



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 30 MARCH 2011

AT 5.30 PM

IN COUNCIL CHAMBERS
McGREGOR STREET, PORT HEDLAND

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*Paul Martin
Chief Executive Officer*

OUR COMMITMENT

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

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ITEM 1 OPENING OF MEETING

1.1 Opening

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

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES

2.1 Attendance

Mayor Kelly A Howlett
 Councillor Arnold A Carter
 Councillor Stan R Martin
 Councillor Jan M Gillingham
 Councillor Steve J Coates
 Councillor David W Hooper
 Councillor Michael (Bill) Dziombak

Mr Paul Martin	Chief Executive Officer
Ms Natalie Octoman	Director Corporate Services
Mr Russell Dyer	Director Engineering Services
Ms Debra Summers	Acting Director Community Development
Mr Eber Butron	Director Planning and Development
Ms Josephine Bianchi	Acting Executive Assistant to Chief Executive Officer

Members of the Public	5
Members of the Media	2

2.2 Apologies

Nil.

2.3 Approved Leave of Absence

Councillor George J Daccache

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 9 March 2011

Nil.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 9 March 2011

3.2.1 *Councillor G J Daccache*

Councillor Daccache enquired whether there were any updates on the issue of cattle on highway raised at previous Council meetings.

Manager Environmental Services advised that the Town has been in contact with Main Roads with regard to this matter.

Main Roads has advised that they have surveillance officers who check the highway every two to three days.

If these officers note any concerns they contact BGC who are contracted to undertake any required works including removing dead cattle. Any road care report received from the public is immediately acted upon by Main Roads.

ITEM 4 PUBLIC TIME

5:33pm Mayor opened Public Question time.

4.1 Public Question Time

4.1 *Mr Shane Sear*

Has Council ever given planning approval for noxious uses to BGC, Fulton Hogan, Emoleum, Pioneer Road Services or works infrastructure for the operation of asphalt batching plants in Wedgefield?

Mayor advised that this question is taken on notice.

If so were these approvals given in accordance with TPS 5 and the Wedgefield Special Control Area conditions contained within TPS 5?

Mayor advised that this question is taken on notice.

And if so can Council provide copies of the same?

Mayor advised that this question is taken on notice.

4.2 *Mr John Christopher Whalley*

During the next 6 months could Council organise further water blasting of public building within th West End of town including Dalgety House?

Mayor advised that this question is taken on notice.

Could Council Clarify as to whether the Gratwick Hall is soon to be used as de facto offices and if so then for how long? Could Council consider heavy duty transportable parked in the adjoining Civic Centre parking lot as an interim measure until we move to a brand new Civic Centre?

Chief Executive Officer advised that he has raised the issue of staff accommodation with the Mayor and Deputy Mayor this week. The Chief Executive Officer suggested that Council could reconsider Gratwick Hall as a short term measure. It is only a suggestion at this stage as there are also other options that are being investigated and will be presented to Council shortly.

The Chief Executive Officer is aware that this matter has already been considered in the past, however with the new facilities of St Cecilia's, the Yatch Club and the JD Hardie been available shortly he believes that Gratwick Hall can now be reconsidered as an alternative office space for Town of Port Hedland staff.

In the resolution I am placing before Council I am asking Council to contact ABC management regarding several issues. First could Council ask ABC management to reinstate Port Hedland onto the 8:30pm to 9:30pm TV weather map? Secondly could Council ask ABC management to consider installing a brand new ABC radio studios right here in the Town of Port Hedland? With a population similar in size to Karratha and a lot bigger than Broome and with Port Hedland being designated as one of the two "Pilbara Cities" development projects it is now time for Port Hedland to have its ABC radio studios which if used properly would complement the ABC radio studios in Broome and Karratha. As an extra Council could also consider approaching GWN management with the view of having GWN TV studios situated here in the Town of Port Hedland?

Mayor advised that she is happy to put all of Mr Whalley's requests on to letterhead to the respective organisations and to provide Mr Whalley with a response.

- 5:38pm Mayor closed Public Question time.
- 5:38pm Mayor closed Public Statement time.
- 4.2 Public Statement Time
- Nil.
- 5:39pm Mayor closed Public Statement time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE**5.1 Cr S J Coates**

Councillor S J Coates enquired as whether Council can have an informal discussion to deal with the following three matters in the next week or so if possible:

- 1. Is Council considering the development of a policy of public consultation with regard to interactive social networks such as Twitter, Facebook and the like?*
- 2. Can Council have a discussion about a policy regarding the confidentiality or otherwise of emails sent to Councillors, including the Mayor, and how appropriate it is to pass them on?*
- 3. Could Councillors, Mayor, Chief Executive Officer and Town of Port Hedland staff meet with representatives from the South Hedland Bowling and Tennis Club for an informal discussion on how things are currently developing at the club?*

Mayor advised that Council will have to liaise and find out when everybody is available.

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

Mayor K A Howlett	Cr S J Coates
Cr A A Carter	Cr D W Hooper
Cr S R Martin	Cr M (Bill) Dziombak
Cr J M Gillingham	

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 23 February 2011

201011/285 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the Minutes of the Ordinary Meeting of Council held on Wednesday 23 February 2011 be confirmed as a true and correct record of proceedings.

CARRIED 7/0

- 7.2 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 9 March 2011

201011/286 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the Minutes of the Ordinary Meeting of Council held on Wednesday 9 March 2011 be confirmed as a true and correct record of proceedings.

CARRIED 7/0

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Mayor Howlett's Activity Report for the March 2011 period to date as follows:

Saturday, 5th March

- Meeting With Rob Cornish Re: Port Hedland Tourist Park

Sunday, 6th March

- Participated In 2011 Clean Up Australia Day

Tuesday, 8th March

- Weekly Spirit Radio Mayor Chat
- Attended 2011 International Women's Day Event & Opening Speech – Gratwick Hall
- Attended Multicultural Lunch As A Part Of 2011 International Women's Day – Gratwick Hall
- Weekly CEO, Deputy Mayor & Mayor Catchup
- Attended HSHS P&C AGM
- Attended 2011 International Women's Day Sundowner Event – Port Hedland Yacht Club

Wednesday, 9th March

- Fortnightly Pilbara Mayor/Shire President Telephone Link Up
- Meeting With Local Resident (John Briggs) Re: GP Housing Business Plan + A/DCD
- Attended 2011/2012 Annual Budget Preparatory Workshop + Deputy Mayor + Cr Martin + Cr Dziombak + Cr Hooper + Cr Coates + CEO + DCORP + A/DENG + A/DCD + DPD
- Participated In PRC Telephone Conference Re: KPMG Report
- Attended Informal Council Meeting Briefing - Deputy Mayor + Cr Martin + Cr Dziombak + Cr Hooper + Cr Coates + Cr Gillingham + CEO + DCORP + A/DENG + A/DCD + DPD
- Chair OCM

Thursday, 10th March

- Meeting With Hon Minister Buswell + CEO
- Weekly Media Catchup With NWT
- Meeting With SHB&TC + Cr Daccache + A/DCD
- Attended TOPH Sports & Open Space Workshop + Cr Daccache + MRS + RO

Friday, 11th March

- Meeting With Representatives Swans Football Club
- Meeting With FMG Re: Expansion Plans + CEO + DPD
- Teleconference PNTS (CEO Simon Hawkins) Re: Progress South Hedland Native Title Agreement + CEO

Saturday, 12th March

- Visit To De Grey Station

Monday, 14th March

- Attended 2011 ABS Census Workshop & Presented LG Overview
- Visit Local Resident (T King) Re: Drainage Issues

Tuesday, 15th March

- Meeting RSM Bird Cam Partnership eron Re: BHPBIO & TOPH Partnership
- Weekly Spirit Radio Mayor Chat
- Media Photo – Neighbour Day (SHNL & Coles)
- Attended TOPH/LandCorp Marina Design Meeting + Deputy Mayor + Cr Dziombak + CEO + DPD
- Attended TOPH JD Hardie Centre Working Group Meeting + Deputy Mayor + Cr Hooper +A/DCD + MRS + YO
- Attended TOPH Spoilbank Marina Committee Meeting + Deputy Mayor + Cr Dziombak + CEO
- Attended New Residents Welcome BBQ – Port Hedland Visitor Centre

Wednesday, 16th March

- Volunteered HSHS School Breakfast Program
- Meeting With Principal South Hedland Primary School
- Meeting With Principal St Cecillas Primary School
- Media Photo @ Real World Strength and Conditioning Gym, South Hedland

Thursday, 17th March

- Weekly Catchup CEO & Mayor
- Media Photo Hedland Playgroup For National Playgroup Week
- Meeting With Kate Antonas (FORM)
- Weekly Media Meeting NWT
- Meeting With Representatives Port Hedland Cricket Association Re: Lighting & Pitch Requirements + A/DCD + MRS + RO

- Meeting Director General Department For Communities + A/DCD

Friday, 18th March

- Attended TOPH Alcohol Management Plan Meeting + MEHS
- Attended Swans Football Club Player Registration Night & BBQ

Monday, 21st March

- Weekly Spirit Radio Mayor Chat (Pre-Record)
- Fortnightly Catchup PDC CEO, TOPH CEO & Mayor
- Meeting Principal HSHS + CEO
- Meeting Hedland Playgroup
- Teleconference BHPBIO & TOPH Doing Joint Projects With SOEP (GP Housing & PCO Funding)
- Flight To Perth

Tuesday, 22nd March

- Meeting Media Advisor City Canning (Penny Wright)
- Attended PRC Meeting + Cr Martin
- Attended Workshop Marketing & Promotion – Port Hedland With LandCorp + CEO
- Dinner Parliament House With Hon Wendy Duncan MLC

Wednesday, 23rd March

- Breakfast Pilbara/Kimberley Zone @ Parliament House
- Pilbara/Kimberley Joint Forum “When Worlds Collide” + Cr Martin + Cr Coates + Cr Daccache

Thursday, 24th March

- Pilbara/Kimberley Joint Forum “When Worlds Collide” + Cr Martin + Cr Coates + Cr Daccache
- Meeting Bob Harwood Re: Railway Lines
- Meeting With John McMath (Atlas Iron Ore)

Mayor advised that GWN was in town today filming at Kevin Scott Oval with representatives from the Swans club there. The next stop was the Multi Purpose Recreation Centre, where Doric are doing a very good job; the steel frame will be up in the next two weeks and then internal works will commence. The site manager said that 30 different trades will be employed on the Multi Purpose Recreation Centre to do internal works. If all these 30 different contractors (local and other areas) have 2-6 tradesmen working with them this will be a hive of activities. This is really exciting and it is also good to know that local businesses are involved. GWN then went to have a look at the South Hedland CBD works, where banners are up thanking the community for their patience whilst the works are being carried out; works which are due to be completed in September 2011.

The last stop for GWN was the Colin Matheson Oval club house which is also coming along well with the roofing currently in progress. Hopefully over next 2 week good news stories will be coming out from today's GWN visit and report.

Mayor also advised that this morning she attended the Hedland Senior High School breakfast program. Susie, the school councillor said that the program has now been operating for about four weeks and it has already seen some students confidently coming in to get breakfast and helping with their attendance.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 Councillor A A Carter

Summary of Regional Airport Development Conference held in Sydney on 22/23 February 2011.

Possibly the most important message that came out of the conference is that Port Hedland is not alone in its growth and perspective future, it should be taken. Peter Pallot from Sunshine Coast Airports presented a case study of projected growth forecasts and ongoing developments. These were all restricted, owing to the non availability of airlines future requirements, this did not permit planned growth. From various speakers, it was quite evident, you do not build terminals to their requirements, you build to your financial capacity and inform them what you have available. In most instances modular building was utilized in the developments permitting extensions as required and restrictions if necessary. An interesting presentation was made by Leon Burgar from East Pilbara Shire in accessing the core activities on their airport and their future expansions, including staff housing and relocation of same. The profit ability of Regional Services was expanded on by Crawford Rit Managing Director of Tiger Airlines. There is no doubt that where a Regional service becomes unviable, they have no hesitation in revoking the service. What happens to the infrastructure improvements is your problem. The comparison between private and council owned airports, especially in the tendering process where it affects the costing and facilitation of the airport operation. Overall speakers covered many avenues of the operations and perceived growth of the industry. In all instances it was evident that financial restrictions were the grant deterrent and on building and planning "Taj Mahal" for the airlines benefit, and many times at cost to the airport owners whether they be private or local Government. The conference I found very informative and challenging, and lets trust that when we go into more detail of our airport future, that some of the information and guidance expressed at the conference will benefit and assist in our decision making.

Possibly the most valued session was the one of discussion with the Roebourne Shire and the Town of Port Hedland delegates, regarding Regional Development and a profitable entity with particular reference to paid car parking. The facilitator for this session was Bill Burke, from Mildura Airport and I do consider he would be a worthy contributor to our planned workshop on the land use master plan for the airport due to be held March 31st.

9.2 Councillor J M Gillingham

Councillor J M Gillingham advised that she attended the Isolated Children's Parents Association state conference in Perth where she met the Minister for Education and was able to discuss again the Hedland Senior High School. The Minister still hopes to see 1200 students at the school and is interested in its refurbishment. Councillor Gillingham also discussed the Hedland primary schools lack of classrooms and was happy to see that the Minister is very interested in education matters here in Hedland and hopes for some positive outcomes in the near future.

9.3 Councillor D W Hooper

Councillor D W Hooper advised he attended the Andrew McLoughlin Play Day on the Mayor's behalf; it was a well attended event, it was good to see a high volume of kids and parents participating.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

10.1 Shelley Pike, Chief Executive Officer, Pilbara Regional Council – "The Pilbara Regional Council – achievements, next steps..."

Pilbara Regional Council (PRC) Chief Executive Officer Shelley Pike gave a presentation on the PRC's Strategic Plan which is a plan for the future that sets the strategic direction and key focus areas for the PRC and Elected Members and articulates the highest level of direction for the PRC for the coming three years. Ms Pike also outlined the PRC's recent assistance with a major government initiative inquiring into the provision of local government services to remote Aboriginal Communities, which was part of the Bilateral Implementation Plan on Indigenous Affairs in WA.

NOTE: Mayor K Howlett and Deputy Mayor A A Carter commended the recent work of Shelley Pike and the PRC.

ITEM 11 REPORTS OF OFFICERS**11.1 Planning and Development Services**

11.1.1 Planning Services

6pm Councillor M Dziombak declared a Financial Interest in Agenda Item 11.1.1.1 "Proposed Additional Office Use and one Sea Container at Lot 1 (2B) Mitchie Crescent, South Hedland" as he is a current financial contractor of BPA.

Councillor M Dziombak left the room.

11.1.1.1 Proposed Additional Office Use and one Sea Container at Lot 1 (2B) Mitchie Crescent, South Hedland (File No.: 156110G)

Officer Ryan Djanegara
Planning Officer

Date of Report 24 March 2011

Application No. 2010/211

Disclosure of Interest by Officer Nil

Summary

The Town received an application submitted by Brink Design and Associates P/L on behalf of Trustees of the Diocese North WA to change a portion of the existing church from a place of worship to an office and to permit one sea container on Lot 1 (2B) Mitchie Crescent, South Hedland. The Anglican Church will continue to be operating in conjunction with the proposed office.

The additional use being applied for ("Office") is in terms of the Town Planning Scheme No 5, classified as an "SA" use requiring Council approval.

Background

This application was previously considered by Council at its Ordinary Meeting of 23rd February 2011. This item is again presented for Councils deliberation. The officer recommendation to refuse the application remains the same.

Location and Area

The subject site is located along Mitchie Crescent, and measures approximately 4, 083m².

Current Zoning and Use

In terms of the Port Hedland Town Planning Scheme No. 5 the subject site is zoned "Residential R20". The land is owned by the Trustees of the Diocese North WA, and is currently used as a church.

The Proposal

The applicant is proposing to use a portion (78m²) of the existing church building for office purposes during the weekdays whilst the church is not in use. The applicant has requested temporary use of the building for office purposes until 2013.

On the 23rd June 2010, Council has resolved to adopt Scheme Amendment No. 13, which does not permit "Office" uses in a Residential zone. The approval of a temporary use would undermine Council's resolution, and may create a compliance matter should the applicant not relocate after the temporary use lapses.

Consultation

The application has been advertised externally in accordance with section 4.3.1 of the Port Hedland Town Planning Scheme No. 5.

Statutory Implications

The land must be developed in accordance with the Town of Port Hedland Town Planning Scheme No. 5.

Policy Implications

Shipping and/or Sea Container Policy 11/007

In addition to the proposed additional use the applicant is seeking retrospective approval for one sea container on the property. The applicant currently has 4 sea containers on the property however, Council's Sea Container Policy permits only 1 (one) sea container on a residential lot.

Strategic Planning Implications Nil

Budget Implications

An application fee of \$270.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

Applicant's Justification

The applicant has provided the following justification for using the church building for office purposes:

- To provide passive surveillance that would help deter vandalism and minor criminal activity; and
- The occupation of the church by the applicant BDA would allow repairs to the building to be undertaken.

The above points are not considered sufficient or reasonable planning justification to support the application because there is a manse onsite that provides passive surveillance.

Scheme Amendment No. 13

On the 23th June 2010, Council resolved to adopt Scheme Amendment No. 13. The proposed Scheme Amendment seeks to delete home occupation and no longer permit office uses in the residential zone. Instead the amendment would allow and provide for more variation to home-office style uses. The Scheme Amendment is currently with the Western Australian Planning Commission for final determination.

The proposed Scheme Amendment allows for three types of home office style uses:

- Home Business;
- Home Office; or
- Mobile Business.

The application is not considered to fit within the definition of a “Home Office” as the proposed development will operate during normal (9am – 5pm) business hours and not from a dwelling.

Furthermore the application is not considered to fit within the definition of a “Home Business” as the proposal will not operated from a dwelling and employ more than 2 people. It is therefore, considered that the current proposal does not comply within the definitions of the proposed uses under Scheme Amendment No. 13.

In light of the scheme amendment, it is recommended that the application be refused as it is not consistent with Council’s adopted Scheme Amendment No. 13.

Matters to be considered by Council

In accordance with the Clause 4.5 of the Port Hedland Town Planning Scheme No. 5, of the matters listed, Council is required to have due regard to “*requirements of orderly and proper planning and the preservation of amenity of the locality.*”

It is considered that the proposed Office use should not be permitted in the residential zone as it will impact on the amenity of the locality by increasing traffic volumes in addition to an existing place of worship (the Anglican Church).

Shipping and/or Sea Container Policy 11/007

In addition to the proposed change of use the applicant is seeking retrospective approval for one (1) sea container on the property. The applicant currently has four (4) sea containers on the property however, Council’s Sea Container Policy permits the applicant to have only one (1) sea container.

The sea container is to be used for the storage of construction materials relating to the proposed office use. It is considered that the sea container should not be supported as it relates to the proposed office.

Furthermore the sea container does not adhere to Councils sea container policy as the applicant has not demonstrated how the container is to be suitably screened from the street (Mitchie Crescent).

Options

Council has the following options when considering the application:

1. Refuse the application.

The refusal of the application will be consistent with the adopted Scheme Amendment 13.

2. Approve the application for a temporary period of 12 months subject to the following conditions.

Whilst this would be contrary to the adopted scheme it will provide the applicant an opportunity to relocate his offices.

Should the applicant not relocate it may lead to compliance action being required placing an additional burden on the Town.

3. Planning Scheme Amendment (spot rezoning)

The Council advises the applicant that the proposal is a prohibited use in that zone. The applicant to be advised that; an alternate option may be to apply for a spot rezoning of the subject land to enable his development to occur. Acknowledging that this in no way would obviate Councils responsibility to assess the spot rezoning on its merits.

It is recommended that Council refuse the application given that Council has resolved to adopt Scheme Amendment No. 13, which does not support "Office" uses in residential zones.

Attachments

1. Locality Map
2. Site Plan
3. Floor Plan
4. Scheme Amendment No. 13

Officer's Recommendation

That Council refuses the Additional Office and One Sea Container submitted by Brink Design and Associates P/L for the proposed Office at 1 (2B) Mitchie Crescent, South Hedland for the following reasons:

1. The proposal is inconsistent with the residential zone of the Port Hedland Town Planning Scheme No. 5;
2. The proposal is inconsistent with Council's strategic direction as Council has resolved to adopt Scheme Amendment No. 13;
3. The proposal will determinately impact on the surrounding amenity of the locality, and
4. The proposal is not consistent with proper and orderly planning of the locality.

201011/287 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That Agenda Item 11.1.1.1 "Proposed Additional Office Use and one Sea Container at Lot 1 (2B) Mitchie Crescent, South Hedland" lay on the table for further consideration.

CARRIED 6/0

REASON: Council believes it needs to lay this item on the table for further consideration as it is not clear whether the owners of the property in question have been advised and consulted about the proposal.

6:02pm Councillor M Dziombak re-entered the room and resumed his chair.

Mayor K Howlett advised Councillor M Dziombak of Council's decision.

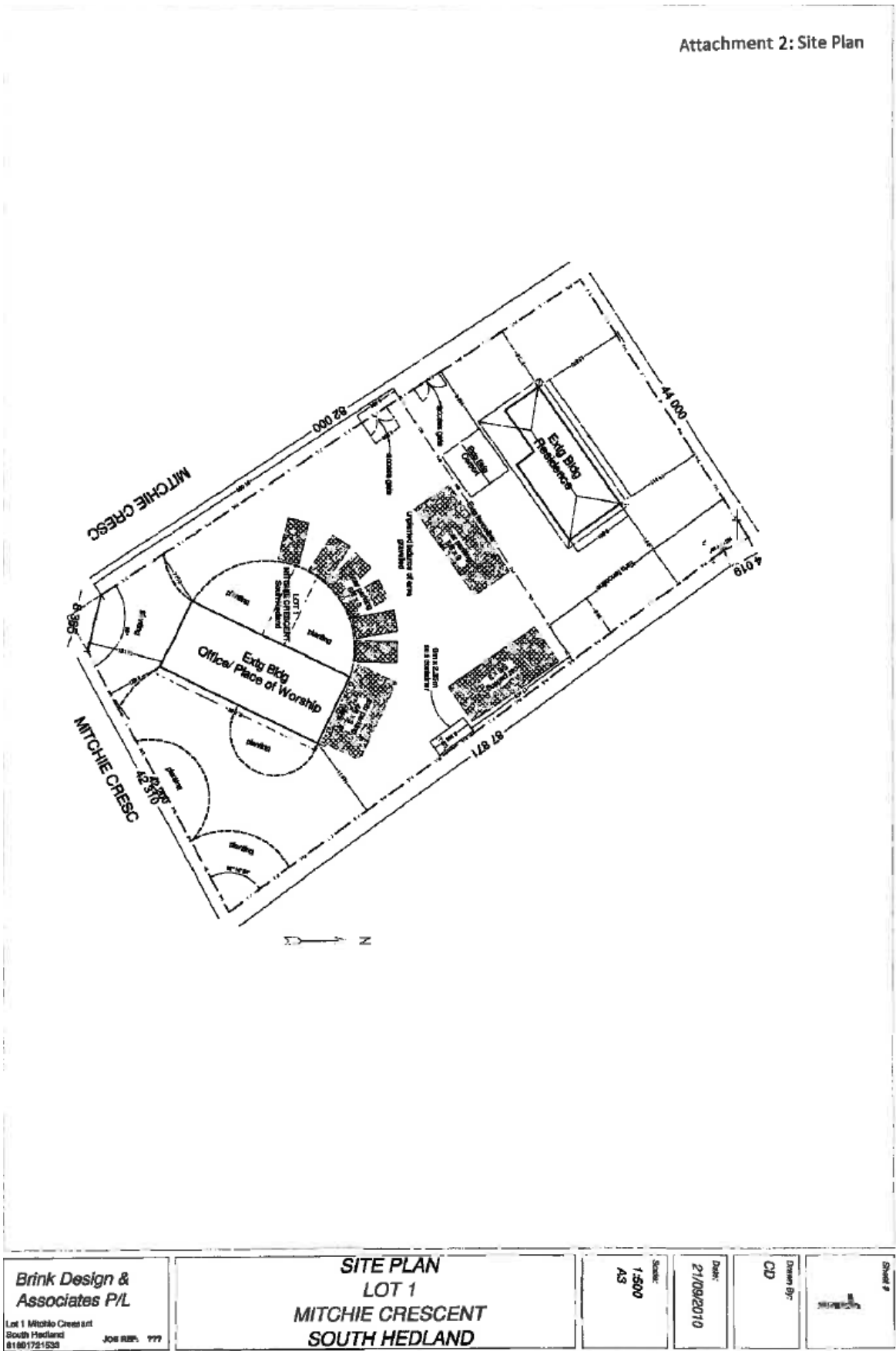
ATTACHMENT 1 TO AGENDA ITEM 11.1.1.1

Attachment 1 – Locality Map



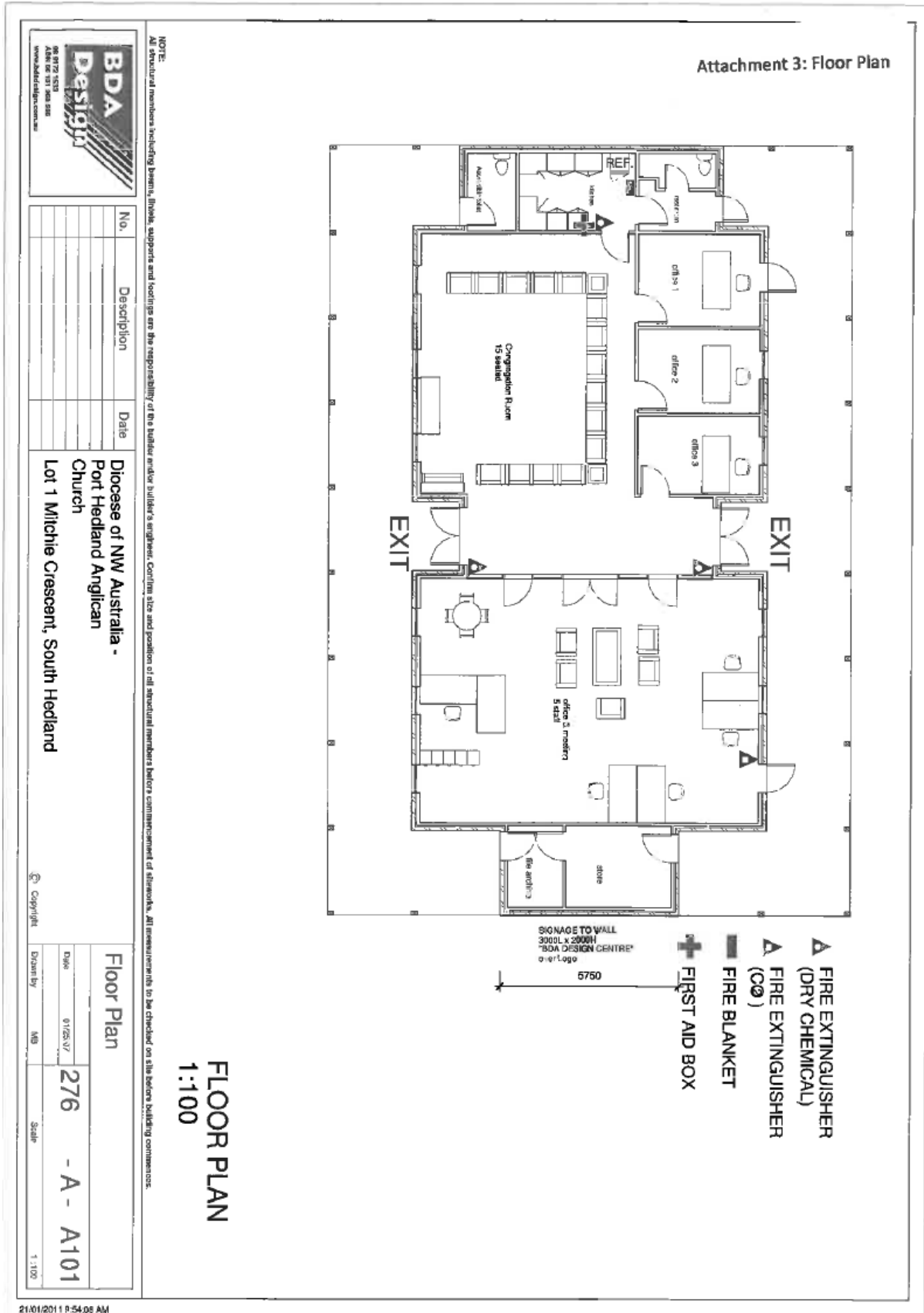
ATTACHMENT 2 TO AGENDA ITEM 11.1.1.1

Attachment 2: Site Plan



<p>Brink Design & Associates P/L Lot 1 Mitchie Crescent South Hedland 81001721534 JOB REF. 777</p>	<p>SITE PLAN LOT 1 MITCHIE CRESCENT SOUTH HEDLAND</p>	<p>Scale: 1:500 AS</p>	<p>Date: 21/09/2010</p>	<p>Drawn By: CD</p>	<p>Sheet #</p>
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ATTACHMENT 3 TO AGENDA ITEM 11.1.1.1



*ATTACHMENT 4 TO AGENDA ITEM 11.1.1.1***PLANNING AND DEVELOPMENT ACT 2005****TOWN OF PORT HEDLAND****TOWN PLANNING SCHEME NO. 5****AMENDMENT NO. 13**

The Town of Port Hedland under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

1. Deleting the definition for "Home Occupation" from Appendix 1 of the TPS 5;
2. Deleting the use class "Home Occupation" from the TPS 5 zoning table;
3. Inserting the following definitions into Appendix 1 of the TPS 5:
 - Home Business** means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling that:
 - (a) employs a maximum of 2 people that are not members of the occupier's household;
 - (b) will not cause injury to or adversely affect the neighbourhood amenity;
 - (c) does not occupy an area greater than 50 square metres or 50% of the dwelling area, whichever is the greater;
 - (d) does not display a sign exceeding 0.2 square metres on land zoned residential;
 - (e) does not involve the retail sale, display or hire of goods of any nature;
 - (f) does not result in traffic difficulties caused by the inadequate provision of parking facilities, or a significant increase in traffic volumes in the neighbourhood;
 - (g) does not involve the presence, use or calling of a vehicle greater than 3.5 tonnes tare weight; and
 - (h) does not involve the use of an essential service of greater capacity than normally required in the zone.

Home Office means a business, service or profession carried out in a dwelling that does not:

- (a) cause injury to, or adversely affect, the neighbourhood amenity;
- (b) occupy an area greater than 30m²;
- (c) operate after 10 pm or before 6 am on any normal weekday;
- (d) operate on weekends or public holidays;
- (e) involve the delivery of any goods or materials on weekends or public holidays or between the hours of 7 pm and 6 am;
- (f) entail greater than one delivery of goods or materials per day, or three deliveries within any seven day period;

Attachment 4: Scheme Amendment No. 13

- (g) cause the emission of light, noise, odour, electrical interference, vibration, smoke, water or other waste products;
- (h) entail clients or customers travelling to and from the lot;
- (i) involve the cleaning, repair or maintenance of any vehicle at the premises;
- (j) require the regular storage of more than one commercial vehicle at the premises provided it is stored behind the building setback line;
- (k) involve the use of any vehicle with a tare weight of greater than 1.5 tonnes;
- (l) involve any advertising signs on the premises;
- (m) require any external change to the appearance of the building; or
- (n) employ any person who is not a member of the occupier's household.

Mobile Business means a business, service or profession where:

- (a) all work is conducted at the client's home or business premises;
- (b) storage of materials (including tools but excluding vehicles) is limited to no more than 30m²;
- (c) any associated office space at the premises is limited to a maximum of 20m²;
- (d) the business does not cause injury to, or adversely affect, the neighbourhood amenity;
- (e) no commercial vehicle is taken to or from the lot between the hours of 10:00 pm and 6:00 am on normal weekdays;
- (f) no commercial vehicle is taken to or from the lot on a weekend or public holiday;
- (g) no goods or materials are delivered to the lot on any weekend or public holiday;
- (h) no more than one delivery of goods or materials are delivered to the lot on any day, and no more than three deliveries within any seven day period;
- (i) the occupation will not result in the emission of light, noise, odour, electrical interference, vibration, smoke, water or other waste products;
- (j) no client or customer will travel to or from the lot;
- (k) no motor vehicle is cleaned, repaired or maintained at the premises;
- (l) no more than one vehicle is regularly stored on the premises providing it is stored behind the building setback line;
- (m) no vehicle used in conjunction with the mobile business has a tare weight of greater than 1.5 tonnes;
- (n) no advertising is erected on the premises;
- (o) no person is employed that is not a member of the household;
- (p) no external changes are required to any building.

4. Inserting the following use classes in the TPS 5 zoning table:

Attachment 4: Scheme Amendment No. 13

	Residential	Urban Development	Transient Accommodation Workforce Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
Home Business	AA	AA	AA	AA	~	AA	-	-	-	-	AA	AA	~	~	~
Home Office	P	P	P	P	~	P	~	~	~	-	P	P	~	~	~
Mobile Business	P	P	P	P	~	P	-	-	-	~	P	P	~	~	~

5. Amend the zoning table to change the use class "Office" to an "~" use in a Residential zone;

6. Inserting the following clause into TPS 5 section 4.1.3:

"4.1.3 Unless otherwise referred to the planning approval of Council is not required for the following development of land: ...
 (k) The operation of a mobile business or home office from a residence, in a zone in which it is a use that is a permitted (P) use, except as otherwise required by the Scheme.";

Attachment 4: Scheme Amendment No. 13

ADOPTION

Adopted by resolution of the Council of the Town of Port Hedland at the Meeting of the Council held on the 23rd day of June 2010


.....
MAYOR


.....
ACTING CHIEF EXECUTIVE OFFICER

Attachment 4: Scheme Amendment No. 13

FINAL APPROVAL

Adopted for final approval by resolution of the Town of Port Hedland at the Meeting of the Council held on the 23rd day of June 2010 and the Common Seal of the Town of Port Hedland was hereunto affixed by the authority of a resolution of the Council in the presence of:



Kelly Barrett
.....
MAYOR

.....
ACTING CHIEF EXECUTIVE OFFICER

Recommended / Submitted for Final Approval

Delegated under S16 of the Planning and Development Act 2005

.....
For CHAIRPERSON OF WESTERN AUSTRALIAN PLANNING COMMISSION

DATE

Final Approval Granted

.....
MINISTER FOR PLANNING

DATE

11.1.1.2 Proposed Change to Management Order to include Backpackers Accommodation and Staff Accommodation at Lot 1483 Reserve 26069 – McGregor Street, Port Hedland (Gratwick Aquatic Centre)

Officer Caris Vuckovic
Lands Officer

Date of Report 17 March 2011

Application No. N/A

Disclosure of Interest by Officer Nil

Summary

This report seeks to amend the existing management order of Reserve 26069 for public recreation to include backpackers accommodation, staff accommodation and ancillary uses with the ability to sub-lease.

The change to management order is sought to facilitate accommodation for much needed backpacker's and staff accommodation.

Background

There is a continual demand from backpackers for the Town to provide affordable accommodation facilities in Port Hedland.

Reserve 26069, being Lot 1483 McGregor Street in Port Hedland, has been identified as being suitable for this use. It is proposed that Council seek to develop a backpacker's and staff accommodation adjacent to the Gratwick Aquatic Centre contained within this Reserve.

Current Zoning

In terms of the Port Hedland Town Planning Scheme No. 5, the subject Reserve is identified for "Community".

Current Land Use

The land is Crown Land vested to the Town of Port Hedland for public recreation purposes. The land includes the Town of Port Hedland Civic Centre, Town of Port Hedland Civic Centre Gardens and the Gratwick Aquatic Centre.

