



Town of Port Hedland

MINUTES
OF THE
ORDINARY MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 25 NOVEMBER 2009

AT 5.33 PM

IN COUNCIL CHAMBERS
McGREGOR STREET, PORT HEDLAND

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*Chris Adams
Chief Executive Officer*

OUR COMMITMENT

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

TABLE OF CONTENTS

1.1	OPENING.....	7
ITEM 2	RECORDING OF ATTENDANCE AND APOLOGIES	7
2.1	ATTENDANCE.....	7
2.2	APOLOGIES	7
2.3	APPROVED LEAVE OF ABSENCE	7
ITEM 3	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE 7	
3.1	QUESTIONS FROM PUBLIC AT ORDINARY COUNCIL MEETING HELD ON WEDNESDAY 28 OCTOBER 2009	7
3.1.1	<i>Mr Chris Whalley.....</i>	7
3.1.2	<i>Ms Betty Goedhart.....</i>	8
3.1.3	<i>Mr Shannon Wagner.....</i>	8
3.2	QUESTIONS FROM ELECTED MEMBERS AT ORDINARY COUNCIL MEETING HELD ON WEDNESDAY 28 OCTOBER 2009	8
3.3	QUESTIONS FROM PUBLIC AT SPECIAL COUNCIL MEETING HELD ON WEDNESDAY 11 NOVEMBER 2009	8
3.4	QUESTIONS FROM ELECTED MEMBERS AT SPECIAL COUNCIL MEETING HELD ON WEDNESDAY 11 NOVEMBER 2009	8
ITEM 4	PUBLIC TIME.....	9
4.1	PUBLIC QUESTIONS	9
4.1.1	<i>Mr Milo [Camillo] Blanco</i>	9
4.1.2	<i>Mr Chris Walley.....</i>	10
4.1.3	<i>Mrs Arminie MacPherson.....</i>	11
4.2	PUBLIC STATEMENTS.....	11
4.2.2	<i>Mrs Arminie MacPherson.....</i>	11
4.2.3	<i>Mrs Dhu.....</i>	12
ITEM 5	QUESTIONS FROM MEMBERS WITHOUT NOTICE.....	12
5.1	<i>Councillor A A Carter</i>	12
5.2	<i>Councillor G J Daccache</i>	12
5.3	<i>Councillor J M Gillingham</i>	13
5.4	<i>Councillor S J Coates</i>	14
5.5	<i>Councillor D W Hooper</i>	14
ITEM 6	DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING....	15
ITEM 7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	15
7.1	CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 28 OCTOBER 2009.....	15
7.2	CONFIRMATION OF MINUTES OF SPECIAL MEETING OF COUNCIL HELD ON WEDNESDAY 11 NOVEMBER 2009.....	16
ITEM 8	ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION 17	

ITEM 9	REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION	20
9.1	<i>Councillor J M Gillingham</i>	20
9.2	<i>Councillor S J Coates</i>	20
9.3	<i>Councillor D W Hooper</i>	20
9.4	<i>Councillor M (Bill) Dziombak</i>	20
ITEM 10	PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS	21
10.1	<i>Petition Presented by Ms Karyna Ross</i>	21
10.2	<i>Hedland Tidy Towns Working Group – Presentation of Tidy Towns Awards...</i>	22
10.3	<i>Mr Bob Neville, President of Pilbara and Non-Government Organisation (PANGO)</i>	22
ITEM 11	REPORTS OF OFFICERS	23
11.1	REGULATORY AND COMMUNITY SERVICES	23
11.1.1	DIRECTOR REGULATORY AND COMMUNITY SERVICES	23
11.1.1.1	<i>Monthly Report – Community and Regulatory Services (File No.: 13/04/0001)</i>	23
11.1.1.2	<i>Delegated Planning, Building & Environmental Health Approvals and Orders for October 2009 (File No.: 18/07/0002 & 07/02/0003)</i>	39
11.1.2	PLANNING SERVICES.....	51
11.1.2.1	<i>Proposed Mixed Use Development – Lot 14 (8) Wedge Street Port Hedland (File No.: 154550G)</i>	51
11.1.2.2	<i>Proposed Section 70A Notification for Lot 35 (10) Edgar Street, Port Hedland (File No.: 120500G)</i>	61
11.1.2.3	<i>Proposed Mixed Use Development – Lot 41 (19) Edgar Street Port Hedland (File No.: 128650G)</i>	64
11.1.2.4	<i>Proposed New Living Project Subdivision Application for 3 Lots into 16 Lots Involving Lots 6107, 6108 and 6177 – Cottier Drive, Kennedy Street and Stanley Street, South Hedland (File No's: 803128G, 804138G and 804139G)</i>	77
11.1.2.5	<i>Endorsement of Spoilbank and Pretty Pool Concepts for Public Comment (File Nos.: 18/12/0014; 18/14/0001)</i>	84
11.1.2.6	<i>Council Endorsement of the Residential Land Rationalisation Plan (File No.: 18/12/0015)</i>	94
11.1.3	ENVIRONMENTAL HEALTH SERVICES.....	99
11.1.3.1	<i>Unauthorised Refuse Site Adjacent to the Turner River Estate (File No.: 25/03/0001)</i>	99
11.1.3.2	<i>Introduction of Weekly Rubbish Collection Service to Turner River Estate (File No.: 31/03/0002)</i>	103
11.2	ENGINEERING SERVICES	107
11.2.1	DIRECTOR ENGINEERING SERVICES.....	107
11.2.1.1	<i>Engineering Services Monthly Report (File No.: 13/04/0001)</i>	107
11.2.2	PORT HEDLAND INTERNATIONAL AIRPORT	127
11.2.2.1	<i>Port Hedland International Airport Glidepath Project GL 564, Common User Check In Facility, New Security Door (Qantas Check-In) and GlideView Screen on Site</i>	127
11.2.2.2	<i>Common User Check-in Facility Charges - Port Hedland International Airport (File No.: .../...)</i>	130
11.2.3	RECREATION SERVICES	136
11.2.3.1	<i>Waiver of Fees Request : The Big Issue's Street Soccer Program at JD Hardie Centre (File No.: 26/05/0005)</i>	136
11.2.3.2	<i>South Hedland Football Club Outstanding Debt (File No.: 26/02/0015)</i>	140
11.2.3.3	<i>Reconsideration of Tender 09/21: Supply and Installation of Turf at Colin Matheson Oval (File No.: Tender 09/21)</i>	144
11.2.4	INFRASTRUCTURE DEVELOPMENT	153

11.2.4.1	<i>Proposed Coastal Access Adjacent to Mundabullangana (Munda) Station (File No.: 28/01/0009)</i>	153
11.3	GOVERNANCE AND ADMINISTRATION	160
11.3.1	CORPORATE SERVICES	160
11.3.1.1	<i>Financial Reports to Council for Period Ended 30 September 2009 (File Nos: FIN-008, FIN-014 and RAT-009)</i>	160
11.3.1.2	<i>Lease with BHP Billiton to Increase the Colin Matheson Oval (File No.: ...)</i> ..	166
11.3.1.3	<i>Community Rating Policy (File No.: ...)</i>	171
11.3.1.4	<i>Outstanding Rates (File No: RAT-017)</i>	178
11.3.1.5	<i>Request to Write Off Legal Fees at 35A & B Robinson Street PORT HEDLAND (File No: A406310)</i>	193
11.3.1.6	<i>Requests to Waiver Rates for Assessment A804113; Address Lot 185 Great Northern Highway Port Hedland (File No.: ...)</i>	197
11.3.1.7	<i>Requests to Waiver Penalty Late Fee of \$57.00 and Penalty Interest of \$2.56 for Assessment A803944; Address 10 Pilbara Way, South Hedland</i>	202
11.3.1.8	<i>Requests to Waiver Bin Charge for Previous Financial Period of 2008/2009 on 17 Haines Street , South Hedland (Assessment No. A113580)</i>	205
11.3.1.9	<i>Aboriginal Lands Trust - Bin Write - Off Request (File No: A401870)</i>	208
11.3.1.10	<i>Pilbara Meta Maya Regional Aboriginal Corporation Rates Exemption Request (File No; A402170, A401200, A117390, A100150, A410037, A127380 & A111740)</i>	213
11.3.1.11	<i>Wirraka Maya Health Service Aboriginal Corporation Rates Exemption Request (File No: A800350)</i>	221
11.3.1.12	<i>Bloodwood Tree Association Inc. Rates Exemption Request (File No; A803501)</i>	229
11.3.1.13	<i>Cooke Point Recreation Club Inc. Rates Exemption Request (File No; A102540)</i>	235
11.3.2	GOVERNANCE.....	254
11.3.2.1	<i>Business Plan Consideration – Port Hedland Airport TWA (File No.: ...)</i>	254
11.3.2.2	<i>Business Royalties for Regions: Pilbara Priority Projects – Status Report</i> ...	261
11.3.2.3	<i>Office Accommodation (File No.: ...)</i>	266
11.3.2.4	<i>Nomination for Pilbara Development Commission Board Membership (File No.: ORG-096)</i>	272
ITEM 13	MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN	276
ITEM 14	CONFIDENTIAL ITEMS	276
ITEM 15	APPLICATIONS FOR LEAVE OF ABSENCE	276
ITEM 16	CLOSURE	276
16.1	DATE OF NEXT MEETING.....	276
16.2	CLOSURE	276

ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the meeting open at 5:33 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 George J Daccache
Councillor Jan M Gillingham
Councillor Steve J Coates
Councillor David W Hooper
Councillor Michael (Bill) Dziombak

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

Members of Public	18
Members of the Media	1

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Nil

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 28 October 2009****3.1.1 *Mr Chris Whalley***

Does Council have any plans to introduce speed bumps made out of concrete or metal on some of the residential roads in South Hedland?

NOTE: Mayor sought clarification from Mr Whalley on any particular roads that he is concerned with.

Yes, in particular Corboys Place, Smith Street and maybe Lawson Street.

Mayor advised that traffic classifiers have been placed along those streets noted by Mr Whalley; and Council will be able to provide results collected from those classifiers in the New Year.

3.1.2 Ms Betty Goedhart

Is the Town of Port Hedland could consider offering a subsidy to the general public in Hedland to have their pets desexed? Betty also wanted to advise that there is a petition circulating about the high number of stray dogs and cats around town.

Council has previously considered options for subsidizing animal sterilization some years ago, but a number of further options have since been investigated and will be considered at the Council's ordinary meeting in December.

3.1.3 Mr Shannon Wagner

We live at 51 Kennedy Street, South Hedland and we feel that a speed bump is required to reduce fast flowing traffic past this area. There are always children playing in the street and we have passed on our concerns previously to the Council Rangers, WA Police service and to Department of Housing. Department of Housing has installed bollards on the footpath next to our fence to reduce motorbikes from using, but we are still having issues.

Mayor advised that a traffic classifier has also been placed Kennedy Street, and Council will be able to provide results collected from those classifiers in the New Year.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 28 October 2009

Nil

3.3 Questions from Public at Special Council Meeting held on Wednesday 11 November 2009

Nil.

3.4 Questions from Elected Members at Special Council Meeting held on Wednesday 11 November 2009

Nil

ITEM 4 PUBLIC TIME**4.1 Public Questions**

5:35 pm Mayor opened Public Question Time.

4.1.1 *Mr Milo [Camillo] Blanco*

I would like to question the new standard that has been adopted for Council Meetings, and I refer to the Special Meeting held on 11th of November where the public gallery was out of control on a number of occasions with no order being called; is this the new standard for our Council's meetings?

Mayor explained that there is not a new standard in place. Council has its Standing Orders, which have been in place for Council for some time now.

Mayor added she has just undertaken her new Mayoral training on Friday, and has now learnt more in regards to the Standing Orders [for Council Meetings], and will do her utmost with the support of fellow Councillors, to ensure that the Standing Orders are upheld.

Are we allowed to ask questions directly to councillors [during] question time?

Mayor advised no, and explained the correct procedure is to channel question through the Mayor as Chair of the meeting. If a question is in relation to something specific, or expert knowledge from one of the Council Members or Senior Staff Members is required, a question can be referred to another Councillor, or as I do to the Town's Executive Staff.

Why did you not call order or direct the question through the Chair?

Mayor advised she felt she did direct questions through the Chair, and noted that she will take it on board.

Mayor added it is her 37th day in the Chair, and she will endeavour to do her best at each meeting.

Are we allowed to insult our councillors [during] statement or question time?

Mayor advised no.

In reference to a citizen calling Councillor Martin a dirty little man, why did you not call order and inform the member of the public to refrain from insults and direct them in the right way to address council members?

Mayor advised she takes [the matter] on board, adding she has learnt from the meeting. Mayor added that she will endeavour to do her best at future meetings.

We vote councillors in to represent the community; whatever the question or agenda item that has been put forward, Councillors need to have the respect of all community members in the public gallery regardless whether we agree or disagree; and if the public gallery gets out of control then I would expect the Mayor or the Chief Executive Officer to call order and not allow Councillors to be intimidated, insulted or belittled; do you agree?

Mayor confirmed yes.

Mayor added that she apologises for any hurt, upset or any ill feeling that may have been given. It wasn't the intent of the meeting, and as Chair and Mayor it is wholly her responsibility to call order with the assistance of her fellow Councillors, and she will endeavour to do that as each meeting continues.

Being your third or fourth meeting is no excuse considering you have been a councillor for the past two years or so, and would I be right in saying you were not subjected to that kind of behaviour in your time as councillor?

Mayor advised she was unsure. Mayor reiterated that she will endeavour to do her best at future meetings.

4.1.2 *Mr Chris Walley*

During the next twelve months will Council consider repainting the South Hedland water tower?

Mayor advised this question will be taken on notice.

Would Council also consider installing and using multi-coloured moving floodlights to shine onto the water tank itself; the energy of which could be derived from photo-voltaic silicon panels situated at the base of the water tower and position in such a way as [to] gain maximum solar energy each day?

Mayor advised that Council does not own the property of the water tower, but can pass [the suggestion] on to the Water Corporation. Council and perhaps a number of stakeholders throughout the community may be interested in partnering in such a project.

4.1.3 *Mrs Arminie MacPherson*

Where an employee of the Town of Port Hedland has a house supplied by the Town of Port Hedland, is he/she able to rent a room for \$250 cash per week?

Mayor advised she understood this was not practice.

NOTE: Mayor sought further clarification from Mrs MacPherson, without mentioning names, if she was aware of such an incidence. If so, could this information be forwarded? Mrs MacPherson confirmed yes.

Mayor advised this question will be taken on notice.

In the 2009/10 budget \$100,000 has been allocated for a flood study, would you please define what areas are marked for this study?

Director Regulatory and Community Services explained that budget allocation is for a project which relates to the South Hedland town site.

In the budget for 2009/10 year, it is shown that \$600,000 has been allocated for a new grandstand for the [Port Hedland] Turf Club, is that correct?

Mayor clarified that that allocation is included in tonight's Agenda for consideration by Council [Agenda Item 11.3.2.2 'Business Royalties for Regions: Pilbara Priority Projects - Status Report'].

5:44 pm Mayor closed Public Question Time.

4.2 **Public Statements**

5:44 pm Mayor opened Public Statement Time.

4.2.1 *Ms Lisa Bowen*

Ms Bowen made a statement in relation to a letter received from participants in Turtle Monitoring Program, who has made observations in relation to the Town being a cleaner area, including the beaches.

4.2.2 *Mrs Arminie MacPherson*

Mrs MacPherson read aloud a letter received from a couple (caravanning visitors to the Town) who have made observations in relation to improvements to the Town, particularly at tourist locations, i.e. parks, playgrounds, BBQs and statues.

4.2.3 *Mrs Dhu*

Mrs Dhu made a statement in relation to Agenda Item 11.3.1.6 'Requests to Waiver Rates for Assessment A804113; Address Lot 185 Great Northern Highway Port Hedland' on tonight's agenda, and how the rates on the property near Port Hedland Speedway have increased.

5:49 pm Mayor closed Public Statement Time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

5.1 *Councillor A A Carter*

What is the updated status of the letter received last month relating to fines received by a patron who parked at the Port Hedland International Airport, while she was in hospital in Perth?

Director Regulatory and Community Services advised Council's Rangers Services have investigated the matter with a view to being as reasonable as possible. Further supporting information from the individual has been requested, but not received to date.

Further to a meeting of the Port Hedland Visitor Centre Management Committee, regarding the transfer of the Centre to the Town of Port Hedland on 31 December 2009; a) would Council be prepared to take over control of the Centre prior to this date if it was reasonable; and b) would a register of assets be sufficient for the transfer to happen?

Mayor advised this question will be taken on notice.

5.2 *Councillor G J Daccache*

As I need to declare an interest and leave the room when Agenda Item 11.3.1.2 relating to the lease of the Colin Matheson Oval to BHP Billiton is considered tonight, will BHP honour its commitment in writing a couple of years ago, that the oval will remain as a football field and that it is not reduced in size?

Mayor advised that Council has not been advised any further than BHP Billiton's original commitment, but Council can re-emphasise the matter through tonight's resolution.

5.3 *Councillor J M Gillingham*

On behalf of a young couple who are looking to purchase a block of land at the South Hedland Rural Estate, and who realise that the large blocks have already been subdivided; is there any future plans that will enable them to subdivide a large sized block that will allow them to have a family member build an additional house of the block?

Director Regulatory and Community Services advised that there are certain circumstances which a second dwelling could be constructed on one of those lots, but at this stage Council do not have any plans to actually subdivide the lots.

In relation to the parking signs outside The Esplanade Hotel, I believe a few people have been getting warnings today for parking there, have the new [parking] signs been erected yet?

Mayor confirmed yes.

Director Regulatory and Community Services advised that Ranger Services had issued tickets. These were reviewed as even though the parking signs have been erected, the road marking is not yet completed. The tickets issued have been withdrawn and those people have now been issued with a warning. This is until the parking road marking is complete.

Will the signs be up soon?

Director Regulatory and Community Services advised that the parallel parking signs have been erected, but the line marking is yet to be completed.

When do we know if there is going to be a new manager appointed at the Port Hedland Visitor Centre?

Chief Executive Officer advised that he meet with Councillor Carter today [member of the Port Hedland Visitor Centre Management Committee]; and a full report including all issues including all financial arrangements, will be presented to Council for consideration at its Ordinary Meeting in December to clarify how Council is going to manage this issue.

Further to our phone call today regarding Cash for Trash Program and the Care for Hedland Environmental Association being able to seek external funding for the program; when you mentioned about keeping glass and cans out of the landfill for recycling, is there any indication when this recycling will begin?

Mayor advised that [Care for Hedland Environmental Association Inc.] are currently recycling the cans, which go to Perth and then are sent to offshore foundries to be melted down.

In relation to glass, the Deputy Mayor and I went and had a look, it is currently being stored. We are currently investigating crusher options, including a very good one in Margaret River at this stage. As soon as we are able to secure that crusher, then we can commence crushing the glass suitable to recycle into products.

Can this information please be distributed to all non-profit organisations for the beginning of next year that the program is still operating and Council still supports them.

Mayor advised this can be included in the Agenda Item relating to the Cash for Trash Program when it is considered by Council at its Ordinary Meeting in December.

5.4 *Councillor S J Coates*

In view of the Town's economic contribution to the Nation and being the largest tonnage port, can Council workshop to develop a strategy to ensure Port Hedland is included on the national map for weather reports?

Mayor advised this matter can be discussed at the next informal briefing for Council.

Can a Councillor be in attendance for the interagency meeting being held in relation to the non-functional aspects of 3 Mile Community?

Mayor advised she will be attending that meeting.

On behalf of Council, if there is a member of the public present this evening, can a collection be taken at tonight's meeting for the fundraising event being held tonight for the Bartlem family at the Port Hedland Yacht Club?

Mayor confirmed yes, and invited all Councillors to contribute.

5.5 *Councillor D W Hooper*

Concerned by the declining trend lines in the graphs showing attendances and performances, for the Courthouse Arts Centre and Gallery and Matt Dann Cultural Centre in the Monthly Report for Community and Regulatory Services in tonight's Agenda, what is Council doing to turn this around?

Director Regulatory [and Community] Services advised the trend lines do vary throughout the year, depending on when performances are held and statistics collected. The Town is currently in the process of appointing a new Director Community Services, who will be working with Directory Regulatory Services tomorrow on some of those matters.

Chief Executive Officer added that the trend lines are somewhat skewed; when comparing the number of patrons with the number of screenings at the Matt Dann Cultural Centre for example, although the number of screenings is decreasing, the actual number of patrons attending each screening is increasing. Late last year, the figures showed approximately ten (10) screenings per month, with only 20-30 people attending each screening. Now we have approximately eight (8) screenings, with approximately 60 people attending each screening.

In relation to attendance at the Courthouse Arts Centre and Gallery; last year shows attendance at 1,700 patrons compared to 1,200, which is a decrease of 500 people attending the facility; what is being done to improve these figures?

Director Regulatory [and Community] Services advised he is aware of the matter and strategies are being put in place to manage the situation.

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

The following Members verbally declared to have given due consideration to all matters contained in the Business Paper presented before the meeting, excluding late items.

Cr K A Howlett	Cr A A Carter
Cr S R Martin	Cr G J Daccache
Cr J M Gillingham	Cr S J Coates
Cr D W Hooper	Cr M Dziombak

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**7.1 Confirmation of Minutes of Ordinary Meeting of Council
held on Wednesday 28 October 2009**

200910/137 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That the Minutes of the Ordinary Meeting of Council held on Wednesday 28 October 2009 be confirmed as a true and correct record of proceedings.

CARRIED 8/0

200910/138 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

- i) nominates Councillor S J Coates on its Working Groups as follows:
 - a) **BHPBIO/Council Joint Projects Working Group
Councillor S J Coates (proxy);**
 - b) **JD Hardie Youth Precinct Development Working Group
Councillor S J Coates; and**
- iii) nominates Councillor S J Coates as a proxy representative on the external BHP Billiton Consultative Committee.

CARRIED 8/0

REASON: Council resolved to include Councillor S J Coates as a representative on the abovementioned Working Groups and the External Committee, in lieu of his absence when Council considered Agenda Item 11.4.2.5 'Elected Member Representation on Council's Committees and Working Groups; and External Organisations' at its Ordinary Council Meeting held on Wednesday 28 October 2009.

7.2 Confirmation of Minutes of Special Meeting of Council held on Wednesday 11 November 2009

200910/139 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That the Minutes of the Special Meeting of Council held on Wednesday 11 November 2009 be confirmed as a true and correct record of proceedings.

CARRIED 8/0

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Mayor advised Council of her Activity Report for October and November 2009, as follows:

Thursday, 29 October

- Meeting Virgin Blue (Timothy Davern Corporate Sales Manager and Amanda Gladstone Corporate Account Manager SA and WA), Deputy Mayor, Chief Executive Officer

Monday, 2nd November

- Bus tour & informal discussions Hon Minister Brendan Grylls, LandCorp and PDC Chief Executive Officer Stephen Webster, Deputy Mayor, Chief Executive Officer
- Project updates discussion LandCorp Aaron Grant (Project Manager)
- LandCorp South Hedland CBD Consultation

Wednesday, 4th November

- Meeting Bloodwood Tree Assoc Manager Bob Neville, Director Regulatory & Development & Manager Environmental Health – Public Place Drinking Concerns
- Elected Member Records Training
- TOPH Residents/Community BBQ (Pretty Pool)

Wednesday, 11th November

- Chair Special Meeting Council
- Chair Council Informal Briefing Session (last part)

Thursday, 12th November

- Attended Port Hedland Liquor Accord Meeting
- Assisted manning stall for community consultation LandCorp & Northern Edge Consultants re: South Hedland CBD Town Square proposals

Friday, 13th November

- CCR/Correct Line Engineering introductions
- Chief Executive Officer/Deputy Mayor/Mayor Weekly Meeting
- Chief Executive Officer/Deputy Mayor/Mayor & PDC Chief Executive Officer Weekly Meeting
- Meeting Water Corporation Kerrie Chapman (Regional Business Manager), Chief Executive Officer
- Meeting Hon Tom Stephens MLA, Deputy Mayor, Chief Executive Officer
- Past Councillor and Mayor “Thank You” Dinner

Saturday, 14th November

- Grand Opening CCR/Correct Line Engineering
- 50th Birthday Celebrations SES

Monday, 16th November

- Tour Hedland Senior High School with Principal Carolyn Cook, Chief Executive Officer
- Meeting DEC Regional Manager Alasdair MacDonald, Chief Executive Officer

- Meeting BHPBIO Richard O'Connell & Patrik Mellberg, Chief Executive Officer
- Meeting Port Hedland Port Authority Chief Executive Officer, Chief Executive Officer
- Oz Help Sharon Todd (Hedland Coordinator)

Tuesday, 17th November

- Meeting with Mayor Sheryl Froese (City of Nedlands)
- Meeting with Mayor James Best (City South Perth)

Wednesday, 18th November

- Meeting BHPBIO Ian Fletcher (Vice President of External Affairs)
- Meeting Rapley Wilkinson Darren Staunton Chief Executive Officer (Area A)
- Meeting Hancock Prospecting Pty Ltd Tim Crossley (Executive General Manager)
- Meeting Horizon Power Rod Hayes (Managing Director), Chief Executive Officer
- Meeting Auzcorp Michelle Hurba (Chief Executive Officer) & Haniff Kassim (Chairman) (Area B & Camp Kooyong), Chief Executive Officer

Thursday, 19th November

- Meeting LandCorp Ross Holt (Chief Executive Officer), Chief Executive Officer
- Meeting DHW Tony Debarro (Director Land & Housing Development) & SHNL Brett Croker (Project Manager SHNL), Chief Executive Officer
- Meeting Atlas Iron Ltd David Flanagan (Managing Director), Chief Executive Officer
- Meeting North West Iron Ore Alliance (Dr Justin Walawski Chief Executive Officer & Deputy Chairman), Chief Executive Officer
- Meeting Satterly Property Group Darren Walsh (Deputy Managing Director) and Justin Crooks (Project Manager) (Styles Rd), Chief Executive Officer
- Meeting FORM Lynda Dorrington, Chief Executive Officer
- Attended exhibition "Every Colour Is You" Form Gallery Perth, Chief Executive Officer

Friday, 20th November

- Attended Dept Local Government Mayors & Presidents Workshop
- Attended Tidy Towns/Sustainable Communities State Award Luncheon, Deputy Mayor

Saturday, 21st November

- Attended 2009 PAWS Walk
- Mayor Coffee Session (Shana's Cafe, Port Hedland), Cr Gillingham
- Mayor Coffee Session (Sunwonder Cafe, South Hedland)
- Attended Port Hedland Community Crime Prevention Meeting

Sunday, 22nd November

- Councillor Informal & Drive Around Council Projects, Deputy Mayor, Cr Gillingham, Cr Hooper, Cr Martin

Monday, 23rd November

- Attended PDC Community Housing Group Meeting, Chief Executive Officer, Manager Planning
- Opened 2009 Hedland Says No To Violence Week Activities
- Discussion of development issues (Hedland First National)
- Mayor Coffee Session South Hedland Library
- Presented Award Hedland Schools Excellence Awards 2009, Chief Executive Officer

Tuesday, 24th November

- Meeting Dept Education & Training Vicki Jack, Chief Executive Officer
- Meeting Dept Child Protection Natasha Bargeus (District Director), Chief Executive Officer
- Meeting PANGO Bob Neville (President), Chief Executive Officer
- Meeting FMG Vicki James, Chief Executive Officer
- Meeting ICC South Hedland Manager Stephen Comeagain

Wednesday, 25th November

- Meet & greet Kids Club at JD Hardie Centre South Hedland, Deputy Mayor
- Chair November OCM

Mayor also advised Council:

1. Council has been successful in securing \$75,000 funding from the Department of Sport and Recreation for lighting at the Gratwick Aquatic Centre;
2. A three (3) year extension has been reached with Newcrest Mining Ltd, a partnership that provides \$100,00 per year; and
3. Town of Port Hedland staff have attained a Good Driver Rebate from Council's insurers of \$9,554.
4. The Federal Government's Stimulus Package has approved \$147,00 funding towards the Town's Stairway to the Moon project.

Mayor also advised Council that the Honourable Colin Barnett, MEd, MLA Premier of Western Australia and the Honourable Brendon Grylls, MLA, Minister for Regional Development; Lands; Minister Assisting the Minister for State Development will be visiting Port Hedland this Friday to launch the State's twins cities announcement.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION*9.1 Councillor J M Gillingham*

Councillor Gillingham advised the Councillor's tour to view Council Projects was very appreciated.

9.2 Councillor S J Coates

Councillor Coates advised Council that the Hedland Stars Astronomy Club had its first event last week; and the Club's web site www.hedlandstars.org is currently under construction.

Councillor Coates also attending the Sustainable Economic Development for Regional Australia (SEGRA) last month, which focused on the importance of regional remote Australia to the development of Australian. A report from the conference will be forwarded to the Federal Government. Councillor Coates also summarised an idea for Port Hedland from the CSIRO in relation to climate adaption and the minerals industry.

9.3 Councillor D W Hooper

Councillor Hooper attended the Toy Library BBQ and Open Day, who are relocating from Lotteries House; and a meeting at Wngka Mya regarding the Aboriginal Arts Centre.

9.4 Councillor M (Bill) Dziombak

Councillor Dziombak updated Council on the Port Hedland Chamber and Commerce and Industry (PHCCI) including:

- At its Annual General Meeting held last month it was reported the Chamber now have a member base of over 350 local businesses and organisations, and its financial position is also very strong;
- At the last PHCCI Executive Committee Meeting is was resolved to upgrade the promotion DVD which is used to attract people to the Town; and
- The PHCCI's End of Year event will include the launch of the new annual Community and Business Information Directory on 15th December.

**ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/
SUBMISSIONS***10.1 Petition Presented by Ms Karyna Ross*

Ms Karyna Ross presented the following petition which has been signed by:

“Petition for the Hedland Council to implement, promote and support a human strategy to get the stray cat and dog, population under control, including highlighting/advertising the need to de-sex domestic pets.

Petition Summary and Background:

I would like the Hedland Council to implement, promote and support a human strategy to get the stray cat/dog population under control. The Council needs to educate and assist the Hedland Community to stop the unwanted breeding of cats and dogs. This would have many benefits including –

- . A decrease in animal abuse and neglect*
- . Health benefits for domestic pets as a result of de-sexing*
- . A decrease in disease in pets, i.e. feline aids and rabies in dogs*
- . Less native birds and lizards being eaten by starving stray animals trying to survive*
- . A decrease in stray dogs causing hazards on our roads*
- . Less potential for dog attacks to both people and pets.*

This is an important issue that has long been ignored or put into the “too hard basket”. For every pet cat and dog that is de-sexed and for every stray cat/dog that is humanely caught and euthanized, the every growing problem of another unwanted litter is closer to being controlled. I am signing this petition as this is an important issue to me and I want the Hedland Council to make educating and assisting the Hedland Community in humanely controlling the overpopulation of stray animals a priority. It is not the animals fault, but I’s everyone’s responsibility to help stop the overpopulation of stray animals in Hedland.

Action Petitioned for:

We, the undersigned, are concerned rate payers and members of the Hedland Community who urge our leaders to act now.”

NOTE: Mayor thanked Ms Ross for her feedback and information, and advised that Council does have an Agenda Item relating to this matter included in the Agenda for the Ordinary Council Meeting to be held on 9 December 2009.

10.2 Hedland Tidy Towns Working Group – Presentation of Tidy Towns Awards

Mr Andre Veder and Ms Kim Wiltshire, Members of the Hedland Tidy Towns Working Group, presented the following Awards made to Port Hedland at the recent State Awards ceremony in Perth:

- State Winner for the 2009 Community Action Award
- State Winner for the 2009 Enhancing Cultural Identity Award;
- State Winner for the 2009 Recycling and Waste Management Award; and
- the overall State Winner for the Tidy Towns Sustainable Communities

Port Hedland is now the State's National Finalist for the National Keep Australia Beautiful Tidy Towns Award.

10.3 Mr Bob Neville, President of Pilbara and Non-Government Organisation (PANGO)

Mr Neville made a presentation to Council on the roles and responsibilities of the Pilbara and Non-Government Organisation (PANGO), including the works done by some of its member not for profit organisations, and the restraints and difficulties faced by the organisation.

ITEM 11 REPORTS OF OFFICERS**11.1 Regulatory and Community Services****11.1.1 Director Regulatory and Community Services***11.1.1.1 Monthly Report – Community and Regulatory Services (File No.: 13/04/0001)*

Officer Nellie Mackay
Executive Assistant
Community and
Regulatory Services

Date of Report 16 November 2009

Disclosure of Interest by Officer Nil

Summary

Report on activities for the month of October 2009 within the Community and Regulatory Services directorate for Council's information.

Background

Community and Regulatory Services Monthly report to Council.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer’s Comment

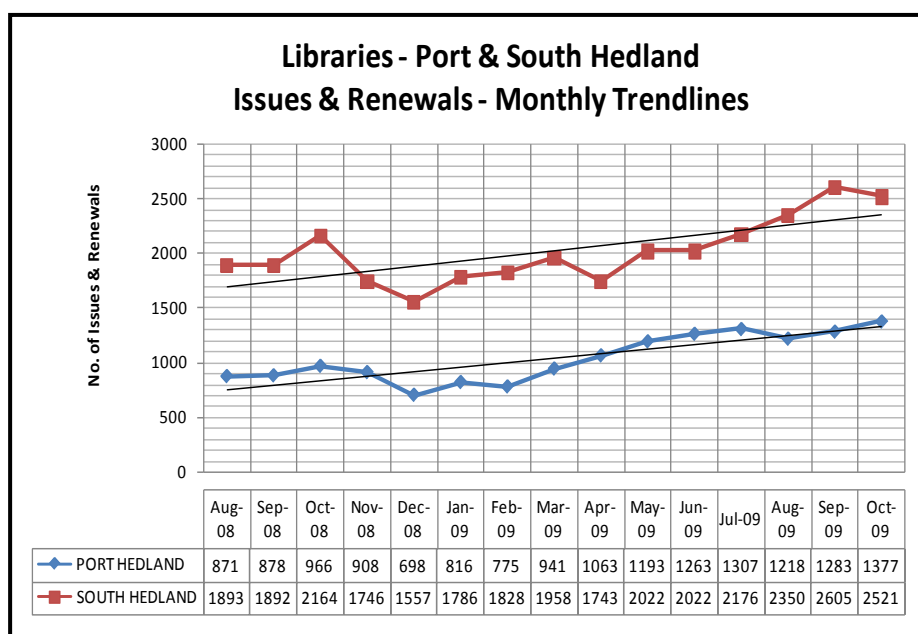
Library and Information Services

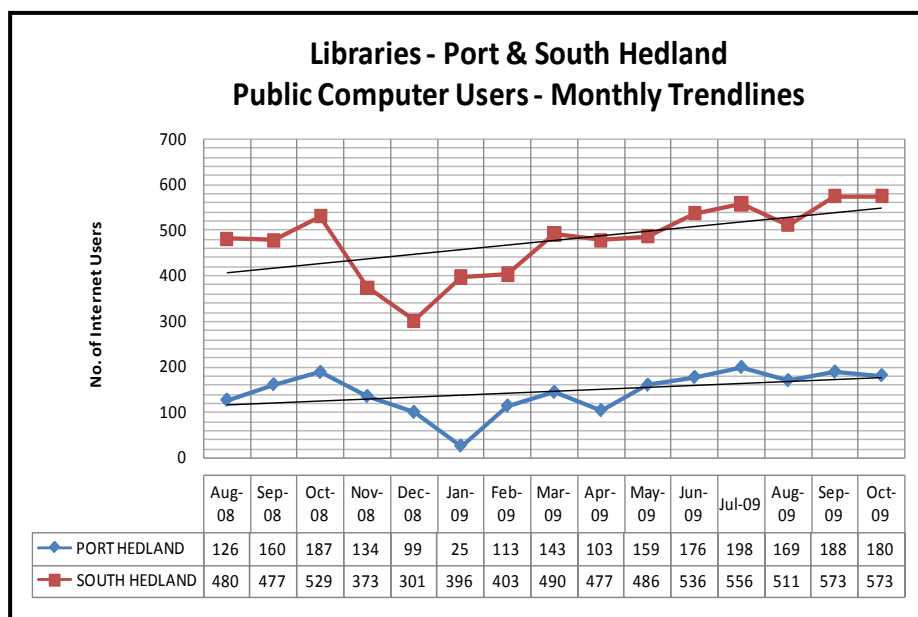
PORT HEDLAND LIBRARY	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09
Issues & Renewals	1193	1263	1307	1218	1283	1377
Reservations	25	37	47	50	65	105
New Borrowers	22	31	20	17	28	33
Public Computer Users	159	176	198	169	188	180
Door Count	851	865	969	994	1098	946
Reference Enquiries	70	218	95	56	91	61
General Enquiries	15	21	57	32	38	9
Technical/Computer	13	7	13	7	19	8
SOUTH HEDLAND LIBRARY	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09
Issues & Renewals	2022	2022	2176	2350	2605	2521
Reservations	88	40	44	39	39	110
New Borrowers	72	66	43	70	62	69
Public Computer Users	486	536	556	511	573	573
Door Count	1603	1702	2085	2267	2444	2447
Reference Enquiries	74	214	146	138	152	140
General Enquiries	34	136	121	99	94	69
Technical/Computer	37	37	41	59	60	43
Local History Enquiries	Stats commenced Sept 09				8	7

Port and South Hedland Libraries participated in the Australian Government initiative “Books Alive 2009 – 50 books you can’t put down”. This proved very popular as the library stocked the majority of the listed titles and provided a “quick pick” resource for the borrowers.

In preparation for the cyclone season, resources including brochures from the Department of Meteorology have been on display at both libraries.

Halloween Children’s’ Activities were held at South Hedland Library on Saturday 31st October with 22 participants attending.



