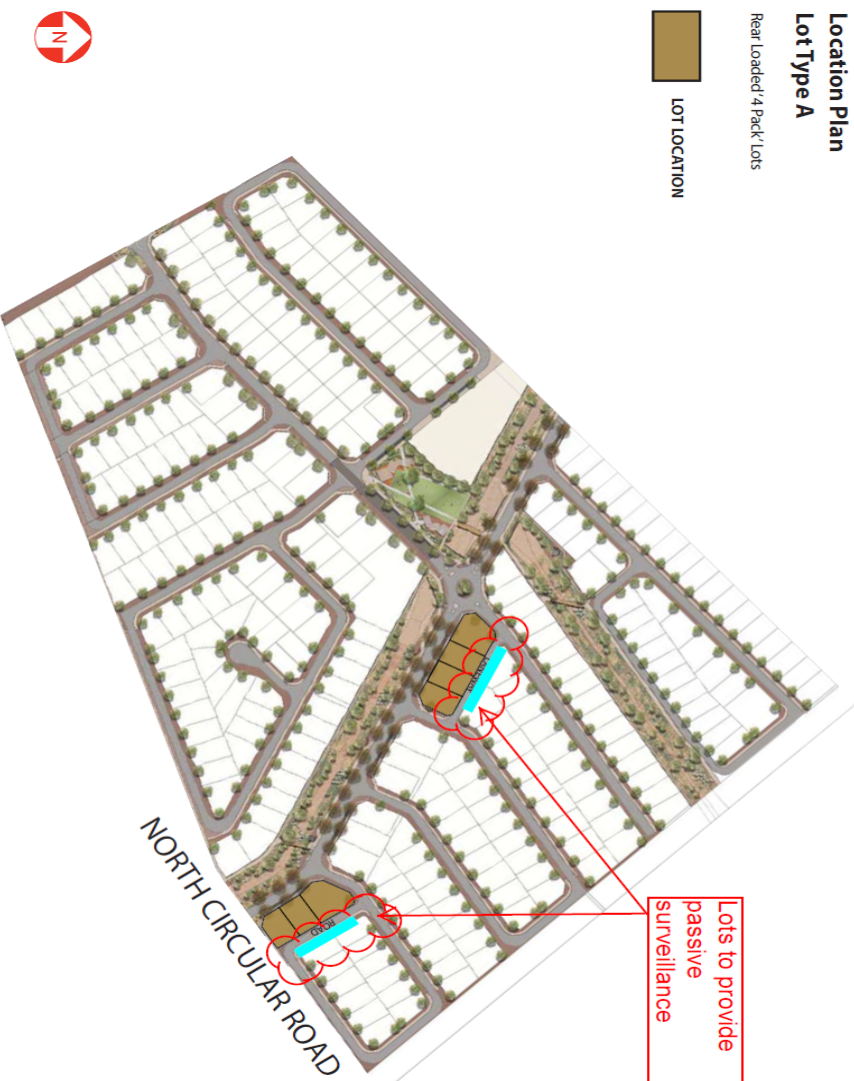
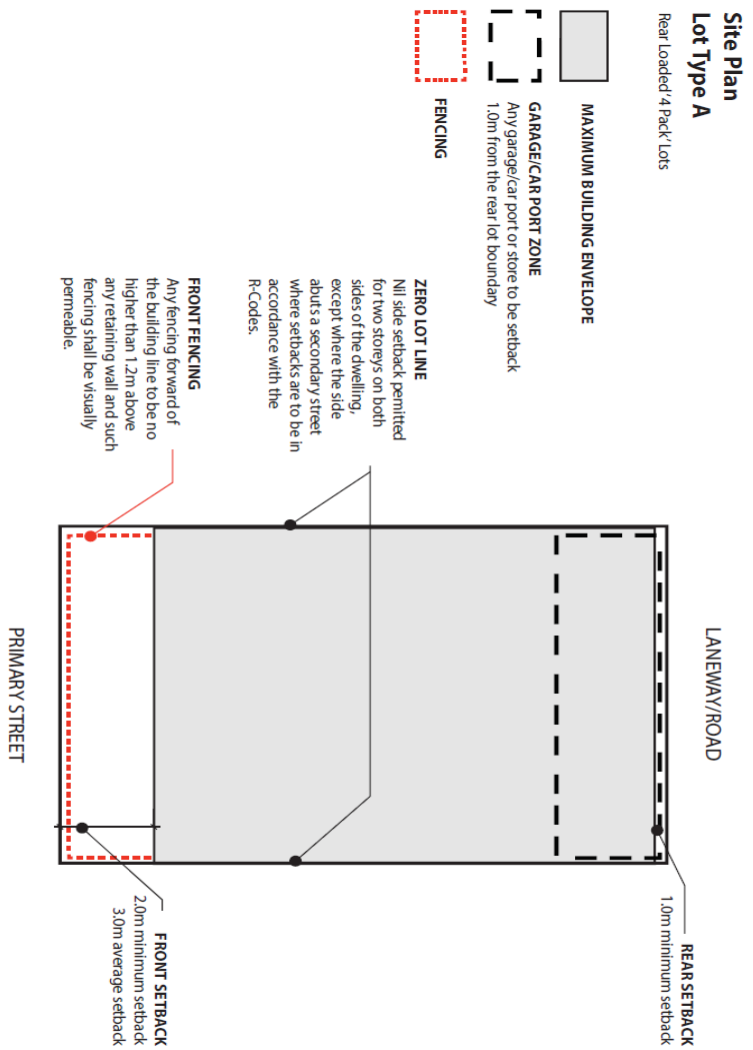
The dwellings on the Lots zoned R20 and where abutting the rear laneways shall be designed to ensure passive surveillance over the rear laneways.

This Detailed Area Plan has been approved by the Town of Port Hedland.

Director Planning and Development: _____ Date: _____

Hamilton Precinct Detailed Area Plan (DAP) - Lot Type A
Hamilton Road, Port Hedland

Date: 23/04/2014
Scale: NTS @ A3
Drawing No: 711-340 DAP Lot Type A.pdf



Lead: T. (08) 938 8200
Project Manager: M. (08) 938 8200
Town of Port Hedland
100 Hamilton Road, Port Hedland, WA 6715
Tel: (08) 938 8200
Fax: (08) 938 8201
www.porthedland.wa.gov.au

HAMILTON PRECINCT DETAILED AREA PLAN (DAP) Lot Type B

The requirements of the Residential Design Codes (R-Codes) and any relevant Local Planning Policies are varied as shown on this Detailed Area Plan (DAP).

The requirements for the R-Codes, the Town of Port Hedland Town Planning Scheme and any other relevant policy or legislation shall be satisfied in all other matters.

Setbacks and Height

- All setbacks are as per the plan opposite. Where a setback is not specified within the DAP the provisions of the R-Codes shall prevail.
- The maximum height is two storeys and a loft with a maximum wall height of 7.0m and a maximum roof height of 10.0m, measured from finished ground level.
- Nil setbacks to truncations will be permitted.

Garaging

- Garages, carports or parking areas are to be located at the rear, accessed from the secondary street or batt lease leg (where applicable).

Secondary Streets

- All dwellings shall be suitably designed to ensure passive surveillance over the public domain from an upper level. Dwellings shall have one or more major openings to a habitable room facing the secondary streets.

Car Parking and Access

- Parking shall be provided as prescribed by the R-Codes with the exception that visitor parking is not required to be provided on site.

Stormwater Disposal

- All water draining from roofs and other impermeable surfaces should be directed to garden areas but given the climatic and soil conditions may be directed towards public roads for collection and disposal.

Retaining Walls/Estate Fencing

- Any existing retaining wall and fence is to remain unaltered. No fixtures or appendages shall be added to the fence that may result in an increased wind load during cyclonic events.

This Detailed Area Plan has been approved by the Town of Port Hedland.

Director Planning and Development: _____ Date: _____

Hamilton Precinct Detailed Area Plan (DAP) - Lot Type B
Hamilton Road, Port Hedland

Date: 23 Apr 2014 Designer: ER

Scale: NTS @ A3 Drafter: PR

Drawing No: 711-340 DAP Lot Type B.pdf



Site Plan Lot Type B Rear Accessed '4 Pack' Lots

MAXIMUM BUILDING ENVELOPE

GARAGE/CAR PORT ZONE

Any garage/car port or store to be setback 6.0m from the rear lot boundary unless otherwise indicated by *

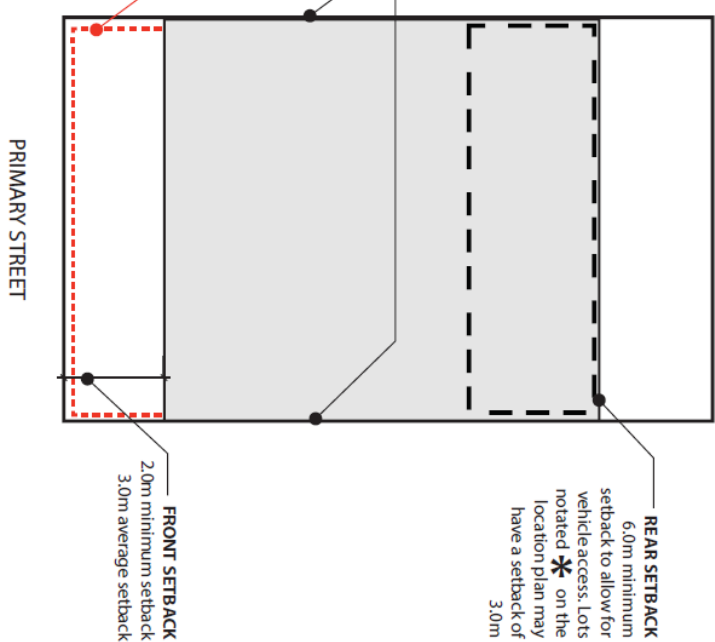
FENCING

ZERO LOT LINE

Nil side setback permitted for two storeys on both sides of the dwelling, except where the side abuts a secondary street where setbacks are to be in accordance with the R-Codes.

FRONT FENCING

Any fencing forward of the building line to be no higher than 1.2m above any retaining wall and such fencing shall be visually permeable.



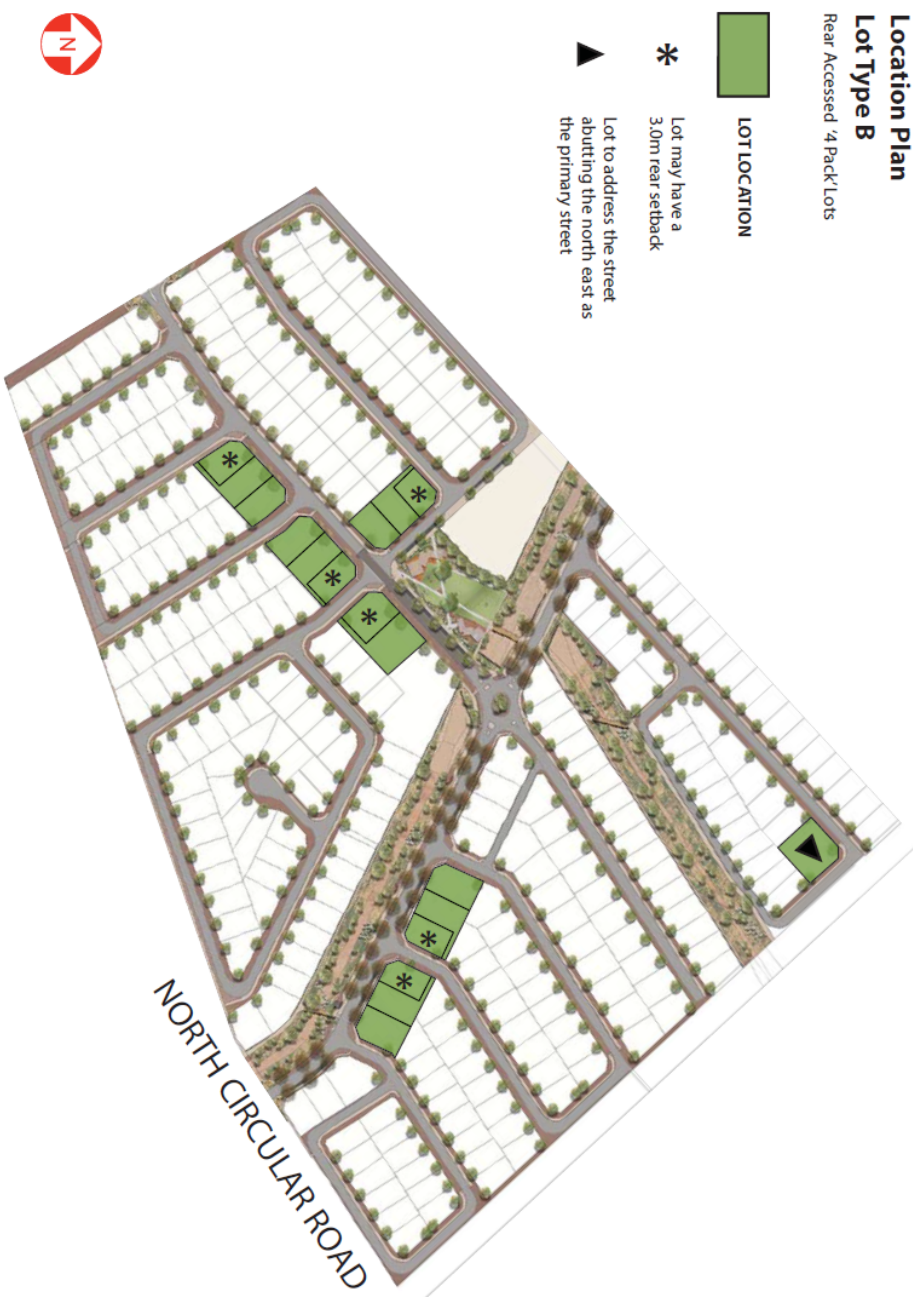
Location Plan Lot Type B

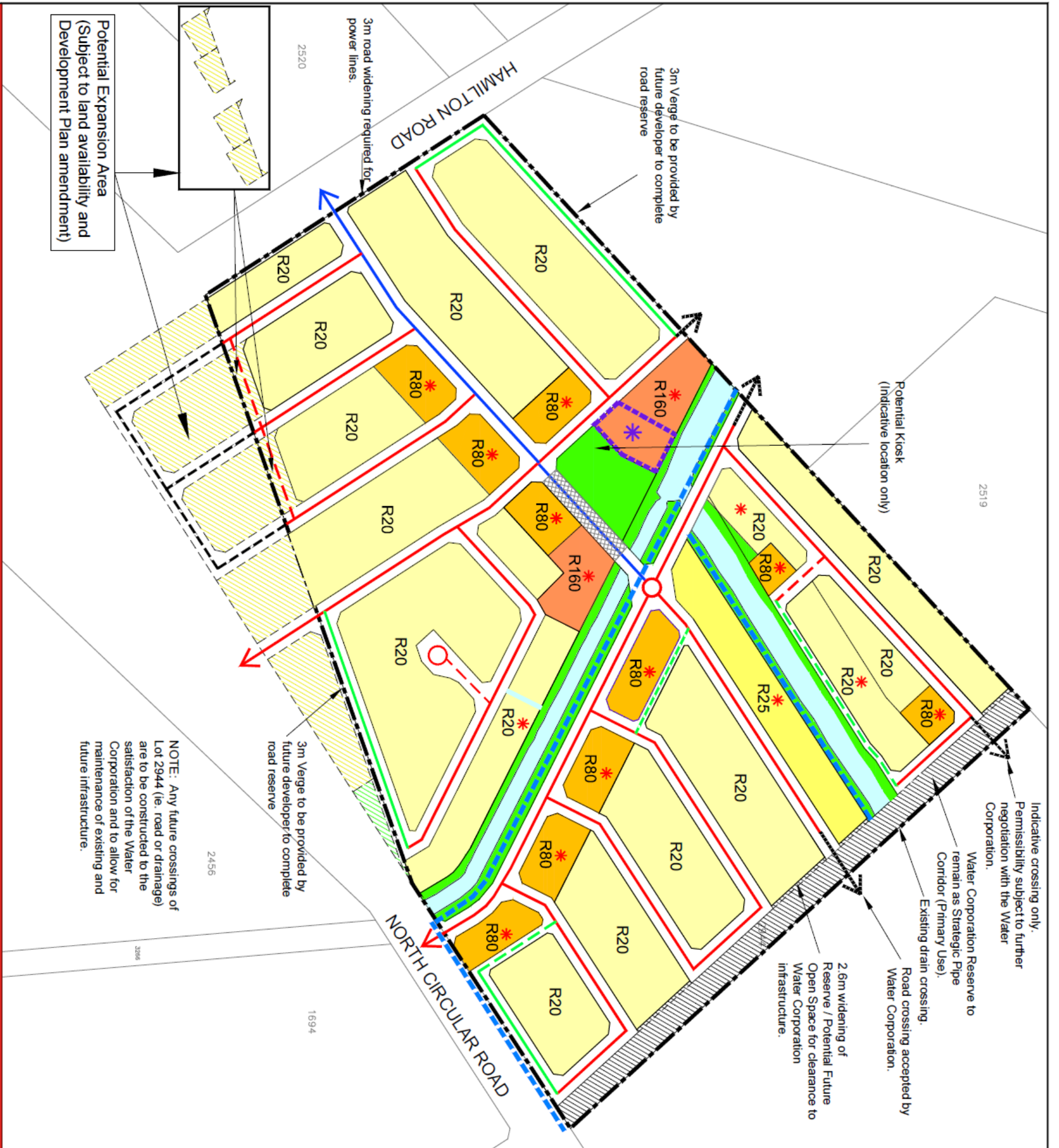
Rear Accessed '4 Pack' Lots

LOT LOCATION

* Lot may have a 3.0m rear setback

▲ Lot to address the street abutting the north east as the primary street





DEVELOPMENT PLAN LEGEND	
	Development Plan Area
	Land Use/Development Yield
	Public Open Space/Drainage
	Drainage
	Potential Future Open Space
	Residential R20
	Residential R25
	Residential R80
	Residential R160
	Potential Future Development
	Detailed Area Plan Required
	Commercial uses permitted in this area. (Refer to Development Plan text.)
ROADS & TREATMENTS	
	Access Road 'A' (18m reserve)
	Access Road 'B' (15m reserve)
	Access Road 'C' (13.7m reserve)
	Access Road 'D' (12m reserve)
	Laneway 'E' (8m reserve)
	Laneway 'F' (6.01m reserve)
	3m Dual Use Path
	Possible Future Access
	Traffic Roundabout
	Visitor Parking
	Brick Paved Carriageway

Hamilton - Development Plan

Date: 24th May 2012
 Scale: 1:300 @ A3
 Drawing No: 711-340 Cr1C Development Plan 240512

Designer: DM
 Drafter: PM

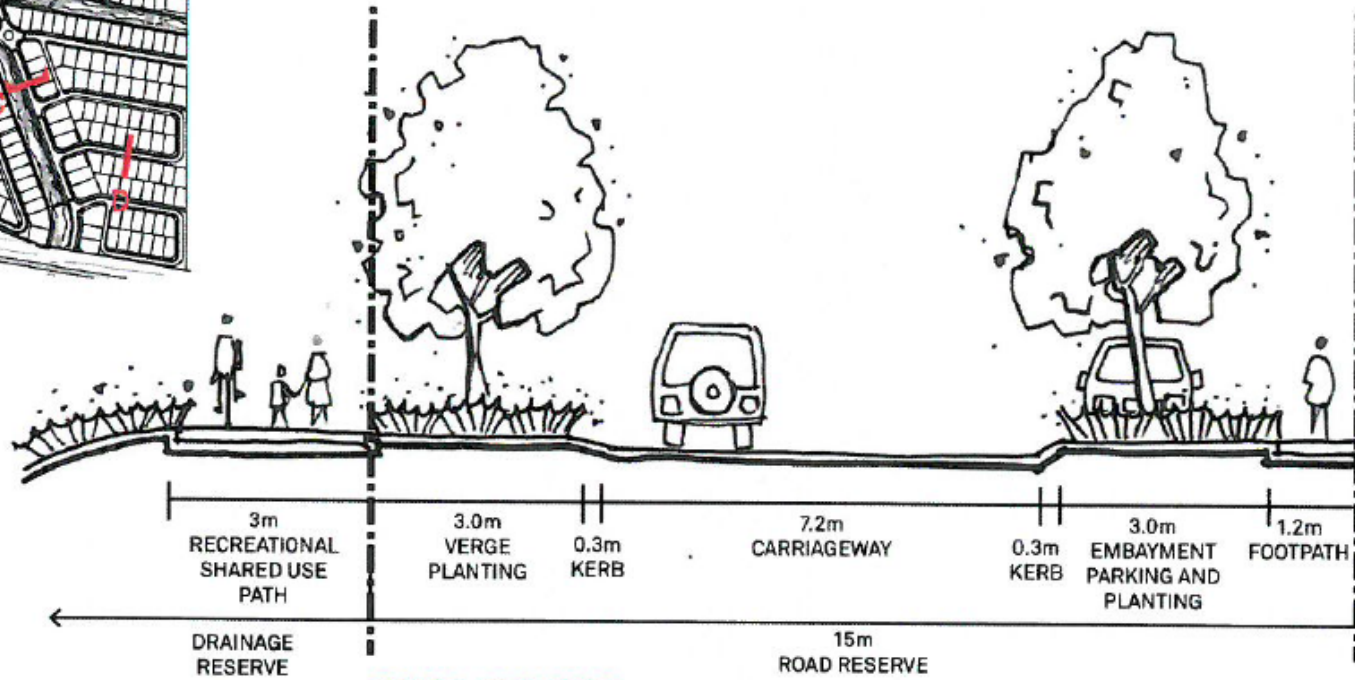
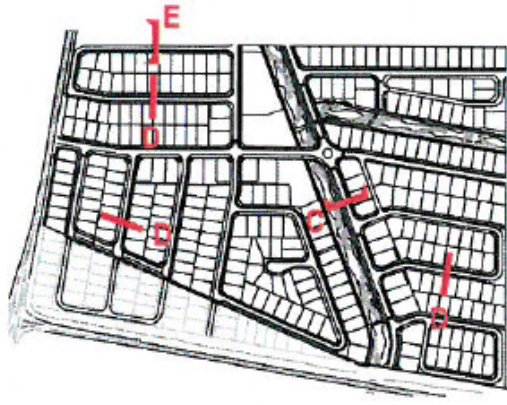
This conceptual plan has been prepared for the purpose of showing the general location and layout of the development. It is not intended to be used as a basis for any legal or financial obligations. The Planning Group WA, Pty Ltd, is not responsible for any errors or omissions. The right is reserved to change the plan at any time. Liability is expressly excluded by The Planning Group WA, Pty Ltd for any loss or damage which may be sustained by any person acting on any material prepared or derived from this drawing.



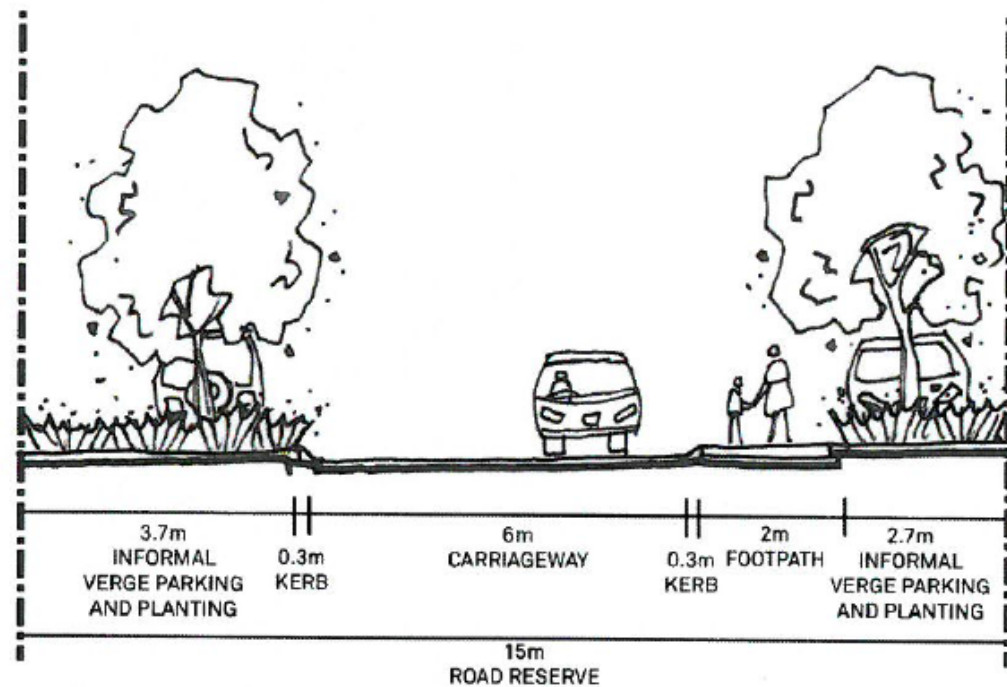


Hamilton Development_South Hedland
Master plan
24 March 2013

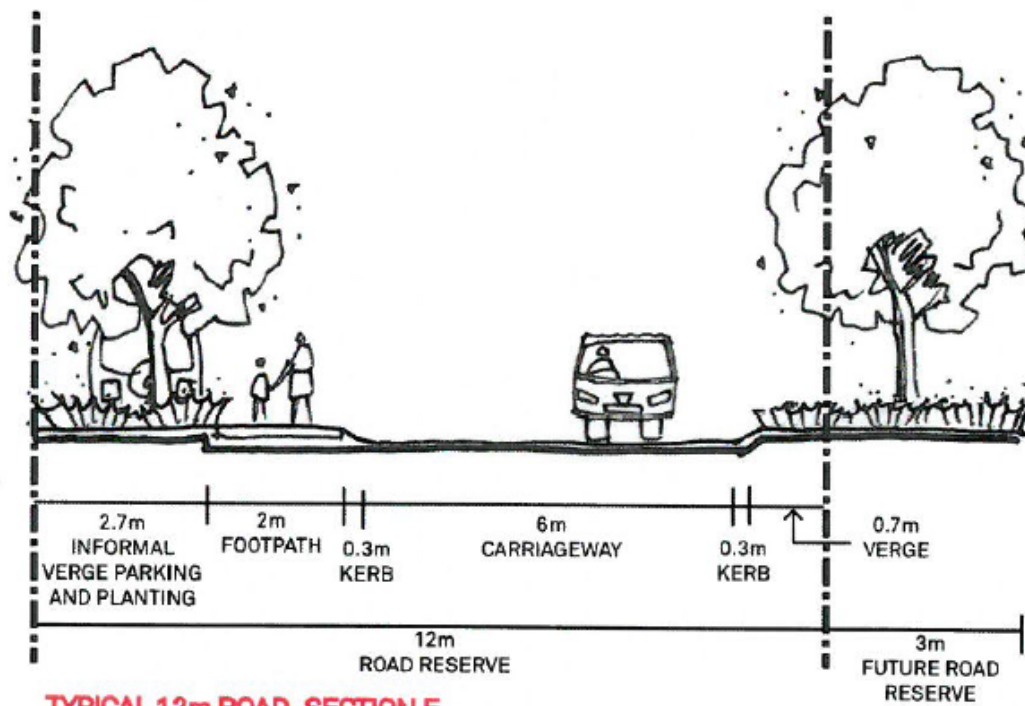
HASSFELT
Scale 1:1000 @ A1



ROAD 8_SECTION C

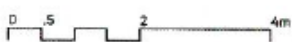


TYPICAL 15m ROAD_SECTION D



TYPICAL 12m ROAD_SECTION E

STREETSCAPE SECTIONS



Revision
1, Preliminary

Date
27-March2012

Scale
1:100@A3
1:50@A1

Client
NS Projects

Project Name
Hamilton Development
South Hedland

Drawing
SK03
Road Sections

HASSELL



Lot 331, Hamilton Precinct

ATTACHMENT 2 TO ITEM 11.1.3

TPG objected to the inclusion of the following provisions;

Provision 1

Requests the applicant to modify the Local Development Plan for Lot Type A to include provisions for the R20 lots abutting the rear laneways to require passive surveillance over the rear laneway

Objection:

- The LDP proposes that Type A lots provide surveillance over the rear laneway in a far better way as they are two-storey and surveillance can be provided from the upper levels over the entire laneway and not
- Given that the laneways which are required to have surveillance are short and straight, surveillance is to be provided the laneway through ends of the laneway;
- By designing the lots adjacent to the DAP provide passive surveillance to the laneway, it creates security and privacy issues for those single houses and may also impact on the amenity of the area dues to lights from cars that reverse into the garages opposite.

Provision 2

Requires the applicant to modify the provision for car parking and access for both Local Development Plans to read;

- a. Parking shall be provided as prescribed by the R-Codes, where on street parking is directly abutting a proposed development this car parking may be used to provide visitor parking;
- b. Where the landowner makes use of the abutting on street car parking the landowner shall enter into maintenance/licence agreement with the Town of Port Hedland.

Objection:

- There is no Council Policy requiring a landowner to enter into a maintenance/licence agreement with the Town;
- The car bays are being constructed by the developer and not by the Town and the ongoing maintenance of the bays will be minimal and covered by the rates payments from the new properties;
- The bays were proposed as part of the Development Plan for the specific purpose of allowing for reduced on site visitor parking and would otherwise not have been required. It is considered unreasonable that the developer should be penalised for providing additional bays;

- It is difficult for the Town to administer this provision for maintenance costs when not all developments may make use of the bay, or the bay might be regularly used by visitors who are not associated with the development for which the parking shortfall exists;
- Future residents may reasonably expect that as they are paying for the bay that they should have access to the bay; and
- The Residential Design Codes of Western Australia (RCODES) allow the Town to have regard for availability of on street parking as part of the consideration of each Development Application in any event and do not advocate for the ongoing payment for the use of such bays.

11.1.4 Kingsford Smith Business Park-Acceptance of Offer Lot 3

David Westbury, Manager of Economic Development and Strategy
File No. 08/02/0043

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/103 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HOOPER

SECONDED: CR DACCACHE

That Council:

- 1. Formally accept the offer to purchase Lot 3 received from Darren Barclay of Clark Rubber within the Kingsford Smith Business Park for the amount of \$600,000 +GST in accordance with Section 3.58 of the Local Government Act 1995 subject to final survey; and**
- 2. Request the Chief Executive Officer, or his delegate(s), to finalize the legal documentation to formalise the disposition of Lot 3 within the Kingsford Smith Business Park in accordance of the Local Government Act 1995 allowing time for Mr. Barclay to complete his required due diligence.**

CARRIED 8/0

SUMMARY

The Town of Port Hedland has received a formal offer to purchase lot 3 within the Kingsford Smith Business Park for the amount of \$600,000 + GST to Darren Barclay of Clark Rubber (subject to survey) via a Private Treaty.

The offer equals the value of \$250m2 + GST as determined in the valuation completed by Australian Property Consultants on 6 November 2014. The final sale price will be set at \$250m2 subject to a final survey. Mr. Barclay has requested a due diligence period which will coincide the release of titles which for this lot is scheduled in March 2015.

DETAILED REPORT

On 12 November 2011 Council prepared a business case which was subsequently amended on 12 March 2012, with BHP Billiton Iron Ore for land within the area known as "Precinct 3" under the Port Hedland International Airport Land Use Master Plan. The plan outlined the proposal which included the development of 33 industrial bulky good lots and four Non-residential workforce development lots for the Town's exclusive use which then could be on-sold or leased to other parties.

In accordance with the business plan the money received from the sale and leasing of the 33 lots within the Kingsford Business Park will be spent on two major projects which will transform the economic landscape of the Town; the development of a Marina (joint venture between the Town of Port Hedland and the Western Australian State Government) and the redevelopment of the Port Hedland International Airport.

The offer equals the value of \$600,000 + GST as determined in the valuation completed by Australian Property Consultants on 6 November 2014. Final sale price will be set at \$250 a square metre.