Proposal

Amend the management order of the reserve (public recreation) to include backpacker's and staff accommodation with the powers to sub lease.

Consultation

Nil.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

The following sections of Council's Plan for the Future 2008-2013 are considered relevant to the proposal:

Key Result Area 1 – Infrastructure

Goal Number 4 – Land Development Projects

Strategy 1 – Fast-track the release and development of commercial, industrial and residential land in a sustainable manner.

Budget Implications

Nil

Officer's Comment

The Councils consent to amend the management order is required prior to the Department of Regional Development and Land (RDL) being able to process the requested.

Should RDL consent to the proposed amendment it will enable Council to investigate the potential of further developing the reserve for backpackers and staff accommodation.

Desirability

The reserve is currently developed with the Gratwick Aquatic centre and has the potential to be better utilised. The further development of the reserve for backpackers and staff accommodation would potentially lead to better utilisation of the swimming pool facility, while at the same time having the ability to contribute to the ongoing maintenance of the centre through the income generated from the backpackers accommodation.

Such a development would offer passive surveillance over the aquatic centre as well as the civic centre and civic gardens, which currently does not exist. It also provides Council the opportunity to develop additional staff accommodation.

Potential Development

Should the request for the change in the management order be granted, any development must take into consideration the main purpose of the reserve being "Recreation".

With the correct design of a development it would ensure that there is synergy between the users of the aquatic centre and the occupants of the development.

Options

Council has the following options for dealing with the proposal:

1. Support the proposed change of vesting as reported.

Supporting this proposal will result in the potential development of much needed backpacker and staff accommodation in the town.

2. Refuse the proposed change of vesting and retain it exclusively for public recreation purposes.

Should Council choose not to support the proposal, the reserve will remain as is.

It is recommended that Council support the proposal to change the vesting of Reserve 26069, currently "public recreation", to include "backpacker and staff accommodation"

Attachments

Locality Plan

201011/288 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

1. requests the Department of Regional Lands and Development amend the management order of Reserve 26069 from 'public recreation' to 'public recreation and short stay accommodation' or other appropriate purpose with the intent of providing accommodation facilities for backpackers and tourists visiting the Town; and

2. delegates authority to the Director Planning & Development Services to prepare/undertake any actions necessary to facilitate 1. Above.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.2



- 6:06pm Councillors A A Carter and M Dziombak declared a Financial Interest in Agenda Item 11.1.1.3 "Additional One Single Bedroom Unit for Approved Mixed Use Development on Lot 675 Dowding Way, Pretty Pool " as they are BHP Billiton shareholders.
- 6:06pm Councillors S J Coates declared a Financial Interest in Agenda Item 11.1.1.3 "Additional One Single Bedroom Unit for Approved Mixed Use Development on Lot 675 Dowding Way, Pretty Pool " as he is a BHP Billiton Iron Ore employee and shareholder.
- 6:06pm Mayor advised that Council has received exemption from the Minister of Local Government office to consider Agenda Item 11.1.1.3 "Additional One Single Bedroom Unit for Approved Mixed Use Development on Lot 675 Dowding Way, Pretty Pool "with a reduced quorum.

11.1.1.3 Additional One Single Bedroom Unit for Approved Mixed Use Development on Lot 675 Dowding Way, Pretty Pool (File No: 804280G)

Officer	Ryan Djanegara Planning Officer
Date of Report	21 March 2011
Application No.	2011/13
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from Jones Coulter Young Architects on behalf of BHP Billiton Minerals Pty Ltd, Mitsui-Itochu Iron Pty Ltd, Itochu Minerals & Energy of Australia Pty Ltd, to construct an additional one single bedroom unit to be incorporated in an already Council approved development, being a mixed Use Development at Lot 675 Dowding Way, Pretty Pool.

The previous approval was granted by Council in October 2010.

The report is referred to Council for determination as the development is deemed a "Use not listed". A use for which the Director Planning and Development Services does not have delegation to consider.

The proposal is supported by the Planning Unit.

Background

Site Description

The lot is irregular in shape and covers an area of 5519m². The lot has three road frontages being Counihan Crescent, Dowding Way and Jarpull Lane. The lot is currently vacant and is identified as part Residential R60/80 and part Town Centre under the Pretty Pool Development Plan.

Previous Approvals

On the 13th October 2010, Council at its Ordinary Meeting resolved to approve the development of a commercial tenancy and 44 multiple dwellings subject to conditions.

Proposal

The applicant is proposing a single bedroom unit in addition to the approved 44 units and 210m² commercial tenancy. The previous approval incorporated communal open space facilities, a central landscaped garden with a covered outdoor area and BBQ facilities. The additional unit will be located on the ground floor of Building 9. The built form characteristic of the development, including building heights, street set-backs, open space, building appearance, outdoor living areas, etc will remain unchanged.

96 car parking bays are proposed to be provided for the development with 72 being provided on site (68 Car Parking bays are required in accordance to the Residential Design Code 2010 for the residential component of the development) and 24 on street bays (20 bays are required for the commercial component of the development)

Town Planning Scheme No. 5

In terms of the Port Hedland Town Planning Scheme No. 5, the land is identified as Town Centre and Residential R60/R80 under the Pretty Pool Development Plan.

The Town of Port Hedland Town Planning Scheme No. 5, does not make provision for "Mixed Use Developments", so the development needs to be considered as a "Use Not Listed".

The application has been assessed in accordance with both the new Residential Design Codes and the Port Hedland Town Planning Scheme No. 5, and the assessment is further discussed under the officer's comments.

Consultation

Consultation has occurred internally and also with JCY Architects (also the applicant firm) who act on behalf of Landcorp to ensure compliance with the Pretty Pool Design Guidelines.

In addition, the application was advertised on site and notices sent to adjoining landowners. No objections have been raised.

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development is subject to the provisions of the Port Hedland Town Planning Scheme No. 5 and subsequently the new Residential Design Codes of Western Australia (R Codes).

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 4 – Economic Development
Goal Number 5 – Town Planning and Building
Strategy 1 – Work with key stakeholders to ensure that the Land Use Master Plan is implemented.

Budget Implications

An application fee of \$522.00 was received in accordance with Council's adopted Town Planning Fees and Charges.

Officer's Comment

Residential Component

The additional one single bedroom dwelling is located at ground floor of Building 9 with two bedroom dwellings at 1st and 2nd floor level above. Building 9 in the approved design had a 2 storey element located on the internal side whilst providing 3 storey presentations to Counihan Crescent. The 2 storey element subsequently becomes a 3-storey (ATTACHMENT 4).

The additional one single bedroom unit with a plot ratio area of 65m² fits within the maximum plot ratio permitted for the site. The residential component is consistent with the provision of the R Codes (including Local Planning Policy 11 – Regional R Code Variations) and TPS5.

Car parking Requirements

In accordance with Appendix 7 of the Port Hedland Town Planning Scheme, the applicant would be required to provide 20 bays for the café/restaurant. According to clause 7.3.3 of the R-Codes the proposal is required to provide a minimum of 56 parking bays on-site for residents and 12 bays for visitors.

Council's Draft Local Planning Policy 12 – Reciprocal Car Parking & Cash in Lieu of Car Parking, initiated by Council at its Ordinary Meeting on 9th February 2011, allows for car parking requirements to be waived in light of potential reciprocal uses on-site or with neighbouring properties, and/or cash-in-lieu alternatives.

The applicant has requested a variation to the parking requirements by utilising reciprocal uses between the visitors for the residential component and providing 24 car parking bays within the Road Reserve.

Reciprocal Car parking uses

In accordance with the draft parking policy, 100% reciprocal car parking uses can be supported between the visitor's bays and the café/restaurant component in a mixed use development. In light of the policy the applicant is therefore required to provide 77 car parking bays on-site.

Utilising the Road Reserve

The applicant has requested to use the Dowding Way and Counihan Crescent Road reserve to provide additional parking to support the proposed development. This is consistent with the previous application that was approved by Council at its Ordinary Meeting on the 13th October 2010.

Bicycle Parking

The applicant has not provided any bicycle parking areas on the proposed plans. It is recommended that a condition be imposed requiring that a minimum of 20 bicycle bays be provided in accordance with the Clause 7.3.3 A3.2 of the R-Codes.

Options

Council has the following options of dealing with the application:

1. Approve the application subject to conditions.

Should Council seek to approve the additional one unit bedroom, the proposed development better address the streetscape by providing a uniform street frontage along Counihan Crescent.

2. Refuse the application.

Should Council seek to refuse the application, the development will continue to be developed as approved at Council's Ordinary Meeting on the 13th October 2010 .

Given that the application is seeking to have an additional unit to a previously approved application, it is recommended that Council approve the application subject to conditions.

Attachments

1. Locality Plan
2. Site and floor plans
3. Elevations
4. Differences between the applications

201011/289 Officer's Recommendation/Council Decision**Moved:** Cr D W Hooper**Seconded:** Cr S R Martin

That Council approves the application submitted by Jones Coulter Young Architects on behalf of BHP Billiton Minerals Pty Ltd, Mitsui-Itochu Iron Pty Ltd, Itochu Minerals & Energy of Australia Pty Ltd, to add one single bedroom unit to the approved Development Plan on Lot 675 Dowding Way, Pretty Pool, subject to the following conditions:

1. This approval relates only to an additional ONE SINGLE BED ROOM UNIT to the approved MIXED USE DEVELOPMENT incorporating 210m² of commercial space (Restaurant) and 44 multiple dwellings and other incidental development, as shown on the approved plans. It does not relate to any other development on this lot.
2. This approval to remain valid for a period of twenty four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
3. Any change to the approved café/restaurant uses will be subject to further planning approval.
4. A minimum of 72 parking bays are to be provided on-site to the satisfaction of Council's Manager Planning.
5. A minimum of 20 Bicycle parking bays are to be provided in accordance with clause 7.3.3 A3.1 of the Residential Design Codes 2010, and designed in accordance with AS 2890.3.
6. All storage / service areas shall be suitably screened and access doors / gates closed other than when in use, to the satisfaction of Councils Manager Planning.
7. Provision must be made for clothes drying within the dwellings or in a secure, visually screened area, to the satisfaction of Councils Manager Planning.
8. Lighting shall be installed along all driveways, car parking and pedestrian ways to the specifications of Council's Manager Infrastructure Development and to the satisfaction of Council's Manager Planning.

9. Any roof mounted or freestanding plant or equipment, such as air conditioning units, to be located and / or screened so as not to be visible from beyond the boundaries of the development site, to the satisfaction of Councils Manager Planning.
10. Stormwater disposal is to be contained onsite and designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of Councils Manager Planning.
11. Any alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of the Town of Port Hedland's Engineering Services Department at the developer's expense.
12. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Councils Manager Planning.
13. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
14. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the specification of Councils Manager Environmental Health Services and to the satisfaction of Councils Manager Planning.
15. The submission of a construction management plan at the submission of a Building License application stage for the proposal detailing how it is proposed to manage:
 - a) **The delivery of material and equipment to the site;**
 - b) **The storage of material and equipment on the site;**
 - c) **The parking arrangements for the contractors and subcontractors;**
 - d) **Impact on traffic movement;**
 - e) **Operation times including delivery of material;**
 - f) **Other matter likely to impact on the surrounding uses;**
 - g) **Building waste management control;**
 - h) **Point of contact of personnel for control of enquiries and any complaints; and**

all to the satisfaction of Councils Manager Planning.

FOOTNOTES:

1. You are reminded that this is a Planning Approval only, and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year average recurrence interval (A.R.I) cycle of flooding could affect any property below the ten (10) meter level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and / or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
3. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 4/0

6:07 Councillors A A Carter, M Dziombak and S J Coates re-entered the room and resumed their chairs.

Mayor K Howlett advised Councillors A A Carter, M Dziombak and S J Coates of Councils decision.

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.3

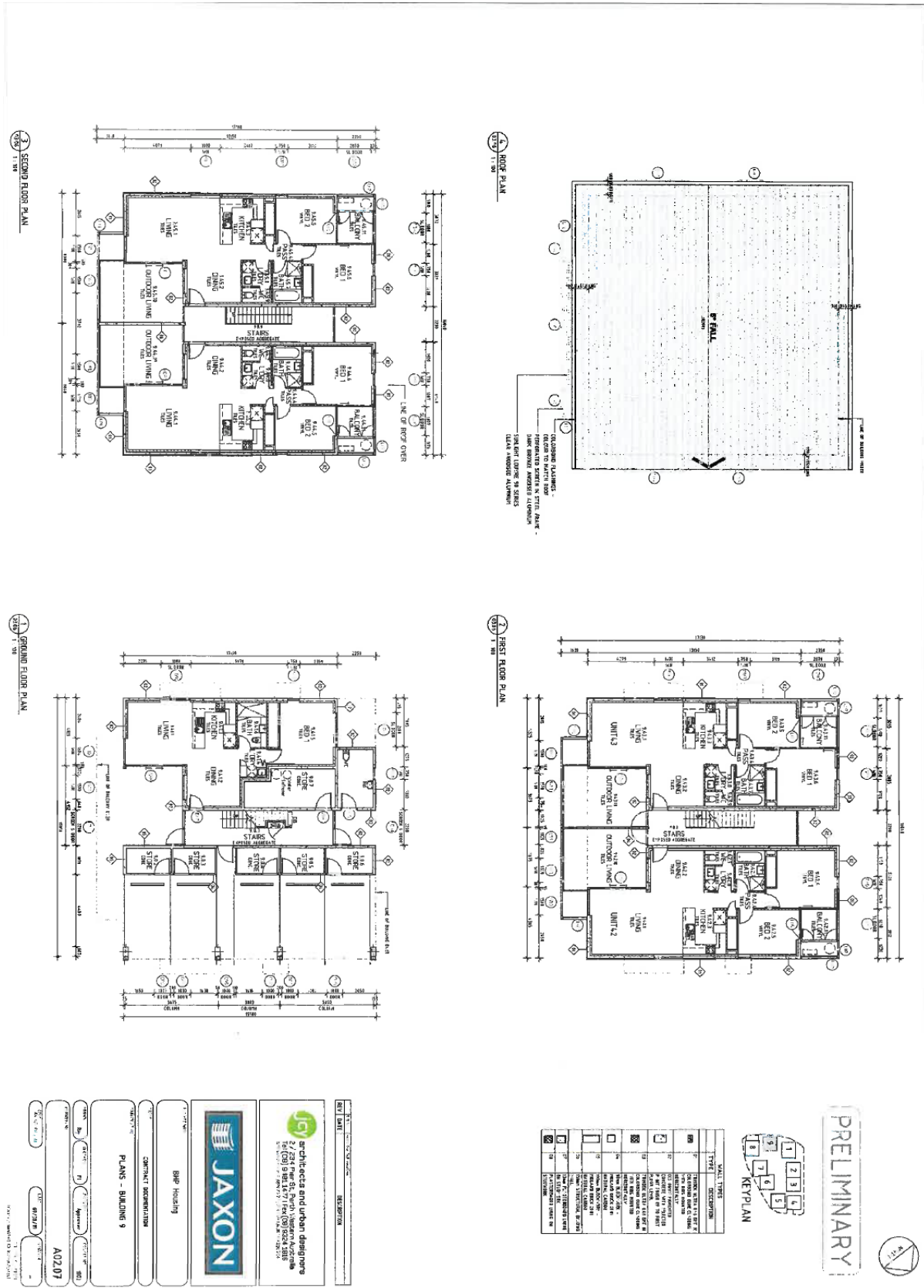


**Locality Plan
Lot 675 Dowding Way, Pretty Pool
PORT HEDLAND**

ATTACHMENT 2 TO AGENDA ITEM 11.1.1.3



ATTACHMENT 3 TO AGENDA ITEM 11.1.1.3



ATTACHMENT 4 TO AGENDA ITEM 11.1.1.3

PRELIMINARY

1 NORTH ELEVATION
1:50

2 SOUTH ELEVATION
1:50

3 EAST ELEVATION
1:50

4 WEST ELEVATION
1:50

REV	DATE	DESCRIPTION

JCY architects and urban designers
77/80 BROADWAY, SUITE 1000
TORONTO, ONTARIO M5E 1B5
TEL: (416) 593-1177 FAX: (416) 593-1180
WWW.JCYARCHITECTS.COM

JAXON

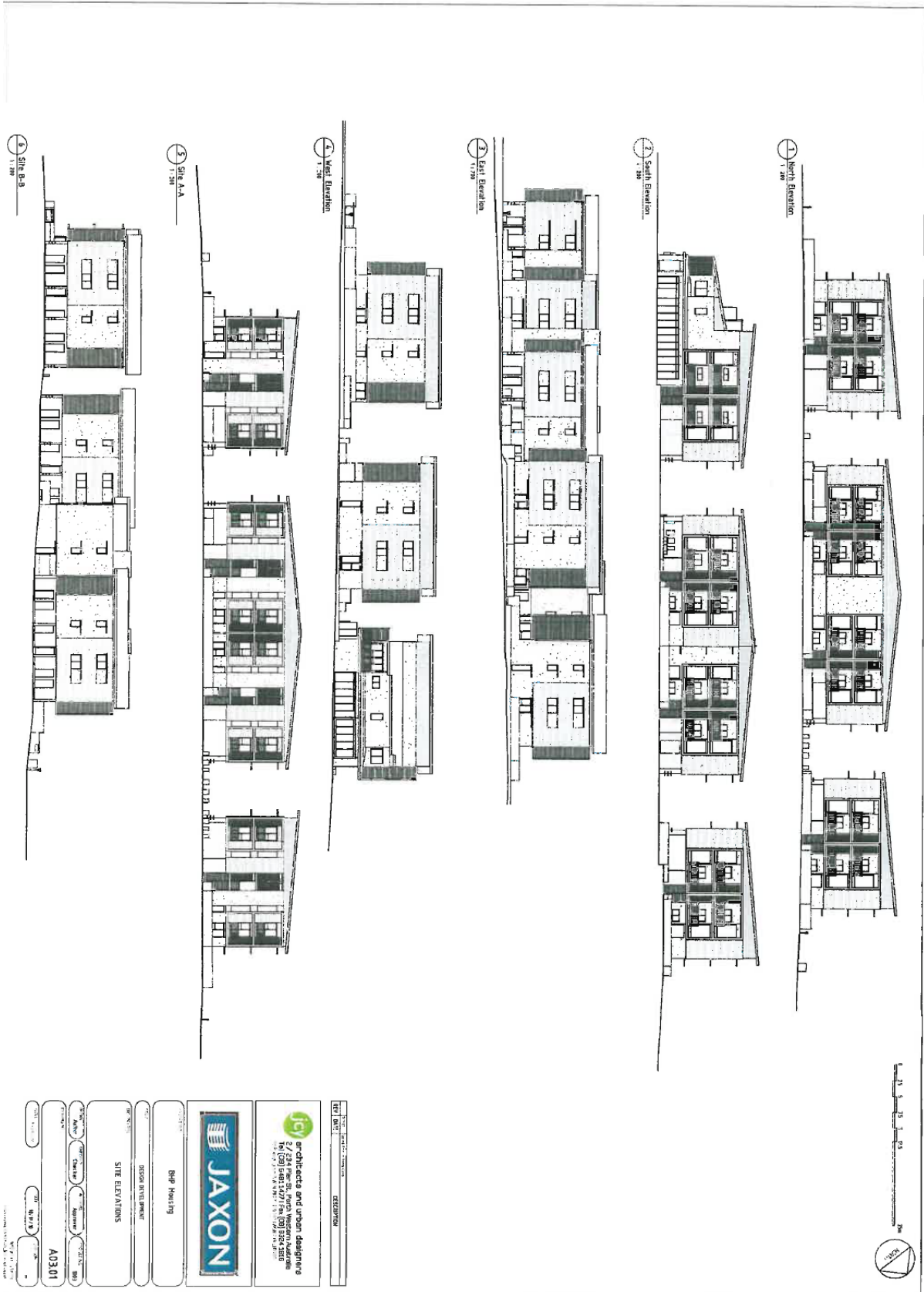
Bill Hooping

ELEVATION - BUILDING 9

Author: []
Checker: []
Designer: []
Project No: A03.06

DATE: []
SCALE: []

ATTACHMENT 5 TO AGENDA ITEM 11.1.1.3



11.1.1.4 Proposed Permanent Partial Closure of Brodie Crescent Road Reserve, South Hedland. (File No.:405770G)

Officer	Caris Vuckovic Lands Officer
Date of Report	11 March 2011
Application No.	2010/279
Disclosure of Interest by Officer	Nil

Summary

Council has received a request from Derek Chalmers, owner 61 Brodie Crescent, to permanently close a portion of the Brodie Crescent Road Reserve, directly adjoining his lot.

The proposed closure will not affect traffic safety or impact on pedestrian or cycle movements.

The proposal is supported by both the Town Engineering and Planning Units.

Background

The applicant wishes to purchase the proposed closed portion of land and amalgamated such with Lot 2388, 61 Brodie Crescent, South Hedland.

The proposed portion to be closed cannot be developed as its own entity due to its area. By amalgamating the portion with Lot 2388 Brodie Crescent, it provides the amalgamated lot with development options.

Consultation

Section 58(3) of the Land Administration Act 1997 states:

“A local government must not resolve to make a request under subsection (1) until a period of 35 days has lapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.”

Statutory advertising period is designed to allow all interested parties, including public service providers, to comment on the proposals prior to Council permanently closing a road reserve.

Statutory Implications

Section 58 of the *Land Administration Act 1997* and regulation 9 of the *Land Administration Regulations 1998*, establishes the procedure for closing a road.

The subsequent sale of the Crown Land is undertaken by State land Services on behalf of the Minister in accordance with Part 6 of the *Land Administration Act 1997*.

The Town of Port Hedland Delegation 40(12) states:

“The Director Regulatory Services may forward Road Closure Applications direct to the Department of Land Administration in the event of:

- i) There being no comment received during the statutory advertising period; and*
- ii) The proposal being of an uncontentious nature”*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

The application fee of \$115.00 has been received in accordance with Council's adopted Town Planning Fees and Charges.

Officer's Comment

The section of Brodie Crescent Road Reserve (approximately 388m²) which is being sought by the applicant is no longer required for road purposes.

The unused road reserve cannot be maintained on a regular basis and is subjected to overgrown vegetation and accumulation of rubbish. Approving the partial road closure will not have a detrimental impact on the function of the road or the pedestrian access way.

Options

Council has the following options for responding to the request:

- 1) Support the request for closure of part of the Brodie Crescent Road Reserve, South Hedland.

The closure of the portion will improve the streetscape by allowing unused land to be incorporated into residential land and developed as such.

- 2) Reject the request for closure of part of the Brodie Crescent Road Reserve, South Hedland.

Should Council not support the closure, the portion of unused road will remain vacant and undevelopable.

It is recommended that Council support the closure of part of the Brodie Crescent Road Reserve.

Attachments

1. Locality Plan
2. Proposed Road Closure Plan

201011/290 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

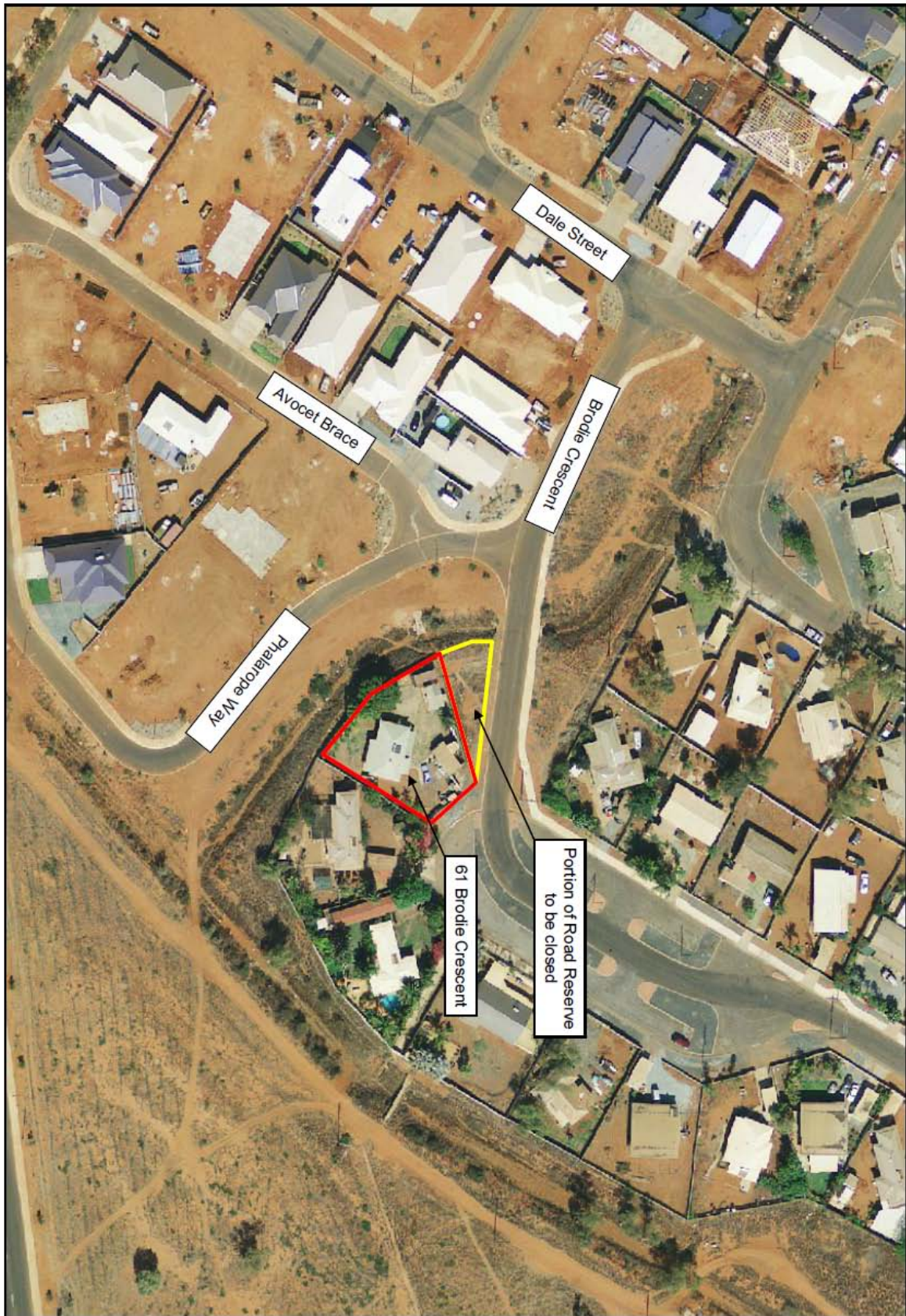
Seconded: Cr J M Gillingham

That Council:

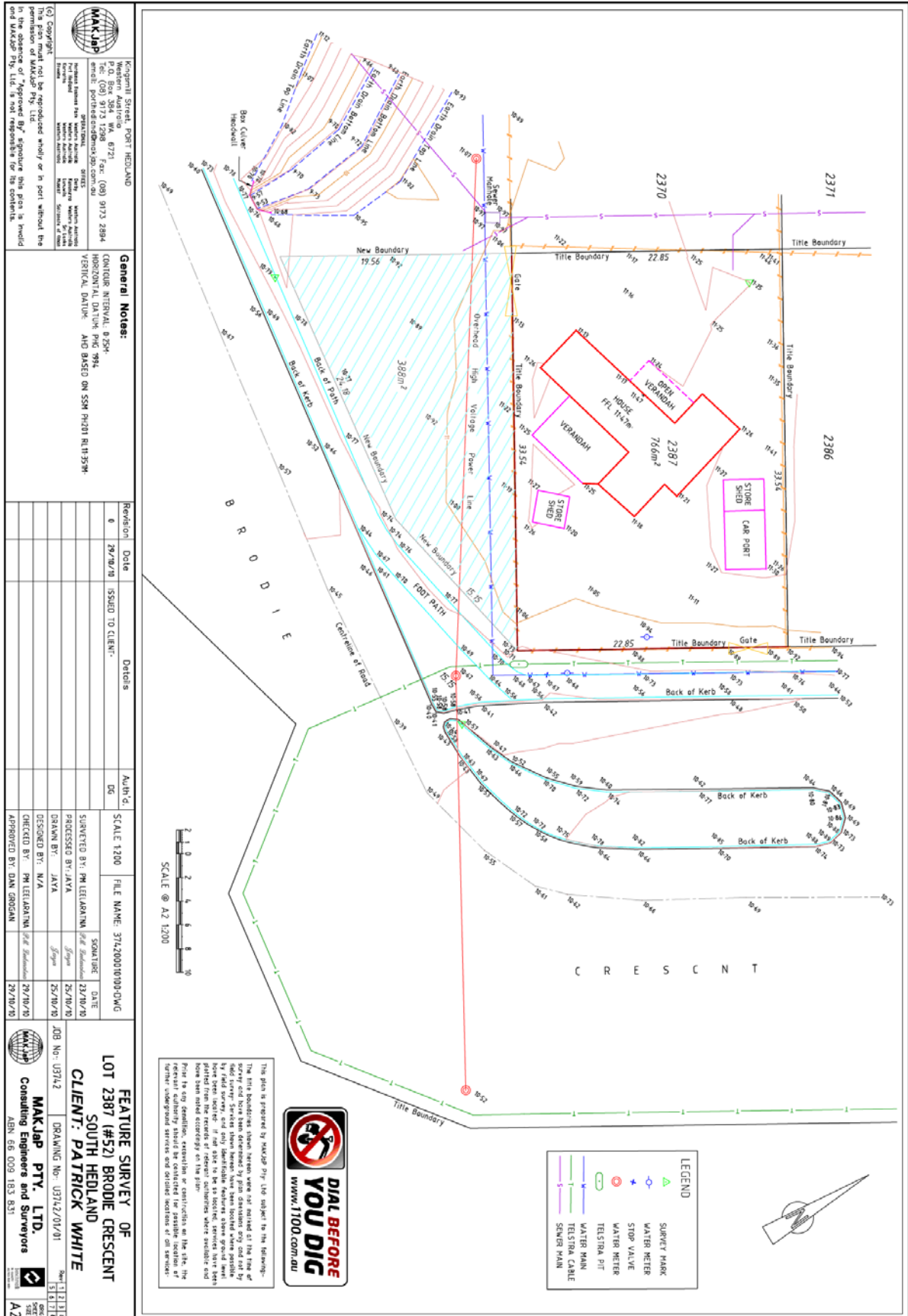
- i. Supports the request from Derek Chalmers to permanently close a portion of Brodie Crescent Road Reserve, South Hedland. Subject to the following conditions:-
 - a. **The proposed Road Closures being advertised for a period of 35 days pursuant to section 58(3) of the *Land Administration Act 1997*,**
 - b. **No objections being received during the advertising period,**
- ii. Delegates the Director Planning & Development Services under Delegation 40(12) to submit the roads closure request to the Department of Regional Development and Lands (State land Services), subject to no adverse submissions being received during the statutory advertising period.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.4



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.4



11.1.1.5 Proposed Permanent Closure of Various Parkland Reserves, South Hedland. (File No.:28/01/0017)

Officer Caris Vuckovic
Lands Officer

Date of Report 23 March 2011

Disclosure of Interest by Officer Nil

Summary

Through the Land Rationalisation Plan a number of reserves that need to be closed have been identified, allowing the reserves to either be amalgamated with adjoining properties or developed.

The report before Council is to implement what has been envisaged by the approved Land Rationlisation Plan.

Background

The purpose of the proposed reserve closures is to excise unused portions of the existing reserves and either develop or amalgamate the closed reserve into adjacent residential lots.

None of the proposed parkland reserve closures will adversely affect the Towns Parks Improvement Program. The closure of the reserves would necessitate a rezoning ensuring that any proposed development will be compatible with the surrounding developments.

The reserves identified for closure are as follows:

Parkland Reserve 37546, Lot 3570 Captains Way, South Hedland
Parkland Reserve 35324, Lot 3509 Kabbarli Loop, South Hedland

Consultation

As part of the Land Rationalisation Plan, comments were sort from the internal departments. Any requirements or concerns raised have been addressed prior to the release of the land.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Nil

Officer's Comment

The reserves have been identified through the Land Rationalisation Plan, as land better suited for development other than for "Parklands" purposes. The development of the closed reserves for residential purposes will begin to address although in a small manner the housing shortage while at the same time adding to the improvement of the streetscape in their locations.

From a planning perspective the closure of the reserves will result in infill development within the existing urban footprint, creating a more compact town and controlling the possibility of urban sprawl.

Options

Council has the following options for responding to the request:

- 1) Support the request for closure of parkland reserves located at Lot 3509 Kabbarli Loop and Lot 3570 Captains Way, South Hedland

The closure of these vacant reserves will result in additional residential properties becoming available to the market and at the same time will enhance the streetscape of the area with new modern residential developments.

- 2) Reject the request for closure of parkland reserves located at Lot 3509 Kabbarli Loop and Lot 3570 Captains Way, South Hedland

Should Council choose not to support the closures, the reserves will remain vacant and undeveloped.

In light of the Land Rationalisation Plan which has been approved by Council, it is recommended that Council support the closure of the parkland reserves 35324 at Lot 3509 Kabbarli Loop and 37546 at Lot 3570 Captains Way, South Hedland.

Attachments

Locality Plans

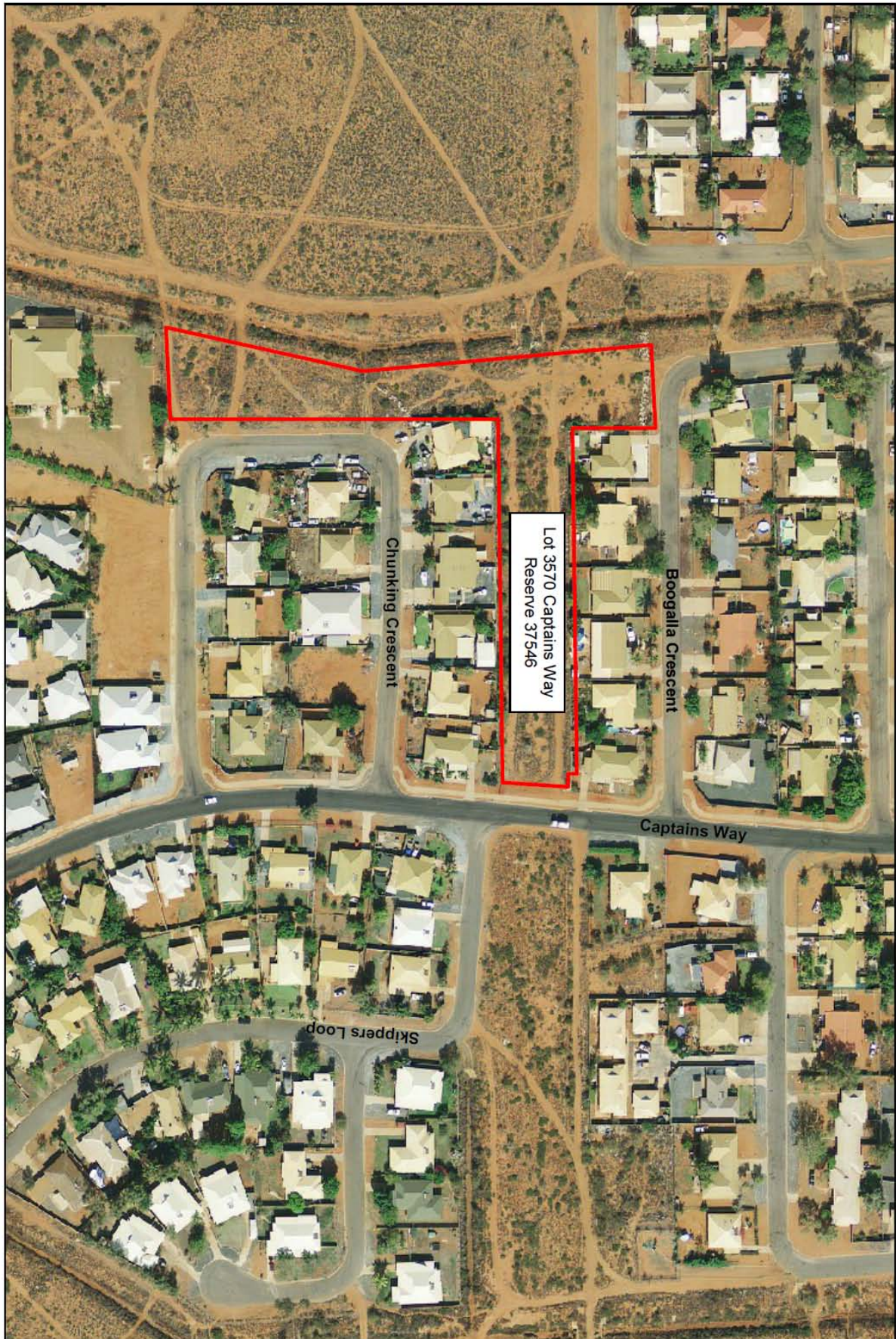
201011/291 Officer's Recommendation/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr D W Hooper

That Council:

1. Notifies Department of Regional Development & Lands that Council has no objection to the cancellation of Reserves 35324 and 37546 "Parklands",
2. The closed reserves are to be rezoned to the satisfaction of Councils Director Planning & Development Services.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.5



11.1.1.6 Proposed Permanent Closure of Athol Street and Dedication of Reserve 30768, Port Hedland. (File No.: 126710G)

Officer	Caris Vuckovic Lands Officer
Date of Report	3/3/2011
Disclosure of Interest by Officer	Nil

Summary

Council has received a request from the RSL Port Hedland Sub-Branch on behalf of Merv Stanton to reserve Merv's Lookout, located across from Lot 1767 Athol Street, Port Hedland.