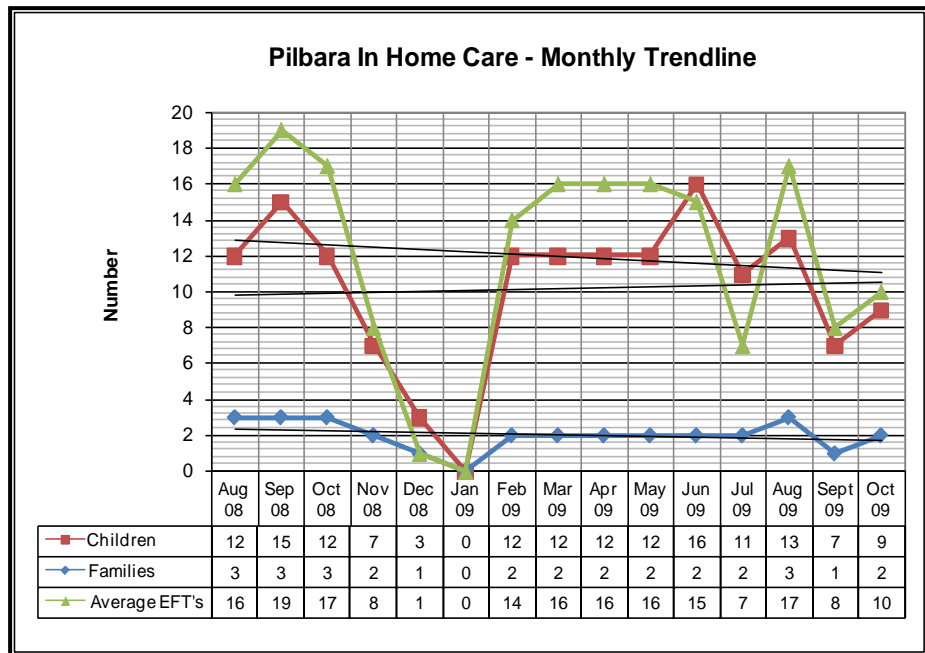
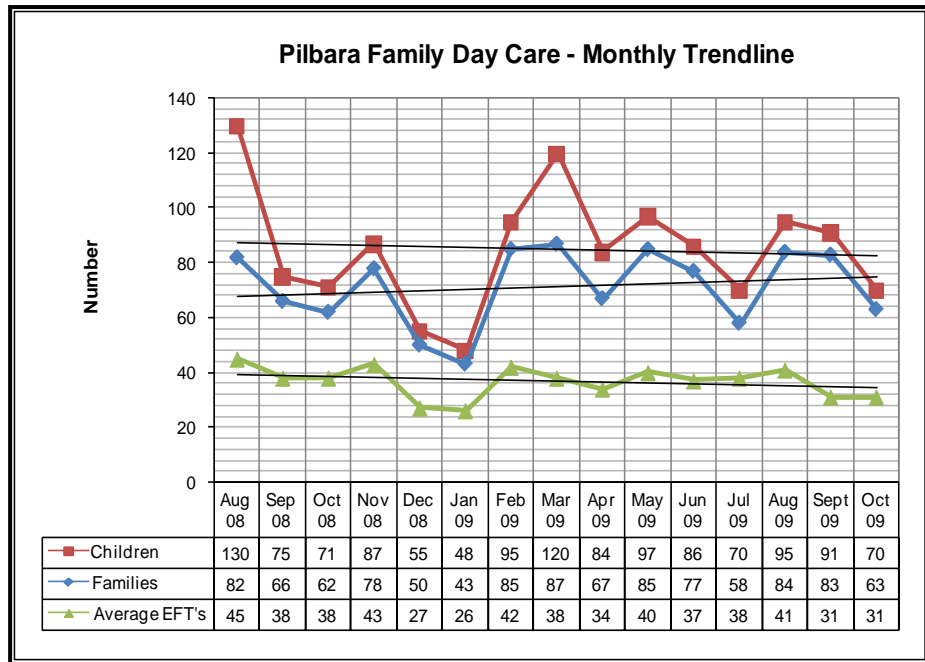


Pilbara Family Day Care (PFDC)

Location	Carers currently within Scheme	Carers currently going through licensing
South Hedland	4	1
Wickham	-	-
Karratha	4	1
Newman	4	-
Tom Price	1	-
Paraburdoo	2	-
Point Samson	-	-
TOTAL	15	2

All carers in the scheme were visited by the PFDC Coordinator in the month of October in preparation for the Quality Assurance Validation visit by National Childcare Accreditation Council (NCAC).

The NCAC Quality Assurance Validation visit was conducted over the period 20-23 October. Three carers were visited with one being in Karratha and two in Hedland. The visit was well received.



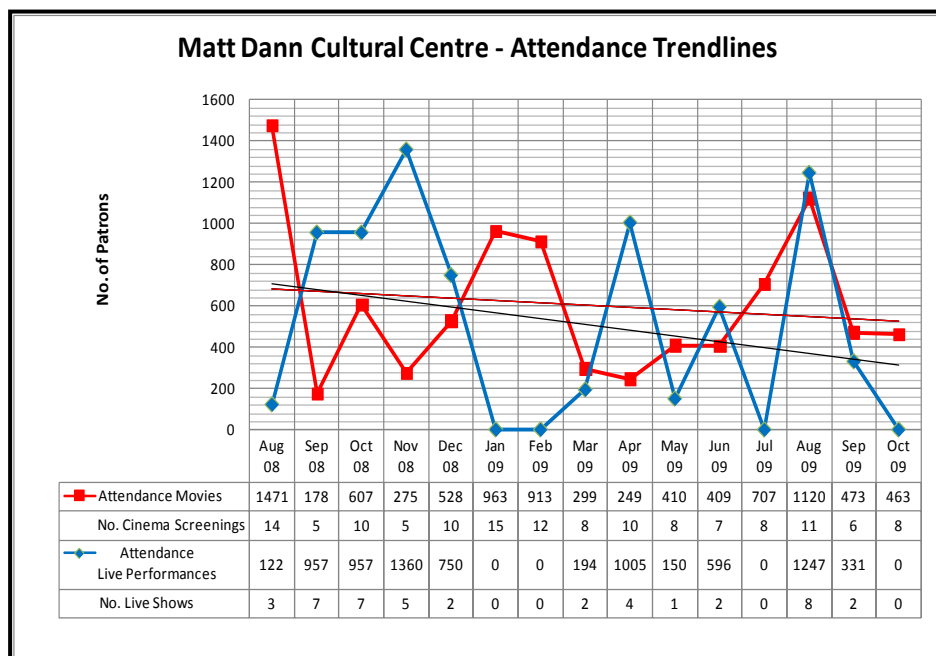
Events and Matt Dann Cultural Centre

The Heritage Festival was held during October with an estimated patronage of 300 people. The day was extremely hot and this was reflected in a lower number of patrons. The stage program was improved from last year and the “Little Miss” event was a very popular addition to the program as was the kid’s zone.

A movie fundraiser was hosted by Port Boutique with funds going towards Golden Oldies rugby tour. This screening attracted 110 patrons.

Two cinema events held at the Matt Dann Cultural Centre included an Over the Fence Short Film Festival and the Halloween Friday night movie selection. These events attracted 127 participants.

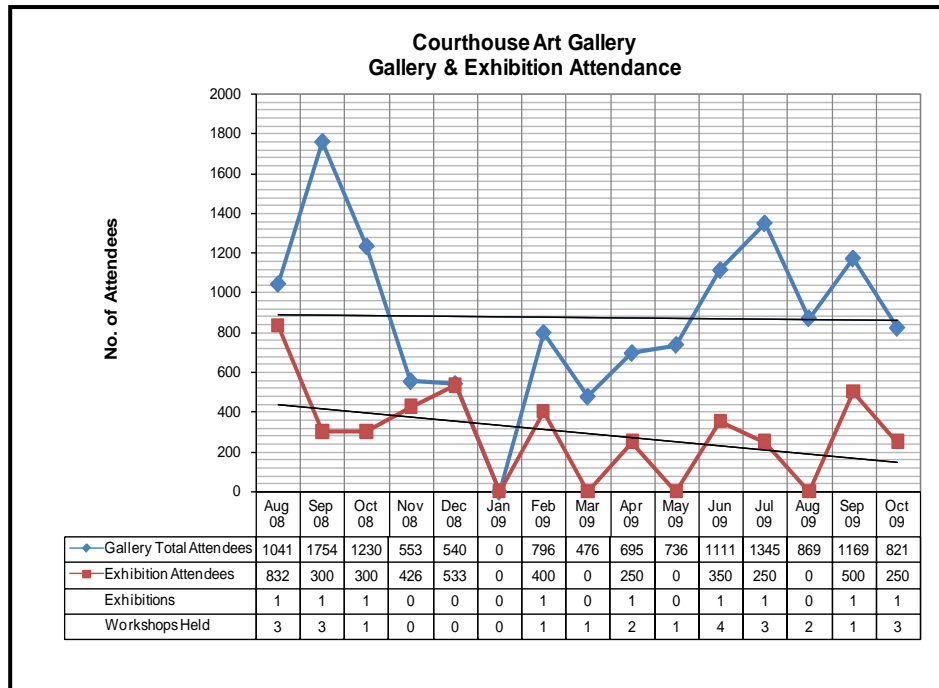
Events programming for the 2010 year has commenced with details to be published once finalized.



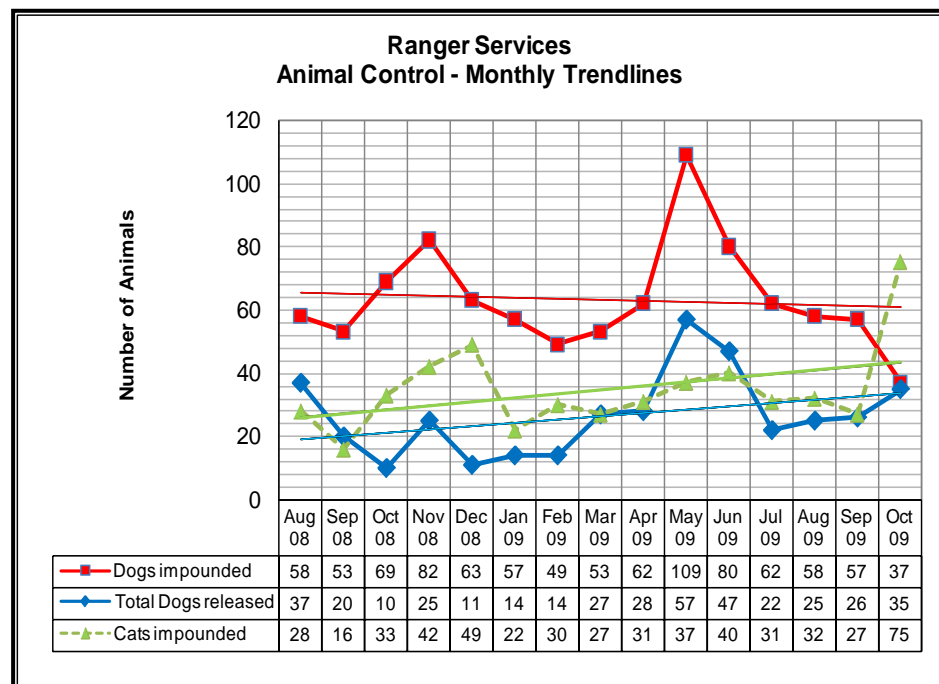
Courthouse Gallery

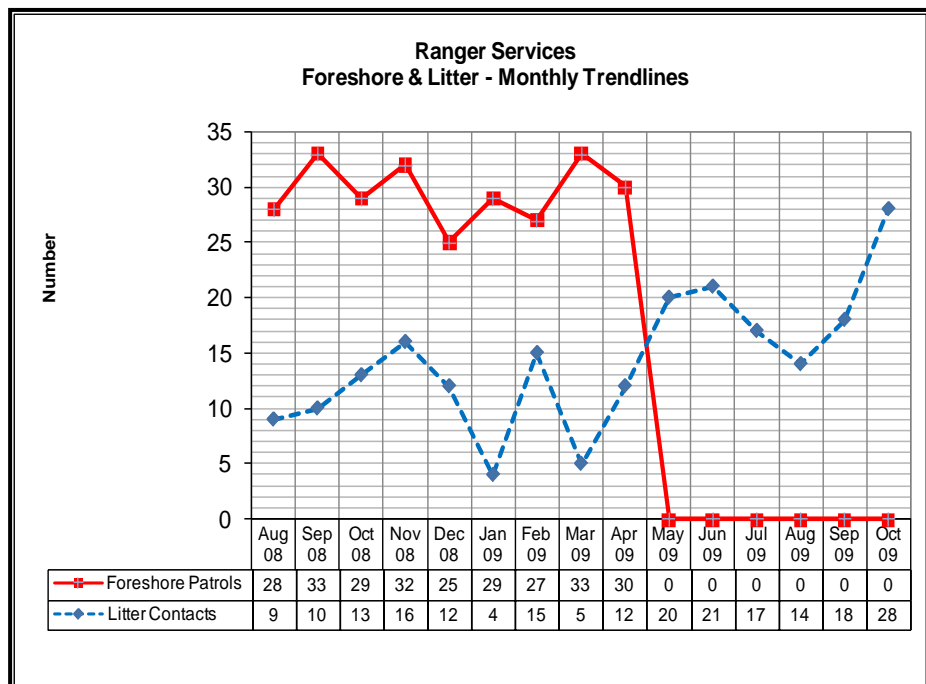
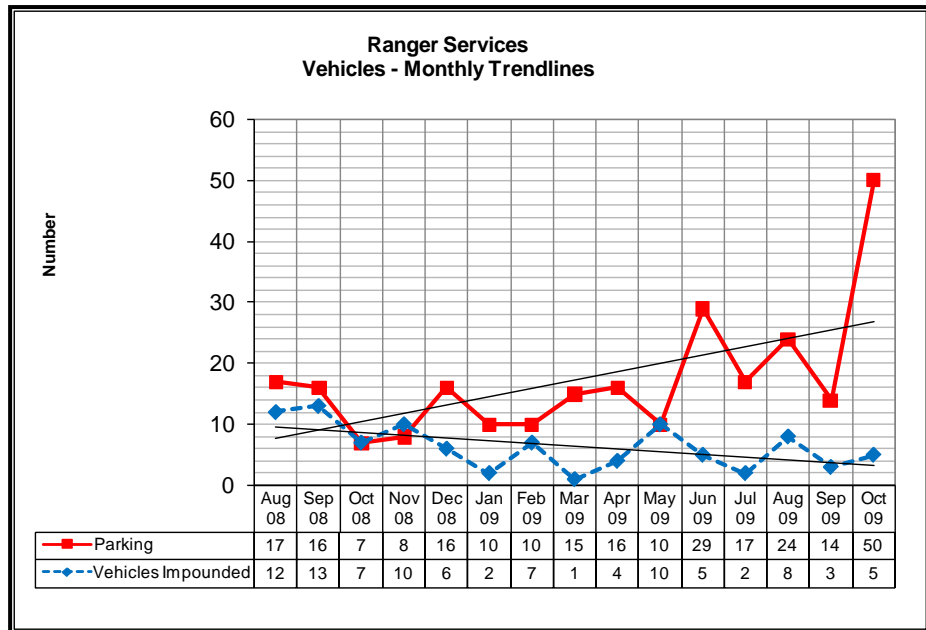
The Exhibition opening of Helen Ansell's "Lush" was held during October and attracted an estimated 250 patrons. A private preview of this exhibition was also held for Horizon Power.

Three workshops were held in October being a local artist workshop with Helen Ansell a local artist workshop with Helen Ansell and Sara Barnes and a Photoshop with Christian Fletcher.



Environmental Health Services – Ranger Statistics



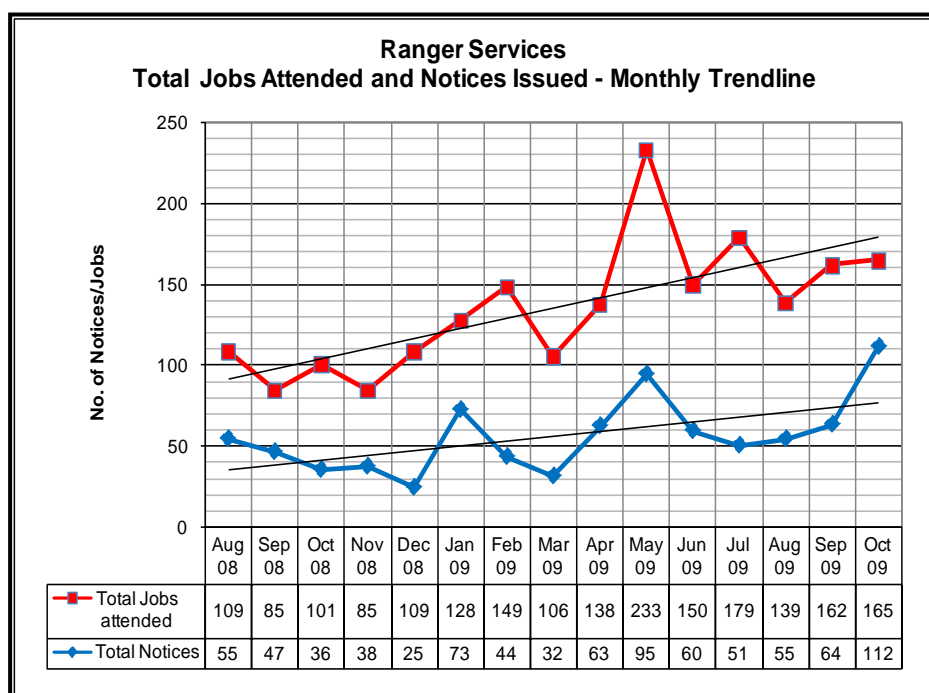


N.B. No dedicated foreshore patrols conducted in Turtle season only.

As an indication of the extent of works which the following table covers, "Total Jobs", the following ranger related areas are covered:-

- Dogs - complaints, attacks, barking complaints, wandering at large, surrender of dogs
- Feral cat pickups and cat complaints
- Dead dog and cat pickups on roads and roadside
- Applications for a third dog property inspections
- Fox trapping
- Injured wildlife
- Injured or maimed cattle

- Snake calls
- Animal welfare complaints
- Littering complaints including litter on verge
- Drinking and littering in parks and reserves
- Off road vehicle complaints
- Parking complaints
- Abandoned vehicles
- Caravan and camping complaints
- Issue of fire permits
- Firebreak property inspections
- Fire related calls



Plan for the Future 2008-2013 Progress Report

Council's Community & Regulatory Services Directorate has provided an update on the projects that they are currently managing (48 of the 110 strategies defined) in line with the current Plan for the Future 2008-2013. The attached report provides an update on the progress and status of the strategies within the C&RS Directorate.

Attachments

Plan for the Future Works Programme for Community & Regulatory Servies for the period 1 July 2000 to 30 June 2010

200910/140 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council receives the Community and Regulatory Services Report for October 2009.

CARRIED 8/0

PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010																
Legend			Cyclone Watch/Season													
	Commenced Project	Project Completed	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
	Milestones	On-going project														
Officer	Plan for the Future Key Result Area / Goal / Strategy	A/c No.	Strategy	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
MCED	KRA 1 - Infrastructure Goal 2 - P&G Strategy 7		Investigate the development of a Community Vegetable Garden.	Start June 2009												Working with YIC and community group to implement garden at SH Shopping Centre - Josh Byrne is involved in project, ToPH represented by CDO and Parks & Gardens. <i>Staff met with YIC to progress this. No further action from YIC at this stage - we have advised we are ready to assist when required.</i>
MCED	KRA 2 - Community Pride Goal 1 - Litter Strategy 1		Work with community groups to develop community programs and initiatives that reduce litter and improving the appearance of Port and South Hedland.	Start Jan 2009												Litter forms distributed to all Council vehicles. Ongoing. <i>Liquor Accord identifying problem spots in Hedland with action from Engineering and Rangers as needed to clean up drinking spots in particular.</i>
DCRS	KRA 2 - Community Pride Goal 1 - Litter Strategy 3		Review legislative alternatives that are available to Council to improve the visual appearances of untidy properties within Town. Implement agreed initiatives.	Start Feb 2009												<i>Subject to further review in light of changes to litter collection procedures in Town. March 2010.</i>
MCED / MRS	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 2		Convert the JD Hardie Centre into a more youth focused facility.	Start July 2008						to call tenders						<i>Detailed engineering design documentation finished week of 16th November. Ready to progress to tender.</i>
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 6		Work with Stakeholders on initiatives that improve both the perception and the quality of education within the Town.													Ongoing. <i>Via Education Forum and strong HSHS involvement in HYSAG.</i>
MEH	KRA 3 - Community Development Goal 2 - Sports & Leisure Strategy 4		Explore opportunities for the development of an appropriate off-road/recreational driving area that is away from sensitive beach and dune areas.	Start Feb 2009	Compl May 2009											Report presented to the May meeting and officers to continue to seek new off road areas – complete
MLIS	KRA 3 - Community Development Goal 2 - Sports & Leisure Strategy 5		Review library operations and locations develop a plan for the future operations of libraries in the Town.							Report OCM						<i>Meeting with Pilbara TAFE Regional Manager on 25/11/09.</i>
MEH	KRA 3 - Community Development Goal 3 - Health Strategy 3		Review Environmental Health service levels to the Town of Port Hedland and develop a Local Public Health Plan based on risk management principals.	Start Dec 2008												Draft plan completed still being reviewed. This project will become a priority once RFR projects are completed.
MCED	KRA 3 - Community Development Goal 3 - Health Strategy 5		Review the Town's Disability Service Plan and undertake actions to improve access to services and all facilities.	DAIP Plan Completed 2009						Annual Report Sent to DCS						Ongoing. <i>DAIP Annual report completed and sent to DSC in Perth.</i>
DCRS/ MEH	KRA 3 - Community Development Goal 4 - CSCP Strategy 1		Work with partners to engage a Community Safety & Crime Prevention Coordinator/Facilitator whose primary responsibility is to ensure the timely implementation of initiatives listed in the Town of Port Hedland Community Safety & Crime Prevention Plan.													Community Safety Crime Prevention Plan currently being reviewed by CSF in consultation with Working Group.

PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010																
Legend		Cyclone Watch/Season														
Commenced Project																
Milestones																
Project Completed																
On-going project																
Officer	Plan for the Future Key Result Area / Goal / Strategy	A/c No.	Strategy	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
DCRS	KRA 3 - Community Development Goal 4 - CSCP Strategy 4		Install CCTV and/or other appropriate security measures for identified crime and safety "hot spots".	Start July 2008	Order placed for Tower		Mtg held for SOW St II									Orders placed for supply and installation of antenna as alternative to use of Telstra tower. Working Group meeting held on 1/10/09 which identified scope for CCTV Stage 2. Poles for Stage I installed. Alternative location for headend now being airport as only monitor and workstation to be installed at South Hedland Police Station. Contractor working on new design due to relocation. CASA approval required to run data over runway.
	KRA 3 - Community Development Goal 4 - CSCP Strategy 5		Work in partnership with government and other stakeholders to develop additional "pro-social" diversionary activities for young people.	Start Jan 2009												Heritage and Marine Festival very well planned and delivered. Very hot weather, smaller turnout than anticipated. Review of venue for 2010 has commenced. Urban Art project very successful - Young Leaders Group have identified other potential art project sites. Next modules of Young Leaders Program run in November, Presentation dinner to conclude program will be held 28th November.
	KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 1		Initiate the development of Board of Management to manage and operate Council funded facilities within the Courthouse Art Centre and Gallery precinct.	Start 2007			Tender closes Oct									
MCED	KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 2		Develop a public art policy/strategy and install public art in key locations within the Town.	Start July 2007			Plan appln being developed									Cyclone George sculpture "Three Palms" unveiled 6th November. Public Art installation - planning application process mapped with Building and Planning; procedure now being sent to applicants. Regular update meetings with BHPBIO, FMG and Landcorp include public art projects.
	KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 3		Develop a unique entry statement to the Town. MIS developing landscaping for this project	Start Aug 2008			Install Due									"Transformation" artwork and interpretive plaque installed in GNHway (Broome Rd) tourist bay. Uplighting to be installed and landscaping to be completed. Unveiling at sunset 27th November.
MCED	KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 4		Undertake initiatives that both increase patronage levels and improve the financial performance of the Matt Dann Theatre.	Start July 2008	Complete Mar 2009											Discussion on Events/MDC structure and function proposed with new Director Community Development on commencement.
DCRS	KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 5		Actively pursue the development of additional arts and cultural facilities within the Town including a new commercial cinema and an aboriginal arts facility.	Start Aug 2008	Complete June 2009											Indigenous Art classes commenced with FORM. Workspace obtained at Aboriginal Fellowship Church. Funding provided to Wangka Maya to scope project for new Arts Centre.
MCED	KRA 4 - Economic Development Goal 1 - Tourism Strategy 3		Redevelop the visitor entry bays on the northern and southern roads entrances to the Town.	Start Oct 2008	Complete May 2009											Northern approach bay almost completed - new Hedland locality map to be purchased and installed. Southern bay - awaiting final roadworks completion before proceeding.
DCRS	KRA 4 - Economic Development Goal 1 - Tourism Strategy 5		Identify sites for the development of new caravan park/eco tourism facilities (both permanent and temporary). Implement key priority projects.	Start Aug 2008												Feature survey of land adjacent to Cooke Point Caravan Park completed. Item raised at Council meeting of January 09 to initiate proceedings to acquire land for use as Caravan Park. Matter laid on the table.
MCED	KRA 4 - Economic Development Goal 3 - Business Development Strategy 1		Work with the BEC, PHCCI and others to investigate the potential development of a Business Incubator and/or other small business development initiatives within the Town.	start Jan 2009												Preliminary discussions to be further advanced by MED & LD upon commencement.
MCED / DCRS	KRA 4 - Economic Development Goal 3 - Business Development Strategy 2		Develop Council policies and/or incentives that assist in attracting and retaining businesses within the Town of Port Hedland.													Policies to be developed in conjunction with newly appointed Manager Economic Development and review of Plan for the Future Feb 2010.

PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010																
Legend		Cyclone Watch/Season														
Commenced Project																
Milestones																
Project Completed																
On-going project																
Officer	Plan for the Future Key Result Area / Goal / Strategy	A/c No.	Strategy	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
MP	KRA 4 - Economic Development Goal 4 - Land Development Projects Strategy 3		Work with the DPI to identify additional crown land that can be released for development in a timely manner.	Start Dec 2009	Complete May 2009											Draft Residential Rationalisation Plan is being finalised for public release end of June. Budget request for Non-Residential component and Lands Officer to facilitate continued action in this goal area. DPI-SLS requested to release 30+ lots in Port and South Hedland.
MP	KRA 4 - Economic Development Goal 5 - Town Planning & Building Strategy 2		Develop Local Planning Scheme No. 6	Start Feb 2009												Further changes to the Model Scheme Text have resulted in the project being parked until the changes are verified.
MP	KRA 4 - Economic Development Goal 5 - Town Planning & Building Strategy 3		Develop Structure Plans for key precinct areas with a particular focus on the Spoilbank/Hospital/Hotel Precinct.	Start Jan 2009	Mtg to prioritise		Scoping of project									<i>Project scoped. Consultant selected in November and project line developed from there. Consultation to commence in Dec 09.</i>
DCRS	KRA 6 - Governance Goal 2 - Traditional Owners & Aboriginal people Strategy 1		Work with the State and Federal Government to sustainably progress the implementation of the 2006 Bilateral Agreement on Services to Indigenous Community.	Start July 2008												Currently awaiting outcomes of service level review by State & Federal Government Agencies.
DCRS	KRA 6 - Governance Goal 2 - Traditional Owners & Aboriginal people Strategy 2		Work with relevant agencies to implement an appropriate action plan to address community visitors including the development of a managed campground.	Start Aug 2008	Complete June 2009											Advice has been sought from AAWG as to site needs and design requirements. Access to land to be secured through DPI.
MCED	KRA 6 - Governance Goal 3 - Communication Strategy 3		Install community noticeboards that advertise local services and events.	Start Dec 2009	Complete June 2009											<i>Community noticeboards installed and functioning well. Project completed.</i>
ONGOING KRA'S																
MP / CEO	KRA 2 - Community Pride Goal 1 - Litter Strategy 4		Work with key stakeholders to commence implementation of the south Hedland CBD Structure Plan to significantly improve the appearance and vitality of this area.						earthworks commence							Structure Plan has been forwarded to WAPC for endorsement. Council has support the land activities (vesting, subdivision, amalgamations etc) to facilitate the Town Centre Development. LandCorp and the Administration continue to work with key stakeholders (partners) to implement the recommendations of the structure plan.
MCED	KRA 2 - Community Pride Goal 2 - Events Strategy 1		Play an integral role in the coordination, operation and communication of community events via a range of strategies including:- Managing and operating at least six major community events per annum supporting community groups who are operating community events through training, support advice and, where appropriate, financial support.													<i>Heritage Festival - very well planned and run event, good sponsorship; Welcome to Hedland BBQ and family movie night scheduled for 11th December in Shay Gap Park, with a Thank You to Volunteers included in the night's events. Next major Festival Australia Day evening in Marapikurrinya Park .</i>
MCED	KRA 2 - Community Pride Goal 2 - Events Strategy 2		Work with community groups to implement neighbourhood competitions and events (eg Tidy Towns, Best Maintained Business, Best Gardens, Street Parties, Xmas Lights etc)		Judging											<i>Christmas lights competition well underway, with strong sponsor support. Judging scheduled 8th & 9th Dec, with winners morning tea 11th December in Council Chambers.</i>
MCED	KRA 2 - Community Pride Goal 2 - Events Strategy 3		Develop a well known, all inclusive calendar of community events.													<i>New-look 2010 calendar under discussion - more user-friendly. Events program for 2010 being constructed for consideration by Celebrate Hedland! Inc (Previously Alliance).</i>

PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010																
Legend		Cyclone Watch/Season														
	Commenced Project		Project Completed													
	Milestones		On-going project													
Officer	Plan for the Future Key Result Area / Goal / Strategy	A/c No.	Strategy	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
MCED	KRA 2 - Community Pride Goal 2 - Events Strategy 4		Explore and actively seek to attract "draw card" events to the Town of Port Hedland.													Portbound marked as the major youth Event for Hedland and the Pilbara. Funding already secured for 2010 following success of 2009 gig.
MBS	KRA 2 - Community Pride Goal 3 - Townscape Strategy 2		Review, update and continue to implement Council's 5 year Civic Buildings Cyclical Maintenance and Captial Development Plan.													Ongoing.
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 1		Work with stakeholders to develop a consolidated plan to improve the availability of Child Care (both centre based and Family Day Care) places available with the Town. Implement key initiatives in a timely manner.													<i>PFCDS quality audit completed in October. Anticipate very high levels of attainment from Auditor's feedback and report. Handover of service to new auspicing body will proceed when accreditation certification received. Child Care Centre maintenance audits underway; Meetings held with Rose Nowers and Len Taplin coordinators.</i>
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 3		Establish regular formalised consultation mechanisms between Council and Young People.													<i>Youth coordinator providing executive support to HYLC and weekly meetings very well attended and interactive, and now include HSHS Student Councillors. Focus is currently on event planning for 2010 and major Youth Conference in March 2010. ; monthly report from HYLC will be included in Councillors Info Bulletin from January 2010</i>
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 4		Ensure that the community has an opportunity to become involved in Council infrastructure projects such as park developments, tree planting, event planning etc.													<i>Youth consultation formalised through HYLC on projects in October: SH Town Square; Youth Directory; event planning is an ongoing HYLC agenda item.</i>
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 5		Work with key youth stakeholders to ensure that a range of events/functions are available for local youth including recreation, leisure, adventure and art/craft activities.													<i>Strong input from HYLC and Hedland Young Leaders Program in event planning.</i>
MEH	KRA 3 - Community Development Goal 3 - Health Strategy 4		Monitor commercial and industrial activities that have potential negative impacts on the community, and actively seek Department of Environment and Conservation enforcement of regulatory standards.													Ongoing .Working relationship with the DEC in Karratha has been established.
DCRS	KRA 3 - Community Development Goal 4 - CSCP Stragegy 2		In conjunction with the Police and other stakeholders, develop initiatives that discourage street drinking, littering, graffiti and other anti-social behaviour in public places and implement appropriate actions.													Litter forms distributed to all Council vehicles and media release advising of initiative and form availability for the public.
MEH	KRA 3 - Community Development Goal 4 - CSCP Strategy 3		Adopt a community based emergency risk management process for theTown, and co-ordinate the development of response plans to natural disasters through the Local Emergency Management Committee (LEMC)													Ongoing with regular meetings being held with LEMC & Recovery members

PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010																
Legend		Cyclone Watch/Season														
Commenced Project																
Milestones																
Project Completed																
On-going project																
Officer	Plan for the Future	A/c No.	Strategy	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
DCRS / CEO	KRA 4 - Economic Development Goal 2 - Mining Strategy 2		Review all mining and port development proposals to ensure that any negative impacts on the community due to their construction or operational activities are minimised.													Ongoing
CEO / DCRS	KRA 4 - Economic Development Goal 4 - Land Development Projects Strategy 1		Fast track the release and development of commercial, industrial and residential land in a sustainable manner including: Pretty Pool Developments South Hedland New Living development various industrial land release programs Moore St and West end Developments South Hedland CBD Developments Redevelopment of the Port Hedland Telstra/Water Corporation site.													Land Rationalisation Plan (LRP) developed and Council priorities for land release have been communicated to Minister for Lands. South Hedland CBD due for commencement by Landcorp end 2009. <i>Council item Nov 09 for endorsement of Residential LRP.</i>
MP	KRA 4 - Economic Development Goal 5 - Town Planning & Building Strategy 1		Work with key stakeholders to ensure that the Land Use Master Plan is implemented.													Ongoing.
MP	KRA 5 - Environment Goal 1 - Waste Management Strategy 4		Actively pursue the relocation of the Wedgefield Tox Free facility to a location that does not have the land use conflicts that the existing facility currently presents.													Ongoing. Will be picked up in Town Planning Scheme No., 6.
MEH	KRA 5 - Environment Goal 1 - Waste Management Strategy 5		Support water re-use initiatives including residential re-use water reuse.													Ongoing.
MCED	KRA 6 - Governance Goal 1 - Leadership Strategy 2		Investigate options to develop new and emergent leaders in our community.													<i>Young Leaders Program module 4 runs in November - skills for presenting in public (for their Presentation dinner 28th November) and radio broadcasting skills completed. Urban Art project completed Oct 24th & 25th; now seeking further sites for suitable artwork. DVD digital imagery collected, now being edited into 5 minute production.</i>
MEH	KRA 6 - Governance Goal 5 - Policy & Legislation Strategy 3		Work with key agencies to review and develop Council policies in relation to fire prevention and fire management.													A close working relationship with the fire services in Hedland has been established. Currently in process of negotiating on purchase of new Ranger vehicle which will double as a fire response unit as was approved in 09/10 budget.

C&RS - Royalties for Regions Projects Schedule																
Legend																
Commenced Project		Project Completed														
Milestones		On-going project														
Officer	Description	A/c Number	R4R	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	COMMENTS
2008/09 FUNDING																
MBS	Civic Centre Ballustrade	406450	73,000													Work underway. Majority of railing installed. Awaiting delivery of final amount to complete handrail and also awaiting delivery of infill plating. Due for completion in approximately 2-3 weeks.
MBS	Toilet Block for Civic Centre	1010311	150,000													Completed
MEH	5 x lids for Re-use Tanks	1011410	150,000													Completed.
MEH	Foreshore Protection/Restoration Project	1105425	90,000													Completed.
MBS/MIS	New records facility at Airport	406451	96,000													Work underway.
2009/10 FUNDING																
MC&ED	J D Hardie Centre Undertake Stage 1 & Stage II development of project. Preliminary QS estimate for project is \$6.5M excluding external works	1104411 & 1104413	2,600,000													Detailed engineering design documentation finished in November. Ready to progress to tender.
DCRS	CCTV Stage I CCTV Stage II	503498 503496	110,000 500,000													Orders placed for supply and installation of antenna as alternative to use of Telstra tower. Working Group meeting held on 1/10/09 which identified scope for CCTV Stage 2. Poles for Stage I installed. Alternative location for headend now being airport as only monitor and workstation to be installed at South Hedland Police Station. Contractor working on new design due to relocation. CASA approval required to run data over runway.
MBS	Public Toilets at boat ramps (x2), Cemetery Beach Park (x2) and the Port Hedland Skate Park (x1)	1010311 & 1010410	600,000													Scope of works being developed - ongoing at the moment.