FINANCIAL IMPLICATIONS

In accordance, with the approved business plan for the Kingsford Smith Business Park the proceeds from the sale and lease of the 33 parcels of land are to fund the redevelopment of Port Hedland International Airport. Whilst a majority of the civil infrastructure has been completed titles will not be available until March of 2015. The sale of lot 3 will realize an increase of \$600,000 +GST.

STATUTORY AND PLANNING IMPLICATIONS

- Local Government Act 1995 (WA) Section 3.58 – Disposing of Property

Because the value of the proposed disposition is under \$2,000,000 the transaction will not constitute a “Major Land Transaction” and as such only Section 3.58 of the Local Government Act 1995 applies.

Section 2.1 of the Strategic Community Plan applies, this being “A thriving, resilient and diverse economy.”

The Pilbara’s Port City Growth Plan

A key constraint listed within the Pilbara Port City Growth Plan Section 5.2 is the “Shortage of Property. There is currently an undersupply of many types of property including industrial, commercial, and retail. An insufficient supply of property across the economy could impair economic growth”. The Kingsford Smith Business Park is a strategically important subdivision which will increase the supply of serviced property available to new or expanding businesses.

ATTACHMENTS

1. Letter of Offer-Clark Rubber
2. Report and Valuation-Australian Property Consultants – under separate cover
3. Subdivision Plan

7 November 2014

ATTACHMENT 1 TO ITEM 11.1.4



Clark Rubber Pool & Spa Shop Port Hedland
Unit 1/3 Hunt Street
South Hedland
Postal: PO Box 8525 Broome WA 6725
Ph: 08 91401771
Fax: 08 91401772

Att: David Westbury
Manager of economic Development
PO Box 41 port Hedland WA 6721

30th October 2014

RE: Kingsford Business Park - Lot 2

We would like to offer an expression of interest to purchase Lot 2 at the Kingsford Business Park - Port Hedland for the potential development of a Clark Rubber Store.

Our diligence will be to conduct a full project costing and financial review prior to any financial commitment.

We hope you are happy with these terms and look forward to a potential development of a new Clark Rubber Store in Port Hedland.

Regards

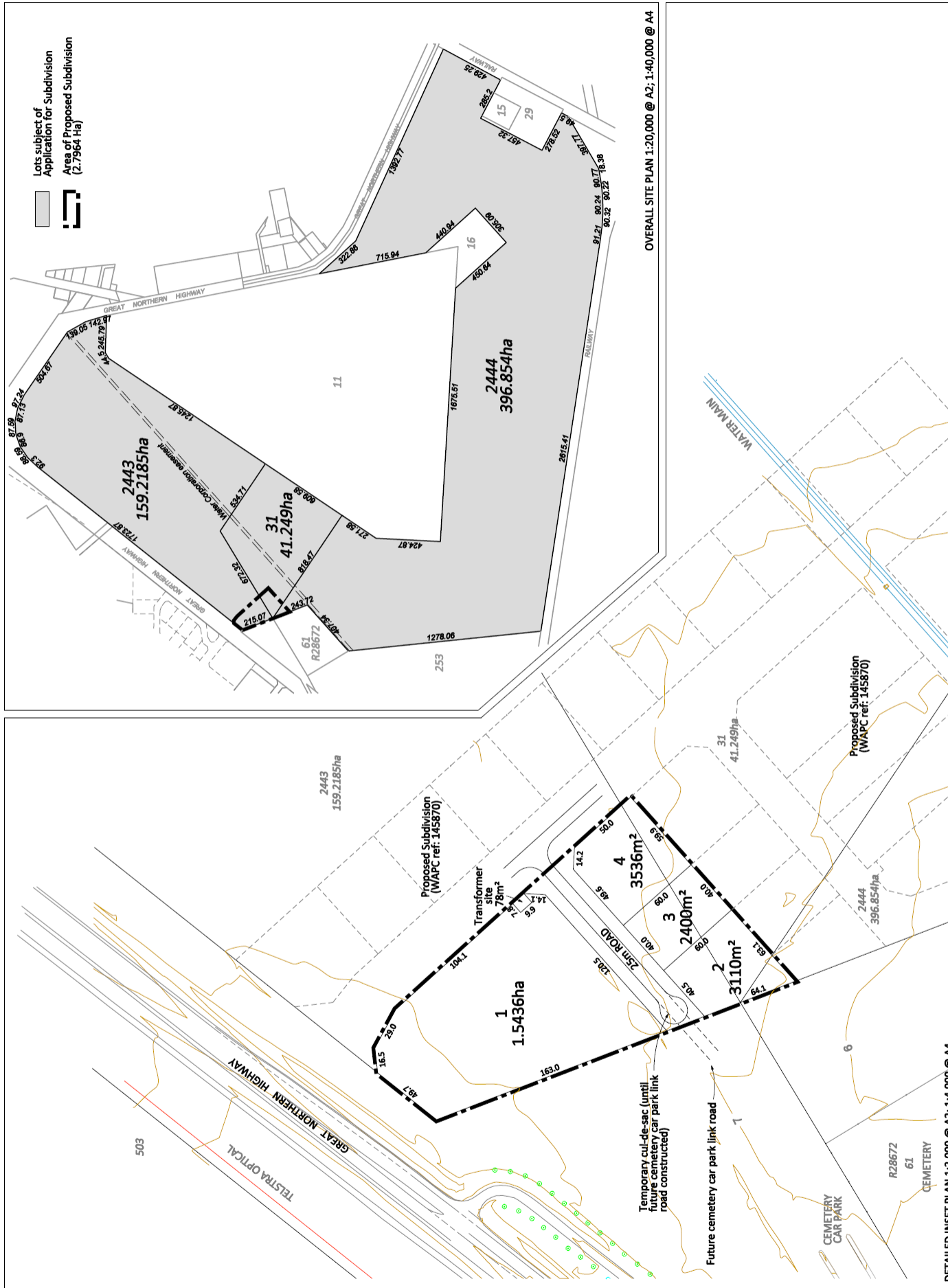
A handwritten signature in black ink, appearing to read "D. Barclay", written over a horizontal line.

Darren Barclay
Store Owner



AMENDED PLAN OF SUBDIVISION
 PT LOT 31, 2443 & 2444, GREAT NORTHERN HIGHWAY, SOUTH HEDLAND
 TOWN OF PORT HEDLAND

TOWN PLANNING
 AND LOCAL GOVERNMENT
 ACT 1995



This document has been prepared for the purpose of assisting other professionals. The drawing does not constitute a contract. It is the responsibility of the client to ensure that the drawing is used for the intended purpose. The client is responsible for the accuracy of the information provided. The client is responsible for the accuracy of the information provided. The client is responsible for the accuracy of the information provided.

11.1.5 Marina Waterfront Development Reference Group

Eber Butron, Director Planning and Development
File No. 18/19/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION

That Council:

1. Endorse the Community Members listed below to be on the Marina Waterfront Development Reference Group;
 - a) Roger Higgins
 - b) Paul Aylward
 - c) Stan Martin
 - d) Dave McGowan
 - e) Camilo Blanco
 - f) Brian Raeburn
 - g) Vickie Brooks
 - h) Alexandra Craig
 - i) Gerry Quinn
2. Amend the Marina Waterfront Development terms of reference to reflect the following;
 - a) Inclusion of nine community members.
 - b) Code of Conduct for the operation of the Reference Group.
3. Appoint Councillors _____ as a member of the Town of Port Hedland Marina Waterfront Development Reference Group.

201415/104 COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR HUNT

That Council:

1. Endorse the Community Members listed below to be on the Marina Waterfront Development Reference Group;
 - a) Roger Higgins
 - b) Paul Aylward
 - c) Stan Martin
 - d) Dave McGowan
 - e) Camilo Blanco
 - f) Brian Raeburn
 - g) Vickie Brooks
 - h) Alexandra Craig

- i) **Gerry Quinn**
2. **Amend the Marina Waterfront Development terms of reference to reflect the following;**
- a) **Inclusion of nine community members.**
 b) **Code of Conduct for the operation of the Reference Group.**

CARRIED 6/2

Record of votes:

For	Against
Mayor Howlett	Councillor Jacob
Councillor Daccache	Councillor Hooper
Councillor Gillingham	
Councillor Hunt	
Councillor Butson	
Councillor Melville	

201415/105 COUNCIL DECISION

MOVED: CR DACCACHE

SECONDED: CR GILLINGHAM

That Council:

1. **Appoint Mayor Howlett, Councillors Daccache, Gillingham, Jacob and Hooper as a members of the Town of Port Hedland Marina Waterfront Development Reference Group; and**
2. **Amend the Marina Waterfront Development terms of reference to reflect the following;**
- a) **Quorum of eight members, one of which shall be a Town of Port Hedland Council Elected Member.**

CARRIED 8/0

EXECUTIVE SUMMARY

Council has developed this reference group to facilitate discussion and provide direction with regards to development of a future Marina/Waterfront Development for Port Hedland.

The Town has received applications of nine community members. Officers recommend to accept all EOI's received from the community. To do this officers are also recommending amending the Terms of Reference to enable nine community members to be represented on the reference group.

DETAILED REPORT

At the Council meeting held on the 27th August 2014, Council approved the following;

201415/037 RECOMMENDATION/COUNCIL DECISION

MOVED: CR DACCACHE SECONDED: CR GILLINGHAM

That Council:

- 1. Endorse the Terms of References for the Marina Waterfront Development Reference Group (Attachment 1);*
- 2. Request the Chief Executive Officer, or his delegate, to publicly advertise seeking community representation on the reference group; and*
- 3. Request the Chief Executive Officer, or his delegate, to report the matter back to Council upon completion of the public advertising period.*

The Towns officers advertised the EOI for the Marina Waterfront Development Reference Group between the 1st – 31st October 2014 on the Towns website, in the North West Telegraph, Facebook and through emails.

Nine EOI's were received from the community which were;

- a) Roger Higgins
- b) Paul Aylward
- c) Stan Martin
- d) Dave McGowan
- e) Camilo Blanco
- f) Brian Raeburn
- g) Vickie Brooks
- h) Alexandra Craig
- i) Gerry Quinn

Due to the interest in this reference group, the terms of reference is recommended to be amended to nine community members so that all interested parties are included.

FINANCIAL IMPLICATIONS

The financial implications with respect to establishing and operating the Reference Group are limited to advertising costs, officer's times and catering for meetings, if required.

STATUTORY AND POLICY IMPLICATIONS

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

Section 2.1 – A thriving, resilient and diverse economy applies as the reference group will be facilitating town growth.

Section 4.2 – Engage our community and stakeholders applies in the way of providing a means of engagement with key stakeholders and community members about the project.

ATTACHMENTS

1. Waterfront Development Community Reference Group Terms of Reference
2. Applications received by Community members (CONFIDENTIAL)

6 November 2014

ATTACHMENT 1 TO ITEM 11.1.5**TERMS OF REFERENCE WATERFRONT DEVELOPMENT COMMUNITY REFERENCE GROUP****AIM/PURPOSE**

- To provide advice to the Town on the development of a Marina/Waterfront Development for Port Hedland
- To provide a means of engagement with key stakeholders about the project
- To advise and make recommendations on investigative studies, concept plans and other issues pertaining to a Marina/Waterfront development for Port Hedland

MEMBERSHIP

The membership of the Community reference group is as follows:

Mayor Kelly A Howlett
Councillors

A representative to be nominated from the following organisations:

Pilbara Port Authority
Port Hedland Yacht Club
Port Hedland Returned Services League
TSS Pilbara
Port Hedland Industries Council
Port Hedland Fishing Club
Port Hedland Sea Rescue
Port Hedland Chamber of Commerce
South Hedland Business Association
Community members x 9

QUORUM

The quorum for the Committee is to be a minimum of 50% of its membership.

CODE OF CONDUCT

The Reference Group shall operate with the terms of the ToPH Code of Conduct.

DELEGATION

Nil

TENURE

Ongoing

MEETING FREQUENCY

Monthly or as required

RESPONSIBLE OFFICER

Chief Executive Officer

11.2 Engineering Services

Nil.

11.3 Community Development

Nil.

11.4 Corporate Services**11.4.1 Objection to the Rate Record – A117920 Cooke Point Holiday Park**

Peter Kocian, Manager Financial Services
File No. 24/02/0002

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/106 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR HUNT

That Council:

- 1. Receive the Objection to the Rate Record of A117920 Cooke Point Holiday Park submitted by Aspen Parks Property Management Limited;**
- 2. Resolve to recategorise A117920 Cooke Point Holiday Park from GRV Mass Accommodation to GRV Tourism Accommodation on the following basis, resulting in a \$62,091.54 credit to be applied against the rate assessment for the 2014/15 rating year:**
 - 143 of the 207 licensed sites at the Cooke Point Holiday Park are allocated for short-term stays and none of these sites are leased to third parties;**
 - The current average number of arrivals at the Cooke Point Holiday Park is 36 per day and the average number of departures is in excess of 90 per week;**
 - It is therefore accepted that the above occupancy statistics indicate that more than 50% of patronage at the Cooke Point Holiday Park is for tourism purposes;**
 - The Cooke Point Holiday Park is a member of the ‘Big 4 Holiday Parks’;**
 - The Cooke Point Holiday Park is zoned Tourism under the Town of Port Hedland Town Planning Scheme No. 5.**
- 3. Request that the Town’s Rating Strategy and Statement of Rating Objects and Reasons be reviewed with a view of providing very clear definitions for the determination of differential rating categories prior to the imposition of differential rates for the 2015/16 financial year.**

CARRIED 8/0

EXECUTIVE SUMMARY

Aspen Parks Property Management Limited (Aspen) has submitted a formal objection to the rate record of Assessment 117920 Cooke Point Holiday Park. It is recommended that Council accept the objection and resolve to recategorise A117920 from GRV Mass Accommodation to GRV Tourist Accommodation as it has been evidenced that the predominant land use of this property is Tourism.

DETAILED REPORT

As part of the 2014/15 Budget process, Council established a new Rating Category – GRV Tourist Accommodation to differentiate from the GRV Mass Accommodation Rating Category. The following definitions have been endorsed by Council:

GRV Mass Accom.	<p>The GRV Mass Accommodation rating category was first included in the Town's 2010/11 Budget which was adopted on 7 July 2010. The Mass Accommodation category was established to include all properties exceeding 80sqm within the district boundaries, approved and predominantly used for the following activities, as identified in Town Planning Scheme No. 5; Holiday Accommodation, Hotel, Lodge, Motel, Transient Workforce Accommodation, Tourist Development and Tourism Resort.</p> <p>There are nine (9) rateable assessments in this category in 2014/15. 11% of the total rate yield is generated from mass accommodation rates. The Town has utilized statistics from the 2011 ABS census which indicated that 22% of the Town's population resides in Hotels, Motels, Bed and Breakfast accommodation and staff quarter's accommodation. A factor of 50% has been applied for mass accommodation facilities. It is not unreasonable to expect that this percentage should be reflected within the rates revenue generated. Patrons and employees of these facilities are consumers of municipal services but unless they are property owners within the Town, are not contributing to the costs of services used by them in the Town of Port Hedland.</p>
GRV Tourist Accom.	<p>This rating category covers hotels and motels that provide large scale accommodation for visitors to the Town of Port Hedland. There are seven (7) rateable assessments in this category in 2014/15. These properties were previously rated under Mass Accommodation in 2013/14 and this new category has been established for 2014/15. The positive differential rate reflects the higher servicing costs in road maintenance, streetscape, traffic treatments, litter control, and provision of public open space and amenities.</p>

Under Section 6.33 of the *Local Government Act 1995*, local governments can impose differential rates according to any, or a combination, of the following characteristics –

- The purpose for which the land is zoned

- A purpose for which the land is held or used as determined by the local government
- Whether or not the land is vacant land
- Any other characteristic prescribed

The Town's Statement of Rating Objects and Reasons specifies that properties are grouped according to Town Planning zonings and the level of development.

Aspen Objection

Aspen have provided two submissions to the Town with the latter being a formal objection to the Rate Record pursuant to Section 6.76 of the *Local Government Act 1995*.

The first submission was in response to the Town's public consultation period on the 14/15 proposed differential rates model with the submission considered by Council at the Special Meeting on 4 June 2014. The following comments were provided in the minutes from this meeting:

Applicant	Differential General Rate Category	Submission Summary	Officers' Comment
Aspen	GRV Mass Accommodation – Cooke Point Holiday Park	Applicant believes the property is not a TWA or Mass Accommodation facility and should be rated under the Tourist Accommodation general rate category.	It is the Town's observation of Caravan Parks in Port and South Hedland that very few sites are allocated for the purpose of tourist accommodation. The Statement of Objects and Reasons and Councils resolution of July 2010 refers to the dominant land use as the basis for rates. It is the position of the Town that the dominant land use of Caravan Parks has historically and continues to be for the accommodation of non-residential workforce. Anecdotal evidence illustrates that there are very few vacant beds/sites and there is significant unmet demand for short-stay accommodation. This is detrimental to the tourism industry in Port Hedland. To this end, the Town is pursuing opportunities for dedicated tourist accommodation on town owned/controlled land.

The second submission, a formal objection to the rate record, is included as Attachment 1 to this report. Objections must be made in writing within 42 days of the service of the rate notice, identify the relevant land and set out fully and in detail the grounds of the objection. The date of service of rate notices was 21 July 2014 with the date of the written objection being the 27 August 2014 - a period of 37 days.

Aspen argue that the Cooke Point Holiday Park should be rated under Tourist Accommodation rather than Mass Accommodation. Their submission offers the following grounds of objection:

1. *The use of the property is more closely aligned with that of a short stay hotel/motel type operation rather than a transient work force accommodation facility:*
 - a. *There are 207 sites and accommodation units on the property. Of these sites, there are long term leases on 30 van sites and 34 accommodation units, leaving 51 van sites and 92 accommodation units available for short-term stays;*
 - b. *Some of the key distinguishing points of difference between the facilities and services provided at the property and those associated with transient workforce accommodation facilities are:*
 - i. *the facilities and services provided at the property include a swimming pool, playground, campers kitchen, forward bookings, 'Big 4' membership sales and a full range of tourist information; and*
 - ii. *there are no 'mess' facilities at the property.*
 - c. *The key competitors for the operation carried on at the property is the local hotel market and not transient workforce accommodation facilities;*
 - d. *The current average number of arrivals at the property is 36 per day and 90 departure cleans per week;*
 - e. *The park operated on the property is Port Hedland's premier holiday park and a member of the 'Big 4 Holiday Parks'.*
2. *The property is zoned Tourism under the Town of Port Hedland's Town Planning Scheme No. 5.*

Officer Comment:

Aspen have provided some very valid points supporting a predominant land use of 'Tourism' rather than 'Mass Accommodation'. Of the 207 sites, 143 sites are allocated for short-term stays are Aspen have confirmed that none of these sites are leased to third parties. Occupancy statistics therefore indicate more than 50% of patronage would be for tourist accommodation.

The Town's Statement of Rating Objects and Reasons also refers to zoning as one of the main characteristics for determining differential rating categories. Under Section 6.33 of the *Local Government Act 1995*, local governments can impose differential rates according to "the predominant purpose for which the land is held or used as determined by the local government".

However, the Statement of Rating Objects and Reasons must clearly identify the basis and provide a description of the characteristics under which the predominant land has been determined. In the absence of such information, zoning would then be considered to be the main characteristic for determining differential rating categories.

FINANCIAL IMPLICATIONS

A categorisation of A117920 from Mass Accommodation to Tourism would result in a credit of \$62,091.54 to be applied against the rate assessment. A budget variation against Account No 301301 Rates Levied GRV will also be required at the next quarterly budget review.

STATUTORY AND POLICY IMPLICATIONS

Differential rates are imposed under Section 6.33 of the *Local Government Act 1995*.

An objection to the rate record may be made under Section 6.76 of the *Local Government Act 1995*.

Any person who is dissatisfied with the decision of a local government on an objection, with 42 days after service of notice of the decision, may apply to the State Administrative Tribunal for a review of the decision.

Goal 4.1 of the Strategic Community Plan – Strategic and best practice local government administration is relevant to this item.

Council Policy 2/004 Rating applies.

ATTACHMENTS

1. Objection to Rate Record – A117920 - Aspen Parks Property Management Ltd

03 November 2014

ATTACHMENT 1 TO ITEM 11.4.1

Aspen Parks Property Management Ltd
Level 3, 129 St Georges Terrace
Perth WA 6000
PO Box Z5025, St Georges Terrace
Perth WA 6831

ABN: 91 096 790 331

t +61 8 9220 8484

f +61 8 9220 8485

w www.aspenparks.com.au

27 August 2014

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

Dear Sir

**Objection to Rate Record
2 Taylor Street, Port Hedland (Cooke Point Holiday Park)
Rate Assessment A117920**

We refer to rate assessment A117920 (**Rate Assessment**) issued by the Town of Port Hedland (**Town**) to Caravan Park Cooke Point Pty Ltd (**Aspen**) on 21 July 2014 in respect of the property referred to above (**Property**).

Under section 6.76(1)(b) of the Local Government Act 1995 (WA), a person may object to the rate record of a local government on the ground that:

'if the local government imposes a differential general rate, that the characteristics of the land recorded in the rate record as the basis of imposing that rate should be deleted and other characteristics substituted.'

Aspen objects to the Rate Assessment on the basis that the differential rating category of 'Mass Accommodation' applied to the Property under the Town's 2014/15 differential rating categories is incorrect. Accordingly, the characteristics being attributed to the Property under the Rate Assessment (by way of the rating category that has been applied to the Property) are incorrect and should be substituted with other characteristics – namely that the Property is predominantly a tourist accommodation facility. Aspen's objection is set out in more detail below.

Under the 'Statement of Rating Objects and Reasons for the Year 2014/15 Rating Year' issued by the Town (**Objectives**), the rating category of 'Mass Accommodation' is described as the rating category which covers 'transient workforce accommodation facilities'.

For the 2014/15 Rating Year, there is also a new rating category of 'Tourist Accommodation'. The Objectives describe this category as covering 'hotels and motels that provide large scale accommodation for visitors'. The Objectives note that this rating category covers 6 motels/hotels that were previously rate under 'Mass Accommodation'.

Aspen submits that the Property should fall under the rating category of 'Tourist Accommodation', on the basis that:

1. the use of the Property is more closely aligned with that of a short stay hotel/motel type operation rather than a transient work force accommodation facility. Aspen notes the following in this regard:
 - a. while, like a large number of holiday parks, some permanent accommodation options are offered at the Property, the majority of the accommodation at the Property is short term tourism accommodation. At present, there are 207 sites and accommodation units (excluding licenced overflow sites) on the Property. Of these sites, there are currently long term leases on 30 van sites and 34 accommodation units, leaving 51 van sites and 92 accommodation units available for short term stays;
 - b. some of the key distinguishing points of difference between the facilities and services provided at the Property and those associated with transient workforce accommodation facilities are:
 - i. the facilities and services provided at the Property include a swimming pool, playground, campers kitchen, forward bookings, 'Big 4' membership sales and a full range of tourist information. Each of these facilities and services are not typically provided at transient workforce accommodation facilities; and
 - ii. there are no 'mess' facilities at the Property. All accommodation provided at the Property is self-contained with no meals offered to guests. 'Mess' facilities and meals services are a standard expectation and requirement for transient workforce accommodation facilities;
 - c. the key competitors for the operation carried on at the Property is the local hotel market and not transient workforce accommodation facilities. The Property competes very strongly against the local hotel market for the majority of its business, to a point that Aspen's marketing and promotions strategies and price setting for the Property are all tied and linked with the current market trends set by the local hotels. A full range of tourist accommodation options at the Property are available for purchase online, which include two bedroom holiday units, bunkhouse accommodation and caravan sites. This very large online presence results in a large percentage of the bookings at the Property being received through online tourist booking agents;
 - d. the current average number of arrivals at the Property is 36 per day and Aspen's housekeepers regularly carryout in excess of 90 departure cleans per week. This number of guest movements clearly indicates that the primary business undertaken at the Property is one of a tourist accommodation facility, not transient workforce accommodation; and
 - e. the park operated on the Property is Port Hedland's premier holiday park and a member of the highly acclaimed 'Big 4 Holiday Parks'. The park operated on the Property is therefore marketed as, and perceived by the general public as, predominantly a tourist accommodation facility and not a transient workers accommodation facility; and
2. the Property is zoned 'Tourism' under the Town of Port Hedland's Town Planning Scheme No.5.

Aspen refers to its letter to the Town dated 28 May 2014 commenting on the 'Proposed rate in the Dollar for 2014/15 Rating Year' that was previously issued by the Town to Aspen. We note that the minutes of the Special Meeting of Council held on 4 June 2014 contain the following statement in response to Aspen's letter of 28 May 2014:

'It is the Towns observation of Caravan Parks in Port and South Hedland that very few sites are allocated for the purpose of tourist accommodation. The Statement of Objects and Reasons and Councils resolution of July 2010 refers to the dominant land use as the basis for rates. It is the position of the Town that the dominant land use of Caravan Parks has historically and continues to be for the accommodation of non-residential workforce. Anecdotal evidence illustrates that there are very few vacant beds/sites and there is significant unmet demand for short-stay accommodation. This is detrimental to the tourism industry in Port Hedland. To this end, the Town is pursuing opportunities for dedicated tourist accommodation on town owned/controlled land.'

The points outlined above clearly demonstrate that the dominant use of the Property is for short stay tourist accommodation and not non-residential workforce/transient work force accommodation. Accordingly, the rating category of 'Tourist Accommodation' should apply to the Property.

Aspen requests that the Property be reclassified as 'Tourist Accommodation' and that an amended rates notice with an appropriate adjustment be issued to reflect this as soon as possible.

We look forward to hearing from you.

Yours faithfully



Dean Massie
General Manager

11.4.2 Rates Write-Off A804534 & A804535

Carmen Hanisch, Senior Rates Officer
File No. 804534G and 804535G

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/107 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HOOPER

SECONDED: CR JACOB

That Council pursuant to Section 6.12(1)(c) of the Local Government Act 1995, resolve to write off the amount of \$425.78 in rates against A804534 and A804535.

CARRIED 8/0

EXECUTIVE SUMMARY

Judging by historic correspondence since 2011 with Ms Monica Doepgen, holder of A802465 Mining Tenement P47/1512 and A804534 Mining Tenement P47/1511 and her refusal to pay for the rates, it is uneconomical for the Town of Port Hedland to further pursue the overdue amount of \$425.78 for the Mining Tenement

DETAILED REPORT

Ms Doepgen has held A804534 Mining Tenement P47/1512 for the period from 21/4/2010 to 20/4/2014 and A804535 Mining Tenement P47/1511 for the period from 21/4/2010 to 3/1/2014.

Due to the low valuation of these tenements, the minimum rate was charged for both of the tenements in each financial year, including for 2013/14. When a tenement is surrendered at any time during the financial year a pro-rata interim rate adjustment is processed. If payments received at that point exceed the pro-rata amount, a refund is provided. If further payments are needed to clear this pro-rata amount, an interim notice is posted to the rate payer to advise the ratepayer of this remainder on the account.

Ms Doepgen has in the past submitted several written and verbal complaints, including a submission when Council considered the 2014/15 budget, regarding the minimum rate charged for her Mining Tenements and refuses to make these remainder payments to clear the pro-rata rates charged for her tenements.

The Senior Rates Officer and Manager Financial Services have been corresponding with Ms Doepgen since 2011, by way of over 30 emails and several phone calls explaining the basis of rates and the minimum rate set by Council in the Town's yearly budget. Ms Doepgen has issued two complaints against the Town to the Department of Local Government, which have both been set right with them after being queried.

It is uneconomical to pursue the combined value of \$425.78 on both of the Tenement accounts, by following the Town's debt collection processes.

FINANCIAL IMPLICATIONS

If Council decides to waive the rates as per this recommendation, the impact on the cash position of the Town will be \$425.78.

STATUTORY AND POLICY IMPLICATIONS

Section 6.12(1)(c) of the Local Government Act 1995 applies as it states that a local government may write off any amount of money which is owed.

ATTACHMENTS

Nil

31 October 2014

11.4.3 Town of Port Hedland Rating Strategy

Peter Kocian, Manager Financial Services
File No. 24/03/0005

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/108 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR DACCACHE

That Council:

1. **Receive the report from the Manager Financial Services on the Town of Port Hedland Rating Strategy;**
2. **Note the ratepayer submissions and feedback received on the Town of Port Hedland Rating Strategy;**
4. **Endorse the Town of Port Hedland Rating Strategy as presented, with the following inclusions:**
 - i. **That the Rating Improvement Plan for 2014/15 include an analysis of a differential general rate and minimum rate for the UV Mining Improved and UV Mining Vacant rating categories to consider whether rate relief can be provided to small tenement holders, particularly with respect to prospecting and exploration leases;**
 - ii. **That the Statement of Objects and Reasons for Differential Rates be reviewed in 2014/15 to provide very clear definitions of the differential general rate categories, particularly with respect to the GRV Mass Accommodation and GRV Tourist Accommodation rating categories;**
 - iii. **That the GRV Shopping Centre rating category be reviewed in 2014/15 to assess whether this remain a stand-alone rating category, or whether a blanket commercial rate be applied to all commercial properties based on Zoning. The Statement of Objects and Reasons is to clearly articulate reasons for any rate in the dollar differential.**
5. **Note a 4% increase in the rate yield per annum as an 'in principle' pricing path to underpin the Town's Long Term Financial Plan, amending the Long Term Financial Plan and Rating Strategy accordingly.**

CARRIED 8/0

6:27pm Councillor Butson declared a financial interest in part 3 of the original recommendation of item 11.4.3 'Town of Port Hedland Rating Strategy' as she is a tenant of Charter Hall.
Councillor Butson left the room.

201415/109 RECOMMENDATION/ COUNCIL DECISION**MOVED: CR JACOB****SECONDED: CR HUNT****That Council:**

- 3. Resolve the following with respect to specific ratepayer submissions:**
 - i. Refuse the request from Charter Hall for a 'rate freeze' or rate concession for the South Hedland Shopping Centre as it has been demonstrated that the Rate in the Dollar imposed by the Town of Port Hedland is comparable to other municipalities, and represents a fair and equitable contribution towards local government services by Shopping Centres in the Town of Port Hedland local government area. It is recommended that the Town advise Charter Hall to contact the Valuer Generals Office to seek clarification on any valuation increase that may arise from redevelopment works and the general revaluation that will come into force 1 July 2015; and**
 - ii. Refuse the request from Farno-McMahon Pty Ltd for a rate concession as this will undermine the 2014/15 Differential Rates Model as there are 136 mining tenements that are all non-minimum rated, including a significant number of exploration and prospecting tenements;**
 - iii. Refuse the request from Rugby Mining Pty Ltd for a rate concession as this will undermine the 2014/15 Differential Rates Model as there are 136 mining tenements that are all non-minimum rated, including a significant number of exploration and prospecting tenements.**

CARRIED 7/0

6:27pm Councillor Butson reentered the room and resumed her chair. Mayor advised Councillor Butson of Council's decision.

EXECUTIVE SUMMARY

Town Officers in conjunction with Elected Members have prepared a draft Rating Strategy which sets out the proposed philosophy for the levying of rates in the Town of Port Hedland local government area over the medium term. The draft Rating Strategy was released for public comment, with submissions closing on 26 September 2014. Town Officers have also received direct feedback from ratepayers on a number of issues since the striking of rates for the 2014/15 financial year, and this feedback has also been considered in this report. This report seeks Council endorsement of the Rating Strategy.