This report seeks to close a portion of the Athol Street road reserve and amalgamate that closed portion to the adjacent Recreation Reserve 30768 to contain Merv's Lookout.

Background

Merv's Lookout is located opposite Lot 1767, 163 Athol Street, Port Hedland.

Merv Stanton, who arrived in Port Hedland in 1942 at the age of 16 with the Guerrilla Warfare section of the army, planted gum trees in memory of the battalion. There is a viewing seat, plaque and garden developed and tended by Mr Stanton that overlooks the old rifle range within the mud flats.

Merv's Lookout and the old rifle range have been listed in the Town of Port Hedland's Municipal Inventory of Heritage Places as a Category 4 site, being a site without built features, but of some cultural heritage significance to Town of Port Hedland. (ATTACHMENT 2)

Current Zoning

In terms of the Port Hedland Town Planning Scheme No. 5, the adjacent Reserve 30768 is identified for "Parks and Recreation".

Current Land Use

The reserve is owned by the Department for Planning and Infrastructure and vested in the Town of Port Hedland for recreation. The land has not been developed with any recreation infrastructure with exception of the Lookout that Merv Stanton has created (approx 1,054m²).

Proposal

To permanently close a portion of the Athol Street Road Reserve and amalgamate the closed portion into the adjacent Recreation Reserve 30768.

Consultation

Section 58(3) of the *Land Administration Act 1997* states that a local government must not resolve to make a request under subsection (1) until a period of 35 days has lapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.

Statutory advertising period is designed to allow all interested parties, including public service providers, to comment on the proposals prior to Council considering a request to permanently close the road reserves.

Engineering Services have advised that they have no objections to the proposal subject to the following conditions:

1. Minimum 4.5m road verge required to Athol Street frontage (which may be reduced to 4m on application)
2. Any existing infrastructure is to be relocated at the applicant's expense and to the utility provider's requirements

Planning Services have consulted with the Geographic Names Committee (GNC) through Landgate. GNC advised that renaming Reserve 30678 does not comply with Geographic Names Criteria. Therefore they recommend that Council elect to name Mervs Lookout as a 'point of interest' or 'park'.

GNC also advised a full name must be used when naming the point of interest/park.

Statutory Implications

Section 58 of the *Land Administration Act 1997* and regulation 9 of the *Land Administration Regulations 1998*, establishes the procedure for closing a road.

The subsequent sale of the Crown Land is undertaken by State land Services on behalf of the Minister in accordance with Part 6 of the *Land Administration Act 1997*.

The Town of Port Hedland Delegation 40(12) states:

“The Director Regulatory Services may forward Road Closure Applications direct to the Department of Land Administration in the event of:

- i) There being no comment received during the statutory advertising period; and*
- ii) The proposal being of an uncontentious nature.”*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Road Closure:

The application fee of \$115.00 is required in accordance with Council's adopted Town Planning Fees and Charges.

Maintenance Costs:

Councils Parks & Gardens Coordinator has advised that maintenance of the plants and irrigation of the lookout is estimated at \$9,300.00 per annum.

The RSL Port Hedland Sub-branch have indicated that they have elected to be responsible for the maintenance costs. As such it is recommended that should Council support the request that the RSL Port Hedland sub-branch enter into an agreement with the Town which is to be reviewed annually.

Officer's Comment

The proposed portion of road to be closed will be incorporated into adjoining land and amalgamated into the adjoining reserve. The partial road closure will not affect traffic flow or adversely impact on the pedestrian or cycle networks in any way as the land is currently not used for that purpose.

Options

Council has the following options for responding to the request:

1. Support the request for closure of part of the Athol Street Road Reserve and amalgamate that closed portion into Reserve 30768.

Supporting the request will make certain that this point of interest is be properly named and ensure the preservation and ongoing maintenance of the lookout.

2. Refuse the request for closure of part of the Athol Street Road Reserve and amalgamate that closed portion into Reserve 30768.

Refusing the request will result in the lookout becoming unkempt in time.

It is recommended that Council support the closure of part of the Athol Street Road Reserve and amalgamate that closed portion into Reserve 30768.

Attachments

1. Locality Plan
2. Heritage Listing – attached separately

201011/292 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

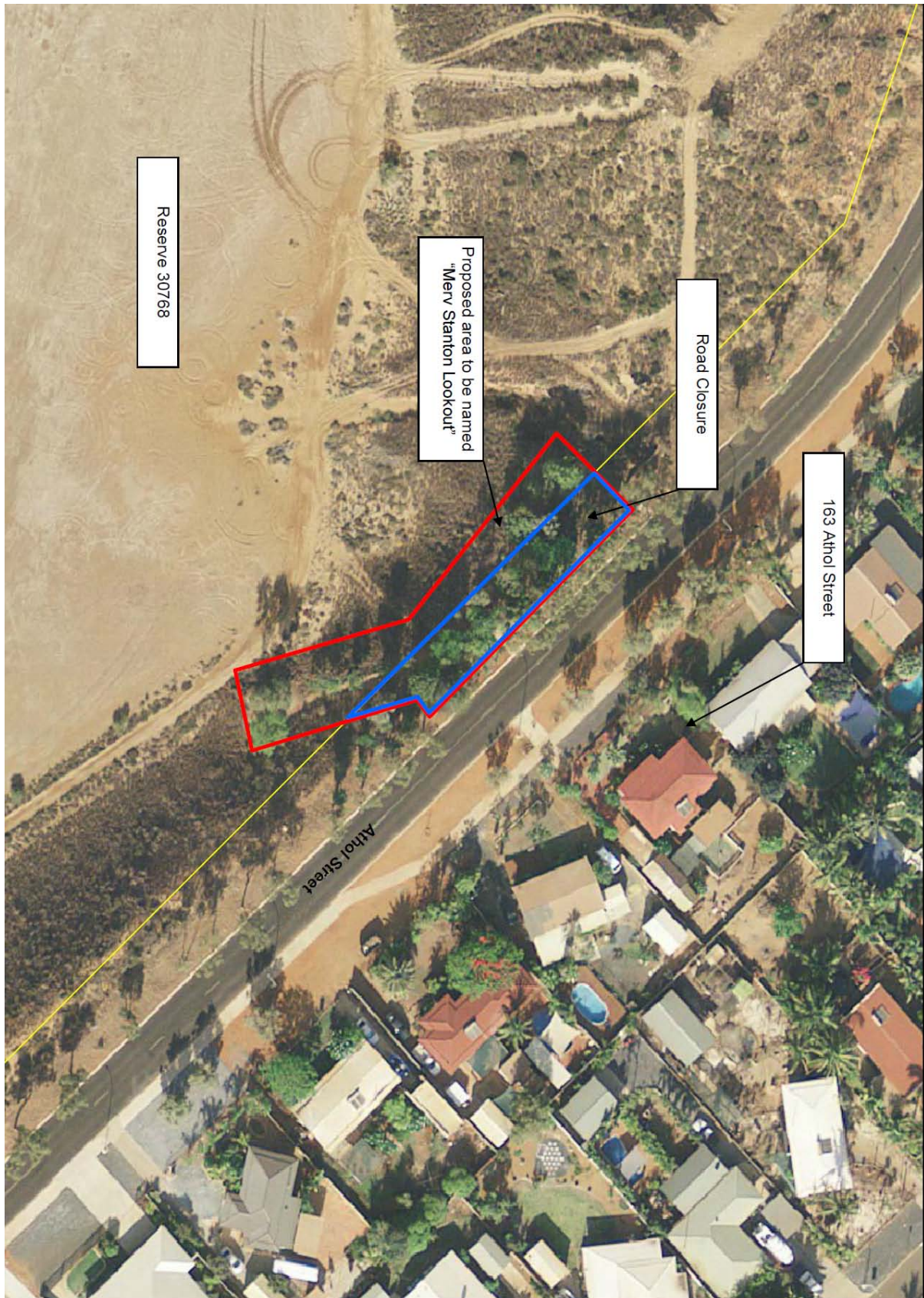
That Council:

1. **supports the permanent closure of a portion of Athol Street Road Reserve, Port Hedland, with the following conditions;-**
 - i. **The proposed Road Closure being advertised for a period of 35 days pursuant to section 58(3) of the Land Administration Act 1997.**
 - ii. **No objections being received during the advertising period**
2. Delegates the Director of Planning and Development Services under Delegation 40(12) to submit the road closure request to the Department of Regional Development and Lands (State Land Services), subject to no adverse submissions being received during the statutory advertising period.
3. notifies the Department of Regional Development and Lands (State Land Services) to amalgamate the closed portion of road into the adjoining Reserve 30768.
4. notifies the applicant the RSL Port Hedland Sub-Branch that any costs associated with the road closure and the amalgamation of land will be at the applicant's cost.

5. notifies Geographic Names Committee (Landgate) to assign the name 'Merv Stanton Lookout' as indicated on attachment 1.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.6



11.1.1.7 Delegated Planning, Building & Environmental Health Approvals and Orders for February 2011 (File No.: 18/07/0002 & 07/02/0003)

Officer **Cassandra Woodruff**
Executive Assistant
Planning & Development

Date of Report 16 March 2011

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of February 2011. A list of current legal actions is also incorporated.

Background

A listing of Planning, Building and Environmental Health approvals and Orders issued by Council's Planning, Building and Environmental Health Services under Delegated Authority for the month of February 2011 are attached to this report. Further to Council's request a listing of current legal actions is also attached to this report.

Consultation Nil.

Statutory Implications

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

Policy Implications Nil.

Strategic Planning Implications Nil.

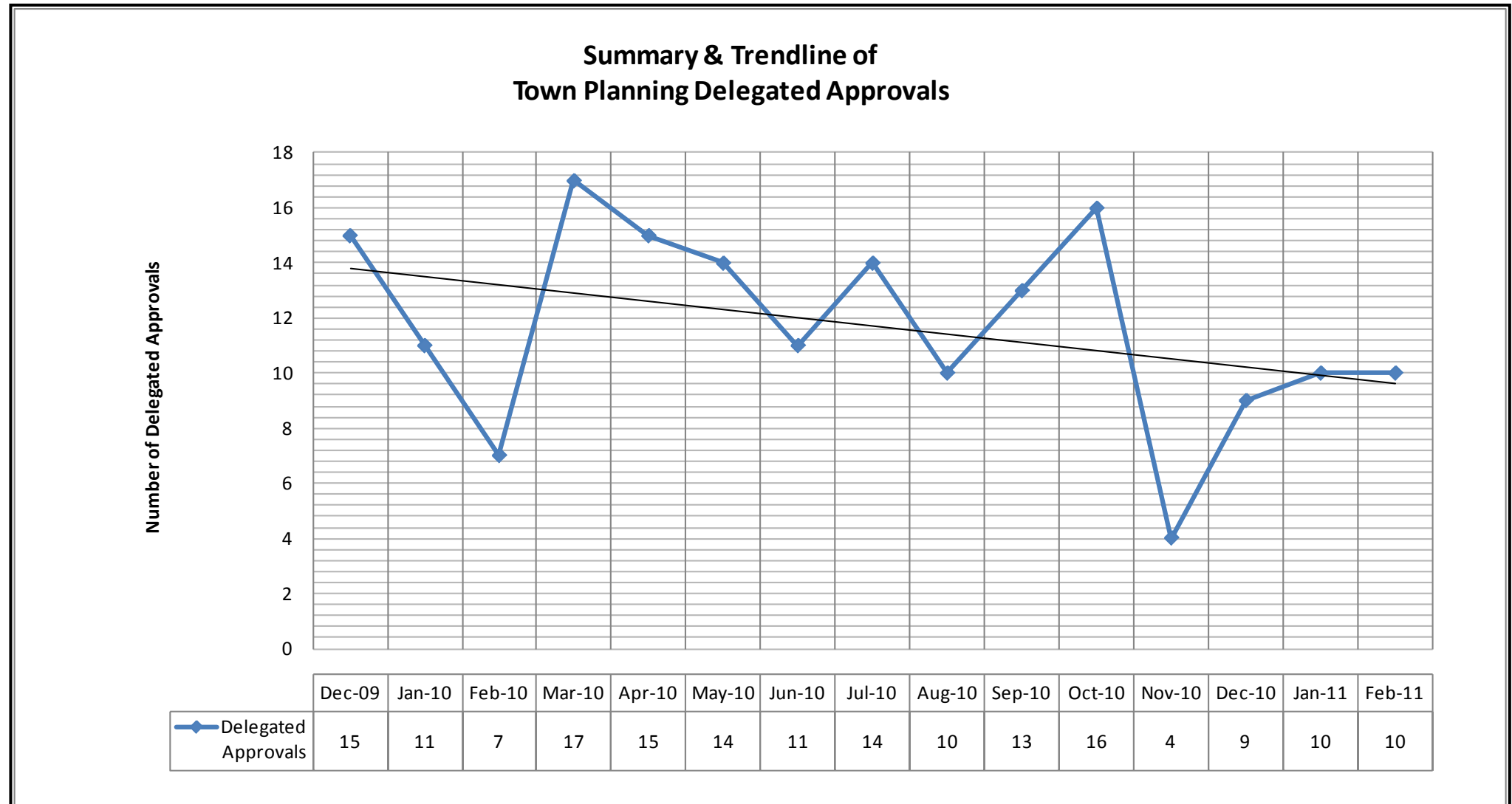
Budget Implications Nil.

Officer's Comment Nil.

DELEGATED PLANNING APPROVALS FOR FEBRUARY 2011

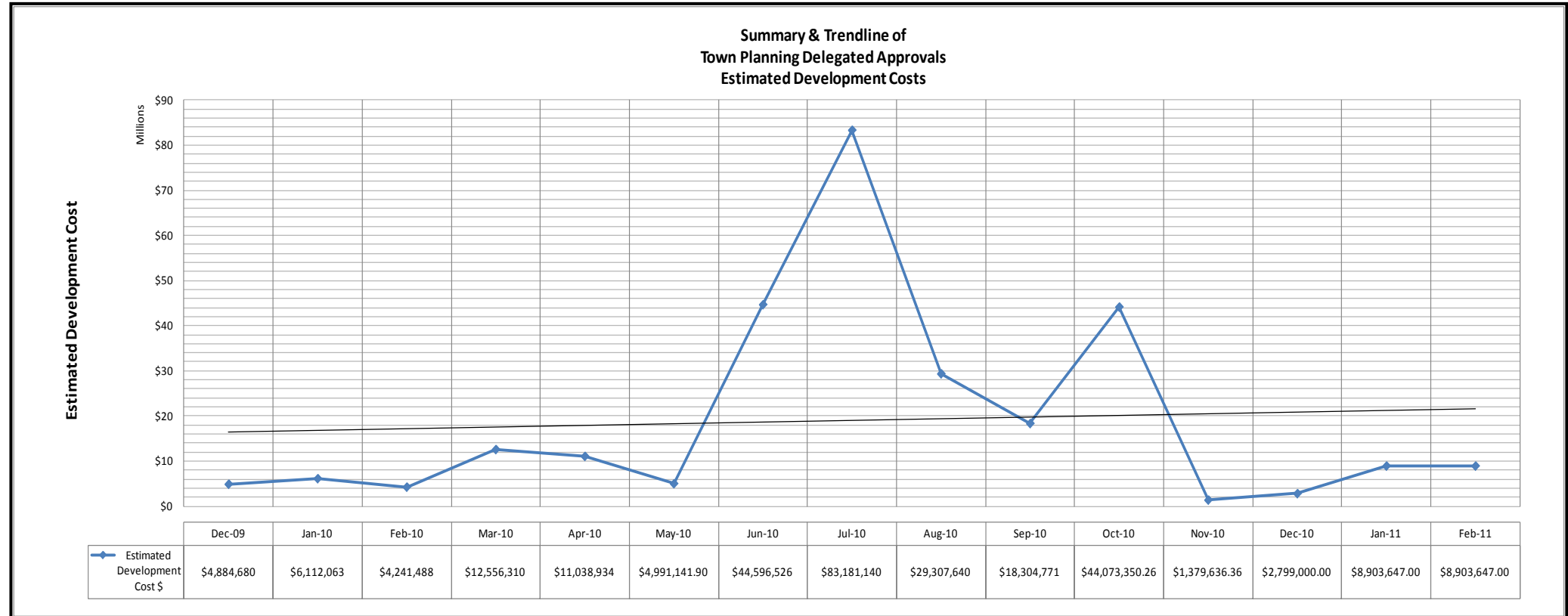
PLANNING APPROVALS - DELEGATED AUTHORITY - JANUARY 2011					
Applic No	Applic date	Date Determined	Description	Locality	Development Value
2010/238	21/08/2010	05/01/2011	MOTOR VEHICLE AND/OR MARINE SALES OR HIRE - Truck Rental and Office	WEDGEFIELD	\$ 815,000.00
2010/248	29/10/2010	10/01/2011	GROUPED DWELLING - 4 DWELLINGS	SOUTH HEDLAND	\$ 1,600,000.00
2010/273	19/11/2010	12/01/2011	MAINTENANCE CENTRE FOR MACHINERY IN MINING INDUSTRY AND CARETAKERS RESIDENCE	WEDGEFIELD	\$ 2,500,000.00
2010/280	22/11/2010	10/01/2011	GROUPED DWELLING - 2 Grouped Dwelling	SOUTH HEDLAND	\$ 800,000.00
2010/289	01/12/2010	11/01/2011	GROUPED DWELLING - 3 Grouped Dwellings	SOUTH HEDLAND	\$ 1,500,000.00
2010/297	08/12/2010	05/01/2011	GROUPED DWELLING - SHED ADDITION	SOUTH HEDLAND	\$ 15,647.00
2010/302	13/12/2010	05/01/2011	GROUPED DWELLING - 2 GROUPED DWELLINGS	SOUTH HEDLAND	\$ 715,000.00
2010/305	15/12/2010	10/01/2011	SINGLE DWELLING - R-CODE VARIATION - PATIO ADDITION	PORT HEDLAND	\$ 30,000.00
2010/306	16/12/2010	05/01/2011	GROUPED DWELLING - 2 GROUPED DWELLINGS	PORT HEDLAND	\$ 928,000.00
2010/307	20/12/2010	05/01/2011	HOME OCCUPATION RESIDENTIAL - CHILDREN AUTHOR	PORT HEDLAND	\$ -

DELEGATED PLANNING APPROVALS FOR FEBRUARY 2011



PLEASE NOTE THE ABOVE STATISTICS FOR 2010 HAVE BEEN UPDATED DUE TO A PLANNING ADMINISTRATION ERROR

DELEGATED PLANNING APPROVALS FOR FEBRUARY 2011



PLEASE NOTE THE ABOVE STATISTICS FOR 2010 HAVE BEEN UPDATED DUE TO A PLANNING ADMINISTRATION ERROR

DELEGATED BUILDING APPROVALS FOR FEBRUARY 2011

BUILDING LICENCES FEBRUARY 2011						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
100167	01.02.2011	SOUTH HEDLAND	Outbuilding	\$ 10,000.00	16	Class 10a
100162	15.02.2011	SOUTH HEDLAND	Shade Structure	\$ 6,500.00		Class 10a
100178	25.02.2011	SOUTH HEDLAND	1 x Garage	\$ 18,250.00	12	Class 10a
100177	25.02.2011	SOUTH HEDLAND	1 x Garage	\$ 18,250.00	12	Class 10a
105037	01.02.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 32,000.00		Class 10b
100169	03.02.2011	SOUTH HEDLAND	Telecommunications Tower & Shelter	\$ 150,000.00	7	Class 10b
100172	16.02.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Carport 1 x Al	\$ 515,912.00	161	Class 1a
100173	16.02.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Carport 1 x Pa	\$ 480,770.00	253	Class 1a
100175	24.02.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Alfresco 1 x C	\$ 478,300.00	181	Class 1a
100176	25.02.2011	SOUTH HEDLAND	Relocation of Existing Dwelling	\$ 100,000.00	105	Class 1a
100170	11.02.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Carport 1 x Al	\$ 424,100.00	161	Class 1a and 10a
100168	02.02.2011	SOUTH HEDLAND	23 x Grouped Dwellings Ancillary Accommodation	\$ 8,600,000.00	1425	Class 1b
100171	14.02.2011	WEDGEFIELD	5 x Factories	\$ 3,498,000.00	2635	Class 7b
100068	25.02.2011	WEDGEFIELD	1 x Undercover Maintenance Area	\$ 120,000.00	271	Class 8
16 Licences				\$ 14,452,082.00		

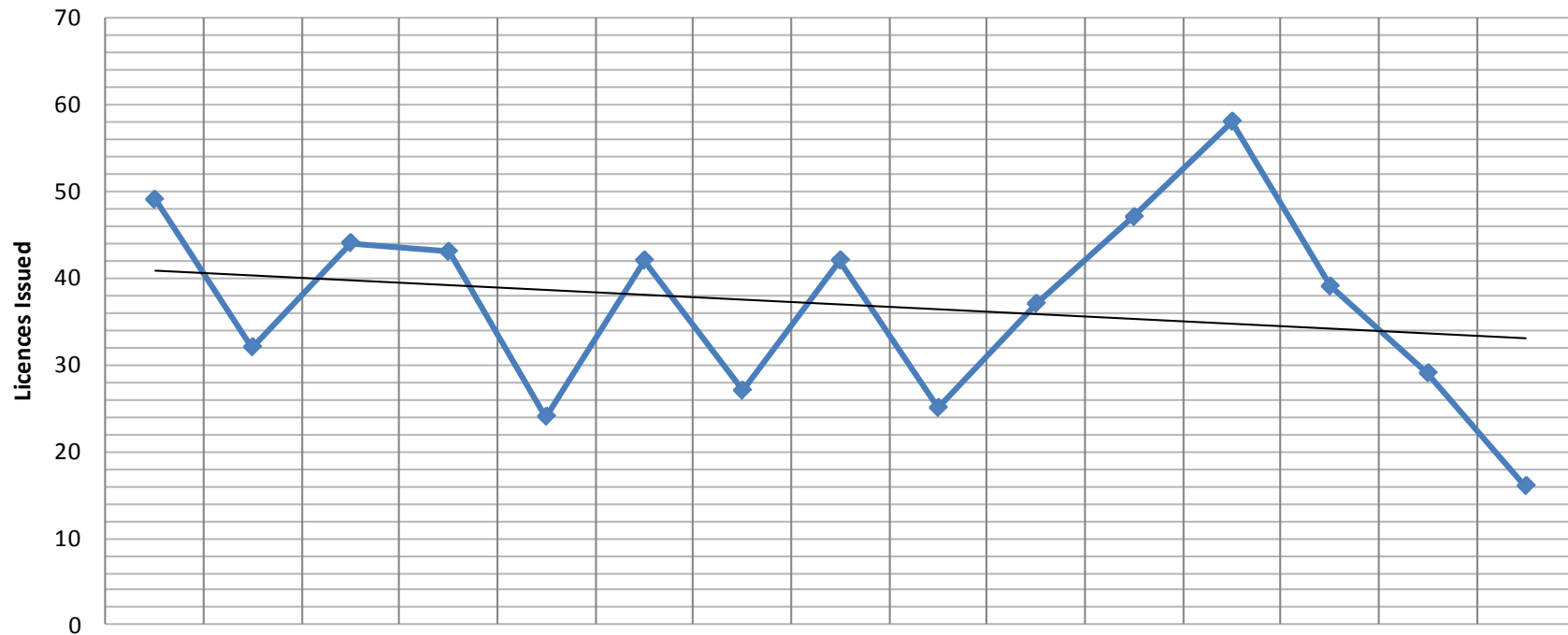
DELEGATED BUILDING APPROVALS FOR FEBRUARY 2011 Cont'd...

SUMMARY				
No of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
2	Demolitions	\$21,200		
5	Dwellings	\$1,999,082	861	\$2,322
4	Class 10a	\$53,000	47	\$1,128
2	Class 10b	\$182,000	7	
3	Commercial	\$3,618,000	4,331	\$835
	Other			
16		\$5,873,282	5,246	

DEMOLITION LICENCES					
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)	Classification
103034	01.02.2011	PORT HEDLAND	Demolition of Patio	1200	Class 10a
103035	21.02.2011	SOUTH HEDLAND	Demolition of Single Dwelling	20000	Class 1a
Total		Demolition Licences Issued		2 \$ 21,200	

DELEGATED BUILDING APPROVALS FOR FEBRUARY 2011 Cont'd...

Summary & Trendline for Building Licence Approvals



	Dec-09	Jan-10	Feb-10	Mar-10	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11
◆ No of Licences Issued	49	32	44	43	24	42	27	42	25	37	47	58	39	29	16

DELEGATED BUILDING APPROVALS FOR FEBRUARY 2011 Cont'd...

**Summary & Trendline of
Estimated Construction Value of Building Licences Issued**



CURRENT LEGAL MATTERS BEING UNDERTAKEN AS AT FEBRUARY 2011

CURRENT LEGAL MATTERS					
File No.	Address	Issue	First Return Date	Current Status	Officer
WEDGEFIELD					
121670G	Lot 3 Trig Street (J Yujnovich)	Non-compliance with planning conditions	~ First return date 21/1/09	~ Trial set down for 13 & 14 September 2010 in Perth. ToPH witnesses to attend. ~ Magistrate has found J Yujnovich guilty sentencing will be in +/- 3 weeks ~ Fine imposed of approx \$20,000 ~ Fine paid in full ~ Matter not resolved - on hold until appointment of Compliance Officer	MP
124590G	Lot 1029 (4) Ridley Street (Carey Gardner Engineering)	Illegal Residential dongas		~ Instruction & Docs sent to Solicitors 4 September 09 ~ With the appointment of of Compliance Officer, the matter will now progress ~ Matter has been listed and will be dealt with on appointment of Compliance Officer	MP
REDBANK					
116770G	Lot 134 Roche Road (Western Desert)	Illegal laydown area - Second Offence		~ Referred to Council Solicitors ~ Notices have been issued ~ Extension granted to February ~ Magistrate has moved matter to be heard in Perth 28th March	MP
SOUTH HEDLAND RURAL ESTATE					
SOUTH HEDLAND					
PORT HEDLAND					
400330G	83 Athol Street (P Oldenhuis)	Health - Asbestos removal	~ First Return date 25/2/09	~ No appearance by Mr Oldenhuis ~ Court hearing date 28/4/09 adjourned until 29/5/09. ~ Plea hearing date 13/7/09 ~ Trial 16/11/09 heard to 7pm. ~ Decision handed down 23/11 - guilty and issued \$250 in fines and \$4250 in costs. ~ Fine registered with FER by Solicitors as not paid by due date. ~ Fine unpaid to date. Warrant of execution issued 19th June 2010, issued under S45 (2) & Part 7 of the Fines, Penalties and Infringement Notices Act 1994 ~ Waiting on report from FER from the South Hedland Magistrates Court	MEH

Attachments

Nil.

201011/293 Officer's Recommendation/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That 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 February 2011 be received.

CARRIED 7/0

11.1.1.8 Equestrian Centre – Bar, Judges Box And Storage Additions On Lot 5213 Great Northern Highway, South Hedland (File No.: 130563B)

Officer	Ryan Djanegara Planning Officer
Date of Report	10 January 2011
Application No	2010/249
Disclosure of Interest by Officer	Nil

Summary

The Town received an application submitted by Drovers Rodeo Equestrian Centre on behalf of the owner being the Town of Port Hedland to construct a Bar, Judges' Box and Storage facilities out of sea containers.

Should the evaluation of the application take into consideration the existing sea container policy, the application cannot be supported. However, the circumstances in this instance are exceptional and with the appropriate conditions could be considered favourable.

The proposal is being referred to Council for determination as the permissibility of Equestrian Centre in the Rural Residential area in the zoning table is classified as "SA". The development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3 of the Town of Port Hedland, Town Planning Scheme no.5

The proposal is supported by the Planning Unit.

Background

Location and Area

The proposed development is located in Lot 5213 Great Northern Highway and measures approximately 95, 571m² (9.571 Ha)

Zoning and Use

In accordance with the Port Hedland Town Planning Scheme No. 5, the subject site is zoned "Rural Residential", equestrian facilities are currently being constructed on the site.

An Equestrian Centre in the Rural Residential zone is classified as “SA” use under the Town Planning Scheme No. 5. An “SA” use is defined as:

“a the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3.”

Previous Approval

Previous approval was granted in January 2007 for the development of Equestrian Centre. The Building Approval was issued on 23 Dec 2008.

The following standard condition was imposed:

“This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.”

The applicant has been unable to comply with the above conditions and has submitted a new application again for an “Equestrian Centre”.

The Proposal

The applicant has included in the current application a proposal to build a Judge Box, Public Bar, Bar and Storage room using sea containers.

It is the applicant intention to iron clad and paint the sea containers to make them aesthetically acceptable and reduce the visual impact of the proposal on the surrounding amenity of the area.

These buildings are part of the facilities for the Equestrian Centre as previously approved.

Consultation

The application has been referred internally and advertised to adjoining properties with no comments / objections being received.

Statutory Implications

The development of the land must be done in accordance with the Town of Port Hedland Town Planning Scheme No. 5

Policy Implications

Town of Port Hedland Shipping and/or Sea Container Policy 11/007

Conflict with Policy

The sea container policy states that:

- Container(s) may only be used for the purpose of storage of approved materials in Rural and Rural Residential areas.
- In Rural and Rural Residential areas a maximum of one (1) container will be permitted per property.

The proposal is seeking to use sea containers as part of the facilities provided for Equestrian Centre, and not solely intended for storage purposes. The proposal seeks to use four sea containers which is contrary to the Council's Sea Container Policy.

Planning Unit Comments:

Shipping and/or Sea Container Policy 11/007

The Town's Shipping and/or Sea Container Policy 11/007 permits only 1 sea container on a rural residential lot. The applicant is proposing to construct a Bar, Judges' Box and Storage addition by using 4 Sea Containers.

The applicant has justified using the sea containers due to financial reasons. In order to lessen the visual impact of the sea containers the applicant has indicated a willingness to clad and paint the exterior to reduce its visual impact and be more visually appealing.

Notwithstanding that the proposal does not comply with the Council's policy it is recommended that the proposal be supported, and that the sea containers be clad and a pitched roof be constructed thereon.

Strategic Planning Implications Nil

Budget Implications

An application fee of \$135.00 has been received as per the prescribed fees approved by Council.

Officer's Comment*Desirability of the Use in the "Rural Residential" zone*

Port Hedland currently has two horse related sporting facilities, a racing course in Port Hedland and training course in South Hedland. There are no other Equestrian Centres within the Town of Port Hedland to support horse riding and racing events such as rodeo's.

The proposed development for an Equestrian Centre on Lot 5213 Great Northern Highway will have a significant contribution to the enriched the horse riding interest and activity in Port Hedland.

Option

The Council has the following options when considering the application:

1. Approve the application subject to conditions.

Should Council resolve to support proposal, the Town will have an additional equestrian centre that will help support alternative horse riding activities other than racing events such as the Heddie Cup.

2. Refuse the application.

Should Council resolve to refuse the proposal, the development the community would not have the benefit of such a facility in the area.

It is recommended that Council approve the proposal subject to conditions.

Attachments

1. Locality Map
2. Site Plan

201011/294 Officer's Recommendation/Council Decision

Moved: Cr S R Martin

Seconded: Cr J M Gillingham

That Council approve the application submitted Drovers Rodeo Equestrian Centre on behalf of the Town of Port Hedland for the proposed Equestrian Centre at lot 5213 Great Northern Highway, Port Hedland subject to the following conditions:

1. This approval relates only to the proposed EQUESTRIAN CENTRE - BAR, JUDGES' BOX AND STORAGE ADDITION and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
2. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.

3. The bar will not be accessible to members of the general public and will only operate before or during functions held on site,
4. Installation of lighting in carparking areas and pedestrian accessways to deter theft and anti social behaviour to the satisfaction of Manager Planning. The sea containers must be re-clad and pitched roofs constructed thereon, to the satisfaction of Councils Manager Planning.
5. Stormwater disposal is to be contained onsite and designed in accordance with Council's Engineering Department Guidelines, and to the satisfaction of Councils Manager Planning.
6. Any damage to existing Town of Port Hedland infrastructure has to be repaired up to the standard used by the Town and to the satisfaction of Councils Manager Planning at the Developer/Applicant's cost.
7. An approved effluent disposal system shall be installed to the specification of the Town's Environmental Health Services and to the satisfaction of Councils Manager of Planning. Be advised that the effluent disposal system may also require the approval of the Western Australian Department of Health.
8. Application is to be made for the installation of an approved apparatus for the treatment of effluent to the specification of Councils Manager of Environmental Health and to the satisfaction of Councils Manager of Planning.
9. The development is to comply with the Health (Public Buildings) Regulations 1992.
10. No human habitation is permitted in the shed or sea containers without approval of Council.

FOOTNOTE:

1. The Developer is reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. With regards to Condition 5, any alteration to Council infrastructure will require the written consent of the Manager Infrastructure Development. For further information please contact Councils Manager Infrastructure Development on 9158 9350.