11.1.1.2 Delegated Planning, Building & Environmental Health Approvals and Orders for October 2009 (File No.: 18/07/0002 & 07/02/0003)

Officer Nellie Mackay
Executive Assistant
Community and Regulatory
Services

Date of Report 16 November 2009

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 October 2009. 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 October 2009 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 2005 outlines the limitations of delegated authority and requires a list of approvals made under it to be provided to Council. This report is prepared to ensure Council is advised of the details of applications which have been dealt with under delegated authority.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment Nil

DELEGATED PLANNING APPROVALS FOR OCTOBER 2009

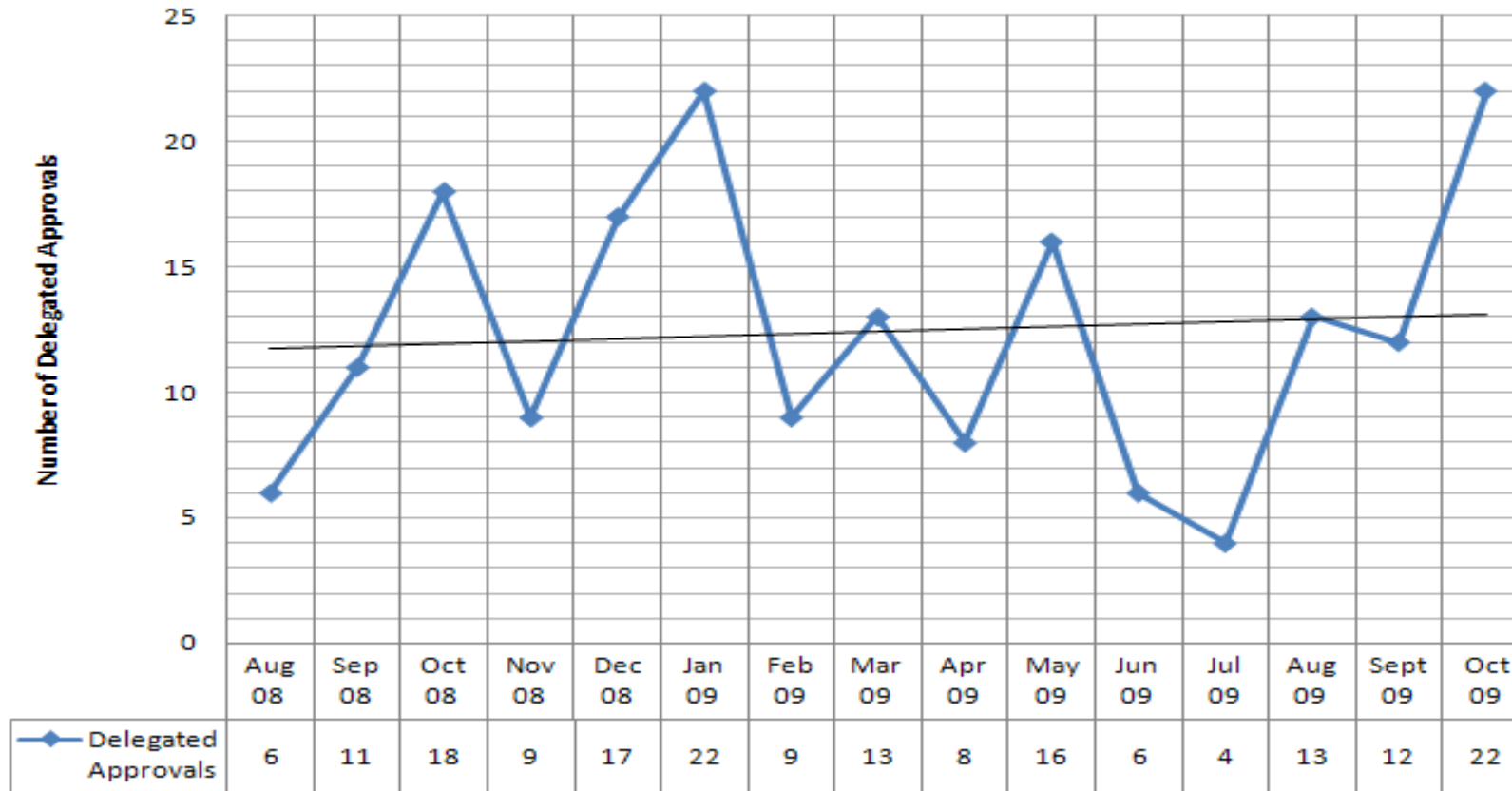
PLANNING APPROVALS							
Application Number	Application Date	Date Determined	Description	Lot	Address	Applicants Name	Owners Name
2008/295	06/08/2008	01/10/2009	HIRE SERVICE (INDUSTRIAL) - Pylon Sign 2.4m x 1.2m at a 3m height	1	LOT 1 DARLOT STREET PORT HEDLAND	VATHJUNKER CONTRACTORS PTY LTD	WISEPLAN INVESTMENTS PTY LTD
2009/100	06/03/2009	01/10/2009	SUBDIVISION - proposed subdivision of land into 2 Survey Strata - Grouped Dwelling lots - 475sqm and 433sqm - 2sqm common property	1834	105 KENNEDY STREET SOUTH HEDLAND	Rosa Rigali	NEIL BELL
2009/199.03	11/09/2009	19/10/2009	TRANSIENT WORKFORCE ACCOMMODATION - additional 5x 3 bedroom units for additional 15 persons - as per planning approval 2009/199.02	0000001	E45/ 02330 MINING TENEMENT VIA PORT HEDLAND	Adam Liebenberg	ATLAS IRON LTD
2009/275	27/05/2009	27/10/2009	GROUPED DWELLING - 7x dwellings	3281	LOT 3281 STEAMER AVENUE SOUTH HEDLAND	FLEETWOOD CORPORATION LTD	TOLICOLI HOMES PTY LTD
2009/308	16/06/2009	23/10/2009	INDUSTRY GENERAL - Addition of temporary workshop for abrasive blasting	5781	18 SCHILLAMAN STREET WEDGEFIELD	Keith Jones	ATL MANAGEMENT PTY LTD
2009/358	30/06/2009	14/10/2009	SINGLE HOUSE - R CODE VARIATION - Reduced secondary street setback and Outbuilding exceeds height standards (8m x 7.5m x 4.2m)	181	21 DALE STREET SOUTH HEDLAND	Matt	John Raymond Scanlan
2009/360	01/07/2009	19/10/2009	DEVELOPMENT APPLICATION - INDUSTRY LIGHT - plus a caretakers residence	5849	18 HARWELL WAY WEDGEFIELD	CAMILO BLANCO	CAMILO BLANCO
2009/392	15/07/2009	22/10/2009	INDUSTRY GENERAL - Shed addition 193sqm with bi-fold doors for the processing of manufactured steel goods	1406	P 51 WILSON STREET PORT HEDLAND	George Goddard	PORT HEDLAND PORT AUTHORITY
2009/397	15/07/2009	19/10/2009	TRANSIENT WORKFORCE ACCOMMODATION - Relocation of existing safe haven from Port Haven Accommodation Village to Pundulmurra Village	5954	LOT 5954 KENNEDY STREET SOUTH HEDLAND	Kim Burges	EASTERN PILBARA COLLEGE OF TAFE TRAINING
2009/407.01	30/09/2009	01/10/2009	Signage - written consent under condition 6	1003	9 TRIG STREET WEDGEFIELD	Jessica White	REGINALD LESLIE LIDDIARD
2009/427	31/07/2009	26/10/2009	AERODROME - Emergency Services Facility addition	11	LOT 11 GREAT NORTHERN HWY PORT HEDLAND	Gary Townsend	ROYAL FLYING DOCTOR SERVICES

DELEGATED PLANNING APPROVALS FOR OCTOBER 2009 (Continued)

PLANNING APPROVALS Cont'd...							
Application Number	Application Date	Date Determined	Description	Lot	Address	Applicants Name	Owners Name
2009/428	05/08/2009	02/10/2009	SINGLE HOUSE - R CODE VARIATION - Primary Street Setback	583	8 COOPER PLACE PORT HEDLAND	DAVID GOLDMAN	DAVID JON GOLDMAN
2009/465	18/08/2009	20/10/2009	INDUSTRY LIGHT - STORAGE SHED ADDITION - 25m x 11.6m x 6m	2113	38 MOORAMBINE STREET WEDGEFIELD	RAY SKENDER	JACK SKENDER
2009/503	28/08/2009	21/10/2009	CHANGE OF USE - UNIT 3 FROM SHOWROOM TO OFFICE - UNIT 8 FROM SHOP TO WAREHOUSE	1	2-6 BYASS STREET SOUTH HEDLAND	GEORGE ANAGOSTOPOULOS	MANDAY INVESTMENTS PTY LTD
2009/505	31/08/2009	28/10/2009	SINGLE HOUSE - R CODE VARIATION - patio setback	5707	9 BUTLER WAY PORT HEDLAND	KIRK DEAN LENTON	KIRK DEAN LENTON
2009/507	01/09/2009	09/10/2009	GROUPED DWELLING - 2nd grouped dwelling addition	402	3 CATAMORE COURT SOUTH HEDLAND	MICHAEL RICHARD WING	MICHAEL RICHARD WING
2009/509	01/09/2009	08/10/2009	INDUSTRY LIGHT - Shed with mezzanine level 24m x 15m x 6m - to be used for sign production	1005	5 TRIG STREET WEDGEFIELD	Brian Chapman	TERRENCE WILLIAM CASSIDY
2009/514	08/09/2009	13/10/2009	STORAGE FACILITY/DEPOT/LAYDOWN AREA - office, ablution facilities and wash bay addition	972	14 LEEHEY STREET WEDGEFIELD	Alan Olive - KEYFLASH PTY LTD ATF THE A & S OLIVE FAMILY TRUST	KEYFLASH PTY LTD ATF THE A & S OLIVE FAMILY TRUST
2009/540	16/09/2009	06/10/2009	TEMPORARY USE - RESIDENTIAL BUILDINGS - including 14 additional temporary buildings	2	15 DEMPSTER STREET PORT HEDLAND	Mark Irving	DEPT OF IMMIGRATION & MULTICULTURAL AFFAIRS
2009/658	07/10/2009	13/10/2009	SINGLE HOUSE - R CODE VARIATION - Elevated verandah within setback area	1831	111 KENNEDY STREET SOUTH HEDLAND	Gregg Hume	VANESSA ANN-LEE COOLEY
2009/682	16/10/2009	19/10/2009	Proposed Public Art Piece at Lot 6088 Sutherland Street, Parks & Recreation Reserve.	6088	LOT 6088 SUTHERLAND STREET PORT HEDLAND	Town of Port Hedland	TOWN OF PORT HEDLAND
2009/685	21/10/2009	28/10/2009	GROUPED DWELLING - Renovations to existing 9x grouped dwelling	3434	10 DULVERTON TERRACE SOUTH HEDLAND	John Kannis	Department Of Housing

DELEGATED PLANNING APPROVALS FOR OCTOBER 2009

**Summary & Trendline of
Town Planning Delegated Approvals**



DELEGATED BUILDING APPROVALS FOR OCTOBER 2009

BUILDING LICENCES						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
80679	02.10.2009	SOUTH HEDLAND	Outbuilding	\$3,000	6	Class 10a
80680	05.10.2009	SOUTH HEDLAND	Patio	\$25,000		Class 10a
80687	09.10.2009	SOUTH HEDLAND	Enclosure of Outbuilding	\$15,000	32	Class 10a
80688	09.10.2009	PORT HEDLAND	Carport	\$19,552		Class 10a
80686	09.10.2009	SOUTH HEDLAND	2 x New Patios & Refurbishment	\$40,000	35	Class 10a
80689	12.10.2009	SOUTH HEDLAND	4 x New Patios & Refurbishments	\$88,000	73	Class 10a
80704	16.10.2009	WEDGEFIELD	Shade Roofs	\$320,000	1304	Class 10a
80707	20.10.2009	SOUTH HEDLAND	Patio	\$19,800	60	Class 10a
80706	20.10.2009	PORT HEDLAND	Outbuilding	\$3,500	4	Class 10a
80708	20.10.2009	SOUTH HEDLAND	Outbuilding	\$2,000	12	Class 10a
80709	23.10.2009	SOUTH HEDLAND	Outbuilding	\$43,850	68	Class 10a
85055	02.10.2009	PORT HEDLAND	Swimming Pool - A/G	\$1,200		Class 10b
85056	15.10.2009	SOUTH HEDLAND	Swimming Pool - B/G	\$28,000		Class 10b
85057	21.10.2009	SOUTH HEDLAND	Swimming Pool - B/G	\$30,000		Class 10b
85058	29.10.2009	SOUTH HEDLAND	Swimming Pool - B/G	\$30,000		Class 10b
80681	05.10.2009	SOUTH HEDLAND	Refurbishment	\$25,000		Class 1a
80683	06.10.2009	SOUTH HEDLAND	Dwelling	\$467,042	188	Class 1a
80684	06.10.2009	SOUTH HEDLAND	Dwelling	\$467,042	188	Class 1a
80682	06.10.2009	SOUTH HEDLAND	Dwelling	\$514,000	160	Class 1a
80685	07.10.2009	SOUTH HEDLAND	Dwelling	\$307,000	121	Class 1a
80691	13.10.2009	PORT HEDLAND	Dwelling	\$623,334	164	Class 1a
80692	13.10.2009	SOUTH HEDLAND	Dwelling	\$486,600	293	Class 1a
80694	13.10.2009	SOUTH HEDLAND	Dwelling	\$465,000	252	Class 1a
80693	13.10.2009	SOUTH HEDLAND	Dwelling	\$463,300	248	Class 1a
80695	13.10.2009	SOUTH HEDLAND	Dwelling	\$464,000	256	Class 1a
80696	13.10.2009	PORT HEDLAND	Dwelling	\$615,000	181	Class 1a
80690	13.10.2009	SOUTH HEDLAND	Dwelling	\$405,255	181	Class 1a
80698	14.10.2009	SOUTH HEDLAND	Dwelling	\$434,880	257	Class 1a

DELEGATED BUILDING APPROVALS FOR OCTOBER 2009 (Continued)

BUILDING LICENCES Cont'd...						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
80697	14.10.2009	SOUTH HEDLAND	Dwelling	\$460,380	257	Class 1a
80699	15.10.2009	SOUTH HEDLAND	Dwelling	\$486,600	293	Class 1a
80700	15.10.2009	SOUTH HEDLAND	Dwelling	\$453,545	252	Class 1a
80701	15.10.2009	PORT HEDLAND	15 x Grouped Dwellings	\$2,200,000		Class 1a
80702	16.10.2009	SOUTH HEDLAND	Dwelling	\$454,249	254	Class 1a
80703	16.10.2009	SOUTH HEDLAND	Dwelling	\$475,619	244	Class 1a
80710	26.10.2009	PORT HEDLAND	Dwelling	\$444,413	175	Class 1a
80711	26.10.2009	SOUTH HEDLAND	Dwelling	\$422,422	242	Class 1a
80712	27.10.2009	SOUTH HEDLAND	Dwelling	\$422,422	242	Class 1a
80715	29.10.2009	SOUTH HEDLAND	Dwelling	\$395,000	133	Class 1a
80714	29.10.2009	SOUTH HEDLAND	Dwelling	\$420,000	172	Class 1a
80713	28.10.2009	WEDGEFIELD	Workshop	\$90,000	290	Class 8
80705	19.10.2009	PORT HEDLAND	Shop Fitout (Icecream Kiosk)	\$40,000	21	
41	TOTAL ESTIMATED CONSTRUCTION VALUE			\$13,171,005		

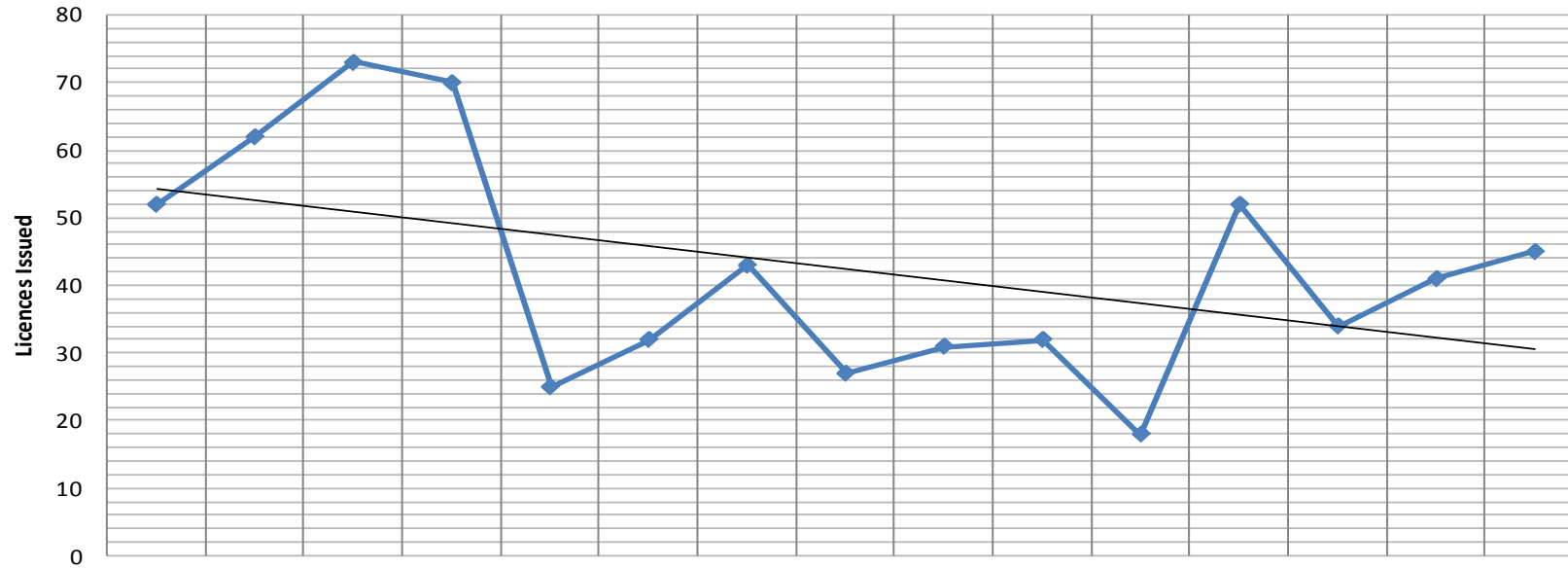
DEMOLITION LICENCES				
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)
83046	23.10.2009	SOUTH HEDLAND	Demolition of Whole Building	\$18,480
83047	29.10.2009	SOUTH HEDLAND	Demolition of Dwelling	\$16,616
83045	14.10.2009	PORT HEDLAND	Demolition of Dwelling	\$33,000
			Total	\$68,096

DELEGATED BUILDING APPROVALS FOR OCTOBER 2009 (Continued)

SUMMARY				
Number of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
3	Demolitions	\$68,096		
25	Dwellings	\$12,372,103	4753	\$2,603
11	Class 10a	\$579,702	1594	\$364
4	Class 10b	\$89,200	0	
2	Commercial	\$130,000	311	
0	Other	\$0		
45		\$13,239,101		

DELEGATED BUILDING APPROVALS FOR OCTOBER 2009 (Continued)

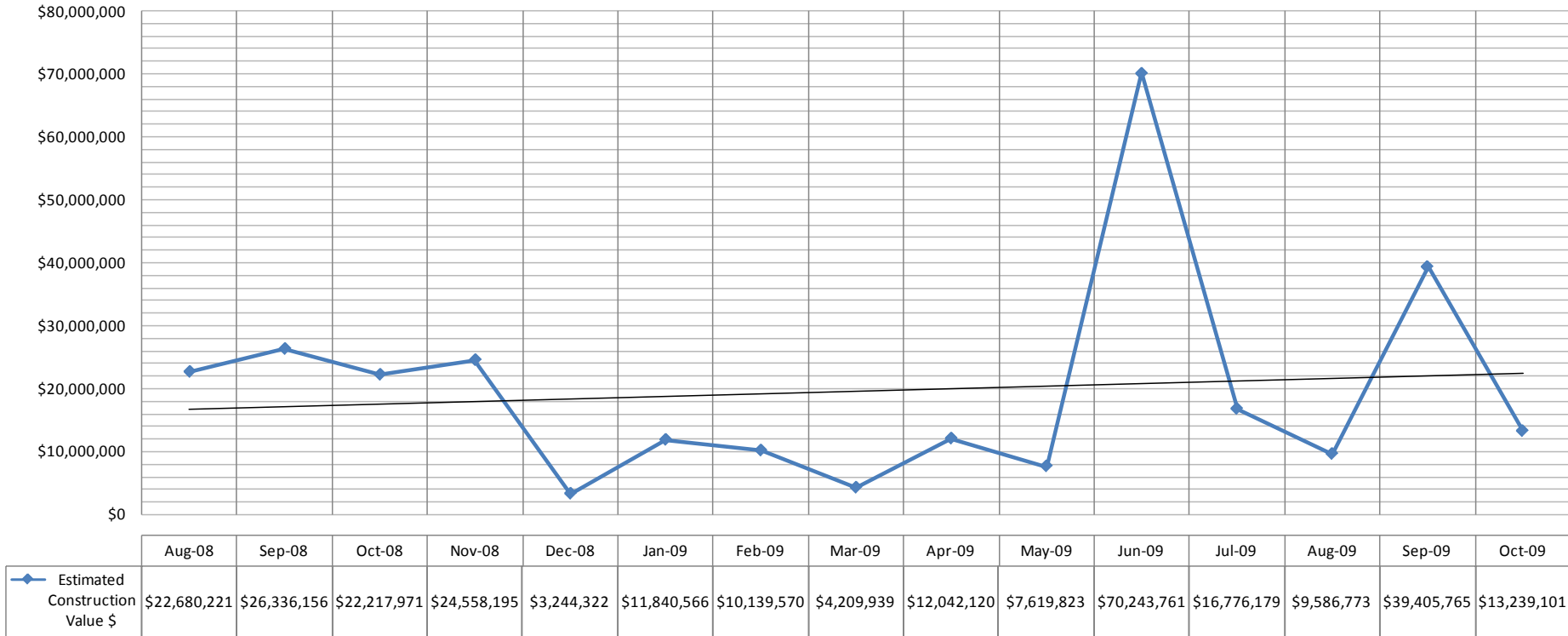
Summary & Trendline for Building Licence Approvals



	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09
◆ No of Licences Issued	52	62	73	70	25	32	43	27	31	32	18	52	34	41	45

DELEGATED BUILDING APPROVALS FOR OCTOBER 2009 (Continued)

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



DELEGATED ENVIRONMENTAL HEALTH ORDERS FOR OCTOBER 2009

Current Health Orders under Delegated Authority by Environmental Health Services

(Fauntleroy/Mills)	Building Unfit for Human Habitation
207a & 207b Athol Street, Port Hedland (I Yujnovich)	<ul style="list-style-type: none">~ SAT hearing occurred 11/8/09. Residences to be restored in accordance with Structural Engineers Report.~ Site meeting on 14/9/09 identified degree of concern that required works outlined in the RSA may not be completed by next scheduled SAT hearing of 17/9/09.~ Hearing listed for 17/9/09 has been vacated and relisted for 22 October 2009.~ Application to SAT by Yujnovich to defer 22/10. Approved and relisted for SAT hearing 26/11/09.

CURRENT LEGAL MATTERS BEING UNDERTAKEN AS AT OCTOBER 2009

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	~ Court hearing date 14/4/09 ~ Adjourned until 25/5/09. ~ Adjourned to 6/7/09 ~ Trial 23/11/09	MP
803175G	Lot 1402 (34) Pinnacles Street (National Tyres)	Illegal Residential dongas and office		~ Instruction & Docs sent to Solicitors 15 April 09 ~ Further information required prior to prosecution notice to be filed/served.	MP
124590G	Lot 1029 (4) Ridley Street (Carey Gardner Engineering)	Illegal Residential dongas		~ Instruction & Docs sent to Solicitors 4 September 09	MP
125890G	Lot 3787 (2) Munda Way (Macpherson, Pilbara Earthmoving)	Illegal Residential dongas		~ Instruction & Docs sent to Solicitors 7 September 09	MP
REDBANK					
116770G	Lot 134 Roche Road (Western Desert)	Illegal laydown area	~ First Return date 21/1/09	~ Adjourned to 27/2/09 ~ Hearing on 27/2/09 adjourned to 28/4/09 ~ Adjourned until 29/5/09. ~ Court hearing date 29/5/09 adjourned until 6/7/09 ~ Entered into a plea to be heard 4/8/09 - adjourned ~ Court 31/8/09 - matter adjourned ~ Matter adjourned to 21 September 09 ~ Allocated for Court 12 October 09 ~ Adjourned until 30/10/09. ~ 30/10/09 Found guilty and fined \$15,000 with \$1,000 costs. Arrangements being made for payment of fine.	MP
SOUTH HEDLAND RURAL ESTATE					
1554422G	Lot 11 (39-41) Greenfield St Outlook Contracting	Illegal development and storage of heavy vehicles		~ 11/8/09 fined \$20,000 plus court costs \$700 ~ 21/9/09 case reinstated by Outlook Contracting on grounds of not receiving summons for court appearance on 11/8/09. Fines withheld until court resolved. ~ Court date to set a hearing date 29/1/2010.	MP
154412G	Lot 2 (5-7) Quartz Quarry Road (Macpherson - Sunsatin P/L t/as Pilbara Earthmoving)	Earth Moving business & repairs being operated from the property	~ First return date 21/1/09	~ Adjourned to 27/2/09 ~ Adjourned to 20/4/09 ~ Adjourned to 15/6/09 ~ Adjourned to 7/7/09 for plea ~ Listed for Trial 16/11/09 ~ Early listing application 30/10/09 to vacate 16/11. ~ Trial of 16/11/09 vacated until 22/4/2010.	MP
SOUTH HEDLAND					
	Nil				
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. Magistrate to advise of decision on 23/11/09.	MEH
108970G	40 Morgans Street (Pilbara Earthmoving)	Health - Asbestos removal	~ First Return date 14/12/09	~ First Return date 14/12/09	MEH

Attachments

Nil

200910/141 Council Decision/Officer's Recommendation

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 October 2009 be received.

CARRIED 8/0

11.1.2 Planning Services**11.1.2.1 Proposed Mixed Use Development – Lot 14 (8)
Wedge Street Port Hedland (File No.: 154550G)**

Officer	Leonard Long Planning Officer
Date of Report	3 November 2009
Application No.	2009/510
Disclosure of Interest by Officer	Nil

Summary

An application has been received from Whelans (WA) Pty Ltd on behalf of Dogmelon Pty Ltd the registered owners of Lot 14 (8) Wedge Street Port Hedland.

The proposal is to develop in conjunction with the existing “Shop” and “Take away outlet”, 7 single bedroom units on the first floor with parking being provided on the ground floor.

The proposal is being referred to Council for determination as the development is deemed a “USE NOT LISTED”. A use for which the Director Community and Regulatory Services does not in terms of the delegation register for 2008 have delegation to consider.

Background***The Site***

In terms of the Port Hedland Town Planning Scheme No. 5, Lot 14 (8) Wedge Street is zoned “Town Centre”. The lot measures 1,012m² in area, with main frontage onto Wedge Street with access to the rear via the existing Right Of Way.

The applicant proposes to develop the site with 7 single bedroom units on the first floor with parking being provided on the ground floor.

The Residential Design Codes allow for mixed use developments where dwellings can be combined with non-residential uses, provided that such development is compatible with “Multiple Dwelling” standards, in this regard “Multiple Dwellings” are considered an “SA” use by the Port Hedland Town Planning Scheme No. 5. Therefore, the development complies with the definition of a “Mixed Use Development”, as defined by the Residential Design Codes.

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

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

Consultation

The application has been referred internally to obtain any comments. Comments received from the internal sections have been included where appropriate in the recommendations.

In addition, the application has been circulated to the adjoining property owners to obtain comments in regard to the proposed walls on the boundary, parking and setback variations. Furthermore, due to a high voltage transformer being located on the lot the application was forwarded to Horizon Power. No comments were received from either adjoining property owners or Horizon Power.

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

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 \$ 2,600.00 was paid on lodgement and deposited into account 10063260 – Town Planning Fees.

Officer's Comment

The application is considered a catalyst for further development within the Town Centre which would assist in the realization of the Town Centre as envisaged in the Land Use Master Plan.

Whilst the proposed development would have a distinct benefit to the Town Centre, due consideration must be given to the following:

- Streetscape to the R.O.W
- Walls on boundaries
- Carparking

Streetscape

In terms of the streetscape, with particular regard to the Wedge Street streetscape, the applicant is to provide an alternative design / treatment for the walls facing Wedge Street as well as the Right Of Way at the rear of the lot.

Such design / treatment is to address how passive surveillance of Wedge Street and the Right Of Way could be achieved whilst at the same time providing an attractive streetscape.

Walls on boundaries

In terms of the Residential Design Codes a mixed use development may have walls on the boundary for two-thirds of the boundary behind the street setback up to 6m in height.

The proposal varies from the acceptable development criteria. As provided in the Residential Design Codes if a development varies from the acceptable development criteria the applicant can provide justification in terms of the performance criteria. In this regard the applicant has provided the following justification:

Performance Criteria - Make efficient use of space.

“The proposed nil setbacks provide the maximum developable land area for the dwellings, by minimizing unnecessary setback to adjoining commercial properties”

Performance Criteria - Enhance privacy.

“By proposing the buildings to be constructed on the boundaries, the development has been internally focused to promote privacy for the dwellings”

Performance Criteria – Otherwise enhance the amenity of the development.

“Maximum available floor area has been provided for the dwellings”

Performance Criteria – Not have any significant adverse impact on the amenity of the adjoining properties.

“This criterion is given greater consideration only in a residential zone. Given the commercial setting of the subject site, where buildings built on boundaries are commonplace, the proposed development will not adversely impact on adjoining properties.”

Performance Criteria – Ensure that direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.

“Similar to the above criterion, we contend this criteria is more important in a residential context, and therefore is not applicable to assessment of this proposal.”

From a Planning perspective the applicants justifications are acceptable given the location of the proposed development in the “Town Centre”.

It must be noted that due to the development consisting of existing buildings that are located on the lot boundary, there is no requirement for landscaping to be provided.

Carparking

Whilst it is accepted that the existing uses located on the lot being a take away food outlet and shop, has parking provided within the Wedge Street road reserve, any new or additional development would have to comply with the current parking requirements.

In regard to the proposed development of 7 single bedroom units require an additional 9 carparking bays to be provided on the lot. The applicant has proposed to provide 16 carparking bays on the lot with ingress and egress from the Right Of Way at the rear of the lot. Not only does this provision comply with the additional requirements, it provides additional carparking bays which could be used by the staff of the existing uses. This would result in a reduced demand on the existing carparking bays being provided within the Wedge Street road reserve, and freeing up bays to be utilized by the patrons of the existing as well as the surrounding uses.

Attachments

- 1 Locality Plan
- 2 Site and floor plans
- 3 Elevations

200910/142 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council approves the application submitted by Whelans (WA) Pty Ltd on behalf of Dogmelon Pty Ltd for a "Mixed use development" as a "USE NOT LISTED" comprising of 7 single bedroom units, shop and take away food outlet at Lot 14 (8) Wedge Street, Port Hedland, as indicated on the approved plans, subject to the following:

- i) This approval relates only to the proposed 7 single bedroom units and other incidental development. It does not relate to any other development on this lot;
- ii) 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.
- iii) Prior to the submission of a Building Licence the plans be amended, to provide passive surveillance opportunities to the Right Of Way, to the satisfaction of the Manager Planning.
- iv) Fencing proposed along the Right Of Way shall be visually permeable and no higher than 1.8m.
- v) Clothes drying facilities shall be provided within each individual unit. No clothes drying facilities shall be permitted elsewhere on the lot.
- vi) A minimum of 16 parking bays are to be provided in accordance with Appendix 7 of Council's Town Planning Scheme No. 5, and to the satisfaction of the Manager Planning.
- vii) The parking areas and / or associated access ways shall not be used for storage (temporary or permanent) without the prior approval of the Town.
- viii) The driveways and crossovers shall be designed and constructed to specifications of the Manager Infrastructure Development, and to the satisfaction of the Manager planning, prior to the occupation of the buildings.
- ix) All storage / service areas shall be suitably screened and access doors / gates closed other than when in use, to the satisfaction of the Manager Planning.

- x) The mechanical ventilation discharge points shall be located no less than 6m from any outdoor air-intake opening, natural ventilation device or opening, and is to be to the specifications of the Manager Environmental Services and to the satisfaction of the Manager Planning.
- xi) 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 the Manager Planning.
- xii) The R.O.W laneway is to be upgraded to the specifications of the Manager Infrastructure Development and to the satisfaction of the Manager Planning.
- xiii) 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 of the Manager Planning
- xiv) Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the Manager Planning.
- xv) 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 parking arrangements for the contractors and subcontractors;**
 - d) **Impact on traffic movement;**
 - e) **Operation times including delivery of materials;**
 - f) **Other matters likely to impact on the surrounding uses;**
 - g) **Building waste management control;**
 - h) **Point if contact of personnel for control of enquiries and any complaints; and**

all to the satisfaction of the Manager Planning.

FOOTNOTES:

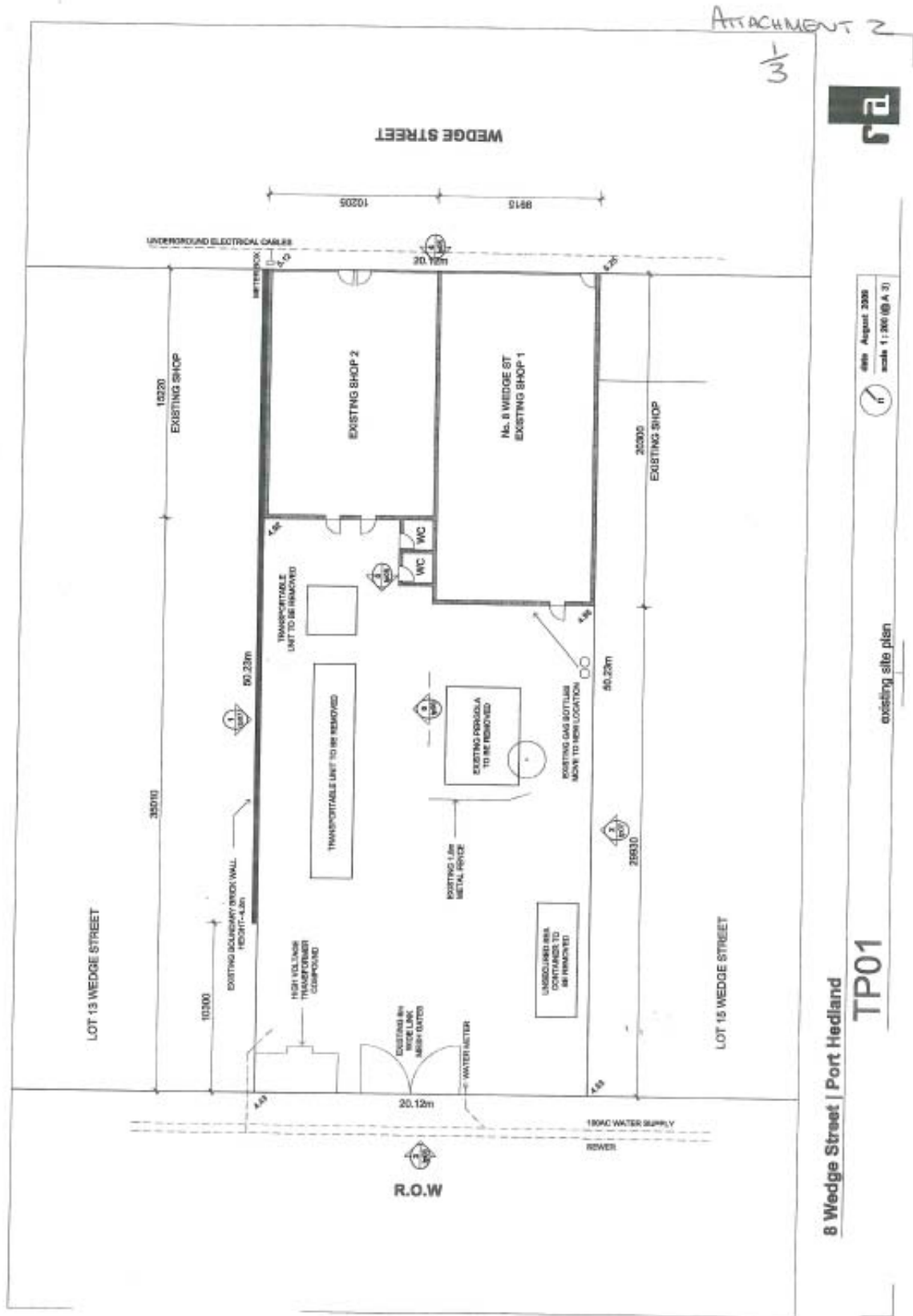
- i) You are reminded that this is a Planning Approval only, and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
- ii) Be advised that compliance with Section 4 – Ventilation of Enclosures used by vehicles with internal combustion engines of Australian Standard 1668.2-1991 for the car park enclosure is to be demonstrated to the Town's Environmental Health Services Department.
- iii) Be advised that the Town's Environmental Health Services Department has raised the following matters. If any of these matters require clarification, please contact the said department on 9158 9325.
 - a) **Where, in a building, a laundry is situated adjacent to a kitchen or a room where food is stored or consumed, the laundry shall be separated from the kitchen by a wall extending from the floor to the roof or ceiling.**
 - b) **Where there is an opening between a laundry and a kitchen or other room where food is stored or consumed, the opening shall:**
 - **Not be more than 1220mm wide, and**
 - **Have a door which when closed shall completely fill the opening**
- iv) 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.
- v) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.1



ATTACHMENT 2 TO AGENDA ITEM 11.1.2.1

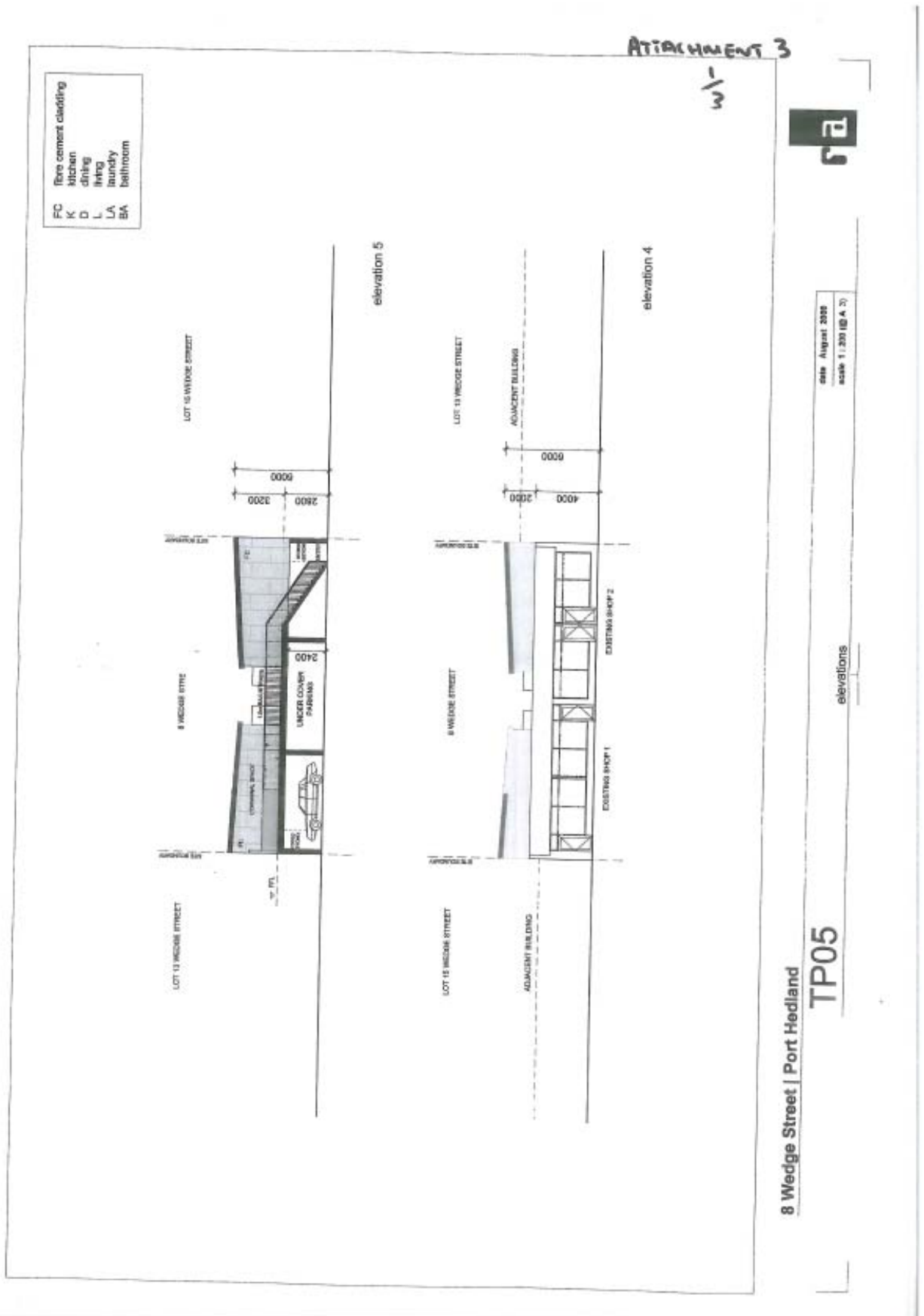


8 Wedge Street | Port Hedland
TP01

4th August 2008
scale 1:200 (A3)

existing site plan

ATTACHMENT 3 TO AGENDA ITEM 11.1.2.1



11.1.2.2 Proposed Section 70A Notification for Lot 35 (10) Edgar Street, Port Hedland (File No.: 120500G)

Officer	Leonard Long Planning Officer
Date of Report	6 November 2009
Application No.	2008/387.01
Disclosure of Interest by Officer	Nil

Summary

Council is requested to resolve to affix the Town's common seal to a section 70A notification form, which will enable the lodgement of the form with the Registrar of Titles.