DETAILED REPORT

The Draft Rating Strategy was endorsed by Council at the Ordinary Meeting of 23 July 2014 for public consultation. This was in line with the objectives of the Town of Port Hedland Community Engagement Strategy, to inform the community and listen to and acknowledge concerns and feedback. The Town also received a number of submissions when the proposed 14/15 differential rates model was advertised in May 2014. These submissions have been re-tabled as they raise matters that are relevant to the Rating Strategy. Below is a summary of all correspondence received over the last six months with regards to the Town's differential rates model:

Applicant	Differential General Rate Category	Submission Summary	Officers' Comment
Aspen	GRV Mass Accommodation – Cooke Point Holiday Park	Applicant believes the property is not a TWA or Mass Accommodation facility and should be rated under the Tourist Accommodation general rate category. The applicant has lodged a formal objection to the Rate Record which is being considered as a separate agenda item.	<p>The Town has previously adopted the following position with respect to Caravan Parks as, since 2010/11, all Caravan Parks have been rated under the GRV Mass Accommodation Rating Category - It is the Town's observation of Caravan Parks in Port and South Hedland that very few sites are allocated for the purpose of tourist accommodation. The Statement of Objects and Reasons and Councils resolution of July 2010 refers to the dominant land use as the basis for rates. It is the position of the Town that the dominant land use of Caravan Parks has historically and continues to be for the accommodation of non-residential workforce. Anecdotal evidence illustrates that there are very few vacant beds/sites and there is significant unmet demand for short-stay accommodation. This is detrimental to the tourism industry in Port Hedland. To this end, the Town is pursuing opportunities for dedicated tourist accommodation on town owned/controlled land.</p> <p>In light of the Council's consideration of the formal rates objection, it is recommended that the Town's Rating Strategy and Statement of Rating Objects and Reasons be reviewed with a view of providing very clear definitions for the determination of differential rating categories.</p>
Grahame Murphy	GRV Residential	Applicant states that many residential properties are investment properties owned by absentee landowners and consideration should be given to	All GRV residential properties are rated the same based on the principles of objectivity, fairness and equity, consistency and transparency, irrespective of whether the landowner is residential or non-

		residential landowners. Advises that rents are decreasing due to the downturn in economic climate.	residential. Some local governments have considered implementing a differential general rate for investment properties and have experienced significant backlash. Regarding the rental market, the Town is included in Landgate's General Valuation program for 2014/15 with new valuations coming into force on 1 July 2015. The Town's rating strategy is to however maintain a stable rate yield, so in the event that valuations fall, the rate in the \$ would be adjusted accordingly to meet target rate yields.
Santiago Nanini	GRV Residential	Applicant identifies that there have been many new capital projects in recent years, and believes that this investment has coincided with a reduction in maintenance programs on roads, drainage and parks and gardens. Also states that the new infrastructure will further add to maintenance/asset management requirements' and rate increases are not appropriate. Also refers to the downturn in economic climate and the impact on valuations.	The applicant raises the fundamental question of asset sustainability. The Town is currently in the process of completing its Asset Management Plans which will demonstrate whether the Town's asset base is sustainable and whether current service levels are affordable. This information will be represented in the Long term Financial Plan. The 2014/15 Budget incorporates increased expenditure on asset management with 30% of the increase in the rate yield wholly directed to Asset Management initiatives.
Monika Doepgen	UV Mining Vacant – Minimum Rate	The applicant believes that the rate in the dollar and minimum rate for the UV Mining Vacant category does not follow the Benefit principle as outlined in the Department's Rating Policy. Also states that the Town's general minimum payment is excessive.	The applicant will no longer own rateable property under their own name in the Town from 1 July 2014. However, it is tabled for information that the rate yield from all mining general rate categories amounts to 6.5% of the total rate yield and 75% of properties in the UV Mining Vacant category are on the minimum rate of \$1,223. Council has resolved to impose a uniform general minimum to ensure that all ratepayers make an equitable contribution to the rate burden. The minimum rate in Port Hedland is

			comparatively higher due to the increased cost of delivering infrastructure and services in the Pilbara. As mining provides an economic return to the landowner, propensity to pay rates exists.
Farno McMahon Pty Ltd	UV Mining	The applicant holds 10 tenements in the Yandeyarra region, 4 within the boundaries of the Town of Port Hedland and 6 within the boundaries of the City of Karratha. Argues that the difference in the rate in the \$ is significant – 36.0039 cents in Port Hedland v 13.1836 cents in Karratha. Rates charged by the ToPH equate to 26% of committed expenditure on the tenements, discouraging Greenfields exploration.	In the 2014/15 Budget, there are 136 mining tenements that have the rate in the \$ applied to their valuation (i.e. non-minimum properties). A review of the rating database indicates that there are a variety of mining tenements such as general purpose leases, prospecting leases, mining leases, exploration leases, salt mining leases; all of which are rated uniformly. It is suggested that a differential mining rate be investigated under the Rating Improvement Plan to determine whether a lesser rate in the dollar could be applied against exploration and prospecting leases to provide relief to small tenement holders and encourage exploration activity, whilst still maintaining the integrity of the Rates Model.
Rugby Mining Pty Ltd	UV Mining Improved / UV Mining Vacant	Like the applicant above, has requested that consideration be given to a lower differential rate for exploration leases to encourage Greenfields exploration.	See above comment.
Charter Hall	GRV Shopping Centre / GRV Commercial	The applicant advises that redevelopment and expansion works at the South Hedland Shopping Centre will result in a significant increase in the Gross Rental Value for the Shopping Centre and therefore an increase in rates and ultimately the operating expenses for the shopping centre which are payable by the retailers. Charter Hall argues that the increased competition and operating costs may pose	The GRV Shopping Centre rating category includes two rateable assessments, which contribute a total of \$633,523 to the 14/15 budget rate yield. The current GRV of the South Hedland Shopping Centre is \$6,024,285 resulting in rates levied under the GRV Shopping Centre rating category of \$439,598. If the GRV Commercial rating category was applied, rates levied would become \$224,115, a reduction of \$215,483. Under s6.47 of the Local Government Act, and

		<p>some difficult trading conditions for some retailers. Post Stage 2 redevelopment, Charter Hall estimates that rates will account for 25% of the operating budget for the shopping centre. In their initial submission dated 19 September 2014, Charter Hall request a short term freeze on any further rate increases, irrespective of changes in valuation.</p> <p>Charter Hall also prepared a formal submission to the Draft Rating Strategy dated 7 October 2014 whereby they argue that the Shopping Centre should be rated at the same rate in the \$ as commercial properties. The following reasons were provided:</p> <p>Shopping centres provide considerable community benefit</p> <p>The Town Centre where the shopping centre is situated contains areas that would otherwise be classified as commercial, industrial or mixed use</p> <p>The Shopping Centre maintains street scape and parking facilities at their own cost</p> <p>The majority of local governments do not discriminate between commercial and shopping centre, instead applying a blanket commercial rate to both usages.</p>	<p>subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may resolve to waive a rate or resolve to grant other concessions in relation to a rate. That is, Council by an absolute majority decision could resolve to provide a concession equal to x% or a fixed dollar amount. Concessions should however not be used to alter a differential rates model as rating categories are defined based on predominant land use.</p> <p>The Town’s Senior Rates Officer has undertaken a comparison of rates levied on similar shopping centres in WA and this is provided in the table below. It is apparent that the rate in the \$ imposed by the ToPH is not dissimilar to other municipality’s, rather it is the relatively high valuation of the South Hedland Shopping Centre that is driving the amount of rates levied. The ToPH is included in the 2015 General Valuation Program, and the Valuer Generals Office has advised that from their initial rental data collection it appears the rental values have declined across most sectors of the market. However, the VG goes on to state that since the previous revaluation in 2011, market rental has probably increased and subsequently declined, leading to a possible no-change to the new GRV’s. The Date of Valuation for revaluation purposes is the 1 August 2014, which comes into force 1 July 2015. When assessing GRV’s, the VG looks at rental market trends and analyse rental data collected from owners and agents. Based on the analysis of this data at the date of valuation, the VG accordingly apply rental rates to individual properties based on their individual and locational</p>
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			characteristics.
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Municipality	Shopping Centre Name	GRV	Rate in Dollar	Rates raised 2014/15	Managing Company
South Hedland	South Hedland Square	6,024,285.00	7.2971	\$439,598.10	Charter Hall
Port Hedland	Port Hedland Boulevard	2,657,565.00	7.2971	\$193,925.18	Colliers International
Karratha	Centro Karratha	9,940,265.00	5.7664	\$573,195.44	Federation Centres
Broome	Broome Boulevard	4,484,864.00	10.0600	\$451,177.32	Colliers International
Broome	Paspaley Plaza	2,931,240.00	10.0600	\$294,882.74	Kimberley Property Advocates
Geraldton	Northgate	5,175,300.00	10.9385	\$566,100.19	Lend Lease
Geraldton	Stirlings Central	3,664,440.00	10.9385	\$400,834.77	Federation Centres
Dardanup	Eaton Fair Shopping	2,275,780.00	8.2593	\$187,963.50	Citygate Properties

Rating Strategy

Rates represent a significant revenue source for the Town. As part of developing the Town's current 4 year budget, along with the 10 year long term financial plan, it was evident that a clear strategy articulating the Town's approach to Rates over the medium term would be of benefit both to the Town and the Community.

The purpose of the Rating Strategy is to provide a robust and considered framework for Rating Categories, Minimum Rates, and Differential Rates that incorporates the principles of objectivity; fairness and equity; consistency; transparency; and administrative efficiency. The Strategy also aims to establish a reliable rates revenue stream for the Town from year to year; and deliver a stable rating price path for our community.

The Draft Rating Strategy, and the Long Term Financial Plan which it informs, were both prepared on the basis of a 5% increase in rate yield per annum – 3.5% general purpose, and 1.5% specific purpose for Asset Management Initiatives. In light of feedback from ratepayers, Elected Members, and in consideration of current economic conditions, Officers recommend that the **annual rate yield increase be reduced to 4%** with the LTFP and the Rating Strategy amended accordingly. A 1% variation does represent a significant change to the Town's overall position across the life of the LTFP, however the Town is still able to achieve a sustainable financial position, and the reduction in Rates yield increases presents the Town a further target for productivity gains. With a lower prior year rate take, the annual yield from the 1.5% Asset Management Levy will be slightly lower.

The Rating Strategy also sets out the legislative framework for rates; existing rating categories; proposed yield increases; yield and land value of each category; and how and why deviations from the proposed pricing path may occur. The Strategy also includes a Rates Improvement Plan for the coming years.

The Rating Strategy is therefore presented to Council for endorsement, with the following changes as a direct response to community, Executive and Elected Member feedback:

- That the Rating Improvement Plan for 2014/15 include an analysis of a differential general rate and minimum rate for the UV Mining Improved and UV Mining Vacant rating categories to consider whether rate relief can be provided to small tenement holders, particularly with respect to prospecting and exploration leases;
- That the Statement of Objects and Reasons for Differential Rates be reviewed in 2014/15 to provide very clear definitions of the differential general rate categories, particularly with respect to the GRV Mass Accommodation and GRV Tourist Accommodation rating categories;

- That the GRV Shopping Centre rating category be reviewed in 2014/15 to assess whether this remains a stand-alone rating category, or whether a blanket commercial rate be applied to all commercial properties based on Zoning. The Statement of Objects and Reasons is to clearly articulate reasons for any rate in the dollar differential.
-
- Amendment of price paths and annual increases to 4% of yield (1.5% Asset Management Initiatives, 2.5% general purpose).

Where changes have been made between the Draft Rating Strategy as publicly exhibited, and presented here to Council for adoption, they changes have been highlighted in Attachment 1.

The Long Term Financial Plan will need to be updated accordingly as part of the next LTFP review.

FINANCIAL IMPLICATIONS

The Draft Rating Strategy has nil budgetary implications in terms of expenditure; however it is an important element of the Town's overall financial planning framework.

STATUTORY AND POLICY IMPLICATIONS

There is no statutory obligation for local governments to prepare a Rating Strategy, however doing so provides support for the Town's broader integrated planning and reporting framework.

The Town has received correspondence from the Department of Local Government and Communities in response to specific ratepayer complaints since the striking of rates for the 2014/15 year. The following comments are pertinent and are repeated below to inform Council of political considerations when considering the imposition of a differential rating model:

- "As you would be aware, in July 2013 the Minister wrote to the Town to express concerns regarding the lack of consultation with ratepayers affected by proposed high increases in differential rates and minimum payments."
- "I anticipate that the Department will seek justification for future proposed rates which are significantly higher than the Towns neighbouring districts, when considering future applications for Ministerial approval."
- "Rating decisions including differentials and minimum payments are solely those of a local government which is accountable to its community for the decisions it takes. However, where Ministerial approval is required under s 6.33(3) or 6.35(5), it is likely that DLGC will scrutinise these applications more than we have done in the past."

Development of a Rating Strategy is aligned to our goal of effective strategic planning with respect to local leadership.

ATTACHMENTS

1. Draft Rating Strategy – under separate cover
2. Rate Objection – Aspen
3. Submission – Grahame Murphy
4. Submission – Santiago Nanini
5. Submission – Monika Doepgen
6. Submission – Farno McMahon Pty Ltd
7. Submission – Rugby Mining Pty Ltd
8. Submission – Charter Hall (19 September 2014)
9. Submission – Charter Hall (7 October 2014)

04 November 2014

ATTACHMENT 2 TO ITEM 11.4.3

Aspen Parks Property Management L
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Perth WA 6831

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W www.aspenparks.com.au

27 August 2014

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

Dear Sir

**Objection to Rate Record
2 Taylor Street, Port Hedland (Cooke Point Holiday Park)
Rate Assessment A117920**

We refer to rate assessment A117920 (**Rate Assessment**) issued by the Town of Port Hedland (**Town**) to Caravan Park Cooke Point Pty Ltd (**Aspen**) on 21 July 2014 in respect of the property referred to above (**Property**).

Under section 6.76(1)(b) of the Local Government Act 1995 (WA), a person may object to the rate record of a local government on the ground that:

‘if the local government imposes a differential general rate, that the characteristics of the land recorded in the rate record as the basis of imposing that rate should be deleted and other characteristics substituted.’

Aspen objects to the Rate Assessment on the basis that the differential rating category of ‘Mass Accommodation’ applied to the Property under the Town’s 2014/15 differential rating categories is incorrect. Accordingly, the characteristics being attributed to the Property under the Rate Assessment (by way of the rating category that has been applied to the Property) are incorrect and should be substituted with other characteristics – namely that the Property is predominantly a tourist accommodation facility. Aspen’s objection is set out in more detail below.

Under the ‘Statement of Rating Objects and Reasons for the Year 2014/15 Rating Year’ issued by the Town (**Objectives**), the rating category of ‘Mass Accommodation’ is described as the rating category which covers ‘transient workforce accommodation facilities’.

For the 2014/15 Rating Year, there is also a new rating category of ‘Tourist Accommodation’. The Objectives describe this category as covering ‘hotels and motels that provide large scale accommodation for visitors’. The Objectives note that this rating category covers 6 motels/hotels that were previously rate under ‘Mass Accommodation’.

Aspen submits that the Property should fall under the rating category of 'Tourist Accommodation', on the basis that:

1. the use of the Property is more closely aligned with that of a short stay hotel/motel type operation rather than a transient work force accommodation facility. Aspen notes the following in this regard:
 - a. while, like a large number of holiday parks, some permanent accommodation options are offered at the Property, the majority of the accommodation at the Property is short term tourism accommodation. At present, there are 207 sites and accommodation units (excluding licenced overflow sites) on the Property. Of these sites, there are currently long term leases on 30 van sites and 34 accommodation units, leaving 51 van sites and 92 accommodation units available for short term stays;
 - b. some of the key distinguishing points of difference between the facilities and services provided at the Property and those associated with transient workforce accommodation facilities are:
 - i. the facilities and services provided at the Property include a swimming pool, playground, campers kitchen, forward bookings, 'Big 4' membership sales and a full range of tourist information. Each of these facilities and services are not typically provided at transient workforce accommodation facilities; and
 - ii. there are no 'mess' facilities at the Property. All accommodation provided at the Property is self-contained with no meals offered to guests. 'Mess' facilities and meals services are a standard expectation and requirement for transient workforce accommodation facilities;
 - c. the key competitors for the operation carried on at the Property is the local hotel market and not transient workforce accommodation facilities. The Property competes very strongly against the local hotel market for the majority of its business, to a point that Aspen's marketing and promotions strategies and price setting for the Property are all tied and linked with the current market trends set by the local hotels. A full range of tourist accommodation options at the Property are available for purchase online, which include two bedroom holiday units, bunkhouse accommodation and caravan sites. This very large online presence results in a large percentage of the bookings at the Property being received through online tourist booking agents;
 - d. the current average number of arrivals at the Property is 36 per day and Aspen's housekeepers regularly carryout in excess of 90 departure cleans per week. This number of guest movements clearly indicates that the primary business undertaken at the Property is one of a tourist accommodation facility, not transient workforce accommodation; and
 - e. the park operated on the Property is Port Hedland's premier holiday park and a member of the highly acclaimed 'Big 4 Holiday Parks'. The park operated on the Property is therefore marketed as, and perceived by the general public as, predominantly a tourist accommodation facility and not a transient workers accommodation facility; and
2. the Property is zoned 'Tourism' under the Town of Port Hedland's Town Planning Scheme No.5.

Aspen refers to its letter to the Town dated 28 May 2014 commenting on the 'Proposed rate in the Dollar for 2014/15 Rating Year' that was previously issued by the Town to Aspen. We note that the minutes of the Special Meeting of Council held on 4 June 2014 contain the following statement in response to Aspen's letter of 28 May 2014:

'It is the Towns observation of Caravan Parks in Port and South Hedland that very few sites are allocated for the purpose of tourist accommodation. The Statement of Objects and Reasons and Councils resolution of July 2010 refers to the dominant land use as the basis for rates. It is the position of the Town that the dominant land use of Caravan Parks has historically and continues to be for the accommodation of non-residential workforce. Anecdotal evidence illustrates that there are very few vacant beds/sites and there is significant unmet demand for short-stay accommodation. This is detrimental to the tourism industry in Port Hedland. To this end, the Town is pursuing opportunities for dedicated tourist accommodation on town owned/controlled land.'

The points outlined above clearly demonstrate that the dominant use of the Property is for short stay tourist accommodation and not non-residential workforce/transient work force accommodation. Accordingly, the rating category of 'Tourist Accommodation' should apply to the Property.

Aspen requests that the Property be reclassified as 'Tourist Accommodation' and that an amended rates notice with an appropriate adjustment be issued to reflect this as soon as possible.

We look forward to hearing from you.

Yours faithfully



Dean Massie
General Manager

ATTACHMENT 3 TO ITEM 11.4.2

but I feel the shire is not catering for the locals but kowtowing to FIFO and so the money should be spent on something better. Feel free to ask me what on.

In closing, I feel as a local who cannot claim the rates back on tax I feel the rates are excessive and one of the highest in the state. The town is in a transition period where rent is going down and yet you are still raising rates. This is a detriment to people who live locally. I know what will happen so thank you in consideration.

Yours Sincerely

Grahame Murphy

ATTACHMENT 4 TO ITEM 11.4.2

Carmen Hanisch

From: Santiago & Lynne Nanini
Sent: Tuesday, 20 May 2014 3:05 PM
To: Records
Subject: ICR47783 - Attn CEO re: proposed differential general and general minimum rates

To the CEO

I am writing to you to comment on the proposed rates increase. I have been a resident of Port Hedland for 12 years and I am concerned as a ratepayer that the Council's budget is not spent appropriately.

Millions of dollars have been allocated in recent years for new capital infrastructure developments in the town such as the new recreational centre in South Hedland and the water park in South Hedland etc - a large proportion of which were funded with large donations from BHP Billiton, and the State Government through its Royalties for Regions grants programs. Whilst the developments themselves have been fantastic and long overdue for the town, it is evident to see the lack of maintenance on everyday items such as roads, drainage, parks and gardens and it appears that the Town of Port Hedland has not factored in its future budgets an adequate maintenance budget.

I understand that the mining companies and the Royalties for Regions program do not contribute at all to the running/ maintenance expenses of these new buildings - so why do the Ratepayers of the Town have to keep paying huge and always increasing rates? After all, like any business - shouldn't the Town look to live with what it can afford & not expect the ratepayers to pay every time. If we can't afford it, we shouldn't have it!!

I think the rates increase is inappropriate and expecting ratepayers to continuously pick up the bill for an increased maintenance budget is a mismanagement of funds collected by the Council.

Also the GRV of properties would have had decreased as the mining boom is at a production stage and not in construction mode as in previous years. When can we get this adjusted?

I hope that you and/ or councillors take my comments/ feed back (together with other comments) into consideration.

Regards

S.Nanini

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ATTACHMENT 5 TO ITEM 11.4.2

Monika Doepgen

email: ;

27 May 2014

Submission – Differential Rating
Town of Port Hedland
PO Box 41
Port Hedland
WA 6721

By Express post & email: council@porthedland.wa.gov.au

Re: Submission – Differential Rating 2014/15 – UV Mining Vacant

To whom it may concern,

I hereby object to the Town of Port Hedland's proposed differential general rates and general minimum rates for 2014/15 in the Rate Category 'UV Mining Vacant'.

As per information on page 7 in paragraph one and two of the 'Rating Policy Differential Rates (s.6.33)' which is for download from following web-page <http://www.dlg.wa.gov.au/Content/LG/RatingPolicies/Default.aspx> and pasted below
'.....*The imposition of differential rates represents a conscious decision by a council to redistribute the rate burden in its district by imposing a higher impost on some ratepayers and a lower impost on others.*

This should follow the Benefit principle – the concept that there should be some relationship between the rates paid and the benefits received. This does not mean that rates should equal benefits, but it is expected that those bearing the higher rate burden through the imposition of differential rating are receiving greater benefits from council activities.'

The Council proposed a rate in the Dollar of 35.9826 for the Category 'UV Mining Vacant' which is more than 10 times it's lowest rate in the Dollar of 3.4453 in the GRV Commercial Category. This rate in a Dollar comparison ratio is in a vast contrast to the benefit received from council activities ratio in relation to their properties/leases, and therefore doesn't comply with the Benefit Principle as stated in the Rating Policy from the Department of Local Government.

The council's very poor explanation in their 'STATEMENT OF RATING OBJECTS AND

REASONS' that the differential rating system is to achieve greater equity across all sectors, only applies for properties who fall under the main group of GRV rated properties.

Whereas the council's reason for the disproportional high rate in the Dollar, over 10 times the lowest general rate in the Dollar, for UV Mining is to offset the relatively low property valuations in this rating category. This does not lead to an equity/justness for the ratepayers across all sectors, instead it makes it only a more equal rating for this group of ratepayers who receive the least benefit of Council activities, but are made to carry the highest burden. This practise is in contravention of the Rating Policy Differential Rates (s.6.33). Not to mention that most of the leases under UV Mining Vacant are on Pastoral leases and therefore the Shire double dips from this sector.

In regards to the Council's reason for the excessive general minimum rate payment of \$1,223 in the UV Mining category to ensure that the rate burden is distributed equitably between all property owners. Further stating that Mining and general purpose leases fall under this category and the majority are held by large mining companies.

The Council has not provided any facts, and or figures to support this statement that the UV mining unimproved group pays the biggest percentage of Minimum Rates.

Furthermore the Council's table with comparison Minimum Rates in other Shires is very misleading as the Council only choose to use shires with figures close to their own, whereas the Shire of East Pilbara, adjacent to the Town of Port Hedland Shire, where my Prospecting leases used to be in, only has a minimum rate of \$200 for Prospecting leases, as per telephone enquiry on Monday 26 May 2014.

Therefore I request that the proposed minimum Rate for Prospecting leases for the Town of Port Hedland shire should not be more than the minimum amount as per **Local Government (Financial Management) Regulations 1996 (WA)** Regulation 53. Amount prescribed for minimum payment (Act s. 6.35(4))
The amount prescribed for the purposes of section 6.35(4)
is \$200.

Regards,



Monika Doepgen

ATTACHMENT 6 TO ITEM 11.4.2

FARNO-McMAHON PTY LTD

ACN : 008 203 389

Mining & Exploration

Level 5, 70 Pirie Street
 PO Box 190, Rundle Mall
 Adelaide, S.A. 5000
 Ph. 08 81009200

30 July, 2014

Town of Port Hedland
 Rates Section
 PO Box 41
 Port Hedland, WA, 6721

Dear Rates Section,

M47/561, M47/560, E47/2502, E47/2168

I wish to query the amount of the rates charged on the abovementioned tenements.

Farno-McMahon Pty Ltd holds 10 tenements in the Yandeyarra region approximately 80 Kms south of Port Hedland and 120 Kms east of Karratha. Four of these tenements are in the Port Hedland Council area and the remainder are in the Karratha Council area. There are extreme discrepancies between the valuations and "Rate in \$" charges between the two Councils and there is inconsistency of these two figures within the Rate Notices issued by the Port Hedland Council. The following tables help to illustrate the discrepancies.

Port Hedland				
Tenement	Area (Sq. Kms)	Valuation(\$)	Rate in \$	Rates(\$)
E47/2168	78.1	8,169	0.360039	2,941.16
E47/2502	224.4	20,527	0.360039	7,390.52
M47/560	5.7	53,615	0.428414	22,969.42
M47/561	5	38,731	0.360039	13,944.67
Totals	313.2	\$121,042		\$47,245.77

Karratha				
Tenement	Area (Sq. Kms)	Valuation(\$)	Rate in \$	Rates(\$)
E47/1709	35.3	3209	0.131836	423.06
E47/1710	9.6	875	0.131836	115.36
E47/1713	12.8	1190	0.131836	156.88
E47/1714	28.8	2677	0.131836	352.92
E47/2210	12.8	1190	0.131836	156.88
E47/2211	44.9	4165	0.131836	549.10
Totals	144.2	\$13,306		\$1,754.21

- On a per area basis the Port Hedland council charge 1,240% more than Karratha
- The "Rate in \$" charged by Port Hedland is between 273% and 325% higher than Karratha
- The Port Hedland valuations per area are 419% higher than Karratha
- In addition M47/560 and M47/561, both in the Port Hedland area, have different valuations and different "Rate in \$" despite being almost identical

There are no services delivered to any of these tenements and we are currently denied access to E47/2168, E47/2502 and M47/560 pending access negotiations to Reserve 31427 with the Mugarinya Council. The Mugarinya Council require us to pay extra money to assist them in maintaining roads and other shared infrastructure, an activity that is clearly not fulfilled by Council.

The rates charged by the Port Hedland Council equate to 26% of our committed expenditure on the four tenements. When we add Government rent, Native title charges and Mugarinya charges this figure rises to 86%.

Farno-McMahon is a small private company conducting green fields exploration in the area. Although we aspire to generating income from our leases, we currently generate zero income. During the past 12 months we have had an average of two people on site at Station Peak for a maximum of 10 weeks. If we were digging ore and shipping it through the Council area we would expect to pay a premium for use of Council roads and infrastructure, however, this is not the case. In fact there are no Council services to any of our tenements.

We request that you review the rate notices for tenements M47/560, M47/561, E47/2168 and E47/2502 and bring them in line with the more reasonable charges imposed by the Karratha Council.

Yours Sincerely



Carl Dorsch
Sole Director
Farno-McMahon Pty Ltd

ATTACHMENT 7 TO ITEM 11.4.2



RUGBY MINING PTY LTD
ABN 35 128 324 103

Suite 202 Phone (02) 8920 1356
161 Walker St Web: www.rugbymining.com
North Sydney NSW 2060 Email: carl.hoyer@rugbymining.com
Australia

17th September 2014

To: CEO Mr. M.J. (Mal) Osborne
Town Of Port Hedland
McGregor Street (PO Box 41)
Port Hedland, WA 6721.

Re: Assessment No. A803187

Dear Sir,

We are a junior exploration company who have recently entered into a joint venture agreement to explore and develop the Mining Tenement E47//00891. In late July we received a 2014 -15 Rate Notice for A803187 for the balance owing of \$3,315.93 which we have duly paid.

Since then and imagine our dismay when we have received a further notice for the payment of an additional \$14,016.40 based on a revaluation of the property from \$12,837.00 to \$53,669.00. The new charge represents an increase in rates of over 300%. While we realise that council costs in maintaining roads and infrastructure have risen we feel that an increase of such a large amount is quite unreasonable. Would it be possible for the Council to review its' "Rate in the \$" charge to bring the increase down to a more reasonable amount?

The goal for any mineral exploration company is spend money "in the ground" in order to develop a mining operation. The impost of such a large increase means that less money will be spent on the tenement or lead its' abandonment which would mean that the council would collect no rates until the tenement was taken up by someone else. And given the present downturn in the exploration /mining industry it may be unlikely.

I trust that you will give our request some thoughtful consideration.

Yours Sincerely

Carl Hoyer

Carl Hoyer

Accountant



*Class,
Please have Carman contact
Carl Hoyer and explain the
process of revals and Rugby
Mining's opportunity to contest
the GRV - we will review
Rate/\$ in Rates
Strategy
Tom
Mal*



Document #: ICR50539
Date: 22.09.2014
Officer: MAL OSBORNE
File: 803187G

Port Hedland
McGregor Street (PO Box 41) PORT HEDLAND, WA 6721
Ph: (08) 9158 9300
Fax: (08) 9158 9399
Email: council@porthedland.wa.gov.au

OFFICE HOURS: 8.00am—4.00pm Monday to Friday
ABN 192 200 852 26

CASHIER
Civic Centre 8.00am—4.00pm
South Hedland Library (EFT only) 9.00am—4.00pm

INTERIM NOTICE

IF THE NAME OR ADDRESS SHOWN IS INCORRECT, PLEASE ADVISE COUNCIL IN WRITING

Domain Mining Pty Ltd
C/- HETHERINGTON EXPLORATION & MINING
PO BOX 8249
PERTH BC WA 6849

PERTH HTS
08 SEP 2014
RECEIVED

Should you have any questions or queries regarding your rate notice, please contact the Town's Rates Section by telephoning (08) 9158 9300.
C.E.O.M.J. (MAL) OSBORNE

ASSESSMENT No.		PROPERTY ADDRESS	
A803187		E47/00891 MINING TENEMENT PORT HEDLAND AREA 0000001 PORT HEDLAND A	
DUE DATE	ISSUE DATE	RATING CATEGORY	
09.10.2014	08.08.2014	UV MINING (VACANT)	
VALUATION	LATE PAYMENT INTEREST	MINIMUM PAYMENT	
\$53,669.00 - UV	11.0000	\$ 1,223.00	

DESCRIPTION AND CALCULATION METHOD				
DETAILS	RATE IN \$ or CHARGE/SERVICE	CURRENT	ARRANG.	TOTALS
UV MINING (VACANT)	36.0039	\$4,821.82		\$4,821.82
PRE-PAYMENTS		-\$1,305.89		-\$1,305.89
PAYMENTS RECEIVED		-\$3,315.93		-\$3,315.93
INTERIM RATE ADJUSTMENTS WITH AN EFFECTIVE DATE OF 18.07.14				
-UV MINING (VACANT)	36.0039	\$14,016.40		\$14,016.40
GST IS NIL				
FROM 18.07.14 TO 30.06.15				
REASON FOR INTERIM RATE : REVALUATION				
INTERIM CHARGES DUE ON 09.10.14 OF \$14016.40				

SEE OVER FOR IMPORTANT INFORMATION
Please see over/attached for additional information and default consequences

TOTAL AMOUNT **\$14,016.40**

PAYMENT OPTIONS				
OPTION No.	PAYMENTS	DUE DATES	AMOUNTS	
1	OPTION 1 - PAY IN FULL	\$14,016.40	09.10.2014	\$14,016.40
2	OPTION 2 - PAY BY 4 INSTALMENTS	\$0.00		\$0.00
	OPTION COST \$0.00	\$0.00		\$0.00
		\$0.00		\$0.00
		\$0.00		\$0.00

(Handwritten: P)

INTEREST
DATE 19/11/14 BY [Signature]

PAYMENT METHODS		DEPOSIT SLIP/OFFICE COPY
ASSESSMENT No.	NAME	
PROPERTY ADDRESS		

3 **WAY**

BILLER CODE: 42010
REF: 1008031878

Detach your financial institution to make payment from your nominated bank account.