3. Be advised that the air handling system is to comply with the Health (Air-handling and Water Systems) Regulations 1994.
4. The Town's Environmental Health Services wishes to advise the applicant that access for emergency services needs to be considered. For further information please contact the Coordinator Environmental Health Services on 9158 9316.
5. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-meter level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
6. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

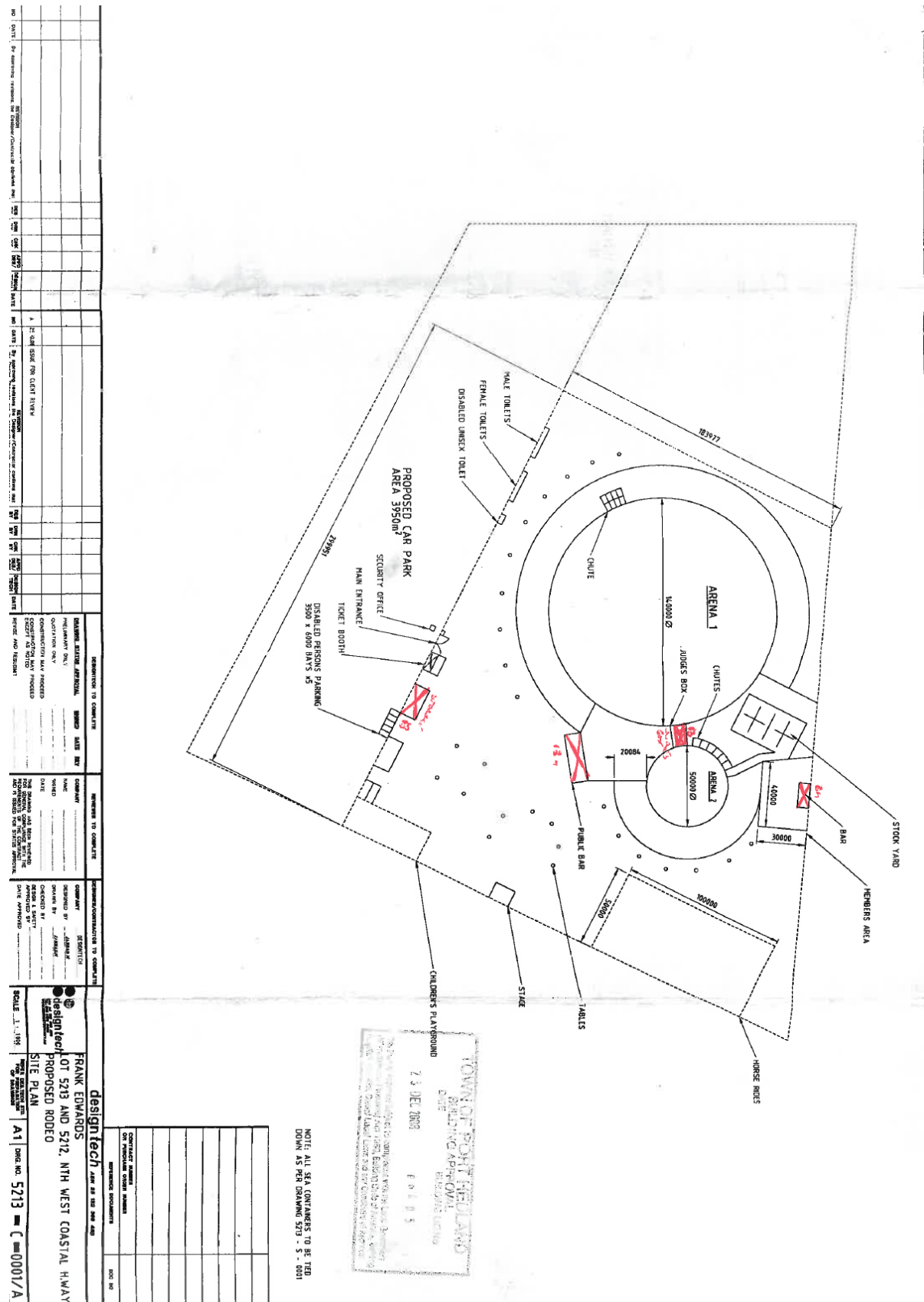
CARRIED 7/0

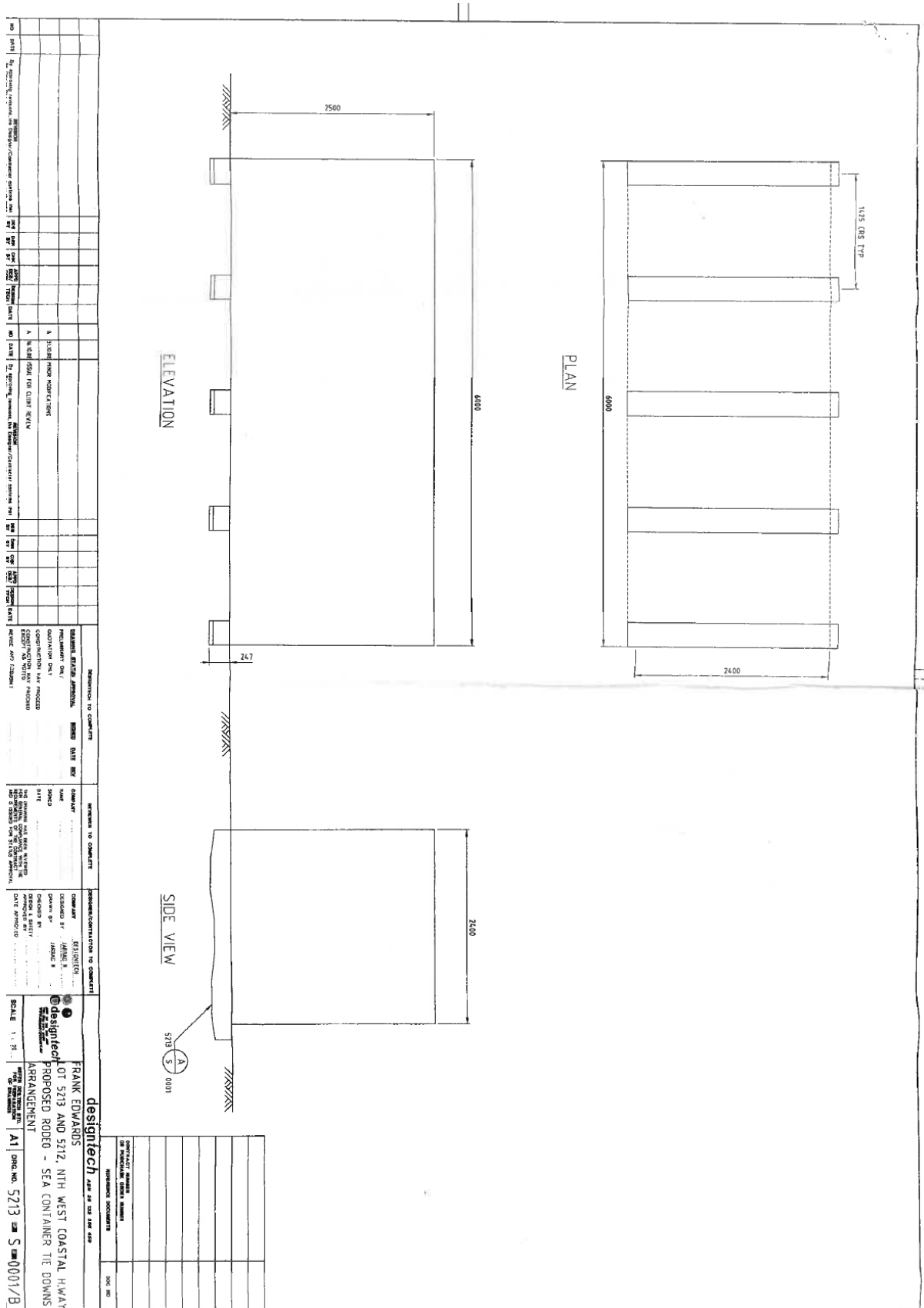
ATTACHMENT 1 TO AGENDA ITEM 11.1.1.8



Locality Plan
Lot 5213 Great Northern High Way
PORT HEDLAND

ATTACHMENT 2 TO AGENDA ITEM 11.1.1.8





NO	DATE	BY	REVISION	DESCRIPTION
1				ISSUED FOR TENDER
2				ISSUED FOR TENDER
3				ISSUED FOR TENDER
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30				ISSUED FOR TENDER

designitech design & build solutions
FRANK EDWARDS
 CONSULTANT
 5213 AND 5212, NTH WEST COASTAL HWY
 PROPOSED ROYAL - SEA CONTAINER TIE DOWNS
 ARRANGEMENT
 SCALE: 1:100
 DATE: 20/03/11
 DRAWING NO: 5213-SEA-S-001/B

11.1.1.9 *Proposed Street Name For Newly Created Access Road–
'Utah Road', Finucane Island (File No.: 28/17/0001)*

Officer **Caris Vuckovic**
Lands Officer

Date of Report 7 April 2011

Application No. 2011/73

Disclosure of Interest by Officer Nil

Summary

The Town has received a request from the Port Hedland Port Authority to endorse the proposed name for the new road the Port Authority has constructed to access the new bulk export facility.

This report is before Council to consider as the Director Planning and Development Services has no delegation to consider such matters.

Background

The constructed access road runs from Wedgefield to Finucane Island.

As mentioned the development of a bulk export facility has resulted in the creation of the road. The applicant has proposed the following road name:

- Utah Road (The new facility was built on Finucane Island on an area known as Utah Landing).

The road will enable public access in that the public are not prevented from using the road, however the road only directs to the Port's Utah site and FMG's Port Facilities. The road does not lead to any public recreation areas.

Consultation

Main Roads Western Australia have indicated that they are supportive of the proposed road name Utah Road.

The Towns Engineering services have advised that they have no objection to the proposal.

Statutory Implications

The naming or renaming of roads must be dealt with as per Part 2, Division 3, Section 26A of the *Land Administration Act 1997*.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

Main Roads Western Australia have indicated that they are supportive of the proposed street name Utah Road.

The road name provided by the applicant is in keeping with the general theme of the area and is well associated with the local industry.

As the name has not been utilised within the Town, the name is recommended for approval.

Options

Council has the following options for responding to the request:

1. Support the request for the use of Utah Road for the newly created access road as indicated on attachment 1.

The approval of the applicants request will result in the newly created access road being named as per Part 2, Division 3, Section 26A of the *Land Administration Act 1997*.

2. Reject the request for the use of Utah Road for the newly created access road as indicated on attachment 1.

Should Council choose to refuse the applicants request, the applicant will need to seek an alternative name for the newly created access road.

Attachments

1. Site Plan
2. Locality Plan

201011/295 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr M Dziombak

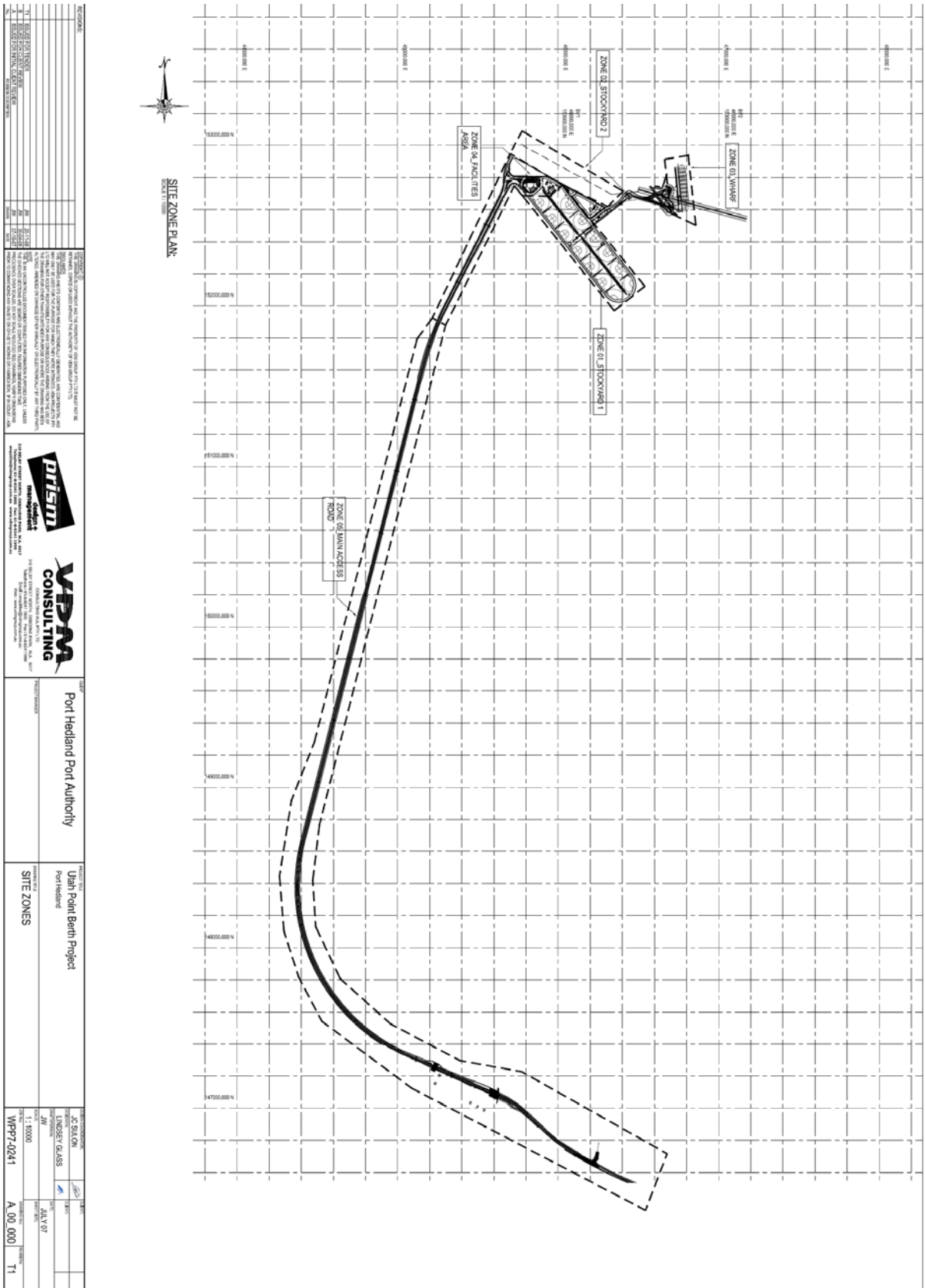
That Council:

1. Approves the use of Utah Road for the newly created road as indicated on attachment 1;
2. Delegates the Director Planning and Development to forward the approved road name to the Geographic Names Committee for final approval.

3. Advises the applicant that any cost associated with the required road signage will be at the cost of the applicant
4. Advises the applicant that the proposed street sign is to be to the specifications of Councils Manager Infrastructure Development and to the satisfaction of Councils Manager Planning.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.9



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.9



<p>PRISM <small>design management</small></p> <p>VDM GROUP</p>		<p>Port Hedland Port Authority</p>		<p>Utah Point Berth Project</p> <p>Access Road</p> <p>SITE PLAN</p>		<p>DATE: 17/03/2011</p> <p>SCALE: 1:1000</p> <p>PROJECT: WPP-20241</p> <p>DATE: C. 05.1380</p> <p>SCALE: 1:2</p>	
<p>UTAH POINT BERTH</p> <p>ACCESS ROAD CHA 2280/000 to CHA 104/97/054</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>	
<p>UTAH POINT BERTH</p> <p>ACCESS ROAD CHA 2280/000 to CHA 104/97/054</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>	
<p>UTAH POINT BERTH</p> <p>ACCESS ROAD CHA 2280/000 to CHA 104/97/054</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>	
<p>UTAH POINT BERTH</p> <p>ACCESS ROAD CHA 2280/000 to CHA 104/97/054</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>		<p>UTAH POINT BERTH</p> <p>ACCESS ROAD</p>	

11.1.1.10 Proposed Motel for Lot 2116 and 2117 North Circular Road, South Hedland (File No.: 130330G)

Officer	Ryan Djanegara Planning Officer
Date of Report	13 January 2011
Application No.	2010/229
Disclosure of Interest by Officer	Nil

Summary

The Town has received an application submitted by Property Development Solutions on behalf of Runyon PTY LTD for a proposed motel development consisting of 58 single bedroom units, café/restaurant and other incidental uses on Lot 2116 and 2117 North Circular Road, South Hedland.

The lot has recently been rezoned from “Community” to “Tourism”, through the gazettal of Scheme Amendment 25 on 8th February 2011. The proposed use “Motel” is considered an “AA” use in terms of the Port Hedland Town Planning Scheme No 5.

The proposed application is before Council to consider as the applicant has requested a parking variation, a request for which the Director Planning and Development does not have delegations to consider.

The proposal is supported by the Planning Unit subject to conditions.

Background

Location and Area

The subject site is located along North Circular Road and Stanley Street, South Hedland (Attachment 1), and measures approximately 5313m².

Vehicular access is proposed via Stanley Street.

Current Zoning and Use

In accordance with the Port Hedland Town Planning Scheme No. 5 (TPS 5), the subject site is zoned for “Tourism” categorising the proposed use as an “AA” use.

The subject site is currently undeveloped.

The Proposal

The applicant proposes to construct a motel development consisting of 58 single bedroom units, café/restaurant and other incidental uses on Lot 2116 and 2117 North Circular Road, South Hedland. The development cannot comply with Clause 6.13.5 of the Port Hedland Town Planning Scheme No 5, having a 4 car parking bay shortfall. The applicant has requested a parking variation be considered.

Consultation

The application has been circulated internally and externally to the surrounding land owners, with the comments captured in the report.

Statutory Implications

The development of the land must be done in accordance with the Town of Port Hedland Town Planning Scheme No. 5.

Policy Implications

Council's Draft Local Planning Policy 12 – Reciprocal Car Parking & Cash in Lieu of Car Parking

Strategic Planning Implications

The following sections of Council's Plan for the Future 2010-2015 are considered relevant to the proposal:

Key Result Area 4: Economic Development

Goal Number 1: Tourism

Strategy 4:

Develop additional tourist information at Town entry points and other focal points within the Town.

Goal Number 3: Business Development

Strategy 2 (other actions):

Provide support and incentives for entrepreneurs who are interested in establishing tourism related businesses within the Town.

Budget Implications

An application fee of \$21, 438.84 has been received as per the prescribed fees approved by Council.

Officer's Comment

Need & Desirability

There is a recognised lack of tourist accommodation available within the Town. The proposed motel development will assist in alleviating that need by providing 58 single bedroom units.

The proposed location for the Motel being at a main entry point to South Hedland is considered desirable. The development has the potential of creating a much needed entry statement to the area.

Car parking requirements

In accordance with the Appendix 7 of the Scheme the landowner is required to provide a minimum of 75 car parking bays. The applicant has provided 71 car parking bays on-site. The proposal therefore has a shortfall of 4 bays.

Council's Draft Local Planning Policy 12 – Reciprocal Car Parking & Cash in Lieu of Car Parking, initiated by Council at its Ordinary Meeting on 9th February 2011, allows for car parking requirements to be waived in light of potential reciprocal uses on-site or with neighbouring properties, and/or cash-in-lieu alternatives.

Reciprocal Car parking uses

In accordance with the draft parking policy, 100% reciprocal car parking uses can be supported between the visitors' bays and the staff parking for the motel development. In light of the policy the applicant is therefore required to provide 71 car parking bays on-site.

Given that the proposal is consistent with the provisions of the draft policy parking policy's proposed reciprocal parking, resulting in the proposed development being able to provide the required amount of parking bays the proposal is supported.

Options

The Council has the following options when considering the application:

1. Approve the proposal subject to conditions.

Should the proposal be approved, an addition 58 accommodation unit will be available for tourists / short stay accommodation. The development of the site would also create an entry statement to the South Hedland area.

2. Approve the proposal subject to conditions (carparking).

The car parking assessment has been evaluated based on the general public not utilising the dining facilities. An additional condition can be placed on the approval requiring additional parking.

3. Refuse the proposal.

Should the proposal be refused, the site may remain vacant or underdeveloped indefinitely.

It is recommended that Council approve the proposal subject to conditions (1. above) as the application is consistent with the Town's strategic goals in providing additional tourist accommodation. The proposal is also consistent with the proposed Draft Planning Policy No. 12.

Attachments

1. Locality Map
2. Site Plan
3. Floor Plan
4. Elevations

Officer's Recommendation

That Council approves the planning application submitted Property Development Solutions on behalf of Wedge Street Investments Pty Ltd for a "MOTEL" development of 58 single bedroom units at Lot 2116 and 2117 North Circular Road, South Hedland subject to the following conditions:

1. This approval relates only to the proposed MOTEL and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
2. Under the Town of Port Hedland Town Planning Scheme No. 5, the above approved uses are defined as follows:

"Motel:
"any land or buildings providing accommodation in a manner similar to a hotel but in which special provision is made for patrons with motor vehicles and may include an entertainment venue, restaurant or sell liquor."
3. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.

4. Within 60 days of the date of this approval the applicant / landowner is required to amalgamate Lots 2116 and 2117 North Circular Road, South Hedland.
5. A minimum of 71 car parking spaces are to be provided on-site in accordance with Appendix 7 of Council's Town Planning Scheme No. 5 to the satisfaction of Council's Manager Planning.
6. Each accommodation unit is to be provided with an exclusive parking space to the satisfaction of Councils Manager Planning.
7. Installation of lighting in car parking areas and pedestrian access ways to deter theft and anti social behaviour, to the satisfaction of Councils Manager Planning
8. All dust and sand to be contained on site with the use of suitable dust suppression techniques to specification of Council's Manager Environmental Health Services and to the satisfaction of Councils Manager Planning.
9. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Councils Manager Planning Services.
10. A Rubbish Collection Strategy / Management Plan shall be submitted to and approved by the Town prior to the commencement of works. The strategy / plan shall consider service vehicle maneuvering on the internal roads of the development. Any alterations to the approved plans required as a result of the strategy / plan shall be incorporated into the building licence plans. The approved strategy / plan shall be implemented to the satisfaction Manager Planning.
11. Within 30 days of this approval, a detailed landscaping and reticulation plan including the adjoining road verge(s) must be submitted to Councils Manager Planning. The plan to include species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001. The landscaping plan is to include mounding and the use of mature trees along North Circular Road to the satisfaction of Council's Manager Planning.
12. Within 60 days of the approval of the landscaping plan, or such further period as may be agreed by the Manager Planning, landscaping and reticulation is to be established in accordance with the approved detailed plans to the satisfaction of Councils Manager Planning.

13. Civil drawings on the proposal, including the verge are to be submitted for approval prior to the submission of a building license to the specifications of Councils Manager Infrastructure Development and to the satisfaction of Councils Manager Planning
14. The driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, prior to the occupation of the Motel.
15. Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of Councils Manager Planning.
16. Any roof mounted or freestanding plant or equipment such as air conditioning units to be located and/or screened so as not to be visible from beyond the boundaries of the development site.
17. The submission of a construction management plan at the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
 - a) The delivery of material and equipment to the site;
 - b) The storage of material and equipment on the site;
 - c) The management and containment of dust and sand.
 - d) The parking arrangements for the contractors and subcontractors;
 - e) Impact on traffic movement;
 - f) Operation times including delivery of material;
 - g) Other matter likely to impact on the surrounding uses;
 - h) Building waste management control;
 - i) Point of contact of personnel for control of enquiries and any complaints; and

all to the satisfaction of Councils Manager Planning.

FOOTNOTES:

1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. Be advised that the Town's Environmental Health Services Department has raised the following matters:
 - a. It is a requirement under the Town of Port Hedland Eating House Local Laws that all food premises be licensed prior to beginning operations;
 - b. The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993;

- c. Prior to the issue of a building licence, a fit out plan of all internal fixtures, finishes and fittings must be provided and approved to the specifications of Town's Environmental Health Services; and
- d. Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system.

If any of these matters require clarification please contact the Department on 9158 9325.

- 3. If mains water connection is unavailable the development is to be connected to an adequate potable water supply to the specifications of Council's Health Local Laws 1999. For further advice please contact Town's Environmental Health Services on 9158 9325.
- 4. Be advised that at the building licence stage a detailed floor plan is required to be submitted in order for Town's Environmental Health Services to assess compliance to the Town of Port Hedland Health Local Laws 1999.
- 5. Be advised that all lodging houses are required be registered under the Health Act 1911 and operate in accordance with that Act and the Town of Port Hedland Health Local Laws 1999.
- 6. The development is to comply with the Health (Public Buildings) Regulations 1992.
- 7. With regards to Condition 12, Council's Engineering services may require that a dual use footpath be included as part of the landscaping plan.
- 8. In relation to Conditions 14, 15 and 16 please contact Councils Manager Infrastructure Development 9158 9350 for further details.
- 9. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

10. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

201011/296 Council Decision

Moved: Cr A A Carter

Seconded: Cr M Dziombak

That Agenda Item 11.1.1.10 "Proposed Motel for Lot 2116 and 2117 North Circular Road, South Hedland" lay on the table for further consideration.

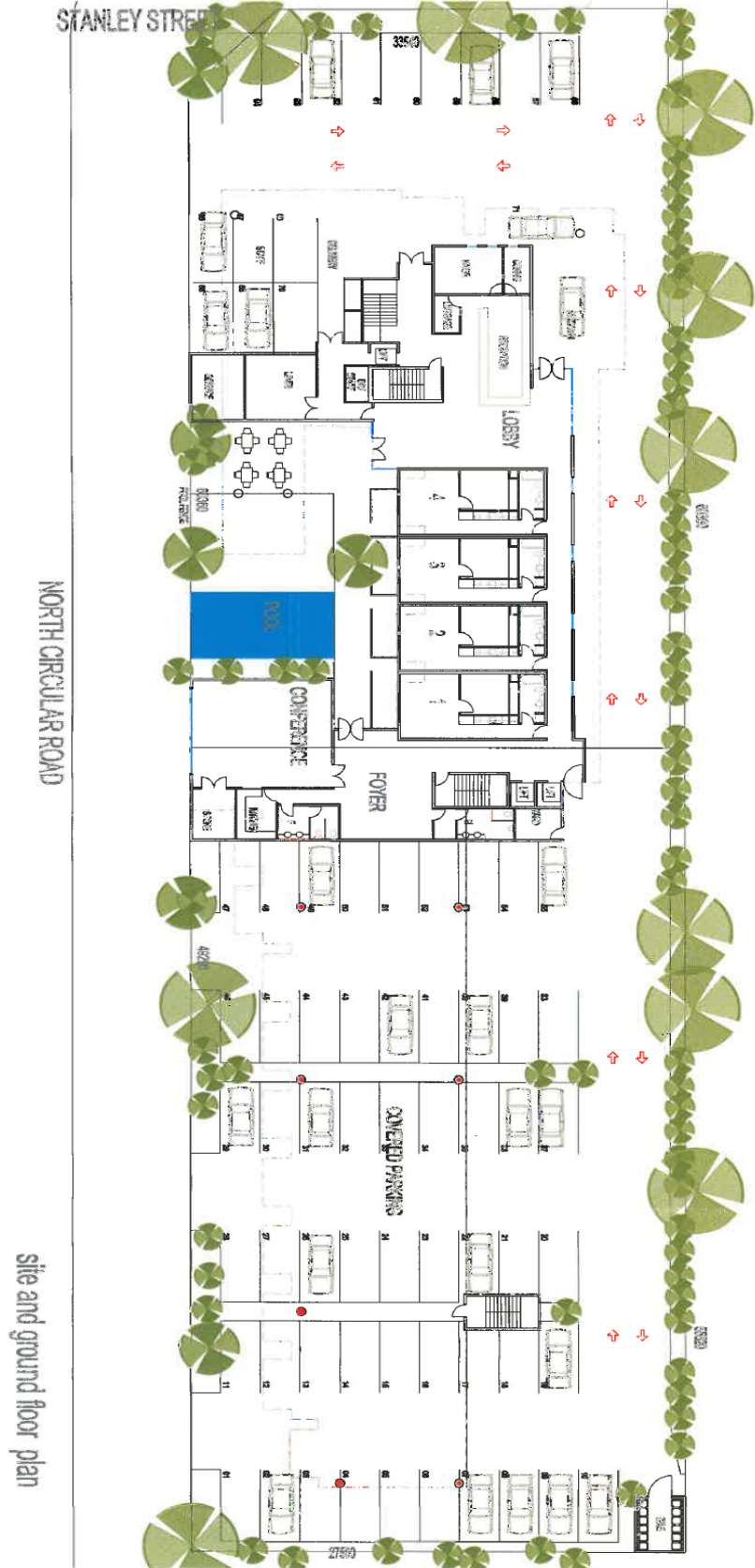
CARRIED 7/0

REASON: Council believes it has to lay Agenda Item 11.1.1.10 "Proposed Motel for Lot 2116 and 2117 North Circular Road, South Hedland" on the table as it requires further clarification into why it is proposed to allocate this bush land to the applicant, because if Council does allocate it to the applicant there will be no space left for possible use of backpackers or visitors. Council believes there has to be some sort of requirement for allocation of the area in question.

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.10



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.10



ACCOMMODATION DEVELOPMENT

LAB 27/98/2117 NORTH CIRCULAR RD, SOUTH HEDLAND
AMENDED DA A 1:100 NOVEMBER 2010

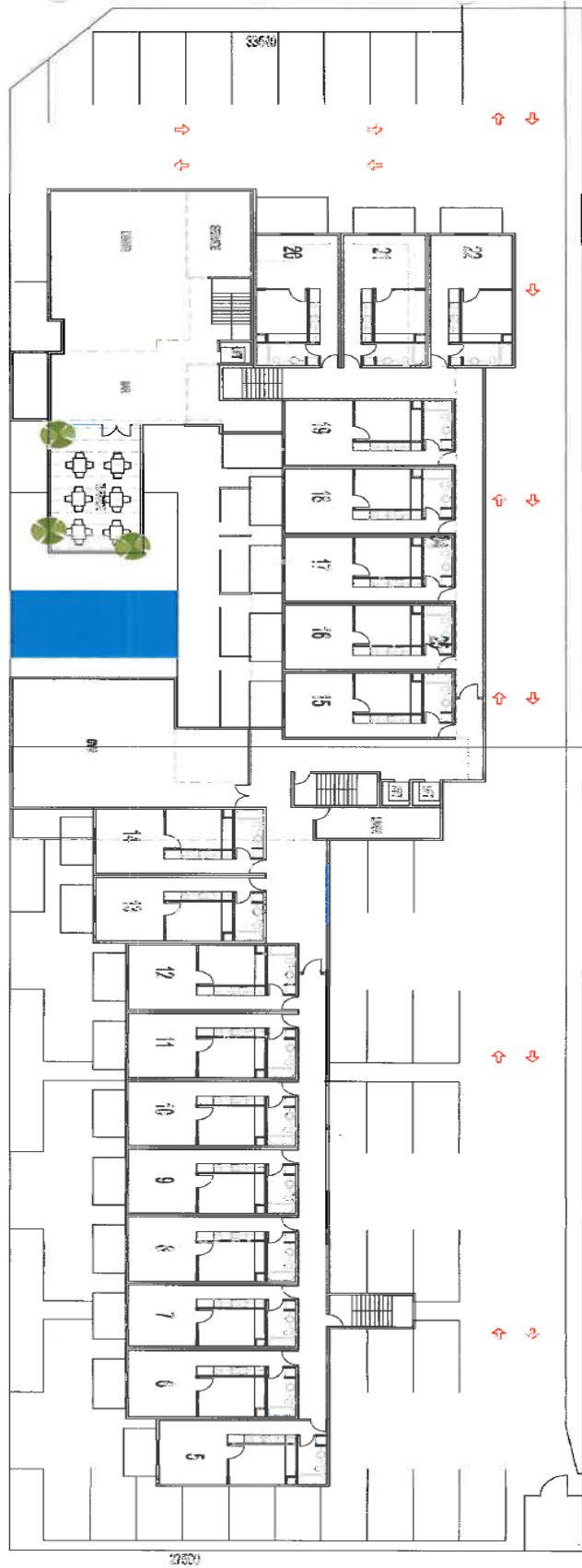
kim MILLER

790/15 PARANET ST
NORTH FREMANTLE WA 6150
t: 08 9437 1970
a: kim@kimengines.com.au



site and ground floor plan

ATTACHMENT 3 TO AGENDA ITEM 11.1.1.10



first floor plan

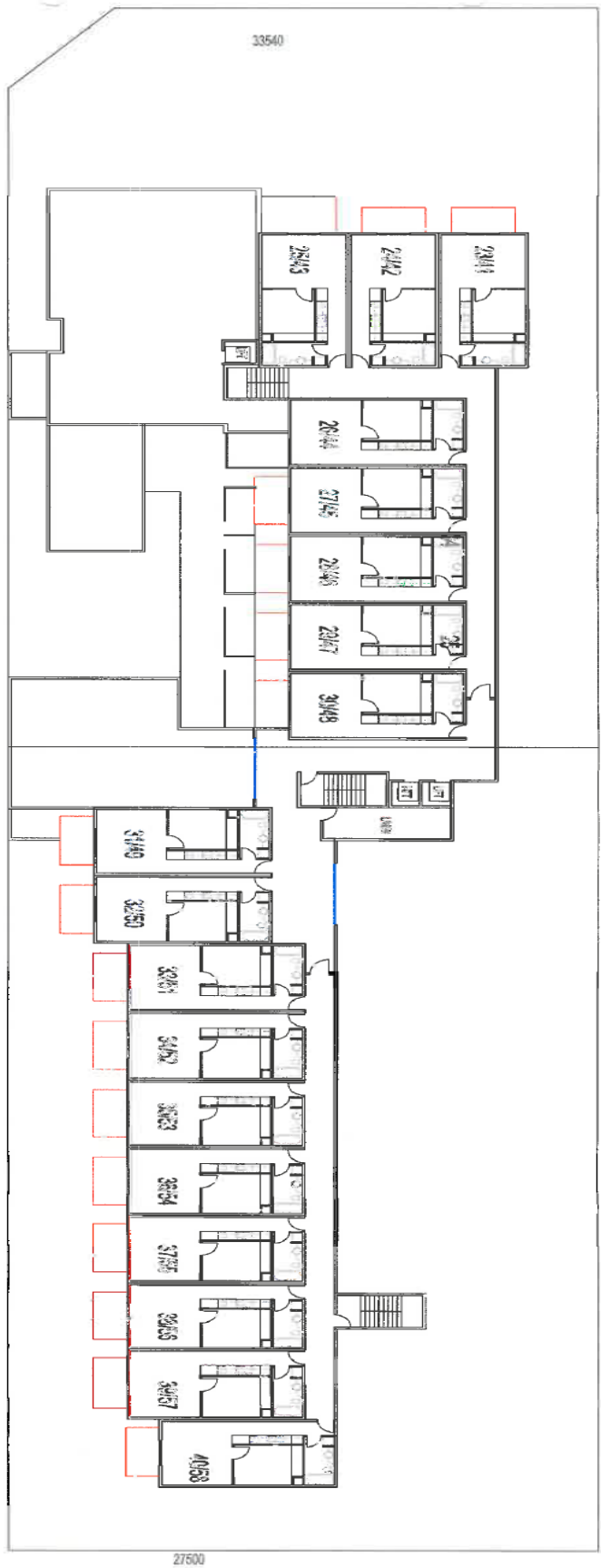
ACCOMMODATION DEVELOPMENT

Lots 2176, 2177 North Geraldton Rd, South Hedland
Amended DA B 1:100 NOVEMBER 2010

Kim MILLER

THE GOLDEN EAGLE
ARCHITECTURE
100/102 NORTH GERALDTON RD
SOUTH HEDLAND WA 67150
08 9422 1000
www.kimandmiller.com.au





typical second and third floorplan

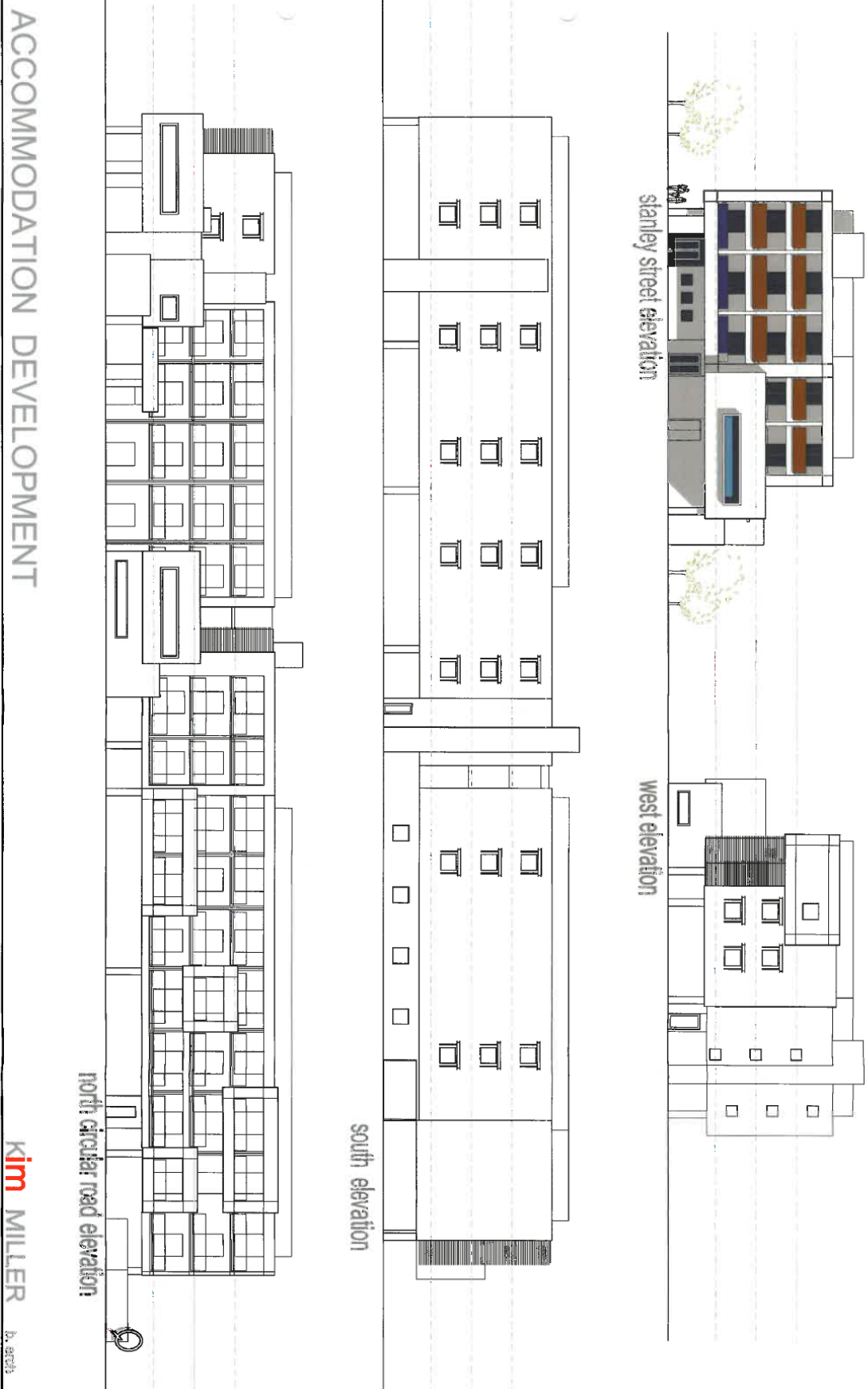
ACCOMMODATION DEVELOPMENT

106 21/08/21/7 NORTH CIRCULAR RD, 3035TH HIGHLAND
AMENDED D.M. C 1: 100 NOVEMBER 2010

kim MILLER h. arch
PROGRAMME T.B.T
NORTH CIRCULAR RD
106 21/08/21/7
amended.d.m.c@cityofhampden.nsw.gov.au



ATTACHMENT 4 TO AGENDA ITEM 11.1.1.10



LAR 21/10/21/17 NORTH CIRCULAR RD, SOUTH HEDLAND
AMENDED DA D 1 : 300 NOVEMBER 2010

kim MILLER h. arch
ARCHITECTURAL DESIGN
150/151 SOUTH CIRCULAR RD
SOUTH HEDLAND WA 6112
08154 82521
kim@kimandpartners.com.au



11.1.1.11 Proposed Section 70A Notification for Lot 2 Morgans Street, Port Hedland (File No.:803197G)

Officer	Caris Vuckovic Lands Officer
Date of Report	21 March 2011
Application No.	2011/119
Disclosure of Interest by Officer	Nil

Summary

Council has received a request from McLeods Barristers and Solicitors on behalf of Timothy John Forbes, the owner of Lot 2, 49 Morgans Street, Port Hedland, to affix the Town's common seal to a section 70A notification form, which will enable to lodgement of the form with the Registrar of Titles.