Background

A development approval granted under Delegated Authority, on Lot 35 (10) Edgar Street, Port Hedland for the development of grouped dwellings in addition to the existing heritage building "Glass House" was granted on 25 September 2009. One of the conditions imposed as part of the approval reads as follows:

"Prior to commencing works, the land owner 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) *In terms of the Town of Port Hedland Municipal Inventory of Heritage Places, the existing duplex dwelling formally known as the "Glass House" is significant for associations with Glass and as a representative example of typical north west bungalow housing of the period. "Glass House" contributes to the character and streetscape of Port Hedland town.*
- b) *The existing duplex dwelling formally known as the "Glass House" is regarded as a place of considerable cultural heritage significance to the Town of Port Hedland that is worthy of recognition and protection through provisions of the Town of Port Hedland's Town Planning Scheme. Planning application needs to be submitted to the Town of Port Hedland for any proposed development.*

- c) *The existing duplex dwelling formally known as the "Glass House" is to be retained and conserved.*

In order to finalize 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 way of being able to ensure that any prospective owner / buyers of the lot are eluded to the restrictions / conditions pertaining to the existing heritage building "Glass House", and its significance to the Town.

The use of the section 70A notification as a condition of approval is considered vitally important and clearly indicates to any prospective purchasers the restriction pertaining to the existing heritage building.

The use of the Town's common seal will only enable the lodgement 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

200910/143 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

- i) Approves the use of the Town's common seal for the purposes associated with the registering of a section 70A notification on Lot 35 (10) Edgar Street, Port Hedland, and
- ii) 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 Planning Approval 2009/387 has been satisfactorily complied with.

CARRIED 8/0

11.1.2.3 Proposed Mixed Use Development – Lot 41 (19) Edgar Street Port Hedland (File No.: 128650G)

Officer	Leonard Long Planning Officer
Date of Report	3 November 2009
Application No.	2009/694
Disclosure of Interest by Officer	Nil

Summary

An application has been received from Willcox & Associates on behalf of Xin Yu Pan & Ping Ye the registered owners of Lot 41 (19) Edgar Street Port Hedland.

The proposal is to develop a mixed use development consisting of a ground floor shop area and reception area to operate the proposed holiday accommodation units, two holiday accommodation units on the first floor, nine holiday accommodation units on the second floor, 3 holiday accommodation units and 6 permanent residential units on the third floor.

The proposal is being referred to Council for determination as the development is deemed a "Use not listed". A use for which the Director Community and Regulatory Services does not in terms of the delegation register for 2008 have delegation to consider.

Background

The Site

In terms of the Port Hedland Town Planning Scheme No. 5, Lot 41 (19) Edgar Street is zoned "Town Centre". The lot has an area of 1012m², with frontage onto both Edgar Street and Anderson Street. Access to the development is proposed via the existing Right Of Way.

The zoning permits the proposed land uses in the following manner:

Shop	: "P" (the development is permitted by the scheme)
Holiday Accommodation	: "AA" (the development is not permitted unless the Council has granted planning approval.)

Multiple Dwellings : “SA” (the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3)

The Residential Design Codes allow for mixed use developments where dwellings can be combined with non-residential uses, provided that such development is compatible with “Multiple Dwelling” standards. The development complies with the definition of a “Mixed Use Development” as defined.

However, 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 Residential Design Codes and the Port Hedland Town Planning Scheme No. 5, and the assessment is further discussed under the officer’s comments.

Consultation

The application has been referred internally to obtain any comments. Comments received from the internal sections have been included where appropriate in the recommendations.

In addition hereto, the application has been circulated to the adjoining property owner to the north to obtain comments in regard to the proposed development.

The property owner has offered the following comments:

“We don’t think the modern look of this building will match the mining town of Port Hedland – this is a nice building and would look great in South Perth. Other than that, it would be an asset to the town central, we hope it won’t stick out like a sore thumb, being four storeys high.”

Town Planning Response:

From a planning perspective it is acknowledged that the proposed design of the building is not reflective of the existing buildings within the Town Centre. However, it must be recognised that development in the Town Centre has in the past been minimal and the proposed building reflects the modern era where the Town Centre should capitalize on. In addition, the trend that is beginning to emerge in the Town Centre is to develop multiple storey buildings.

Statutory Implications

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

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 \$ 13,200.00 was paid on lodgment and deposited into account 10063260 – Town Planning Fees.

Officer's Comment

The application is considered a catalyst for further development within the Town Centre which would assist in the realization of the Town Centre as envisaged in the Land Use Master Plan.

Whilst the proposed development would have a distinct benefit to the Town Centre, due consideration must be given to the following:

- Streetscape
- Walls on the Boundary
- Carparking
- Awning in the Road Reserve

Streetscape

The applicant has, through his design of the building, achieved an acceptable streetscape to both Edgar Street and Anderson Street. The design allows for a commercial interface on the ground floor which is conducive to a town centre environment. Whilst the residential and holiday accommodation units also provide passive surveillance of Edgar Street, Anderson Street and the R.O.W.

Walls on boundaries

Through the design the applicant has limited the overlooking onto the adjacent lot to the walkways. The walkways are not considered habitable spaces and therefore from a planning perspective would not have a detrimental effect on the adjoining lot or any possible future development thereof.

Carparking

Whilst it is accepted that the existing uses located on the lot being a take away food / restaurant, has parking provided within the Edgar Street road reserve, any new or additional development would have to comply with the current parking requirements.

In terms of the Town of Port Hedland Town Planning Scheme No. 5, the proposed development requires 43 bays to be provided, in accordance with Appendix 8, on the lot.

The applicant has provided 29 carparking bays within the development and an additional 11 bays within the road reserve, being 5 existing carparking bays within Edgar Street which could be attributed to the existing use and 7 new carparking bays within the Anderson Street road reserve. This brings the total number of carparking bays being provided for the development up to 40 carparking bays, leaving a shortfall of 3 carparking bays. The applicant has provided the following justification and remedy for the proposed shortfall. (it must be noted that the applicant indicates the shortfall to be 2 carparking bays, after further calculations of the parking requirements the shortfall is as mentioned 3 carparking bays.)

“In addition to the Onsite and Adjacent bays a further two car bays are required either as reciprocal use or assumed existing car parking for the existing restaurant. As there are two separate uses on the site with different hours of peak operation Council may permit some discounting in required car bays. A reasonable request would be for 50% of the Commercial parking to be offset as reciprocal bays being 8.25 bays. The request for 2 reciprocal bays is well short of the reasonable calculation of 8.25 bays potentially available for reciprocal use. In addition to the reciprocal use bays the Assumed Car parking for the existing restaurant could also be included in the calculations. Unfortunately the ToPH officers were unable to confirm the existing required and provided bays for the existing restaurant uses. We believe it is reasonable to request a 2 bay variation for the reciprocal or assumed parking offsets.”

From a planning perspective the concept of reciprocal use parking bays is commonly found within town centre's and mixed use developments and is supported in this location.

Awning in the Road Reserve

The applicant has proposed a cantilevered awning around the majority of the Anderson and Edgar Street frontages which will extend 2m over the footpath. Whilst the concept is supported the applicant will have to, prior to the construction of the awnings,

provide Council with detailed drawings, which would then be further assessed and conditioned.

Attachments

- 1 Locality Plan
- 2 Site and floor plans
- 3 Elevations

200910/144 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr sc

That Council approves the application submitted by Willcox & Associates Pty Ltd of behalf of Xin Yu Pan and Ping Ye, for a "Mixed use development" as a "Use not listed" at Lot 41 (19) Edgar Street, Port Hedland, as indicated on the approved plans, subject to the following:

- i) This approval relates only to the proposed ground floor shop area, two holiday accommodation units on the first floor, nine holiday accommodation units on the second floor, 3 holiday accommodation units and 6 permanent residential units on the third floor and other incidental development. It does not relate to any other development on this lot;
- ii) The development must only be used for purposes which are related to the operation of a "Shop", "Holiday Accommodation" and "Multiple Dwellings" as indicated on the approved plans. Under the Town of Port Hedland Town Planning Scheme No. 5, the above approved uses are defined as follows:

"Shop:

any building and associated land where goods are displayed or offered for sale by retail or hire of non-industrial goods or where services or a personal nature are provided, including a betting agency but excluding a showroom, take away food outlet and garage sale."

"Holiday accommodation:

Any land and / or buildings used predominantly by travellers and holiday-makers and designed to take advantage of a tourist attraction or other locational consideration for tourism reasons including camping areas, areas for movable dwellings, chalets parks and services apartments or any combination thereof but excluding hotel and motel and Bed / Breakfast facilities."

“Multiple dwelling:**A dwelling in a group of more than one where any part of a dwelling is vertically above part of another.**

- iii) 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.
- iv) Prior to the commencement of works appropriate arrangements with the appropriate authorities being made for the awnings which protrude into the road reserve all to the satisfaction of the Manager Planning.
- v) Prior to the submission of a Building Licence, amended plans being submitted to and approved by the Town incorporating the following amendments:
 - a) **Detailed plans indicating design of the proposed verge parking in Anderson Street and the kerbing radius at the intersection of Edgar and Anderson Street.**
 - b) **Provide detailed plans addressing the turning movements from the R.O.W to the proposed ramp and parking area.**

all to the specifications of the Manager Infrastructure Development and to the satisfaction of the Manager Planning.

- vi) The shop floor area shall be limited to 303.6m².
- vii) The development shall have a maximum of 14 Holiday Accommodation units which shall be restricted to units 1 – 14.
- viii) The development shall have a maximum of 6 dwelling units (Multiple Dwellings), which shall be restricted to units 15 – 20.
- ix) Clothes drying facilities shall be provided within each individual unit. No clothes drying facilities shall be permitted elsewhere on the lot.
- x) A minimum of 29 parking bays are to be provided in accordance with Appendix 7, of Council’s Town Planning Scheme No. 5, and to the satisfaction of the Manager Planning.

- xi) The driveways and crossovers shall be designed and constructed to specifications of the Manager Infrastructure Development, and to the satisfaction of the Manager Planning, prior to the occupation of the building.
- xii) The parking areas and / or associated accessways shall not be used for storage (temporary or permanent) without the prior approval of the Town.
- xiii) The parking areas shall not be reserved for exclusive use by any of the uses within the development.
- xiv) All storage / service areas shall be suitably screened and access doors / gates closed other than when in use, to the satisfaction of the Manager Planning.
- xv) 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 the Manager Planning.
- xvi) Within 30 days of this approval, a detailed landscaping and reticulation plan including the Anderson and Edgar Street verges, must be submitted to and approved by the 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.
- xvii) Within 60 days, or such further period as may be agreed by the Manager Planning, landscaping and reticulation to be established in accordance with the approved detailed plans to the satisfaction of the Manager Planning.
- xviii) Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the Manager Planning.
- xix) Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Manager Planning.
- xx) The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.

- xxi) All dust and sand to be contained on site with the use of suitable dust suppression techniques to the specification of the Manager Environmental Health Services and to the satisfaction of the Manager Planning.
- xxii) 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 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 the Manager Planning.**

FOOTNOTES:

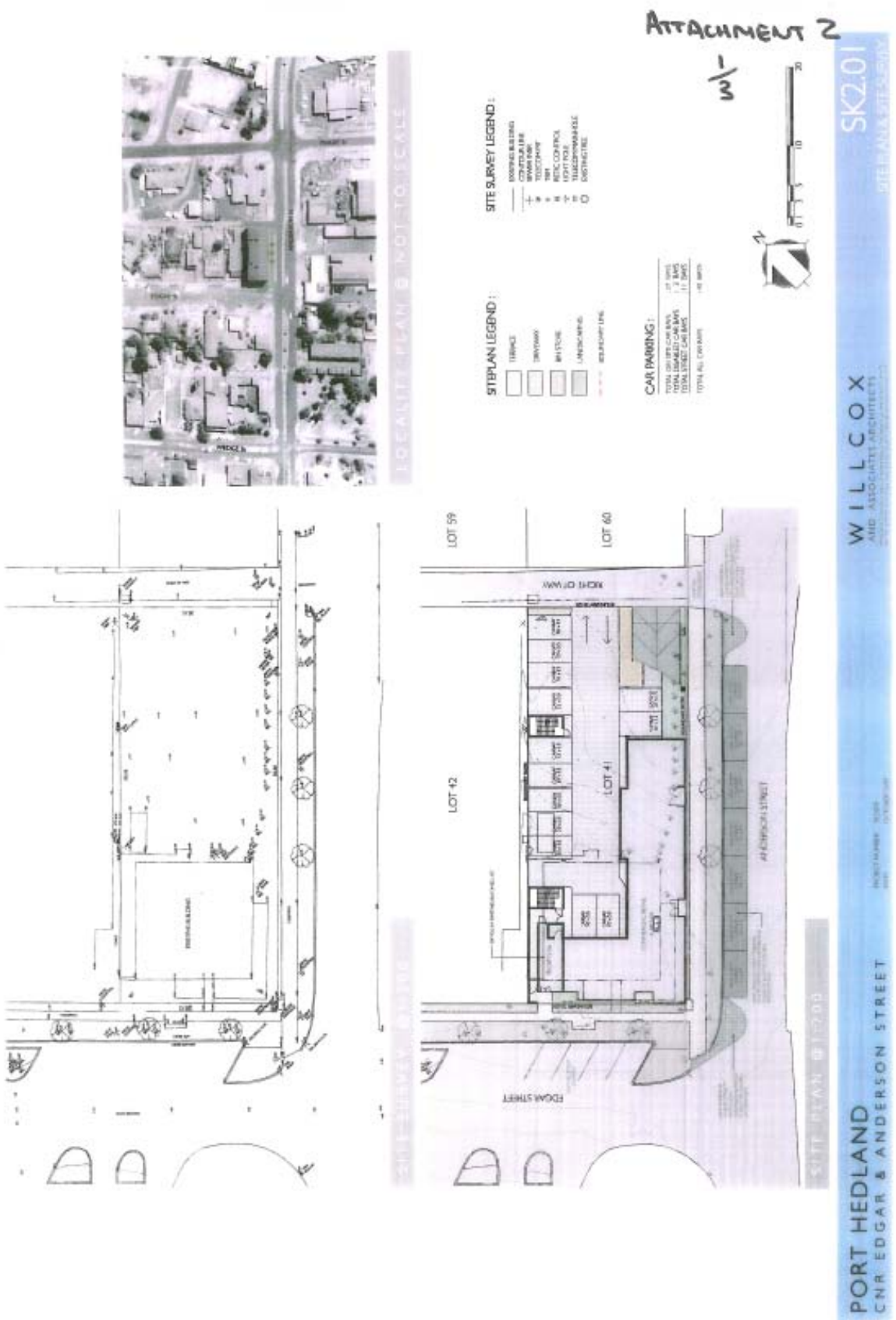
- i) You are reminded that this is a Planning Approval only, and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
- ii) The developer to take note that the area of this application may be subject to rising sea levels, tidal 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.
- iii) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.3

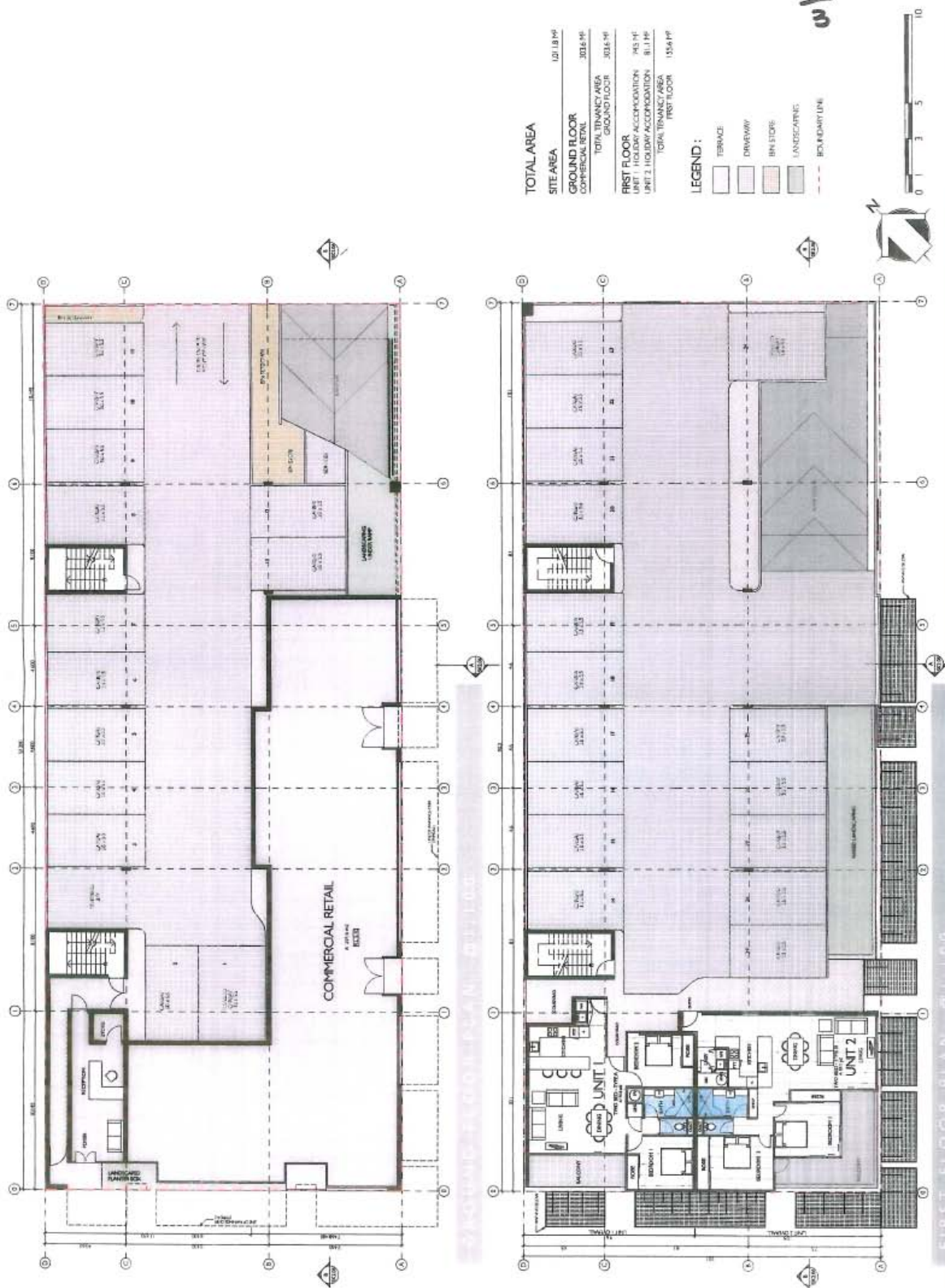


ATTACHMENT 2 TO AGENDA ITEM 11.1.2.3



ATTACHMENT 2

w/m



SK2.02 FLOOR PLAN

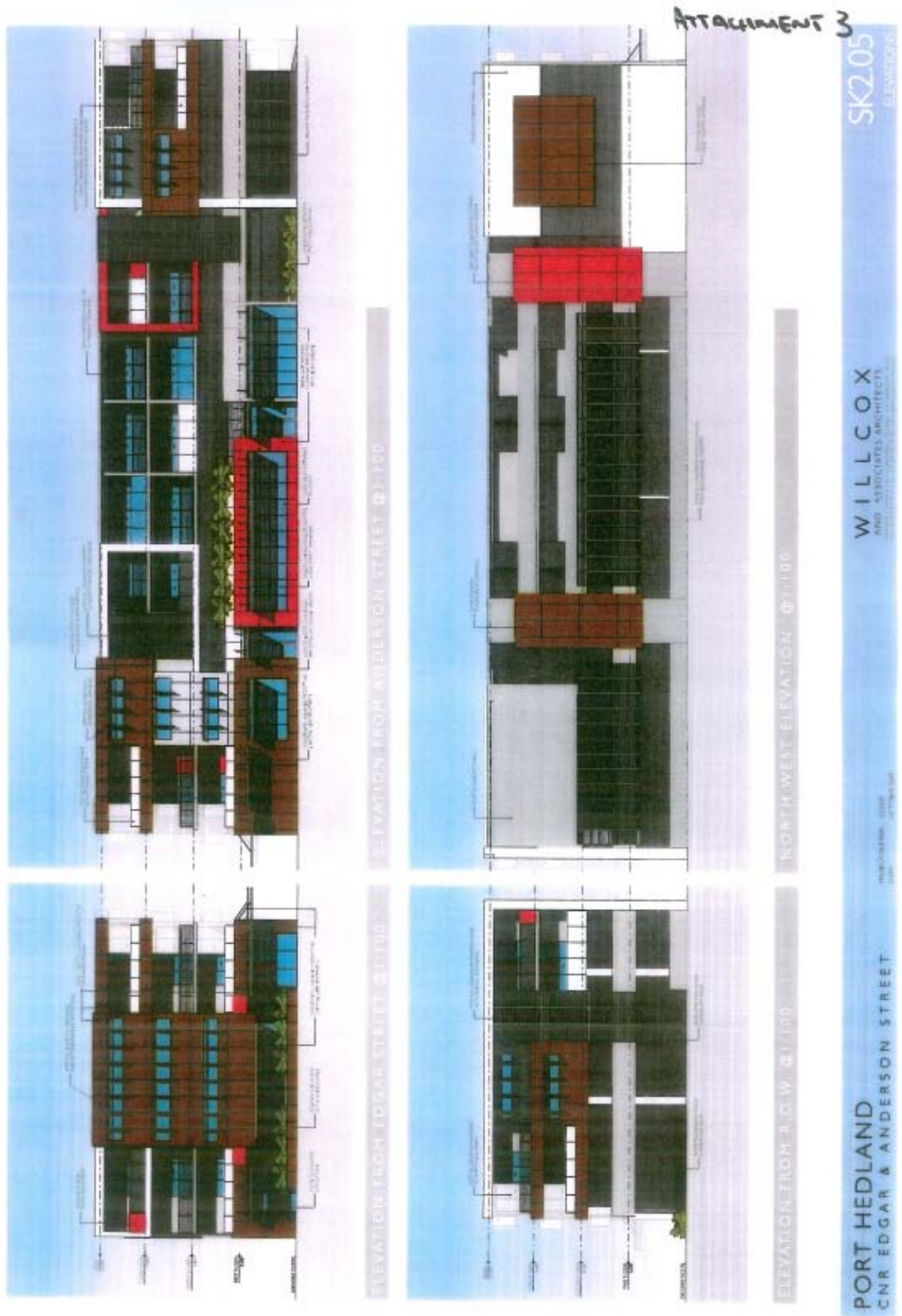
WILLCOX AND ASSOCIATES ARCHITECTS

PORT HEDLAND CNR EDGAR & ANDERSON STREET

FIRST FLOOR PLAN @ 1:100



ATTACHMENT 3 TO AGENDA ITEM 11.1.2.3



11.1.2.4 Proposed New Living Project Subdivision Application for 3 Lots into 16 Lots Involving Lots 6107, 6108 and 6177 – Cottier Drive, Kennedy Street and Stanley Street, South Hedland (File No's: 803128G, 804138G and 804139G)

Officer	Leonard Long Planning Officer
Date of Report	16 November 2009
Application No.	2008/698
Disclosure of Interest by Officer	Nil

Summary

Taylor Burrell Barnett on behalf of the Department of Housing Works (DHW) – New Living Project in South Hedland, has submitted a subdivision application for Lots 6107, 6108 and 6177 - Cottier Drive, Kennedy and Stanley Street, South Hedland (Attachment 1 – Locality Plan).

Background

The application forms part of the New Living Project to develop unused portions of land within South Hedland, and to formalize the lot boundaries for the much anticipated Marquee Park.

In March 2009 Council resolved subject to conditions to support the subdivision of 6 lots into 31 lots involving Lots 6177, 6108, 6107, 2424, 2430 and 2429.

Site

The site is currently undeveloped with little native vegetation located thereon. In terms of the Town Planning Scheme No. 5 the lots are zoned "Residential" with a coding of R – 30, accumulatively the lots measure 10,119m² in extent.

Proposal.

The proposal comprises of Lots 6107, 6108 and 6177 and are bound by Cottier Drive to the south, Stanley Street to the east and Kennedy Street to the west.

The proposal is to create 13 single house lots with varying sizes of 509m² to 601m². One grouped housing site of 3,087m² a Commercial / community lot of 4,505m² and a Public Open Space lot of 1.4418ha proposed to be for the development of the Marquee Park.

Consultation

The application requires no external comments, however, it is noted that the New Living Project including the Marquee Park has been extensively advertised within the general community by way of various media releases.

Internal Comments

The application has been referred to the Council's Engineering Services for comment and appropriate comments have been incorporated as conditions, and or footnotes, within the recommendation.

Statutory Implications

The Western Australian Planning Commission (WAPC) is required under Part 10 – Subdivision and Development Control, Clause 142 – Objections and Recommendations of the Planning Development Act 2005 (P & D 2005) to refer for comments any applications for subdivision.

Within 42 days of receiving the application from the Western Australian Planning Commission, the Town is required to provide their comments.

Policy Implications

- 9/007: Roadside, verge and reserve parking policy.
- 9/008: Verge treatment policy
- 12/002: Offsite car parking policy

Strategic Planning Implications

Key Result Area 4: Economic Development
Goal Number 4: Land Development Projects
Strategy 2:

“Work with the South Hedland New Living Project to ensure that sustainable development lots consistent with the principles of Council are made available within South Hedland within a timely manner.”

Key Result Area 2: Community Pride
Goal Number 3: Townscape
Strategy 1:

“Work closely with the Department of Housing and Works to implement the South Hedland New Living Project.”

Budget Implications

The applications are only referred to the Town for a recommendation and therefore no fees are applicable.

Officer's Comment

The subdivision plan has been assessed against the Town's Local Planning Strategy (Land Use Master Plan), The Parks Improvement Plan and the Residential Land Rationalisation Plan and is deemed to be compliant with all.

The assessment has identified a number of strategic design areas that should be suitably addressed by the applicant prior to the commencement of subdivision works. These are as follows:

- Design Guidelines for the treatment, development and upgrading of proposed linear open space, which relates to the central spine of the Parks Improvement Plan,
- Design Guidelines for all corner lots, to ensure that these lots are developed with the dwelling(s) addressing both the primary and secondary streets.

To ensure that these points are addressed, conditions have been included to require the applicant to develop suitable statutory documents, i.e. Guidelines, Policy or similar prior to the commencement of subdivision works.

The application is recommended subject to those conditions and footnotes contained within the recommendation.

Attachments

1. Locality Plan
2. Subdivision Plan

200910/145 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council advises the Western Australian Planning Commission that it SUPPORTS the subdivision application for the creation of 16 lots comprising of Lots 6107, 6108 and 6177 – Cottier Drive, Kennedy and Stanley Streets, South Hedland subject to the following conditions and footnotes:

1. The subdivision layout be amended as follows:
 - a. **Increasing the corner truncation of proposed Lot 1 from 4.1m to 8.5m, to ensure adequate visibility, and**
 - b. **Obtain confirmation from the Manager Infrastructure Development and Main Roads Western Australia as to the necessity of the raised pedestrian crossing and amend the subdivision plan accordingly.**

- c. **Remove the description of proposed Lot 15 as Commercial / Community and the description of Public Open Space.**
2. Prior to the commencement of works:
 - a. **Develop detailed designs for the proposed Linear Open Space which reflects the intended functions of the linear open spaces as a Local Reserve – Level 2 which acts as a connector between the water tower and Marquee Park,**
 - b. **Development works to include landscaping at civil works (dual use path) within the median dividing Stanley Street and the new road parallel to Stanley Street as well as the proposed new road running east west,**
 - c. **Dual use paths to be provided to all roads where not already existing,**
 - d. **Develop Design Guidelines for all corner lots to ensure that these lots are developed with the dwelling(s) addressing both the primary and secondary street and be submitted to and approved by the Town,**

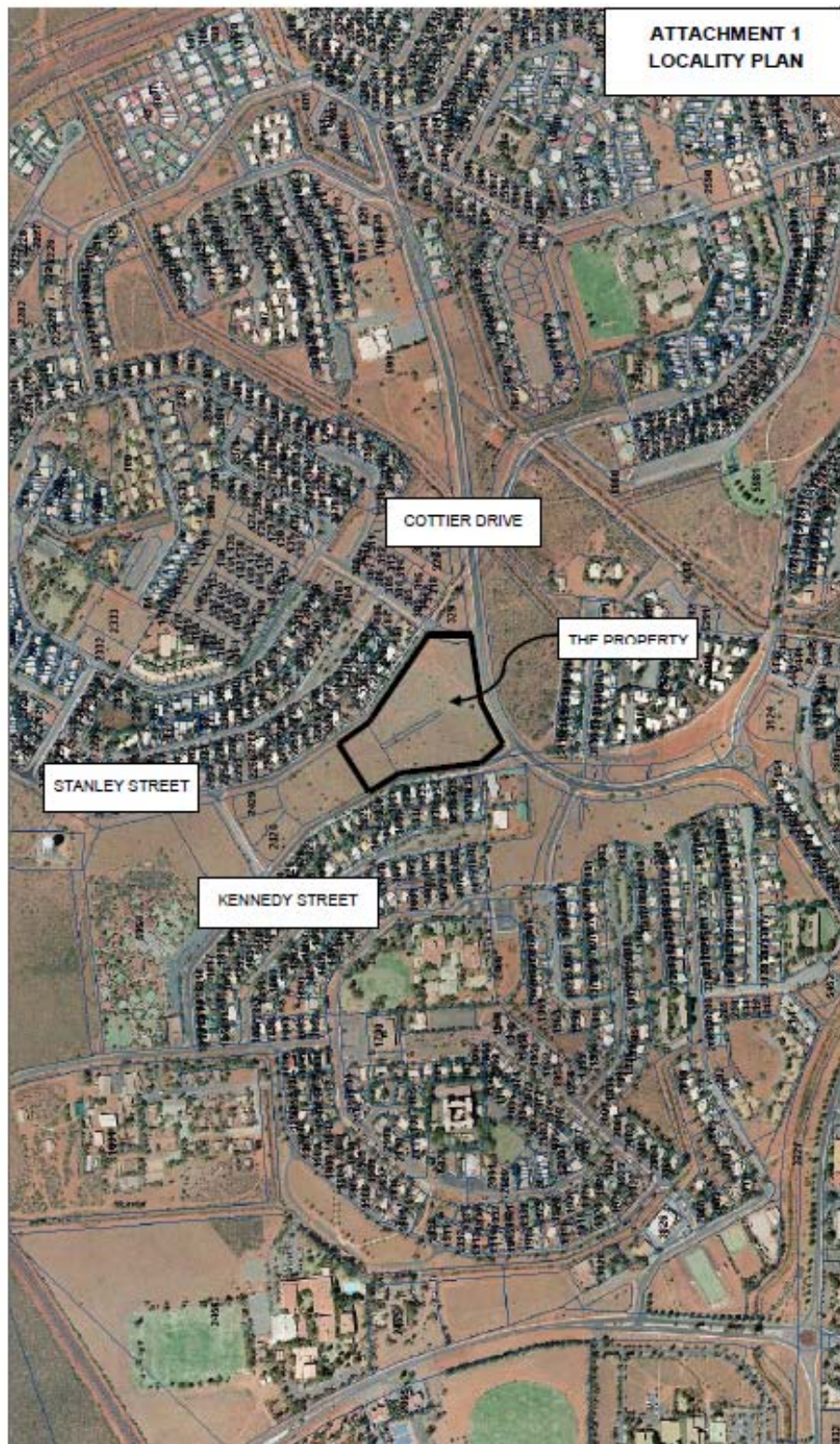
all to the satisfaction of the Manager Planning.
3. The approved plans / documents relating to condition 2, being implemented to the satisfaction of the Manager planning.
4. Those lots not fronting an existing road being provided with frontage to a constructed subdivision road connected by a constructed subdivision road(s) to the local road system and such subdivision road(s) being constructed and drained at the subdivider's cost. As an alternative, the Western Australian Planning Commission is prepared to accept the subdivider paying to the Local Government subject to the Local Government giving assurance to the Commission that the works will be completed within a reasonable period acceptable to the Commission.
5. Subdivisional roads to be constructed and dedicated to the boundary of the application area.
6. Suitable arrangements being made with the Local Government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.

FOOTNOTE:

1. Be advised that any development (including retaining walls not exempted by the Residential Design Codes) not covered by this approval or conditions attached there to will require a separate planning approval.

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.4



ATTACHMENT 2 TO AGENDA ITEM 11.1.2.4



11.1.2.5 Endorsement of Spoilbank and Pretty Pool Concepts for Public Comment (File Nos.: 18/12/0014; 18/14/0001)

Officer	Richard Bairstow Manager Planning
Date of Report	16 November 2009
Disclosure of Interest by Officer	Nil

Summary

Council is requested to endorse the public advertising of the Spoilbank and Pretty Pool concept plans (Attachment No. 1). The proposal outlines the public advertising procedure, with the intention of gaining public comment on the concepts presented to Council at its informal briefing session on the 11 November 2009.

Background

The Spoilbank and Pretty Pool Concepts, prepared by the Urban Design Centre, are the result of comments made by the Premier of Western Australia, the Hon. Colin Barnett, MEd, MLA, on a visit to Port Hedland earlier this year. The Hon. Colin Barnett made comment on the lessons that Port Hedland could learn from Darwin, as he saw synergies between the two places. He further facilitated, through his Department, a visit to Darwin, for a delegation of Council to observe the similarities first hand.

The delegation spent 5 days in Darwin, investigating opportunities that may present themselves as possibilities for Port Hedland. Two developments, Darwin Water Front (DWF) and Cullen Bay (CB), were considered to be worthy of further investigation. The Darwin Water Front development presented an opportunity for the Spoilbank, and the Cullen Bay project was a potential model for the Pretty Pool area.

Delegation members were requested to provide feedback on their experiences, and any opportunities or concepts that should be considered within a Hedland context. Both the DWF and CB were noted as high priority potential concepts.

In recognition of the high priority placed on these concepts, quotes were obtained from appropriate professionals to develop these, with the Urban Design Centre (UDC) being selected. The UDC was provided with the feedback from the delegation members, and ultimately requested to prepare 2 concepts, low and high density, for the Spoilbank and 3 concepts for Pretty Pool.

These concepts were presented to Council's 11th November informal briefing session.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 4 – Economic Development

Goal No. 4 – Land Development Projects

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

- Pretty Pool developments
- South Hedland New Living developments
- Landcorp's various industrial land release programs.
- Moore St development and West End developments
- South Hedland CBD developments
- Redevelopment of the Port Hedland Telstra/Water Corporation Site

Key Result Area 4 – Economic Development

Goal No. 4 – Land Development Projects

Strategy 4 - Commence the development of a marina/safe boating harbour

Budget Implications

Development of the concept plans and any consultation/review etc comes at a cost. Council has however made provision for "Outsource Planning and Legal Expenses" (A/C 1006261) and the costs will be met within the budgetary provision.

Officer's Comment

These concepts present exciting opportunities for the Town of Port Hedland and are the first step in preparing a development plan for each of these areas.

To inform Council's decision making process, it is important that the Community be consulted on the various options proposed and have the opportunity to contribute views and opinions that will ultimately influence the final plans for these iconic areas.

Public consultation including displays, stakeholder workshops and opinion surveys are planned to solicit the highest level response.

Despite the time and potential for a slight delay that may result from consulting widely on this matter, it is strongly believed that Council must provide adequate opportunity for community input to ensure these far reaching and visionary concepts do in fact represent community aspirations for the Town.

Attachments

Spoilbank and Pretty Pool Concepts

That Council endorses the release of the Spoilbank and Pretty Pool Concept Plans for Public consultation.

200910/146 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr M Dziombak

That Council endorses the release of the Spoilbank and Pretty Pool Concept Plans for Public consultation.