Detach this slip and mail to Council Office

b **POINT**

BILLER CODE: 42010
REF: 1008031878

INTERNET: visit www.porthedland.wa.gov.au
PHONE: call 1300 275 458

Present this account intact when making payments at Council Office

MAKE ALL CHEQUES PAYABLE TO: Town of Port Hedland
PO Box 41, PORT HEDLAND WA 6721

ATTACHMENT 8 TO ITEM 11.4.2



19 September 2014

Mal Osborne
CEO
Town of Port Hedland Council
Civic Centre
McGregor Street
Port Hedland, WA, 6712

Charter Hall
Retail Management Limited
ACN 069 709 468
AFSL 246996

Responsible entity of
Charter Hall Retail REIT
ABN 34 357 213 849

Level 20, No.1 Martin Place
Sydney NSW 2000
GPO Box 2704 Sydney NSW 2001

T +61 2 8651 9000
F +61 2 9221 4655

www.charterhall.com.au

Dear Mal

**SUBJECT: COUNCIL ASSISTANCE REQUIRED FOR SUCCESSFUL STAGE 2
EXPANSION OF SOUTH HEDLAND SQUARE SHOPPING CENTRE**

Late last year, Charter Hall successfully completed the 'South Hedland Square' Stage 1 redevelopment works. In doing so we introduced a number of new retailers to the shopping centre and the area, obviously increasing the level of competition for our existing retailers.

In the coming weeks we are expecting an early estimate from Landgate for the increase in the Gross Rental Value for the shopping centre as a result of the completion of stage 1. This will result in an increase in the council rates payable and ultimately the operating expenses for the shopping centre which are payable by the retailers.

In the next few weeks we will also be lodging the proposed Stage 2 Development Application. Subject to council approval and obtaining reasonable costs of construction, we anticipate commencing works in approximately March next year with a targeted trade date of December. The completion of this development will result in a further increase in competition within the area and typically a further increase in rates payable.

Whilst I think we can all agree that the expansion of the retail offer in South Hedland is a positive for all involved in the long term, Charter Hall are also conscious that the increased competition and operating costs may pose some difficult trading conditions for some of our retailers in the short term.

It is for this reason that we respectfully request that Council places a freeze on any further increase in rates on the Centre for a period of two years post the stage 2 development completion. This will give the existing and new tenants a better opportunity to stabilise their businesses before any additional increases in their operating costs are incurred.

With the Stage 2 development, Charter Hall will be investing another almost \$20m into the expansion and improvement of the shopping centre. This will further solidify the town centre and South Hedland's position as the main retail hub within the area. Despite the increased costs of developing in the Pilbara we cannot however pass these costs across to our retailers in the form of higher rents. Retailers have a maximum cost of occupancy that they can sustain before the survival of the business is put at risk. The rents allocated during stage 1 and for the new space to be created during stage 2 are in line with the average rents charged across our portfolio.



Rent is however only one component of the total costs of occupancy for a retail tenant. Another component of the total rent that the retailer pays is a contribution towards the operating expenses of the centre. Due to the way that council rates are calculated in WA, rates and taxes make up the largest single component of the operational costs for the shopping centre.

After the revaluation expected in October we anticipate that council rates will account for 18% of the costs of operating South Hedland Square. Post stage 2 we are forecasting this will increase to 25% of the budget.

In order to ensure that we can maintain a reasonable cost of occupancy for our tenants we do require council's assistance in doing so. A short term freeze on any further increases in council rates will help ensure the long term success of the centre and its occupants.

If you would like to discuss this request in more detail please do not hesitate to contact me. I would also be happy to discuss this further in person if required.

Your consideration and response to the above would be most appreciated.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Y. Keatings', written over a light blue diamond-shaped background.

Yvette Keatings
National Development Manager

M 0407047750

E Yvette.Keatings@charterhall.com.au

ATTACHMENT 9 TO ITEM 11.4.2



7 October 2014

Mr. M. Osborne
CEO - Town of Port Hedland
Civic Centre
McGregor Street
PORT HEDLAND WA 6721

Charter Hall
Asset Services Pty. Limited
ACN 081 706 167
Level 11, St Georges Square
225 St Georges Terrace
Perth WA 6000
GPO Box 7421 Cloisters Square WA 6850
T +61 8 9269 5900
F +61 8 9269 5999
www.charterhall.com.au

Dear Mal

SUBJECT: RATING STRATEGY

Thank you for the opportunity to provide feedback on the draft Rating Strategy prepared by the Town of Port Hedland. We have reviewed the document and believe there are a number of points which Council should take into consideration when finalising the strategy. As per Appendix B of the Draft Rating Strategy document the Shopping Centre differential rating category – *applies to two rateable assessments being the shopping centre complexes in Port and South Hedland.*

The positive differential rate for these properties is in order to fund additional costs of servicing these types of properties. The shopping centres generate high volumes of pedestrian and traffic movements, resulting in increased road and streetscape maintenance requirements, additional onsite parking needs and the requirement to install additional traffic treatments. The Town is also required to provide additional litter collection services to these areas.

Our comments primarily relate to the rationale for the proposed Shopping Centre rate in the dollar and are summarised below.

- A Shopping Centre provides considerable community benefit at its cost, namely the provision of a mall area which is cleaned, air conditioned and policed (security) by the centre. The mall provides a place for the community to meet in the same manner as a town square or public open space. This is especially relevant in Port and South Hedland which incurs frequent, extreme weather conditions requiring an internal space for the community. Provision of this service by the centre absorbs a responsibility and cost which would otherwise be borne by the Town.
Shopping Centres provide considerably more community benefit at their cost than other rating categories such as Commercial which enjoys a 105% discounted rate to Shopping Centre under the draft strategy.
- The Town Centre where the South Hedland Shopping Centre is situated, contains area's which, under the rating scheme would be classified as either Commercial, Industrial or Mixed Use, all of which attract a rate far lower than that applied to the Shopping Centre. These areas however have the potential to include retail usages in direct competition with the Shopping Centre, therefore providing an unfair competitive advantage.



This is further exacerbated by the low running cost typical of commercial outlets such as strip retail which do not incur substantial costs to operate a central mall for the benefit of the community. We would be happy to detail these costs under separate cover.

- Reviewing other rating categories such as Mass Accommodation, a premium has been applied as *Patrons and employees of these facilities are consumers of municipal services but unless they are property owners within the Town, are not contributing to the costs of services used by them in the Town of Port Hedland.* Whilst this same point has not been made for Shopping Centres it should be noted that many of the tenants of the shopping centre are either owner/operators or franchisees. They therefore are residents of the town and likely to contribute to the rates pool in other ways. This can also be said of our major tenants such as Coles who own several properties in Hedland for their staff.
- The rating strategy applies a premium for Shopping Centre because of the requirement for additional street scape maintenance and traffic treatments. This has not been the case for South Hedland Square as no additional traffic treatments have been installed and all street scaping has been maintained by the centre at their cost. In addition, the centre currently provides parking facilities for adjoining businesses and tourists not utilising the centre, instead leaving their caravans in the centres car park whilst exploring the town.
- As a Shopping Centre owner in Western Australia, Charter Hall own 15 parcels of land dedicated to Shopping Centre usages. Whilst there is a small number with a "Shopping Centre" category the overwhelming majority of Local Governments do not discriminate between Commercial and Shopping Centre, instead applying a blanket Commercial rate to both usages.

In summary, we believe that in order for Council to achieve its objective of a fair and reasonable rating strategy that consideration needs to be given either to significantly reducing the rate in the dollar applied to the Shopping Centre category or applying the same rate as the commercial category. This would eliminate the competitive advantage provided to Commercial usages and provide an acknowledgement of the significant costs incurred by a Shopping Centre to provide community benefit.

We would welcome the opportunity to continue this conversation with Council, therefore please do not hesitate to contact me to discuss or if you require any further information.

Yours Sincerely

A handwritten signature in black ink that reads "Drew Good".

Drew Good
Asset Manager

T +61 8 9269 5900

E drew.good@charterhall.com.au

11.4.4 Request for Tender 14/20 – Provision of Audit Services to the Town of Port Hedland 2014 - 2019

Peter Kocian, Manager Financial Services
File No. 12/19/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/110 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR JACOB

That Council:

1. **Note the recommendation of the Audit and Finance Committee of 19 November 2014;**
2. **Request the Chief Executive Officer, or his delegate(s), to undertake a Request for Tender process pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996* to appoint an Auditor for a five (5) year term, commencing in the 2014/15 financial year and terminating following the 2018/19 final audit; and**
3. **Endorse the Request for Tender document, RFT Number 14/20 Provision of Audit Services 2014-2019 Town of Port Hedland, inclusive of the Tender Specifications and Qualitative Criteria.**

CARRIED 8/0

EXECUTIVE SUMMARY

This report recommends that the Town of Port Hedland undertake a Request for Tender process to appoint an Auditor for a term of five (5) years, commencing in 2014/15 and terminating following the 2018/19 final audit.

DETAILED REPORT

In accordance with section 7.2 of the *Local Government Act 1995*, the accounts and annual financial report of a local government for each financial year are required to be audited by an Auditor appointed by the local government.

Council is required to appoint an Auditor by an absolute majority decision on the recommendation of the Audit and Finance Committee pursuant to section 7.3 of the *Local Government Act 1995*.

Council last considered the appointment of an Auditor in 2012 and resolved to appoint Grant Thornton for a three year term from 2011/12 to 2013/14. This appointment was governed by a signed Letter of Engagement which will terminate following attendance of the Auditor (via Skype) at the November 2014 Audit and Finance Committee Meeting.

The maximum term of the appointment of an Auditor is five financial years, although an Auditor is eligible for re-appointment.

It is recommended that the Council endorse the recommendation of the Audit and Finance Committee and request that the Chief Executive Officer or his delegate(s) undertakes a Request for Tender process to appoint an Auditor rather than seek quotes utilizing the WALGA preferred supplier panel. There are eight Audit Firms that have been appointed to the panel and it is viewed that a Statewide tender process will be very effective in reaching a wider market for prospective Auditors.

A Request for Tender document has been prepared and is included as an attachment to this report. The Tender Specifications are consistent with Local Government Operational Guideline No. 9 Audit in Local Government; but importantly includes the additional requirement for the Audit Partner to undertake field work and addresses requirements to meet implementation of fair value for infrastructure assets by 30 June 2015 as required under Regulation 17A of the *Local Government (Financial Management) Regulations 1996*.

The qualitative criteria and weightings are as follows:

- Local Government Audit Experience 30%
- Tenderers Resources, Key Personnel, Skills and Experience 30%
- Audit Plan and Methodology 40%

The qualitative criteria have been determined to be the primary considerations when assessing tenders. Once the tenders have been ranked according to the qualitative criteria, the evaluation panel will make a value judgement as to the cost affordability, qualitative ranking and risk of each Tender in order to determine the Tender which is most advantageous.

FINANCIAL IMPLICATIONS

Where Tenders are publicly invited, the local government is required to provide Statewide public notice. The approximate cost of advertising this Tender will be \$1,500.

STATUTORY AND POLICY IMPLICATIONS

Tenders for Goods and Services are governed by section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*.

Pursuant to section 7.3 of the *Local Government Act 1995*, Council is required to appoint the Auditor by an **absolute majority** decision on recommendation of the Audit and Finance Committee. Evaluation of Tenders and the Officer Recommendation for the appointment of the Auditor will therefore be brought back to the Audit and Finance Committee and then to the Council for consideration.

Goal 4.1 of the Strategic Community Plan – Strategic and best practice local government administration is relevant to this item.

There are no Council policies relevant to this item.

ATTACHMENTS

1. Request for Tender 14/20 Provision of Audit Services 2014-2019 – Town of Port Hedland – under separate cover.

24 October 2014

11.4.5 2014/15 Quarterly Budget Review and Statement of Financial Activity for the period ended 30 September 2014

Peter Kocian, Manager Financial Services
File No. 12/14/0003

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION

That Council:

1. Note the recommendation of the Audit and Finance Committee;
2. Receive the 2014/15 Quarterly Budget Review and Statement of Financial Activity (and supporting information) for the period ended 30 September 2014;
3. Note the accounts paid during September 2014 under delegated authority;
4. Adopt the 2014/15 Quarterly Budget Review – September 2014, and amend the 2014/15 Budget as per the Schedule of Budget Variations, resulting in a unfavourable change in projected net current assets of \$86,064 as at 30 June 2015;
5. Resolve to establish a Reserve Account under s6.11 of the *Local Government Act 1995* titled “Strategic Reserve” with a purpose of restricting a portion of interim rate revenue received in the 2014/15 financial year and using the funds for the purpose of debt retirement/consolidation and to fund strategic projects as included in the Town’s Strategic Community Plan and Corporate Business Plan;
6. Resolve to transfer \$1,000,000, being 50% of the amended 2014/15 Budget for interim rate revenue, into the Strategic Reserve, with an original purpose to part fund the retirement of Loan Number 141 – Wallwork Road Bridge, as well as fund the following projects:
 - Flood Water Pump Refurbishment \$210,000 (approx.)
(2014/15 Budget provides for \$300,000 in loan funds)
 - JD Hardie Land Acquisition \$150,000 (approx.)
(2014/15 Budget provides for \$150,000 in loan funds)

Noting that a further report on loan refinancing will be presented to Council.

7. Resolve to establish a Reserve Account under s6.11 of the *Local Government Act 1995* titled “Staff Housing Reserve” with a purpose of setting aside funds for the maintenance, refurbishment, redevelopment and construction of staff housing.

2014/15/111 AMENDED RECOMMENDATION/ COUNCIL DECISION**MOVED: CR JACOB****SECONDED: CR HOOPER****That Council:**

- 1. Note the recommendation of the Audit and Finance Committee;**
- 2. Receive the 2014/15 Quarterly Budget Review and Statement of Financial Activity (and supporting information) for the period ended 30 September 2014;**
- 3. Note the accounts paid during September 2014 under delegated authority;**
- 4. Adopt the 2014/15 Quarterly Budget Review – September 2014, and amend the 2014/15 Budget as per the Schedule of Budget Variations, resulting in a unfavourable change in projected net current assets of \$86,064 as at 30 June 2015;**
- 5. Resolve to establish a Reserve Account under s6.11 of the *Local Government Act 1995* titled “Strategic Reserve” with a purpose of restricting a portion of interim rate revenue received in the 2014/15 financial year and using the funds for the purpose of debt retirement/consolidation and to fund strategic projects as included in the Town’s Strategic Community Plan and Corporate Business Plan;**
- 6. Resolve to transfer \$1,000,000, being 50% of the amended 2014/15 Budget for interim rate revenue, into the Strategic Reserve, with an original purpose to part fund the retirement of Loan Number 141 – Wallwork Road Bridge, as well as fund the following projects:**
 - Flood Water Pump Refurbishment \$210,000 (approx.)
(2014/15 Budget provides for \$300,000 in loan funds)**
 - JD Hardie Land Acquisition \$150,000 (approx.)
(2014/15 Budget provides for \$150,000 in loan funds)**

Noting that a further report on loan refinancing will be presented to Council.

- 7. Resolve to establish a Reserve Account under s6.11 of the *Local Government Act 1995* titled “Staff Housing Reserve” with a purpose of setting aside funds for the maintenance, refurbishment, redevelopment and construction of staff housing; and**
- 8. Request the Chief Executive Officer hold a workshop before April 2015 on strategic projects with Elected Members that:**
 - a) Details all projects covered in the Corporate Business Plan;**
 - b) Defines a “Strategic Project”; and**

- c) **Determines the Town's financial capacity outside of the 4 year Corporate Business Plan to invest in Strategic Projects.**

CARRIED BY ABSOLUTE MAJORITY 8/0

EXECUTIVE SUMMARY

This report presents the September Quarterly Budget Review for the 2014/15 Budget, including the Statement of Financial Activity for the period ended 30 September 2014. A number of budget variations are proposed as part of this review, which results in an unfavourable change in projected net current assets of **\$86,064** as at 30 June 2015.

DETAILED REPORT

The September Quarterly Budget Review (QBR) for the 2014/15 Budget includes a number of significant variations.

In discussing proposed amendments in the commentary below, recommended budget variations are categorised as either *Favourable (F)*; *Unfavourable (U)*; or *Contra (C)*. This status relates to their impact on the net current asset position. As an example, a project that is fully funded by Grants or Reserves would generally be a Contra entry – that is, it will have a nil impact on net current assets as the expenditure is fully supported by specific source funding. The balance of net current assets is a key indicator of the Town's ability to meet its debts and obligations as and when they fall due, and its financial flexibility in responding to opportunities, such as dollar for dollar grants, as and when required.

Major variations arising as part of the September QBR include:

Municipal Fund:

- A budget of \$2m for interim rate revenue has been established. It is recommended that \$1m be allocated as a favourable adjustment to the Budget, and \$1m as a contra adjustment, to be transferred to the Strategic Reserve – F/C
- A budget of \$50k has been established for the Governor General's visit - U
- A budget increase of \$92k for Gratwick Olympic Pool to provide for 24/7 access to the Gym – U
- A budget increase of \$170k for Port Hedland Sportsgrounds to cover water charges associated with using potable water at Colin Matheson Oval rather than reuse water – U
- Settlement costs of \$225k have been incurred with Earthcare as per a previous resolution of Council – U
- A reduction of \$213k in Regional Road Group funding as annual grant funding has now been confirmed – U
- A reduction of \$42k in Roads to Recovery funding as annual grant funding has now been confirmed – U
- A reduction in expenditure budgets on Pippingarra Road - \$90k and Sutherland Street upgrade - \$60k to offset reductions in grant funding - F

- A budget of \$100k has been established for the South Hedland CBD Road Modifications Trial – U
- A budget of \$50k has been established to implement stock control systems at the Town Depot – U
- A contra budget adjustment of \$1.216m against Carpark Planning Fees and Public Open Space and T/F to Developer Contributions Reserve – Public Open Space to recognise the payment of cash in lieu for public open space from LandCorp for the South Hedland Town Centre Stage 3 – C
- A contra budget adjustment of \$508k to amend the distribution of the operational deficit for each of the three recreation facilities managed by the YMCA, with the total reconciling to the contractual agreement – C
- A budget has been established for Insurance Expenditure Claimable and Insurance Reimbursement of Claims to recognise insurance claims associated with Cyclone Christine, Wanangkura Stadium and the Airport Ram-raid – C
- A contra budget adjustment of \$435k reallocating the budget from Drainage Construction to the Light Industrial Area Drainage project – C
- Budgets of \$80k and \$60k respectively have been established for marketing and promotion and property settlement costs associated with Kingsford Smith Business Park – these budgets are on charged to the Airport by way of a reduction in the transfer of Sale Proceeds from KSBP – C
- A budget of \$150k has been established to recognise the Town's member allocation under the Local Government Insurance Scheme; these funds are to be applied against health and wellbeing and risk mitigation initiatives – C

Airport Fund:

- A budget of \$2m has been established to capture the Passenger Security Screening Charges (omitted from the Original Budget) and part-contra expenditure of \$1.3m to MSS Security for casual guard services – C/F
- A contra budget adjustment of \$8m to recognise that the grant application under the Regional Airport Development Scheme was unsuccessful, with offsets against capital expenditure budgets being Carpark/Ground Transport Reconfiguration - \$750k; Water and Sewer Services - \$2.225m; Freight and Logistics Zone - \$4.107m; and Power in Push Back Equipment - \$765k – C
- A budget of \$317k has been applied to recognise landing fee donations to the RFDS as per a standing resolution of Council (200708/059) – U
- A budget of \$121k has been established to undertake due diligence and feasibility on the Solar Farm proposal – U
- A contra budget adjustment of \$1m to reallocate funds from the existing capital works program, Main Apron Extension, to the newly created Virgin Australia International Terminal Works Expansion account - C

Note that any variations in either Waste Fund or Airport Fund are wholly offset by corresponding Transfers to/from Reserves, such that the impact on net current assets is nil. However, for the purposes of reporting movements within that Fund, variations will generally be shown as Favourable (F) or Unfavourable (U).

A complete listing of proposed budget variations, together with management comments is included in the attachments to this report.

It is recommended that a significant portion of interim rate revenue received in 2014/15 be restricted for the purpose of retiring debt and debt consolidation, as well as fund strategic projects identified in the Community and Corporate Plans, but not yet funded in the 2014/15 budget. As Elected Members will recall, the 2014/15 Budget did not include any forecasts for interim rate revenue as this generally cannot be accurately estimated due to the uncertain nature of growth in the Town's rate base. This is a conservative approach, but does eliminate budget risk due to an over-estimation of interim rate revenue for example, as has occurred in prior financial years.

Section 6.34 of the *Local Government Act 1995* places a limit on revenue that local governments can raise from general rates, effectively meaning that local governments cannot adopt a surplus budget of more than 10% of the total rate yield. The Rate Setting Statement in the 2014/15 Budget identifies total rates levied of \$23.685m and net current assets of \$1.802m as at 30 June 2015 (the municipal surplus). Applying the provisions of s6.34, the Town cannot exceed a net current asset position of \$2.3685m as at 30 June 2015.

It is Officer's recommendation that any surplus revenue be placed under restriction (i.e. transferred to Reserve) providing the opportunity for Council to further deliver on Community Plan priorities. It is thus recommended that Council resolve to establish a Strategic Reserve for the purpose outlined above. As at 30 June 2014, the Town's Loan Principal Balance was \$28.741m with debt servicing costs (principal plus interest) in 2013/14 of \$2.796m. Whilst the Town's gross debt to revenue ratio and debt service coverage ratio are relatively healthy (and exceed industry benchmarks), debt retirement and/or consolidation will place the Town in a stronger position in outward years to meet funding requirements for major infrastructure development.

The Town's 2014/15 Budget also identifies new loans for the following projects. These projects could all potentially be financed from the Strategic Reserve and recommendations will be submitted to Council as part of the Quarterly Budget Review process.

- Staff Housing Catamore Court \$522k
- Floodwater Pump Refurbishment \$300k
- JD Hardie Land Acquisition \$150k

This presents the Town with an opportunity to achieve significant savings in interest expense, freeing up borrowing capacity for future requirements.

With respect to the Statement of Financial Activity for the period ended 30 September 2014, the following commentary is provided on variances between year to date actuals and year to date budget:

Account Description	YTD Variance	Comment
Operating Revenue – General Purpose Income	225%	Rate Revenue totaling \$24.344m has been raised in the period July – September.

Operating Revenue – Community Amenities	116%	Rubbish collection fees of \$2.67m have been raised; General tipping fees of \$1.7m has also been raised compared to a yearly budget of \$3.5m.
Operating Expenditure - Governance	472%	Activity based costing journals have yet to be completed. This will redistribute governance expenditure to other business units
Depreciation	-100%	Depreciation journals have yet to be completed
Grants and Contributions - Capital	-98%	A grant payment of \$63k was invoiced to DSR for lighting at Marie Marland Reserve. The Town has not received any road grants thus far in 2014/15.
Acquisition of Infrastructure, Property, Plant and Equipment	-79%	\$3.23m in capital expenditure has been incurred as at 30 September. Major expenditures include the Skate Park - \$636k, Hamilton Road RRG - \$677k, Heavy Vehicle Plant Replacement - \$234k and Airport Redevelopment Works.
New Loan Borrowings	-100%	No loan funds have been drawn down. Loan funds relate to capital projects being the Civic Centre Upgrade, Catamore Court Subdivision, Floodwater Pump Refurbishment and JD Hardie Land Acquisition.
Transfers to/from Reserves	-100%	Total Reserves as at 30 September amount to \$67.132m. No reserve transfers have been completed.

The net current asset position as at 30 September 2014 is \$25.761m – this is largely comprised of unrestricted cash of \$20.881m. This balance is expected to decline significantly across the course of the year, as projects are delivered, and operational budgets are expended.

FINANCIAL IMPLICATIONS

The variations recommended to the Council as part of this budget review will result in overall reduction in net current assets of \$86,064 as at 30 June 2015.

The Statement of Financial Activity includes an actual municipal surplus carried forward of \$817k. The surplus is attributable to a number of capital projects that have been carried-over from the 13/14 financial year. These projects were considered by Council at the September 2014 Ordinary Meeting, with a funding requirement of \$655k from the municipal surplus carried forward. The carried forward surplus in the amended budget column has been adjusted accordingly.

The projected municipal surplus as at 30 June 2015 following the September QBR is \$1.932m. This is comparative with the original budget forecast of \$1.802m, as budget adjustments arising from the 2013/14 carryovers and the September QBR have resulted in a reduction in net current assets in 2014/15 of \$740,573, which has been offset by an increased actual municipal surplus carried forward of \$817k compared to a 2014/15 budget amount of (\$54k).

The following reconciliation is provided: **000's**

Budget Municipal Surplus Brought Forward 30 June 2015	\$1,802
Change in Net Current Assets arising from 2013/14 Carryovers	(\$655)
Change in Net Current Assets arising from September QBR	(\$86)
Municipal Surplus Carried Forward 1 July 2014 – Budget	\$54
Municipal Surplus Carried Forward 1 July 2014 – Actual	\$817

Amended Budget Municipal Surplus Brought Forward 30 June 2015
\$1,932

STATUTORY AND POLICY IMPLICATIONS

The Town undertakes regular budget reviews as part of its delivery of high quality corporate governance, accountability and compliance. The Town's goals and actions in this regard are set out in the Local Leadership section of the Strategic Community Plan.

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires that the Town carry out a mid-year review of its annual budget, with a copy of the review and the relevant Council resolution to be provided to the Department of Local Government. The Town currently exceeds the minimum statutory requirements by undertaking budget reviews on a quarterly basis rather than half yearly.

The Town has a current resolution arising out of the adoption of the 2014/15 budget, requiring that only material budget variations be reported through to Council. Materiality being established at the lesser of 10% of the amended program budget or \$100,000 for each of the categories of Operating Revenue; Operating Expenditure; Non-Operating Revenue; and Non-Operating Expenditure. As part of this review, Officers have continued to present all proposed budget variations, together with Management comment on the variations.

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* also requires the Town to prepare a monthly Statement of Financial Activity. Where the month-end coincides with a quarter-end (September, December, March), the monthly financials will be incorporated in the Quarterly Budget Review document.

Note, the Statement of Financial Activity includes three budget columns; the adopted 2014/15 Budget, the Amended 2014/15 Budget arising from the Schedule of Budget Carryovers presented to Council at the September OMC, and the Amended 2014/15 Budget arising from September QBR. The change in budgeted net current assets as at 30 June 2015 (the last row on the Statement of Financial Activity) reconciles to the Schedule of Budget Variations.

ATTACHMENTS

1. Statement of Financial Activity for the Period Ended 30 September 2014 – under separate cover
2. Accounts paid under delegated authority for the month of September 2014 – under separate cover
3. 2014/15 Quarterly Budget Review – under separate cover

06 November 2014

11.4.6 Proposed Parking Local Law 2015

Josephine Bianchi, Governance Coordinator
File No. 19/01/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION

That Council:

1. **Adopt the proposed Town of Port Hedland Parking Local Law 2015 as contained in Attachment 1;**
2. **Pursuant to Section 3.12 of the Local Government Act 1995, give Statewide public notice that it intends to make the Town of Port Hedland Parking Local Law 2015, as contained in Attachment 1:**
 - a) **The purpose of this local law is to provide for the regulation, control and management of parking within the local government; and**
 - b) **The effect of this local law is to control parking throughout the local government to ensure the safe, fair and equitable use of parking facilities under the care and control of the local government.**

201415/112 AMENDED RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR GILLINGHAM

That Council:

1. **Adopt the proposed Town of Port Hedland Parking Local Law 2015 as contained in Attachment 1;**
2. **Pursuant to Section 3.12 of the Local Government Act 1995, give Statewide public notice that it intends to make the Town of Port Hedland Parking Local Law 2015, as contained in Attachment 1:**
 - a) **The purpose of this local law is to provide for the regulation, control and management of parking within the local government; and**
 - b) **The effect of this local law is to control parking throughout the local government to ensure the safe, fair and equitable use of parking facilities under the care and control of the local government.**
3. **Request the Chief Executive Officer, or his delegate(s), to undertake further advertising of the draft Town of Port Hedland Parking Local Law 2015 to ensure the community is given ample opportunity to submit public comment; and**

4. Note that community education sessions relating to the new Town of Port Hedland Parking Local Law will be held once the final Town of Port Hedland Parking Local Law 2015 has been adopted and gazetted in early 2015.

CARRIED 8/0

EXECUTIVE SUMMARY

A final draft of the proposed Parking Local Law has been prepared for consideration by Council.

This item is to allow:

1. The Presiding Member to give notice to the meeting of the intent to make a new Parking Local Law;
2. The Presiding Member to give notice of the purpose and effect of the proposed Parking Local Law;
3. For Council to adopt the proposed Parking Local Law for advertising purposes; and
4. To allow for advertising of the proposed Parking Local Law for public comment.

DETAILED REPORT

Section 3.16 of the Local Government Act 1995 requires that a periodic review of all local laws is undertaken within a period of 8 years from the date the local law commenced or was last reviewed.

The Town has engaged DL Consulting to assist Council with the local law review process.

The Council at its meeting July 2013 resolved, in part, as follows:

That Council:

.....

2. *Accept the local law review report and take the following action for each local law-*

a) <i>Standing Orders Local Law-</i>	<i>Repeal/Replace</i>
b) <i>Parking Local Law-</i>	<i>Repeal/Replace</i>
c) <i>Dogs Local Law-</i>	<i>Repeal/Replace</i>
d) <i>Cat Control Local Law-</i>	<i>Repeal</i>
e) <i>Reserves and Foreshores Local Law-</i>	<i>Repeal/Replace</i>
f) <i>Aquatic and Recreation Centres Local Law-</i>	<i>Repeal/Replace</i>
g) <i>Town of Port Hedland International Airport Local Law-</i>	<i>Repeal/Replace</i>
h) <i>Cemeteries Local Law-</i>	<i>Repeal/Replace</i>
i) <i>Health Local Law-</i>	<i>Amend</i>
j) <i>Signs, Hoardings and Bill Postings Local Law</i>	<i>Repeal</i>
k) <i>Trading in Public Places Local Law-</i>	<i>Repeal/Replace</i>
l) <i>General Provisions Local Law-</i>	<i>Repeal/Replace</i>

As required by section 3.12 the Local Government Act 1995, an advertisement is to be placed, in a state-wide newspaper, inviting the public to comment on the proposed local law, with submissions being open for a period of not less than 6 weeks (42 days). The advertisement will be placed once Council has resolved its intent to make the local law.

A final draft of the Parking Local Law has been prepared based on Elected Members comments and feedback from the workshop held on 29 October 2014.

The purpose of this local law is to provide for the regulation, control and management of parking within the local government.

The effect is to control parking throughout the local government to ensure the safe, fair and equitable use of parking facilities under the care and control of the local government.

FINANCIAL IMPLICATIONS

The state-wide advertising would cost approximately \$600 and local public advertising costing approximately \$250. These costs have been incorporated as part of the Local Law Review included in the 2014/15 Budget.

STATUTORY AND POLICY IMPLICATIONS

In making a new local law, Council must comply with the provisions of section 3.12 of the Act.

The *Local Government (Functions and General) Regulations* (Regulation 3) states that for the purpose of Section 3.12(2) of the Act, the person presiding at a council meeting is to give notice of the purpose of the local law by ensuring that the purpose and effect of the proposed local law is included in the agenda for that purpose and the minutes of the meeting of the council include the purpose and effect of the proposed local law.

Section 4.1 'Strategic and best practice local government administration' of the Strategic Community Plan applies as it high quality corporate governance, accountability and compliance.

ATTACHMENTS

1. Gazette ready copy of proposed Parking Local Law – under separate cover

31 October 2014

11.4.7 Australia China Business Council (WA) Pilbara Committee Membership

Josephine Bianchi, Governance Coordinator
File No. 13/05/001

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/113 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR HUNT

That Council agrees to support the Town's Australia China Business Council membership to continue in 2014/15.

CARRIED 8/0

EXECUTIVE SUMMARY

This report seeks Council's endorsement to continue the Town's membership with the Australia China Business Council (ACBC) Pilbara Committee in 2014/15.

DETAILED REPORT

The Town Council agreed to support a gold membership for the Australia China Business Council (ACBC) in September 2014.

The ACBC is the premier business organisation dedicated to promoting business and trade between Australia and the People's Republic of China.