Background

A Development Application approval (2010/128) for an Office was granted by Council on 23rd August 2010, on Lot 122 (12) Kingsmill Street, Port Hedland.

The following conditions were imposed as part of the approval:

"2. Prior to commencing works, the landowner is to prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:

- a) The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts.*
- b) Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts.*

Should additional information be required in regard part 'a' or 'b', the prospective landowners should contact the Western Australian Department of Health."

In order to finalise the section 70A form and obtain the Town's common seal, a Council resolution is required.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

The required section 70A notification is an important mechanism to ensure that any prospective owner / buyers of the lot / unit are alluded to the restrictions / conditions pertaining to the lot / unit.

The use of the Town's common seal will only enable the lodgment of the application with the Registrar of Titles and will not complete the land owner / developers obligations under the condition. To complete their obligation, a copy of the documentation confirming the registration of the notification must be supplied to the Town.

In light of the above Council is requested to grant approval for the use of the Town's common seal.

Attachments Nil

201011/297 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

- a. approves the request by McLeods Barristers and Solicitors on behalf of Timothy Forbes the owner of Lot 2 Morgans Street, Port Hedland to affix to Town's common seal to a section 70A notification form; and
- b. approves the use of the Towns common seal for the purposes associated with the registering of a section 70A notification on Lot 2 Morgans Street, Port Hedland; and
- c. advises the applicant that once the notification is registered and a copy of the documentation confirming the registration is provided to the Town, it will be deemed that condition 2 of the Development Application approval has been satisfactorily complied with.

CARRIED 7/0

11.1.1.12 Proposed Transient Workforce Accommodation – 224 rooms on Lot 842 Great Northern Highway, Port Hedland (File No.: 116960G)

Officer	Ryan Djanegara Planning Officer
Date of Report	19 February 2011
Application No.	2010/258
Disclosure of Interest by Officer	Nil

Summary

The Town received an application submitted by Process Minerals International to construct a 224 room Transient Workforce Accommodation (TWA) camp on Lot 842 Great Northern Highway, Port Hedland.

The application is referred to Council as the proposed development is inconsistent with the reservation of the land and the guidance note prepared and endorsed by Council for the development of a TWA.

The application is not supported by the Planning Unit.

Background

Location and Site Details

The subject site is located along Great Northern Highway, and measures approximately 4.078 hectares (ATTACHMENT 1).

In terms of the Port Hedland Town Planning Scheme No. 5 the subject site is reserved "Other Purposes - Infrastructure". The site is currently being used to stockpile manganese.

Previous Approvals and Refusals

On the 23rd January 2008, Council refused the application for the construction of a Manganese Stockpile facility and Caretakers residence. The application was subsequently appealed, by which Council was ordered to reconsider its decision on the proposal.

On the 27th August 2008, Council approved the proposed development of a Manganese Stockpile facility and Caretakers residence subject to conditions.

The Proposal

The applicant will be relocating its existing manganese stock piles on the subject site to Utah Point Facility. In light of the relocation of the manganese ore, the applicant proposes to now construct a 224 room transient workforce accommodation (TWA) camp on Lot 842 Great Northern Highway. The proposed TWA would allow Process Minerals International (PMI) to provide accommodation for FIFO workers.

Consultation

The application has been referred internally and externally in accordance with section 4.3.1 of the Port Hedland Town Planning Scheme No. 5.

During the referral period, one objection was received from Main Roads Western Australia. The objection can be summarized as follows:

- Existing traffic issues in this area by passing road trains traffic would be exacerbated by this development proposal.
- The land use planning for this area is of concern to Main Roads Western Australia (MRWA) with respect to future planning proposals and associated future access requests. In this area there are 3 explosive depots, a storage facility, 2 racing tracks, 2 rail crossings and a road train maintenance facility.
- The proposed transient workforce accommodation would generate pedestrian traffic in a high risk area for pedestrians.
- The access arrangements with existing and new industries in the area will cause conflict with this camp access.
- This proposal would be inconsistent with and of concern to, MRWA plans to divert Great Northern Highway to the North East of its current alignment (behind the existing Caravan Park).

Applicant's Response

Notwithstanding the traffic and safety concerns raised by Main Roads Western Australia, the applicant has taken measures in order to ensure that the proposed development is located sufficiently distant from the explosive reserves.

Furthermore it is considered that the proposed development could improve the visual amenity of the locality by providing good landscaping along Great Northern Highway.

Planning Unit Response

The safety concerns and the locational issues, as raised in the objection letter prepared by MRWA, are considered reasonable and valid.

Statutory Implications

The development of the land must be done in accordance with the Town of Port Hedland Town Planning Scheme No. 5.

Policy Implications

Although Council does not have a policy in regard to Transient Workforce Accommodation, it has endorsed a "Guidance Note for potential developers of Transient Workforce Accommodation (TWA) - August 2008".

Strategic Planning Implications

The following sections of Council's Plan for the Future 2010-2015 are considered relevant to the proposal:

Key Result Area 4:	Economic Development
Goal 2:	Mining/Roads
Strategy 2:	Actively pursue integration of FIFO workers into the local community.

Budget Implications

An application fee of \$18, 150.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

Town Planning Scheme No. 5

In accordance with Clause 2.3, Council in considering an application for planning approval on land reserved under the Town Planning Scheme, shall "*have due regard to the ultimate purpose intended for the reservation.*"

In terms of the Port Hedland Town Planning Scheme No. 5, the subject site is reserved "Other Purposes – Infrastructure". The proposed 224 room transient workforce accommodation development is considered to be inconsistent with the reservation of the land given that the purpose of the reservation is for infrastructure purposes.

Need

It is acknowledged that there is a severe lack of housing options available in the Town. According to the applicant, the development of the TWA is necessary in order to make future mining projects financially viable.

Whilst it is recognised that an element of Fly-in/Fly-out (FIFO) workers would be required to sustain the mineral resources industry and to compensate for any skilled labour shortages, the Town should be limiting the amount of TWA accommodation.

Supporting the construction of TWA developments without first exhausting other in-town options will undermine the Town's strategic direction to increase its permanent residential population.

Desirability

The proposed TWA development is not considered to be acceptable nor desirable due to its location along Great Northern Highway and proximity to industrial – explosive uses. The proposal does not provide a sense of community as the development is not designed to integrate with the Port and South Hedland Town Centres.

Furthermore the comments and concerns raised by MWRA are considered reasonable and valid. These comments are based on the increased pedestrian activity that has occurred along the Great Northern Highway due to the construction of Port Haven.

Guidance Note for potential developers of Transient Workforce Accommodation (TWA) - August 2008

In August 2008 Council put out a guidance note to all potential developers of TWA's, advising of the following key principles which will be considered when applications are submitted for potential TWA facilities:

- Town Centre Development Focus
- Community benefit
- Integration
- Quality
- Safety

The guidance note also identifies a number of TWA styles and identifies locations Council considers these facilities may be most appropriate. The current proposal best fits into the "Mining/Rail Camps" style, which is characterized as:

Short term construction camps for infrastructure such as rail and/or mining operations that are being built outside of the Township.

According the guidance note, possibly or preferable locations have been identified in areas that are "Greater than 50kms from Port Hedland otherwise 'in-town' accommodation should be sought."

The proposed location for the Mining Camp is located 12 kilometres from the Port and South Hedland Town Centres. Initial discussions with the developer identified that leasing airport land from the Town for the development of a TWA would not be considered economically feasible. Other 'in-town' accommodation options however have not been identified by the applicant.

In respect to the key principles, the following comments are provided:

1. Town Centre Focus:

The proposed development is not considered to increase the vibrancy or sustainability of the Port or South Town Centres given it is located adjacent to explosives reserves and near the Airport.

2. Community Benefit:

The applicant has stated that the proposed development will provide alternative accommodation to support local businesses. Notwithstanding the above, the applicant has not shown how many rooms would be available or dedicated to local business owners nor identified the cost of accommodation.

The application does not satisfactorily demonstrate how the proposed TWA development benefits the community. Should Council consider supporting a TWA development on site it is recommended that Council negotiate desired Community Benefit outcomes prior to deciding the application.

3. Integration:

There is limited to no integration between the proposed TWA development and the community due to its location along Great Northern Highway.

4. Quality:

The applicant is proposing to landscape the proposed TWA development that addresses and creates an attractive streetscape along the Great Northern Highway, which Council has recognized as being an important entry road into the Town.

5. Safety:

According to the applicant, the proposed TWA has been designed to be sufficient distant from the existing explosives reserve on the opposite side of the Great Northern Highway.

Notwithstanding the comments made above, the location of the TWA is not considered to be safe given that the proposal would generate pedestrian traffic particularly along Great Northern Highway.

In light of the above it is considered that the proposed TWA development is inconsistent with the Key Principles raised in the Guidance Note. It is therefore recommended that the Council should not support the proposed TWA development at the subject site but rather assist the applicant in finding a more appropriate location.

Alternative uses for the subject site

The applicant has indicated in a submission letter that should the application for the TWA be refused by Council, the applicant would investigate the possibility of utilizing the site to establish an Iron Ore receival and Distribution Depot.

Should the applicant wish to proceed with such a use an application would have to be submitted to Council for consideration prior to any such use being conducted.

Options

The Council has the following options when considering the application:

1. Refuse the proposal.

The refusal of the application would reinforce the Towns objective of ensuring community benefit / integration as endorsed by the *Guidance Note for potential developers of Transient Workforce Accommodation (TWA) - August 2008*.

2. Approve the proposal subject to conditions.

The approval of the application would undermine the *Guidance Note for potential developers of Transient Workforce Accommodation (TWA) - August 2008*, **endorsed by Council and** have little if any community benefit. The approval would also be contrary to the comments received from Main Roads Western Australia.

It is recommended that Council refuse the proposal.

Attachments

1. Locality Map
2. Site Plan
3. Floor Plans and Elevations
4. Objection Letter

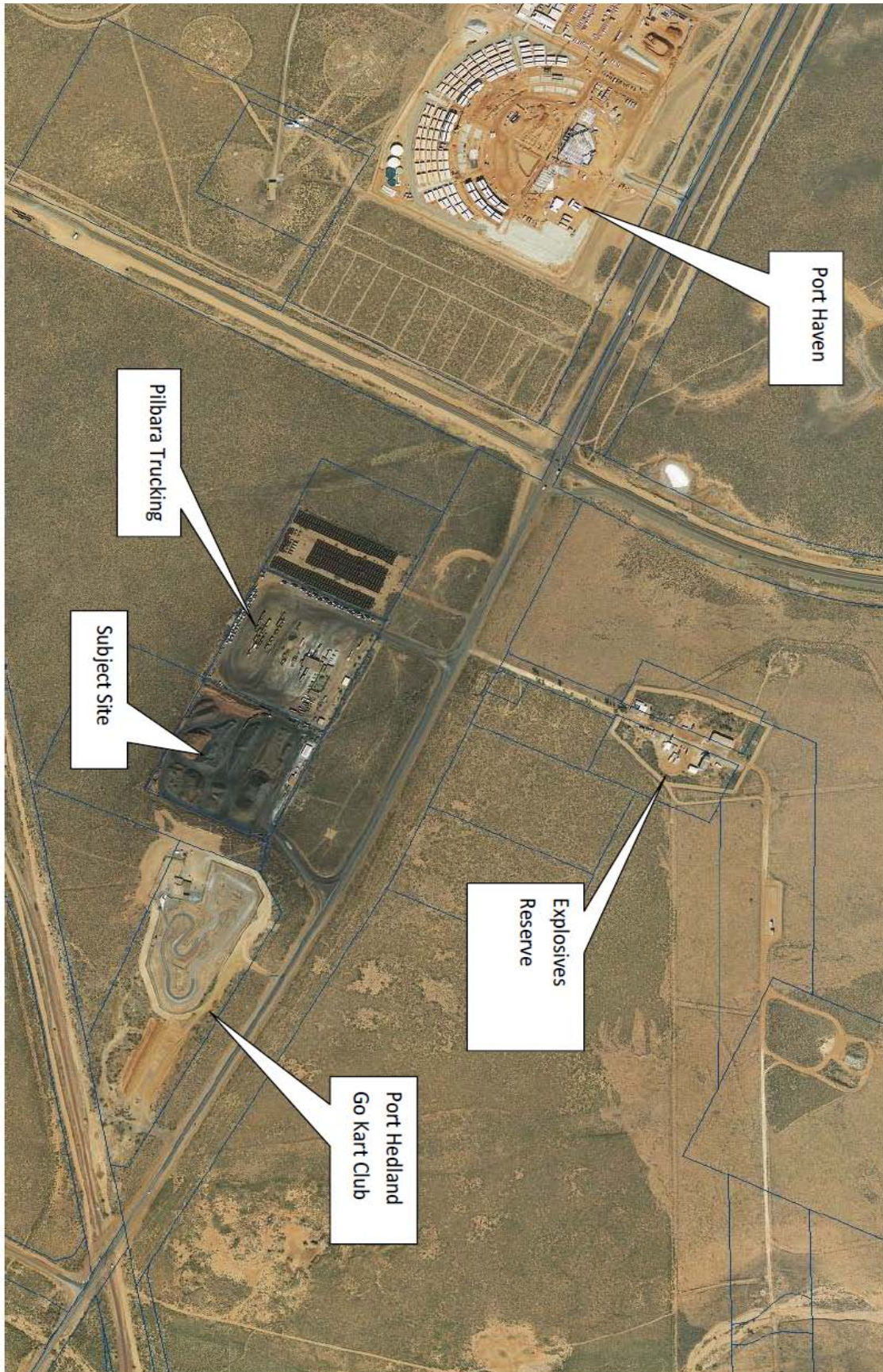
201011/298 Officer's Recommendation/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That Council refuse the application submitted by Process Minerals International to construct a TRANSIENT WORKFORCE ACCOMMODATION – 224 rooms on Lot 842 Great Northern Highway, Port Hedland for the following reasons:

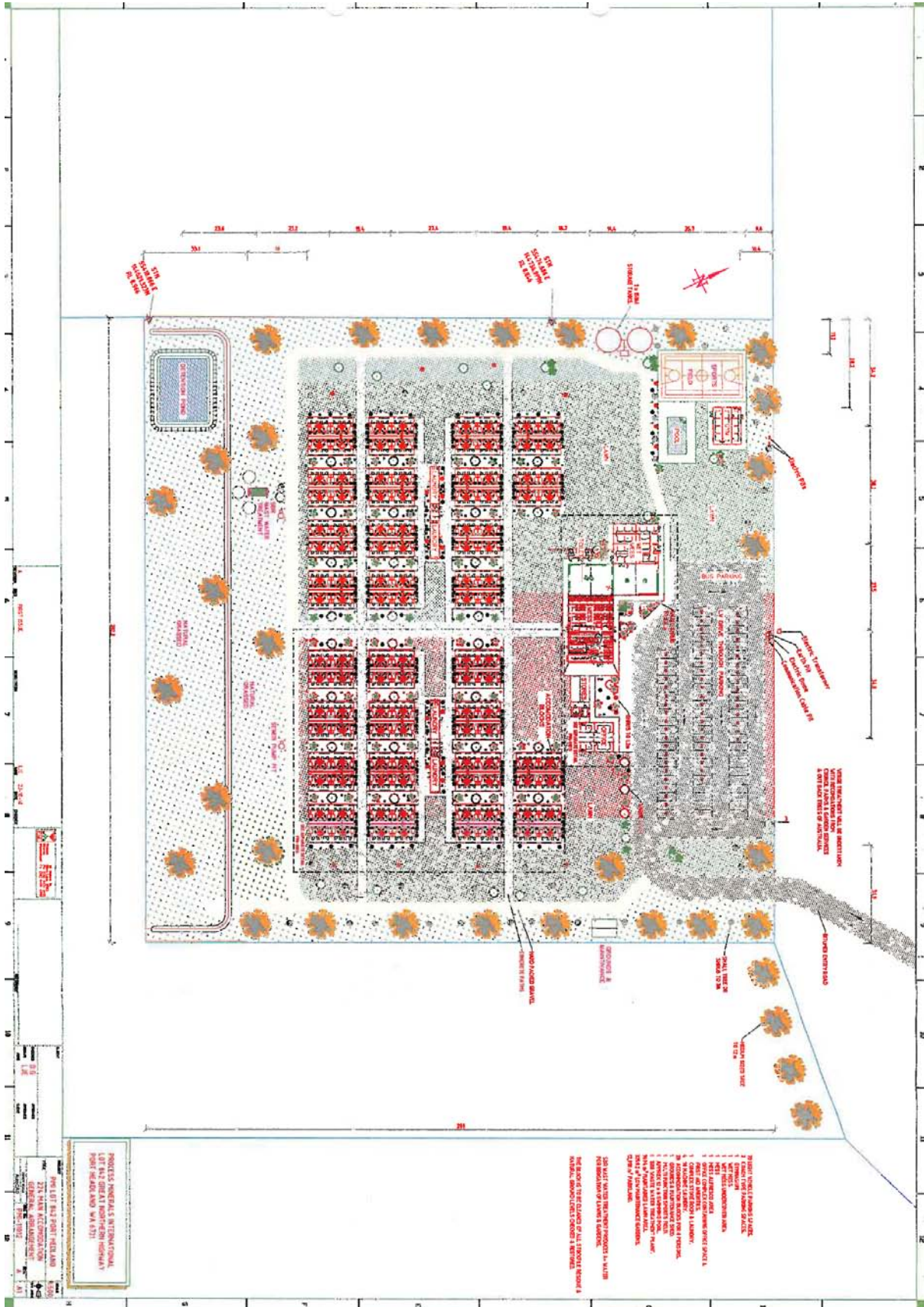
1. The proposal is inconsistent with the intent of the reservation "Other Purposes – Infrastructure" of the Port Hedland Town Planning Scheme No. 5.
2. The proposal may impact on the future development of Great Northern Highway.
3. The proposal is not consistent with Councils *Guidance Note for potential developers of Transient Workforce Accommodation (TWA) - August 2008*
4. The proposal is not a desirable use in the location
5. The proposal is inconsistent with Councils Strategic intent to integrate Transient Workforce Accommodation (TWA's) in South & Port Hedland.

CARRIED 7/0

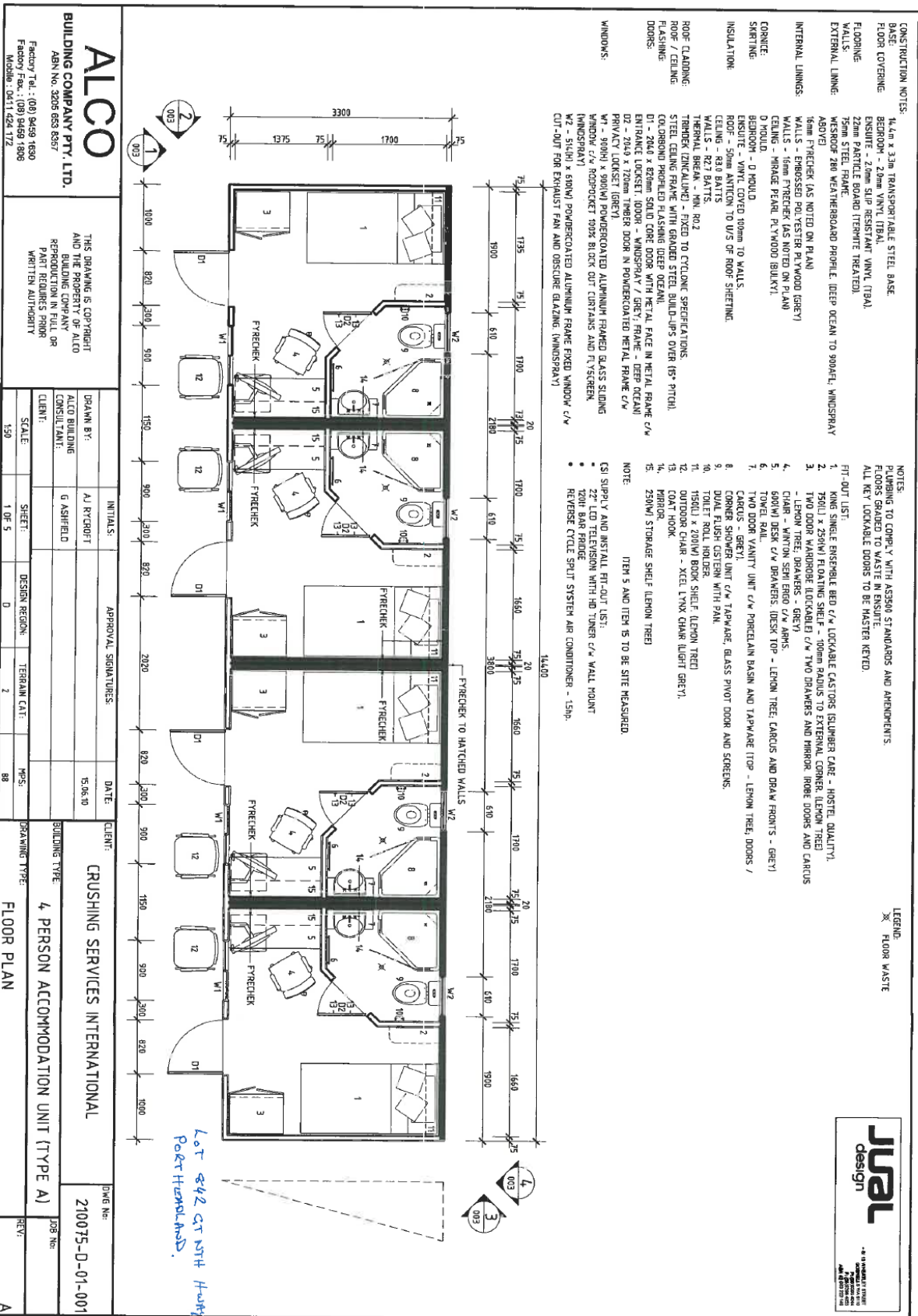
ATTACHMENT 1 TO AGENDA ITEM 11.1.1.12



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.12



ATTACHMENT 3 TO AGENDA ITEM 11.1.1.12



ATTACHMENT 4 TO AGENDA ITEM 11.1.1.12



ABIN: 50 860 678 021

Enquiries: Manish Gupta on
Our Ref: 08/8033
Your Ref: 2010/258 116960G



25 November 2010

Mr R Djanegara
Planning Officer
Town Of Port Hedland
P O Box 41
PORT HEDLAND WA 6721

Document #: MCR10916
Date: 29.11.2010
Officer: LEONARD LONG
File: 116960G



Dear Sir

APPLICATION 2010/258 FOR TRANSIENT WORKFORCE ACCOMODATION -224 ROOMS AT LOT 842 GREAT NORTHERN HIGHWAY (GNH) PORT HEDLAND 6721

I refer to your "Application 2010/258 for Lot 842 GNH Port Hedland 6721" and the meeting between us on 23 November 2010 regarding comments about planning approval for the development proposal as above.

As discussed in the meeting Main Roads has following points of objection for the proposed application;

- Existing traffic issues in this area by passing road trains traffic would be exacerbated by this development proposal.
- The land use planning for this area is of concern to Main Roads Western Australia (MRWA) with respect to future planning proposals and associated future access requests. In this area there are 3 explosives depots, a storage facility, 2 racing tracks, 2 rail crossings and a road train maintenance facility.
- The proposed transient workforce accommodation would generate pedestrian traffic in a high risk area for pedestrians.
- The access arrangements with existing and new industries in the area will cause conflict with this camp access.
- This proposal would be inconsistent with and of concern to, MRWA plans to divert Great Northern Highway to the North East of its current alignment (behind the existing Caravan Park).

If you require any further information please contact Manish Gupta on (08) 9172 8813.

Yours faithfully

Andrew Pyke
NETWORK MANAGER

11.1.1.13 Proposed Permanent Closure of Portion of Catamore Court Road Reserve, South Hedland (File No.: 28/01/0017)

Officer	Caris Vuckovic Lands Officer
Date of Report	16 February 2011
Application Number	2010/176
Disclosure of Interest by Officer	Nil

Summary

Council has received a request from Taylor Burrell Barnett, Town Planners on behalf of the South Hedland New Living Project to permanently close a portion of the Catamore Court Road Reserve, South Hedland.

The road closure is required to facilitate the subdivision of the land.

Background

Council resolved at its Ordinary meetings on 27 June 2007 and 28 July 2010 to support the closure of a portion of the Catamore Court road reserve to facilitate the subdivision of the land.

The portion of the road reserve consists of approximately 2032m² located between lots 2354 and 2355 Catamore Court.

Consultation

Section 58(3) of the Land Administration Act 1997 states:

“A local government must not resolve to make a request under subsection (1) until a period of 35 days has lapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.”

Consultation with all interested parties, including public service providers, has been undertaken and no objections were raised.

Water Corporation has advised they have no objection to the proposed road closure in principle; however they would require an easement over the existing assets located within the closed section.

Optus has advised that they have no objection to the proposed road closure.

Horizon Power has advised that they have no objection to the proposed road closure; however they would require an easement over the existing assets located within the closed section.

Statutory Implications

Section 58 of the *Land Administration Act 1997* and regulation 9 of the *Land Administration Regulations 1998*, establishes the procedure for closing a road.

The subsequent sale of the Crown Land is undertaken by State land Services on behalf of the Minister in accordance with Part 6 of the *Land Administration Act 1997*.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

The application fee of \$115.00 has been received in accordance with Council's adopted Town Planning Fees and Charges.

Officer's Comment

This land is identified for development on the Land Rationlisation Plan.

Approving the partial road closure will not have a detrimental impact on the function of the road or the pedestrian access way, and will facilitate its development for residential purposes in accordance with the Land Rationlisation Plan.

Options

Council has the following options for responding to the request:

- 1) Support the request for partial closure of Catamore Court Road Reserve, South Hedland.

The closure of the portion will improve the streetscape by allowing unused land to be incorporated into residential land and developed as such. This will result in the lot achieving maximum development potential.

- 2) Reject the request for partial closure of Catamore Court Road Reserve, South Hedland.

Should Council not support the closure, the portion of unused road will remain vacant and undevelopable.

It is recommended that Council support the partial closure of Catamore Court Reserve, South Hedland.

Attachments

1. Locality Plan
2. Section 1 of Proposed Road Closure
3. Section 2 of Proposed Road Closure
4. Subdivision Plan
5. Water Corporation Asset Location Plan

201011/299 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

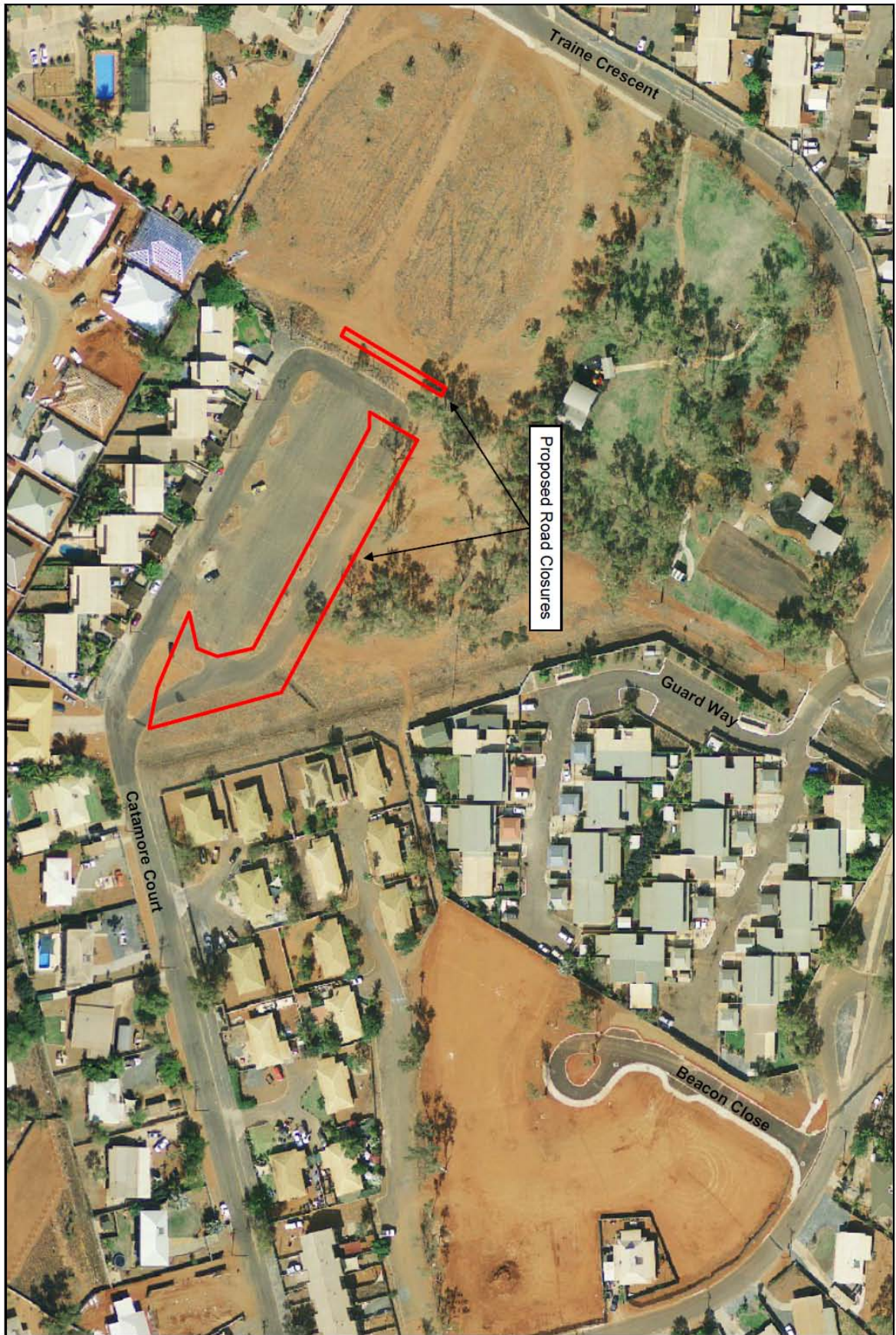
Seconded: Cr D W Hooper

That Council:

1. supports the request from Taylor Burrell Barnett, Town Planners on behalf of the South Hedland New Living project to permanently close a portion of the Catamore Court Road Reserve, South Hedland.
2. In accordance with the *Land Administration Act 1997* and *Land Administration Regulations 1998*, request the Department of Regional Development and Lands to close that part of Catamore Court Road Reserve.
3. That Council ADVISE the Department of Regional Development and Lands to create an easement in favor of the Water Corporation to protect their assets located within the portion of the road closure.
4. That Council ADVISE the Department of Regional Development and Lands to create and easement in favor of Horizon Power to protect their assets located within the portion of the road closure.
5. Delegates the Director Planning & Development Services under Delegation 40(12) to submit the roads closure request to the Department of Regional Development and Lands (State land Services), subject to no adverse submissions being received during the statutory advertising period.