CARRIED 8/0

ATTACHMENTS TO AGENDA ITEM 11.1.2.5



Pretty Pool Canals
 Water level controlled by a loch between Cooke Point and Pretty Pool



Pretty Pool Canals
Water level controlled by a loch between Cooke Point and Pretty Pool



Pretty Pool Weir

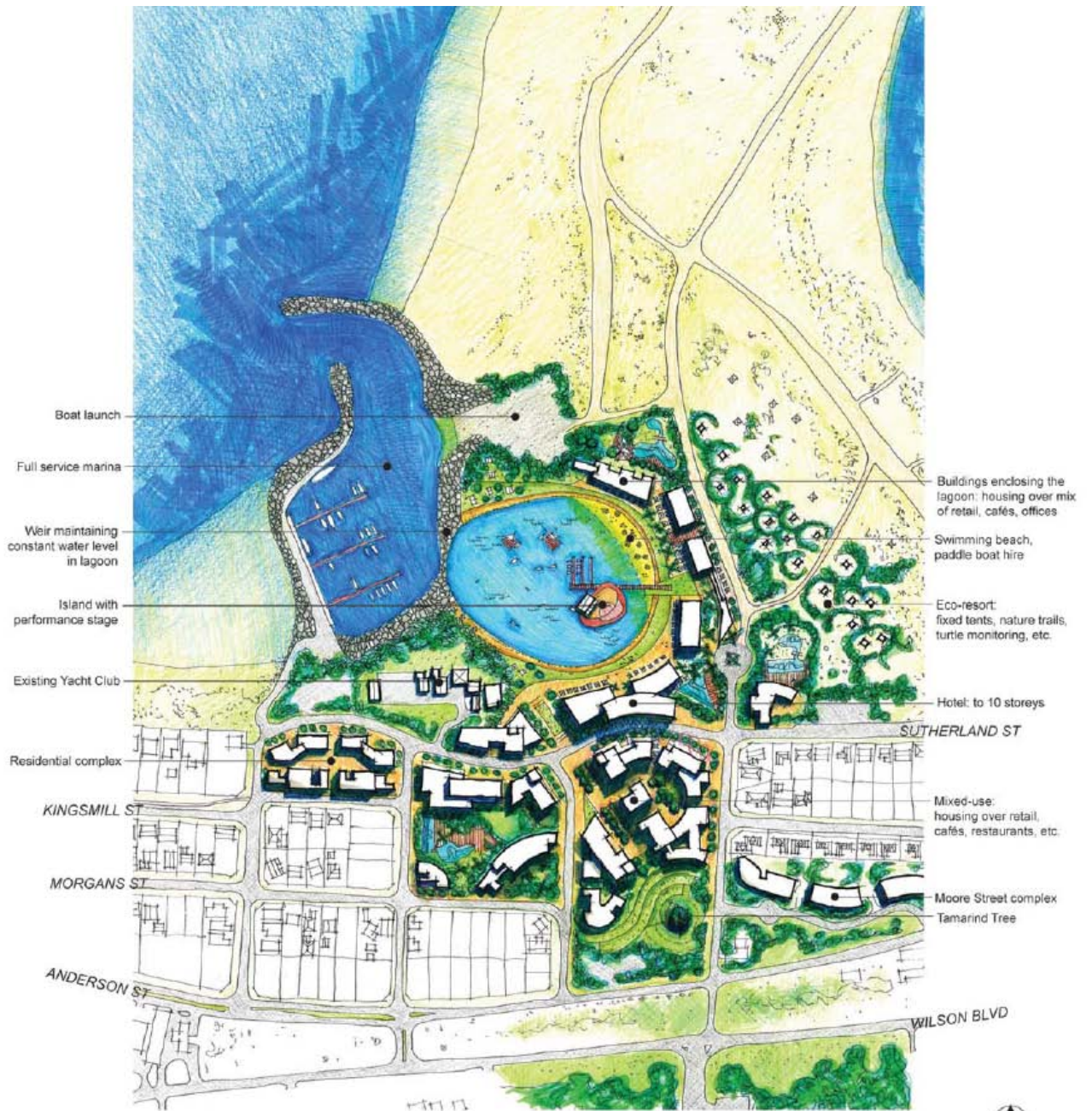
Lake formed by a weir connecting the Cook Point and Pretty Pool neighbourhoods





Spoil Bank

Lower density option - 3 storeys maximum

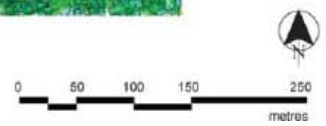


- Boat launch
- Full service marina
- Weir maintaining constant water level in lagoon
- Island with performance stage
- Existing Yacht Club
- Residential complex
- KINGSMILL ST
- MORGANS ST
- ANDERSON ST

- Buildings enclosing the lagoon: housing over mix of retail, cafés, offices
- Swimming beach, paddle boat hire
- Eco-resort: fixed tents, nature trails, turtle monitoring, etc.
- Hotel: to 10 storeys
- SUTHERLAND ST
- Mixed-use: housing over retail, cafés, restaurants, etc.
- Moore Street complex
- Tamarind Tree
- WILSON BLVD

Spoil Bank

Higher density option - up to 10 storeys





Spoil Bank
Higher density option - up to 10 storeys

11.1.2.6 Council Endorsement of the Residential Land Rationalisation Plan (File No.: 18/12/0015)

Officer Richard Bairstow
Manager Planning

Date of Report 16 November 2009

Disclosure of Interest by Officer Nil

Summary

Council is requested to endorse the Residential Land Rationalisation Plan (RLRP) for public release (See Attachment No. 1).

Background

The RLRP is a joint project between the Department of Planning (DP) and the Town of Port Hedland (ToPH), and is a database of all public, and most privately owned, vacant land within the areas shown in Attachment No. 2.

The ToPH has already requested State Land Services (SLS), LandCorp and Department of Housing (DoH), to develop or release vacant land within their control. Various Council Reports have been written, the most recent in August, to Council's Ordinary Meeting, as Report 11.1.2.3 – Public Land Availability as identified within the RLRP. This report requests the release of lots and/or reserves in the following ways:

1. Direct to the ToPH;
2. Joint ventures between ToPH and other; and
3. Direct release to the market.

Further, in the medium to longer term, and subject to resources, the RLRP will be used to rationalize the over width verges and remnant public open space (POS) left over in South Hedland as a result of the failed Radburn Plan.

The RLRP is the first step in a two stage process. Stage 2 is to complement the RLRP with a Non - Residential Land Rationalisation Plan (NRLRP) covering the area shown in Attachment No. 3.

Both the RLRP and NRLRP are proposed to be live documents, with annual updates proposed.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 2 – Community Pride

Goal No. 3 – Townscape

Strategy 1

In conjunction with industry, business, and the community, develop improved verge and streetscape treatments throughout the Town.

Budget Implications

The costs of part A and B of the RLRP were covered by the Department of Planning initial grant. However, Part C, which is the single paged sheets for lots identified by the Report to August Council has been paid for separately at a cost of \$2750. An additional \$10,000 will be required to complete Part C if all identified properties are to be created as individual pages.

N.B. The Non-Residential Land Rationalisation Plan will cost approximately \$40,000 + cost of individual site plans. A request for quotes proposal is currently being prepared but that is not part of the current consideration and will be partly recoverable.

Officer's Comment

The RLRP provides the Town with an exciting opportunity to assist the release and development of vacant land within Port and South Hedland.

There is some discussion at the moment regarding the controlling agency, as both the SLS and DP have been directed to look at the land release issue within the state as a priority issue.

Options

Council has the following options of dealing with the request:

1. Endorse the release of the RLRP for public access.
2. Not endorse the release of the RLRP for public access.

Attachments

A printed copy of the Residential Land Rationalisation Plan is being distributed to Councillors an addendum to the Agenda.

1. Project area map

2. Proposed area to be covered by Non-Residential Land Rationalisation Plan

That Council endorses the release of the Residential Land Rationalisation Plan and authorises its public release.

200910/147 Council Decision/Officer's Recommendation

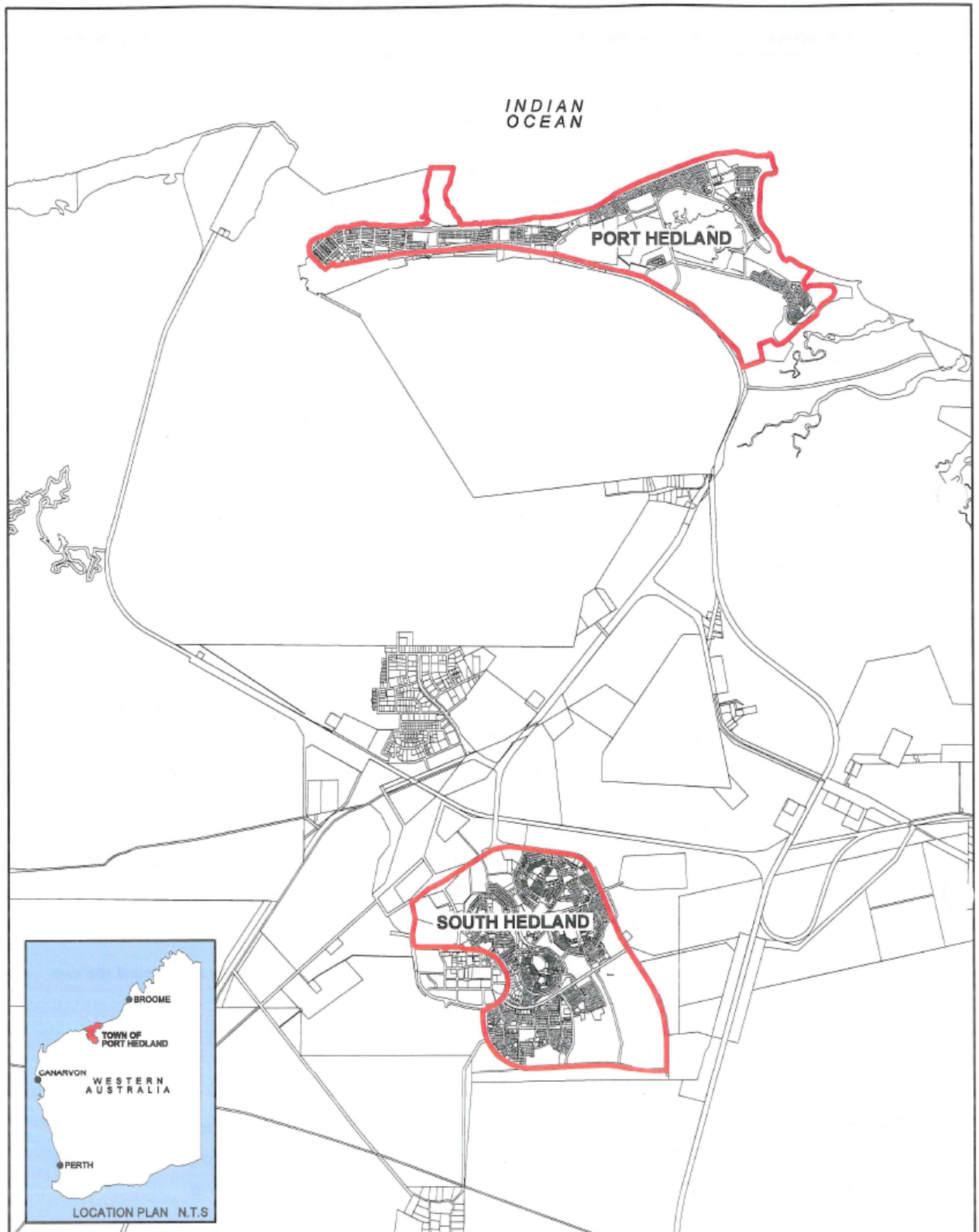
Moved: Cr S R Martin

Seconded: Cr J M Gillingham

That Council endorses the release of the Residential Land Rationalisation Plan and authorises its public release.

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.6



LEGEND

— Project Area

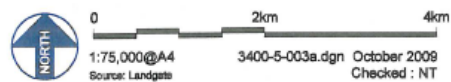


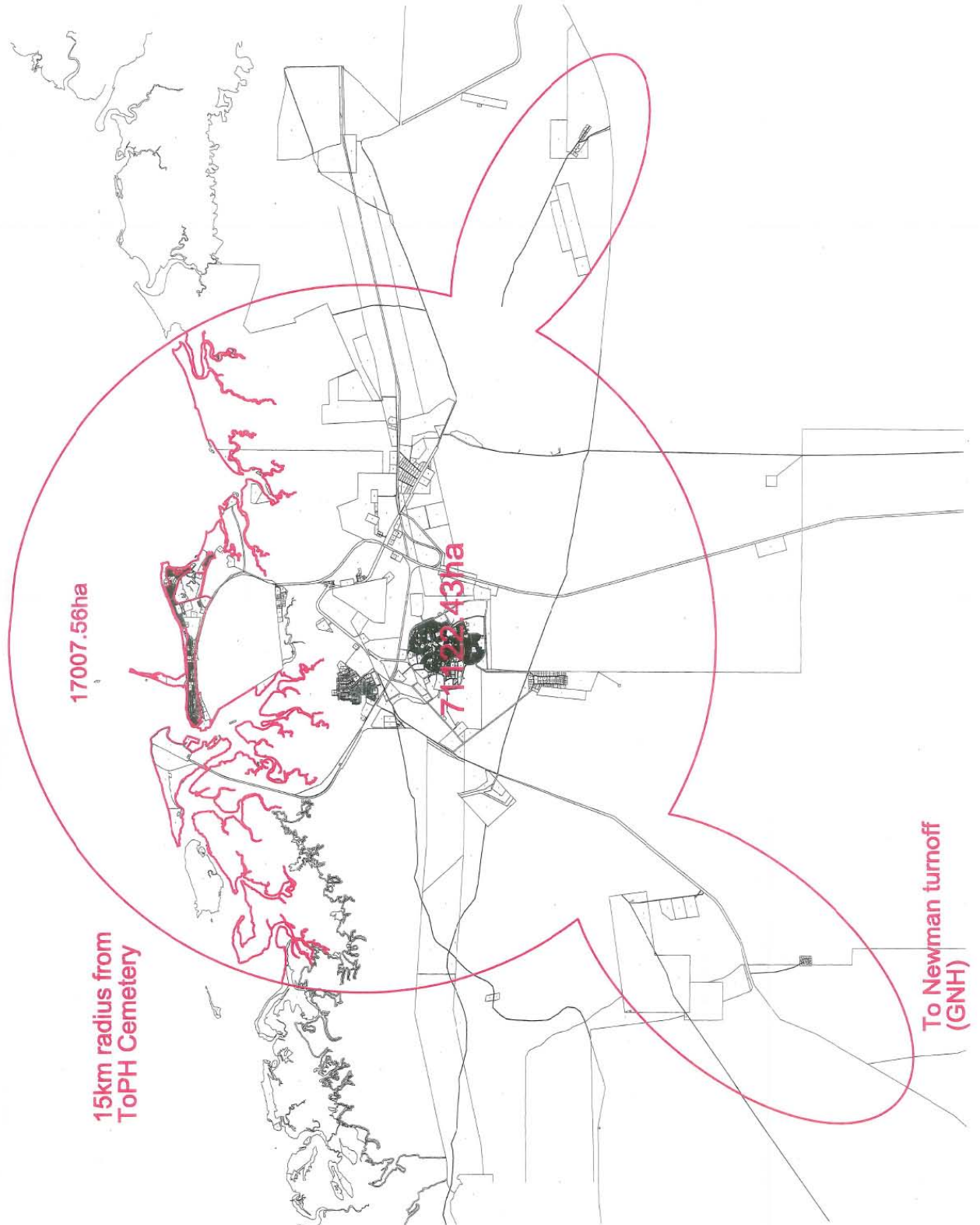
FIGURE 1

PROJECT AREA

Various Lots, PORT HEDLAND AND SOUTH HEDLAND TOWNSITES



ATTACHMENT 2 TO AGENDA ITEM 11.1.2.6



11.1.3 Environmental Health Services*11.1.3.1 Unauthorised Refuse Site Adjacent to the Turner River Estate (File No.: 25/03/0001)*

Officer Darryal Eastwell
Manager Environmental
Health Services

Date of Report 4 November 2009

Disclosure of Interest by Officer Nil

Summary

To consider rehabilitating an unauthorised refuse site adjacent to the Turner River Estate.

Background

The Town has recently become aware of an unauthorised refuse site situated close to Manilha Drive being the entry road into the Turner River estate. The site is situated on Munda Station land (see site plan as Attachment 1) and has been utilised by estate residents for some time for the disposal of domestic waste and other disused materials.

From evidence gathered on site it would appear that some individuals in the Turner River estate are dumping household waste in the area. As a result, officers have written to all residents at the Turner River estate reminding them that utilising the unauthorised refuse site is illegal and any further evidence gathered would result in infringement notices being issued to offenders.

Since that time two litter infringement notices have been issued to offenders following the gathering of evidence in dumped rubbish.

Consultation

The Town has consulted with the Department of Environmental Protection in Karratha to seek clarification on treatment options for the site.

The Department would prefer all the rubbish to be removed and the site rehabilitated which is the officers preferred treatment option.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

A quote has been sought to remove all the rubbish/disused material and transfer it to Council's landfill facility in South Hedland at a cost of approximately \$30,000.00

Works will also be undertaken to deny easy access to the site to prevent further dumping of material and signage will be put in place stating that the dumping of rubbish is prohibited.

The Director of Engineering has stated that if Council decides to authorize the expenditure to undertake the rehabilitation then the works could be allocated to the Litter Collection account.

Officer's Comment

While the unauthorised refuse site is on Munda Station leased land it is felt that the Town has the responsibility to clear the refuse/disused material as it is highly likely that some residents of the Turner River estate have been the main contributors to the current situation.

Council could ignore the issue, however the unauthorised site represents a serious public health and environmental risk and it will be recommended that the Town rehabilitate the site and take action to prevent easy entry into the area.

Attachments

Site Map

200910/148 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

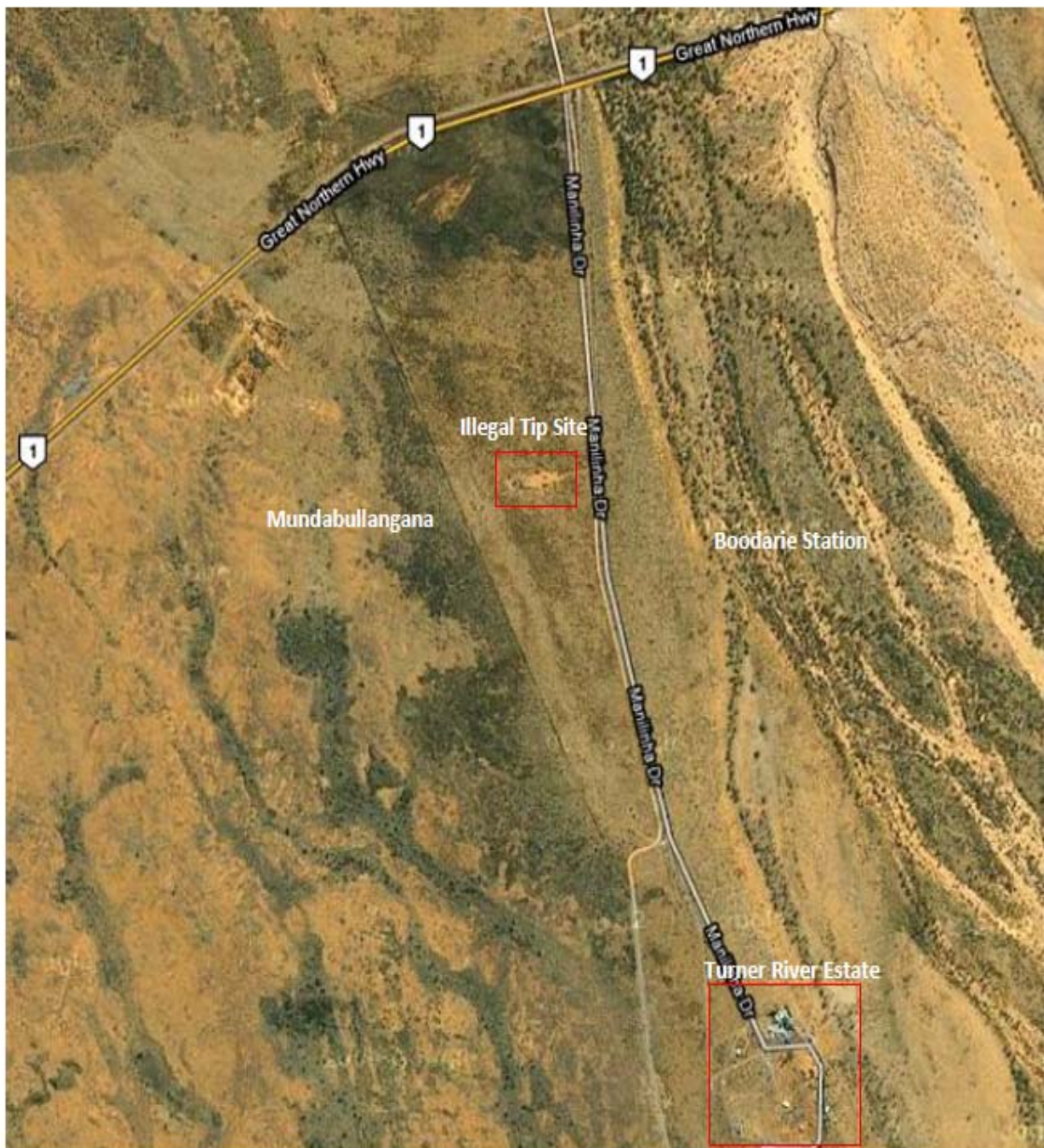
Seconded: Cr D W Hooper

That Council:

- i) authorise the rehabilitation works of the unauthorised refuse site adjacent to the Turner River Residential estate to be undertaken.
- ii) authorise the costs of the works to \$30,000 be allocated to Councils Litter Collection account.
- iii) write to the leaseholder of Munda Station advising of the proposed works for his approval.
- iv) write to the Department of Environment advising of the proposed works.

CARRIED BY ABSOLUTE MAJORITY 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.23.1



11.1.3.2 Introduction of Weekly Rubbish Collection Service to Turner River Estate (File No.: 31/03/0002)

Officer Darryal Eastwell
Manager Environmental
Health Services

Date of Report 27 October 2009

Disclosure of Interest by Officer Nil

Summary

To consider the introduction of a weekly rubbish collection service to the Turner River Estate by providing a 240 litre mobile bin to each residential property within the estate at the beginning of the next financial year.

Background

The Turner River Estate is located approx 20km west of South Hedland on the Great Northern Highway and consists of 18 lots. Currently, no rubbish collection service is provided by the Town and residents are required to collect their refuse and dispose of it at Council's South Hedland refuse facility.

The Town of Port Hedland has recently become aware of an unauthorised refuse site which has been utilised for some time which is located near Manilha Drive, approximately one kilometre from the estate. This unauthorised refuse site is located on Munda Station land and is subject to a separate Council report.

Consultation

Discussions have been undertaken with the Director of Engineering, Mr Russell Dyer whose comments are shown below. A survey of the residents of the estate was also undertaken to determine the level of support for the initiative.

During the survey of the residents it was explained that the Town's adopted rubbish levy, which is currently \$200.00 a year, would be added to the rates notice for payment if the service was introduced.

There are eighteen (18) lots in the subdivision and two of these are still vacant lots. Of the thirteen (13) residents surveyed all were in support of the initiative and 3 residents indicated that they would like to order several bins should the service become available.

Statutory Implications

If a rubbish collection service is introduced then all properties that have established a residence will be required to pay the rubbish rate in accordance with section 106 of the Health Act 1911 and be provided with a bin which would be emptied on a weekly basis.

“106. Power to make pan charges

- (1) The local government may, in lieu of, or in addition to a sanitary rate, provide for the proper disposal of sewage, whether within the district or not, by making an annual charge per pan or other receptacle, payable in one sum or by equal monthly or other instalments in advance, in respect of every house or place provided with the service.*
- (2) Such charge shall be levied on the owner or occupier, as the local government may decide, of every house in which any such pan or other receptacle is in use, and may be recovered by the local government in the same way as rates in arrear are recoverable.*
- (3) In the case of houses being erected and becoming occupied during the year for which payment is to be made, the charge thereon for the service provided under this section shall be such sum as will proportionately represent the period between the occupation of the house and the ending of the year for which payment is made.*
- (4) Notice of any charge made under this section may be included in any document containing notice of any rates levied under this Act; but the omission to give any notice of such charge shall not affect the validity of the charge or the power of the local government to recover it.*
- (5) Any such charge may be limited to premises in a particular portion of the area under the control of the local government.*
- (6) Charges under this section may be levied in respect of and shall be payable for all premises in respect of which a service is provided under this section, whether such premises are rateable or not.*
- (7) A local government may, with the approval of the Executive Director, Public Health, make different charges for services rendered in different portions of its district.*
- (8) Where a local government has heretofore or shall hereafter establish a sewerage scheme as authorised by the provisions of Division 1 of Part IV, it may, in lieu of levying a rate as provided for in this Act, make an annual charge, according to the prescribed scale, at per pedestal, and all the provisions of this Act shall apply to any such charge as if it were a rate as aforesaid.”*

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Should the service be introduced, bins would be supplied to all lots with established residences on the property and a rubbish rate would be levied against all occupied properties.

The cost to introduce the service has been calculated on the 09/10 adopted budget figures and information gathered in the survey.

There are sixteen (16) lots that have existing residences and an extra four services were requested during the survey should the service be introduced. Therefore, a total of twenty (20) services will be used in the calculations outlined below.

1.5 Hours per week to complete truck rubbish pick up @ \$165 per hour

$1.5 \times 165 = \$247.50 \text{ p/week} \times 52 = \$12,870$

Less 20 Bins at service rate \$200.00 paid by residents = \$4000

Therefore, it would cost Council \$8,870.00 per annum to introduce the service. This loss would be incorporated into the calculations when the annual rubbish rate is adopted during the 10/11 budget deliberations.

Director Engineering Services Comment

"I generally support the introduction of this service in the new financial year which would cost Council an extra \$8870.00 per annum based on 09/10 costs. This loss would need to be calculated and incorporated into the adopted rubbish rate during the 10/11 budget deliberations.

Our senior mechanic Mr Doug Heales has commented that the straight run out to the estate at higher speed will mechanically benefit the rubbish truck fleet and recommends that the fleet be rotated through this particular run. "

Officer's Comment

In recent times the Town has approved many applications for new homes & extensions from land owners in the Turner River Estate. Now the estate is reaching its full development potential the introduction of a weekly rubbish collection service is supported to assist the residents with refuse disposal.

By introducing a weekly Council rubbish service it will ease the burden of rubbish disposal for residents and will improve the public health amenity of the estate.

Attachments

Nil

Officer's Recommendation

That Council:

- i) authorise the introduction of a weekly rubbish collection service to the Turner River Estate in the 2010/2011 financial year.
- ii) write to all residents in the estate advising the introduction of the service and estimated charge for the service.

200910/149 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

- i) authorise the introduction of a weekly rubbish collection service to the Turner River Estate as soon as practicable; and
- ii) write to all residents in the estate advising the introduction of the service and estimated charge for the service.

CARRIED BY ABSOLUTE MAJORITY 8/0

REASON: Council amended Clause i) of the Officer's Recommendation to ensure the implementation of a weekly rubbish collection service to be provided as soon as possible, preferably before the commencement of the 2010/2011 financial year.

11.2 ENGINEERING SERVICES

11.2.1 Director Engineering Services

11.2.1.1 Engineering Services Monthly Report (File No.: 13/04/0001)

Officer Russell Dyer
Director Engineering
Services

Date of Report 13 November 2009

Disclosure of Interest by Officer Nil

Summary

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

Background

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

Consultation

Engineering Services officers.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

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

Budget Implications

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

Officer's Comment

Nil.

Attachments

1. Works Schedule
2. Airport PAX numbers
3. Recreation Update

That Council receives the Engineering Services monthly report for November 2009.

200910/150 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council receives the Engineering Services monthly report for November 2009.

CARRIED 8/0

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

	Concept
	Development
	Implementation
	Finalisation
	Project completed and acquitted

Cyclone Watch/Season



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1108420	Hawks Clubrooms Scope: Installation of temporary clubhouse at McGregor Street Reserve	COMPLETE		Complete												
	Diamond 1 Backnet Scope: Replacement of backnet at Diamond 1 following Cyclone George	COMPLETE		Project completed, with final acquittals to be undertaken.												
1107430	SHAC Upgrade Scope: Design, purchase and installation of 7 x shade sails at SHAC	COMPLETE		Project completed, with final acquittals to be undertaken.												
	SHAC Upgrade Scope: Replacement of filters, installation of lockers and changetables.	COMPLETE		Complete												
1106430	GAC Upgrade Scope: Replacement of filters and installation of shade structures	COMPLETE		Complete												
1109451	McGregor Street Oval Upgrade Scope: Completion of Master Plan for McGregor St Reserve	COUNCIL		Carry Forward Project. Final Master Plan completed and forwarded to stakeholders with all responses provided to Council Oct OCM. Matter laid on the table, with a presentation to the Nov briefing occurring. Final presentation to the Nov OCM for decision on continuation, rejection or 'other' to be made												
1111437	Recreation Reserve Redevelopment Scope: Upgrade of oval and irrigation at Colin Matheson Oval	COUNCIL / CONTRACTORS		C/F Project. Project commenced - area fenced, effluent lines removed, pindan removed and sieved sand replaced, with request for additional water meter submitted. Oval currently pegged with new dimensions. Tender for Supply and Installation of Turf being re-presented at Nov OCM. Irrigation commences week of 16th Nov, with completion date 18th Dec.												
1108269	Multi-Purpose Rec. Centre - Architectural Design	CONTRACTOR		C/F Project. Architectural Designs being completed with stakeholder												

	Concept
	Development
	Implementation
	Finalisation
	Project completed and acquitted



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
	Scope: Completion of Architectural Designs			meeting held 16th Oct. Water and sewer connections being investigated, with fire engineering services variation approved 27th Oct. Current QS based at \$37.9 million, with aims to reduce to \$35.3. Final internal schematics being discussed, along with car parking, building and planning requirements. Architects have indicated that project will complete 6 weeks after final endorsement. Aims are to jointly tender the MPRC with the JD Hardie Centre Upgrade, with tender scheduled for mid Jan 10. Contract Manager to be employed to oversee construction. Business plan to be developed following completion of internal schematics.												
1108420 1108421	Multi Purpose Recreation Centre - construction Scope: Construction of MPRC - Stage 1			Project due to commence following completion of architectural designs. Project anticipated to be jointly tendered with the JD Hardie Centre redevelopment. Tender scheduled to be advertised mid Jan 2010.												
1109455	Colin Matheson Clubrooms Scope: Design and Construction of Colin Matheson Clubrooms	COUNCIL		C/F Project. D&C tender presented to OCM August, with all tenders rejected due to major changes in scope. Scope altered to exclude commercial kitchen and individual association components - final result expected to be a community based facility. Tender scheduled for advertisement mid Nov.												
1201440	Town Cycle Plan: Bicycle Parking Scope: Year 1 component of the Town Cycle Plan	COUNCIL		C/F Project. Orders for racks placed, with all stakeholders consulted re: locations. Bike sheds to be purchased for certain areas.												
	Town Cycle Plan: On-road Circuits Scope: Year 1 component of the Town Cycle Plan	COUNCIL		5 x circuits identified in both Port and South Hedland. Meeting with Main Roads WA occurred on 28th Oct, with Perth personnel requiring input into these circuits. Some identified roads may be unable to be utilised due to road widths, however advice/recommendations being provided by Main Roads WA after												

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

	Concept
	Development
	Implementation
	Finalisation
	Project completed and acquitted

Cyclone Watch/Season



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
				which signage and markings will be determined, along with promotion.												
	Town Cycle Plan: Shared Paths Scope: Year 1 component of the Town Cycle Plan	COUNCIL		Shared path completed along Styles Road and Counihan Road. Crawford St being investigated.												
	Town Cycle Plan: Port to South Hedland Path Scope: Year 1 component of the Town Cycle Plan	COUNCIL		3 x quotes received for completion of detailed design for Port to South Hedland path. All have indicated likely completion of late-Feb, however anticipate March to be more realistic (due to OCM timeframes).												
	Town Cycle Plan: Spot Improvements Scope: Year 1 component of the Town Cycle Plan	COUNCIL		For discussion with Main Roads WA in Perth (inc. 'Road Ahead' signage on footpath instead of Give Way signage). BHPB to consider bike edge lane along Anderson when upgrading.												
1107239	SHAC Design Scope: Detailed designs for complete upgrade at SHAC	CONTRACTOR		Design component commenced, survey completed, and draft report received. Staff currently reviewing document and making necessary changes, prior to presentation to Council at briefing. Application submitted to CSRFF for forward planning.												
1109454	McGregor St Reserve Rehab Scope: Upgrading surfaces of sports fields	COUNCIL		Works to be undertaken over the following 6 months, along with all other rehabilitation works of reserves and parks. All works are being determined based on need.												
1104420	JD Hardie Centre P&E Scope: Updating of P&E at JDHC	COUNCIL		Plant and Equipment Audit to be undertaken in December 2009, with orders placed in January.												
1109456	Cricket Net Upgrades Scope: Upgrade to existing cricket nets in Port and South Hedland	COUNCIL		Artificial Turf ordered, with quotes for extension of practice pitches being sourced.												
NEW	Overhead Lighting Plan Scope: Commencement of recommendations as per OCM endorsement	COUNCIL		Dept Sport and Recreation have advised the \$75,000 grant to ToPH has been successful. Scope now being developed for undertaking a detailed design and these works.												

	Concept
	Development
	Implementation
	Finalisation
	Project completed and acquitted



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1106413	GAC P & E Scope: Purchase of P & E at GAC	COUNCIL		Completing 2008/09 project. Obtaining quotes for pool blanket covers.												
1105236	GAC Gym Maintenance Scope: Quarterly audit and review of gym equipment and assets	COUNCIL		Quarterly maintenance on schedule.												
1108264	Walk it Hedland Project Scope: Encouraging community members to become physically active	COUNCIL		Project nearing completion. All funds requiring acquittal have been completed, with the remaining funds to be used in Nov 2009 for the PAW Walk, and in March 2010 for the Corporate Challenge.												
Recreation - Other	Safety at Sporting Reserves Hawks Clubrooms Overhead Lights Aquatic Centre Management Committees JD Hardie Centre Upgrades Healthy Lifestyle JDHC - General JDHC - Term JDHC - Sports	COUNCIL	Ongoing	Sea container removal requested, with storage sheds now available. Facility checks done monthly Historical Society providing recommendations for presentation to OCM Audits received. Priorities placed on reserves with funding to be requested at quarterly review Dangerous Goods Notification developments required. Monthly contract management and maint. Establishment of management committees per reserve re: use, maintenance etc Final upgrades to be completed inc. road widening, fencing relocation and bike rack installation Healthy Lifestyle policy being developed to encourage a healthy and active workplace Term 4 commenced. New supervisor to commence 9th Nov. Events being planned Term programs commenced, with funding for each program. 8 programs occurring Sports programs commenced, with new Women's Netball introduced.												

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

	Concept
	Development
	Implementation
	Finalisation
	Project completed and acquitted

Cyclone Watch/Season



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	
	JDHC - Holiday Program Club Development Sports Information User Fees Boundary Fencing Australia Day Sports Awards Volunteer Recognition Skatepark Fencing Swans FC PH Tennis Club Wall SH Bowls and Tennis Club			Program arranged for Jan 2010. CDO to commence 16th Nov, with business plan developed. Fortnightly New seasons to be invoiced Nov. Caltex and FIC returning information re: 50% reimbursement To be advertised Nov 09, for awards on Aust. Day Community Event arranged for Dec. Alternatives being investigated, although fencing fully repaired currently Financial difficulties have lead to payment plan requiring development. Nov OCM Survey being undertaken of wall to determine structural integrity Meeting to determine progress of redevelopment due to fire. Project Manager to be determined													
1011410	Waste Water Re-Use System Scope: Install flushing system following trial of new system at KSO			Flushing system for Colin Matheson oval pending Council decision at September OCM. Tender to be prepared.													
1009480	Old Port Hedland Cemetery Scope: Landscaping and verge treatment along Sutherland street adjacent to Old PH Cemetery	COMPLETE		Complete													
1201487, 1201422 & 1201421 (R4R)	Street Lighting Upgrades Scope: 0809 stage 2 - Captains, Dongara, Dulverton, Koolama, Scadden, plus 0910	HORIZON POWER		Works ongoing as per schedule.													
1105410	Finucane Island Boat Ramp shade Scope: Installation of 1 shade structure	CONTRACTOR		Complete pending funding acquittal.													
1105410	Finucane Island Boat Ramp Scope: parking, solar lighting	CONTRACTOR		Finalising reseal area and construction requirements for overflow parking prior to sealing. Likely that sealing works will be completed next year during contractors second visit													

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

	Concept
	Development
	Implementation
	Finalisation
	Project completed and acquitted

Cyclone Watch/Season



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
				(approximately April) due to minor reconstruction/preparation works that are required. Solar lighting to be ordered pending calculation of final costings for reseal works.												
1111446	Playground Shade Scope: Installation of shade at Daylesford and Marapikurrinya parks	CONTRACTOR		Complete pending funding acquittal.												
1105424	Port Hedland Boat Ramp Scope: Asphalt seal to top of ramp	CONTRACTOR		Top of boat ramp area to be resealed with asphalt. Contractors due beginning November.												
1009481	Cemetery Upgrade Scope: Main Cemetery, concrete lintels, replace plot markers, fencing, landscaping, to be reviewed	CONTRACTOR		Clean up is progressing to schedule. New fence to rear boundary is complete. Replacement of mesh to existing posts and rails on side fence is 80% complete. Currently investigating watering requirements (pressures, connection locations) for landscaping works.												
1201481 & 1201418 (R4R)	Walkway/Park Lighting Scope: Baler car park, Lions park, Koombana Lookout, Greene place and Civic Centre walkway	CONTRACTOR		Quotes are being assessed for lighting design and installation. EPA application is progressing after receipt of final comments this week.												
1201439 & 1201412 (RFR)	Public Infrastructure Scope: Bins, seating, shade, water fountains, etc. Inc shade as per AAWG	CONTRACTOR		Installation of bbq's and drink fountains pending receipt of quotes. Seating to be installed under new gazebos at Marrapikurrinya, Daylesford and Finucane Island boat ramp. Additional 6 bus shelters to be installed pending delivery - supplier delayed due to equipment failure.												
1201450 & 1201415 (R4R)	Boulevard Tree Planting Scope: Planting of street trees to Murdoch drive	CONTRACTOR		Additional trees have been ordered to accommodate early planting in future programs. 2009/10 project scheduled to commence April.												
1201475 & 1201416 (R4R)	PH Footpath Construction Scope: Harper, Butler, Kingsmill, Anderson	CONTRACTOR		Complete.												
1201476 & 1201471	SH Footpath Construction Scope: Clam, Cone, Dorrigo, Kwinana,	CONTRACTOR		Complete pending receipt of invoices and review of budget/program.												