This membership package included in-country assistance with meetings in China, brokering contacts in country and providing introductions. The ACBC also advised it could provide advice about sister city arrangements and which cities the Pilbara group might target. In addition, ACBC would continue to work with the Pilbara Consortium on ensuring that it is able to reach senior diplomatic representation with Chinese officials at the level of the embassy in Canberra and the Consulate-General in Perth. The ACBC would define the opportunity and potential benefits and it would then be up to the Pilbara members to maximise the outcomes.

At the last ACBC meeting it was agreed that the Terms of Reference of the ACBC Pilbara Committee need to be reviewed and that an overarching 'China Engagement Strategy' for all the Pilbara local governments needs to be established. This strategy should be flexible enough to allow each local government to advance at its own pace on its engagement with China whilst reflecting particular local strategies.

At the meeting it was recognised that each local government is at a different point in its engagement with China. It was therefore suggested that the ACBC Pilbara Committee needs to meet the specific need of each town in the Pilbara and a model be developed to reflect this.

The modified objectives and terms of reference need to be in place by 2015 and will be discussed at the Committee's December meeting.

Consultation

Internal

- Manager Corporate Information
- Executive Team

External

- Australia China Business Council (ACBC)
- Pilbara Development Commission (PDC)
- Regional Development Australia (RDA) Pilbara
- City of Karratha
- Shire of East Pilbara (SEP)
- Shire of Ashburton (SoA)
- Karratha and Districts Chamber of Commerce and Industry
- Port Hedland Chamber of Commerce and Industry

FINANCIAL IMPLICATIONS

Nil in view of the internal focus the ACBC Pilbara Committee has decided to take for 2014/15.

STATUTORY AND POLICY IMPLICATIONS

The ACBC Pilbara Committee minutes are confidential in accordance with section 5.23(2)(e)(iii) of the Local Government Act 1995.

Sections 4.1 'Strategic and best practice local government administration' and 4.2 'Engage our community and stakeholders' of the Strategic Community Plan apply.

ATTACHMENTS

1. Confidential - Minutes ACBC Pilbara Committee meeting 14 October 2014

4 November 2014

11.4.8 Airport Committee Membership – Community Member

Josephine Bianchi, Governance Coordinator
File No. 30/09/0037

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION

That Council:

- 1. Thank all applicants for their interest in the Port Hedland International Airport Committee Community Member in writing;**
- 2. Amend the Port Hedland International Airport Terms of Reference to include an additional community member, changing the total number of community members from the current three to four; and**
- 3. Appoint Mr Brad Pawlenko and Mr Jason Green as members of the Port Hedland International Airport Committee.**

201415/114 ALTERNATIVE RECOMMENDATION 1/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR DACCACHE

That Council:

- 1. Thank all applicants for their interest in the Port Hedland International Airport Committee Community Member in writing; and**
- 2. Appoint Mr Brad Pawlenko as a member of the Port Hedland International Airport Committee.**

CARRIED BY ABSOLUTE MAJORITY 8/0

201415/115 ALTERNATIVE RECOMMENDATION 2/ COUNCIL DECISION

MOVED: CR DACCACHE

SECONDED: CR JACOB

That Council:

- 1. Amend the Port Hedland International Airport Terms of Reference to include an additional community member, changing the total number of community members from the current three to four; and**
- 2. Appoint Mr Jason Green as a member of the Port Hedland International Airport Committee.**

CARRIED BY ABSOLUTE MAJORITY 6/2

Record of votes:

For	Against
Mayor Howlett	Councillor Gillingham
Councillor Jacob	Councillor Butson
Councillor Daccache	
Councillor Hooper	
Councillor Hunt	
Councillor Melville	

EXECUTIVE SUMMARY

A vacant community member position on the Port Hedland International Airport Committee became available following Mr Serge Doumergue's resignation in June 2014. The Airport Committee requested officers to issue expressions of interest to seek a replacement for this position of community member.

Applicants responses to the expressions of interest have already been considered twice; at the Airport Committee of 1 October 2014 and at the Ordinary Council meeting of 22 October 2014. On both occasions a decision was not made in relation to the terms of reference of the committee or the appointment of additional community member(s).

This item seeks Council's direction on the future community membership for the Airport committee.

The administration's recommendation is to change the terms of reference to expand its membership and appoint two community members – Mr Brad Pawlenko and Mr Jason Green based on their responses to the selection criteria.

DETAILED REPORT

The Airport Committee was established to ensure that the Port Hedland International Airport is recognised as a leading regional airport in the area of passenger and freight movements and customer satisfaction. The committee currently consists of five elected members and three community members. Serge Doumergue tendered his resignation from the committee in June 2014; this left a vacant community member position that required filling.

An expression of interest process to recruit a new member to the Airport Committee was initially undertaken in July 2014. This included a public notice being placed in the North West Telegraph and a community notice release. During this process one application from a local community member was received.

The Town decided to re-advertise the expression of interest to ensure more community members had the opportunity to submit an application, considering the first round of advertising was undertaken during school holidays, and also to ensure that a diverse group of applicants could be attracted.

After the second round of advertising the Town received a total of six applications from the following community members:

- Mr Arnold Carter
- Mr Anoop Malaviya
- Mr Brad Pawlenko
- Mr Chris McMahan
- Mr Jason Green
- Mr Shah Nagamuttu

Applicants were asked to submit their resume and cover letter stating why they should be considered for the committee. A copy of the resumes and cover letters are attached under separate confidential cover.

The applicants were assessed by an internal review panel consisting of the Chief Executive Officer, Program Director Airport Redevelopment and Manager Corporate Information. The criteria utilised was based on experience:

- As a strategic thinker and business leader
- As a committee or board member
- In aviation, infrastructure and commercial projects
- In senior and executive positions

Because of the great level of interest received from community members, the panel recommended that two additional committee members, Mr Brad Pawlenko and Mr Jason Green, be considered.

Appointing more than one committee member requires an amendment to the committee's Terms of Reference (TOR) which are also being assessed as part of the airport redevelopment program review. Changing the number of committee members from the current total of eight (five elected members and three community members) to nine (five elected members and four community members) means that the quorum for the committee will increase to five, instead of the original four. Having nine members on the committee will also ensure that no tied votes will occur when there is full attendance.

Mr Brad Pawlenko is the Program Manager for the Pilbara at LandCorp and is based in Port Hedland. Mr Pawlenko has a background in urban and regional planning for commercial and industrial developments. Mr Pawlenko's solid experience at executive level would assist the committee in the airport redevelopment planning.

Mr Jason Green is the General Manager of the Ibis Styles Hotel Port Hedland. He has extensive experience in the hospitality industry. Mr Green has a background in travel, tourism and marketing and would be an asset to the committee.

This recommendation was presented to the Airport Committee at its 1 October 2014 meeting and at the Ordinary Council meeting of 22 October 2014. On both occasions a decision was not reached in relation to the terms of reference of the committee or the appointment of additional community members.

As the current terms of reference of the Airport Committee state that the membership comprises of three community members and one position has been made vacant, the Council has the following options:

- Appoint one community member from the applications received (this will not require the terms of reference of the committee to be changed); or
- If no applications are deemed satisfactory, decide to change the terms of reference of the membership and reduce the number of community members from the current three to two;
- Appoint two or more community members (this will require the terms of reference of the committee to be changed).

The Council is advised that a final determination on this item is required to be made to ensure continuity in the Airport Committee meetings' proceedings. Expressions of interest have been sought as per the Airport Committee's decision and applicants who have offered to volunteer their time to become a member of the committee should be clearly advised of whether their applications has been accepted or not without further delay. The Airport Committee has been without a member since June 2014. Good governance principles require that the terms of reference of any committee should be clearly stated; as such a firm resolution on its membership should be made. This will ensure the Airport Committee can continue working on the strategic matters it has been appointed to take care of with the appropriate number of members.

FINANCIAL IMPLICATIONS

Expenditure for the public notice is included in the current 2014/15 budget.

Committee members are not remunerated for their time.

STATUTORY AND POLICY IMPLICATIONS

The applications are confidential in accordance with section 5.23(2)(b) and (e) of the Local Government Act 1995 as the applications disclose personal information.

The decision of appointing members to a committee of the Council requires an absolute majority in accordance with section 5.10(1)(a) of the Local Government Act 1995.

Section 2.2 "2.2 A nationally significant gateway city and destination" of the Strategic Community Plan applies as the Town develops the Port Hedland International Airport as the leading gateway to the North West.

ATTACHMENTS

1. Confidential – Application Mr Arnold Carter
2. Confidential – Application Mr Anoop Malaviya
3. Confidential – Application Mr Brad Pawlenko
4. Confidential – Application Mr Chris McMahon
5. Confidential – Application Mr Jason Green
6. Confidential – Application Mr Shah Nagamuttu
7. Confidential - Applicants scoring matrix

31 October 2014

11.4.9 Adoption of Policy 1/017 'Order of Business at Council/ Committee Meetings'

Grace Waugh, Governance Officer
File No. 04/03/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/116 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR DACCACHE

SECONDED: CR JACOB

That Council adopt policy 1/017 'Order of Business at Council/ Committee Meetings'.

CARRIED 8/0

EXECUTIVE SUMMARY

The Town of Port Hedland Standing Orders Local Law 2014 provides rules for the conduct of Council and Committee meetings. The local law allows for the order of business to be determined by Council from time to time. Best practice is to have the order of business outlined in a policy, which the Council is recommended to adopt.

DETAILED REPORT

At the 27 August 2014 Ordinary meeting Council adopted the Town of Port Hedland Standing Orders Local Law 2014.

Section 5.2 'Order of Business' of the local law states:

- "(1) The order of business of an ordinary meeting of the council or a committee shall be determined by the council from time to time.*
- (2) Unless otherwise decided by the council, the order of business at any special meeting of the council or a committee is to be the order in which that business stands in the agenda of the meeting.*
- (3) In determining the order of business for any meeting of the council or a committee, the provisions of the Act and the General Regulations relating to the time at which public question time is to be held are to be observed."*

Officers recommend that an order of business policy be adopted for Council and Committee meetings. The proposed order of business follows the same order that has been adopted for all Council and Committee meetings so far, with the addition of an item for attending Council or Committee meetings by telephone.

This item will enable Elected Members or Committee Members who have to travel for work purposes to attend meetings while out of town and in consequence alleviate quorum and attendance issues. This practice is already included under section 14A(4) of the Local Government (Administration) Regulations 1996 which states that an Elected Member or Committee member must be in a suitable place to attend a meeting via telephone or other means of instantaneous communication. A suitable place is defined as a townsite or other residential area within the State of Western Australia that is 150km or further from the place where the meeting is being held. The decision for a member to attend via telephone must include the date of the meeting and suitable place where the member will be and must be made by absolute majority vote. Permission to attend a meeting via telephone or other means of instantaneous communication cannot be granted if it means a member will be attending more than half of the meetings in a financial year by telephone.

The proposed order of business is outlined below.

- Item 1 Opening of the Meeting
- Item 2 Acknowledgment of Traditional Owners
- Item 3 Recording of Attendance
- Item 4 Response to Previous Questions
- Item 5 Public Time
 - Item 5.1 Public Question Time
 - Item 5.2 Public Statement Time
- Item 6 Questions from Members without Notice
- Item 7 Declarations of all Members to have Given Due Consideration to all Matters Contained in the Business Paper before the Meeting
- Item 8 Confirmation of Minutes of Previous Meeting
- Item 9 Announcements by Presiding Member without Discussion
- Item 10 Reports by Elected Members without Discussions
- Item 11 Petitions/Deputations/Presentations/Submissions
- Item 12 Reports of Officers
- Item 13 Late Items as Permitted by the Presiding Member/Council
- Item 14 Motions of Which Previous Notice has been given
- Item 15 Reports of Committees
- Item 16 Confidential Items
- Item 17 Applications for Leave of Absence
- Item 18 Attendance by Telephone/Instantaneous Communications
- Item 19 Closure
 - Item 19.1 Date of Next Meeting
 - Item 19.2 Closure

To determine the structure of this policy the following Town officers have been consulted with:

- Governance Coordinator
- Manager Corporate Information
- Executive Team

FINANCIAL IMPLICATIONS

The adoption of this policy will not impact on the 2014/15 Budget.

STATUTORY AND POLICY IMPLICATIONS

Section 14A(4) 'Attendance by Telephone' of the Local Government (Administration) Regulations 1997 outlines the process for attending meetings via telephone.

Section 5.2 of the Town of Port Hedland Standing Orders Local Law 2014.

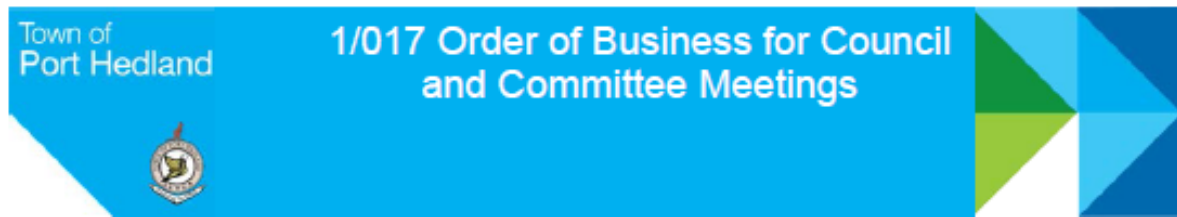
Section 4.1 'Strategic and best practice local government administration' of the Strategic Community Plan 2014 – 2024 applies as creating a new policy is assisting with delivering high quality corporate governance accountability and compliance.

ATTACHMENTS

1. Proposed Order of Business at Council and Committee Meetings policy

28 October 2014

ATTACHMENT 1 TO ITEM 11.4.9



ORDER OF BUSINESS FOR COUNCIL AND COMMITTEE MEETINGS

Policy Objective

The Town of Port Hedland Standing Orders Local Law 2014 allows for the order of business of all Council and Committee meetings to be determined by Council from time to time. The order of business outlines how the agenda for the meeting will be structured and in what order all meeting will be run.

All Council and Committee meetings shall follow the same order of business.

Policy Content

The order of business at all Council and Committee meetings of the Town of Port Hedland shall be as follows and may be altered by a Council or Committee decision.

- Item 1 Opening of the Meeting
- Item 2 Acknowledgment of Traditional Owners
- Item 3 Recording of Attendance
- Item 4 Response to Previous Questions
- Item 5 Public Time
 - Item 5.1 Public Question Time
 - Item 5.2 Public Statement Time
- Item 6 Questions from Members without Notice
- Item 7 Declarations of all Members to have Given Due Consideration to all Matters Contained in the Business Paper before the Meeting
- Item 8 Confirmation of Minutes of Previous Meeting
- Item 9 Announcements by Presiding Member without Discussion
- Item 10 Reports by Elected Members without Discussions
- Item 11 Petitions/Deputations/Presentations/Submissions
- Item 12 Reports of Officers
- Item 13 Late Items as Permitted by the Presiding Member/Council
- Item 14 Motions of Which Previous Notice has been given
- Item 15 Reports of Committees
- Item 16 Confidential Items
- Item 17 Applications for Leave of Absence
- Item 18 Attendance by Telephone/Instantaneous Communications
- Item 19 Closure
 - Item 19.1 Date of Next Meeting
 - Item 19.2 Closure

Definitions

Council meeting means an Ordinary or Special meeting of the Town of Port Hedland Council.

Presiding Member means the Mayor of the Town of Port Hedland.

Town of
Port Hedland1/017 Order of Business for Council
and Committee Meetings

Teleconference means a suitable place and meeting must be specified. A suitable place is defined as a townsite or other residential area within the State of Western Australia only. Approval to attend via teleconference cannot be granted for more than half of the meetings in a financial year.

Council adoption date and resolution no.	
Date of adoption of amendment and resolution number do not delete the previous dates	
Relevant legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996 ToPH Standing Orders Local Law 2014
Delegated authority	N/A
Business unit	Governance
Directorate	Corporate Services
Review frequency	As required

11.4.10 Request to lease- Sime Darby Fleet Services Pty Ltd Trading as Corefleet

Jessica Melia, Leasing Officer
File No. 05/05/0116

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/117 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR DACCACHE

SECONDED: CR GILLINGHAM

That Council

1. Approve the disposal of a portion of Port Hedland International Airport terminal building by way of lease to Sime Darby Fleet Services Pty Ltd in accordance with Section 3.58 (3) of the Local Government Act 1995 on the following terms and conditions ;
 - a) Initial term of 12 months; and
 - b) Option to extend for 3 x (1) year periods; and
 - c) Annual rental fees \$5000.00 exclusive of GST; and
 - d) Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date; and
 - e) For the permitted purposes of facilitating the business of hiring motor vehicles.

2. Approve the disposal of a portion of Port Hedland International Airport by way of a license to Sime Darby Fleet Services Pty Ltd in accordance with Section 3.58 (3) of the Local Government Act 1995 on the following terms and conditions;
 - a) Initial term of 12 months; and
 - b) Option to extend for 3 x (1) year periods; and
 - c) Annual license fee \$12,643.84 exclusive of GST; and
 - d) Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date; and
 - e) For the permitted purposes parking motor vehicles.

Subject to no submissions being received during the requisite advertising period.

CARRIED 8/0

EXECUTIVE SUMMARY

Sime Darby Fleet Services Pty Ltd (Corefleet) have requested the Town of Port Hedland (Town) to consider entering into contractual agreements for the occupation of a portion of the terminal building (terminal booth) and six car parking bays located at Port Hedland International Airport (PHIA) for the purposes of facilitating vehicle hire from the airport.

DETAILED REPORT

At its Ordinary Council Meeting held on Wednesday 22 October 2014, Council resolved to mutually terminate the contractual agreements between the Town and North West Rentals (WA) Pty Ltd (North West Rentals) for the occupation of a booth within the terminal building and three car parking bays within the hire Car Parking Area.

Officers are in the process of formalising the termination of the contractual arrangements with North West Rentals which will return the leased areas back into the control of the Town.

Initially, the Town had considered the potential for the vacant terminal booth to be utilised as a front of house location for airport staff. The booth is located in the arrivals area, behind the arrivals door, adjacent to two other hire car operators, being Europcar and Raw Hire. The location and the positioning of the booth pose a number of challenges to the success of a customer facing presence in the terminal building, and it is suggested that an alternative, more suitable location be investigated for this purpose.

Corefleet are a national company with a network of branches across WA, QLD and NSW, supplying light commercial vehicles for short term rentals and lease hire for the mining and civic construction sectors.

Corefleet currently facilitate their vehicle hire operations between the airport precinct and their main office located in Wedgefield. Corefleet have expressed their interest in leasing the vacant terminal booth and six car parking bays from the Town.

The termination of the contractual agreements with North West Rentals provides three parking bay vacancies within the hire car parking area. It is proposed that the additional three parking bays as requested can be accommodated within the Long Term Car Park.

Use of Long Term Car Park

It has been identified that the Long Term Car Park is currently underutilised and consistently has approximately half of the 543 bays available for use at any one time.

There are currently six hire car companies operating out of the airport precinct, all of which are in need of additional car parking spaces in order to efficiently conduct their business operations. It is further anticipated that the use of this area will become necessary as part of the overall staging works for the redevelopment program.

The current licence agreements for the Hire Car Parking Bays contain the following clause:

“7.1 Relocation of Parking Bays

The Licensee acknowledges and agrees with the Town that:

- a) *from time to time by notice in writing to the Licensee , the Town may nominate (and subsequently from time to time vary) the Parking Bays licensed to the Licensee pursuant to this Licence, to bays located within the Car Pak or bays located in the Other Parking Areas (provided that such bays are in reasonable proximity to the Terminal); ”*

In accordance with the above, the Town are able to offer alternative parking locations to hire car companies on the same terms and conditions as the existing agreements.

It is proposed that the additional three bays as requested by Corefleet be approved for occupation within the Long Term Car Park. This will be managed by way of a unique access code inputted into a keypad on the exit boom gate. Use of this code will only be permissible by employees of Corefleet.

Should Council resolve to proceed with the consideration of these additional three parking spaces, this will pose an opportunity for the existing hire car operators to increase their hire car parking bay allocations within the airport precinct.

In consideration of the above the Officer recommends that Council proceed with formalising the associated contractual arrangements with Corefleet as this would see the continued use of the premises following the departure of North West Rentals and provide continuation of the established revenue stream to the Town.

Should Council agree to dispose of portion of the Port Hedland International Airport terminal building and license of car parking bays the disposal would be locally advertised for public comment for a requisite period of two weeks. Should no submissions be received within the requisite advertising period a lease and licence agreement will be offered to Corefleet on the following terms:

Lease of Terminal Booth:

- Initial term of 12 months; and
- Option to extend for 3 x (1) year periods; and
- Annual rental fees \$ 5000 exclusive of GST; and
- Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date; and
- For the permitted purposes of facilitating the business of hiring motor vehicles.

Licence for Parking Bays

- Initial term of 12 months; and
- Option to extend for 3 x (1) year periods; and
- Annual license fee \$12,643.84 exclusive of GST; and
- Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date; and
- For the permitted purposes parking motor vehicles.

FINANCIAL IMPLICATIONS

Should Council proceed with the Officers Recommendation the following budget implications will apply.

Terminal Booth

It is proposed that the lease term would contain the provision for a base rental fee of \$5000 per annum exclusive of GST for occupation of the terminal booth.

8.5% Gross Revenue

While the base rental would be set in accordance with the above, in accordance with all other hire car arrangements at the PHIA, the Lessee must pay the greater of the base rental amount or 8.5 percent of their gross revenue of any business facilitated at the PHIA.

Car Parking Bays

In addition to the above, Corefleet would also be liable to pay for three car parking bays located in the Southern car parking area and an additional three car parking bays located in the long term car parking area. This would see an additional \$12,643.84 per annum exclusive of GST.

Over the initial 3 year term, this would see an amount of \$ 15,000 attributed to the airport lease revenue account and an additional \$37,931.52 attributed to the airport licence revenue account.

Corefleet would be responsible for all outgoings associated with the occupation of the terminal booth.

In addition to the above, In accordance with the Towns standard practice all Lessees are required to pay for the legal costs associated with the preparation of the relevant agreement documentation and \$ 308.18 excluding GST for a Leasing Administration fee.

STATUTORY AND POLICY IMPLICATIONS

In accordance with Section 3.58 of the Local Government Act *Disposing of Property*, Officers will be required to locally advertise the proposed disposition by way of public notice for a period of two weeks. Should no public submissions be received during the requisite advertising period officers will formalise the disposal by way of a variation to the existing lease document.

This item addresses objectives of the Strategic Community Plan by maximising the business and investment opportunities out of Town of Port Hedland assets.

ATTACHMENTS

Nil

6 November 2014

11.4.11 Amendment to Lease – Esplanade Port Hedland Hotel Pty Ltd

Jessica Melia, Leasing Officer
File No. 05/05/0108

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/118 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR HUNT

That Council:

- 1. Approve the disposal of an additional 37 m² of floor space within the Port Hedland International Airport terminal building by way of lease to the Esplanade Port Hedland Hotel Pty Ltd in accordance with Section 3.58 (3) of the Local Government Act 1995 on the following terms and conditions:**
 - a) Annual rental commencing at \$ 18,155.16 exclusive of GST;**
 - b) Initial term of three (3) years and seven (7) months (in line with existing lease term);**
 - c) Option to extend for 2 x (5) year periods;**
 - d) Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date and market review every three years (in line with the terms of the existing lease); and**
 - e) For the permitted use of bar and café operations, including, but not limited to, food preparation, food and beverage service and sale of ancillary goods.**

- 2. Approve the disposal of an additional 6m² of Port Hedland International Airport terminal building by way of lease to the Esplanade Port Hedland Hotel Pty Ltd in accordance with Section 3.58 (3) of the Local Government Act 1995 on the following terms and conditions:**
 - a) Annual rental commencing at \$2,944.08 exclusive of GST;**
 - b) Initial term of seven (7) months;**
 - c) Option to extend for 3 x one (1) year periods at mutual consent of both parties considering the continued viability of the operation;**
 - d) Additional options to extend for 2 x five (5) year periods (in line with existing lease);**
 - e) Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date and market review every three years (in line with the terms of the existing lease); and**

f) For the permitted use of a Coffee Station.

Subject to no submissions being received during the requisite advertising period.

CARRIED 8/0

EXECUTIVE SUMMARY

The Esplanade Port Hedland Hotel Pty Ltd (Esplanade) are the operators of the Export Bar & Café located at the Port Hedland International Airport (PHIA).

The Esplanade currently lease 312m² of floor space within the Airport terminal building and have occupied these premises by way of a lease agreement since August 2012.

The PHIA terminal building is currently undergoing a renovation project to create a larger departures area to improve passage flow. As part of this project, the current café area will increase.

Council is requested to approve the disposal of an additional 43m² of the PHIA terminal building by way of lease for the extension of the floor space to the Export Bar & Café and an additional 6m² within the arrivals area for a placement of a coffee station.

DETAILED REPORT

Extension to the floor space of the Export Bar & Café

The improvement works for the terminal include removing the walls between the Export Bar & Café and the departures lounge which will effectively extend both the domestic and international departures area and customs processing rooms.

As noted above, as part of these terminal renovations the area occupied by the Export Bar & Café will be extended to service the expanded departures area effectively, covering an additional 37m² of floor space.

Coffeestation

The improvement works will see the current café facility being enclosed within the airport secure area, meaning that patron will be required to go through the security screening process in order to enter the café.

This change to operations within the terminal building has provided an opportunity for a second food and beverage offering outside of the secure area to cater to meters and greeters and any arriving passengers.

It is proposed that the Esplanade will provide a coffee station for this purpose as an extension to their current contract arrangement. The area required for the placement of the coffee station would see an increase to the leased floor area by an additional 6m².

To effectively administer the proposed changes there will be a variation to the existing lease document. The variation will incorporate the additional floor space occupied by the Export Bar & Café, including the addition of the coffee station.

FINANCIAL IMPLICATIONS

Should Council proceed with the Officers Recommendation the following budget implications will apply.

The current lease terms contain the provision for a base rental fee of \$153,090.60 excluding GST per annum, calculated based on \$490.68 per square meter (This figure includes the annual CPI increase applied since the lease commencement date).

With the proposed increase in floor space to the Export Bar & Café and the addition of a coffee station within the arrivals area there is an increase in the overall leased floor area by 43m². The proposed increase to the floor space results in a revised annual base rental fee of \$174,189.84 excluding GST per annum.

8.5% Gross Revenue

While the base rental is set in accordance with the above, the lease agreement dictates that the Lessee must pay the greater of the base rental amount or 8.5 percent of their gross revenue.

It is anticipated that the increase to the floor space of the Export Bar & Café and the addition of the coffee station service will have a positive impact on the financial return to the Town through this lease arrangement.

STATUTORY AND POLICY IMPLICATIONS

In accordance with Section 3.58 of the Local Government Act Disposing of Property, Officers will be required to locally advertise the proposed disposition by way of public notice for a period of two weeks. Should no public submissions be received during the requisite advertising period officers will formalise the disposal by way of a variation to the existing lease document.

This item addresses objectives of the Strategic Community Plan by maximising the business and investment opportunities out of Town of Port Hedland assets.

ATTACHMENTS

1. Airport Café map

05 November 2014

ATTACHMENT 1 TO ITEM 11.4.11



11.4.12 Corporate Business Plan 2014-2018

Anna Duffield, Manager Corporate Information
File No. 04/01/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/119 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HOOPER

SECONDED: CR HUNT

That Council adopt the Town of Port Hedland Corporate Business Plan 2014-2018.

CARRIED BY ABSOLUTE MAJORITY 8/0

EXECUTIVE SUMMARY

The Corporate Business Plan is an internal business planning tool which translates the priorities of the Strategic Community Plan into operations within resources available. It details services, operations and projects to be delivered with a four year period.

The Corporate Business Plan was endorsed by Council at its October 2012 meeting pending finalisation of the Long Term Financial Plan. This report seeks Council's adoption of the revised 2014-2018 plan.

DETAILED REPORT

The Town of Port Hedland's revised Strategic Community Plan was endorsed by Council at its October 2014 meeting. It is the overarching document that sets out the vision, aspirations and objectives of our community.

A series of associated plans, including the Corporate Business Plan, Long Term Financial Plan and Resourcing Plan, support its implementation and ensure the Town's operations are aligned to community aspirations.

As per the *Local Government Act 1995* regulations, the Corporate Business Plan:

- Is for a minimum of 4 years
- Identifies and prioritises the principal strategies and activities the council will undertake in response to the aspirations and objectives stated in the Strategic Community Plan
- States the services, operations and projects that a local government will deliver over the period of the plan, the method for delivering these and the associated cost
- References resourcing considerations such as asset management plans, finances and workforce plans.
- Is adopted by council by absolute majority

The Corporate Business Plan was endorsed by Council at its October 2012 meeting pending finalisation of the Long Term Financial Plan. As this and the revised Strategic Community Plan have been endorsed by Council, it is timely to review the Corporate Business Plan.

A series of internal workshops were held with key staff, executive team and elected members to review the plan. The plan incorporates work undertaken to develop the Long Term Financial Plan and Workforce plan.

The Department of Local Government and Communities was also engaged to ensure the Town was achieving best practice approach.

Corporate Business Plan

The Corporate Business Plan is an internal business planning tool which translates the priorities of the Strategic Community Plan into operations within resources available. It details services, operations and projects to be delivered with a four year period.

The Town's vision is to be a nationally significant friendly city where people are proud to call home. This vision is supported by four key themes:

- Building a unified and vibrant community – We are a friendly and exciting city of diverse neighbours which is alive with recreational, cultural and entertainment activities that enrich residents' and visitors' quality of life. Generations of residents are proud to call Port Hedland home
- Supporting a diverse economy – Our economy is resilient and provides choice and opportunities. As the economic powerhouse of Australia we will be a domestic and international gateway to the North West.
- Balancing our built and natural environment – We are a safe, modern and attractive city that is sustainably balanced with our natural surroundings and cultural heritage.
- Leading our community – We provide strong leadership and are focused on strengthening our community. Our organisation is governed in an ethically responsible manner and meets all of its legislative and community obligations in accordance with defined service levels

The Corporate Business Plan articulates these themes into strategies and actions and outlines responsible directorates, timeframes and budget allocations.

It is intended that the plan is reviewed on an annual basis in line with the development of the annual budget. It is also intended that the Town reports against the plan on a quarterly basis.

FINANCIAL IMPLICATIONS

The plan is reflective of the Town's long-term financial position.

STATUTORY AND POLICY IMPLICATIONS

The *Local Government Act* (section 5.56) outlines the requirement for local governments to plan for the future. The adoption and implementation of strategic community and corporate business plans facilitates this requirement.

The Corporate Business Plan adoption requires an absolute majority vote.

The Town's Strategic Community Plan includes a goal (4.2) to engage our community and stakeholders and (4.2.2) to represent our community and provide transparent and accountable civic leadership.

ATTACHMENTS

1. Town of Port Hedland Corporate Business Plan 2014-2018 – under separate cover + late

7 November 2014

11.4.13 Rescinding Town Policies 1/001 and 2/008 and Amending Policies 2/005 and 9/004

Grace Waugh, Governance Officer
File No. 12/11/0002

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/120 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR JACOB

That Council agrees to:

1. Rescind the following policies:
 - 1/001 Civic Receptions – Approval/Rejections of Requests
 - 2/008 Fines Enforcement
2. Amend policy 2/005 Debt Management; and
3. Amend policy 9/004 Precyclone Green Waste Collection.

CARRIED 8/0

EXECUTIVE SUMMARY

The Town of Port Hedland policy manual is being reviewed to ensure that policies are relevant and up to date. The policies will be reviewed in a staged approach and presented to Council for endorsement in due course.

Officers are proposing that policies 1/001 'Civic Receptions – Approval/Rejections of Request' and 2/008 'Fines Enforcement' be rescinded and amended policies 2/005 Debt Management and 9/004 'Precyclone Green Waste Collection' be adopted.

DETAILED REPORT

An audit of the Town's policy manual identified a number of policies that need to be rescinded or amended as they no longer reflect current Town practices or are better suited to be an internal operating procedure (IOP).