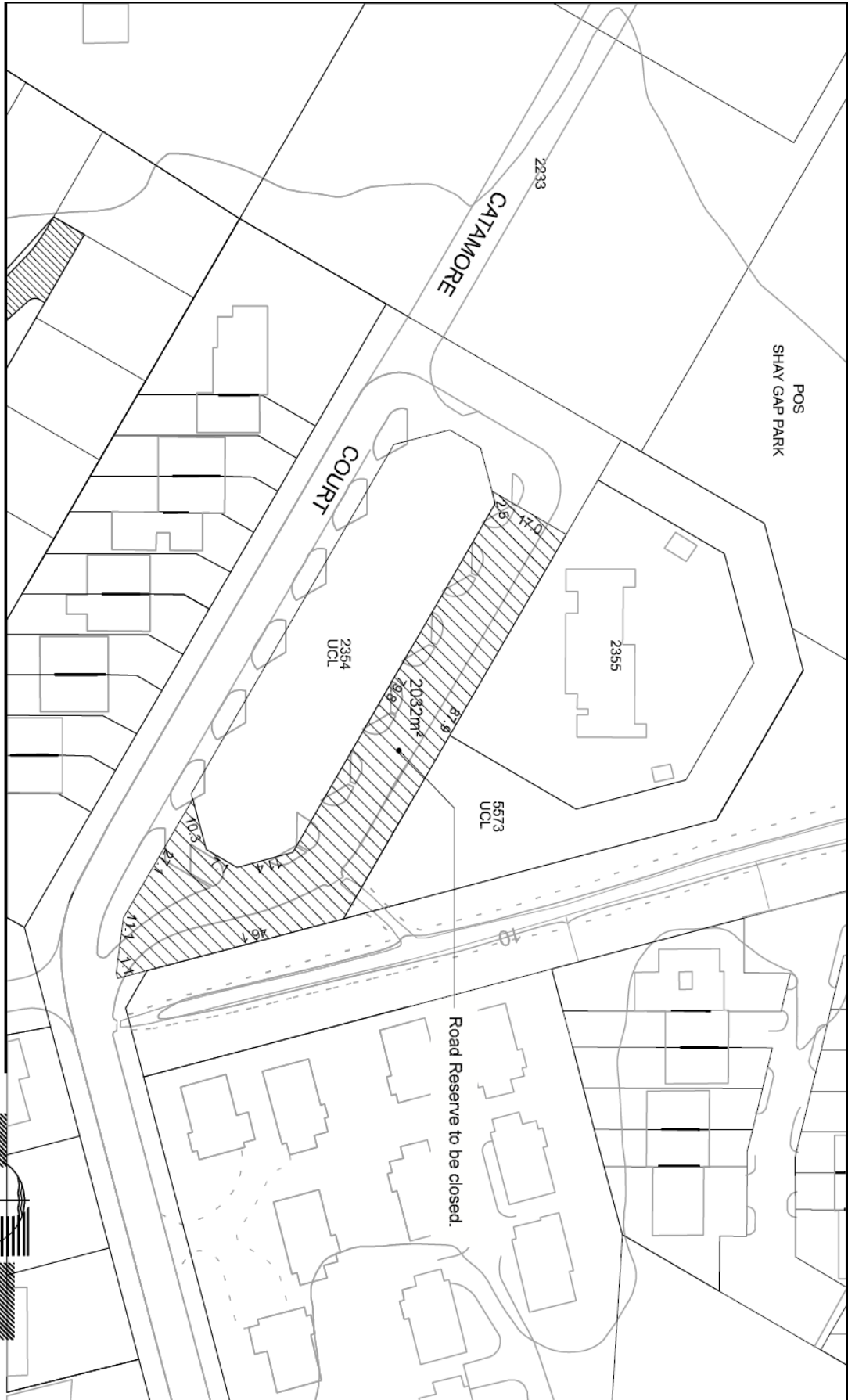
CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.13



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.13

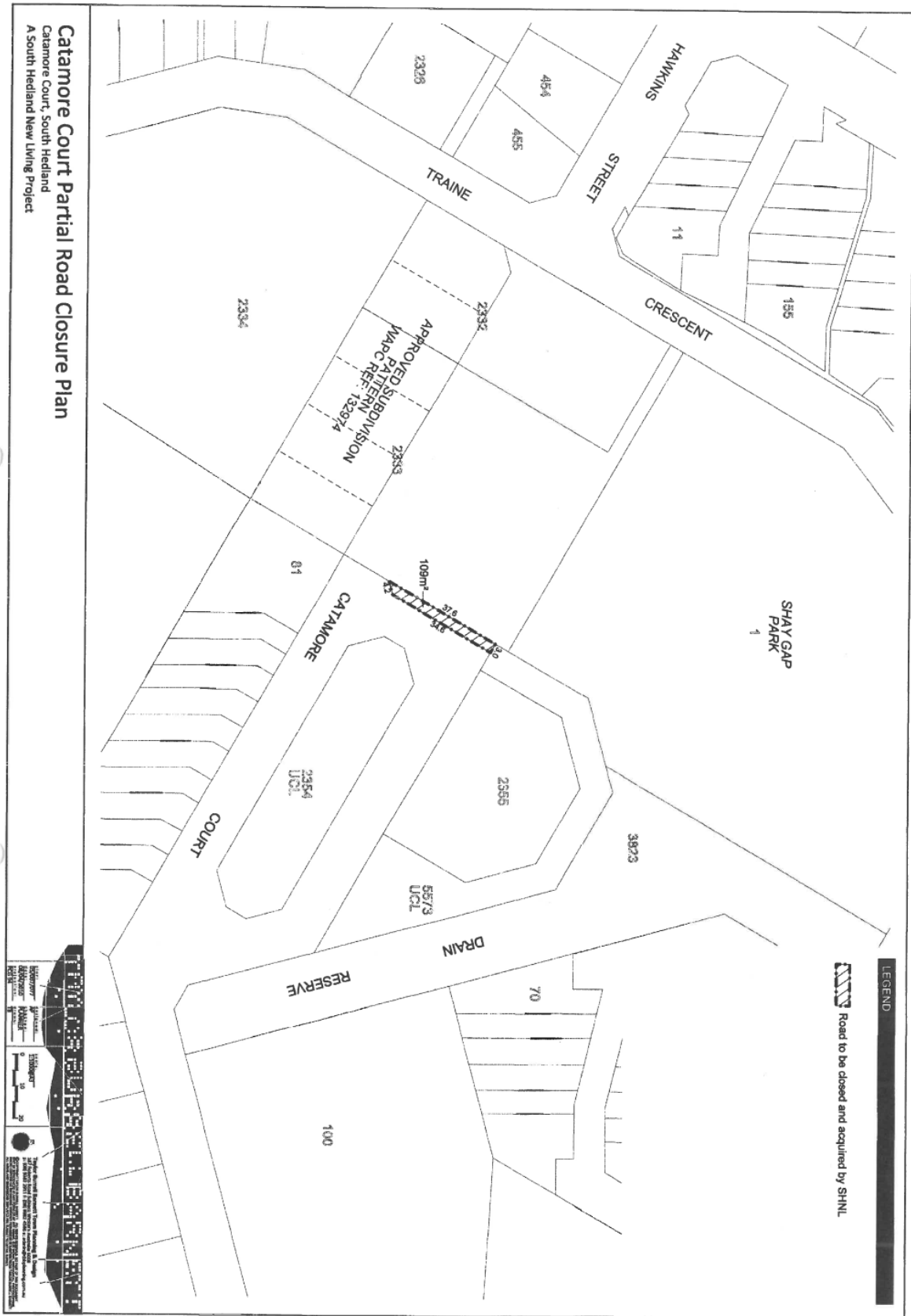
PROJECT
Road Closure Plan for Catamore Court
SOUTH HEDLAND



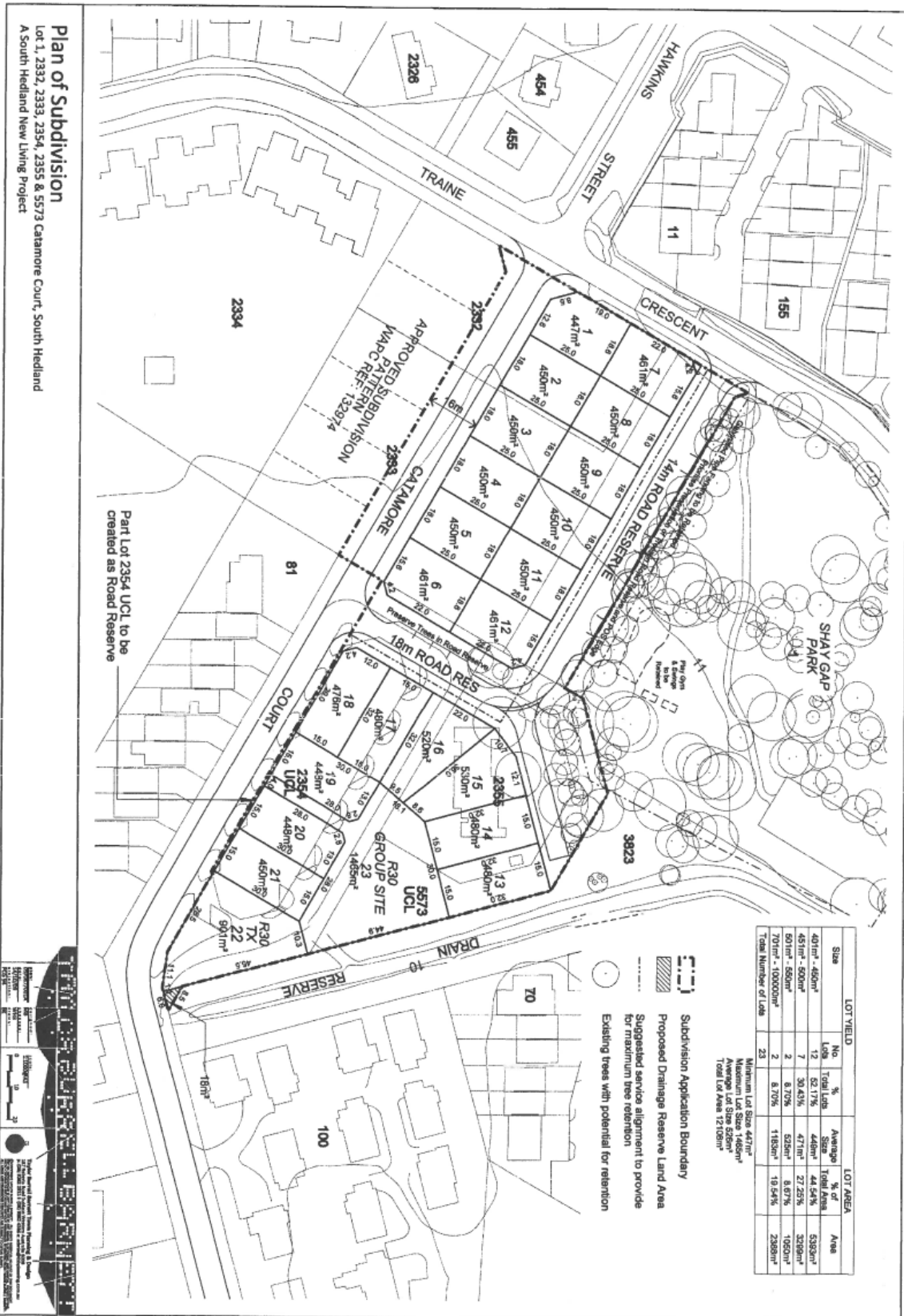
CLIENT	JACON	DATE	15/05/2007
PLAN NUMBER	06/07/079	SCALE	1:1000 @ A4
DESIGNED BY	NS	CHECKED BY	NS
		PROJECT	PHC294
		DRAWN BY	NMA

TAYLOR BURNELL BARNETT
Town Planning and Design
177 Roberts Road, Southcoast
Western Australia 6201
Telephone: (08) 9382 4888
Email: info@tbb.com.au

ATTACHMENT 3 TO AGENDA ITEM 11.1.1.14



ATTACHMENT 4 TO AGENDA ITEM 11.1.1.13



ATTACHMENT 5 TO AGENDA ITEM 11.1.1.13

Your Ref:
Our Ref: JT1 2011 02176
Enquiries: Marion Morton
Telephone: 9420 2683



8 February 2011

Caris Marshall
Lands Officer
Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

629 Newcastle Street
Leederville 6007
Western Australia
PO Box 100
Leederville 6902
Perth Western Australia
Tel (+61 8) 9420 2420
www.watercorporation.com.au
ABN 28 003 434 917

Dear Caris

Re: Closure of Catamore Court Road South Hedland

Advice from town of Port Hedland was received by our Karratha office advising of the above road closure. Due to underresourcing this issue has just been given to me to action.

We confirm the Water Corporation have a 250DN Asbestos Cement pipe directly below this area, to protect our infrastructure we require a 5m easement either side of the pipe's centreline.

We enclose a copy of a plan indicating where our pipeline runs and location of easement required.

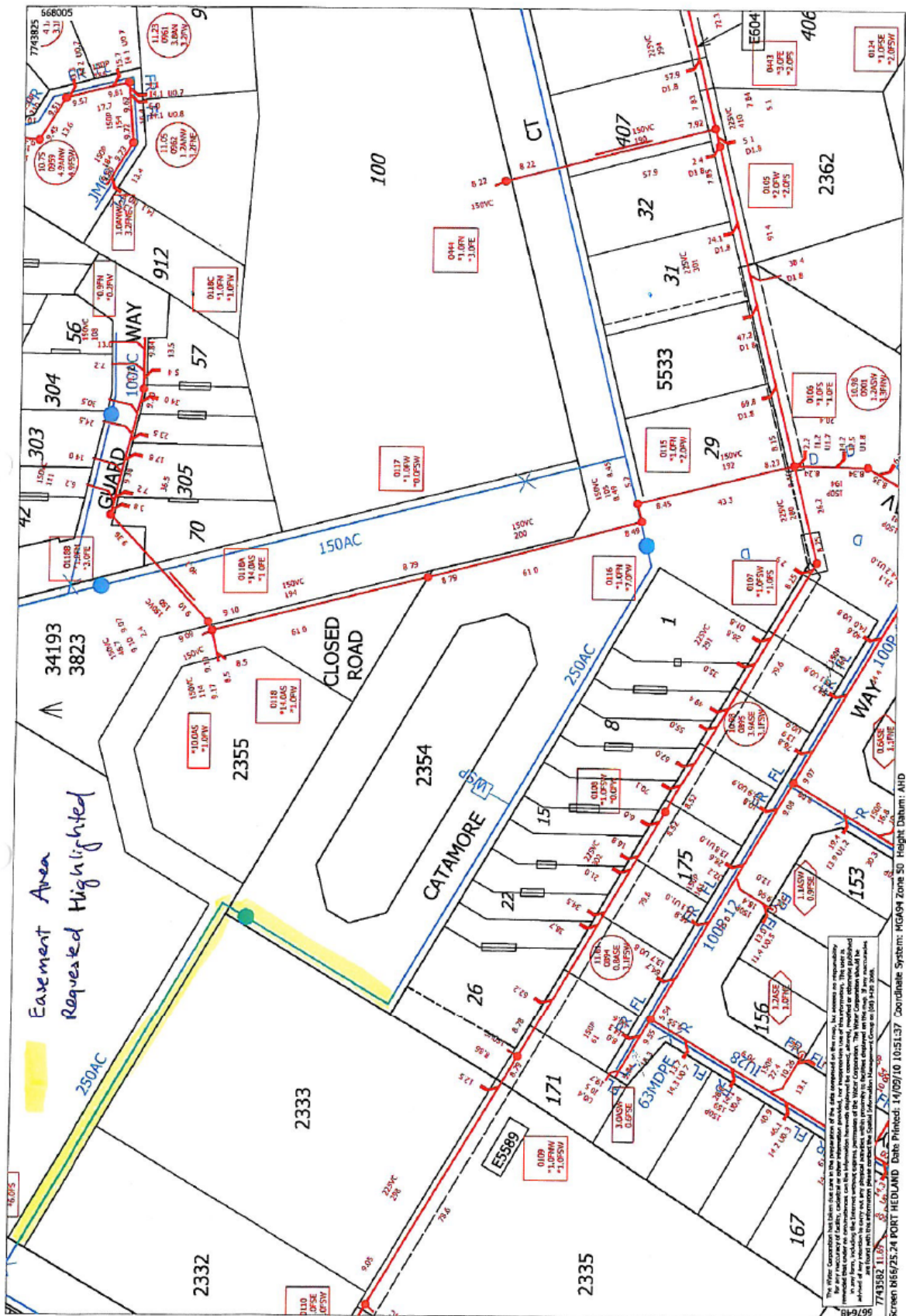
Can you please confirm in writing if the easement will be granted by the Town of Port Hedland.

I will then initiate the process to obtain an easement.

Should you have any further queries please do not hesitate to contact me via phone or email: marionmorton@watercorporation.com.au

Yours sincerely


Marion Morton
Property Acquisitions Officer
CORPORATE REAL ESTATE



Easement Area
Requested Highlighted

The Office of Geomatics has taken care to ensure the accuracy of the information provided, but no responsibility is assumed for any errors or omissions. This map is for informational purposes only and should not be used for any other purpose. The information is provided as a service to the public and is not intended to constitute any form of professional advice. The user of this information is advised to consult a professional surveyor or engineer for any specific requirements. The information is provided as a service to the public and is not intended to constitute any form of professional advice. The user of this information is advised to consult a professional surveyor or engineer for any specific requirements.

Screen 06/67/25.24 PORT HEDLAND Date Printed: 14/09/10 10:51:37 Coordinate System: MGA94 Zone 50 Height Datum: AHD

11.2 Engineering Services

6:13pm Councillor S R Martin declared a Financial Interest in Agenda Item 11.2.1 "Tender 11/13 Port Hedland Taxiway B Extension" as he has used on of the tenderers mentioned in the time in his business and may used them again in the future.

Councillor S R Martin left the room.

6:13pm Councillor S J Coates declared a Financial Interest in Agenda Item 11.2.1 "Tender 11/13 Port Hedland Taxiway B Extension" as he has contracted tenderer Civil Engineering for private work.

Councillor S J Coates left the room.

11.2.1. Tender 11/13 Port Hedland Taxiway B Extension (File No.:...)

Officer **Russell Dyer**
Director Engineering

Date of Report 23 March 2011

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of the tenders received for Tender 11/13 Hedland Taxiway B Extension

Background

The Town of Port Hedland International Airport is now handling increasing aircraft traffic, and the size of these aircraft are now too heavy to use the existing Taxiway Bravo, this situation has increased aircraft waiting time on the apron as these aircraft need to use the main runway as a taxiway.

To allow for efficient aircraft movements a RADS funding application was submitted and Council has been successful in receiving RADS funding over the next two years for the extension and asphalt overlay of Taxiway Bravo 2. The following is a breakdown of Milestone 1 funding.

A tender for civil work comprising of the construction of an eastern extension of parallel Taxiway B with associated connection to Runway 32 threshold. In addition there is construction of widened pavement (fillets) at the intersection of existing Taxiway B with Taxiway A, C and D. New box culverts are to be installed at three locations. On Taxiways B, C, D that have a strength rating for B737-800/A320-200 aircraft operations. The finished surface of the upgraded Taxiway B will be a prime and 7mm aggregated spray seal.

Consultation

Airport Manager
Forte Airport Management
Director Engineering

Statutory Implications

This tender was called in accordance to the Local Government Act (1995).

3.57. Tenders for providing goods or services

(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

(2) Regulations may make provision about tenders.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 1 - Infrastructure

Goal 2– Airport

Immediate Priorities 2. Upgrade runways, taxiways and aprons to facilitate efficient aircraft movement.

Budget Implications

Airport Non Operating Expenditure account 1210408 includes an allocation of \$1,622,580 for this and other RADS projects. The tables bellow gives the breakdown of the RADS Funding. A condition of RADS funding is that Council match the funding.

Project Plan activities

Milestone	Activity	Resources Required	Anticipated completion date	\$ Payment of RADS Grant ex GST
1	Stage 1 –Extend taxiway Bravo 2 by 500m, create taxiway foxtrot, chip seal underlay , purchase side lights, cabling and fittings, terminal works	Materials contractor equipment	16 May 2011	\$811,290
2	Stage 2- Asphalt 40mm overlay all taxiway and install taxiway side lights	Materials contractor equipment	16 May 2012	\$745,860
Total RADS grant over two years (2010-11 and 2011-12)				\$1,557,150

Project Budget Milestone 1 (2010 – 2011)

Activity	Itemized costs	TOPH contribution	RADS grant contribution	\$ Total contribution ex GST
Stage 1		\$811,290	\$811,290	\$1,622,580
Extend taxiway Bravo 2 by 500m create taxiway	Materials-\$905,280 Labour - \$398,600 Chip seal \$148,000			
Foxtrot, apply chip seal underlay	Lighting equipment \$39,840			
Purchase Taxiway side lights, cabling and fittings	Terminal Works \$130,860			
Terminal Works				
Total (ex GST)		\$811,290	\$811,290	\$1,662,580

Project Budget Milestone 2 (2011- 2012)

Activity	Itemized costs	TOPH Contribution	RADS grant contribution	\$ Total contribution
Stage 2		\$745,800	\$745,800	\$1,491,720
Asphalt (40mm) overlay all taxiways	Contractor (asphalt overlay) \$1,361,720			
Install taxiway side lights	Labour \$25,000 contractor (lights installation) \$105,000			
Total (ex GST)		\$745,800	\$745,800	\$1,491,720

Officer's Comment

The tender for Port Hedland Taxiway B Extension closed on the 4 of March 2011 and tenders were submitted by the following Companies, Australian Civils, Griffin Civils, Civil Team Engineering, downer EDI and Road Line Civil.

From the table bellow all tenders received were above the budgeted amount of \$1,451,880.

Australian Civils	\$1,907,728.84 excluding GST
Griffin Civil	\$2,406,764.14 excluding GST
Civil Team Engineering	\$2,881,785.68 excluding GST
Downer EDI	\$3,010,984.00 excluding GST
Road Line Civil	\$3,333,797.03 excluding GST

A Tender Report on the Port Hedland Taxiway B Extension was carried out by Forte Airport Management, who prepared the Technical Specifications. Through the tender assessment process clarification was required from Australian Civils on sub – base material and Griffin Civil on an alternative sub base material; this resulted in alternative pricing from Australian Civils and Griffin Civil.

The table 1 bellow gives the price ranking and notes from the tender assessment by Forte Airport Management

**Port Hedland International Airport - Taxiway B Extension, Fillet Widening and Strengthening T 11/13
Price Ranking**

	Item	Australian Civils	Griffin Civil	Civil Team Eng.	Downer EDI	Road Line Civil
1	Preliminaries	\$123,500.00	\$231,200.00	\$192,225.00	\$155,345.00	\$669,263.00
	Other BCIT, Insurances, Site Inductions	\$38,245.00			\$62,574.00	
2	Setout & Construct Taxiway B3 & F (from Taxiway D to THR 32) complete with OUD and sealed finish	\$734,697.00	\$1,447,216.00	\$1,690,621.46	\$1,666,285.50	
3 a	Setout & Construct Fillet Widening Taxiway B2 and D and seal.					\$2,664,534.03
3 b	Setout & Construct Fillet Widening Taxiway B1, B2 and A and seal. (4 of)	\$196,148.84	\$171,531.14	\$304,189.61	\$335,030.50	
3 c	Setout & Construct Fillet Widening Taxiway B1 and C and seal.					
4	Supply and install culverts	\$815,138.00	\$556,817.00	\$694,749.61	\$791,749.00	
5	Other - contingency					\$333,379.70
	ALTERNATIVE PRICING	\$285,570.00	-\$36,432.00			
	ADJUSTED TOTAL	\$2,193,298.84	\$2,370,332.14	\$2,881,785.68	\$3,010,984.00	\$3,667,176.73
	Total Tendered Incl. GST	\$2,412,628.72	\$2,607,365.35	\$3,169,964.25	\$3,312,082.40	\$4,033,894.40
	Price Ranking	1	2	3	4	5
	PRICE SCORE	50	45.96	34.30	31.36	16.40

EXPERIENCE LF 4	12	18	18	18	18
RESOURCES LF 2	6	9	6	9	9
DEMONSTRATED UNDERSTANDING LF 2	6	8	7	8	8
LOCAL INDUSTRY DEVELOPMENT LF 2	7	7	7	7	7
TOTAL	81	88	72	73	58
Preferred Tender Status RANKING	2	1	4	3	5

Notes

- 1 AUS Civils culvert Supply to specifications is (Humes product also by Downers). 9-11 week delay to supply. Advice received states this is unlikely to be amended until order is placed. Griffin Civil have advised (verbal inquiry placed) that their supplier (Icon septic) will have supply within 6 weeks of an order placed and they do not envisage program delay.
- 2 On clarification (separately attached) AUS Civils pavements require a price adjustment for addition of sub-base material. Supplier info not available. Understanding of project is of concern.
- 3 Griffin Civils offer an alternative larger fraction subbase material for savings of \$36,432. Supplier is Boral Quarries and product would be acceptable.
- 4 Access will be controlled at night works and intersection with Threshold 32. Acceptance of controlled works is required by the preferred tenderer.
- 5 Aus Civils 7 week program appears tight, as does Griffin Civil which express 8 weeks. Others contractors have between 8 to 13 week program

Table 2 below gives Town of Port Hedland Council staff tender assessment and ranking.

Australian Civils	\$1,907,728.84	84.90	1
Griffin Civil	\$2,406,764.14	73.83	2
Downer EDI	\$3,010,984.00	66.45	3
Road Line Civil	\$3,333,797.03	51.51	5
Civil Team Engineering	\$2,881,785.68	63.97	4

Australian Civils				
Performance Criteria	Criteria Weightings	Score 0-10	Weighting x Score (%)	Comments
Price (refer formula for score calculation)	50%	\$1,907,728.84	50.00	Exclude dewatering, rock work, disconnection or removal of services/structures unless stated in tender, testing or certification other than in tender.
Experience				Completed PHIA RESA extensions, however most other examples not relevant. Majority of project examples less than proposed contract value. Good remote experience. Referees gave good feedback.
Experience of similar type	6%	7.5	4.50	
Experience of similar size and budget	6%	6	3.60	
Remote experience	5%	10	5.00	
Referee testimonial	2.5%	8	2.00	
Loaded score - Experience	20%		15.10	
Resources (supervisory, plant, equipment)				Very brief description of supervisory staff experience, although worked in Pilbara for TOPH before. Has not indicated crews actually doing the work or their experience. No indication of relief staff. Good level of equipment provided. Subcontractors good. Have not indicated start time or readiness to start. Indicated 9-11 weeks lead time on culverts.
Resources roles and responsibilities	4%	6	2.40	
Nominated contractor suitability	2%	8	1.60	
Resources availability	4%	6	2.40	
Loaded score - Resources	10%		6.40	
Demonstrated Understanding of Works				Supervisory staff OK. Good level of detail in gantt chart, however no mention of approvals for airside operations. No mention of PMP, EMP, SMP, etc.
Methodology	5%	7	3.50	
Demonstration of management approach	5%	6	3.00	
Loaded score - Demonstrated Understanding	10%		6.50	
Local Industry Development				100% workforce stated in Pilbara/Port Hedland. Culverts, bitumen, etc sourced outside of Pilbara. General statements on other criteria.
Volume of workforce from Port Hedland/Pilbara	3%	10	3.00	
Volume of goods from Port Hedland/Pilbara	3%	5	1.50	
Training and skills development for Port Hedland	2%	6	1.20	
Benefits to TOPH	2%	6	1.20	
Loaded Score - Local Industry Development	10%		6.90	
Performance Weighted Score	100%		84.90	

Griffin Civil				
Performance Criteria	Criteria Weightings	Score 0-10	Weighting x Score (%)	Comments
Price (refer formula for score calculation)	50%	\$2,406,764.14	39.63	No rock work, will claim for inclement weather, prime & seal rates only valid 30 days, double road trains for materials delivery.
Experience				PM managed Karratha airport carpark. Referree letters available (??). Experience with large budget projects. Projects listed not specific to airport runway but good civil experience. Remote experience - Karratha, Nullagine, Neerabup, Eyre Highway. Referrees gave good feedback.
Experience of similar type	6%	7	4.20	
Experience of similar size and budget	6%	8	4.80	
Remote experience	5%	8	4.00	
Referee testimonial	2.5%	8	2.00	
Loaded score - Experience	20%		15.00	
Resources (supervisory, plant, equipment)				Good organisational chart and resources list. Good detail on experience and qualifications. Good list and availability of equipment. Subcontractors suitable. Indicated completion date within required timeframe, however this will be delayed due to Council's approval process. Included table on staff availability.
Resources roles and responsibilities	4%	8	3.20	
Nominated contractor suitability	2%	8	1.60	
Resources availability	4%	8	3.20	
Loaded score - Resources	10%		8.00	
Demonstrated Understanding of Works				Good organisational chart showing management approach. Referred to PMP, EMP, SMP, etc. Referred to site specific inductions. Good gantt chart and methodology statement.
Methodology	5%	8	4.00	
Demonstration of management approach	5%	8	4.00	
Loaded score - Demonstrated Understanding	10%		8.00	
Local Industry Development				2 of 20 employees sourced from Pilbara, subcontractors from Pilbara. Traineeships can be offered if requested (but not current), second office in Karratha.
Volume of workforce from Port Hedland/Pilbara	3%	3	0.90	
Volume of goods from Port Hedland/Pilbara	3%	5	1.50	
Training and skills development for Port Hedland	2%	2	0.40	
Benefits to TOPH	2%	2	0.40	
Loaded Score - Local Industry Development	10%		3.20	
Performance Weighted Score	100%		73.83	

Downer EDI				
Performance Criteria	Criteria Weightings	Score 0-10	Weighting x Score (%)	Comments
Price (refer formula for score calculation)	50%	\$3,010,984.00	31.68	No rock work, plus PS 50K for access road construction, plus PS 50K for service locations, will claim for inclement weather.
Experience				Perth & Newman airports runway experience. National airfields mtc contract with DOD. Good experience in high contract values. Excellent remote experience including contracts with TOPH. Referrees gave good feedback.
Experience of similar type	6%	9	5.40	
Experience of similar size and budget	6%	8	4.80	
Remote experience	5%	9	4.50	
Referee testimonial	2.5%	7.5	1.88	
Loaded score - Experience	20%		16.58	
Resources (supervisory, plant, equipment)				Good CV's, plant, equipment and subcontractors. Sealing in-house. Advised of % of resources available. Advised that tender timeframes aren't adequate, finishing in June to accommodate true time requirements.
Resources roles and responsibilities	4%	8	3.20	
Nominated contractor suitability	2%	8	1.60	
Resources availability	4%	8	3.20	
Loaded score - Resources	10%		8.00	
Demonstrated Understanding of Works				Detailed gantt chart identifying methodology, security clearance, night works, 2 days inclement weather allowance. Good organisational structure. Referred to SMP, EMP, QA.
Methodology	5%	8	4.00	
Demonstration of management approach	5%	8	4.00	
Loaded score - Demonstrated Understanding	10%		8.00	
Local Industry Development				Broad statements only, not specific to PH or Pilbara.
Volume of workforce from Port Hedland/Pilbara	3%	1	0.30	
Volume of goods from Port Hedland/Pilbara	3%	5	1.50	
Training and skills development for Port Hedland	2%	1	0.20	
Benefits to TOPH	2%	1	0.20	
Loaded Score - Local Industry Development	10%		2.20	
Performance Weighted Score	100%		66.45	

Road Line Civil				
Performance Criteria	Criteria Weightings	Score 0-10	Weighting x Score (%)	Comments
Price (refer formula for score calculation)	50%	\$3,333,797.03	28.61	Tender price has added 10% contingency to this also. Assessment price doesn't include contingency to maintain consistency.
Experience				Remote airport works and airstrip upgrades. Good level of civil experience but only minimal airport related work. Good regional experience. No budget info provided on projects, no referees provided.
Experience of similar type	6%	7	4.20	
Experience of similar size and budget	6%	1	0.60	
Remote experience	5%	8	4.00	
Referee testimonial	2.5%	0	0.00	
Loaded score - Experience	20%		8.80	
Resources (supervisory, plant, equipment)				Subcontractors good, plant & equipment good, advised on 9-11 week lead time for culverts, 13 week contract (not as per tender requirements, but more realistic). No indication of actual construction crews or relief staff. Unclear on commitments/availability.
Resources roles and responsibilities	4%	6.5	2.60	
Nominated contractor suitability	2%	8	1.60	
Resources availability	4%	0	0.00	
Loaded score - Resources	10%		4.20	
Demonstrated Understanding of Works				HSE plan, HR mgmt plan, Quality policy, EMP. Good company structure. Good gantt chart identifying security clearances.
Methodology	5%	7	3.50	
Demonstration of management approach	5%	8	4.00	
Loaded score - Demonstrated Understanding	10%		7.50	
Local Industry Development				Only provided minimal info on local sub contractors and materials.
Volume of workforce from Port Hedland/Pilbara	3%	3	0.90	
Volume of goods from Port Hedland/Pilbara	3%	5	1.50	
Training and skills development for Port Hedland	2%	0	0.00	
Benefits to TOPH	2%	0	0.00	
Loaded Score - Local Industry Development	10%		2.40	
Performance Weighted Score	100%		51.51	

Civil Team Engineering				
Performance Criteria	Criteria Weightings	Score 0-10	Weighting x Score (%)	Comments
Price (refer formula for score calculation)	50%	\$2,881,785.68	33.10	
Experience				Airport upgrade in NSW & QLD. Civil projects of varying budgets. No indication of Pilbara experience, although some interstate regional experience. Referrees gave good feedback.
Experience of similar type	6%	7	4.20	
Experience of similar size and budget	6%	8	4.80	
Remote experience	5%	3	1.50	
Referee testimonial	2.5%	7.5	1.88	
Loaded score - Experience	20%		12.38	
Resources (supervisory, plant, equipment)				Many staff already hold ASIC card. Based in eastern states. Concern with culvert availability and delays. Plant to be hired from local companies. Local subcontractors good. Company prequalified with MRWA. CV's broad on qualifications or job responsibility however do identify projects. Corporate structure provided. Availability shown in %.
Resources roles and responsibilities	4%	8	3.20	
Nominated contractor suitability	2%	8	1.60	
Resources availability	4%	8	3.20	
Loaded score - Resources	10%		8.00	
Demonstrated Understanding of Works				Management systems certified to ISO 9001. Corporate structure information provided. Detailed gantt chart. No indication of security clearance in methodology. Identifies night works. To be finished as per tender requirements but advise of culvert delay.
Methodology	5%	8	4.00	
Demonstration of management approach	5%	8	4.00	
Loaded score - Demonstrated Understanding	10%		8.00	
Local Industry Development				All plant hire local. Haven't specified any local workforce. Detailed statements however do not indicate benefits to local community.
Volume of workforce from Port Hedland/Pilbara	3%	1	0.30	
Volume of goods from Port Hedland/Pilbara	3%	6	1.80	
Training and skills development for Port Hedland	2%	1	0.20	
Benefits to TOPH	2%	1	0.20	
Loaded Score - Local Industry Development	10%		2.50	
Performance Weighted Score	100%		63.97	

The table below gives the Preferred Tender Status RANKING

Company	TOPH Score	TOPH Ranking	Forte Airport Score	Forte Ranking
Australian Civils	84.9	1	81	2
Griffin Civil	73.8	2	88	1
Downer EDI	66.45	3	73	3
Civil Team Engineering	63.97	4	72	4
Road Line Civil	51.51	5	58	5

From the above scores the TOPH ranks Australian Civils 1 and Griffin Civil 2, Forte Airport Management rank Griffin Civil 1 and Australian Civils 2. After clarification from Forte Airport Management on construction specifications the following alternative pricing was submitted by Australian Civils and Griffin Civil

Company	Alternative Pricing	Total (ex GST)
Australian Civils	\$285,570 additional subbase	\$2,193,298.84
Griffin Civils	\$36,432. Saving alternative subbase	\$2,370,332.14

The above Tender prices are above Councils budget of \$1,451,880. and will require additional funds to complete the project , the table below shows where additional funding could be made available.