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

	Concept
	Development
	Implementation
	Finalisation
	Project completed and acquitted

Cyclone Watch/Season



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
(R4R)	Lovell and Mauger															
1111436	Bore Installations Scope: Investigation and installation of bores at McGregor street and KSO re-use tanks	CONTRACTOR		Project on hold until beginning December due to unexpected staff shortages.												
1201458	Throssell Street Streetscape Scope: median planting, street trees, turf, banner poles, garden planting	COUNCIL		Bougainvillea and further tree planting towards Hamilton road to be completed by end November.												
1111448	Kevin Scott Oval Reservoir Flushing System Scope: Installation of flushing system to re-use water tanks (Tender 09/01)	CONTRACTOR		Construction of freshwater flushing tank has commenced on site. Works proceeding as scheduled.												
1203440	Floodwater Pump Upgrade Scope: Design and installation of new electrical cabinet at West End Flood Pumps	CONTRACTOR		Project on hold until beginning December due to unexpected staff shortages.												
1201411	Richardson street Parking Scope: Design and installation of street parking on Richardson street (kerbing, linemarking, tree planting)	COUNCIL/ CONTRACTORS		Construction detailed designs being finalised. Quotes being sourced and contractors finalising schedule for construction.												
1111435	Stairway to the Moon Scope: Viewing platform construction near Taylor street, dune rehab, interpretive signage, car park	CONTRACTOR		Application has been submitted for RLCIP funding as per Council resolution from October OCM. Tender will proceed once funding is confirmed.												
1201461	Town Entry Statement Scope: Landscaping component at GNH information bay sculpture	COUNCIL/ CONTRACTOR		Installation of sculpture (separate project) means that landscaping project can now commence. Kerbing has been replaced, gazebo has been repainted and signage removed. Footpath and landscaping works to be completed by opening on 27th November.												
1201435	Limpet crescent (Blackspot) Scope: RSA, design and cost estimate for construction	DESIGN ONLY 09/10		Design development pending road safety audit conducted on 16th November with Council staff, Main Roads WA and consultant Porter Engineering.												
1201486	Wedgfield Upgrades	DESIGN ONLY 09/10		MRWA undertaking road safety audit												

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Cyclone Watch/Season



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
	Scope: Pinga street/Cajarina intersection upgrades, turning lane and reconstruction			on new highway works including Pinga/Cajarina intersection in November in conjunction with Council staff. Design works pending outcomes of audit. Upgrade works to consider new land release.												
1201457	Yandeyarra road Scope: Resheeting and formation improvements	COUNCIL		Staff with consult with Yandeyarra Community prior to finalising works scope. Scheduled to commence after cyclone season.												
1201473	Drainage Construction Scope: Survey, design and cost estimates for 5 year plan of PH LIA drainage improvements	DESIGN ONLY 09/10		Project on hold until beginning December due to unexpected staff shortages.												
1201452	North Circular road West Scope: Forming and sealing of shoulders - 1m wide each side	COUNCIL/ CONTRATOR		As per budget review - project identified and funded through unallocated R2R funding. Scheduled for April/May when sealing contractors are available for 2nd visit												
1201453	Hamilton road Scope: Forming and sealing of shoulders - 1m wide each side (Nth Circular to GNH)	COUNCIL/ CONTRATOR		As per budget review - project identified and funded through unallocated R2R funding. Scheduled for April/May when sealing contractors are available for 2nd visit												
1201new3	Murdoch drive Scope: Forming and sealing of shoulders - 1m wide each side	COUNCIL/ CONTRATOR		As per budget review - project identified and funded through unallocated R2R funding. Scheduled for April/May when sealing contractors are available for 2nd visit												
1201new1	North Circular road East Scope: Form and sealing of shoulders. 2 projects - roundabout to Buttsweld, Buttsweld to Landfill	COUNCIL/ CONTRATOR		As per budget review - project identified and funded through unallocated Regional Road Group funding. Scheduled for April/May when sealing contractors are available for 2nd visit. LG contribution required which was reallocated from Reseals budget.												
1201new2	Athol street RRG Scope: Asphalt reseal - Thompson to Keesing	CONTRACTOR		As per budget review. Regional Road Group funding. Requires LG contribution which was reallocated from Reseals budget. Scheduled for November when reseal contractors are here.												

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

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Cyclone Watch/Season



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1201473	Drainage Construction Scope: Spot improvements	COUNCIL		Drainage construction (spot improvement) completed on Harper road. Throssell road improvements (adjacent to Wangka Maya) being reassessed to ensure functionality. Court place drainage improvements scheduled for end October.												
1201401	Manhilinha drive Reconstruction Scope: Repair potholes and apply Sam seal	CONTRACTOR		Works scheduled in November when contractors are available.												
1201478	Reseals Scope: To be reviewed	CONTRACTOR		First stage of reseals scheduled for early November when contractors are available												
1208443	Light Vehicle Replacement Scope: PH9639, PH9681, PH10018, PH9083, PH9689, PH9782, PH9383, PH9582, PH9912 plus new staff (director, compliance, youth co-ord)	PURCHASE		All vehicles ordered. Delivery dates from November to February. Corolla for Youth Co-ordinator has arrived.												
1201480	Kerbing Construction Scope: To be reviewed	CONTRACTOR		Program under review to include consideration of reseat and footpath program.												
1105410	Finucane Island Boat Ramp Scope: Completion of ramp reconstruction	COMPLETE		Boat ramp construction works is complete. As constructed survey is complete and has been submitted to DPI for comment prior to acquittal of funding.												
1105421	Disabled Beach Access Scope: installation of disabled access to Finucane Island boat ramp shelters/beach	CONTRACTOR		Complete pending receipt of invoices and funding acquittal.												
1201438	West End Greening Stage 2 Scope: Shrub, tree planting and retic - Frewer to Short street	COUNCIL		Green waste at the Landfill will be mulched in November therefore allowing mulch supplies to complete this project. Reviewing options to use Work for the Dole labour. Will also sample recycled rubber mulch in a small area to trial its longevity and effectiveness.												
1105426	Turtle Interpretive Loop Scope: Pavillion & nodes from	CONTRACTOR		Tender advertised 28th October, with closing date 18th November for												

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

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A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
	Cemetery beach/GAC/All Seasons loop, interpretive signage			December OCM approval. Anticipate construction commencing early March after the peak turtle nesting season.												
1111439 & 1111402 (R4R)	Marquee Park Development Scope: Development of an iconic park on Cottier drive, South Hedland. Water play, playgrounds, kiosk, cctv, caretaker, landscaping, etc	CONTRACTOR		Detailed design ongoing, expect completion Jan 2010. Tender process Feb to March with works commencing on site April 2010. Anticipate practical completion for construction December 2010.												
1201483	Nth Circular Rd East Culverts Scope: Widen culverts to A.S., install new headwall	CONTRACTOR		Quotes being sourced from contractors for construction of headwalls which will complete project.												
1111446 & 1111403 (R4R)	Playground Equipment Scope: To be confirmed	CONTRACTOR		Reviewing scope of works in consultation with sporting associations prior to presenting to Council for approval.												
1201423 & 1201424 (R4R)	Shade Structures Scope: permanent shade structures at SH skate park and other locations	CONTRACTOR		Reviewing scope for presentation to Council for approval. Consideration must be given to lighting requirements at skate park.												
1201437	Hedditch - Forrest Circle Rd Scope: Design and construction of road link from Hedditch to Forrest circle	COUNCIL/ CONTRACTOR		Final design drawings have been received and are being reviewed. Surveyors are processing road dedication information prior to Council resolution to dedicate road (Dec OCM). Tender will be called in the new year for construction.												
1201413 & 1201414 (R4R)	Murdoch drive Nodes Scope: Construction of 2 'nodes' along pathway similar to Sutherland street	COUNCIL/ CONTRACTOR		Commenced review of location and scope of nodes to tie in with Parks development and 'Green Belt'.												
1201420 (R4R)	Recycling Project Scope: Crushing concrete for re-use in footpaths	CAPITAL PURCHASE		Project temporarily on hold due to resources however now progressing with scope review.												
1201447	Buttweld road Scope: Survey and design of road reconstruction	DESIGN ONLY 0910		Design development pending road safety audit conducted on 16th November with Council staff, Main Roads WA and consultant Porter Engineering.												
1201489	Hillside-Woodstock road Scope: Resheeting and formation	COUNCIL		Scheduled after cyclone season.												

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

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Cyclone Watch/Season



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
	improvements															
1201419	Parks Upgrades Scope: Upgrade of existing parks (fencing, planting, seats, retic, etc) as per audit. Includes drainage swale	COUNCIL/ CONTRACTOR		Shay Gap - Works started, tree pruning and removal of dead wood. Ordered new bollards, awaiting arrival then will install. Footpath to ablution block completed. New signs ordered. Basketball hoop and backboard ordered. Streetscapes - Trees ordered, species are Pink Tabebuia, Yellow Tabebuia and Frangipani. Looking into turf renovations for all parks. ie; aeration, vertimowing and topdressing, soil level raising, obtaining quotes and information												
1202401	Depot Flammable Storage Cpb Scope: For workshop	Complete		Complete												
1111401	Replace Effluent Line Scope: SH Oval main reticulation line to be replaced with polypipe	CONTRACTOR		Works to commence end of September utilising approval Panel contractor. Project will include as constructed plans for distribution on 'Dig Before You Dig' searches												
1102415	Civic Centre Verge Landscaping Scope: Retaining & native planting of steep embankment	COUNCIL		Sourcing plant species and availability of plants; 200x <i>Crotalaria cunninghamii</i> (green brid flower) 200x <i>Senna notabilis</i> (cockroach bush) 250x <i>Swainsona formosa</i> (sturt desert pea) 200x <i>Senna artemisioides</i> subsp <i>helmsii</i> 150x <i>Grevillea wickhamii</i> (wickhams grevillea)												
1210410	Terminal Extensions	COUNCIL/DESIGN		initial Concept designs for extending terminal 50m East and up a level being prepared												
1210403	Depot Development	COUNCIL/DESIGN		Concept designs for relocating Wedgefield depot to airport. Airport staff and depot will also need to be relocated to the Air services workshop and office facility.												

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

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Cyclone Watch/Season



A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1210402	Parking/ Hire car development	COUNCIL		Carpark has been boxed out and basecourse is being carted construction to be completed by the end of October ready for a 2 coat seal and fencing.												
1210453	Northern Apron Extension	COUNCIL		Apron extension is completed ready for final trim and 2 coat seal, the new fencing and relocation of the gate have been completed.												
1213420	Café Modifications	CONTRACTOR		Concept design completed. Quotes being sourced to resite café walls. Funding to be carried forward from prior year. These works now form part of the Cafe tender document. Café tender to close 25th November 2009												
1210407	Common user Check-in Facilities	CONTRACTOR		Orders issued to Glidepath for manufacture and installation. Manufacture and delivery date approx 31st December. 23 December to January 8 designated as non-working days due Christmas break												
1210405	Flight Information Display screens	CONTRACTOR		Quotes received from the only two system suppliers - Evaluation in progress - Installation to be instituted after the cafe walls have been resited and new conveyor systems installed.												
1210406	International Carousel	CONTRACTOR		Orders issued to Glidepath for manufacture and installation in tandem with the common user check-in facilities. Manufacture and delivery date approx 31st December. 23 December to January 8 designated as non-working days due Christmas break.												
1210271	Solar Lights-Landside	COUNCIL/CONTRACTOR		External pole fitted battery boxes manufactured and installed. Luminaires being manufactured to fit into existed light head covers with Australian designed lens to amplify LUX output with no additional heat generation. All goods should be delivered by the end of December.												
1210401	Taxiway and runway 18/36 Lighting.	CONTRACTOR		CASA denied approval for solar lighting - However, RADS application												

	Concept
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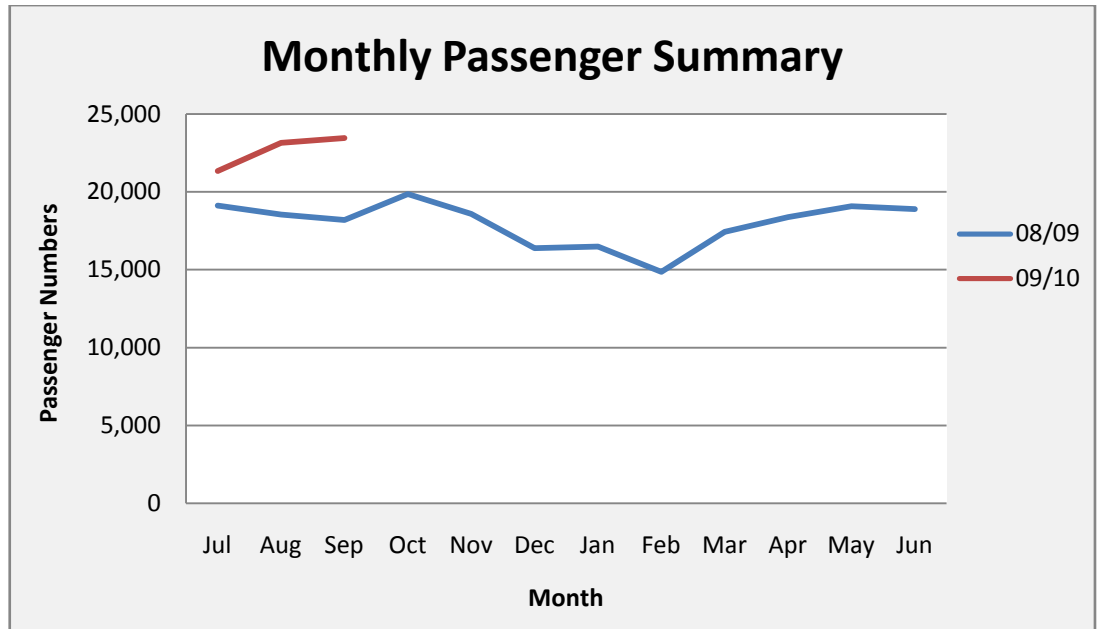


A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
				allowed for this contingency for reticulated lighting on rwy 18/36 and an upgrade of lighting on Taxiways B1, B2, C, D,E. Dept. of Infrastructure (RADS) notified of progress												
1210440	Automated Weather information Broadcast	COUNCIL/CONTRACTOR		AWIB received and radio type required for constant broadcast in transit. May have to install wireless modems in BOM and ARO office due to conflict between Telstra and BOM. Waiting on further consultation between the parties involved												
1210440	PA & CCTV	CONTRACTOR/DESIGN		Existing PA system repaired but is only temporary due to age. Quotes being sourced for new system - Terminal CCTV may well link in with FIDS application - This possibility being investigated with a view to reduced costs.												
1210473	Electrical Upgrades	CONTRACTOR		Stage 2 ring road connection. Tender to be arranged												
901424	Airport Housing	COUNCIL/DESIGN		Location identified and subdivision plan received. Tender documentation being prepared by Building department												

ATTACHMENT 2 TO AGENDA ITEM 11.2.1.1

Port Hedland International Airport

Monthly Passenger Numbers



Please note that above graph excludes Qantas passenger numbers for October 2009, as these were unavailable at the time the graph was compiled.

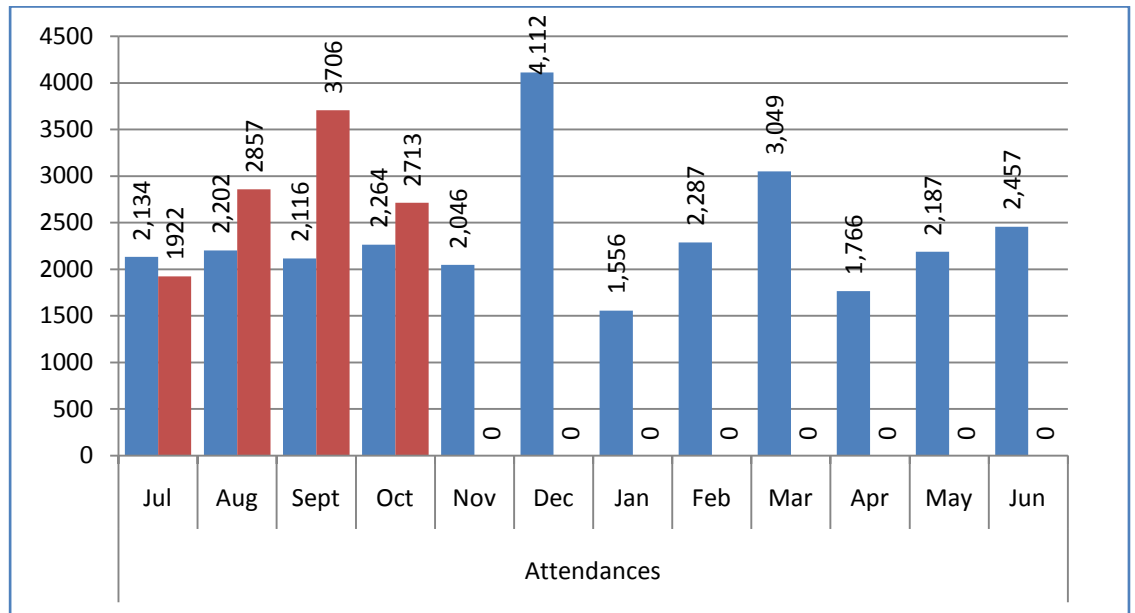
ATTACHMENT 3 TO AGENDA ITEM 11.2.1.1

Recreation Services – Other Business Units

Recreation Services

. JD Hardie Centre

Attendances



. Aquatic Centres

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

South Hedland Aquatic Centre

Financials

Month	Actual \$	Budget \$	Variance \$
Income	\$18,333	\$36,858	\$18,525
Expenditure	\$61,598	\$78,457	-\$16,859
Net	-\$43,265	-\$41,599	\$1,666

Year to Date	Actual \$	Budget \$	Variance \$
Income	\$24,833	\$37,767	\$12,934
Expenditure	\$201,129	\$207,951	-\$6,821
Net	-\$176,296	-\$170,184	\$6,112

Attendances

Month	Swim	Aqua/Ed	School	Aqua	Program	Misc	Total
July	Centre Closed						0
August	Centre Closed						0
Sept	103 (open 1 day in Sept)						103
Oct	6,342	245	10	0	334	541	7,472
Total	6,445	245	10	0	334	541	7,575

Gratwick Aquatic Centre

Financials

Month	Actual \$	Budget \$	Variance \$
Income	\$34,203	\$39,826	\$5,623
Expenditure	\$67,767	\$72,626	-\$4,859
Net	-\$33,564	-\$32,800	\$763

Year to Date	Actual \$	Budget \$	Variance \$
Income	\$64,013	\$71,865	\$7,852
Expenditure	\$221,633	\$227,348	-\$5,715
Net	-\$157,620	-\$155,483	\$2,137

Attendances

Month	Swim	Health Club	Aqua/ Ed	School	Aqua	Program	Misc	Total
Jan	3,920	485	0	397	85	361	492	5,740
Feb	2,466	517	468	104	68	93	1,089	4,805
Mar	2,739	595	398	1,066	73	926	1,186	6,983
Apr	2,782	751	148	27	49	87	673	4,517
May	332	452	0	0	11	6	74	875
Jun	126	488	0	0	0	0	35	649
Jul	139	505	0	0	0	0	49	693
Aug	353	393	0	0	0	0	216	962
Sep	1,346	788	0	0	0	186	684	3,004
Oct	4,525	691	309	29	77	617	1,441	7,689
Total	18,728	5,665	1,323	1,623	363	2,276	5,939	35,917

11.2.2 Port Hedland International Airport**11.2.2.1 *Port Hedland International Airport Glidepath Project GL 564, Common User Check In Facility, New Security Door (Qantas Check-In) and Glide View Screen on Site***

Officer	Bob Couzens Airport Manager
Date of Report	13 November 2009
Disclosure of Interest by Officer	Nil

Summary

This item is to gain Council approval for additions/variations:

- Installation of new Security Door on the airside of Qantas Check-in,
- GlideView Screen supplied on site including all VPN connections and site installation.

Background

At its Ordinary Meeting held on 22 July 2009, Council approved the following:

- Stage 2 of the installation of common user facilities and Glidepath to be contracted to complete the installation of the common user conveyor system and the international baggage carousel.
- The manufacture, supply and installation of a conveyor system to link the new common user check-in counters with the existing CBS conveyor system and installation of the international baggage carousel to be ordered and installed at the same in order to achieve savings on freight and installation costs.

At that meeting, Council resolved as follows:

“That Council:

- i) approve that the budget for the installation of the common user check in facilities be increased by \$51,000 (as per the recommendation put forward at the Airport Working Group meeting held on the 16th June 2009), with the additional funds to be allocated from the Airport Reserves account;*
- ii) approve additional funding of \$65,000, to be allocated from the Airport Reserves account, in order to complete the installation of a fully integrated visual flight information display system (including 6 LCD display screens) in the Port Hedland International Airport terminal;*

- iii) *approve additional funding of \$278,000, to be allocated from the Airport Reserves account, in order to complete stage two of the common user check-in facilities project (being the manufacture, supply and installation of a conveyor system to link the new common user check in counters with the existing CBS conveyor system);*
- iv) *approve for the proposed international baggage carousel (\$120,000 already assigned) to be ordered at the same time as the conveyor system for stage two of the project (as mentioned above), in order to achieve savings on freight and installation costs; and*
- v) *approve for Glidepath to be contracted to complete the installation of the common user conveyor system, and the international baggage carousel, without going to Tender. This is due to the unique nature of the equipment and also Glidepath's previous involvement with the upgrade works to the terminal and the installation of the existing checked bag screening conveyor system."*

Consultation

Glidepath O & M Pty Ltd

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

KRA 1 – Infrastructure, Goal 3 – Airport

Strategy 1: Undertake necessary capital upgrades to the airport.

Budget Implications

There is no budget allocation and funds would need to be made available from the Airport reserve.

Officer's Comment

New Security Door (Qantas Check-in)

This is a necessity as the current door has been malfunctioning for some time now and causing stoppages in the conveyor train. This door was installed when the airport installed the original check-in conveyor some years back and has been repaired almost to extinction. New Security Door (Qantas Check-in) \$A8,893.00 price (excluding GST)

GlideView Screen

This maintenance diagnostic and control software will provide a graphical view into the physical state of the baggage systems. This will increase security and minimise downtime and delays due to lack of access to the software. This software allows remote access which enables immediate maintenance and fault repair.

As the airport expands and operational requirements change GlideView Screen is able to be upgraded to facilitate these changes.

It is important that action is taken on these items quickly to facilitate supply and installation to coincide with delivery and installation of previously approved Stage 2 (approximately 31 December 2009). This expediency will ensure a large saving in freight and installation costs. GlideView Screen supplied on site including all VPN connections and site installation \$A41,574.00 price (excluding GST)

Attachments

Letter dated 27 October 2009 from Rob Harvey, General Manager Australia/Asia, Glidepath.

200910/151 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr M Dziombak

That Council:

- i) Approve the supply and installation of the new Security Door (Qantas Check-in) as specified and quoted by Glidepath;
- ii) Approve the supply and installation of GlideView Screen maintenance diagnostic and control software as per specifications and quote by Glidepath.
- iii) Allocate \$50,467.00 from the Airport reserve to GL1210407 common user check – in facilities

CARRIED 8/0

11.2.2.2 Common User Check-in Facility Charges - Port Hedland International Airport (File No.: .../...)

Officer Laura Jackson
Airport Landside Development
Officer

Date of Report 14 October 2009

Disclosure of Interest by Officer Nil

Summary

For council to consider imposing a per passenger fee on the airlines utilising the common user check-in facilities in order to recoup the costs of infrastructure.

Background

The check-in facilities were originally provided to SkyWest under a lease arrangement. These facilities were modified to provide a common user arrangement in preparation for a second RPT jet.

The current parties utilising the common user check in facilities are SkyWest and Virgin Blue.

At its Ordinary Meeting held on 22 July 2009, Council approved (in part) as follows:

“That Council:

- i) approve that the budget for the installation of the common user check in facilities be increased by \$51,000 (as per the recommendation put forward at the Airport Working Group meeting held on the 16th June 2009), with the additional funds to be allocated from the Airport Reserves account;*
- ii) approve additional funding of \$65,000, to be allocated from the Airport Reserves account, in order to complete the installation of a fully integrated visual flight information display system (including 6 LCD display screens) in the Port Hedland International Airport terminal;*
- iii) approve additional funding of \$278,000, to be allocated from the Airport Reserves account, in order to complete stage two of the common user check-in facilities project (being the manufacture, supply and installation of a conveyor system to link the new common user check in counters with the existing CBS conveyor system); ...”*

In order to recoup the costs of the infrastructure required for the common user facility, the valuer has recommended a per passenger charge be implemented instead of imposing a ground lease on the facilities due to the airlines differing usage requirements.

Consultation

Rob Harvey- Glidepath
Bob Couzens- Airport Manager
Rachel Waddington- Darwin Airport
Jeff Cadd- Locum Valuations

Statutory Implications

“Subdivision 2 —Fees and charges

6.16. Imposition of fees and charges

(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

(2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled managed or maintained by the local government;*
- (b) supplying a service or carrying out work at the request of a person;*
- (c) subject to section 5.94, providing information from local government records;*
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence permit, authorisation or certificate;*
- (e) supplying goods;*
- (f) such other service as may be prescribed.*

(3) Fees and charges are to be imposed when adopting the annual budget but may be—

- (a) imposed* during a financial year; and*
- (b) amended* from time to time during a financial year.*

** Absolute majority required.*

6.17. Setting the level of fees and charges

(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

- (a) the cost to the local government of providing the service or goods;*
- (b) the importance of the service or goods to the community; and*
- (c) the price at which the service or goods could be provided by an alternative provider.*

- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
 - (a) *under section 5.96;*
 - (b) *under section 6.16(2)(d); or*
 - (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may—*
 - (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 - (b) *limit the amount of a fee or charge in prescribed circumstances.*

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of—

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

Policy Implications

Nil

Strategic Planning Implications

KRA1- Infrastructure, Goal 3- Airport

Strategy 1: Developing and implementing an Airport Master Plan

Strategy 2: Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising, freight and any other means.

Budget Implications

Currently Skywest and Virgin Blue utilise the common user facilities.

Virgin Blue currently runs 7 flights a week with approximately 80 pax per flight. (560 pax per week) This is soon to increase to 12 flights per week, but an estimation on the load factor of passengers cannot be determined.

SkyWest currently run 2 flights a week with approximately 70 pax per flight. (140 pax per week)

The cost of the counters, wiring, conveyors and injectors was \$350,000. The implied interest and maintenance over an expected 10 year life is \$70,000. Therefore, the total cost to be recovered over a 10 year period is \$420,000.

Based on the current estimated passenger numbers, to recoup the costs, a passenger fee of \$1.15 per passenger ex GST is required.

12103New- Common user check-in recovery

	Revenue
Per Month(ex GST)	3,500
Per Annum(ex GST)	42,000

Officer's Comment

The current users of the common user check in facilities have differing usage requirements. Therefore, the fairest way to recoup the costs of the infrastructure is by imposing a per passenger fee rather than a set lease fee.

Attachments

Nil

Officer's Recommendation

That Council:

- i) Approve the following fee be imposed on all airlines utilizing the common user facilities
- ii) A per passenger fee of \$1.15ex GST be imposed on all departing passengers utilizing the common user facilities.
- iii) That the fee be advertised as per s6.19 for two (2) weeks prior to the implementation

200910/152 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Agenda Item 11.2.2.2 'Common User Check-in Facility Charges - Port Hedland International Airport' lay on the table pending further discussions; and be presented to Council's Ordinary Meeting to be held on Wednesday 9 December 2009,

CARRIED 8/0

11.2.1.4 Lease of Office Space by Virgin Blue at the Port Hedland International Airport (File No.: ...)

Officer Laura Jackson
Airport Landside Development
Officer

Date of Report 4 November 2009

Disclosure of Interest by Officer Nil

Summary

For council to consider a new lease with Virgin Blue for Office Space at the Port Hedland International Airport.

Background

Virgin Blue currently utilise an area of 5.5m x 3.5m as additional office space. This office was created after removing the previous memorabilia room.

There is currently no lease arrangement for this area.

Virgin Blue has exclusive use of this office space which houses their IT rack and various office furniture and equipment.

Consultation

Airport Manager
Director Corporate Services

Statutory Implications

“3.58. Disposing of property

(1) In this section -

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

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

(2) Except as stated in this section, a local government can only dispose of property to -

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property-

(a) it gives local public notice of the proposed disposition -

(i) describing the property concerned;

(ii) giving details of the proposed disposition; and

- (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;...*

Policy Implications

Nil

Strategic Planning Implications

KRA1- Infrastructure, Goal 3- Airport

Strategy 1: Developing and implementing an Airport Master Plan

Strategy 2: Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising, freight and any other means.

Budget Implications

1210326- Leases and rentals- increase revenue

200910/153 Council Decision/Officer's Recommendation

Moved: Cr S R Martin**Seconded:** Cr G J Daccache

That Council:

- i) Authorise the Chief Executive Officer or his delegate to enter into negotiations with Virgin Blue into a lease agreement in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions:
- ii) The lease term being for the earlier of the commencement of the terminal extensions or a two year period.
- iii) The lease rental being set at the current market value, increased annually by CPI.
- iv) Subject to any submissions being received by Council.

CARRIED 8/0

11.2.3 Recreation Services**11.2.3.1 *Waiver of Fees Request : The Big Issue's Street Soccer Program at JD Hardie Centre (File No.: 26/05/0005)***

Officer	Sarah Cunningham Recreation Centre Supervisor
Date of Report	12 th November 2009
Disclosure of Interest by Officer	Nil

Summary

Council has received a request from The Big Issue to waive fees associated with their proposed use of the JD Hardie Centre to facilitate their Street Soccer Program on a weekly basis.

Background

The Big Issue Australia is an independent organisation that develops and operates social enterprises and creative, sustainable solutions to homelessness. One Component of this is The Community Street Soccer Program (Street Soccer). Nicole Palmer, Regional Street Soccer Manager has written to Council seeking their support after conducting a community forum at the Civic Centre on Tuesday 20th October 2009. Following this forum it was deemed that the most appropriate venue for the Program was the internal stadium hall at the JD Hardie Centre.

Council has adopted a checklist to allow staff to determine if use of a council facility is free to the users, thus negating the need to present every case to council for a decision to be made. However as this request does not meet the set criteria, council endorsement is therefore required.

The Big Issue provides a paid coach for the program for two (2) hours a week and has identified the current JD Hardie Centre Supervisor (Dave Bolan) as a potential coach.

Dave has indicated that he is happy to take this role in either an additional voluntary employment capacity, or as part of his role at the JD Hardie Centre.

Consultation

Manager Recreation Services
Sports and Recreation Officer
Big Issue Street Soccer Program Manager
Forum Attendees

Statutory Implications

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 Nil

Strategic Planning Implications Nil

Budget Implications

Should the Town of Port Hedland approve this request, Council will forgo revenue of \$620 for the trial period of Term 1 2010 calculated on the current fees and charges.

Alternatively if staff time was to be provided as in-kind support, with stadium hall hire fees still being charged, nil loss of income will occur for the trial period of Term 1 2010.

Officer's Comment

The Town of Port Hedland has set criteria for use of council facilities at a nil charge however this case does not fit the criteria. Thus being the reason it is being presented to council.

The Recreation team has reservations about the potential viability and success of this program due to the target audience and the requested timeslot of this program, however feels that a trial is recommended to determine if this is the case.

It is therefore recommended that Council provide in-kind support through providing Dave Bolan's staff time of two (2) hours a week to conduct the program at the JD Hardie Centre, however request hire fees for the Stadium Hall. The Big Issue has indicated this is potentially a suitable arrangement.

Council therefore has three (3) options:

1. Deny the request for waiver of fees for The Big Issue totaling \$620 for the trial term of the Street Soccer Program;
2. Approve the request for waiver of fees for The Big Issue totaling \$620 for the trial term of the Street Soccer Program; or,
3. Deny the request for waiver of fees for The Big Issue, instead providing in-kind support of Dave Bolan's staff time of two (2) hours a week for the trial period of 10 weeks (term 1 2010).

Attachment

Letter from The Big Issue, dated 28th October 2009.

Officer's Recommendation

That council advises The Big Issue that:

- i) the request for wavier of fees is denied, however the Town of Port Hedland will provide in-kind support by allowing the Town's JD Hardie Centre's Co-ordinator to Coach the Program for the Term 1 trial period; and
- ii) at the conclusion of the trial period, the CEO or his delegated representative determine whether this in-kind support is to continue.

200910/154 Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council advises The Big Issue that their request for the waiver of fees totaling \$620, being for use of the JD Hardie Centre to facilitate their Street Soccer Program on a weekly basis for a trial term, be granted.

CARRIED 8/0

REASON: Council resolved to waive the fees (totaling \$620) associated with the use of the JD Hardie Centre for the trial term period of The Big Issue's Street Soccer Program.

ATTACHMENT 1 TO AGENDA ITEM 11.2.3.1

Wednesday, October 28, 2009

Ms. Bec Pianta
Recreation Services Manager
Port Hedland Town Council
PO Box 41
PORT HEDLAND WA 6721



Head Office
148 Lonsdale Street
GPO BOX 4911 VY
Melbourne VIC 3001
Phone (03) 9663 4533
Fax (03) 9663 4252
bigissue@bigissue.org.au
www.bigissue.org.au

Dear Bec

The Big Issue Australia is an independent organisation that develops and operates social enterprises and creative, sustainable solutions to homelessness; providing opportunities for homeless and marginalised people to positively change their lives. The Community Street Soccer Program, known as *Street Soccer*, is an initiative of The Big Issue Australia. The program uses the power of sport to promote social inclusion and personal change for homeless, marginalised and disadvantaged people. It changes lives and creates healthier communities across Australia.

The program is on target to engage 3,000 participants in 30 sites across a range of communities in Australia by the end of 2010, including specialist programs for women, indigenous communities, refugees and in correctional facilities.

From humble beginnings at the trial site in Fitzroy's Atherton Gardens in 2004, community sites now run week-in week-out nationally in Melbourne, Brisbane, Adelaide, Sydney, Canberra, Ballarat, Geelong, Shepparton, Broadmeadows, Morwell, Dandenong, Bendigo, Port Adelaide, Townsville, Perth, Wollongong, Mildura, Port Augusta, Granville, Darwin and the Gold Coast.

Sites planned for 2009 and 2010 include Port Hedland, Alice Springs, Hobart, Bunbury, Ceduna, Newcastle, Launceston, Cooktown and Kimberley.

Street Soccer involves males and females 16 years and above of all abilities, getting together once a week for soccer training and matches. Equipment and a dedicated soccer coach are provided at each location and the sessions are free for participants. Support staff also work closely with players, linking them to services that address their individual issues and needs. Permanent pitches will also be built at each location once the programs have become established.

Street Soccer engages people who in many cases have given up on counselling and traditional support systems and services.

11.2.3.2 South Hedland Football Club Outstanding Debt (File No.: 26/02/0015)

Officer Nicole Roukens
Sport and Recreation Officer

Date of Report 16th November 2009

Disclosure of Interest by Officer Nil

Summary

The South Hedland Football Club currently has a number of outstanding invoices with the Town of Port Hedland, in total of \$4,422... The Swans Football Club have requested permission to extend the 90 day payment period and pay off the outstanding debt over the coming 8 months.

Background

The Swans Football Club have a number of outstanding invoices with the Town of Port Hedland for the 2009 football season for overhead light use and exclusive use of the Kevin Scott Oval Clubrooms. The Club currently owes a total of \$4,422.00 and have indicated that they will be unable to pay off the total debt until midway through the 2010 season.

The Swans Football Club has stated a number of reasons for their current financial situation including:

- In 2008 and 2009 the Swans Football Club signed a Memorandum of Understanding for the exclusive use of the Kevin Scott Oval Clubrooms. The Club hired this room out on several occasions in 2008. Due to a change in committee members this facility was not hired out for external use in 2009 and therefore did not obtain any revenue.
- A number of players did not pay player fees in 2009.

The Swans Football Club have been making repayments to the Town of Port Hedland to reduce the debt and have indicated that they will look to make an additional payment of approximately \$2,000 in the coming weeks. As the 2009 football season is now finished the Swans Football Club have indicated that they will be unable to source any further income until the 2010 football season commences.

According to the Town of Port Hedland's Debt Collecting Procedures, it is required that legal proceedings commence for all debts exceeding 90 days. Only a Council resolution can prevent this. It is important to note that in 2006 the Town of Port Hedland placed the Swans Football Club on a payment plan to pay off an accumulated debt of over \$12,000.

Consultation

Director Engineering
Director Corporate Services
Manager Recreation Services
Sports and Recreation Officer
Accounts Officer – Debtors
President – Swans Football Club
Treasurer – Swans Football Club

Statutory Implications Nil

Policy Implications

Any hirer having a debt to Council related to the use and occupancy of a Council Recreation Reserve that is outstanding for a period of more than 90 days shall be declined the use of any facility, including seasonal bookings, unless and until an acceptable debt repayment arrangement has been agreed to (as per Council policy), and is adhered to.

Strategic Planning Implications Nil

Budget Implications

Should Council approve this request it is likely that all outstanding debts will be received prior to the end of the 2009/2010 financial year.