Policies are adopted by Council and establish guidelines or provide direction for the Town's activities and actions. Policies are defined as the principles and intent behind the programs that a local government implements. A policy can also be a general plan or approach to a specific need, problem or issue.

An IOP outlines operational day-to-day processes and can be stand alone or found in conjunction with policies. Council is not required to adopt IOPs as these deal with operational matters only and not with the strategic direction of the local government, which is a policy function.

Policy	Comments	Responsible Officers
Policies to be rescinded		
1/001 Civic Receptions – Approval/Rejections of Requests	This policy states that the Mayor can approve or reject requests for civic receptions and that the Mayor and Chief Executive Officer can make arrangements without referral to Council. This is considered to be an administrative manner that does not warrant a policy. If any requests for civic receptions are received they will be considered on their merit and within appropriate budgetary restraints.	Coordinator Governance
2/008 Fines Enforcement	This policy details step-by-step process of how enforcement fines are dealt with. The content of this policy refers to an operational matter It is not appropriate to have administrative procedures listed in a policy, which should be a more strategic type document.	Coordinator Rangers Coordinator Financial Operations
Policies to be amended		
2/005 Debt Management	<p>The policy has been amended to reflect the current debt management processes.</p> <p>The changes being:</p> <ul style="list-style-type: none"> • Inclusion of Rates to make a comprehensive Debt Management Policy. • Discretion for Manager Financial Services to impose a 60 day probation period on any new account. • Option to administer 	Coordinator Financial Operations

	<p>an appropriate credit limit.</p> <ul style="list-style-type: none"> • Stop credit now implemented when debts remain unpaid after 42 days. 	
9/004 Precyclone Green Waste Collection	The current policy simply states that each year a free pre-cyclone clean service will be provided by Engineering Services. Officers have reviewed the policy and expanded it to ensure that residents and business located within the Town of Port Hedland are adequately prepared for the cyclone season	Manager Engineering Operations

FINANCIAL IMPLICATIONS

There is no impact on the 2014/15 budget for rescinding and amending these policies. However, the revised Debt Management policy contributes to a more robust financial management framework for the Town.

STATUTORY AND POLICY IMPLICATIONS

Rescinding policies 1/001 Civic Receptions – Approval/Rejections of Requests and 2/008 Fines Enforcement and amending policies 2/005 Debt Management and 9/004 Precyclone Green Waste Collection does not have any statutory implications.

Section 4.1 ‘Strategic and best practice local government administration’ of the Strategic Community Plan 2014 – 2024 applies as updating the policy manual assists with delivering high quality corporate governance accountability and compliance.

ATTACHMENTS

1. Town of Port Hedland policies to be rescinded:
 - 1/001 Civic Receptions – Approval/Rejections of Requests
 - 2/008 Fines Enforcement
2. Current policy 2//05 Sundry Debt Collection and current policy 9/004 Precyclone Clean
3. Proposed policy 2/005 Debt Management
4. Proposed policy 9/004 Precyclone Green Waste Collection

28 October 2014

ATTACHMENT 1 TO ITEM 11.4.13

Town of Port Hedland Policy Manual

1. ADMINISTRATION**1/001 CIVIC RECEPTIONS - APPROVAL/REJECTIONS OF REQUESTS**

Any request for a civic reception is to be referred to the Mayor who is empowered to approve or reject the request provided that a specific or general budget authority exists.

Arrangements for civic receptions (format, invitation list, etc) can be made by the Mayor and Chief Executive Officer without referral to Council.

(Amended at the 25 January 2006 Council Meeting – 200506/261)

Town of Port Hedland Policy Manual

2/008 FINES ENFORCEMENT

1. If an alleged offender does not wish to have a complaint of the offence heard and determined by a court, they must pay the modified penalty amount set out in the notice to the office of the Town of Port Hedland within 28 days from date of service of the notice.
2. All Fines and Penalties which remain unpaid after 28 days from date of service of the notice will result in a Final Demand Letter being issued to the alleged offender allowing 28 days to pay the amount due or elect to have the matter determined in a Court of Petty Sessions.
3. Where there is no response to the Final Demand Letter and after the expiration of 28 days the matter will be registered at the Fines Enforcement Registry for enforcement.
4. Once a matter has been referred to the Fines Enforcement Registry payment of fines may only be accepted through the Registry.
5. Fees associated with collection of unpaid fines are provided for in Schedule 2 of the Fines, Penalties and Infringement Notices Enforcement Regulations 1994 as listed in the Fees and Charges Schedule. These fees are reviewed and adjusted periodically and are GST exclusive.
6. Payments of Fines and Penalties must be paid in full. Part payments or payment plans will not be accepted.
7. An extension of time to pay the penalty may be granted on request by an alleged offender. Such extension shall not exceed 28 days from date of request.

(Amended at the 26 April 2006 Council Meeting.)

ATTACHMENT 2 TO ITEM 11.4.13

Town of Port Hedland Policy Manual

2/005 SUNDRY DEBT COLLECTION

Sundry debtor statements are to be issued on a monthly basis.

- A. The following procedure is to apply to outstanding accounts:
- i) A debtor shall have thirty days to settle the outstanding debt or make alternative arrangements;
 - ii) Outstanding debts between over thirty days will be provided with a reminder notice;
 - iii) Outstanding debts over sixty days will be supported with a "payment within 7 days or legal action will occur" notice;

Prior to legal action commencing, the Department Manager involved and the Manager Finance Services will be informed of the status of the account;

- i) After seven days, a letter on behalf of the debt collecting agent shall be issued allowing a further ten days to settle the account or make alternative arrangements;
 - ii) The Director Corporate Services is authorised to take all legal action available to collect any debt outstanding over 90 days of date of invoice.
 - iii) Debts outstanding after 67 days (60 days plus 7 days legal action notice) will incur 11% per annum interest, calculated daily.
- B. All sundry debts outstanding over ninety days will be reported to Council, stating:
- Amount of Debt; and
 - i) Name of Debtor; and
 - ii) Date the debt was raised; and
 - iii) Status of debt collection process.
- C. Exemptions to above debt collection procedure (A) to be applied to the following:
- i) Rebates or recoups from the tiers of government and funding bodies;
 - ii) Grants and subsidies;
 - iii) Donations.

(Amended at the 26 April 2006 Council Meeting.)

Town of Port Hedland Policy Manual

9/004 PRE-CYCLONE CLEAN

Each year, and in accordance with the Town of Port Hedland's *Tropical Cyclone & Storm Surge Emergency Management Plan*, a free Pre- Cyclone Clean-Up service will be provided by Engineering Services.

(Adopted at the 24 November 2004 Council Meeting)

ATTACHMENT 3 TO ITEM 11.4.13

**POLICY OBJECTIVE**

The object of the Debt Management Policy is to provide a framework for the efficient and effective collection of outstanding debts; and fulfil statutory requirements in relation to the recovery of rates, charges, fees and other debts.

The Town has a responsibility to ensure monies owed to it are recovered in a timely, effective and efficient manner to finance its operations and ensure effective cash flow management.

Whilst carrying out this responsibility, the Town will:

- Treat all people fairly and consistently under this policy; and
- Treat all matters under this policy confidentially; and
- Treat people with respect and sensitivity in considering their circumstances.

POLICY**Non Rates Debtors****1. Application for Credit**

Sundry debtor credit accounts will not be routinely established for the following services:

- Private Works
- Facilities Hire
- Cemetery Fees

The provision of these services requires payment in advance and or upon delivery of the service, except in limited circumstances where prior approval has been obtained from The Manager Financial Services

The minimum credit amount for all Landfill accounts shall be \$1,000 per month, otherwise cash/EFTPOS/cheque terms will apply.

Prior to extending credit, applicants are required to complete a Credit Application Form (Annexure 1) and return to the Accounts Receivable department for processing.

If the applicant is a corporation (as defined in the *Corporations Act 2001*), the Town may require from all the directors of the applicant company personal guarantees in support of an application for such credit.

Credit Application Forms will not be accepted unless all necessary information has been provided, including nomination of credit referees, and consent for the Town to use the information disclosed in the submitted forms to make such enquiries. The information may be disclosed, but not limited to:

- a credit reporting agency;
- a debt collector; or
- a legal services provider.

Debt Management Policy 2/005

All Landfill customer application forms (Annexure 2) are to be supported by documentation of all vehicle registrations that are authorised to use the South Hedland Landfill Facility.

Once submitted, the forms will be reviewed and assessed by the Manager Financial Services. The review and assessment of the application may include

- An evaluation of the applicant's previous payment history with the Town; and
- The Town making enquiries as to the credit and financial status of the applicant via nominated credit referees or Credit Ratings Agencies.

The Manager Financial Services has delegation to approve or decline applications for credit. Credit will be refused where an evaluation of an application is deemed to be unsatisfactory. The Manager Financial Services has the discretion to impose an appropriate credit limit on all accounts and impose a 60 day probationary period on any new Debtor account for the purpose of establishing a trading history.

The applicant will be advised in writing of the outcome of their application, including the maximum credit limit and trading terms approved by the Town, and any applicable probation periods.

It is a condition of the granting of any Credit facility, that the Debtor is responsible for immediately advising the Town of Port Hedland of any change of account details or financial circumstances that would affect their credit worthiness.

2. Standard Payment Terms

The Town's standard payment terms for credit trading accounts is 30 days from date of invoice.

Regardless of standard credit trading terms, all bookings shall be paid for in accordance with the Town of Port Hedland's Terms and Conditions of Hire.

3. Debt Collection Process

The Town will undertake all efforts to collect outstanding monies. All contact and attempted contact will be recorded as a Memo against the Debtor account in Synergy. The process of collection will be as follows:

Stage 1

Outstanding debts over 30 days will have their statements marked with a reminder that the account is now overdue and stop credit will be enforced if the debt remains unpaid after 42 days from date of invoice. Accounts Receivable shall make contact with the Debtor.

Stage 2

Outstanding debts over 60 days will have their statements marked with a Final Notice stamp advising payment is required within 7 days or legal action will commence. Accounts Receivable shall make contact with the Debtor.

Debt Management Policy 2/005

Stage 3

7 days after Stage 2 if payment has not been received or a payment arrangement entered into, a standard letter, allowing a further 10 days to settle the account or make alternative arrangements.

Stage 4

The Director Corporate Services and Manager Financial Services are authorised to commence legal action to collect debts outstanding over 90 days from date of invoice.

This may include, but is not limited to the following:

Letter of Demand
General Procedure Claim
Seizure and Sale of Goods\

Exemptions to the aforementioned Debt Collection Process are as follows:

- 1) Rebates or recoups from tiers of government and funding bodies
- 2) Grants and subsidies
- 3) Donations

The Town may elect to utilise the services of a Debt Collection Agency, duly licenced under the *Debt Collectors Licencing Act 1964*.

4. Stop Credit

Where debtors do not make payment within the Town's nominated payment terms, or enter into an approved payment arrangement, the Manager Financial Services is authorised to impose Stop Credit on the account. The appropriate business unit shall be notified and will be responsible for ensuring no further credit is provided to the Debtor. The Debtor will receive written notification from the Town to their last known address of the Stop Credit.

5. Provision for Doubtful Debts

Where the recovery of debt is unlikely, a provision for doubtful debts shall be made in accordance with Australian Accounting Standards. A bad debts register shall be maintained and reviewed on a regular basis.

6. Write Off of Bad Debts

The Chief Executive Officer, Director Corporate Services and Manager Financial Services have the authority to write-off bad debts up to \$200.

All write-offs above this threshold will be reported to Council on a quarterly basis and will include:

- Name of Debtor*
- Amount to be written off
- Description of invoice
- Reason for write-off

Debt Management Policy 2/005

For a debt to be written off one of the following conditions must be satisfied:

- The debtor cannot be located
- Uneconomical to pursue the debt
- The hardship circumstances of the debtor do not warrant the taking or continuation of recovery action
- Legal proceedings through the courts have proved, or on legal advice would prove, unsuccessful

*Where a debt is recommended for write-off as a result of hardship circumstances, the name of the Debtor will be reported to Council in confidence.

Rates & Service Charges

The recovery of outstanding rates will be collected in a fair and timely manner. Rate notices are due for payment 35 days from date of issue in accordance with the *Local Government Act 1995*.

Overdue accounts, which remain outstanding past the due date, will have interest applied at the prevailing interest rate as set out in the adopted Fees & Charges.

Interest is calculated on the number of days from the due date of payment until the day the payment is received by the Town of Port Hedland. This includes overdue amounts where the ratepayer has elected the instalment option.

Alternative payment arrangement via Direct Debit is available. An administration fee is payable on alternative payment arrangements. The Administration Fee is set in the Town's adopted Fees & Charges. Interest on overdue amounts accrues at the prevailing interest rate as set out in the adopted Fees & Charges.

1. Accounts 35 days in arrears after the initial invoice

Where payment is not received within thirty five (35) days of the rate notice issue date, a Final Notice is issued seven days after the due date requesting full payment within fourteen (14) days, unless the Ratepayer has agreed to enter into a special repayment arrangement or is able to catch-up to the instalment option as per the Rate Notice.

Final Notices are not to be issued to Pensioners or Seniors registered to receive a rates rebate with the Town of Port Hedland. Under the *Rates and Charges (Rebates and Deferments) Act 1992* Eligible Pensioners and Seniors have until 30 June of the financial year in which the Rates were levied to make payment, without incurring any late payment penalties.

2. Accounts 60 days or more in arrears after the initial invoice

Where amounts remain outstanding for sixty (60) days or more after the due date for payment listed on the original Rate Notice, the Rates Department will make their best effort to contact the Ratepayer using available methods before commencing further debt recovery action.

Debt Management Policy 2/005

Following a risk management approach as determined by the value and nature of the debt, further debt recovery action may include referral to a debt collection agency, including a General Procedure Claim and Court Proceedings.

3. Seizure of Rent for Non Payment of Rates

Where the property owner of a leased or rented property on which Rates and Service Charges are outstanding cannot be located or refuses to settle Rates and Service Charges owed, a Notice may be served on the lessee or tenant under the provisions of Section 6.60 of the *Local Government Act 1995* requiring the lessee or tenant to pay to the Town the rent due that they would otherwise pay under the lease/tenancy agreement as it becomes due, until the amount in arrears has been paid.

4. Options to recover rates debt where rates are in arrears for in excess of three (3) years

i) Lodging a Caveat on the Title for Land

Where Rates and Service Charges owed to the Town in respect of any rateable land remain unpaid for at least three (3) years, a caveat may be registered on the title for the land, under the provisions of Section 6.64 (3) of the *Local Government Act 1995*.

ii) Sale of Land

Where Rates and Service Charges owed to the Town in respect of any rateable land have been unpaid for at least three (3) years, the Town may take possession of the land under the provisions of Section 6.64 of the *Local Government Act 1995*.

The approval of Council is required to be obtained before this course of action is undertaken.

RELATED POLICIES AND LEGISLATION

- *Local Government Act 1995*
 - Part 6, Division 4, Clause 6.13 – Interest on money owing to local governments
 - Part 6, Division 6, Subdivision 4, Clause 6.45 – Options for payment of rates and service charges
 - Part 6, Division 6, Subdivision 4, Clause 6.51 - Accrual of interest on overdue rates or service charges
 - Part 6, Division 6, Subdivision 5, Clause 6.56 - Rates or service charges recoverable in court
 - Part 6, Division 6, Subdivision 5, Clause 6.60 - Local government may require lessee to pay rent
 - Part 6, Division 6, Subdivision 6, Clause 6.64 - Actions to be taken
- *Rates and Charges (Rebates and Deferments) Act 1992*
- *Debt Collectors Licencing Act 1964*

Debt Management Policy 2/005

Council Adoption Date and Resolution No.	
Date of adoption of amendment and Resolution Number <i>Do not delete previous dates</i>	
Relevant Legislation	
Delegated Authority	
Business Unit	
Directorate	
Review Frequency	Annual

Document Control Statement

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Annexure 1

Credit Application Form 2014

Account Required (please indicate):

- South Hedland Landfill Facility
- Port Hedland International Airport Corporate Paid Parking

Business Details:

- Sole Trader
- Partnership
- Company

Full Trading Name:

Business Name:

ABN:

Business Address:

Contact Name:

Telephone Number:

Postal Address (if different to above):

Credit Limit Requested:

Accounts Payable Contact:

Account Payable Telephone Number:

Email Address for Invoices:

Credit References:

1. Business Name:

Contact Name:

Telephone Number:

Contact Name:

2. Business Name:

Telephone Number:

Contact Name:

3. Business Name:

Contact Name:

Telephone Number:

The applicant certifies that:

- 1. The above specified details are true, correct and complete in all material respects; and
- 2. The General Conditions overleaf have been read and their contents understood; and
- 3 Agrees to be bound by their terms.

The parties acknowledge and affirm that this Agreement contains all the terms agreed between them regarding the subject matter of the Agreement, supersedes any prior agreement and no representation, undertaking or promise shall be relied upon except as set forth in this Agreement.

Name of Applicant:

Signature of Applicant:

Date:

Director(s) personal guarantee:

In the case of a Company, the following personal guarantee is required:

In consideration of the Town of Port Hedland granting credit to the company so name in the application, I/We the director(s) of the company agree to be individually responsible for the payment of all monies now or at any time due and remaining unpaid by the said company.

Name of Director 1:

Signature of Director 1:

Signed in the presence of (witness):

Signature of Witness for Director 1:

Name of Director 2:

Signature of Director 2:

Signed in the presence of (witness):

Signature of Witness for Director 2:

NB: Please attach details of additional Directors if required.

General Conditions

The Town of Port Hedland agrees to provide and the purchasers agree to order services in accordance with the details defined overleaf and the general conditions below:

1. Definitions - in this agreement:

"the Service Provider" means "Town of Port Hedland";

"the Purchaser" means the applicant, firm or company identified overleaf;

"the Services" means the Service Provider's range of services.

2. Fees and Charges

2.1 Fees and Charges are in accordance with the service provider's schedule of fees and charges which form part of the annual budget.

3. Terms of Payment

3.1 Where the Purchaser has a Credit Account, unless the Purchaser is otherwise notified by the Service Provider, the Services performed must be paid in full thirty (30) days from date of invoice. The Service Provider reserves the right at any time to vary the period of credit on fourteen (14) days prior written notice to the purchaser.

3.2 Where the Purchaser has a Credit Account and is overdue with any payment the Service Provider reserves the right to change the Purchaser to a C.O.D Account.

3.3 Where the Purchaser has a C.O.D. Account, the services to be provided must be paid in full before or at the time the Services to be provided to the Purchaser are to commence.

3.4 The Purchaser shall have no right of set-off in respect of any claims against the Service Provider.

3.5 Any expenses, costs or disbursements incurred by the Service Provider in recovering any outstanding monies, including debt collection agency fees and solicitors costs, shall be paid by the Purchaser, providing that those fees do not exceed the scale of charges as charged by that debt collection agency/solicitor.

3.6 Legal action initiated by the Service Provider against the Purchaser, arising from non-payment of account for any reason whatsoever, shall be commenced in the Courts of Western Australia and shall remain in the Courts of Western Australia until Judgement where after the Service Provider may transfer such judgement to another state of Australia or country.

4. Delivery

4.1 The Service Provider shall use all reasonable endeavours to meet the Purchasers' requested service completion dates but the Service Provider shall not be liable to the Purchaser for any loss or damage whatsoever should it be delayed or prevented from completing the Services beyond its control.

5. Cancellation and Return

5.1 The Service Provider reserves the right to immediately cancel any order or suspend Services being provided without incurring any liability to the Purchaser if the Purchaser is in default of payment or if the Purchaser becomes bankrupt, enters into liquidation, makes a composition with its creditors, has a receiver or manager appointed of whole or any part of its assets or business or takes or suffers any similar action in consequence of debt.

6. Privacy

6.1 The Purchaser acknowledges that the Town of Port Hedland collects only information required to adequately conduct business and, that in accordance with the Privacy Act 1998, information contained in this application is permitted to be kept on a credit information file and may be disclosed to credit reporting agencies.

7 General

7.1 Failure to enforce any term of this Agreement does not constitute a waiver and shall in no way affect the right to later enforce it.

7.2 The validity or unenforceability of any terms of this Agreement shall in no way affect the remaining items.

7.3 Clause headings are purely for ease of reference and do not form part of or affect the interpretation of this Agreement.

7.4 These conditions and any Further Terms are governed by and are to be interpreted in accordance with the laws and by mutual consent to be subject to the jurisdiction of the Courts of Western Australia.

7.5 Any legal proceedings against the Service Provider shall be brought in the State of Western Australia.

7.6 All invoicing queries/disputes must be placed in writing and forwarded to PO Box 41, Port Hedland WA 6721 or council@porthedland.wa.gov.au.

7.7 All South Hedland Landfill Facility accounts shall provide Town of Port Hedland with a list of authorised vehicle registration numbers and it shall be the Purchaser's responsibility to notify of any changes. Any vehicles not included on this list will be considered C.O.D. Accounts.



Annexure 2 Landfill Vehicle Registration Form 2014

Business Name:

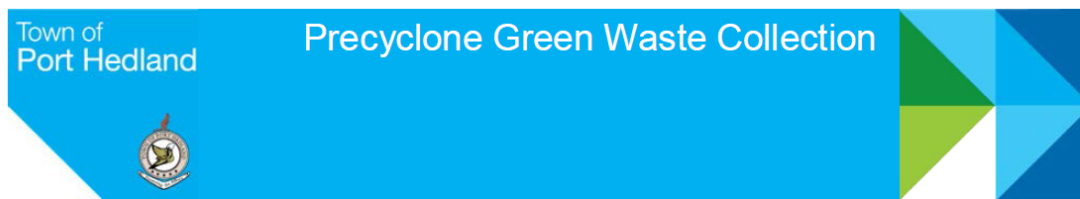
Contact Name:

Contact Number:

Vehicle Registration Number:

Please note that it is the responsibility of the business to notify the Town of Port Hedland of any changes to the above details. Changes can be emailed to council@porthedland.wa.gov.au.

ATTACHMENT 4 TO ITEM 11.4.13

**9/004 PRECYCLONE GREEN WASTE COLLECTION****Policy Objective**

This policy has been adopted to ensure that residents and business located within the Town of Port Hedland are adequately prepared for the cyclone season by ensuring that the opportunity has been given for all vegetation located on private property to be pruned.

Policy Content

The Town of Port Hedland will offer residents and businesses located in Port Hedland, Pretty Pool, Cooke Point, Wedgefield, South Hedland, Bosna, Redbank and Turner River a no extra cost green waste collection before each cyclone season commences.

The collection will commence in September each year and will be completed by October each year, it will be undertaken by Town of Port Hedland staff or contracted to an external contractor as per the Towns Purchasing and Procurement Policy.

Collection dates and conditions will be advertised at least one month prior to the commencement in the local newspaper, on the local radio, on signage placed in strategic locations around the Town and updates will be given via social media.

The conditions that residents and businesses must follow are as follows:

- No prunings longer than 1.5 metres (5ft)
- Place prunings with thorns apart from the rest
- Place cut ends toward the street
- Prunings must not obstruct footpath or shared ways
- Prunings must not be placed within 2m of existing infrastructure such as water meters, power boxes, power poles, letter boxes, fences and driveways.

The Town will remove a maximum of two cubic meters of green waste per property.

This policy provides equitable access and inclusion for people with disabilities by ensuring that green waste is not placed on footpaths or shared paths.

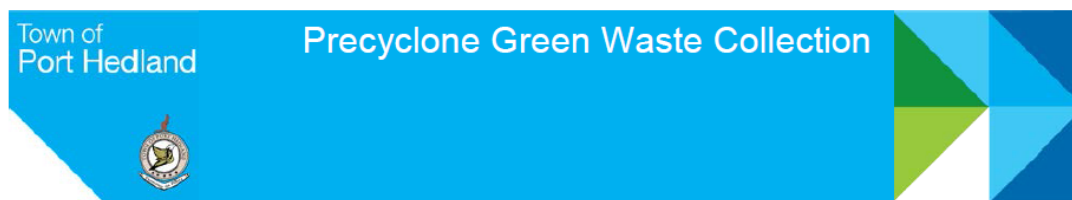
Definitions

cyclone season 1st November through to 30th April

prunings the selected removal of parts of a plant such as buds, branches, flowers and stumps

litter

- (a) all kinds of rubbish, refuse, junk, garbage or scrap; and



- (b) any articles or material abandoned or unwanted by the owner or the person in possession thereof, but does not include dust, smoke or other like products emitted or produced during the normal operations of any mining, extractive, primary or manufacturing industry

Council adoption date and resolution no.	24 November 2004 OCM
Date of adoption of amendment and resolution number do not delete the previous dates	
Relevant legislation	<i>Emergency Management Act 2005 Litter Act 1979</i>
Delegated authority	Manager Engineering Operations Coordinator Works
Business unit	Engineering Operations
Directorate	Engineering Services
Review frequency	3 years

Document Control Statement

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11.4.14 Asset Management Plan

Sara Bryan, Manager Investment and Business Development
File No. 17/06/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/121 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR HUNT

That Council note the amended Asset Management Plan.

CARRIED 8/0

EXECUTIVE SUMMARY

The Town of Port Hedland's Asset Management Strategy (the strategy) is an overarching document that sets out the importance of facilitating the integration of asset management principles in the delivery of community infrastructure. The development and maintenance of the strategy is a requirement under the *Local Government Act* to 'plan for the future'.

This report provides an update to Council in relation to the strategy's supporting implementation document, the Asset Management Plan.

DETAILED REPORT

An overarching Asset Management framework was adopted by Council in December 2012 and comprises of the Asset Management Strategy (the strategy), the Asset Management Policy (the policy) and the Asset Management Plan (the plan).

The strategy sets the Town's high level objectives and vision, the policy sets the Town's position and approach and the plan details specific information on individual asset classes, including financial and technical data and asset improvement plans.

The initial version of the plan indicated that the Town needed to collect and validate data pertaining to its asset portfolio as a first step to begin effective and efficient asset management practices.

The revised plan now includes additional details specific to the asset classes of Municipal Buildings and Sealed Roads.

The revised Asset Management Plan is included as Attachment 1.

FINANCIAL IMPLICATIONS

The plan has been revised in accordance with the Town's Long Term Financial Plan.

STATUTORY AND POLICY IMPLICATIONS

The *Local Government Act* (section 5.56) outlines the requirement for local governments to plan for the future. The implementation of the asset management framework facilitates this requirement.

ATTACHMENTS

1. Asset Management Plan – under separate cover (late)

10 November 2014

11.5 Office of the CEO

Nil

**ITEM 12 LATE ITEMS AS PERMITTED BY PRESIDING MEMBER/
COUNCIL****201415/122 COUNCIL DECISION****MOVED: CR JACOB****SECONDED: CR HUNT****That Council consider the following late items:****12.1 Allocation of GP Housing Expression of Interest Stage Two****12.2 Port Hedland International Airport International Services
Improvement Program – Interim Staging****12.3 Operating Hours - Town of Port Hedland Leisure Facilities*****CARRIED 8/0*****12.1 Allocation of GP Housing Expression of Interest Stage
Two**

Paul Howrie, Manager Community Development

File No. 15/01/0020

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/123 RECOMMENDATION/ COUNCIL DECISION**MOVED: CR HUNT****SECONDED: CR GILLINGHAM****That Council:**

- 1. Approve the mutual termination of the current lease agreements with OSH Group for Units 1, 2, 5 and 6/19 and with Sonic Health Care for units 3, 4, and 7/19 Dempster Street;**
- 2. Approve the disposal of Units 1, 2, 5, and 6 at 19, Dempster Street, Port Hedland by way of lease to OSH Group in accordance with Section 3.58 (3) of the *Local Government Act 1995* on the following terms and conditions:**
 - a) Initial term of 3 years;**
 - b) Option to extend for 1 x 3 year period;**
 - c) Weekly rental fee of \$665;**
 - d) Annual increase to the base rental Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date; and**
 - e) For the permitted purposes of Medical Residences.**
- 3. Approve the disposal of Units 3, 4, 7 and one additional (to be determined) at 19, Dempster Street, Port Hedland by way of lease to Sonic Health Plus in accordance with Section 3.58 (3) of the *Local Government Act 1995* on the following terms and conditions:**

- a) Initial term of 3 years;
 - b) Option to extend for 1 x 3 year period;
 - c) Weekly rental fee of \$665;
 - d) Annual increase to the base rental Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date;
 - e) For the permitted purposes of Medical Residences.
4. Approve the disposal of one of the Units at 19, Dempster Street, Port Hedland by way of lease to Wirraka Maya Health Service in accordance with Section 3.58 (3) of the *Local Government Act 1995* on the following terms and conditions:
- a) Initial term of 3 years;
 - b) Option to extend for 1 x 3 year period;
 - c) Weekly rental fee of \$665;
 - d) Annual increase to the base rental Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date; and
 - e) For the permitted purposes of Medical Residences.
5. Approve the disposal of one of the Units at 19, Dempster Street, Port Hedland by way of lease to Port Hedland Family Practice in accordance with Section 3.58 (3) of the *Local Government Act 1995* on the following terms and conditions:
- a) Initial term of 3 years;
 - b) Option to extend for 1 x 3 year period;
 - c) Weekly rental fee of \$665;
 - d) Annual increase to the base rental Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date; and
 - e) For the permitted purposes of Medical Residences.
6. Authorise the Chief Executive Officer, or his delegate(s), to negotiate the Key Performance Indicators for the leases of Stage 2 of the GP Housing Program with Wirraka Maya Health Service, Port Hedland Family Practice and Sonic Health Plus; and
7. Authorise the Chief Executive Officer, or his delegate(s), to re-negotiate the Key Performance Indicators and terms associated with the extension of leases from stage 1 of the GP Housing Program with Sonic Health Plus and the OSH Group.

CARRIED 8/0

EXECUTIVE SUMMARY

In partnership with BHP Billiton and the State Government (Royalty for Regions funding), Council constructed 7 general practitioner (GP) houses in Cooke Point. The houses were completed in late 2012 and occupied in 2013 as part of stage 1 of the project.

As part of stage 2 of the GP Housing project, BHP Billiton has constructed a further 3 houses at the same location in Cooke Point. These houses are at the practical completion stage, and are ready for occupation.

An expression of interest (EOI) process was conducted in November to allocate the 3 GP houses in stage 2. The EOI process resulted in submissions from 5 organisations and a combined request for 9 houses. Submissions were received from:

- Royal Flying Doctor Service (RFDS)
- Port Hedland Family Practice
- Wirraka Maya Health Service
- OSH Group
- Sonic Health Plus

The completion of these further 3 houses, brings to an end the GP Housing initiative, with a total of 10 houses being built. At present, there are no immediate plans to expand this program through constructing additional houses.

Council is requested to allocate 1 house each to Wirraka Maya Health Service, Port Hedland Family Practice and Sonic Health Plus based on the outcome of assessment against the evaluation criteria and recommendations of the stakeholder panel. It is also recommended to align the expiry of the leases offered in stage 1 with stage 2 so that they can, in the future, be advertised together through one EOI process. To do this, it is recommended to terminate the existing lease agreements, and re-offer them to the tenants in the stage 1 houses, being Kinetic Health (Sonic Health Plus) and OSH Group as a three year lease with a three year option.

DETAILED REPORT

GP Housing Construction

The GP Housing Project has been split into two stages, with stage 1 consisting of the construction of 7 houses, and stage 2, consisting of 3 houses.

In July 2012, 7 houses were allocated to two companies, being Sonic Health Plus (3 houses) and the OSH Group (4 houses). These leases are due to expire in 2016.

In November 2014, BHP constructed a further 3 GP houses, which are at handover stage. An Expression of Interest (EOI) process was undertaken to seek interest in leasing these properties from the Town.

GP Housing Allocation Process

The construction project and subsequent allocation is intended to provide quality subsidised leased housing to general practitioners and medical practitioners who support the Port Hedland community and is focused on:

- Assisting in the retention of existing general practitioner / emergency services
- Encouraging and facilitating the expansion of general practitioner service levels and availability
- Assisting in the provision of specialist services not currently available
- Assisting in the provision of services linked to areas of disadvantaged health services / remote servicing / bulk billing
- Beginning to cater for future GP service requirements.