Transfer from budget allocation the following amounts

GL 1210455 Main Apron Strengthening Transfer to GL 1210408 Taxiway Extension	\$600,000
GL 1210454 Main Apron Extension Transfer to GL 1210408 Taxiway Extension	\$200,000
GL 1210407 Common User Check in Facilities	\$250,000
Total transfer to GL 1210408 Taxiway Extension	\$1,050,000

The transfer of \$1,050,000 would increase GL 1210408 Taxiway Extension budget to \$2,501,880 this would bring Australian Civils and Griffin Civil into budget.

The difference in ranking between Australian Civils and Griffin Civil By the TOPH staff and Forte Airport Management has been discussed and Griffin Civil have shown a better understanding of the requirements of this project and have worked on similar regional projects with budgets similar or larger than this project and their referees gave good feedback.

Australian Civils have given the following responses to Forte Airport Management

Materials proposed for incorporation as Base and Sub-base. Please confirm the products intended for use are compliant. Perhaps forward suppliers details or advise accordingly what the tendered price allows.

As discussed Base Course only has been allowed to be imported. Sub Base was to be sourced from the TOPH borrow pit as per Item 3.7 (Specification) Extra over to import, condition and place 200mm Sub Base \$285,570.00 + GST

No allowance is apparent for additional subgrade material, if required. The subgrade is 400mm below finished level. Please confirm that tendered price adequately covers earthwork preparation any contingent import (and disposal) of Pindan from Town pit.

We can confirm our price adequately covers earthwork preparation.

Culvert supply timing is an issue for Town's program. AUS Civils state lead production timing of 9-11 weeks from date of order. Please advise if the conforming tendered works can be delivered within the programmed time. AUS Civils tender program is 54 days, which is approx 8 weeks from start. If AUS Civils wish to proffer an alternative approach for culvert works this may be considered.

As discussed, accurate design, manufacture and delivery to site of required culverts will not be confirmed until contract award. Manufacturers will not provide design or commit to time frames.

Access to site will be controlled being an airport that is security categorised and safety managed by Works Safety Officers. The consequence of this is night works for taxiway B and A fillets would be at night for operational reasons. Similarly, access to the 32 threshold tie in (75m back from runway centerline) would be at yet to be determined set hours. Please advise acceptance or otherwise.

As per tender documents, night works have been allowed for at intersection of taxiway B and A. Works for 32 Threshold have been allowed as per Tender Specification (6am – 6pm)

Regards
Australian Civils

The following is Forte Airports Management tender evaluation explanation for why they recommend Griffin Civil.

I have completed the tender evaluation for T11/13 Taxiway B extension, fillet widening and strengthening.

The attached two spread sheets detail the outcome.

Initial sheet is based upon tendered pricing and applying the weighting to experience, resources, demonstrated understanding, and local industry development. This outcome indicated AUS Civils had preference.

However, scrutinising the tender prices and the delivered documentation, AUS Civils poor understanding and reading of the project have made no allowance for conforming sub-base material; rather their intention was use of Pindan. Please see the attached response to the questions put to AUS Civils on this and other matters.

Griffin Civils being second ranked have put forward an alternative to their compliant bid for savings of \$36,432 to use a larger fraction sub-base material, which would be acceptable.

Further, Griffin Civils on verbal inquiry have advised culvert supply would be at week 6 of their program and this followed inquiry upon their supplier. This is an important consideration. Their pricing is more competitive for culvert supply and install – by an order of \$258,321 + GST. Griffin therefore has a greater allocation (\$402,331.30) of their tendered amount on the Taxiway pavement construction versus AUS Civils. This is an important consideration and realistic cost comparison can be drawn from Downer and Civil Teams pricing for the same.

Griffin Civils are ranked No 1 on the alternative tender pricing and are recommended to hold preferred tender status.

Griffin Civils provides greater confidence on this project, as evidenced by their score for experience, resources and demonstrated understanding and this has elevated their ranking over price.

Attachments

Nil

Officer's Recommendation

That Council:

1. Award Tender 11/13 Port Hedland Taxiway B Extension to Griffin Civil for the sum of \$2,370,332.14 ex (GST); and
2. Request the transfer of funds from GL 1210455 Main Apron Strengthening \$600,000 and GL 1210454 Main Apron Extension \$200,000 and GL 1210407 Common User Check In Facilities \$250,000 to GL 1210408 Taxiway Extension; and
3. Staff write to the successful and unsuccessful tenders.

201011/299 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr D W Hooper

That Council:

1. Award Tender 11/13 Port Hedland Taxiway B Extension to Australian Civils for the sum of \$2,193,298.84 ex (GST)
2. Request the transfer of funds from GL 1210455 Main Apron Strengthening \$600,000 and GL 1210454 Main Apron Extension \$200,000 and GL 1210407 Common User Check In Facilities \$250,000 to GL 1210408 Taxiway Extension; and
3. Staff write to the successful and unsuccessful tenders.

CARRIED 5/0

REASON: Council awarded Tender 11/13 Port Hedland Taxiway B Extension to Australian Civils due to the lesser cost of \$177,000 and as it is a local company that employs local people.

6:17pm Councillors S R Martin and S J Coates re-entered the room and resumed their chairs.

Mayor advised Councillors S R Martin and S J Coates of Council's resolution

11.3 Community Development**11.3.1 *Multi Purpose Recreation Centre Update (File No.: 26/13/0015)***

Officer	Bec Pianta Manager Recreation and Youth Services
Date of Report	24 March 2011
Disclosure of Interest by Officer	Nil

Summary

The Multi Purpose Recreation Centre (MPRC) has commenced construction at Kevin Scott Oval in South Hedland, and is currently on programme for conclusion in May 2012. This report has been prepared for Council's information, in anticipation of a report to be presented at an Ordinary Council Meeting in April, making recommendations on possible internal design changes.

Background

In November 2011, the Town of Port Hedland awarded the responsibility of the development of the Management Plan for the MPRC to CCS Strategic Management (CCS), to determine financial, human resource, asset management etc requirements for the entire centre. Upon initial investigation by CCS, it was deemed that the internal floor design would lead to inefficiencies in terms of operations, and higher than necessary financial deficits.

CCS, Town of Port Hedland staff, Thinc Projects (Project Managers), the recently appointed Director Community Development and the Architects from Ashton Raggatt and McDougall (ARM) discussed potential changes that would theoretically improve the operations of the MPRC.

ARM are now currently reviewing all options, and will provide a report as to the suitability of these changes (from an architectural viewpoint) and the financial impacts to make these changes at this stage in the construction process.

A summary of the major / structural changes recommended within the internal design of the MPRC are as follows:

- Squash courts - Redevelop (remove) to provide wellness spaces / tenant accommodation.

- Kiosk – relocate kiosk 2 to become administration space, and install facility with the capacity to cook selected items in the reception area.
- Upstairs function area – provide two small food service and preparation areas, separated by an acoustic operable wall.
- Crèche – open the crèche into the covered corridor and outside the façade.

The other suggested design and fit-out modifications that have been recommended will be presented to Council as part of the next report, however are not considered major alterations to the overall facility. Many included recommendations in terms of fit-out will be presented as part of the New Item request for Fit-Out of the MPRC as part of the 2011/12 budget process.

Consultation

The approved and endorsed design was developed following intense community and Council consultation. The proposed changes have been discussed amongst the following:

- Chief Executive Officer
- A/Director Community Development
- Recently appointed Director Community Development
- Manager Recreation and Youth Services
- Thinc Projects
- Ashton, Raggatt and McDougall
- CCS Strategic Management

Statutory Implications

The tender for the construction of the Multi Purpose Recreation Centre was called and awarded in accordance with the Local Government Act (1995):

“3.57. Tenders for providing goods or services:

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

Changes to the internal design falls within all relevant statutory requirements of the tender and contract management, and can be undertaken in consultation with the contractor and the client.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 2 – Sports and Leisure

Immediate Priority 1 – Build the Multi Purpose Recreation Centre

Budget Implications

This report is for Council Information only, and therefore has no financial implications attached. It is anticipated that the following report in April will state financial implications (both the immediate construction costs, and the proposed ongoing operational impact).

Officer's Comment

It is important to note that whilst these changes may make commercial sense (theoretically), there is a requirement for the Town of Port Hedland to ensure that the community receives a facility that will also be beneficial to their needs. The community has endorsed the current design, so any proposed changes adopted may need to be communicated to relevant persons or groups. It is likely however, that there will be an improvement in the operating financial deficit, which will have significant budgetary advantages for each year of operation to come.

It is expected that each change will have the following associated cost:

- Architectural re-design
- Engineering approval (of all natures)
- Construction costs

Each item will be presented to Council with the aforementioned costs included, and will also include the expected ongoing financial implication, (most likely a reduction in operating deficit).

It is anticipated that these costs, change possibilities and comments will all be presented at the Ordinary Council Meeting in April 2011, pending receipt of all information within the required timeframes.

201011/300 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council notes this report, and undertakes a review of the proposed changes and associated costs at the next available Ordinary Council Meeting.

CARRIED 7/0

11.3.2 Aquatic Centre Management Contract (File No.: 26/13/0006)

Officer Bec Pianta
Manager Recreation and Youth
Services

Date of Report 17 March 2011

Disclosure of Interest by Officer Nil

Summary

The Town of Port Hedland recently engaged consultants to undertake a review of the current management contract with the YMCA for the management and operations of both Gratwick (GAC) and South Hedland Aquatic Centres (SHAC), to provide recommendations on the future of these two centres.

Background

At the 22 April 2009 Ordinary Council Meeting, Council resolved to contract the YMCA Inc. to undertake all management and operational duties at the GAC and SHAC for a two-year period, concluding on the 30th June 2011.

As this contract is approaching its conclusion, the Town of Port Hedland commissioned a review of the contract with the YMCA, which considered all aspects of management and operations including programming, financial efficiency and human resources. The report provides Council options with regards to the future operations of these two centres. (Attachment 1)

Consultation

The Management Review and resultant recommendations were developed with input from various sources, including a broad consultative process with the community, and internal Town of Port Hedland staff including:

- Manager Recreation and Youth Services
- Recreation Coordinator
- Sports and Recreation Officer
- Club and Project Development Officer
- A / Director Community Development
- Chief Executive Officer

Discussions have also occurred with representatives from the YMCA and user groups of each facility.

Statutory Implications

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

“3.57. Tenders for providing goods or services:

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

Policy Implications

Nil

Strategic Planning Implications

Key Result Area3 – Community Development

Goal 2 – Sports and Leisure

Other Actions 2 – Develop plans for future recreation and leisure facility upgrades to accommodate population growth.

Budget Implications

At this stage, the YMCA has not yet provided a budget for the upcoming 12 months for the management and operations of the two aquatic centres as their contract is concluding on the 30th June 2011. Should Council endorse the Officer's Recommendation, the YMCA will continue to manage and operate these facilities under an amended contract for a period of 12 months, with the operational budget to be considered as part of the standard budget process.

The negotiated budget submission for the management and operation of the two centres from the YMCA for the previous two years' was as follows:

- a. 2009/10 financial year: \$980,831
- b. 2010/11 financial year: \$1,010,256.

It is anticipated that the costs to manage and operate these facilities in the upcoming financial year will not exceed these amounts, due to information supplied within the review of the aquatic facilities. There is also an expectation that the SHAC will not be operational for at least the first half of the 2011/12 financial year, representing a saving to Council.

Officer's Comment

The report's recommendations were formulated following community consultation, Town of Port Hedland discussions, user group responses and Council informal briefing sessions.

Since receiving the report, recreation staff and the executive team have discussed the advantages and disadvantages of implementing all the

recommendations immediately, following the conclusion of the contract on the 20th June 2011.

Although the merit of implementing all recommendations immediately is obvious (based on the review), the timing of this implementation needs to be considered. The major recommendation states that the Town of Port Hedland should recommence the management and operation of the two aquatic facilities on the 1st July 2011, and during a period of six months, undertake a review of the current management contract and business plan, prior to advertising for management.

Whilst the advantages of returning management to the Town of Port Hedland may be beneficial in the short term (developing a detailed understanding of the management and operations in terms of human resourcing, programming and financial responsibility), the fact that the centre's may return to being outsourced (recommended to commence on the 1st July 2012), diminishes these advantages; the internal work required (not to mention the Human Resource recruitment requirements) deem this recommendation (in the short term), unfeasible.

Many inclusions and comments within the report need to be considered with the development of a new and updated business plan and management contract, and it is therefore recommended that this occur over the following six months, to allow for tenders (in-house submissions permitted) to be called at the end of this calendar year. The continuation of the YMCA contract (amended and in-line with the initial tender to ensure compliance with tender specifications), is therefore the short term recommendation.

With regards to all recommendations, the following comments are therefore provided:

1. That Council not extend the current management contract with the YMCA...

It is recommended that the contract be extended for a period of 12 months, concluding on the 30th June 2012, allowing for a detailed business and management contract to be developed, and allowing the centre's to still operate during this time. Returning management and operational responsibilities to the Town of Port Hedland for potentially such a short time frame is Human Resource and time intensive, and may come at a detriment to the community (at least in the short term). It is recommended that the tender for the management and operation of these facilities occur in late 2011, for commencement on the 1st July 2012. It is also anticipated that there will be adequate internal staff to ensure this can occur (Director Community Development and Manager Recreation and Youth Services). Recommendation 8 states that a consideration for the management of all recreation facilities can be considered (with the proposed conclusion of the Multi Purpose Recreation Centre),

therefore calling a tender in late 2011 (after undertaking a business plan for the new centre) will be ideal.

2. That Council advertises for suitably qualified staff to manage and work at Gratwick Pool from 1 July 2011 under a 6 month contract...

It is recommended that this not occur, in line with comments made for recommendation 1. As all Council staff and executive are aware, recruitment for positions within the Town of Port Hedland is an arduous process, with results not necessarily delivered. Should the Town of Port Hedland resume management on the 1st July 2011, there is a possibility that adequate staff will not be available for this date, and GAC will not open. Current Recreation staff do not have the capacity or qualifications to undertake the management of these facilities.

3. That a short-term business plan be prepared for the operation of the Gratwick Pool for the period 1 July 2011 to 30 June 2012.

It is recommended that a longer term business plan is developed during this period, for a commencement date of 1st July 2012.

4. That the scope of works for the redevelopment of the South Hedland Aquatic Centre include a 25m wave pool with leisure pool...

This has been included in the scope of works for the SHAC redevelopment

5. That Council engages the services of a suitably experienced consultant to assist them to prepare the necessary contracts...

It is recommended that this occur within the next financial year, and is being presented as part of the 2011/12 budget process.

6. That Council engages consultants to prepare a business plan for the South Hedland Aquatic Centre based on proposed improvements and new facilities...

This will occur in line with recommendation 5.

7. That in conjunction with a business plan for SHAC, a business plan for Gratwick Pool and, together with the management plan for the new recreation centre, expressions of interest documentation for the management of these facilities be developed.

This will occur in line with recommendation 5, however it is preferred that tender documents (rather than Expression of Interest documents) are created.

8. That Council engages consultants to prepare a contract that would address the issues raised in the review of the current pool operations and current contract...

This will occur in line with recommendation 5.

9. A staged development program for both the SHAC and Gratwick Aquatic Centre with funding and implementation dates for completion for inclusion in Council's 2011/12 budget

It is recommended that this occur within the next financial year, and is being presented as part of the 2011/12 budget process.

10. A master plan for the redevelopment of Gratwick Pool to minimise the ongoing subsidy required from Council be prepared...

It is recommended that this occur within the next financial year, and is being presented as part of the 2011/12 budget process. There are currently investigations and discussions occurring with regards to the additional development that could potentially occur on this site. It is anticipated that these discussions will enable a fully developed concept plan to be included within the new tender documents created for the management and operation of the two centres. A more reliable financial and management plan will then be possible.

11. The redevelopment of Gratwick Pool include the reduction in length of the 50m pool to a 25m pool...

It is recommended that the investigation into this occurring be considered as part of recommendation 10.

12. Council considers developing a leisure pass that provides residents with a free entry to the South Hedland and Gratwick Pools for people under 16 years accompanied by an adult.

It is recommended that the investigation into this occurring be considered as part of the development of a new business plan.

13. In developing business plans and contracts... targets for participation... should be included.

It is recommended that the investigation into this occurring be considered as part of the development of a new business plan.

14. A marketing plan with an adequate budget should be prepared annually... to 'deliver' the outcomes and 'targets' set out in the business plan...

It is recommended that this occur immediately, regardless of the responsible party for the management and operations of the centres.

Attachments

Management Review of the Town of Port Hedland Swimming Centres: Tredwell Management, in association with RMP & Associates – attached separately

Officer's Recommendation

That Council:

1. Accepts the report as submitted by Tredwell Management and RMP & Associates for the review of the management of the two aquatic facilities;
2. Authorises the CEO to negotiate with the YMCA:
 - a. That the contract for the management and operation of the Gratwick Aquatic centre and South Hedland Aquatic Centre be continued for a period of twelve (12) months, concluding on the 30th June 2012;
 - b. A new business plan is to be submitted for the management and operations of the two facilities prior to the 30th April 2011;
 - c. The new business plan will be developed in conjunction with Town of Port Hedland staff, ensuring that all recommendations (where possible, and where no contravening of the current contract occurs) are included;
 - d. The new business plan will have key performance indicators developed and agreed to with Town of Port Hedland staff, ensuring that all recommendations (where possible, and where no contravening of the current contract occurs) are included;
 - e. The business plan will be submitted to Council for their endorsement (or otherwise) at the Ordinary Council Meeting in May; and,
 - f. The Business Plan for South Hedland Aquatic Centre is to be developed from January 2012 onwards, in a month-by-month capacity, based on the redevelopment works.

3. Considers the request for funds to develop a detailed management contract and business plan as part of the 2011/12 budgetary process, with the project to commence immediately upon approval of funding;
4. Authorises the CEO to call for Tenders for the Management and Operations of the South Hedland and Gratwick Aquatic Centres be called, following the development of detailed management and business plans, for commencement on 1st July 2012; and,
5. Authorises the CEO to submit an in-house bid for the Tender for the Management and Operations of the South Hedland and Gratwick Aquatic Centres.

201011/301 Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr M Dziombak

That Council:

1. Accepts the report as submitted by Tredwell Management and RMP & Associates for the review of the management of the two aquatic facilities;
2. Authorises the CEO to negotiate with the YMCA:
 - a. **That the contract for the management and operation of the Gratwick Aquatic centre and South hedladn Aquatic Centre be continued for a period of twelve (12) months, concluding on the 30th June 2012;**
 - b. **A new business plan is to be submitted for the management and operations of the two facilities prior to the 30th April 2011;**
 - c. **The new business plan will be developed in conjunction with Town of Port Hedland staff, ensuring that all recommendations (where possible, and where no contravening of the current contract occurs) are included;**
 - d. **The new business plan will have key performance indicators developed and agreed to with Town of Port Hedland staff, ensuring that all recommendations (where possible, and where no contravening of the current contract occurs) are included;**
 - e. **The business plan will be submitted to Council for their endorsement (or otherwise) at the Ordinary Council Meeting in May; and,**

- f. **The Business Plan for South Hedland Aquatic Centre is to be developed from January 2012 onwards, in a month-by-month capacity, based on the redevelopment works.**
3. Considers the request for funds to develop a detailed management contract and business plan as part of the 2011/12 budgetary process, with the project to commence immediately upon approval of funding;
4. Authorises the CEO to call for Tenders for the Management and Operations of the South Hedland and Gratwick Aquatic Centres be called, following the development of detailed management and business plans, for commencement on 1st July 2012.

CARRIED 7/0

REASON: Council deleted point 5 from the Officers Recommendation which read "Authorises the CEO to submit an in-house bid for the Tender for the Management and Operations of the South Hedland and Gratwick Aquatic Centres " as it believes that currently the Town of Port Hedland does not have the resources such as staff and housing to support this in-house bid.

6:19pm Councillors M Dziombak and A A Carter declared a Financial Interest in Agenda Item 11.3.3 "General Practitioner (GP) Housing Project" as they are both BHP shareholders.

Councillors M Dziombak and A A Carter left the room.

6:19pm Councillors S J Coates declared a Financial Interest in Agenda Item 11.3.3 "General Practitioner (GP) Housing Project" as he is a BHP employee and shareholder.

Councillor S J Coates left the room.

11.3.3 *General Practitioner (GP) Housing Project (File No.: 15/01/0020)*

Officer Debra Summers
Acting Director Community
Development

Date of Report 22 March 2010

Disclosure of Interest by Officer Nil

Summary

At the Ordinary Council Meeting held on 14 July 2010 Council resolved to consider long and short term solutions for the delivery of subsidised housing for General Practitioners throughout Port Hedland.

To address long term solutions Council has called tenders for the Design and Construction of stage one of subsidised houses for General Practitioners, to be available for occupation in September 2012.

This report proposes to Council that as a short term solution it facilitates the provision of a rental property for one General Practitioner engaged to provide medical services to the community of Port Hedland.

Background

BHP Billiton, FMG and Atlas Iron are all now providing subsidised housing for General Practitioners to ensure medical services continue to be available to the Port Hedland community until the construction of permanent accommodation for General Practitioners is complete in September 2012.

BHP Billiton is providing 2 houses, Atlas Iron is leasing one house, and FMG has provided \$100,000 each year up to a maximum of three years to lease another house. This leaves a shortfall of one house required outside this industry allocation.

At the Ordinary Council meeting of 14 July 2010 it was proposed that short term accommodation could be provided by utilising the interest earned on monies held for the construction of the housing. The interest on the \$1.5 million provided towards this project through Royalties for Regions funding plus the \$1.5 million provided by BHP Billiton would facilitate the leasing of suitable short term accommodation. To ensure transparency and compliance with the Local Government Act it is being proposed that this leasing arrangement and its management are handled by a third party. Foundation Housing has been approached and will facilitate this arrangement for \$2,000 per annum.

Consultation

In preparing for this report consultation has been undertaken with

- BHP Billiton Iron Ore
- OHS Medical
- Relevant Officers of the Town of Port Hedland
- Foundation Housing

Statutory Implications

Should the Officers recommendation be adopted an absolute majority will be required as per extract from Local Government Act below:

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government;

(b) is authorised in advance by resolution; or*

(c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

And further, a reserve account should be established as per the Local Government Act requirements outlined below as part of the next budget review:

6.11. Reserve accounts

(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

* Absolute majority required.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 4 - Healthy Community

Immediate Priorities 1 - Implement plans for the development of subsidised housing for General Practitioners within the Town

Budget Implications

Interest earned on the \$1.5 million provided towards this project through Royalties for Regions funding plus the \$1.5 million provided by BHP Billiton is estimated to be in the vicinity of \$135,000 per annum.

This amount would facilitate the leasing of suitable short term accommodation at approximately \$1,900 per week for 12 months inclusive of the annual management fee of \$2,000 proposed by

Foundation Housing.

To expedite the provision of this accommodation, monies will be sourced at the next quarterly budget review until such time as the reserve can be established as per Local Government Act requirements in the 2011/12 financial year. Interest will then be allocated to this reserve to facilitate ongoing rental payments for the remainder of the 12 months. Creating a new reserve will enable an open and transparent account of all income and expenditure, including interest for the term of this agreement.

Officer's Comment

Council has already committed to the long term provision of subsidised housing for General Practitioners through its commitment to the project with the State Government and BHP Billiton. Also, at the 14 July 2010 Ordinary Council Meeting Council committed to an investigation of its role in the provision of short term accommodation. The suggestion that the interest on monies provided by its two funding partners to rent a property on the open market is appropriate and would have no financial impact upon the organisation. By engaging Foundation Housing to undertake and manage the rental, transparency is provided and will allow Council to remain impartial.

Officer's Recommendation

That Council:

1. Utilise the interest earned from the \$3 million (\$1.5m BHPB and \$1.5m State) for provision of GP Housing to rent a property on the open market to provide short term accommodation for one General Practitioner engaged to provide medical services to the community of Port Hedland to the maximum value of \$1,900 per week for 12 months; and
2. Request the CEO to engage Foundation Housing to manage the transaction and the ongoing business associated with this rental for 12 months; and
3. Request the CEO to source \$10,000 at the next quarterly budget review to expedite the provision of this accommodation until such time as the reserve can be established as per Local Government Act requirements; and

4. Request the CEO as per section 6.11 to establish a reserve for the provision of rental accommodation for GP's and transfer interest from interest on the \$1.5 million provided towards this project through Royalties for Regions funding plus the \$1.5 million provided by BHP Billiton, as part of the 2011/12 Budget Process.

NOTE: ABSOLUTE MAJORITY VOTE REQUIRED

Mayor advised that with only 4 Councillors left in the room there is no quorum to consider this item and Council is unable to make a formal recommendation.

6:20pm Councillors A A Carter, M Dziombak and S J Coates re-entered the room and resumed their chairs.

Mayor K Howlett advised Councillors A A Carter, M Dziombak and S J Coates that due to no quorum Agenda Item 11.3.3 "General Practitioner (GP) Housing Project" could not be considered at this meeting.

11.3.4 *Update into the investigation of a Men's Shed Initiative (File No.:...)*

Officer Sheila Cleaver
Community Development
Officer

Date of Report 23 March 2011

Disclosure of Interest by Officer Nil

Summary

This report provides an update to Council on preliminary investigations into support for a Men's Shed in Hedland. It is being recommended to Council that the Town of Port Hedland assist interested community members to form a committee to progress the Men's Shed initiative.

Background

At the 8 December 2010 Ordinary Council Meeting it was resolved (Council Decision 201011/210):

That Council:

- 1. Endorse in principle an investigation into a Men's Shed initiative in Hedland by staff; and*
- 2. Receive a report on the Men's Shed initiative in the first quarter of 2011.*

Consultation

To undertake this preliminary investigation consultation has been undertaken with representatives of:

- Wirraka Maya Health Service
- Frontier Services – Migrant Worker
- Relationships Australia
- Dept of Child Protection (DCP)
- Western Australia Police (WAPOL)
- Corrective Services
- Indigenous Coordination Centre (ICC)
- Community Legal Service
- Hedland and Community Living
- Mission Australia
- FORM
- C3 Church Men's Group – Glen Cawood
- HARTZ

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 2 – Sports and Leisure

Immediate priority

Operate a range of programs and initiatives that promote an active, integrated community.

Budget Implications Nil.

Officer's Comment

Preliminary investigations have now been completed into funding opportunities and existing models through engaging potential stakeholders in informal discussions around a Men's Shed model for Port Hedland.

Funding opportunities are available through the Australian Men's Shed Association and are broken into 3 different categories: Workspace Development, Building and Operational, and funding for a Shed Coordinator. Any Men's Shed can apply for this funding provided they are an Association incorporated under State and Territory Incorporation Legislation. The Men's Shed Association does not provide funding to build a shed; other funding would have to be sought for this purpose. An example of some organizations that have granted funds for various Men's Shed initiatives are: Department of Families Community Services and Indigenous Affairs, Volunteers Small Equipment Grants, Department of Veteran Affairs, various Men's Health organizations as well as industry support. Operational costs associated with the majority of models are met through revenue from the sale of products from the Shed.

More than 400 models of Men's Sheds operate around Australia with activities varying depending on the interest of the community in which the Shed is housed. Activities from woodwork, metal work, restoration of old cars, building pre-fab houses as well as portable sheds that are taken to Aged Care homes and remote communities. Although the activities are varied a Men's Shed's primary function is about men feeling useful and contributing again to their communities, learning or sharing their skills, making friends, networking and availing themselves of health information programmes and opportunities. Men's Sheds are fast being recognized as vital, viable places to fulfill these needs and provide relaxed, happy creative spaces for men to enjoy.

A very enthusiastic group of community members have attended a series of meetings which indicates that there is great support for the

Men's Shed initiative. Indeed several groups within the community are already providing activities that support the overarching principle engendered by the Men's Shed initiative.

It is recommended that the Town of Port Hedland participate with community groups already working in this area to progress to the next step of formalizing a committee whose aim would be develop operational guidelines, identify a location for a "Shed" and then source funding for its purchase or construction and for the programs and activities to be hosted from the "shed".

Attachments

Notes from all group discussions

201011/302 Officer's Recommendation/Council Decision

Moved: Cr S J Coates

Seconded: Cr D W Hooper

That Council:

1. Receive the report on investigation into support for a Men's Shed in Hedland; and
2. Request the CEO to facilitate a meeting of interested community groups and members to formalise a committee whose aim would be:
 - a. **develop operational guidelines**
 - b. **identify a location for a "Shed"**
 - c. **source funding for its purchase or construction and for the programs and activities to be hosted from the "shed"**

CARRIED 7/0

ATTACHMENTS TO AGENDA ITEM 11.3.4

Men's Shed

Thursday 24 February 2011 - Meeting Minutes

1.0 PRESENT

Sheila Cleaver – Town of Port Hedland
 Lorna Secrett – Town of Port Hedland
 Sophie Edwards – WA Police
 Lenny Quakawoot- ICC
 Gningala Yarran – Clayton Wirrika Maya (wmhsac)
 Sue Baker – Frontier Services – Migrant Worker
 Michael Edwards - Relationships Australia – DCP
 Harry Taylor – DCP
 Relma Bule- Turner – Relationships Australia
 Cecelia Brownhill – Relationships Australia
 Vicki Hammon – Family and Domestic Violence Case Management & Coordination Services
 Ray Holt – WA Police
 Nigel Priseman – Corrective Services

2.0 CONCEPT OF MEN'S SHED

Men need:	The Shed should:
<ul style="list-style-type: none"> ○ To be valued and acknowledged ○ The opportunity to have a voice in an environment that validates, a safe place for dialogue 	<ul style="list-style-type: none"> ○ Provide an environment that validates and offers a safe place for dialogue ○ Be a place to feel accepted and not alone with your problems
<ul style="list-style-type: none"> ○ Direction on where to go to address issues 	<ul style="list-style-type: none"> ○ Provide resources and information about relevant services in Hedland
<ul style="list-style-type: none"> ○ To just be able to have a yarn and build up self-esteem that way ○ A place with network options 	<ul style="list-style-type: none"> ○ Be multi-purpose – there must be flexibility for people in crisis to go at any time, for groups to go and shoot some pool, and whatever other activities will generate dialogue.
<ul style="list-style-type: none"> ○ To feel productive ○ A place where they can <i>do</i> something 	<ul style="list-style-type: none"> ○ Be a building that provides avenues for the men to express themselves in a positive way – whether it be through carpentry, art, etc. ○ Provide a practical opportunity to make things, go fishing, go bush, and enjoy themselves → activity-based 'fellowship'
<ul style="list-style-type: none"> ○ A place that is safe 	<ul style="list-style-type: none"> ○ Be a safe place
<ul style="list-style-type: none"> ○ A place to go where there is hope 	<ul style="list-style-type: none"> ○ Be a hopeful place

- There is a need to overturn the feeling of being disenfranchised and powerless in their family
- Crime rates high in indigenous men, due to factors such as a lack of self-worth and no outlet for anger
- Social problems must be managed so that they don't affect the safety of those wider community members using the Shed
- A lot of men locally have been through difficult times and would be able to 'give back' to the community by helping & counselling others through similar difficulties
- Needs to focus on Father (& son) role – 'strong fathers make strong relationships'
- Men's Shed isn't just the building – it's where the Men are
- 'Building' The Shed
 - Need to make it homely with a strong foundation
 - Start with the basics
 - Start from the very beginning, let the Shed begin slowly and evolve
 - Need to build *trust* first
 - Let it start at the foundation and grow

3.0 DISCUSSION REGARDING WHAT SERVICES SHOULD BE PROVIDED AT THE SHED

- Agreement that service providers should not be housed within the Shed, as it should be the Men's turf
 - Suggestion that workshops (e.g. anger management) could be offered at the Shed
 - Uncertainty that workshops would be a good idea – there are other facilities elsewhere in Hedland for this.
- General consensus that the Shed should have a more spiritual / development focus

4.0 PILBARA INDIGENOUS MEN'S GROUP

- Being resurrected
- Happy to help
- Aims to be a resource for Men's Shed
- Looking at getting funding for the Pilbara regions
- The Men's Programme isn't about a physical centre (although they do aim to get one eventually) – it's about the activities

5.0 FUNDS

- There is money available to access for tools, benches, etc, and also funding for the position of a coordinator for the Shed
- There is however a backlog in issuing funding grants
- Unfortunately there is no funding opportunity for the actual building of a Shed
- Somebody will need to step forward to fund the actual Shed itself

- There's nothing wrong with using a shed that's already constructed / established – some discussion regarding the old Girl Guides' shed
- Council has not allocated funding to the Shed – council officer has simply been asked to investigate interest and possibilities, and report back
- PIWAC Group have some funding to do bush / fishing trips
- In the future people may be sentenced to community work – these people might be able to come and work at the Shed

6.0 DRIVING THE PROJECT

- It needs somebody who is willing to lead it
- Unfortunately this is such a transient population that the person who drives it will leave, and it will fall like lots of similar projects have done. Need to find someone who is a permanent, long-term resident.
- Would be good to have a meeting in a park or round a bbq to encourage male participation
- Challenge the Men to drive this Project
- Women want to help but only men know what they want – they need to run with this
- Women should only be there to assist / facilitate, spread the word and encourage
- Countered: Sometimes things need to be done and women need to do them. There are men *and* women in the world for a reason. You can't cut the women out.
- This is a community issue – the *community* has to own the idea and want to address the issue. Men's issues affect the whole community – men, women, families, etc.

7.0 CLOSING COMMENTS

- Community will need a clear understanding of what the concept is
- Next meeting will be at McCafe – open invitation

Men's Shed

Wednesday 2 March 2011 – Notes

Present

Sheila Cleaver – Town of Port Hedland

Deb Endersby – Hedland and Community Living

Discussion about background and what has happened at previous discussions.

Deb advised that she is currently managing Hedland and Community Living as well as Pilbara Kimberly Care.

Deb advised that a number of her clients would greatly benefit from a Men's Shed as a visit to the Shed would break up the daily routine and some of the clients would benefit from being able to share their stories etc.

Men's Shed

Friday 25 February 2011 – Notes from discussion

Present

Sheila Cleaver – Town of Port Hedland
Porscha Cox - FORM
Glenn Cawood – C3 Church Men's Group
Richard Dale - Mission Australia

Discussion about what a Men's Shed background, Introduction as per agenda.

Porscha Cox:

- Advised that a Men's Shed concept had been voiced during the Pilbara Place making workshops held in 2010.
- Noted that the Makers Markets will be taking place again in the West End a Men's Shed could potentially allow for more products to be sold at the markets adding greater depth to the markets themselves.
- Suggested that FORM could help to offer workshops to members of the Men's Shed

Glenn Cawood

- Advised the activities that C3 Church has undertaken in the past and had stated that an advertisement would be in the North West Telegraph inviting other community members to come and be part of a Men's networking group, that once a month partakes in some activity such as camping, fishing and even helps to clean up cyclone effect areas.
- Expressed that it is a desire of the group to further expand to all members of the community and to grow the groups' member base.
- Recognized that the current group size has already indicated a need for a 'space'.

Richard Dale

- Explained that Mission Australia was new to the Pilbara,
- Advised that Missions role in Port Hedland would be to ensure the transition of Young People in and out of services to ensure that needs of the Young People are being met.
- Would a Men's Shed in Hedland be an organization on its own or if it would be a branch of the Men's Shed Organization? Richard to look into this aspect of Men's Shed.

All declared an interest in the initiative.

11.4 Governance and Administration

11.4.1 Finance and Corporate Services

11.4.1.1 Write Off Debtors... (File No.: Fin-005/Fin-100)

Officer Greg de Kwant
Finance Officer

Date of Report 28 February 2011

Disclosure of Interest by Officer Nil

Summary

Requesting for Council to write off debtors over 90 days that are deemed to be unrecoverable.

Background

The following outstanding debt is for an account that has now been outstanding for several months and is deemed uneconomical to pursue.