Officer's Comment

A number of the Swans Football Club committee members changed at the start of the 2009 season. Many of the new committee members were not fully aware of the Memorandum of Understanding and therefore did not gain additional income by hiring it out to external users.

The Swans Football have been making regular repayments and have indicated that they would like to attempt to pay off the current debt prior to the end of this financial year.

The Town of Port Hedland's Sport and Recreation Officer and Accounts Officers (Creditors) have worked with the Swans Football Club to reduce this debt, however now require a decision as to whether legal action should commence.

A new Club and Project Development Officer has recently been appointed at the Town of Port Hedland to strengthen local club's capacity and help avoid situations like this occurring in the future. Therefore the options for Council regarding this debt are to:

1. Work with the Swans Football Club to arrange a payment plan to pay off the outstanding debt prior to the 31st June 2010.

2. Refuse to allow the South Hedland Football Club to continue utilising Council facilities until the debt has been paid.
3. Commence legal proceedings and forward the Swans Football Club debt onto the debt collection agency.

Officer's Recommendation

That Council:

- i) Work with the Swans Football Club to develop a payment plan to pay off the outstanding debt prior to the 31st June 2010.
- ii) Allow the Swans Football Club seasonal user access to Kevin Scott Oval until the 31st June 2010.
- iii) If the outstanding debts are not paid prior to the 31st June 2010 the Swans be denied seasonal usage of Kevin Scott Oval.
- iv) Deny the Swans Football Club exclusive use through the previously established Memorandum of Understanding for the 2010 football season.

200910/155 Council Decision

Moved: Cr S J Coates

Seconded: Cr S R Martin

That Council:

- i) Work with the Swans Football Club to develop a payment plan to pay off the outstanding debt prior to the 31st June 2010.
- ii) Allow the Swans Football Club seasonal user access to Kevin Scott Oval until the 31st June 2010.
- iii) If the outstanding debts are not paid prior to the 31st June 2010 the Swans Football Club's right of access for seasonal usage of Kevin Scott Oval be reviewed by Council
- iv) Deny the Swans Football Club exclusive use through the previously established Memorandum of Understanding for the 2010 football season.

CARRIED 8/0

REASON: Council amended Clause iii) of the Officer's Recommendation to ensure if the outstanding debts are not paid by the Swans Football Club prior to the 31st June 2010, the Swans Football Club's right of access for seasonal usage of Kevin Scott Oval will be reviewed by Council

7:05 pm Councillor G J Daccache declared an impartiality in Agenda Item 11.2.3.3 'Reconsideration of Tender 09/21: Supply and Installation of Turf at Colin Matheson Oval' as he is a member of the Rovers Football Club who operate from Colin Matheson Oval. Councillor Daccache advised that as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Daccache declared that he will consider this matter on its merits and vote accordingly. Councillor Daccache did not leave the room.

11.2.3.3 Reconsideration of Tender 09/21: Supply and Installation of Turf at Colin Matheson Oval (File No.: Tender 09/21)

Officer Bec Pianta
Manager Recreation Services

Date of Report 5th November 2009

Disclosure of Interest by Officer Nil

Summary

This report requests a consideration to rescind decision 200910/092 from the Ordinary Council Meeting on 23rd September 2009 regarding tenders received for Tender 09/21: Supply and Installation of Turf at Colin Matheson Oval.

Background

With regards to the complete oval redevelopment at Colin Matheson Oval, it was resolved at the Ordinary Council Meeting on the 24th September 2008, that Council:

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

In line with this resolution, tenders were called for the Design and Construction of the Colin Matheson Oval in November 2008, and upon presentation to Council at the Ordinary Council Meeting on the 10th December 2008, all submissions were rejected due to non-conformance.

It was therefore resolved [in part] that Town of Port Hedland staff separate the design and construction component of this project, and “...commence the tender process for the design of the irrigation and oval geometry at the Colin Matheson Oval...”

At the Council Meeting on the 27th May 2009 Council awarded the tender for the design of Colin Matheson Oval to GHD.

Tenders were called for the Supply and Installation of Turf at Colin Matheson Oval in September 2009, and four (4) bids were received, 3 conforming. Tenders were received from:

- Lovegrove Turf Services
- Turfmaster
- DME Contractors
- Phoenix Landscaping Services

Phoenix Landscaping Services was considered non-conforming due to all required content not being submitted.

At the Ordinary Council Meeting on 23rd September 2009 it was resolved (in part) that Council:

“...i) Reject all tender submitted for Tender 09/21: Supply and Installation of Turf for Colin Matheson Oval;

iii) Source quotes for the installation of turf at Colin Matheson Oval using stolons from the Port Hedland Golf Course...”

The use of stolons is effectively ‘runners’ from other turf areas, which in this instance, were to be obtained from the Port Hedland Golf Club. At the time of creating the Agenda Item for the October Ordinary Council Meeting, the Town of Port Hedland was advised that the Port Hedland Golf Club had authorised use of their turf for these purposes. Since then, the Port Hedland Golf Club has advised no contract to renovate and remove the stolons has been confirmed. As they have now become aware of the total impact that the procedure to remove viable stolons from the golf course would have on their fairway surface, they have suggested they would not likely support such a dramatic renovation at this stage. It seems that mis-information in regards to the potential golf course project was received prior to last Council meeting and recent information provided has confirmed the best outcome will be achieved by the installation of roll on turf.

For this change to resolution to occur, the original item is to be rescinded by absolute majority and the resolution of the new recommendation (or other) by absolute majority.

Consultation

Council’s Engineering staff have reviewed all tender bids prior to the recommendation being presented to Council.

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

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

Strategic Planning Implications

Key Result Area 3: Community Development

Goal 2: Sports and Leisure

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

- ...upgrading all existing facilities to an appropriate standard
- The development of additional quality facilities at Colin Matheson Oval...

Budget Implications

Income		Expenditure	
Reserve Developments	\$895,113	Engineering design	\$66,205
Irrigation Tank Upgrades	\$194,500	Site forward works	\$8,000
Sportsground Repairs	\$47,000	Mc Gregor St Reserve upgrade	\$47,000
Reserve Upgrade	\$125,413	Earthworks including the removal of 7000m3 of unsuitable soil and replacing with screened soil from the spoilbank to design levels for the installation of irrigation and grass	\$350,000
		Tender for the supply and installation including 240kl freshwater tank, pump station, filter installation and linked maxicom central control system as included in engineering design.	\$376,189
		Replace globes at Colin Matheson	\$30,000
		Installation of Turf	\$302,200
		Baler primary school re use tank flushing system	\$82,432
Total	\$1,262,026	Total	\$1,262,026

Officer's Comment

Tender information was forwarded to 14 organisations, with four (4) tenders submitted. Of these two tenders, three (3) have been considered conforming. There was no site meeting held for this tender. Tenders were received from:

- Lovegrove Turf Services
- Turfmaster
- DME Contractors
- Phoenix Landscaping Services

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

Item	Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
1	Price		70	70
2	Experience	2	5	10
3	Resources (supervisory, turf, plant and equipment)	2	5	10
4	Local Industry Development	2	5	10
	Max Loaded Score			100

1. Price (70)

Contractor	Price	Score
Turfmaster	\$302,200	70
DME Contractors	\$391,000	54
Lovegrove Turf Surfaces	\$876,800	24

The lowest price Tender (T_{lp}) was awarded a score of 70 for the Price criterion. The second-lowest price Tender (T_{slp}) was therefore awarded a score determined in the following manner:

$$T_{slp} \text{ Score} = 50 - \frac{[($T_{slp} - $T_{lp}) \times 50]}{$T_{lp}}$$

and so forth for the remaining Tenders.

2. Experience (5)

Contractor	Experience	Loaded Score
Turfmaster	5	10
DME Contractors	5	10
Lovegrove Turf Services	5	10

Assessment was based on the following information included:

Knowledge (3)

1. Use of expert staff
2. Familiarity
3. Research

Expertise (2)

1. Years of experience
2. Staff skill set
3. Similar tasks

3. *Resources (supervisory, turf, plant and equipment) (5)*

Contractor	Resources	Loaded Score
Turfmaster	5	10
DME Contractors	5	10
Lovegrove Turf Services	5	10

Assessment was based on the following information included:

- Contractor's Representatives / Personnel / Supervisors
- Key Plant and Equipment
- Subcontractors and Major Suppliers

4. *Local Industry Development (5)*

Contractor	Local Development	Loaded Score
Turfmaster	3	6
DME Contractors	3	6
Lovegrove Turf Services	3	6

The following matrix indicates the assessment of each tenderer based on the maximum loaded score in accordance with the evaluation criteria:

Contractor	Price	Experience	Resources	Local Dev	TOTAL
Turfmaster	70	10	10	6	96
DME Contractors	54	10	10	6	80
Lovegrove Turf Services	24	10	10	6	50

The tender specifications and scope of work within the tender documentation is specific and detailed in its requirements. Turfmaster has scored the highest rating according to the maximum loaded score, and is therefore the recommended contractor for this portion of the project. They have indicated that although the tender was originally rejected, they still have the capacity and the desire to undertake this work, and can do so in an appropriate timeframe.

Steven Few, Director of Turfmaster Facility Management has confirmed that:

“All components of our submission for tender 09/21 have been re- examined and I can confirm that the pricing schedule would remain unchanged... In terms of timeframe for installation, I can confirm that we would be in a position to commence work on site during the first week in January... This would still give plenty of time for the new turf to knit and establish in line with your proposed usage program. (It also gives a bit of lead time, should there be any problems with the new irrigation system and controller).”

Availability of the required amount of Santa Ana Couch is also being confirmed, however the tenderer has suggested an alternative should 20,000 m² no longer be available. Both the Manager Engineering Services and objective professionals have indicated that the slight variation in the turf product would have limited impact on the overall project and maintenance.

NOTE: to revoke the decision made in accordance with the Local Government (Administration) Regulations 1996:

“10. Revoking or changing decisions made at Council or Committee meetings – s5.25(e)

1. *If a decision has been made at a council or committee meeting then any motion to revoke or change the decision must be supported –*
 - (a) *Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover; or*
 - (b) *in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover*
2. *If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made –*
 - (a) *In the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority;*
 - (b) *In any other case, by an absolute majority.*
3. *This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

Voting Requirements

1. *To consider – 1/3 of members (3).*
2. *To revoke – absolute majority.*

NOTE: Mayor to call for a show of hands in favour to consider the revoking of Council Decision 200910/092 of Agenda Item 12.1.1'Tender 09/21: Supply and Installation of Turf at Colin Matheson Oval' of the Ordinary Meeting of Council held on 23 September 2009 and recorded on page 166 of those Minutes.

Officer's Recommendation

That Council:

- i) rescinds Council Decision 200910/092 of Agenda Item 12.1.1'Tender 09/21: Supply and Installation of Turf at Colin Matheson Oval' of the Ordinary Meeting of Council held on 23 September 2009 and recorded on page 166 of those Minutes, that states:

"That Council:

- i) reject all tenders submitted for Tender 09/21: Supply and Installation of Turf for Colin Matheson Oval;
 - ii) source quotes for the installation of turf at Colin Matheson Oval using stolons from the Port Hedland Golf Course;
 - iii) call tenders for the supply and installation of irrigation for Colin Matheson Oval to include freshwater flushing system; and
 - iv) use the balance of income to upgrade McGregor Street Oval and commence work on the Baler Primary School tank flushing system.";
- ii) awards Tender 09/21: Supply and Delivery of Turf at Colin Matheson Oval to Turfmaster for the sum of \$302,200, plus GST; and
 - iii) advises all tenders of the outcome.

200910/156 Council Decision

NOTE: Mayor called for a show of hands in favour to consider the revoking of Council Decision 200910/092 of Agenda Item 12.1.1 'Tender 09/21: Supply and Installation of Turf at Colin Matheson Oval' of the Ordinary Meeting of Council held on 23 September 2009 and recorded on page 166 of those Minutes. The following Councillors indicated their indent to do so:

*Councillor Michael (Bill) Dziombak,
Councillor David W Hooper, and
Councillor Steve J Coates.*

Moved: Cr S R Martin

Seconded: Cr A A Coates

That Council rescinds Council Decision 200910/092 of Agenda Item 12.1.1 'Tender 09/21: Supply and Installation of Turf at Colin Matheson Oval' of the Ordinary Meeting of Council held on 23 September 2009 and recorded on page 166 of those Minutes, that states:

"That Council:

- i) reject all tenders submitted for Tender 09/21: Supply and Installation of Turf for Colin Matheson Oval;**
- ii) source quotes for the installation of turf at Colin Matheson Oval using stolons from the Port Hedland Golf Course;**
- iii) call tenders for the supply and installation of irrigation for Colin Matheson Oval to include freshwater flushing system; and**
- iv) use the balance of income to upgrade McGregor Street Oval and commence work on the Baler Primary School tank flushing system.";**

CARRIED BY ABSOLUTE MAJORITY 8/0

REASON: Council resolved the revocation of Agenda Item 12.1.1 'Tender 09/21: Supply and Installation of Turf at Colin Matheson Oval' of the Ordinary Meeting of Council held on 23 September 2009, separately to awarding the Tender.

200910/157 Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) awards Tender 09/21: Supply and Delivery of Turf at Colin Matheson Oval to Turfmaster for the sum of \$302,200, plus GST;
- ii) advises all tenders of the outcome; and
- iii) the shortfall balance to be allocated from GL Account Number 1201419 'Parks Upgrades – R4R'.

CARRIED 8/0

REASON: Council resolved the awarding the Tender separately from the revocation of Council's previous decision relating to this matter (September 2009); and allocated for the shortfall balance to be expended from General Ledger Account Number 1201419 'Parks Upgrades – R4R'.

11.2.4 Infrastructure Development**11.2.4.1 Proposed Coastal Access Adjacent to Mundabullangana (Munda) Station (File No.: 28/01/0009)**

Officer Jenella Voitkevich
Manager Infrastructure
Development

Date of Report 16th November 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to advise Council of the progress on investigations into the provision of public access to coastal areas adjacent to Mundabullangana (Munda) Station and Boodarie Station.

Background

In November 2008 Council became aware of issues regarding public access to coastal areas surrounding Port Hedland, in particular, areas that require access through Munda and Boodarie Stations. The major issue is the provision of public access to the coast while ensuring the safety and security of the cattle station operations. Council has also identified conflicting information regarding the status of unsealed roads in this area and whether or not they are gazetted as public roads.

Since November 2008 Council staff have been liaising with station managers, Department of Regional Development and Lands State Land Services and Port Hedland Police regarding possible options to resolve these issues. Several reports have been presented to Council, with details of the resolutions below:

Ordinary Council Meeting – November 2008

At its Ordinary Council Meeting held in November 2008, Council resolved as follows:

“That Council:

- i) permits Munda Station Access Road (#238) to function as a public road with semi-restricted access;*
- ii) enters into further discussions with the Leaseholder and Manager of Munda Station that aims to ensure that suitable public access is maintained, and invites the Leaseholder and/or Manager to an Informal Briefing of Council; and*

- iii) *continues to provide a minimum level of maintenance to Munda Station Access Road (#238)”*

Special Council Meeting – February 2009

At its Special Council Meeting held in February 2009, Council resolved as follows:

“That Council formally advise the Managers of Munda Station that:

- i) *Cowrie Creek Road (public road number 295); Munda Creek Road (public road number 369) and Munda Station Access Road (public road number 238) are public roads and, as such, are not legally allowed to be closed without appropriate consents being obtained;*
- ii) *while the Council is aware of issues associated with having public access on public roads through the station property, Council’s preference is the for public access to the roads to be available;*
- iii) *Council is willing to work with the station managers to determine appropriate mechanisms to allow managed access to the station roads; this may include options such as requiring people to contact the station manager prior to accessing the road;*
- iv) *they must contact Council’s Engineering staff to commence discussions regarding options for managed access to the road within two (2) weeks; failure to make contact will result in the Town opening the road for full public access;*
- v) *a public notice be placed in the North West Telegraph advising:*
 - 1. *Council does not support public access being prohibited; and*
 - 2. *is actively pursuing discussions with Munda Station owners and/or management to enable public access where legally permitted.”*

Ordinary Council Meeting – July 2009

At the Ordinary Council Meeting held in July 2009 a confidential item was presented to Council regarding public access to Munda Station Access road. This item was presented as a result of investigations into the status of road number 238, which was identified as a public road on Council’s inventory however not identified on the station lease agreements. At that meeting, Council resolved as follows:

“That:

- i) *The status of Munda Station Access road (road number 238) is updated to ‘private’ on Council’s road inventory;*
- ii) *A notice is placed in the North West Telegraph notifying the public of the change of road status and that access*

can be requested by contacting the Leasee or the station manager.”

Since the change in status of Munda Station Access road it has become apparent that the status of Whim Creek road, which passes through both Munda and Boodarie Stations may also be incorrect. Research has found that Whim Creek road is a mixture of gazetted roads, closed roads, and informal tracks. A team has met to discuss these issues, with the progress updated within this report.

Consultation

Council staff – Manager Infrastructure Development, Manager Environmental Health
Department of Regional Development and Lands State Land Services (Murray Raven)
Munda Station manager (Michael Thompson)
Boodarie Station caretaker (Arthur Hodder)
Boodarie Station lease holder – BHP Billiton Iron Ore (via Patrick Melberg and Andre Veder)
Port Hedland Police (Kim Massam)
Councillor Stan Martin (current Mayor at time of meeting)
Member for the Pilbara (Hon. Tom Stephens)

Statutory Implications

Nil to date, however further development of the provision of coastal access may require clearances and approvals of a statutory nature such as clearing of native vegetation, dedication of a public road, indigenous heritage clearances, etc.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Nil to date, however further development of the provision of coastal access will have budget implications, which will be presented to Council for consideration.

Officer's Comment

Stakeholders met on the 7th September to discuss the issues regarding public coastal access, status of roads currently providing access to the coast and how to ensure that station operations are not impacted by public access through the leased area. The group decided on the following actions:

- State Land Services to provide a map clearly outlining Munda and Boodarie Station lease boundaries, gazetted and ungazetted roads (where known)

- A team would investigate the best route to the coast and identify the main recreational areas (Boodarie Landing, Cowrie Creek, etc). This investigation would include a survey comparison of the route travelled and the gazetted roads
- This information would then be presented to Council, station lease holders/managers and the community for feedback
- Pending feedback, further investigations would commence including construction and maintenance costs of new roads, management plans for roads and dedicated recreation areas, resource implications, responsibilities, Indigenous heritage issues, clearing permits, etc
- Investigations will then be made into the service provision at the recreation areas, i.e. if toilets, bins and boat ramps will be provided, if caretakers are required and if a camping fee structure will be proposed
- If all of the above is approved then the new roads can be dedicated (or appropriate agreements put in place)

On the 29th October a team consisting of representatives from Council staff, State Land Services, BHP Billiton, Boodarie Station and surveyors investigated the coastal access routes and popular recreation areas. Approval was granted from both Munda and Boodarie Stations to access the leased area. Several recreation areas were investigated, with each one being assessed on accessibility, available space for provision of services or camping areas, access to boat launching facilities, restrictions due to tidal conditions and proximity to station areas. The areas most suitable for formal recreation purposes were Polkaymya Creek and an area known as 'the Bus Stop' near Boodarie Landing however these will be further assessed pending road survey results and community consultation.

The access routes have been surveyed and are now in the process of being compared with the data available on the gazetted roads. This will enable us to determine the best possible route to the coast while minimizing statutory processes and construction costs. Once this is complete we will commence investigations into broad construction costs and carry out community consultation.

Attachments

Land tenure and road status map

200910/158 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr J M Gillingham

That Council notes the progress of investigations into public coastal access.

CARRIED 8/0

DP 220377



CP 20377

SCALE - 1:500 000.
PLANS PYRAMID &
ROBOURNE 1:250 000
TOWN SHIRE OF PORT HEDLAND
Corr. 2865/64

INDIAN
OCEAN

Hallina



Dept of Land Administration
U000 45193

THIS DOCUMENT IS SUITABLE
FOR SUPPORTING A
CROWN LAND TITLE
[Signature]
AUTHORISED LAND OFFICER

MISCELLANEOUS
PLAN No. 20377

DEPARTMENT OF LAND ADMINISTRATION	
PROVISIONAL PASTORAL	
LEASE PLAN NO. 391	
PASTORAL LEASE NO. <u>3114/517</u>	
STATION <u>MUNDABULLANGANA</u>	
SUBJECT TO SURVEY	

11.3 GOVERNANCE AND ADMINISTRATION**11.3.1 Corporate Services****11.3.1.1 *Financial Reports to Council for Period Ended 30 September 2009 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Lee Crombie
Senior Finance Officer

Date of Report 14 September 2009

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town to 30 September 2009, 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 2008/09.

Background**1. *Financial Statements***

Presented (see attachments) in this report for the financial period ended 30 September 2009, are the:

- Statements of Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 30 September 2009;
- 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 2009/10 monthly water, power and fuel costs compared with 2008/09.

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 25 November 2009 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			
CHQ19107	CHQ19157	341,077.55	1	9	1	Municipal Fund	
EFT26854	EFT27099	2,967,210.02	10	52	1	Municipal Fund	
CMS070709	CMS070709	192.39	52	52	1	Municipal Fund	Photocopier Lease – Engineering Department
PAY080909	PAY080909	268,417.71	52	52	1	Municipal Fund	
PAY220909	PAY220909	260,989.99	52	52	1	Municipal Fund	
BOQ280909	BOQ280909	891.10	52	52	1	Municipal Fund	Finance Equipment
	Municipal Total	3,838,778.76					
3001708	3001717	8,040.00	52	53	3	Trust Fund	
	Trust Total	8,040.00					
	Sub-Total	3,846,818.76					
	LESS: one-off pays	-					
	Total	3,846,818.76					

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) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money,*
which is owed to the local government.
- (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 9 July 2008, Council resolved to adopt item ... Budget Adoption, which included Recommendation 12 as follows:

“Recommendation 12

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

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

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

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

Officer's Comment

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

Period Variation

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

Primary Reason

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

Budget Impact

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

Attachments

- Page 1–3 of 12. Schedule 2 being a Statement of Financial Activity
- Pages 4 to 12. Notes 3 to 12 which form part of the Statements of Financial Activity. Also Note 10 – September 2009 Bank Reconciliations.
- Pages 1 to 49. Detailed Financial Activity by Program.
- September 2009 Accounts for Payment
- Comparison Between 2008/09:2009/10 Utility & Fuel Costs

200910/159 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr M Dziombak

That:

- i) the:
 - a) **Statements of Financial Activity (represented by Schedules 2 to 14);**
 - b) **Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 30 September 2009; and**
 - c) **Review of Transaction Activity, as attached and/or presented be received;**
- ii) graphic representation of the Town's energy, water and fuel use as attached be received; and
- iii) the list of Accounts paid during September 2009 under Delegated Authority, as presented and/or attached be received.

CARRIED 8/0

7:09 pm Councillor G J Daccache declared a financial interest in Agenda Item 11.3.1.2 'Lease with BHP Billiton to Increase the Colin Matheson Oval' as he is employed by BHP Billiton and owns greater than \$10,000 BHP Billiton shares.

Councillor Daccache left the room.

7:09 pm Councillor S J Coates declared a financial interest in Agenda Item 11.3.1.2 'Lease with BHP Billiton to Increase the Colin Matheson Oval' as he is employed by BHP Billiton and owns greater than \$10,000 BHP Billiton shares.

Councillor Coates did not leave the room.

11.3.1.2 Lease with BHP Billiton to Increase the Colin Matheson Oval (File No.: ...)

Officer Matthew Scott
Director Corporate Services

Date of Report 9 October 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider BHP Billiton's response regarding Council's offer to purchase a Portion of Lot 3263 Dempster Street to increase the size of Colin Matheson Oval.

Background

The actual Colin Matheson Oval occupies reserve 34344 and a portion of Lot 3263 Dempster Street, being part of the old St Cecelia School Site, now owned by BHP Billiton. Over the last 12 Months Council as been negotiating with BHP Billiton to formalise tenure this portion of land outside of Reserve 34344.

At the Ordinary Meeting of Council, held on 25 March 2009, Council resolved as follows:

"That Council:

- i) offers to purchase the land, a portion of Lot 3263 Dempster Street Port Hedland, for one (1) dollar for community use; and*
- ii) advise it is prepared to offer the first right of refusal to BHP Billiton Iron Ore, should Council wish to sell the land adjacent to the oval in the future."*

On the 26 October 2009 Council received an email response from BHP Billiton stating that BHP Billiton was not prepared to either gift or sell the land to the Town of Port Hedland, but prepared to offer a 5 year lease, with a further 5 year option, for \$1 per annum.

Council now needs consider BHP Billiton's counter offer to progress this matter.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Both Council's offer to purchase the land for \$1.00 nor BHP Billiton Counter offer to Lease for \$1.00 will have no impact on the Council's overall budget position.

Officer's Comment

It is understood that Council's current position (Ordinary Council Meeting held 25 March 2009) is based on past understandings with BHP Billiton with regards to the this Portion of land being held indefinitely for community use. Though this may be the interpretation of past discussion and correspondence with BHP Billiton representatives, Council needs to understand that BHP Billiton own the land free hold and there is no restrictive covenants on the current title, enforcing this position. BHP Billiton's plan indicates the land as public space for the old St Cecelia development, to the extent that access is restricted. Though this land is unlikely to used, BHP Billiton, like any other land owner, has the right to determine how and when it's assets will be used.

The counter offer by BHP is a compromise to Council position, and will ensure the use of land for community for at least 10 years (5+5), for very marginal cost, compared to the probable real value of the lease.

There are several developments associated with Colin Matheson Oval affected by further deferring a decision or trying to further negotiate on this matter. Council is currently realigning the Oval to fit on Reserve 34344, so the need to actually own the land is now superfluous. A 10 year lease will provide the opportunity for this to occur without impacting significantly on users of the Oval.

Should Council no accept this reasonable counter offer, there is a risk that BHP Billiton could:

1. Withdraw from any further negotiations, and continue to uncertainty of tenure of the land; and/or
2. Restrict access/use of land, and interrupt community use of the oval.

Attachments

Map Indicating proposed lease area.

200910/160 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

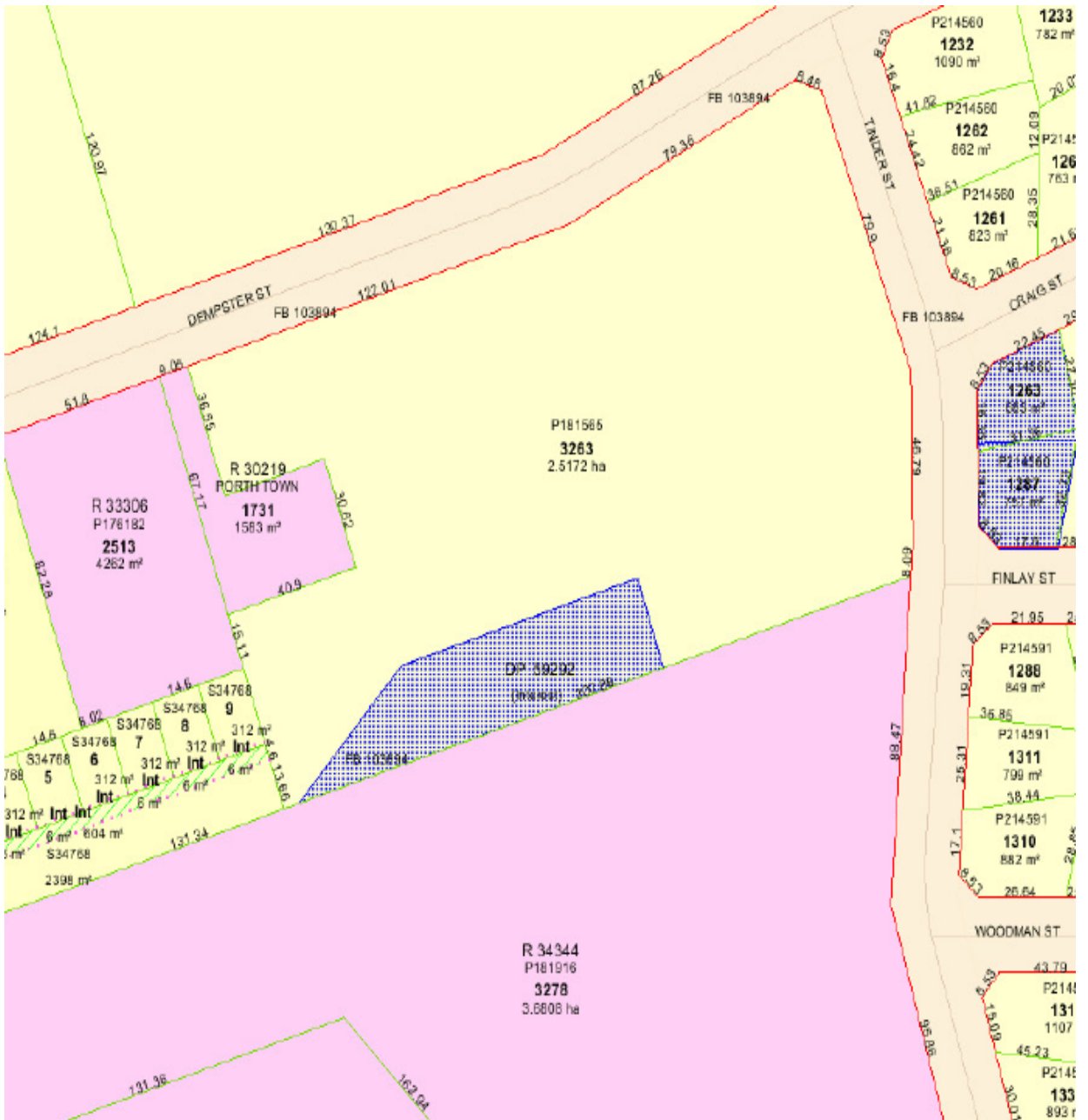
- i) Accept the offer from BHP Billiton to lease a portion of Lot 3263 Dempster Street for a five (5) + five (5) year lease for \$1 per annum; and
- ii) Authorise the Chief Executive Officer (or his delegate) to execute the necessary lease documents with BHP Billiton.

CARRIED 7/0

7:10 pm Councillor G J Daccache re-entered the room and assumed his chair.

Mayor advised Councillor Daccache of Council's decision.

ATTACHMENT 1 TO AGENDA ITEM 11.3.1.2



7:10 pm Councillor G J Daccache declared an impartiality in Agenda Item 11.3.1.3 'Community Rating Policy' as he is a member of the Cooke Point Recreation Club Inc. Councillor Daccache advised that as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Daccache declared that he will consider this matter on its merits and vote accordingly. Councillor Daccache did not leave the room.

11.3.1.3 Community Rating Policy (File No.: ...)

Officer Matthew Scott
Director Corporate Services

Date of Report 9 October 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider re-initiating the development of a Community Rating Policy.

Background

Since November 2008, Council has discussed the need for a "Community Rating Policy" to provide both the Community and Administration direction on how Council would provide rating exemptions for Community Groups. This was the result of several community groups requesting rates exemption for the 08/09 Financial Year.

In February 2009, Council endorsed community consultation on a proposed policy developed by the Administration. Based on the community feedback received, a number of Community Workshops were arranged in March to further explain Council's intent and develop possible amendments to the proposed policy.

The outcome of these Community Workshops were presented to the May Briefing Session of Council, noting the following comments:

- General need for a policy, however did not like the proposed criteria;
- Current policy would increased rates from community groups, not providing concessions;
- Various interpretations of the criteria's, depending on community group;
- 100% concession should be provided for groups that provide recreational, cultural and social activities;
- Why the need for 100% & 50% concession categories?
- Significant debate financial information required;
- Criteria is too prescriptive and should be more general, ie like SOR, which provides a 100% concession for "sporting groups";

After some discussion, Council chose to put the proposed policy "on hold" and determine rates exemptions based on individual merit.

Since this time Council has either considered or been requested to consider the following rates exemptions, related to Community Groups:

Organisation	Address	\$	Council Decision
South Hedland Owners & Trainers	Lot 5164, Shoata Road, South Hedland	23,674.80	Approved – June'09
Wangka Maya Language Centre	Lot 309, Hamilton Road, South Hedland	5,456.96	Approved – June'09
Wirraka Maya Health Service	1-5 Hamilton Road, South Hedland	10,787.01	Approved – June'09
Wirraka Maya Health Service	3 Daylesford Close, South Hedland	1,897.48	Approved – June'09
Wirraka Maya Health Service	9 Morgans Street, South Hedland	1,535.04	Approved – June'09
Cooke Point Recreation Club	13-27 Keesing Street, Port Hedland	8,790.68	Under Consideration
Pilbara Meta Maya Regional	1 Chunking Crescent, South Hedland	1,641.64	Under Consideration
Pilbara Meta Maya Regional	1 Limpet Crescent, South Hedland	1,599.00	Under Consideration
Pilbara Meta Maya Regional	52 Somerset Crescent, South Hedland	1,556.36	Under Consideration
Pilbara Meta Maya Regional	41 Brodie Crescent, South Hedland	1,471.08	Under Consideration
Pilbara Meta Maya Regional	7 Arabella Street, South Hedland	1,662.96	Under Consideration
Pilbara Meta Maya Regional	3 Yanana Street, Wedgefield	2,771.60	Under Consideration
Pilbara Meta Maya Regional	95 Bottlebrush Crescent, South Hedland	653.00	Under Consideration
Bloodwood Tree Assoc.	36 Roberts Street, South Hedland	1,300.52	Under Consideration
Wirraka Maya Health Service	25 Sutherland Street, Port Hedland	1,620.32	Under Consideration
	Total	66,418.45	

Consultation

Statutory Implications

Local Government Act 1995

2.7. *The role of the council*

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

6.26. **Rateable land**

- (1) *Except as provided in this section all land within a district is rateable land.*
- (2) *The following land is not rateable land -*
 - (a) *land which is the property of the Crown and -*
 - (i) *is being used or held for a public purpose; or*
 - (ii) *is unoccupied, except -*
 - (I) *where any person is, under paragraph (e) of the definition of }owner~ in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the Mining Act 1978 in respect of land the area of which does not exceed 10 hectares or a miscellaneous licence held under that Act; or*
 - (II) *where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of }owner~ in section 1.4 occupies or makes use of the land;*
 - (b) *land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government;*
 - (c) *land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government;*
 - (d) *land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood;*
 - (e) *land used exclusively by a religious body as a school for the religious instruction of children;*
 - (f) *land used exclusively as a non-government school within the meaning of the School Education Act 1999;*

- (g) *land used exclusively for charitable purposes;*
 - (h) *land vested in trustees for agricultural or horticultural show purposes;*
 - (i) *land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the Financial Administration and Audit Act 1985) by that company and used solely for the storage of grain where that company has agreed in writing to make a contribution to the local government;*
 - (j) *land which is exempt from rates under any other written law; and*
 - (k) *land which is declared by the Minister to be exempt from rates.*
- (3) *If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that company or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.*
- (4) *The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.*
- (5) *Notice of any declaration made under subsection (4) is to be published in the Gazette.*
- (6) *Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

In the 09/10 Annual Budget, Council approved \$103,150 (page 33, Budget Document in Rates Concessions). In the November Agenda, Council has additional \$23,067 worth of rates exemptions for Community Groups under consideration.

Council should note that rates are Council's primary means of raising income to cover operational costs. Currently all other (non exempt) ratepayers need to contribute an additional 1% (on average), in their rates, to offset these exemptions.

Officer's Comment

Council currently has no policy regarding rates exemption, and therefore considers each request on an ad hoc basis. This has led to inconsistent decisions, such as the case of Wirraka Maya Health Service, where Council set a precedent in exempting both the primary location (Hamilton Road) and residences rented to staff.

As Council will note in this agenda, there are some 10 properties up for consideration for exemption based solely on “Community Group” status.

As there is no policy, there are no instructions available for staff to assist community groups in providing sufficient information required by Council to support their requests. This therefore increases the risk that creditable applicants could inadvertently miss out.

In considering the suggestions from the community workshops in March, it is believed a relatively simple policy can be developed which would:

1. Determine charitable status; and
2. Restrict exemptions to primary service delivery locations (not residential houses); and
3. Restrict concessions to organisations that have provided commercial activities or services.

Though no law currently provides a adequate or objective definition of “Charity”, most recognised charities do have “Charitable Status” from the Australian Taxation Office (ATO). Should an organisation have this status, then it is believed that they should receive an exemption (as per Section 6.26(2)(g)). In using the ATO “Charitable Status” as a guide, this will also reduce the amount of necessary financial information Council would need to consider, as this has already been verified by the ATO.

Though Council has provided a concession for the staff housing with Wirraka Maya Health Service, it is believed this is not a practice Council should continue. Based on Council’s decision, all other community groups currently receiving a concession could objectively argue that their concession should also “flow on” to their staff accommodation, which could result in thousands of dollars of additional concessions. Council should note that under Section 6.26, the only “housing” type exemption given is to “*a place of residence of a minister of religion, a convent, nunnery or monastery.*” Specifically restricting concession to residential accommodation will prevent this issue being raised in the future.

During the Community Workshops, a lot of discussion was made regarding the definition of “Commercial Operations”. Many groups argued that general club activities (sale of equipment, ticket sales, etc.) could be determined to be “commercial” and therefore lose their exempt status. This was never Council’s intent, as many of these activities (equestrian equipment sales by SHOATA, entry fees for the Race club) are specific or central to the particular clubs activities, with no alternative in town.

It is believed that Council's intent regarding "commercial activities" was not to provide concessions to clubs that may compete directly with the activities of the private sector. The easiest example of this would be clubs that provide a bar or restaurant facility that potentially competes with private establishments in the district.

In considering this new policy, Council should acknowledge that concession currently provided cannot easily be revoked or discontinued. This policy should act as guide for future concessions. All Concession still needs to be approved by Council. This will provide Council with the discretion it currently has, as well as adding a policy that will allow staff to advise Community, on what situations they are likely to receive a concession.