At the OCM meeting of 11 July 2012 it was resolved:

“That Council:

1. *Adopts the expression of interest process, as well as the assessment criteria for the allocation and management of the constructed GP houses*
2. *Delegates authority to the Chief Executive Officer or delegate to call for expressions of interest for the allocation and management of the GP houses.”*

A copy of the GP Housing eligibility criteria is attached (Attachment 1).

Expressions of interests received were assessed by a stakeholder panel with representatives from:

- BHP Billiton
- Pilbara Development Commission
- Town of Port Hedland.

The expression of interest process was promoted in the Town’s pages in the North West Telegraph on the 5th and 12th November and advertised in The West Australian on the 4th and 11th November, promoted on The Town’s website and forwarded directly to organisations who had previously enquired.

A total of 5 organisations submitted EOI’s for a total of 9 applications (both existing and proposed new) doctors / physiotherapists / dentist. Table 1 below details the expressions of interest received.

The expressions of interest received were assessed by the panel firstly for compliance with the eligibility criteria, then secondly in accordance with the qualitative / priority criteria.

Table 1 Summary of Submissions:

Submissions	Details / Interest Expressed
Wirraka Maya Health Service	3 houses for 2 x Doctors and 1 x Dentist
Port Hedland Family Practice	3 Doctors
OSH Group	1 house for 2 Physiotherapists
Sonic Health Plus	1 Doctor
Royal Flying Doctors Service	1 Doctor

Table 2 Compliance Assessment:

Submissions	Compliance
Wirraka Maya Health Service	Yes
Port Hedland Family Practice	Yes
OSH Group	Yes
Sonic Health Plus	Yes
Royal Flying Doctors Service	Yes

All submissions were assessed as being compliant with the eligibility criteria.

Table outlines the qualitative criteria.

Table 3 Qualitative Criteria

Qualitative Assessment Criteria	Weighting (%)
Assist in the retention of existing general practitioner / emergency services	30
Encourage and facilitate the expansion of general practitioner service levels and availability	20
Assist in the provision of specialist services / skills not currently available	20
Assist in the provision of services linked to areas of disadvantaged health services / remote servicing / bulk billing	20
Begin to cater for future general practitioner service requirements	10

Compliant submissions were assessed against the qualitative criteria that reflected the focus of the project, previously considered and adopted by Council.

Contractor/ Assessment Criteria	Assist in the retention of existing general practitioner / emergency services	Encourage and facilitate the expansion of general practitioner service levels and availability	Assist in the provision of specialist services / skills not currently available	Assist in the provision of services linked to areas of disadvantaged health services / remote servicing / bulk billing	Begin to cater for future general practitioner service requirements	Total Score (100%)
	Score (%)	Score (%)	Score (%)	Score (%)	Score (%)	
Wirraka Maya Health	25	12	12	18	7	74
Sonic Health Plus	25	11	13	10	7	66
Port Hedland Family Practice	19	18	12	9	8	66
RFDS	25	9	10	17	2	63
OSH Group	22	10	15	10	4	61

Retention of Existing GP / Emergency Services

All submissions scored strongly in regards the retention of existing general practitioner and emergency services within the Port Hedland community, with the Port Hedland Family Practice been lower as it is starting up early next year. They have however, a signed lease for a business premise and a Certificate of Registration of a Company. As the OSH Group's application was for Physiotherapists, they scored slightly lower against this criterion.

Expansion of GP Service Levels and Availability

The submission from Port Hedland Family Practice scored highest in this area, as it is a new organisation which is being developed, and therefore has the greatest impact on the expansion of GP services.

Provision of Specialist Services

The submission from OSH Group scored highest in this criterion with proposed tenants in the house being 2 x physiotherapists. Sonic Health and Wirraka Maya Health also scored well against this criterion with their suite of services which they offer.

Services linked to Disadvantaged Health / Remote Servicing / Bulk Billing

Submissions from Wirraka Maya and the RFDS scored strongly regarding the services to disadvantaged elements of the community and remote communities. Wirraka Maya also outlines that they provide a bulk-billing service to members of the community, allowing them easier access to health care.

Cater for Future GP Service Requirements

The Port Hedland Family Practice scored highest in this criterion on the basis of the company providing a new service, and therefore catering for future general practitioner requirements in Port Hedland. Both Sonic Health and Wirraka Maya also scored strongly with the OSH Group application slightly lower as it had more of a focus on Physiotherapists, and the RFDS not seen as strong due to it not articulating any focus on any future requirements.

Alignment of Stage 1 and 2 leases

The houses allocated as part of stage 1 had a lease period of 3 years, which is due to expire in April 2016 for the OSH Group and May 2016 for Kinetic Health. It would be advantageous to have the lease agreements for stage 1 and stage 2 align from an administrative and management perspective through having the same expiry date. This would allow administration to go through one EOI process, instead of having to do it twice to coincide with different lease cessation dates.

The current companies who are engaged in a lease agreement with the Town (Kinetic Health and the OSH Group) for GP Housing have both verbally indicated their support for an extension of their current lease for another 3 years. If their leases are extended it would also provide an opportunity to review the outcomes associated with them, to ensure that they are meeting the requirements of the GP Housing program.

It is recommended that Council endorse the mutual termination of the OSH Group and Kinetic Health (Sonic Health Plus) current leases. These companies would then enter into a new 3 year lease, with a 3 year option. This would mean that all 10 GP Houses' leases would be aligned.

Summary

Priority allocation for the GP Housing Project Stage 1 was given to current residential general practitioners operating in Port Hedland, to help ensure their continued service to the community. This included 7 residential GP's 3 for Kinetic Health and 4 for OSH Group. It is recommended that their leases be cancelled, and that they enter into a new 3 year lease with a three year option, to coincide with the timing of the stage 2 leases

Based on the qualitative assessment of submissions against the allocation priorities, the strongest broad community benefit will be achieved by allocating the remaining 3 houses within GP Housing (stage 2) to Wirraka Maya Health Service, Port Hedland Family Practice and Sonic Health. Wirraka Maya Health Service demonstrated strong community benefit in relation to disadvantage and bulk billing service, Port Hedland Family Practice being a new service, demonstrated the strong ability to expand the general practitioner service levels, and Sonic Health scored consistently in meeting the criteria. Of note, they have also recently invested heavily in a new practice facility premise. Although some organisations requested multiple houses, the assessment panel were of the view that due to the closeness of the submissions, that the top three applications should be provided with one house each.

FINANCIAL IMPLICATIONS

Should Council proceed with the officer's recommendation of this item, the current GP Housing Lease income account will be increased by \$51,870 for the remainder of 2014/15, the equivalent of \$345,800 per annum from 1 July 2015. The corresponding Utility expenses and reimbursement account will also need to be increased to \$43,050 for the remainder of 2014/15.

STATUTORY AND POLICY IMPLICATIONS

Provision of GP housing is prioritised in the Town of Port Hedland Strategic Corporate Plan 2014 -2024 in Outcome 1.1:

Facilitate the provision of high-quality health services and facilities equal to those found in metropolitan areas.

In accordance with Section 3.58 of the Local Government Act *Disposing of Property*, Officers will be required to locally advertise the proposed disposition by way of public notice for a period of two weeks. Should no public submissions be received during the requisite advertising period officers will formalise the disposal by way of lease documents.

ATTACHMENTS

1. GP Housing (EOI) Eligibility Criteria

23 November 2014

ATTACHMENT 1 TO ITEM 12.1



General Practitioner Housing – Stage 2

Facts Sheet and Eligibility Criteria

1. What is the Town of Port Hedland General Practitioner Housing Project?

The Town of Port Hedland in partnership with BHP Billiton is constructing Stage 2 of general practitioner houses in Dempster Street, Cooke Point. The completion / occupation of 3 houses are scheduled for November 2014 / January 2015.

The project will provide quality subsidised leased housing to general practitioners who support the Port Hedland community and is intended to:

- Assist in the retention of existing general practitioner / emergency services
- Encourage and facilitate the expansion of general practitioner service levels and availability
- Assist in the provision of specialist services / skills not currently available
- Assist in the provision of services linked to areas of disadvantaged health services / remote servicing / bulk billing
- Begin to cater for future general practitioner service requirements.

2. Who is eligible for a Town of Port Hedland General Practitioner Housing lease?

To be eligible for a Town of Port Hedland General Practitioner Housing lease you are required to be employed in a job designated as providing an essential health service to the community. This may be in:

- A general practitioner / doctor where the services provided are located in the Town of Port Hedland or directly service these communities
- Emergency services (Ambulance, Royal Flying Doctor Service etc)
- Private medical specialist (pediatrician, oncologist, radiologist etc) where the services provided are located in the Town of Port Hedland or directly service these communities
- Private non-GP health professional (dentist, chiropractor, physiotherapist etc) area where the services provided are located in the Town of Port Hedland or directly service these communities.

3. Can an individual or their business apply for a Town of Port Hedland General Practitioner Housing lease?

Applications will initially be considered from a business for a particular employee, with both the organisation and the individual required to meet the eligibility criteria. The lease will be in the name of the employer, with the employee agreeing to abide by a code of conduct.

GP Housing Partners





General Practitioner Housing – Stage 2 Facts Sheet and Eligibility Criteria

4. What are the business / company eligibility criteria for a Town of Port Hedland General Practitioner Housing lease?

For a business to be eligible to have an employee(s) allocated a General Practitioner Housing lease it must demonstrate the following:

- a) The organisation is a Business where the services provided are located in the Town of Port Hedland or directly service these communities
- b) The organisation must generate local employment of at least 1 full time position consisting of a minimum of 30 hours/week
- c) The organisation must be capable of entering into a residential lease agreement and accept all costs and liability for the full period of the lease and nominate employees for occupancy agreements who are eligible, agree that changes to staffing will be properly notified and replacement occupants are approved through process prior to occupancy
- d) Preference will be given to organisations that already own or lease residential or business premises within the Town of Port Hedland for the purposes of supporting the core medical enterprise. If an organisation is seeking to establish itself it may qualify by demonstrating a sound business plan, show evidence of demand and viability for the organisation together with their endeavours to secure accommodation. Any other synergistic benefits to the community or other businesses would be considered favourably
- e) An organisation cannot sublet the accommodation
- f) The organisation eligibility criteria have to be complied with on a continuing basis for the full period of the lease agreement
- g) Organisations or individuals eligible for Government Regional Officer's Housing (GROH) or similar are not eligible to apply
- h) If the organisation fails to comply or breaches the lease agreement by way of its actions or the actions and behaviours of one or more of the organisation's tenants, it will be void and all costs will be borne by the Organisation.

5. What are the individual eligibility criteria for a Town of Port Hedland General Practitioner Housing lease?

Once it is established that the organisation sponsoring the individual complies with the Organisation Eligibility Criteria, the individual tenant must then demonstrate the following:

- a) They have Australian Citizenship or are otherwise eligible to work within Australia
- b) They have a contract of ongoing employment with the Eligible organisation with the employment contract clearly specifying the base of employment is in the Town of Port Hedland servicing the interests of the company in the Town of Port Hedland.

GP Housing Partners





General Practitioner Housing – Stage 2 Facts Sheet and Eligibility Criteria

6. What are the housing types, anticipated lease term, lease cost and maintenance arrangements?

Following the allocation of a GP house, organisations and / or individuals will be required to enter into a lease agreement with the Town under the anticipated terms and conditions, summarised as but not limited to:

- a) Housing types – Stage 2 will be 4 bedroom / 2 bathroom houses
- b) Lease Term – up to 3 years *
- c) Rental – approximately \$600 to \$700 per week *
- d) Consumables – Tenant will be responsible for the payment of all consumables and utility costs including electricity, gas, water, telephone / IT
- e) Tenant Requirement – Tenant will ensure the property is used and maintained in an appropriate manner including regular garden maintenance and upkeep of the tidiness / cleanliness of the property (inside and out)

The Town of Port Hedland either directly or by a management arrangement will undertake periodical cyclical maintenance and upgrades, as necessary to the property.

* Subject to final Council approval and statutory requirements under section 3.58 of the *Local Government Act 1995*

7. How will Expressions of Interests be assessed and the allocation of GP houses prioritised?

A panel of representatives will assess applications received and make recommendations to Council. Council will have final approval over the allocation of houses and the lease terms and conditions.

Applications will be assessed in 3 stages:

- a) Provision of the required Statutory Declaration
- b) Compliance with organisation and / or individual Eligibility Criteria
- c) Alignment to the key outcomes of:
 - Assisting in the retention of existing general practitioner / emergency services
 - Encouraging and facilitating the expansion of general practitioner service levels and availability
 - Assisting in the provision of specialist services / skills not currently available
 - Assisting in the provision of services linked to areas of disadvantaged health services / remote servicing / bulk billing
 - Beginning to cater for future general practitioner service requirements.

GP Housing Partners



12.2 Port Hedland International Airport International Services Improvement Program – Interim Staging

Brett Reiss, Program Director Airport Redevelopment
File No. 08/02/0025 & 05/09/0036

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/124 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR JACOB

That Council:

1. **Receive the report from the Program Director Airport Redevelopment on the Port Hedland International Airport international services improvement program;**
2. **Endorse the proposed first stage expansion concepts for Port Hedland International Airport terminal (as per attachment 1); and**
3. **Approve variation to Contract 14/04 Port Hedland International Airport Terminal Renovations awarded to Jaxon Construction for the first stage expansion concepts on the basis of a design and construction management approach, under the following terms:**
 - a) **An allowance of \$350,000 (ex GST) budget (GL1210413), subject to approval of expenditure from delegated officers;**
 - b) **Chief Executive Officer is delegated to negotiate further expenditure within budget allocation of GL1210413 subject to receipt of detailed proposal justifications.**

CARRIED 8/0

EXECUTIVE SUMMARY

The Port Hedland International Airport redevelopment strategy, which was endorsed by Council at its June 2014 meeting, notes that the terminal redevelopment will be completed by end 2018 at the earliest.

Virgin Australia has advised the Town that it wishes to change its future international operations at the end of March 2015 to provide for larger aircraft and shorter turnaround times. The current international area will not accommodate these arrangements and it is therefore proposed that modifications are made in order to facilitate improved international services.

A staged construction approach has been developed to accommodate the changes in international operations until such time as the new terminal is built.

This item outlines the staging proposal and proposed works program and seeks Council approval for a variation to Contract 14/04 Port Hedland International Airport Terminal Renovations with Jaxon Construction in order to meet the delivery timeframes of the project.

DETAILED REPORT

Background

Virgin Australia has approached the Town regarding required changes to their international services which has been driven by limited aircraft slot availability at Denpasar International Airport. The Denpasar Airport Authority has advised Virgin Australia that they will no longer be able to park their F100 aircraft on the ground at Denpasar for its current 14 hour layover. This means that the current service which leaves Port Hedland International Airport for Bali with international passengers on the Saturday and then arrives with international passengers on the Sunday will no longer be possible beyond 2014.

Virgin Australia has reviewed its operations and advised that its future operations will arrive with international passengers and then depart with international passengers on a same day on a two hour turnaround. In addition Virgin Australia has reviewed the current route economics of its F100 aircraft service, which caters for 100 passengers, and has confirmed it is more viable to introduce a 737/800 aircraft service, which will handle up to 176 passengers.

This means that the current Port Hedland International Airport facilities are no longer suitable. Town officers have engaged in considerable consultation with Virgin Australia and the Federal Government border agencies to develop a suitable operational concept which would facilitate the introduction of these services.

This has resulted in a range of options being explored and the Town's Chief Executive Officer, Mayor, Deputy Mayor and the Program Director Airport Redevelopment travelled to Virgin Australia's head office in Brisbane to directly engage with Virgin Australia's key decision makers on a range of matters inclusive of the Port Hedland - Bali service. As a result of these consultations the Town had developed an acceptable solution for all stakeholders.

A confidential report regarding this was presented to the Council at the Ordinary Council Meeting (OCM) on 24 September 2014 with the following decision:

" 201415/062 recommendation/ COUNCIL DECISION

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."*

A budget adjustment of \$1M for this project is included in the Quarterly Budget Review report presented separately at this meeting. This has been achieved by reducing the budget for the Northern Apron Expansion project.

Although the decision from the OCM on 24 September endorsed the concepts and tender process for the expansion of the international facilities, the program to achieve this resulted in completion in the second half of 2015. Town officers were advised by Virgin Australia that it would be changing its aircraft operations when the Northern Winter schedule was due to commence, which is at the end of March 2015. Given it was not possible to complete the original Virgin Australia/border agency endorsed works for the agreed final solution a staged approach has been developed in consultation with Virgin Australia and the Federal Government border agencies. This staging will allow Virgin Australia to continue operating under its proposed new service under an interim operational arrangement until the Virgin Australia/border agency endorsed medium term solution can be delivered. The timeframe for the delivery of the staged works is mid-March 2015. The approval for the staged approach and procurement methodology based on the criticality of the timeframes is the subject of this report.

Border agency final endorsement of these concepts is still subject to final internal review by their officers. However, given their most recent feedback any changes to the current concepts are expected to be minor.

Staging Variations

To allow the Town to meet the proposed staging program Jaxon Construction has been approached to provide a quotation for a further variation of contract.

As Jaxon Construction was awarded Tender 14/04 for the terminal renovations project and are already mobilised and working in the terminal, officers requested a quote for the required works.

Works include:

- Install a series of concertina walls in lounges one and two to allow swing lounge operations between international and domestic services – (appendix 1 layout plan sheet 1)
- Push out front of terminal to extent of under eaves area to provide greater capacity in the departures and arrivals areas.
- Provide for additional accessible toilets for international arrivals and departures, and construct an interview office within close proximity to the primary modules.
- Install wash-down basin/trough in existing Quarantine office in the arrivals hall.

- Facilitate the realignment of the current customs primary module and installation of a second primary module, inclusive of service connections. Customs will install the modules.

The contract variation will be issued as a design and construct scope of works. This will minimise the timeframes required to deliver the project as an additional third party is not required. Due to the short timeframes involved in this project a lump sum quote has not been obtained, however the following approach is recommended:

1. Jaxon is engaged on the basis of a design management fee to cover appointment of relevant design consultants, building certifier and in-house Jaxon Design Manager.
2. Jaxon will complete detailed design and certifications.
3. Jaxon will obtain quotes from relevant trades, with pricing presented to the Town for approval.
4. Jaxon will engage all approved trades and oversee construction on behalf of the Town for an agreed construction management fee.

This approach will significantly reduce the timeframes normally involved for the Town to complete procurement of designers plus tender for construction as Jaxon is already working on site and has highly skilled contractors available who understand the complexities of working within an operational airport environment.

The estimated construction cost was not available from Jaxon at the time of preparing this report, however officers do not expect it to exceed \$250,000 plus design, certification and management fees. It's proposed to allow \$350,000 within the current budget allocation for this interim arrangement.

International Terminal Operations

The proposed new operations for this concept would be as follows:

- Virgin Australia opens its check-in counters two hours before the departure of the Bali service, and checked-in passengers make their way through screening into the café – (appendix 1 layout plan sheet 5).
- Lounge 2 concertina walls are closed for arriving passengers, the concertina walls to the primary modules are opened, the 737/800 aircraft arrives two hours before its scheduled departure with its arriving passengers, the arriving passengers queue in lounge 2 and inwards immigration processing commences.
- Passengers pass through four primary module lanes, proceed through into the international arrivals hall, queue in the arrivals area to recover baggage, and move through the Customs/quarantine processing areas before existing the building.
- Immediately after the last arriving passenger has passed through into the arrivals hall the concertina wall to the arrivals area is closed, lounge 2 concertina walls are opened and lounge 1 concertina walls are extended to enclose both lounges one and two in readiness for departing passengers – (appendix 1 layout plan sheet 2).

- With the provision of two primary modules and four lanes, arriving passengers can pass through the inwards immigration process in 30 minutes and allowing 10 minutes for switch over, passengers can commence processing for departures within 40 minutes after aircraft lands.
- One hour and twenty minutes prior to aircraft departure passengers will be called to commence outwards immigration processing through to lounges 1 & 2, which can be completed in about 25 minutes, but immigration will remain open up until boarding commences.
- Boarding can commence 30 to 20 minutes prior to departure, and allowing 40 minutes to process arriving passengers through lounge 2 into the arrivals hall, and switch over for departures, allowing departing passengers to wonder through outwards immigration into lounges 1 & 2 within the time that outwards immigration is open, and 20 minutes to board, the aircraft can be turned around in the two hour window.
- Note; when the terminal is in international only departures mode there are no gates available for domestic departure. However, given the proposed scheduling there is currently no clash with international and domestic services, but should there be schedule delays, and should there be a clash between a departing international and a departing domestic flights, further concertina walls within lounge one can be diploid to allow domestic access to gate 1 (appendix 1 layout plan sheet 3). In addition to this, should the delay result in a clash between an international arrivals and a domestic departure, the concertina wall to lounge one can be opened to allow departing domestic access to gates 1 and 2, (appendix 1 layout plan sheet 4). This provides great flexibility for both international and domestic operations. Hence, the provision of this arrangement does allow increased flexibility for any schedule changes or flight delays.

Project Benefits

The key value adds of implementing these proposed changes are as follows:

- The works will enable Virgin Australia's proposed Northern Winter schedule changes to be accommodated, and will provide further flexibility for domestic and international operations while buying considerably more time to allow for the introduction of the interim medium term international expansion.
- The works will help preserve and protect the current international services and allow for not only increased aircraft sizes, but could also allow for multiple weekly international services.
- The interim transition of the operations team into a modular facility on the eastern side of the apron allows for overall airport project priority timelines to be rescheduled, buying greater flexibility which means that these improvements can continue to be funded out of the current capital program by rescheduling the northern apron works.
- Greater operational flexibility is created through the creation of swing lounge and swing arrivals hall capabilities, which allows for both international and domestic operations to be facilitated out of the same floor areas.

Project Timeline

Virgin Australia has indicated the current international operations cannot be continued beyond the end of March 2015, and given this feedback an expedited staged program is proposed:

- Final concept approval – November 2014
- Council consideration and appoint contractor – November 2014
- Design, certification and approvals complete – end January 2015
- Commence construction – February 2015
- Final approval by Office of Transport Security – mid-March 2015
- Works complete and new international area open – mid-March 2015

Should Council endorse the proposed international works staging program, it is anticipated that the works will be completed outside of normal airport operating hours for the departure lounge area works, while any works in the international arrivals area can potentially be completed during normal airport operating hours during the normal working week. This may enable some program overlap, and it has been established that as a base case scenario the works can be completed by mid-March 2015.

FINANCIAL IMPLICATIONS

It is proposed that this project be funded out of the existing capital works program by reallocating \$1M of funds from the northern apron extension account (GL1210454) to a new account for this project (GL1210413 Virgin Australia International Terminal Works Expansion). This is being addressed in the Quarterly Budget Review process as reported separately at this OCM, therefore be no impact to existing capital works budgets from this program.

It is further noted that with the implementation of the proposed medium term program and the eventual procurement of a modular facility to house the Airport operations team there is no longer a short term need to relocate the current general aviation operation to make way for the originally planned operational team relocation to the north eastern end of the main apron. This has meant that the northern apron expansion works can be rescheduled, thus resulting in a potential overall reduction in the capital works program spend for 2014/15.

STATUTORY AND POLICY IMPLICATIONS

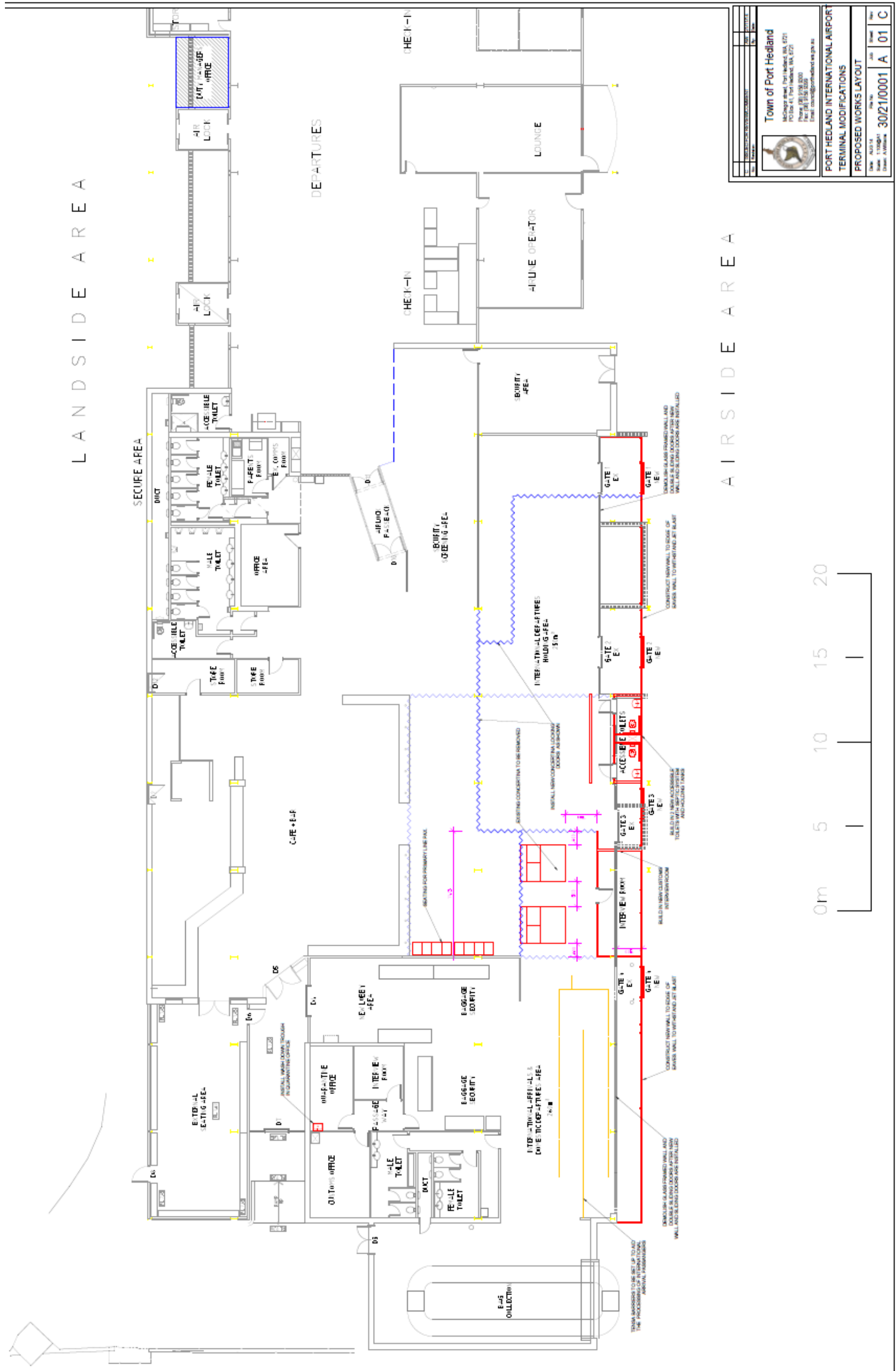
The Town's Strategic Community Plan, Section 2.2 outlines a vision to 'Advance Port Hedland's sea, air and road transport infrastructure as main logistics hub for the Pilbara, including developing Port Hedland International Airport as the gateway to the North West'.

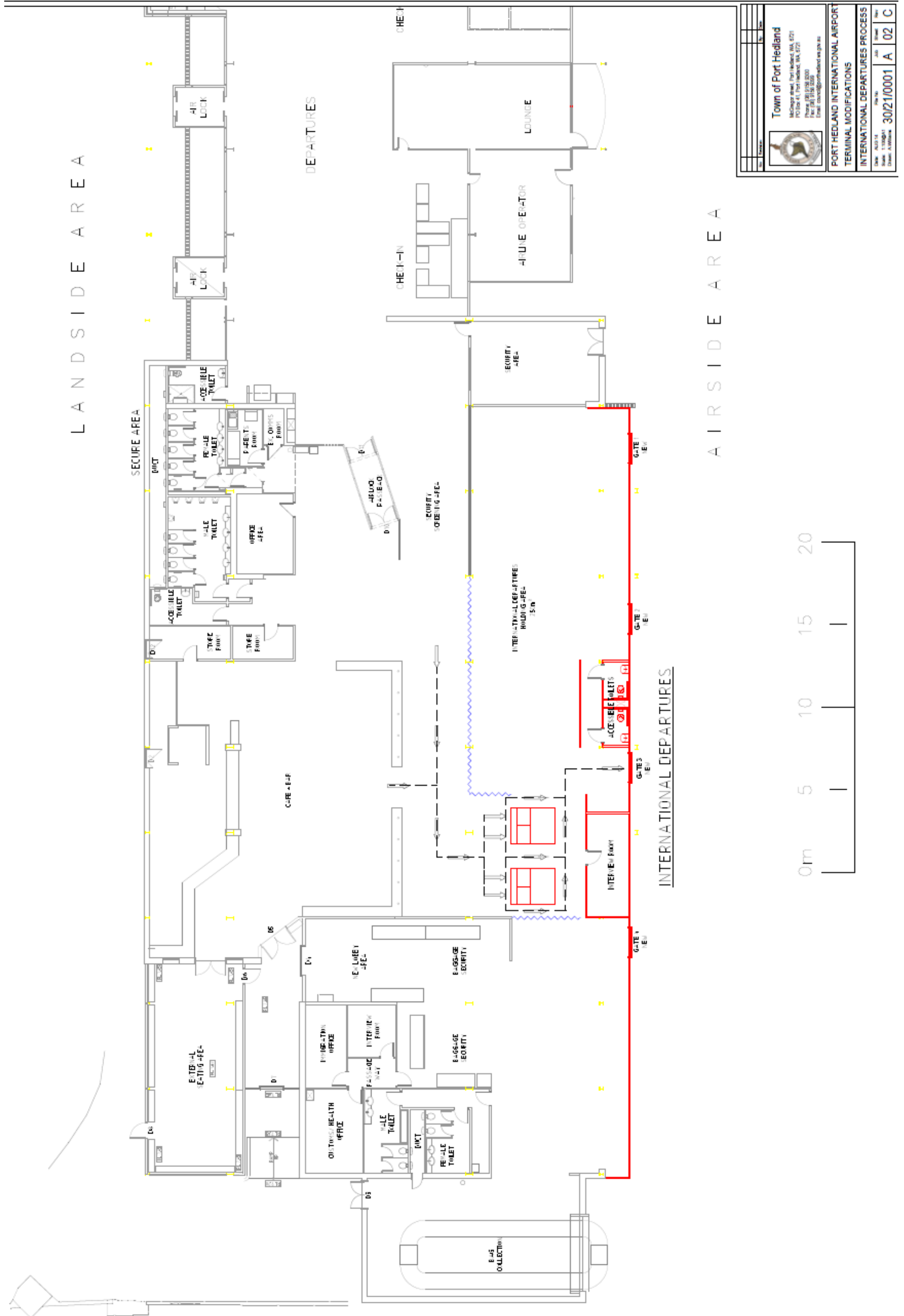
The proposed variation to the Jaxon contract for the design and construction of the international improvements staged program will be undertaken in accordance with the Town's procurement policies.