Michelle Cooke: \$322.63

This debt has been outstanding since September 2009 and relates to a reimbursement of cost to the Town of Port Hedland for an overpayment of salary. Dunn & Bradstreet has advised the debtor has "skipped" and that they have exhausted all options.

Pilbara Funeral Services: \$4447.60

This debt has been outstanding since August 2010 and relates to a payment to the Town of Port Hedland for grave digging and plot fee at the Old Pioneer Cemetery for Mrs. Betty Stanton. Mrs. Betty Stanton was a long term resident of Port Hedland who contributed greatly to the community over many years including working with the Port Hedland Hospital. It will be recommended to write off this debt in recognition of her support and contribution to the town.

Consultation Nil

Statutory Implications

Section 6.12 of the Local Government Act 1995 provides that Council may resolve to write-off any amount of money as debt, which is owed to the Local Government.

“6.12. Power to defer, grant discounts, waive or write off debts

(1) Subject to subsection (2) and any other written law, a local

government may —

(a) when adopting the annual budget, grant a discount or other incentive for the early payment of any amount of money;*

(b) waive or grant concessions in relation to any amount of money; or

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

** Absolute majority required.*

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.”

Policy Implications

2/012 Sundry Debt Collections

Strategic Planning Implications Nil

Budget Implications

The proposed write-offs equate to:

1.	Michelle Cooke	\$ 322.63
	Pilbara Funeral Services	\$ 4,447.60
	Total	<u>\$ 4,770.23</u>

These write-offs should be applied to the Provision of Doubtful Debts. This is a balance sheet account and therefore does not directly affect the Municipal Budget.

The Provision is reviewed annually, and net adjustment is applied to the Municipal budget at that stage.

Officer's Comment

In any organisation or business it is not preferable to write-off debt. Essentially this write-off is a loss of income, which any organisation requires to remain viable. In particular circumstances the cost of collecting the debt can exceed the debt itself and a decision must be made to either pursue or extinguish the debt.

The debt for Michelle Cooke included in this report is reasonably minor, and any further attempts to simply locate the debtor, let alone collect the money will exceed any benefit to the Council. The debt for Pilbara Funeral Services relates to Mrs. Betty Stanton who has been a long term resident of Port Hedland and has been a contributor to the community.

It is therefore recommended that Council proceed to write-off these debts. If the Council knows the debtor after this occurs, Council can still attempt to recover debts, if appropriate.

201011/303 Officer's Recommendation/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That Council write-off the following debts and apply the write-off to the Provision of Doubtful Debts:

i) Michelle Cooke

Debtor No	Invoice No	Amount
6454	25111	\$322.63

i) Pilbara Funeral Services

Debtor No	Invoice No	Amount
6245	28545	\$4,180.00
6245	28545	\$165.00
6245	28545	\$102.60
	TOTAL	\$4,447.60

CARRIED 7/0

11.4.1.2 *Interim Financial Reports to Council for Period Ended 28 February 2011 (File Nos: FIN-008, FIN-014 and RAT-009)*

Officer	Greg de Kwant Finance Officer
Date of Report	28 February 2011
Disclosure of Interest by Officer	Nil

Summary

The objective of this item is to present a summary of the interim financial activities of the Town to 28 February 2011, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2009/10. The reports are considered to be interim as the Finance Department is still in the process of finalising the 2009-10 Financial year that may affect the actual results indicated for July 2010 through to the present month.

Background

1. *Interim Financial Statements*

Presented (see attachments) in this report for the financial period ended 28 February 2011, are the:

- Statements of Interim Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Interim Financial Activity for the period ending 28 February 2011;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided from the following financial institutions: National Australia Bank, BankWest, Commonwealth Bank, AMP, Westpac Bank, Big Sky, Citigroup and the Australian and New Zealand Bank.

2. *Utility and Fuel Costs*

Presented in graph form (see attached), is the 2010/11 monthly water, power and fuel costs compared with 2009/10.

3. *Schedule of Accounts Paid*

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on the 30th of March for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value \$	Pages		Fund No.	Fund Name	Description
From	To		From	To			
CHQ20312	CHQ20377	160,381.73	1	8	1	Municipal Fund	
EFT33208	EFT33637	4,860,339.84	8	75	1	Municipal Fund	
CMS070211	CMS070211	\$192.39	75	75		Municipal Fund	Photocopier Lease – Engineering Dept
PAY080211	PAY080211	\$337,120.84	75	75	1	Municipal Fund	
PAY220211	PAY220211	\$328,358.62	75	75	1	Municipal Fund	
NMF010211	NMF010211	\$1,244.32	1	1	1	Municipal Fund	Photocopier Lease x2 – Regulatory Services
NMF010211	NMF010211	\$569.14	1	1	1	Municipal Fund	Photocopier Lease – South Hedland Library & JD Hardie
NMF070211	NMF070211	\$284.57	75	75	1	Municipal Fund	Photocopier Lease – Community Development (Airport)
BOQ280111*	BOQ280111	\$891.10	75	75	1	Municipal Fund	Monthly Payment for Equipment
	Municipal Total	\$5,689,382.55					
3002030	3002039	\$76,617.71	75	76	3	Trust Fund	
	Trust Total	\$76,617.71					
	Sub-Total	\$5,766,000.26					
LESS: one-off pays		-					
	Total	\$5,766,000.26					

*Please note, payment made on the 28/01/2011 for BOQ, transaction through synergy completed on 01/02/2011 but posted into January 2011

Consultation

Nil

Statutory Implications

Financial Statements

Regulation 34 of the Local Government (Financial Management Regulations), states as follows:

“34. *Financial activity statement report - s. 6.4*

- (1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) *budget estimates to the end of the month to which the statement relates;*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing:*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown:*
 - (a) *according to nature and type classification;*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
 - (a) *presented to the council:*
 - (i) *at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
 - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;**and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*

In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;

“restricted assets” has the same meaning as in AAS 27.

Section 6.12 of the Local Government Act 1995 (Power to defer, grant discounts, waive or write off debts) states:

“(1) Subject to subsection (2) and any other written law, a local government

- may –*
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) waive or grant concessions in relation to any amount of money; or*
 - (c) write off any amount of money, which is owed to the local government.*
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”*

Policy Implications

2/003 Financial Statements – Copies for Councillors

Apart from the financial reports presented to Council as required by way of legislation, the following reports will be presented to Council:

- Monthly
 - Bank Reconciliation of the Municipal, Reserve and Trust Fund
 - +90 day outstanding Sundry Debtors Report
 - List of Accounts paid under Delegated Authority
 - Register of Investments
 - Rate Summary Trial Balance
 - Reserve Account Balances
- Quarterly
 - Quarterly Budget Review
 - Report on all Budgeted Grants of \$50,000 or more.

Irregular Financial reports will be presented to Council on request.

Strategic Planning Implications

Key Results Area 5 Environment
Goal 2 Natural Resources
Strategy 1. Continue to monitor and report on the level of Council's energy, fuel and water use.

Budget Implications

At the Special Meeting held on 7 July 2010, Council resolved to adopt item 6.1.1.1 '2010/2011 Budget Adoption' en block, which included Recommendation 13 as follows:

“Recommendation 13

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

- 1. 10% of the Function amended budget; or*
 - 2. \$100,000 of the Function amended budget*
- whichever is the lesser, for the following categories of revenue and expenditure:*

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

Officer’s Comment

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

Period Variation

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

Primary Reason

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

Budget Impact

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

Attachments

- Page 2–4. Schedule 2 being a Statement of Interim Financial Activity
- Pages 5 to 16. Notes 3 to 11 which form part of the Statements of Interim Financial Activity. Also Note 10 – February 2011 Bank Reconciliations.
- Pages 17 to 70. Detailed Interim Financial Activity by Program.
- Pages 71 to 73. Comparison Between 2010/11:2009/10 Utility & Fuel Costs
- February 2011 Accounts for Payment

201011/304 Officer's Recommendation/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr M Dziombak

That Council:

i) note the

- a) **Statements of Interim Financial Activity (represented by Schedules 3 to 14);**
- b) **Notes (1 to 11) to and forming part of the Statements of Interim Financial Activity for the period ending 28 February 2011; and**
- c) **Review of Transaction Activity, as attached and/or presented be received;**

- ii) receive the graphic representation of the Town's energy, water and fuel use as attached; and
- iii) receive the list of Accounts paid during February 2011 under Delegated Authority, as presented and/or attached.
- iv) request the addition of a line or a graphic representation in the accounting system that outlines the extrapolation of water costs for the Town.

CARRIED 7/0

11.4.1.3 2009/10 Audited Financial Statements (File No.:...)

Officer Natalie Octoman
Director Corporate Services

Date of Report 25 March 2011

Disclosure of Interest by Officer Nil

Summary

For Council to note the agenda item of the last Audit and Finance Committee meeting held on 30 March 2011 where the Committee recommends to Council to adopt the 2009/10 Audited Financial Statements and Associated Notes, and consider the Audit Management letter from Council's Auditor.

Background

On the 23 March 2010, Council received its audited 2009/10 Financial Statements and Associated Notes, Audit Report and Management letter from Mr Greg Godwin, Partner of UHY Haines Norton and Town of Port Hedland Auditor.

The Audit and Finance Committee met on 30 March 2011 to adopt the Financial Statements and to consider the comments made within the Management Report.

Attached is the agenda item for the Committee meeting, along with the 2009/10 Audited Financial Statements and the Audit & Management Report from UHY Haines Norton that was presented to the Committee.

Consultation

The Audit and Finance Committee met on 30 March 2010 to discuss the above-mentioned items and to adopt the 2009/10 Audited Financial Statements.

Statutory Implications

Local Government Act 1995

1.54. Acceptance of annual reports

(1) Subject to subsection (2), the annual report for a financial year is to be accepted by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

(2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Policy Implications

Nil

Budget Implications

As mentioned in the agenda of the Committee Meeting, Council made an actual cash surplus of \$6,144,881 in 2009/10. These funds have been carried forward in the 2010/11 financial year to effectively fund uncompleted works from 2009/10. As part of the March Budget Review, the carry forward surplus needs to be amended to reflect the reduced amount of \$6,214,471. There is therefore a shortfall of \$69,590 to source through the budget process.

Attachments

1. Agenda item of the 31 March 2011 Audit and Finance Committee meeting
2. Audit Report
3. Management Report
4. 2009/10 Audited Financial Statements – attached separately

Officer's Recommendation

That Council:

1. Receive the agenda of the Audit and Finance Committee meeting held on 31 March 2011.
2. Receive the audited 2009/10 Financial Statements and associated notes, the Audit Report and Management Report;
3. Approves the inclusion of the 2009/10 Financial Statements and associated notes, and the Audit Report in the 2009/10 Annual Report.

201011/305 Officer's Alternative Recommendation/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr M Dziombak

That Council:

1. Receive the agenda of the Audit and Finance Committee meeting held on 30 March 2011; and
2. Receive the audited 2009/10 Financial Statements and associated notes, the Audit Report and Management Report; and
3. Approves the inclusion of the 2009/10 Financial Statements and associated notes, and the Audit Report in the 2009/10 Annual Report;

4. Adopts an asset recognition threshold amount of \$2,000 from 1 July 2011, with the exception of network assets, particularly IT equipment, that will continue to be recognised as an asset;
5. Establishes an attractive items register for items under \$2,000 that will not be recognised as an asset, but that will be used for insurance purposes; and
6. Requests the CEO to draft an Asset Recognition Policy for consideration prior to 30 June 2011.

CARRIED BY ABSOLUTE MAJORITY 7/0

*ATTACHMENT 1 TO AGENDA ITEM 11.4.1.3***AGENDA : AUDIT AND FINANCE COMMITTEE MEETING 30 MARCH 2011****ITEM 10 REPORTS OF OFFICERS****10.1 CORPORATE SERVICES****10.1.1 Finance and Administration****10.1.1.1 2009/10 Audited Financial Statements**

Officer Natalie Octoman
Director Corporate Services

Date of Report 25 March 2011

Disclosure of Interest by Officer Nil

Summary

For the Committee to recommend the adoption of the 2009/10 Audited Financial Statements and Associated Notes to Council, and to consider the Audit Management letter from Council's Auditor.

Background

On 23 March 2011, Council received its audited 2009/10 Financial Statements and Associated Notes, Audit Report and Management Report (attached) from Mr Greg Godwin, Partner of UHY Haines Norton and the Town of Port Hedland Auditor.

The 2009/10 Audited Financial Statements (and associated notes) is the annual "report card" of Council, effectively advising both Council and Community:

1. How effectively the Council has used public funds in delivering its services (Operating Surplus \$5,127,751, 50.9% increase from the Original Budget); and
2. The net value of Council's assets or Council's worth (\$179,913,142, 8.2% increase from previous year); and
3. Council's cash assets and how they have been utilized (\$32,207,586 increase in closing cash position as compared to the original budget).

The associated notes provide greater detail into the various components of the statements while comparing the year's results with either previous year's results or budget estimates. Both the Statements and associated notes are produced in accordance with the Australian Accounting Standards, the Local Government Act and associated regulations to provide the necessary information required by the public to determine the Council's worth and sustainability for the future.

The Audit Report (Opinion) is an independent report or opinion on the reasonableness of the information contained with the Annual Statements. Accounting is not an absolute science, and therefore Auditors are required to provide confidence to users of the annual statements as to

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AGENDA : AUDIT AND FINANCE COMMITTEE MEETING 30 MARCH 2011

their accuracy and fairness. According to the Town's Auditor, Mr Greg Godwin, the 2009/10 statements are considered "true and fair" and comply with the relevant standards and legislation.

Local Government Auditors are also required to advise Council and the community of any non compliance with the Local Government Act. During the 2009/10 audit, Mr Greg Godwin has not identified any non-compliance with the requirements of the Local Government Act or the associated regulations.

The Auditor also issues a "Management Report" which allows the auditor to formally raise points or issues, which currently do not affect their overall opinion of the Council's financial management, but if not addressed may result in future qualifications or misstatements of a financial nature. Generally these are not publicised as they are chiefly for internal use, and may confuse external users on the Auditor's true opinion.

In the 2009/10 Management Report, the Town's Auditor has effectively raised issues around five key areas. These being:

1. Fixed Assets;
2. Council Minutes of Meetings;
3. Annual Returns;
4. Bank Reconciliations; and
5. Loan Payments.

These will be addressed in the commentary section of the report. The other sections within the report, Corrected and Uncorrected Misstatements are an audit requirement to identify, and are not a significant concern.

Consultation

Nil

Statutory Implications

Local Government Act 1995

5.54. Acceptance of annual reports

(1) Subject to subsection (2), the annual report for a financial year is to be accepted by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

(2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Strategic Planning Implications Nil

Budget Implications

AGENDA : AUDIT AND FINANCE COMMITTEE MEETING 30 MARCH 2011

The 2009/10 Audited Financial Statements produce an Actual Cash Surplus of \$6,144,881. Currently Council's Amended Budget is based on a budgeted carried forward surplus of \$6,214,471. The \$69,590 shortfall will need to be accommodated in the March Budget Review, as this is still required to fund uncompleted no-operating (capital) projects from the previous year.

Officer's Comment

The audited 2009/10 financial statements effectively "closes the book" with regard to the 2009/10 Financial Year. From a community perspective, Council has clearly shown it is committed in delivering much needed infrastructure (\$9.625 million in new infrastructure assets). This demonstrates Council ability to now deliver what it proposes in the budget resulting in tangible benefits to the Port Hedland Community. This has also been achieved while increasing the actual operating surplus, increasing net assets and increasing cash backed reserves.

Given the audit opinion that the 2009/10 Statements are a "true and fair" representation of the Council's financial position as at 30 June 2010, the Committee should have confidence that Council's financial management is strong and meets the requirements of the Australian Accounting Standards and relevant legislation.

Of the issues raised in the management report, it is proposed to address them in the following manner:

Accounting errors in relation to Fixed Assets**No stated depreciation policy for Parks, Ovals and Street Verges**

After discussions with the auditors, it was clarified that this was mainly in relation to the amenity improvements that were occurring around the Town, in particular tree planting and reticulation whereby there is not a separate category within the depreciation schedule within the notes of the financial statements, to apply. This will be reviewed in the coming months to ensure that the Town's assets have appropriate depreciation categories and therefore depreciation rates, in accordance with the regional depreciation schedules recommended by the Department of Local Government.

Inadequate controls over the impairment of assets

Impairment of assets is relatively new to the Australian Accounting Standards only being implemented in 2005. There are several indicators that may be used to determine if an asset has been impaired and may include evidence of physical damage to the assets, computer software that is obsolete, or there has been a significant decline in the assets' market value as a result of time or usage. Procedures will be developed along with a very simple checklist for each asset class to ensure that there are adequate controls over the impairment of assets and that impairment testing is undertaken appropriately each financial year in accordance with the accounting standards.

AGENDA : AUDIT AND FINANCE COMMITTEE MEETING 30 MARCH 2011Accurate Fixed Asset Depreciation generated Annually only

While it has been indicated in the Management Report that there was a discrepancy between the estimated depreciation and actual depreciation of \$234,354, based on an asset base of \$140.7 million and an annual depreciation expense of \$4.8 million, this is well within materiality levels.

Depreciation is a non cash item and does not affect the overall surplus of Council. It therefore does not affect the ability of Council to fund projects. In saying this, depreciation has only been run on an annual basis to date given its impact on the disposal of assets process which is only accounted for at year end due to the ledger entries required, and cannot be completed during the financial year. Monthly depreciation run through the financial system will be trialled in the upcoming months to determine its overall impact on this process.

Maintenance being capitalized

Continued turnover of staff across the Town has increased the occurrences of this taking place. While there are checks that take place within the finance team, this does not identify all occurrences. Further training will take place upon development of the Asset Management Framework, which will incorporate an Asset Recognition Policy and be distributed across the Town.

GST incorrectly claimed on Staff Housing

As there were initially 4 units of the 8 being for staff housing, GST should not have been claimed but was. This has been rectified and returned to the Australian Taxation Office in the following BAS return as recommended.

Council Minutes of Meetings Not Signed Promptly or at all

This was raised by the auditors at the interim audit. This will be rectified by establishing a clear process for the Mayor to sign the minutes upon their completion.

Annual Returns not submitted on time

Little can be done to correct this issue other than to remind Councillors of the need to fully complete their Annual Returns on time. Instruction on how to complete the form was issued with the last returns, and it is the individual Councillors responsibility to ensure that it is completed accurately and in a timely manner.

Review of Bank Reconciliations

Currently bank reconciliations are prepared daily with the final one for the month being incorporated into the Council Agenda within the monthly financial statements. Having a signed version as recommended by the auditors was not deemed to be necessary given the minutes incorporate the final bank reconciliation for the month and it is presented by the Finance Manager (therefore effectively signing off the bank reconciliation), but having a second finance person to physically sign the bank reconciliation would only improve the controls, therefore this will be implemented.

AGENDA : AUDIT AND FINANCE COMMITTEE MEETING 30 MARCH 2011*Duplicate Loan Payment*

The loan payment referred to is one that is direct debited from our account, and is the only one of this nature. When the loan payments are processed through the system it automatically generates a cheque that is required to be cancelled so that the direct debit can be recognised instead and not be duplicated. Due to staff turnover, the cheque for one of the payments was not cancelled and therefore a duplicate payment was made. This has been discussed with the lender who has agreed to forgo one of the payments this year, in recognition of the error made.

Attachments

Audit Report
Management Report
2009/10 Audited Financial Statements

Officer's Recommendation

That the Audit and Finance Committee:

- i) Receive the audited 2009/10 Financial Statements and associated notes, the Audit Report and Management Report; and
- ii) Recommend to Council the inclusion of the audited 2009/10 Financial Statements and associated notes, and the Audit Report in the 2009/10 Annual Report.

NOTE: ABSOLUTE MAJORITY VOTE REQUIRED

ATTACHMENT 2 TO AGENDA ITEM 11.4.1.3

**INDEPENDENT AUDIT REPORT
TO THE ELECTORS OF THE TOWN OF PORT HEDLAND*****Report on the Financial Report***

We have audited the accompanying financial report of the Town of Port Hedland, which comprises the Statement of Financial Position as at 30 June 2010 and the Statement of Comprehensive Income by nature or type, Statement of Comprehensive Income by program, Statement of Changes in Equity, Statement of Cash Flows, Rate Setting Statement for the year ended on that date and a summary of significant accounting policies and other explanatory notes.

Council's Responsibility for the Financial Report

Council is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations), the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended). This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Council, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of Australian professional ethical pronouncements.

Auditor's Opinion

In our opinion, the financial report of the Town of Port Hedland is in accordance with the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended), including:

- a. giving a true and fair view of the Town's financial position as at 30 June 2010 and of its performance for the year ended on that date; and
- b. complying with Australian Accounting Standards (including the Australian Accounting Interpretations), the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended).

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**INDEPENDENT AUDIT REPORT
TO THE ELECTORS OF THE TOWN OF PORT HEDLAND (continued)**

Other Matters

In accordance with the Local Government (Audit) Regulations 1996, we also report that:

- a) There are no matters that in our opinion indicate significant adverse trends in the financial position or the financial management practices of the Council.
- b) No matters indicating non-compliance with Part 6 of the Local Government Act 1995 (as amended), the Local Government (Financial Management) Regulations 1996 (as amended) or applicable financial controls of any other written law were noted during the course of our audit.
- c) All necessary information and explanations were obtained by us.
- d) All audit procedures were satisfactorily completed in conducting our audit.

UHY HAINES NORTON
CHARTERED ACCOUNTANTS

A blue ink signature of Greg Godwin, written in a cursive style.

GREG GODWIN
PARTNER

Date: 23 March 2011
Perth, WA

ATTACHMENT 3 TO AGENDA ITEM 11.4.1.3



23 March 2011

The Mayor
Cr K Howlett
Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

Dear Cr Howlett

MANAGEMENT REPORT FOR THE YEAR ENDED 30TH JUNE 2010

We advise that we have completed our audit procedures for the year ended 30th June 2010 and enclose our Audit Report.

We are required under the Local Government Audit Regulations to report certain compliance matters in our audit report. Other matters which arise during the course of our audit that we wish to bring to Council's attention are raised in this management report.

It should be appreciated that our audit procedures are designed primarily to enable us to form an opinion on the financial statements and therefore may not bring to light all weaknesses in systems and procedures, or all audit matters of interest to Council, which may exist. However, we aim to use our knowledge of the Shire's organisation gained during our work to make comments and suggestions, which, we hope, will be useful to you.

Accounting errors in relation to Fixed Assets

- **No stated depreciation policy for Parks, ovals and Street Verges**

It has been noted there is an oversight in that the accounting policy on depreciation fails to cover the category of Parks, Reserves and verges. This category is currently covered by the definition of roads.

To help ensure this category reflects a fair value, consideration should be given to the useful lives of these assets.

- **Inadequate controls over the impairment of assets**

Various assets may have been impaired as a result of capital works undertaken during the year. Items of concern include where items are demolished, replaced, refurbished or upgraded.

To help ensure controls are implemented to correctly account for assets demolished, replaced, refurbished or upgraded we recommend the Finance department in conjunction with the heads of departments incurring the capital expenditure consider implementing procedures to allow this to take place.

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Accounting errors in relation to Fixed Assets (Continued)

- **Accurate Fixed Asset Depreciation generated Annually only.**

It was noted the Fixed Asset Register had not had its depreciation facility used on a monthly basis with the module being run at year end only. The general ledger monthly depreciation was based on Annual Budget estimates which were made prior to the 2009 figures being finalized. This methodology lead to a difference between estimated depreciation and actual depreciation for the year ended 30 June 2010 was \$ 234,354.

To help ensure monthly statements of financial activity are not materially misstated we recommend depreciation be calculated monthly or at least quarterly.

- **Maintenance being capitalised**

We noted instances where maintenance items were capitalized to the cost of fixed assets.

To help ensure maintenance is not capitalized resulting in overstated values of Fixed Assets we recommend this be brought to the attention of the Heads of Department incurring the expenditure.

- **GST incorrectly claimed on Staff Housing**

Developments at Lot 510 Morgan St consisted of 8 units, 4 of which are for staff housing. Based on this 50 % of the GST paid to the developer should not have been claimed but capitalised.

To help ensure GST regulations are complied with this matter should be adjusted on the next BAS return.

Council Minutes of Meetings Not Signed Promptly or at all

During our review of the minutes of Ordinary and Special Council meetings we noted the following instances where the minutes were signed by the person presiding at the meeting at which they were confirmed a significant amount of time after confirmation or not signed at all:-

- Ordinary meetings of July, August and September 2009 and Special meeting of July 2009 – Signed on 21 December 2009;
- Council meetings of 26 May 2010, 9 June 2010 and 23 June 2010 had not been signed at the time of the year end audit visit in January 2011.

To help ensure compliance with S5.22(3) of the Local Government Act (1995) and to help ensure no alterations are made to minutes after they are confirmed, we recommend the minutes of Council meetings be signed and dated at the same time as they are confirmed by the person presiding at the meeting at which they are confirmed. It is also considered good practice to have each page of the minutes initialed.

Annual Returns not submitted on time

We were unable to find any evidence of one Councillor having submitted an annual return. In addition one other Councillor's return was received in October 2009, being after the submission deadline of 31 August.

To help ensure compliance with S 5.76 (1) &(2) of the Local Government Act we recommend all councilors be reminded of the requirement to submit annual returns by 31 August each year.

**Review of Bank Reconciliations**

Monthly bank reconciliations are recorded on a softcopy spreadsheet and do not show the date of preparation nor the preparers name and there is no indication of the reconciliation being reviewed by a person more senior than the preparer.

To help ensure controls are exercised over the monthly bank reconciliations we recommend the softcopy spreadsheet be printed off, dated and signed by the preparer as well as a reviewer more senior than the preparer.

Duplicate Loan Payment

During the year ended 30 June 2009 a duplicate loan repayment was made to Key Start (the lender). This had not been corrected in the year ended 30 June 2010, resulting in an imbalance with the lender inclusive of over accrued interest of \$34,102.

To help ensure liabilities are accurately recorded we recommend the general ledger be brought in line with statements from the lender.

We noted no other matters we wish to draw to Council's attention.

Corrected and Uncorrected Misstatements

We advise there were 4 corrected misstatements and no uncorrected misstatements noted during the course of our audit. These are set out in Appendix 1 to this letter.

We take this opportunity to thank the Chief Executive Officer and all staff for the assistance provided during the audit.

Should you wish to discuss any matter relating to the audit or any other matter, please do not hesitate to contact us.

Yours faithfully

A handwritten signature in blue ink, appearing to be 'G. Godwin', written over a blue circular stamp.

GREG GODWIN
PARTNER



**TOWN OF PORT HEDLAND
APPENDIX 1
FORMING PART OF THE MANAGEMENT REPORT
FOR THE YEAR ENDED 30 JUNE 2010**

Corrected Misstatements

	Dr (\$)	Cr (\$)
Royalties for Regions Reserve Bank Account <i>Clearing additional expenditure through reserves</i>	105,752.12	105,752.12
Reserve Bank Account Royalties for Region Reserves Muni Fund Bank Royalties for Region Reserve <i>Transfer from Reserve Bank should have been Muni Bank</i>	69,590.00 69,590.00	69,590.00 69,590.00
Royalties for Region Reserve Tfr from BHP Reserve Muni BHP Reserve Equity BHP Reserve Equity Tfr from Royalties for Region Reserve <i>Correction to transfer entries</i>	607,333.00 607,033.00	265,320.00 342,013.00 607,033.00
Accrued Income Other Reserve Bank Account <i>Year end correction</i>	103,685.00	103,685.00

11.4.2 Governance

11.4.2.1 Review of the 2010-2015 Strategic Plan (File No.: .../...)

Officer Paul Martin
Chief Executive Officer

Date of Report 23 March 2011

Disclosure of Interest by Officer Nil

Summary

This report formally presents Council with a review of the Strategic Plan which has been undertaken as part of the development of the budget for the 2011/12 financial year.

The report also outlines how it is proposed to address the new requirements of the Department of Local Government in respect to Integrated Strategic Plans.

Background

Council adopted its current Strategic Plan at its meeting on 28 July 2010 with the following resolution:

- “ *That Council:*
- i) adopts the attached Town of Port Hedland Strategic Plan: 2010-2015; and*
 - ii) receives quarterly reports on the progress being made on the implementation of the plan.”*

Officers have reviewed the plan and highlighted those items which have been completed, those with are in progress and those items yet to commence. This is indicated on the attached document “Strategic Plan 2010-1015 Progress Update March 2011) at Appendix 1.

This review was then workshopped with Councillors as part of the budget process.

Consultation

- Councillors
- Executive team

Statutory Implications

The Local Government Act 1995 states that:

“5.56. Planning for the future

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”*

The Local Government (Administration) Regulations 1996 state that:

“19C. Planning for the future — s. 5.56

- (1) In this regulation and regulation 19D — **plan for the future** means a plan made under section 5.56.*
- (2) A local government is to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).*
- (3) A plan for the future of a district is to set out the broad objectives of the local government for the period specified in the plan.*
- (4) A local government is to review its current plan for the future of its district every 2 years and may modify the plan, including extending the period the plan is made in respect of.*
- (5) A council is to consider a plan, or modifications, submitted to it and is to determine* whether or not to adopt the plan, or the modifications, as is relevant.*

**Absolute majority required.*

- (6) If a plan, or modified plan, is adopted by the council then the plan or modified plan is to apply to the district for the period of time specified in the plan.*
- (7) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a plan for the future of the district, and when preparing any modifications of a plan.*
- (8) A plan for the future of a district is to contain a description of the involvement by the electors and ratepayers in the development of the plan, and any modifications of the plan.*
- (9) A local government is to ensure that a plan for the future made in accordance with this regulation applies in respect of each financial year after the financial year ending 30 June 2006.*

19D. Notice of plan to be given

- (1) After a plan for the future, or modifications to a plan, are adopted under regulation 19C the local government is to give local public notice in accordance with subsection (2).*
- (2) The local public notice is to contain —*
 - (a) notification that —*
 - (i) a plan for the future of the district has been adopted by the council and is to apply to the district for the period specified in the plan; and*
 - (ii) details of where and when the plan may be inspected;*

Or

- (b) *where a plan for the future of the district has been modified —*
- (i) *notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for a the period specified in the plan; and*
 - (ii) *details of where and when the modified plan may be inspected.*

The Department of Local Government has issued new Corporate Reporting Requirements which are required to be implemented by 30 June 2012. A copy of these requirements is attached at appendix 2.

Policy Implications

Nil.

Strategic Planning Implications

This report reviews the progress of implementing Council's Strategic Plan.

Budget Implications

Nil.

Officer's Comment

The attached progress update shows good progress on the Council's initiatives outlined in the Strategic Plan for year 1. Almost all of the items have at least commenced with many completed. There are some which have not commenced as yet, mainly due to resourcing implications. It is recommended these be referred to the 2011/12 budget process for consideration.

Officers are proposing that once the Growth Plan is completed the Council undertake a major review of its Strategic Plan. This review would focus on creating a document which:

- Identifies and timelines the responsibilities of the Town in implementing the Growth Plan
- Meets with the Department of Local Governments new requirements for an Integrated Strategic Plan.

This timing is also recommended as the Council will have in place a 5 or 10 year financial plan by this time. The outcomes of this and the Growth Plan will guide future capital and operational projects.

Attachments

1. Strategic Plan 2010-2015 : Progress Update – March 2011 – attached separately
2. Department of Local Government Reporting Requirements – attached separately

201011/306 Officer's Recommendation/Council Decision**Moved:** Cr S R Martin**Seconded:** Cr S J Coates

That Council:

1. Notes the progress of implementing the Strategic Plan for the first year.
2. Requests the CEO to refer any items yet to commence to the 2011/12 budget process for consideration
3. Agrees to develop an Integrated Strategic Plan as per the Department of Local Government requirements in January 2012 following completion of the Growth Plan.

CARRIED 7/0

11.4.2.2 2010 Compliance Audit Return (File No.: ...)

Officer Josephine Bianchi
Acting Executive Assistant to
Chief Executive Officer

Date of Report 25 March 2011

Disclosure of Interest by Officer Nil

Summary

The statutory compliance return for the 2010 Calendar year is presented for Council's consideration.

Background

Each year all Western Australian Local Government Authorities are required to undertake a compliance audit and forward the results to the Department of Local Government. The Compliance Audit Return is a self-assessment of the level of compliance with the Local Government Act and associated regulations. The audit covers both major systems and minor technical matters.

The Compliance Audit is one of the tools that Councils and the Department of Local Government use to monitor how the Council and the organisation functioned throughout the previous calendar year from a legislative compliance perspective. It identifies areas of non-compliance and lists areas where additional systems development may be required to ensure improved governance.

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

A total of the 246 items were audited in the 2010 Compliance Audit process. A total of seven (7) non-compliances were identified. These are briefly tabled below:

Legislation	Non-compliance
LG Act S3.52(4)	Given age of infrastructure and size of municipality it is impracticable to have plans that show the levels and alignments for all public thoroughfares that are controlled/managed by the Town. Plans that are available can be viewed by the public.
LG Act S5.54(1), (2)	Annual report for the financial year ended 30 June 2010 has not been submitted by 31 December 2010. Extension has been granted
LG Act S5.54(1), (2)	Annual report for the financial year ended 30 June 2010 has not been submitted by 31 December 2010. Extension has been granted advance.
LG Act S5.22(2)(3)	Signing of the Minutes of Council or committee meetings has been undertaken however on occasion signing did not take place directly after Council or committee meetings. This was also identified as an issue in Auditor's Management letter.
Admin Reg 13	On some occasion committee meeting minutes were made available within 10 business days after the committee meetings and not 5 business days.
LG Act S3.57 F&G Reg 11	On one occasion a former employee was responsible for entering into contracts where the total was in excess of \$100,000. A new tender policy s being drafted to prevent this occurring in the future.
LG Act S3.57 F&G Reg 12	On one occasion a former employee was responsible for entering into contracts where the total was in excess of \$100,000. A new tender policy s being drafted to prevent this occurring in the future. An internal investigation has occurred and a CCC report is being drafted

Consultation

The Chief Executive Officer met with relevant staff to discuss compliance matters. Advice has been sought from Department of Local Government on specific compliance issues.

Statutory Implications

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

“7.13.Regulations as to audits

(1) Regulations may make provision —

... (i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —

(i) of a financial nature or not; or

(ii) under this Act or another written law.”

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

“14. Compliance audit return to be prepared

(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.

(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.

(3) A compliance audit return is to be —

(a) presented to the council at a meeting of the council;

(b) adopted by the council; and

(c) recorded in the minutes of the meeting at which it is adopted.

[Regulation 14 inserted in Gazette 23 Apr 1999 p. 1724-5.]

Policy Implications

Nil

Strategic Planning Implications

Goal 3 – Systems Development

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

Budget Implications

As the Council conducted the compliance audit ‘in-house’ no costs were incurred.

Officer’s Comment

Council’s compliance systems and structures are generally well developed with a high degree of observance with the required statutes being evident. While there were seven items of non-compliance found, overall they are considered to be relatively minor in nature. As some of these items have recurred from the 2009 compliance audit, action will need to be undertaken to address them as a matter of priority.

Attachments

Compliance Audit Report 2010- attached separately

201011/307 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council adopt the findings of the 2010 Local Government Compliance Audit.

CARRIED 7/0

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

Nil.

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

ITEM 14 CONFIDENTIAL ITEMS

Nil.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE**201011/308 Council Decision**

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the following leave of absence:

- Councillor S J Coates – from 31 March 2011 to 01 April 2011 and from 7 April to 8 April 2011; and
- Councillor D W Hooper from 10 April to 17 April 2011.

be approved.

CARRIED 7/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 13 April 2011, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 6:33 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of _____

CONFIRMATION:

MAYOR

DATE