ATTACHMENTS

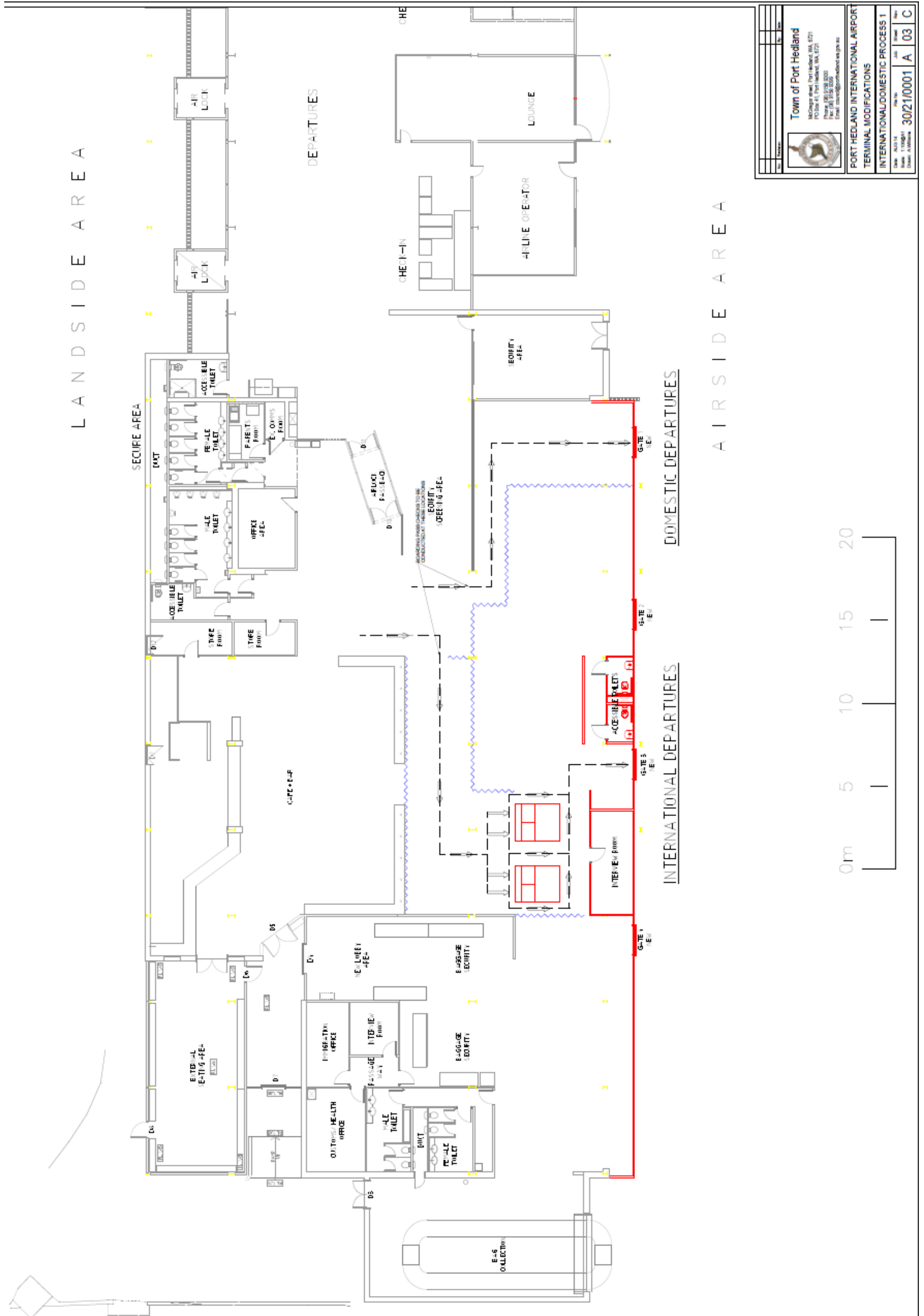
1. Port Hedland International Airport - international terminal area refurbishment concept plans 1, 2, 3, 4 & 5.

26 November 2014

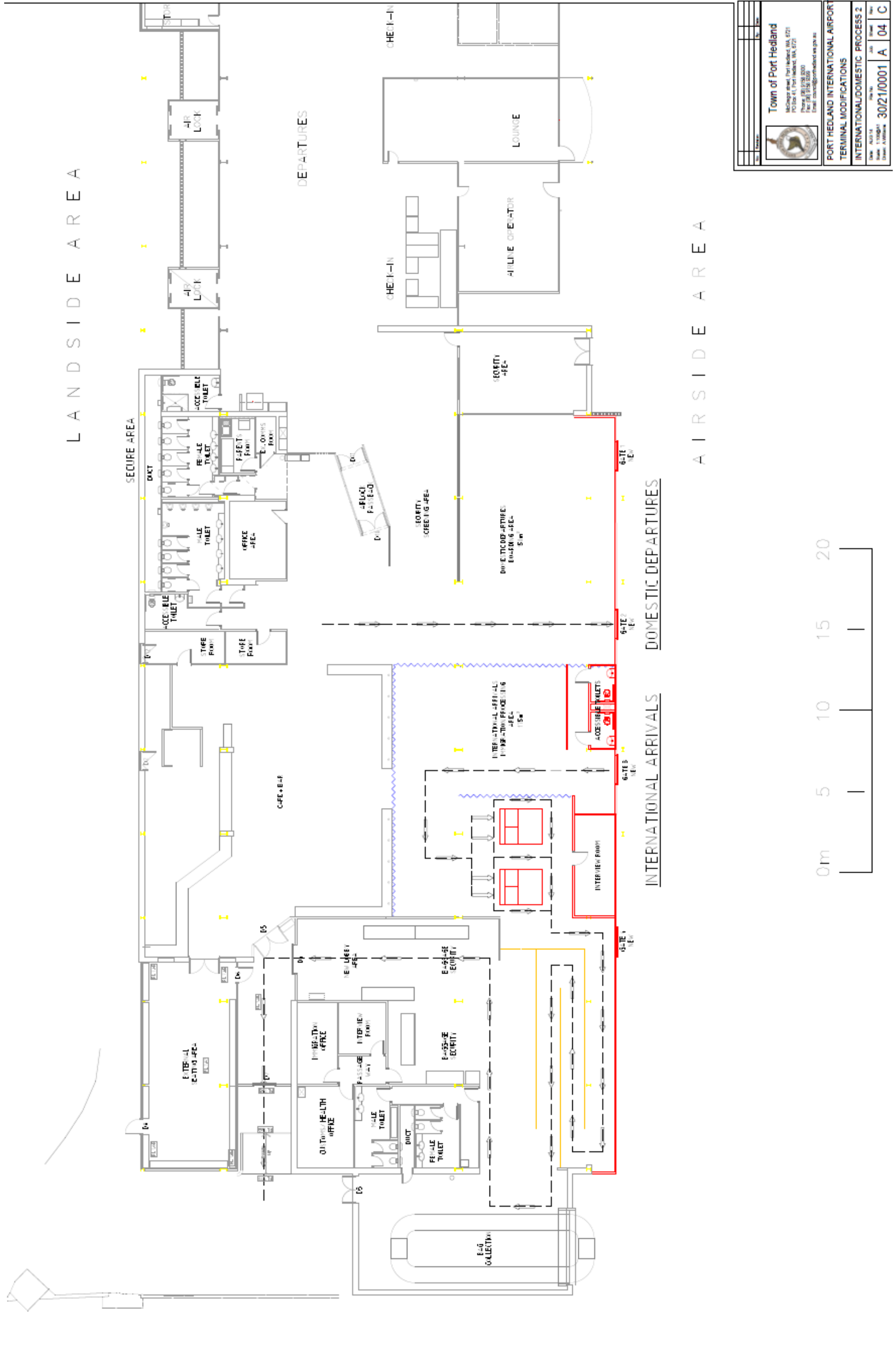


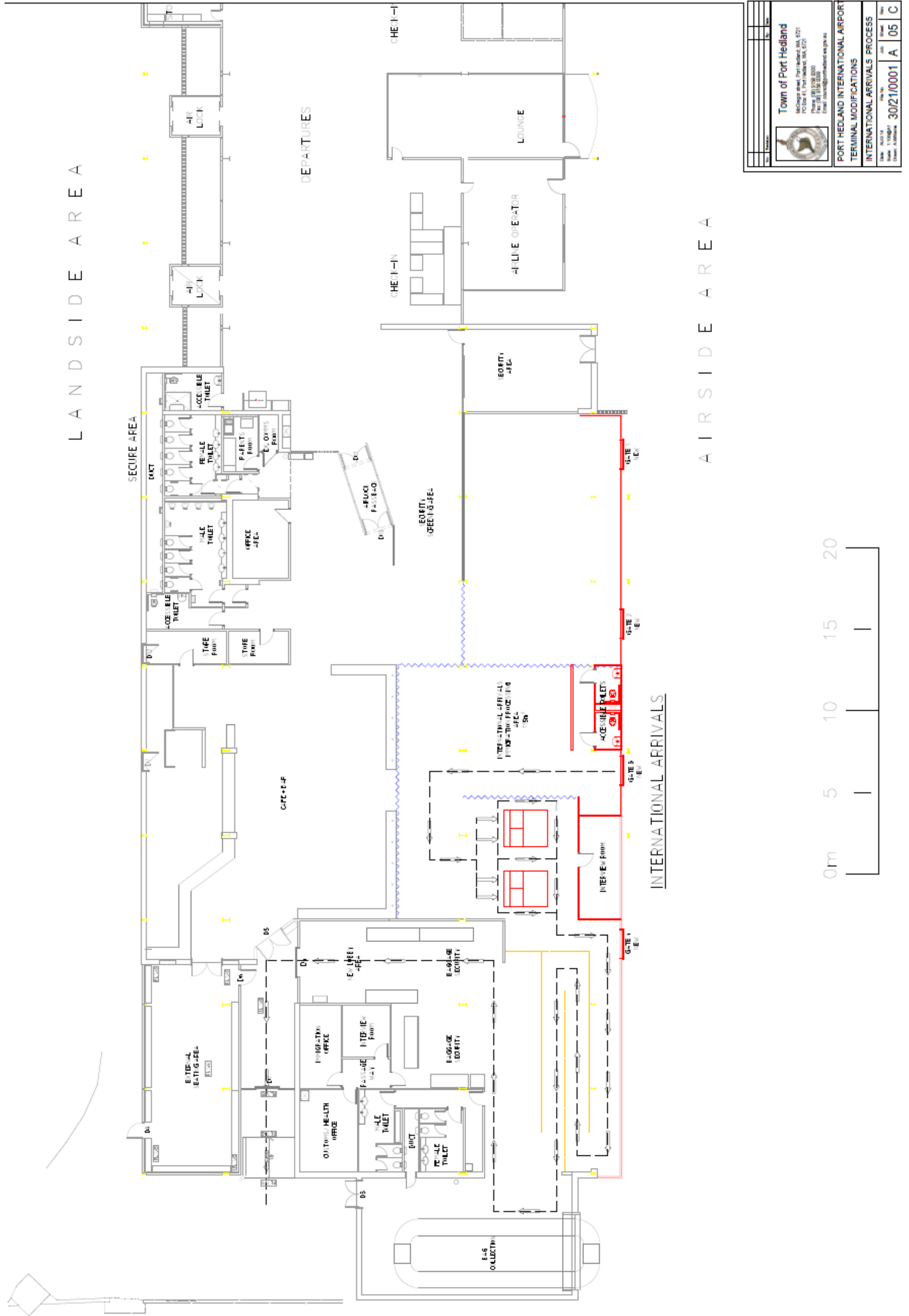


 Town of Port Hedland 100 George Street, Port Hedland, WA, 8271 PO Box 41, Port Hedland, WA, 8271 Phone: (08) 9158 2000 Fax: (08) 9158 2000 Email: council@porthedland.wa.gov.au	
PORT HEDLAND INTERNATIONAL AIRPORT TERMINAL MODIFICATIONS INTERNATIONAL DEPARTURES PROCESS	
Date: 30/21/0001 Drawn: A. W. J. A Check: A. W. J. A	Job No: 30/21/0001 Job: A Sheet: 02 Of: C



Town of Port Hedland 100 Beach Road, Port Hedland, WA, 6721 PO Box 41, Port Hedland, WA, 6721 Phone: (08) 9198 3300 Fax: (08) 9198 3300 Email: council@porthedland.wa.gov.au	
PORT HEDLAND INTERNATIONAL AIRPORT TERMINAL MODIFICATIONS INTERNATIONAL/DOMESTIC PROCESS 1	
Date: 30/21/0001 Rev: 1.00001 Drawn: A.Williams	Job No: 30/21/0001 Sheet: A Scale: 1:100 Title: 03 C





<p>Town of Port Hedland 100 George Street, Port Hedland, WA, 6721 PO Box 41, Port Hedland, WA, 6725 Phone: (08) 9398 2000 Fax: (08) 9398 2009 Email: council@porthedland.wa.gov.au</p>	
<p>PORT HEDLAND INTERNATIONAL AIRPORT TERMINAL MODIFICATIONS INTERNATIONAL ARRIVALS PROCESS</p>	
<p>DATE: AUG 14 DRAWN: T. COUGHT SHEET NUMBER: 30/21/0001</p>	<p>NO. 05 OF 05</p>

12.3 Operating Hours - Town of Port Hedland Leisure Facilities

Graeme Hall, Manager Recreation Facilities and Services
File No. 26/18/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/125 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR JACOB

That Council:

- 1. Endorse the revised hours of operation (12,505 hours per annum for the balance of the contract) as requested by the YMCA in correspondence dated 18 July 2014 (Attachment 1);**
- 2. Endorse that the YMCA be advised that the hours of operation will apply for both the 2014/2015 and 2015/2016 financial years; and**
- 3. Request the YMCA undertake a comprehensive community engagement process with regards to the revised hours of operation.**

CARRIED 8/0

EXECUTIVE SUMMARY

At Council meeting 23 June 2014, it was resolved that the leisure facilities should operate for 12,906 hours per annum at an operational deficit of \$2,174,640 for the 2014/15 financial year. In response to this resolution, the YMCA has provided correspondence that seeks to reduce the hours of operation of the leisure centres to 12505 per annum. This figure is a reduction on the agreed number of hours agreed to as part of the contract which states 12,509.

In a letter dated 18 July 2014 (Attachment 1) the YMCA has stated that in order to operate with an operating deficit of \$2,174,186 they will need to reduce the hours of operation from 12,906 per annum (current hours) to 12,505 per annum. The contract states that they need to operate the leisure centres for 12,509 hours per annum. Up until now, they have been operating above their contracted expectations.

The Town and the YMCA are currently working on options to mitigate against the impact of these changes to the hours of operation. By isolating the gym at Gratwick Pool from the water bodies it will be possible to operate this facility all year round with a reduced level of supervision required. This will provide the YMCA will significant savings in staffing costs

It is recommended that Council endorses the hours of operation as outlined in Table 1.

DETAILED REPORT

The hours of operation as proposed by the YMCA) are outlined in both Table 1 and Attachment 1. The hours of operation as discussed in this report were outlined in correspondence received from the YMCA on 18 July 2014.

Table 1-Hours of Operation

Wanangkura Stadium	Proposed		
	Open	Close	Total
Monday	5.30am	10.00pm	16.30
Tuesday	5.30am	10.00pm	16.30
Wednesday	5.30am	10.00pm	16.30
Thursday	5.30am	10.00pm	16.30
Friday	5.30am	9.00pm	15.30
Saturday	8.00am	5.00pm	9.00
Sunday	8.00am	5.00pm	9.00
Total			99.50
South Hedland Aquatic Centre (Peak Season)	Proposed		
	Open	Close	Total
Monday	5.00am	8.00pm	15.00
Tuesday	5.00am	8.00pm	15.00
Wednesday	5.00am	8.00pm	15.00
Thursday	5.00am	8.00pm	15.00
Friday	5.00am	6.00pm	13.00
Saturday	8.00am	6.00pm	10.00
Sunday	10.00am	6.00pm	8.00
Total			91.00
South Hedland Aquatic Centre (off Peak Season)	Proposed		
	Open	Close	Total
Monday	6.00am	6.00pm	12.00
Tuesday	6.00am	6.00pm	12.00
Wednesday	6.00am	6.00pm	12.00
Thursday	6.00am	6.00pm	12.00
Friday	6.00am	5.00pm	11.00
Saturday	8.00am	5.00pm	9.00
Sunday	10.00am	5.00pm	7.00
Total			75.00
Gratwick Aquatic Centre (Peak Season)	Proposed		
	Open	Close	Total
Monday	5.00am	8.00pm	15.00
Tuesday	5.00am	8.00pm	15.00
Wednesday	5.00am	8.00pm	15.00
Thursday	5.00am	8.00pm	15.00
Friday	5.00am	6.00pm	13.00
Saturday	8.00am	5.00pm	9.00

Sunday	10.00am	5.00pm	7.00
Total			89.00
Gratwick Aquatic Centre (off Peak Season)	Proposed		
	Open	Close	Total
Monday	Nil	Nil	Nil
Tuesday	Nil	Nil	Nil
Wednesday	Nil	Nil	Nil
Thursday	Nil	Nil	Nil
Friday	Nil	Nil	Nil
Saturday	Nil	Nil	Nil
Sunday	Nil	Nil	Nil
Total			00.00

Examination of the proposed hours of operation is provided as Attachment 2. Analysis of the proposed hours indicates that the changes will have the following impact:

- Wanangkura Stadium remains unchanged
- Gratwick Aquatic Centre remains unchanged for the 32.69 weeks of peak season (with some changes to when the pool operates earlier opening and closing times on weekends)
- Gratwick Aquatic Centre will not open between 13 April and 14 September 2015 (off peak) a period of 19.31 weeks, this is a reduction of 1,129 hours per annum
- South Hedland Aquatic Centre remains unchanged for peak season
- South Hedland Aquatic Centre off peak hours reduced from 91 hours to 74 hours per week a reduction of 16 hours per week (309 per annum).

The net reduction in operational hours is 1,458 per annum. The YMCA is suggesting that they are able to deliver 12,505 hours of operation within the budget parameters stipulated by the Council. The recommendation to accept the amended hours of operation is heavily reliant upon operational changes being made to the access provided to the gym at Gratwick Pool. Changes will initially physically separate the gym facility from the water bodies. This initial change will be similar to the set up at Wanangkura Stadium which allows patrons much greater access to the gym. A budget reallocation for this work will be considered by the Council at the first quarter budget review. Details regarding the overall changes were presented to the Council at an information session on 22 October 2014

Future stages in development to the gym at the Gratwick Aquatic Centre as outlined to the Council will include; expansion to the floor area and new equipment (current equipment has exceeded its useful life). The provision of an alternative gym facility at Gratwick Aquatic Centre will ensure that facility users have a choice of gym facilities in either Port or South Hedland. Any future development will require consideration by the Council as part of the budget process.

Comments

The YMCA has written to the Town proposing a reduction to the number of hours of operation for the Town of Port Hedland leisure centres. The reduced number of hours does not align with the Council resolution of June 2014, where by the Council outlined its expectations with regard to both budget parameters and hours of operation. The option provided to the Town articulates that the YMCA believe that they will be able to meet the Town's financial expectations, but in order to do this need to reduce the hours of operation of both aquatic facilities.

The recommendation outlined in this report is to accept the proposal by the YMCA on the basis that some capital expenditure will be required by the Town. Changes to the pool and gym accessibility will enable the YMCA to offer the gym at Gratwick Pool all year round without incurring significant additional operational costs.

FINANCIAL IMPLICATIONS

The YMCA has responded to Council's expectation by agreeing to \$2,174,186 as an overall operating deficit. This will enable the Council to set a clear precedent with regard to conforming to agreed budget figures in future financial years.

STATUTORY AND POLICY IMPLICATIONS

Section 1.1 'A unified community across our townships' of the Strategic Community Plan 2014 – 2024 applies as the hours of operation seek to ensure that the community are able to get full access to the sporting and recreation facilities.

ATTACHMENTS

1. Correspondence from YMCA dated 18 July 2014
2. Comparison – Current versus Proposed Hours of Operation, Town of Port Hedland Leisure Centres.

4 November 2014

ATTACHMENT 1 TO ITEM 12.3



We build strong **PEOPLE**
strong **FAMILIES** strong **COMMUNITIES**

18 July 2014

Graeme Hall
Manager, Recreation Services and Facilities
Town of Port Hedland
PO Box 41
Port Hedland WA 6721

Dear Graeme

The YMCA would like to thank the Town of Port Hedland for providing the opportunity to present its concerns to Council in relation to the 2014/15 financial year's budget. The YMCA fully understands and appreciates the Town's desire for the leisure facilities to operate to the contracted amount specified in the Management Agreement.

The YMCA's goal is to operate within these financial parameters however, I would like to remind the Town of the significant areas of change that have altered the operating landscape for each of the Town's leisure facilities, these being:

AREA	*IMPACT COST
Adoption of \$1 swim – the YMCA has maintained this reduced entry fee within its 2014/15 proposed operating budgets.	\$150K
Installation of pool water heating at SHAC – the tendered budgets did not make provision for additional utilities expense associated with heating the pool water as the decision to heat the pools was made after signing of the Management Agreement.	\$50K
Wave rider expectations – the return generated from the wave rider has been significantly below expectations, accordingly revenue projections for future years have been effected. <i>Further to this, the projected revenue for this attraction for the 2014/15 financial year has been calculated based on a new access structure designed to encourage greater access for the community. Given the uncertainty associated with the potential of this attraction the YMCA reserves the right to seek future budget variations should there be continued operational issues outside of the control of the YMCA.</i>	\$150K
Utilities expense at Wanangkura Stadium – the cost of utilities at Wanangkura Stadium is significantly higher than anticipated.	\$165K
TOTAL	\$515K

**Costs are based on the 2013/14 financial year actual results.*

YMCA Perth
PO Box 2155, Carlisle North WA 6101
Telephone (08) 9473 8400 Facsimile (08) 9472 7522

These items have had a significant impact on the financial performance of the facilities but more importantly have impacted the lifecycle of the contract so its future impact must be taken into consideration. The impact is such that the YMCA have been required to reduce the current operating hours, back to the contracted amount, and increase prices at the facilities in order to operate as close as possible to the contracted amount.

Initially the YMCA intended on presenting a number of options but given there is a clear direction of a return to the contract price, the only option available to the YMCA is to return to the operating hours which made up this price. Hence it is recommended that the following hours and operating deficits be adopted:

Facilities	Operating Hours	Operating deficit (inc Management Fee)	Variance to contract amount
GAC	2,909	\$770,234	-\$28,772
SHAC	4,422	\$1,208,374	\$545,975
Wanangkura	5,174	\$195,577	-\$517,658
Total	12,505	\$2,174,186	-\$454

**Further detail on each facilities operating hours is attached.*

Given the operation has incurred (unforeseen) costs conservatively estimated over \$515K the YMCA believe this is an extremely challenging financial target.

Key elements to Port Hedland Leisure facilities achieving these targets:

- YMCA are no longer bound by the Town of Port Hedland Enterprise Bargaining agreement. This will result in further opportunities to reduce the operating deficits across all sites. Further staff consultation will establish a clear financial picture as to the impact this will have in reducing the Port Hedland Leisure operating deficit. This has contributed to a savings of just over \$80K in salaries across the three sites (these savings are included in the above costing's).
- Adoption of the YMCA fees and charges for 2014/15.
- Adoption of the revised facility operating hours (attached).
- The Wave Rider having a full year of operation.

The YMCA would like to again thank the Town of Port Hedland for allowing us to contribute to recent Council meetings and for their flexibility in adjusting the fees and charges. The YMCA are eager to resolve this matter and get to the business of activating the community.

Yours sincerely



Travis Doye
Recreation Operations Manager
YMCA Perth

Attachment -1

Port Hedland Leisure – 2014/15 Proposed Hours of Operation:

Centre	Total hours	Operating deficit
GAC (<i>peak season only</i>)	2,909	-\$770,234
SHAC <i>Peak</i>	2,974	-\$1,208,374
<i>Off Peak</i>	1,448	
Wanangkura	5,174	-\$195,577
TOTAL	12,505	-\$2,174,186

Gratwick Aquatic Centre:

Days	Hours	Total
Monday - Thursday	5am-8pm	60
Friday	5am – 6pm	13
Saturday	8am – 5pm	9
Sunday	10am – 5pm	7
Total hours open to the public		89
Comments: Gratwick will be open in the peak season only which comprises of 32.69 weeks. This results in a total of 2,909 operating hours for the full year.		

South Hedland Aquatic Centre (SHAC):

Peak Season: September 15th 2014 – April 12th 2015

Days	Hours	Total
Monday – Thursday	5am-8pm	60
Friday	5am-6pm	13
Saturday	8am – 6pm	10
Sunday	10am – 6pm	8
Total hours open to the public		91
Comments: SHAC will be open in the peak season only which comprises of 32.69 weeks. This results in a total of 2,974 operating hours for the peak season at SHAC.		

Off Peak season:

July 1st 2014 – September 14th 2014 &
April 13th 2015 – September 14th 2015

Days	Hours	Total
Monday - Thursday	6.00am-6pm	48
Friday	6am – 5pm	11
Saturday	8am – 5pm	9
Sunday	10am – 5pm	7
Total hours open to the public		75
Comments: SHAC will be open throughout the off peak season for 19.31 weeks. This results in a total of 1,448 operating hours for the off peak season at SHAC.		

Wanangkura Stadium (no change to the existing operating hours)

Days	Hours	Total
Monday - Thursday	5.30am-10pm	66
Friday	5.30am-9pm	15.5
Saturday & Sunday	8am – 5pm	18
Total hours open to the public		99.5
Comments: Wanangkura Stadium is open all year. This results in a total of 5,174 operating hours for the year at the Stadium.		

ATTACHMENT 2 TO ITEM 12.3

Comparison – Current versus Proposed Hours of Operation, Town of Port Hedland Leisure Centres.

Wanangkura Stadium	Current			Proposed		
	Open	Close	Total	Open	Close	Total
Monday	5.30	10.00pm	16.30	5.30	10.00pm	16.30
Tuesday	5.30	10.00pm	16.30	5.30	10.00pm	16.30
Wednesday	5.30	10.00pm	16.30	5.30	10.00pm	16.30
Thursday	5.30	10.00pm	16.30	5.30	10.00pm	16.30
Friday	5.30	9.00pm	15.30	5.30	9.00pm	15.30
Saturday	8.00am	5.00pm	9.00	8.00am	5.00pm	9.00
Sunday	8.00am	5.00pm	9.00	8.00am	5.00pm	9.00
Total			99.50			99.50
South Hedland Aquatic Centre (Peak Season)	Current			Proposed		
	Open	Close	Total	Open	Close	Total
Monday	5.00am	8.00pm	15.00	5.00am	8.00pm	15.00
Tuesday	5.00am	8.00pm	15.00	5.00am	8.00pm	15.00
Wednesday	5.00am	8.00pm	15.00	5.00am	8.00pm	15.00
Thursday	5.00am	8.00pm	15.00	5.00am	8.00pm	15.00
Friday	5.00am	8.00pm	15.00	5.00am	6.00pm	13.00
Saturday	10.00am	6.00pm	8.00	8.00am	6.00pm	10.00
Sunday	10.00am	6.00pm	8.00	10.00am	6.00pm	8.00
Total			91.00			91.00
South Hedland Aquatic Centre (off Peak Season)	Current			Proposed		
	Open	Close	Total	Open	Close	Total
Monday	5.00am	8.00pm	15.00	6.00am	6.00pm	12.00
Tuesday	5.00am	8.00pm	15.00	6.00am	6.00pm	12.00
Wednesday	5.00am	8.00pm	15.00	6.00am	6.00pm	12.00
Thursday	5.00am	8.00pm	15.00	6.00am	6.00pm	12.00
Friday	5.00am	6.00pm	13.00	6.00am	5.00pm	11.00
Saturday	8.00am	6.00pm	10.00	8.00am	5.00pm	9.00
Sunday	10.00am	6.00pm	8.00	10.00am	5.00pm	7.00
Total			91.00			75.00
Gratwick Aquatic Centre (Peak Season)	Current			Proposed		
	Open	Close	Total	Open	Close	Total
Monday	5.00am	8.00pm	15.00	5.00am	8.00pm	15.00
Tuesday	5.00am	8.00pm	15.00	5.00am	8.00pm	15.00
Wednesday	5.00am	8.00pm	15.00	5.00am	8.00pm	15.00
Thursday	5.00am	8.00pm	15.00	5.00am	8.00pm	15.00
Friday	5.00am	6.00pm	13.00	5.00am	6.00pm	13.00
Saturday	10.00am	6.00pm	8.00	8.00am	5.00pm	9.00
Sunday	10.00am	6.00pm	8.00	10.00am	5.00pm	7.00
Total			89.00			89.00
Gratwick Aquatic Centre	Current			Proposed		
	Open	Close	Total	Open	Close	Total

(off Peak Season)						
Monday	5.00am 4.30pm	9.00am 9.00pm	8.30	Nil	Nil	Nil
Tuesday	5.00am 4.30pm	9.00am 9.00pm	8.30	Nil	Nil	Nil
Wednesday	5.00am 4.30pm	9.00am 9.00pm	8.30	Nil	Nil	Nil
Thursday	5.00am 4.30pm	9.00am 9.00pm	8.30	Nil	Nil	Nil
Friday	5.00am 4.30m	9.00am 9.00pm	8.30	Nil	Nil	Nil
Saturday	10.00am	6.00pm	8.00	Nil	Nil	Nil
Sunday	10.00am	6.00pm	8.00	Nil	Nil	Nil
Total			58.5			00.00

ITEM 13 REPORTS OF COMMITTEES

Nil

ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

ITEM 15 CONFIDENTIAL ITEMS**201415/126 RECOMMENDATION/ COUNCIL DECISION****MOVED: CR HUNT****SECONDED: CR HOOPER**

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 items:

15.1 Organisational Structure**15.2 Chief Executive Officer Performance Review*****CARRIED 8/0***

6:48pm Mayor advised that the meeting is closed to members of the public.

15.1 Organisational Structure**201415/127 RECOMMENDATION/ COUNCIL DECISION****MOVED: CR JACOB****SECONDED: CR HOOPER****That Council:**

- 1. Receive the report by the Chief Executive Officer on the Town of Port Hedland staff organisational structure; and**
- 2. Endorse the proposed structure to be implemented effective 1 December 2014.**

CARRIED 6/2

Record of votes:

For	Against
Mayor Howlett	Councillor Gillingham
Councillor Jacob	Councillor Butson
Councillor Daccache	
Councillor Hooper	
Councillor Hunt	
Councillor Melville	

6:59pm Chief Executive Officer declared a financial interest in item 15.2 'Chief Executive Officer Performance Review' as it relates to his employment.

Chief Executive Officer left the room.

Director Planning & Development, Manager Infrastructure Development and Governance Officer left the room.

15.2 Chief Executive Officer Performance Review

RECOMMENDATION

That Council:

- 1. Adopt the 2014 Annual Performance Appraisal Report;**
- 2. Endorse the overall rating that the Chief Executive Officer is performing at a satisfactory level or above in all areas, as indicated by the 360 degree survey and subsequent discussions with Elected Members for the review period 1 February 2014 to 30 September 2014; and**
- 3. Endorse the key performance criteria and indicators in Attachment 1 for the September 2015 appraisal.**

201415/128 AMENDED RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR HOOPER

That Council:

- 1. Adopt the 2014 Annual Performance Appraisal Report;**
- 2. Endorse the overall rating that the Chief Executive Officer is performing at a satisfactory level or above in all areas, as indicated by the 360 degree survey and subsequent discussions with Elected Members for the review period 1 February 2014 to 30 September 2014; and**
- 3. Agrees for revised key performance criteria and indicators for the September 2015 appraisal to be presented to the December 2014 Council meeting for endorsement.**

CARRIED 8/0

201415/129 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR HUNT

That Council open the meeting to members of the public.

CARRIED 8/0

7:01pm Mayor advised that the meeting is open to the public. Mayor read out to the public Council's decisions made whilst behind closed doors.

ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE

201415/130 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR MELVILLE

SECONDED: CR JACOB

That Council approve the following applications for leave of absence:

- **Councillor Jacob from 19 December 2014 to 17 January 2015;**
- **Councillor Daccache from 8 December to 12 December 2014;**
- **Councillor Gillingham from 10 December to 14 December 2014;**
- **Councillor Hunt from 2 December to 9 December 2014; and**
- **Mayor Howlett from 8 December to 12 December 2014.**

CARRIED 8/0

ITEM 17 CLOSURE

Mayor bid farewell to Director Corporate Services, Clare Phelan, and Senior Publicity Officer, Nur Halik, and thanked them for their time at the Town of Port Hedland.

17.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 17 December 2014, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 10 December 2014, commencing at 3:30pm.

17.2 Closure

There being no further business, the Mayor declared the meeting closed at 7:05pm.