Attachments

Nil

Officer's Recommendation

That Council adopts the following Community Rating Policy:

"COMMUNITY GROUP RATING POLICY

1. It is the policy of the Town of Port Hedland that any concession of rates in respect of any rateable land in the Council area will be available only when the applicant satisfies the requirements under the *Local Government Act 1995* and, where appropriate, the requirements of this Policy.
2. Rates concessions will only be provided to community groups or associations that operate as a body corporate or an Incorporated Association and not to an individual person.
3. The Town of Port Hedland will provide a 100% concession with respect to any organisation that has acquired "Charitable Status" or equivalent from the Australian Taxation Office.
4. Rates concessions for residential properties not used in the primary service delivery of the community group or association's activities or service will not be eligible for a concession.
5. Community groups or association, that in the opinion of Council, provide activities that have a significant commercial focus (i.e. bars and/or restaurants) will not be eligible for rates concessions.."

200910/161 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council lay Agenda Item 11.3.1.3 'Community Rating Policy' on table pending further discussion by Council.

CARRIED 8/0

REASON: Council sought to discuss the proposed Community Rating Policy further prior to finalising the policy.

11.3.1.4 Outstanding Rates (File No: RAT-017)

Officer	Brie Holland Senior Rates Officer
Date of Report	10 November 2009
Disclosure of Interest by Officer	Nil

Summary

To advise Council of overdue rates and charges to be referred to Dun & Bradstreet (Town of Port Hedland's debt collector). Referring overdue rates to Dun & Bradstreet will have the effect of expediting their recovery.

Background

The Town's rates notices were issued on 7 August 2009 and as per the 2009/10 Annual Budget ratepayers were presented with options and incentives to pay their rates in full on the due date (11 September 2009), to go onto a four instalment payment plan, or to apply to pay via an alternative arrangement. At the time of writing unpaid rates accounts (see attached list) were due to be referred to Dun & Bradstreet for collection. Please note that the attached list does not include ratepayers with outstanding balances \$50.00 or below (equating to \$2708.51).

Of the sum outstanding: \$852,475.98; \$102,768.82 related to payers having outstanding rates from previous years, and \$91,381.45 related to payers having deferred Underground Power, therefore the total outstanding for 2009/2010 is \$658,325.71. This outstanding balance has decreased by 32.64% compared to the similar time last year (total outstanding \$977,349.60). The dramatic decrease in outstanding rates could be contributed to the success of the Rates Incentive Program.

Given that rates and charges and the costs associated with collecting rates are secured on the property, should rates remain outstanding for at least 3 years, Council may sell or lease the property. However, prior to taking this action a Council must demonstrate that it has taken all possible measures to collect the overdue rates. While it is preferred that Council would not have to take these measures to recover rates, occasion may present itself where there is no other recourse.

Consultation

With regard to the 2009/2010 rates and charges levied by the Town, all ratepayers have had adequate time and notice to either pay or make arrangement to pay them.

The ratepayers to be referred to the Town's debt collector have already received the following:

- Original Rate Notice 7 August 2009
- Final Rate Notice 25 September 2009

Statutory Implications

Local Government Act 1995

“6.56. Rates or service charges recoverable in court

- (1) If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction.*
- (2) Rates or service charges due by the same person to the local government may be included in one writ, summons, or other process.”*

Policy Implications

Rating Policy 2/004 (in part) states:

“Collection

A copy of the rate assessment marked “Final Notice” shall be issued a further than 45 (forty five) days after issue of the original assessment, allowing 14 (fourteen) days for payment of the account.

Outstanding rate accounts for which satisfactory arrangements to pay have not been made within 69 (sixty nine) days after issue of the original assessment, shall then be forwarded to a debt collection agency appointed by the Chief Executive Officer, or relevant appointed Officer. ...”

Strategic Planning Implications

Nil

Budget Implications

Rates uncollected will have the effect of impacting directly on Council's liquid or cash funds, thereby reducing its ability to meet payments for works & services.

Officer's Comment

Through the 2009/2010 Budget adoption process Council declared its commitment to the collection of any and all outstanding rates. In order to satisfy this, Council should make every endeavor to motivate non-payers to pay their share of the total rates levied. Otherwise, Council's capacity to pay for the various services and needs identified in the Budget will diminish with time.

Attachment

Outstanding Rates List

200910/162 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) Receive the list of assessments (subject to payments received and/or arrangements entered into) that will be forwarded to Council's debt collector, as per Council Policy; and;
- ii) Authorise the debt collector (Dun & Bradstreet) to take any appropriate action, including legal action, to effectively collect the Town's overdue rates debt, in accordance with the Local Government Act 1995, and Council Policy.

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.3.1.4

Assess No.	Property Address	Suburb	Total Balance \$
A101940	14 KEESING STREET	PORT HEDLAND 6721	7,188.74
A102300	11 FINLAY STREET	PORT HEDLAND 6721	154.43
A102380	10 FINLAY STREET	PORT HEDLAND 6721	538.19
A107570	11 1 KEESING STREET	PORT HEDLAND 6721	1,273.92
A107780	6/ 7 KEESING STREET	PORT HEDLAND 6721	964.78
A108900	11 MOORE STREET	PORT HEDLAND 6721	967.87
A108910	13 MOORE STREET	PORT HEDLAND 6721	967.87
A109160	48 MOORE STREET	PORT HEDLAND 6721	5,205.09
A109400	6 TREMBATH STREET	PORT HEDLAND 6721	154.43
A109521	UNIT 1/ 4 BAYMAN STREET	PORT HEDLAND 6721	538.19
A114940	69 KINGSMILL STREET	PORT HEDLAND 6721	5,826.10
A114970	61 MOORE STREET	PORT HEDLAND 6721	222.79
A115240	8 BAYMAN STREET	PORT HEDLAND 6721	212.44
A116270	UNIT A & B/ 62 MORGANS STREET	PORT HEDLAND 6721	756.16
A116300	2 GRANT PLACE	PORT HEDLAND 6721	2,081.39
A116340	97 ATHOL STREET	PORT HEDLAND 6721	2,426.18
A116480	1 MOORE STREET	PORT HEDLAND 6721	2,102.14
A116580	57 KINGSMILL STREET	PORT HEDLAND 6721	2,360.58
A116590	111 ANDERSON STREET	PORT HEDLAND 6721	1,898.03
A116761	54 REDBANK ROAD	PORT HEDLAND 6721	1,112.13
A116770	26 ROCHE ROAD	PORT HEDLAND 6721	7,974.39
A117065	UNIT 5 /88 ANDERSON STREET	PORT HEDLAND 6721	6,521.47
A117800	22 HARPER STREET	PORT HEDLAND 6721	2,321.89
A117970	47 MOORE STREET	PORT HEDLAND 6721	1,827.54
A118212	B 56 MORGANS STREET	PORT HEDLAND 6721	130.00
A118222	39 MORGANS STREET	PORT HEDLAND 6721	2,987.23
A118920	68 MORGANS STREET	PORT HEDLAND 6721	1,807.51
A119200	LOT 2 & 3 GREAT NORTHERN HIGHWAY	PORT HEDLAND 6721	29,141.59
A119650	175 ANDERSON STREET	PORT HEDLAND 6721	1,834.76
A119990	42 ANDERSON STREET	PORT HEDLAND 6721	737.91
A120200	48 ANDERSON STREET	PORT HEDLAND 6721	5,420.94
A120960	17 TINDER STREET	PORT HEDLAND 6721	60.16
A121880	37 MCPHERSON STREET	PORT HEDLAND 6721	65.63
A122700	UNIT 10 / 5 KEESING STREET	PORT HEDLAND 6721	177.99
A122820	59 ROBINSON STREET	PORT HEDLAND 6721	2,132.67
A122840	30 REDBANK ROAD	PORT HEDLAND 6721	4,574.65
A122930	75 REDBANK ROAD	PORT HEDLAND 6721	1,454.77
A123041	44 ANDERSON STREET	PORT HEDLAND 6721	1,464.75
A123510	74 GOODE STREET	PORT HEDLAND 6721	62.14
A124000	122 SUTHERLAND STREET	PORT HEDLAND 6721	60.00

A124150	25 MORGANS STREET	PORT HEDLAND 6721	1,649.19
A124420	1 HOWE STREET	PORT HEDLAND 6721	57.00
A126660	LOT 562 STOCKER STREET	PORT HEDLAND 6721	2,524.33
A126900	58 MCPHERSON STREET	PORT HEDLAND 6721	538.74
A127020	16 KINGSMILL STREET	PORT HEDLAND 6721	239.91
A127970	7 WOODMAN STREET	PORT HEDLAND 6721	61.41
A128370	37 KINGSMILL STREET	PORT HEDLAND 6721	60.79
A128390	10 MOSELEY STREET	PORT HEDLAND 6721	154.43
A128540	9 RICHARDSON STREET	PORT HEDLAND 6721	3,021.69
A128570	207 ATHOL STREET	PORT HEDLAND 6721	3,776.31
A128990	202 FORREST LOCATION (PIPPINGARRA STATIO	PORT HEDLAND 6721	4,035.76
A129000	LOC 129 FORREST LOCATION	PORT HEDLAND 6721	696.00
A129001	LOC 148 FORREST LOCATION	PORT HEDLAND 6721	2,430.91
A130148	21 TINDER STREET	PORT HEDLAND 6721	1,009.41
A130621	73A SUTHERLAND STREET	PORT HEDLAND 6721	538.19
A130636	UNIT 4/17 MCGREGOR STREET	PORT HEDLAND 6721	2,006.92
A130638	UNIT 2/17 MCGREGOR STREET	PORT HEDLAND 6721	75.15
A130642	4B RODOREDA STREET	PORT HEDLAND 6721	1,873.44
A155380	12 BUTLER WAY	PORT HEDLAND 6721	1,237.91
A155960	LSE31LOT 1607 MCGREGOR STREET	PORT HEDLAND 6721	896.64
A156600	LOC 80 FORREST LOCATION	PORT HEDLAND 6721	59.56
A156610	LOC 125 FINUCANE ISLAND	PORT HEDLAND 6721	59.56
A156720	LOT 78 THE ESPLANADE	PORT HEDLAND 6721	2,624.16
A300058	31 STYLES ROAD	PORT HEDLAND 6721	2,923.04
A400031	M45/00094 MINING TENEMENT	PORT HEDLAND 6721	59.56
A400032	M45/00095 MINING TENEMENT	PORT HEDLAND 6721	59.56
A400033	M45/00096 MINING TENEMENT	PORT HEDLAND 6721	59.56
A400034	M45/00097 MINING TENEMENT	PORT HEDLAND 6721	59.56
A400036	M45/00099 MINING TENEMENT	PORT HEDLAND 6721	59.56
A400037	M45/00100 MINING TENEMENT	PORT HEDLAND 6721	59.56
A400038	M45/00101 MINING TENEMENT	PORT HEDLAND 6721	59.56
A400080	4 WEBSTER STREET	PORT HEDLAND 6721	538.19
A400200	4 SUTHERLAND STREET	PORT HEDLAND 6721	68.92
A400320	2 TREMBATH STREET	PORT HEDLAND 6721	2,180.98
A400330	83 ATHOL STREET	PORT HEDLAND 6721	5,880.82
A400360	1 WYNDHAM STREET	PORT HEDLAND 6721	4,180.91

A400420	167 ATHOL STREET	PORT HEDLAND 6721	538.19
A401850	LOT 953 COOKE POINT DRIVE	PORT HEDLAND 6721	132.82
A401870	LOT 18 NORTH WEST COASTAL HWY	PORT HEDLAND 6721	27,246.96
A402331	UNIT 1-25/ 151 ATHOL STREET	PORT HEDLAND 6721	130.00
A402861	UNIT 1-14/ 5 KINGSMILL STREET	PORT HEDLAND 6721	87.37
A402930	LOT 452 SUTHERLAND STREET	PORT HEDLAND 6721	303.29
A403050	UNIT 6-14A/ 8 LEEDS STREET	PORT HEDLAND 6721	150.22
A404340	41 GRATWICK STREET	PORT HEDLAND 6721	3,724.88
A405390	2 SUTHERLAND STREET	PORT HEDLAND 6721	2,137.97
A405490	6 RODOREDA STREET	PORT HEDLAND 6721	1,929.38
A406290	99 ATHOL STREET	PORT HEDLAND 6721	342.89
A406320	4 GRANT PLACE	PORT HEDLAND 6721	2,261.65
A406920	16 EDGAR STREET	PORT HEDLAND 6721	1,246.94
A800024	LOC 98 FORREST LOCATION	PORT HEDLAND 6721	1,088.74
A800088	UNIT LOC 6047 FORREST LOCATION	PORT HEDLAND 6721	59.56
A800101	AML45/249SA MINING TENEMENT	PORT HEDLAND 6721	68.19
A800116	LOT 15 MANILINHA DRIVE	PORT HEDLAND 6721	897.52
A800160	9 WILSON STREET	PORT HEDLAND 6721	69.63
A800290	LOT 2444 GREAT NORTHERN HIGHWAY (FMG CAM	PORT HEDLAND 6721	2,743.24
A800350	25 SUTHERLAND STREET	PORT HEDLAND 6721	1,900.32
A800360	11 SUTHERLAND STREET	PORT HEDLAND 6721	3,815.18
A801988	AML45/250SA AML TENEMENT	PORT HEDLAND 6721	2,610.45
A802160	L170 FINUCANE ISLAND	PORT HEDLAND 6721	67.31
A802474	G45/00265 MINING TENEMENTS	PORT HEDLAND 6721	84.50
A802475	P45/02335 MINING TENEMENTS	PORT HEDLAND 6721	718.66
A803021	18 WHARF ROAD	PORT HEDLAND 6721	5,244.52
A803026	23 WHARF ROAD	PORT HEDLAND 6721	78.26
A803042	39 WHARF ROAD	PORT HEDLAND 6721	704.66
A803043	P40 WHARF ROAD	PORT HEDLAND 6721	710.60
A803044	P41 WHARF ROAD	PORT HEDLAND 6721	704.66
A803135	LOT 270 GREAT NORTHERN HIGHWAY	PORT HEDLAND 6721	10,149.76
A803139	LOT 369 FORREST LOCATION (DEGREY)	PORT HEDLAND 6721	2,273.42
A803163	76 ANDERSON STREET	PORT HEDLAND 6721	2,565.83
A803237	LOC 209 FORREST LOCATION (YANDEYARRA STN	PORT HEDLAND 6721	29,746.17
A803240	L255 FORREST LOCATION	PORT HEDLAND 6721	222.96
A803281	AML45/00235SA MINING TENEMENT	PORT HEDLAND 6721	1,086.74
A803282	AML45/00242SA MINING TENEMENT	PORT HEDLAND 6721	4,651.38
A803285	AML45/00269SA MINING	PORT HEDLAND 6721	31,617.01

	TENEMENT		
A803296	102 SUTHERLAND STREET (STRATA L1)	PORT HEDLAND 6721	2,895.82
A803307	M47/00474 MINING TENEMENTS	PORT HEDLAND 6721	72.23
A803308	M47/00475 MINING TENEMENTS	PORT HEDLAND 6721	90.62
A803309	M47/00476 MINING TENEMENTS	PORT HEDLAND 6721	94.59
A803310	M47/00477 MINING TENEMENTS	PORT HEDLAND 6721	153.67
A803311	M47/00480	PORT HEDLAND 6721	251.66
A803338	E47/01386 MINING TENEMENT	PORT HEDLAND 6721	64.48
A803339	E45/ 02330 MINING TENEMENT	PORT HEDLAND 6721	296.00
A803347	M45/00681 MINING TENEMENT	PORT HEDLAND 6721	89.48
A803384	G45/00273 GENERAL PURPOSE LEASE	PORT HEDLAND 6721	63.69
A803391	E45/02603 MINING TENEMENT	PORT HEDLAND 6721	313.42
A803478	FORREST LOC 116	PORT HEDLAND 6721	93.64
A803530	E47/01697 MINING TENEMENT	PORT HEDLAND 6721	111.01
A803532	LOT 91 FORREST LOCATION	PORT HEDLAND 6721	61.64
A803533	LOT 108 FORREST LOCATION	PORT HEDLAND 6721	61.64
A803534	LOT 47 FORREST LOCATION (DEGREY)	PORT HEDLAND 6721	61.64
A803538	P45/02514 MINING TENEMENT	PORT HEDLAND 6721	1,428.65
A803539	P45/02519 MINING TENEMENT	PORT HEDLAND 6721	1,428.65
A803559	E47/01583 MINING TENEMENT	PORT HEDLAND 6721	81.17
A803579	30 COUNIHAN CRESCENT	PORT HEDLAND 6721	1,094.75
A803581	21 PANJYA PARADE	PORT HEDLAND 6721	61.26
A803589	10 PANJYA PARADE	PORT HEDLAND 6721	2,682.33
A803594	1 ROGERS STREET	PORT HEDLAND 6721	1,777.97
A803597	12 YIKARA DRIVE	PORT HEDLAND 6721	3,255.06
A803621	33 PANJYA PARADE	PORT HEDLAND 6721	1,843.62
A803623	8 ROGERS STREET	PORT HEDLAND 6721	2,687.15
A803655	P47/01296 MINING TENEMENT	PORT HEDLAND 6721	64.48
A803656	P47/01297 MINING TENEMENT	PORT HEDLAND 6721	64.48
A803746	BINS 1-7 KEESING STREET	PORT HEDLAND 6721	68.95
A803747	18 DOWDING WAY	PORT HEDLAND 6721	143.01
A803749	12 PANJYA PARADE	PORT HEDLAND 6721	161.10
A803754	6 YIKARA DRIVE	PORT HEDLAND 6721	161.10
A803761	4 DOWDING WAY	PORT HEDLAND 6721	1,994.24
A803764	20 DOWDING WAY	PORT HEDLAND 6721	2,327.60
A803766	13 ROGERS STREET	PORT HEDLAND 6721	150.68

A803769	18 ROGERS STREET	PORT HEDLAND 6721	1,994.24
A803773	7 PANJYA PARADE	PORT HEDLAND 6721	2,479.73
A803779	25 PANJYA PARADE	PORT HEDLAND 6721	150.68
A803781	29 PANJYA PARADE	PORT HEDLAND 6721	1,929.46
A803788	10 COOPER PLACE	PORT HEDLAND 6721	2,327.60
A803789	5 YURNTU LINK	PORT HEDLAND 6721	1,972.10
A803797	4 YIKARA DRIVE	PORT HEDLAND 6721	2,142.80
A803799	69 STYLES ROAD	PORT HEDLAND 6721	150.68
A804060	LOC 301 FORREST LOCATION	PORT HEDLAND 6721	778.54
A804089	P45/02686 MINING TENEMENT	PORT HEDLAND 6721	653.00
A804090	P45/02687 MINING TENEMENT	PORT HEDLAND 6721	653.00
A804102	1/ 79 KINGSMILL STREET	PORT HEDLAND 6721	1,851.84
A804113	LOT 185 FORREST LOCATION	PORT HEDLAND 6721	10,808.20
A804158	LOT 360 ANDERSON STREET	PORT HEDLAND 6721	761.66
A804187	LOT 679 DOWDING WAY	PORT HEDLAND 6721	706.04
A804203	LOT 715 DOWDING WAY	PORT HEDLAND 6721	646.69
A804207	LOT 719 DOWDING WAY	PORT HEDLAND 6721	646.69
A804208	LOT 720 DOWDING WAY	PORT HEDLAND 6721	706.04
A804211	LOT 723 DOWDING WAY	PORT HEDLAND 6721	696.00
A804212	LOT 693 DOWDING WAY	PORT HEDLAND 6721	57.00
A804214	LOT 695 DOWDING WAY	PORT HEDLAND 6721	706.04
A804218	LOT 705 DOWDING WAY	PORT HEDLAND 6721	706.04
A804220	5 JAKARLI CLOSE	PORT HEDLAND 6721	706.04
A804221	11 JAKARLI CLOSE	PORT HEDLAND 6721	706.04
A804225	17 JIPURR STREET	PORT HEDLAND 6721	706.04
A804226	15 JIPURR STREET	PORT HEDLAND 6721	706.04
A804228	11 JIPURR STREET	PORT HEDLAND 6721	706.04
A804234	8 JIPURR STREET	PORT HEDLAND 6721	706.04
A804235	6 JIPURR STREET	PORT HEDLAND 6721	706.04
A804236	4 JIPURR STREET	PORT HEDLAND 6721	706.04
A804237	81 STYLES ROAD	PORT HEDLAND 6721	706.04
A804238	83 STYLES ROAD	PORT HEDLAND 6721	706.04
A804239	85 STYLES ROAD	PORT HEDLAND 6721	706.04
A804240	87 STYLES ROAD	PORT HEDLAND 6721	706.04
A804241	89 STYLES ROAD	PORT HEDLAND 6721	706.04
A804243	76 STYLES ROAD	PORT HEDLAND 6721	706.04
A804246	82 STYLES ROAD	PORT HEDLAND 6721	706.04
A804248	86 STYLES ROAD	PORT HEDLAND 6721	706.04
A804249	88 STYLES ROAD	PORT HEDLAND 6721	706.04
A804251	92 STYLES ROAD	PORT HEDLAND 6721	704.66
A804303	LOT 676 DOWDING WAY	PORT HEDLAND 6721	502.72
A804426	78 KINGSMILL STREET	PORT HEDLAND 6721	2,506.76
A804427	51 MORGANS STREET	PORT HEDLAND 6721	1,581.88
A804437	M45/01186 MINING TENEMENT	PORT HEDLAND 6721	2,690.14
A102540	13-27 DEMPSTER STREET	PORT HEDLAND 6721	16,504.26
A118900	A&B 75 KINGSMILL STREET	PORT HEDLAND 6721	3,468.19

A406310	A&B 35 ROBINSON STREET	PORT HEDLAND 6721	6,395.23
A800033	4 MANILINHA DRIVE	PORT HEDLAND 6721	2,987.90
A100070	20/24 TRAINIE CRESCENT	SOUTH HEDLAND 6722	1,376.58
A100150	41 BRODIE CRESCENT	SOUTH HEDLAND 6722	1,751.08
A100310	71 LIMPET CRESCENT	SOUTH HEDLAND 6722	1,519.30
A100360	15 BALER CLOSE	SOUTH HEDLAND 6722	2,759.24
A100600	146 PATON ROAD	SOUTH HEDLAND 6722	1,941.22
A100630	124 PATON ROAD	SOUTH HEDLAND 6722	1,916.65
A100690	29 KENNEDY STREET	SOUTH HEDLAND 6722	1,873.44
A102870	8 GRAHAM PLACE	SOUTH HEDLAND 6722	1,787.04
A103180	9 PETER WAY	SOUTH HEDLAND 6722	1,572.53
A103230	10 JANICE WAY	SOUTH HEDLAND 6722	65.78
A103320	18 JUDITH WAY	SOUTH HEDLAND 6722	1,677.85
A103770	7A MAUGER PLACE	SOUTH HEDLAND 6722	130.00
A104030	57 LIMPET CRESCENT	SOUTH HEDLAND 6722	2,084.12
A104710	4 MUREX WAY	SOUTH HEDLAND 6722	1,583.94
A105080	19 ACACIA WAY	SOUTH HEDLAND 6722	1,916.65
A106260	51 ACACIA WAY	SOUTH HEDLAND 6722	2,119.31
A106770	32 SOMERSET CRESCENT	SOUTH HEDLAND 6722	1,234.20
A106963	16 GODRICK PLACE	SOUTH HEDLAND 6722	149.59
A107220	6 DAYLESFORD CLOSE	SOUTH HEDLAND 6722	64.04
A109640	149 KENNEDY STREET	SOUTH HEDLAND 6722	153.97
A109810	25 PEDLAR STREET	SOUTH HEDLAND 6722	1,977.87
A109850	11 PEDLAR STREET	SOUTH HEDLAND 6722	1,805.21
A110230	15 CORBOYS PLACE	SOUTH HEDLAND 6722	2,999.63
A110360	25 SOMERSET CRESCENT	SOUTH HEDLAND 6722	1,657.42
A110380	14 GREENE PLACE	SOUTH HEDLAND 6722	1,648.78
A110580	48 GREENE PLACE	SOUTH HEDLAND 6722	1,686.48
A110632	10B REYNOLDS PLACE	SOUTH HEDLAND 6722	69.05
A110720	62 GREENE PLACE	SOUTH HEDLAND 6722	3,497.16
A111230	53 BRODIE CRESCENT	SOUTH HEDLAND 6722	1,635.81
A111280	37 BRODIE CRESCENT	SOUTH HEDLAND 6722	1,578.81
A111395	8 COCKATOO COURT	SOUTH HEDLAND 6722	2,166.95
A111740	95 BOTTLEBRUSH CRESCENT	SOUTH HEDLAND 6722	430.21
A112260	9 MITCHIE CRESCENT	SOUTH HEDLAND 6722	2,159.37
A112530	30 KOOLAMA CRESCENT	SOUTH HEDLAND 6722	66.68
A112600	9 KOOLAMA CRESCENT	SOUTH HEDLAND 6722	3,863.01
A113055	7 EUCALYPT WAY	SOUTH HEDLAND 6722	1,041.24
A113090	33 KOOMBANA AVENUE	SOUTH HEDLAND 6722	130.00
A113470	6 RUTHERFORD ROAD	SOUTH HEDLAND 6722	2,373.97
A113662	2/ 4 HAINES ROAD	SOUTH HEDLAND 6722	1,734.26
A113690	46 TRUMPET WAY	SOUTH HEDLAND 6722	1,916.65
A113730	1 LAWSON STREET	SOUTH HEDLAND 6722	118.72
A113808	1 DAYLESFORD CLOSE	SOUTH HEDLAND 6722	2,046.27

A113911	19 BEROONA LOOP	SOUTH HEDLAND 6722	1,981.46
A113919	1/ 16 BEROONA LOOP	SOUTH HEDLAND 6722	62.86
A114220	27 YARRUNGA CRESCENT	SOUTH HEDLAND 6722	149.59
A116244	1 DOVE CLOSE	SOUTH HEDLAND 6722	2,273.70
A116245	7 ORIOLE WAY	SOUTH HEDLAND 6722	2,508.16
A116248	13 ORIOLE WAY	SOUTH HEDLAND 6722	1,994.83
A116360	35 ETREMA LOOP	SOUTH HEDLAND 6722	3,898.58
A116516	7 MYSTERY COURT	SOUTH HEDLAND 6722	2,058.94
A116541	6 SPATULA COURT	SOUTH HEDLAND 6722	67.85
A116780	5 REYNOLDS PLACE	SOUTH HEDLAND 6722	66.13
A117000	22 KOOLAMA CRESCENT	SOUTH HEDLAND 6722	2,225.64
A117390	52 SOMERSET CRESCENT	SOUTH HEDLAND 6722	2,036.36
A118500	24 WEAVER PLACE	SOUTH HEDLAND 6722	61.87
A118532	1/ 7 TONKIN STREET	SOUTH HEDLAND 6722	580.83
A118760	18 WELSH STREET	SOUTH HEDLAND 6722	1,787.04
A118820	2 DULVERTON TERRACE	SOUTH HEDLAND 6722	2,063.50
A119020	27 KOOLAMA CRESCENT	SOUTH HEDLAND 6722	2,162.51
A119130	12 HOLLINGS PLACE	SOUTH HEDLAND 6722	200.00
A119400	9 NYANDA PLACE	SOUTH HEDLAND 6722	1,904.15
A120440	18A&B ROBERTS STREET	SOUTH HEDLAND 6722	2,393.73
A120580	14 NYANDA PLACE	SOUTH HEDLAND 6722	2,555.80
A120810	27 TRaine CRESCENT	SOUTH HEDLAND 6722	2,378.55
A122090	125 KENNEDY STREET	SOUTH HEDLAND 6722	1,917.75
A122310	11 MAUGER PLACE	SOUTH HEDLAND 6722	1,518.87
A122420	14 ETREMA LOOP	SOUTH HEDLAND 6722	130.00
A124493	1/ 3 HUNT STREET	SOUTH HEDLAND 6722	2,146.53
A124494	2/3 HUNT STREET	SOUTH HEDLAND 6722	2,146.53
A124520	16-20 THROSSELL ROAD	SOUTH HEDLAND 6722	27,172.15
A126420	24 GREENE PLACE	SOUTH HEDLAND 6722	1,657.42
A126490	1 LOVELL PLACE	SOUTH HEDLAND 6722	1,744.35
A126580	6 FRISBY COURT	SOUTH HEDLAND 6722	1,920.48
A127280	19 LOGUE COURT	SOUTH HEDLAND 6722	1,860.08
A127990	77-95 HAMILTON ROAD	SOUTH HEDLAND 6722	550.09
A128420	16 BOTTLEBRUSH CRESCENT	SOUTH HEDLAND 6722	1,985.85
A130093	LOT 5291 BROWN PLACE	SOUTH HEDLAND 6722	758.66
A130516	UNIT 7/ 2 LIMPET CRESCENT	SOUTH HEDLAND 6722	1,322.57
A130665	4B CATAMORE COURT	SOUTH HEDLAND 6722	1,495.58
A152300	12 THROSSELL ROAD	SOUTH HEDLAND 6722	862.67
A152501	1 OSPREY DRIVE	SOUTH HEDLAND 6722	1,916.65
A152536	6 9 MASTERS WAY	SOUTH HEDLAND 6722	1,850.32
A152903	3 WANTIJIRRI COURT	SOUTH HEDLAND 6722	2,132.67
A152917	6 WANTIJIRRI COURT	SOUTH HEDLAND 6722	68.23
A152928	5 JIRRIPUKA COURT	SOUTH HEDLAND 6722	64.46

A152935	2 JIRRIPUKA COURT	SOUTH HEDLAND 6722	57.00
A153310	15 SPOONBILL CRESCENT	SOUTH HEDLAND 6722	1,981.46
A153640	9 CURLEW CRESCENT	SOUTH HEDLAND 6722	68.65
A154413	9-11 GREENFIELD STREET	SOUTH HEDLAND 6722	2,773.08
A154414	13-15 GREENFIELD STREET	SOUTH HEDLAND 6722	1,905.82
A154423	43-45 GREENFIELD STREET	SOUTH HEDLAND 6722	1,037.98
A154443	167 GREENFIELD STREET	SOUTH HEDLAND 6722	2,067.17
A154465	8 COUNCILLOR ROAD	SOUTH HEDLAND 6722	1,905.73
A154467	110 GREENFIELD STREET	SOUTH HEDLAND 6722	149.59
A154475	134-36 GREENFIELD STREET	SOUTH HEDLAND 6722	67.97
A154476	138-40 GREENFIELD STREET	SOUTH HEDLAND 6722	62.35
A154633	99B PATON ROAD	SOUTH HEDLAND 6722	995.92
A154664	UNIT B /18 BOOGALLA CRESCENT	SOUTH HEDLAND 6722	988.39
A154910	26 TRUMPET WAY	SOUTH HEDLAND 6722	59.63
A200170	FLAT 205 WELSH STREET(HIGHRISE)	SOUTH HEDLAND 6722	59.55
A200400	FLAT 404 WELSH STREET(HIGHRISE)	SOUTH HEDLAND 6722	1,557.64
A400150	8 BEROONA LOOP	SOUTH HEDLAND 6722	3,171.43
A400500	42 PEDLAR STREET	SOUTH HEDLAND 6722	1,700.62
A400520	14 ROBERTS STREET	SOUTH HEDLAND 6722	6,195.97
A400630	25 CORBOYS PLACE	SOUTH HEDLAND 6722	59.38
A400750	3 REYNOLDS PLACE	SOUTH HEDLAND 6722	1,700.62
A400770	1 BRODIE CRESCENT	SOUTH HEDLAND 6722	62.58
A400800	1 PATON ROAD	SOUTH HEDLAND 6722	1,777.10
A400870	34 MAUGER PLACE	SOUTH HEDLAND 6722	2,701.41
A400880	24 MAUGER PLACE	SOUTH HEDLAND 6722	1,722.23
A400950	5 CATAMORE COURT	SOUTH HEDLAND 6722	1,521.37
A400960	3 CATAMORE COURT	SOUTH HEDLAND 6722	649.83
A401100	18 PATON ROAD	SOUTH HEDLAND 6722	1,582.90
A401200	1 LIMPET CRESCENT	SOUTH HEDLAND 6722	2,079.00
A401300	11 HOLLINGS PLACE	SOUTH HEDLAND 6722	2,015.57
A401440	23 ETREMA LOOP	SOUTH HEDLAND 6722	1,662.09
A401510	5 MASTERS WAY	SOUTH HEDLAND 6722	2,175.88
A401690	33 DEMARCHI ROAD	SOUTH HEDLAND 6722	2,270.52
A401790	L303 COLEBATCH WAY	SOUTH HEDLAND 6722	6,787.07
A402100	15 SOMERSET CRESCENT	SOUTH HEDLAND 6722	1,679.02
A402170	1 CHUNKING CRESCENT	SOUTH HEDLAND 6722	1,921.64
A402590	10 MARRA COURT	SOUTH HEDLAND 6722	130.00
A402672	34 DAYLESFORD CLOSE	SOUTH HEDLAND 6722	142.09
A402720	1 KOOJARRA CRESCENT	SOUTH HEDLAND 6722	57.44
A402760	19 ETREMA LOOP	SOUTH HEDLAND 6722	1,986.91

A402820	101 PATON ROAD	SOUTH HEDLAND 6722	3,233.71
A403470	55 STANLEY STREET	SOUTH HEDLAND 6722	60.54
A404610	31 PEDLAR STREET	SOUTH HEDLAND 6722	1,722.23
A404750	5 SMITH STREET	SOUTH HEDLAND 6722	1,671.40
A404880	6 PATON ROAD	SOUTH HEDLAND 6722	2,058.68
A404940	138 PATON ROAD	SOUTH HEDLAND 6722	67.16
A405010	9 ORCHID CLOSE	SOUTH HEDLAND 6722	108.54
A405570	28 LAWSON STREET	SOUTH HEDLAND 6722	1,648.48
A405580	22 LAWSON STREET	SOUTH HEDLAND 6722	1,387.37
A405590	8 SMITH STREET	SOUTH HEDLAND 6722	1,621.41
A405600	11 CORBOYS PLACE	SOUTH HEDLAND 6722	1,657.42
A405690	53 STANLEY STREET	SOUTH HEDLAND 6722	1,423.16
A405770	56 BRODIE CRESCENT	SOUTH HEDLAND 6722	60.21
A405790	3 CLAM COURT	SOUTH HEDLAND 6722	1,842.90
A406440	7 DRAPER PLACE	SOUTH HEDLAND 6722	1,686.87
A410023	25 PATON ROAD	SOUTH HEDLAND 6722	63.88
A410037	7 ARABELLA STREET	SOUTH HEDLAND 6722	1,955.46
A800872	3 ASHBURTON COURT	SOUTH HEDLAND 6722	1,959.85
A800876	7 ASHBURTON COURT	SOUTH HEDLAND 6722	1,719.19
A802109	UNIT 9/ 2 SCADDEN ROAD	SOUTH HEDLAND 6722	65.96
A802116	UNIT 16/ 2 SCADDEN ROAD	SOUTH HEDLAND 6722	1,644.05
A802123	UNIT 23/ 2 SCADDEN ROAD	SOUTH HEDLAND 6722	1,644.05
A803215	4B ASHBURTON COURT	SOUTH HEDLAND 6722	61.97
A803429	UNIT B/ 1 ASHBURTON COURT	SOUTH HEDLAND 6722	1,974.93
A803439	L305 COLEBATCH WAY	SOUTH HEDLAND 6722	25,425.07
A803667	3 PEPPERFLOWER WAY	SOUTH HEDLAND 6722	1,015.39
A803671	7 PEPPERFLOWER WAY	SOUTH HEDLAND 6722	1,015.39
A803685	12 SNAPPY GUM WAY	SOUTH HEDLAND 6722	1,158.29
A803689	19 SNAPPY GUM WAY	SOUTH HEDLAND 6722	761.66
A803711	4 TRaine CRESCENT	SOUTH HEDLAND 6722	61.72
A803732	9 EUCALYPT WAY	SOUTH HEDLAND 6722	1,430.72
A803733	10 EUCALYPT WAY	SOUTH HEDLAND 6722	761.64
A803734	11 EUCALYPT WAY	SOUTH HEDLAND 6722	1,430.72
A803736	13 EUCALYPT WAY	SOUTH HEDLAND 6722	1,121.58
A803739	17 EUCALYPT WAY	SOUTH HEDLAND 6722	127.02
A803741	21 EUCALYPT WAY	SOUTH HEDLAND 6722	1,176.07
A803822	18C MITCHIE CRESCENT	SOUTH HEDLAND 6722	68.30
A803824	UNIT 27A MITCHIE CRESCENT	SOUTH HEDLAND 6722	1,456.03
A803848	2 STILT LINK	SOUTH HEDLAND 6722	158.42
A803871	5 MUCCAN CLOSE	SOUTH HEDLAND 6722	1,015.39
A803872	7 MUCCAN CLOSE	SOUTH HEDLAND 6722	778.00
A803886	4 KIMBERLEY AVENUE	SOUTH HEDLAND 6722	943.69

A803922	37 MINDEROO AVENUE	SOUTH HEDLAND 6722	1,119.27
A803937	11 PILBARA WAY	SOUTH HEDLAND 6722	153.97
A803945	8 PILBARA WAY	SOUTH HEDLAND 6722	944.60
A803954	6 SULTAN LINK	SOUTH HEDLAND 6722	61.93
A803971	14 MINDEROO AVENUE	SOUTH HEDLAND 6722	958.42
A803977	25 MINDEROO AVENUE	SOUTH HEDLAND 6722	1,366.76
A803995	16 MINILYA LINK	SOUTH HEDLAND 6722	962.69
A804001	2 AUSTRALIND AVENUE	SOUTH HEDLAND 6722	1,064.44
A804051	13 PHALAROPE WAY	SOUTH HEDLAND 6722	761.66
A804056	23 PHALAROPE WAY	SOUTH HEDLAND 6722	59.56
A804059	16 CENTENNIAL LOOP	SOUTH HEDLAND 6722	1,428.28
A804111	LOT 502 NORTH CIRCULAR ROAD	SOUTH HEDLAND 6722	4,692.50
A804318	32 NIX AVENUE	SOUTH HEDLAND 6722	468.73
A804322	40 NIX AVENUE	SOUTH HEDLAND 6722	468.73
A804350	12 FAIRLEAD BEND	SOUTH HEDLAND 6722	468.73
A804352	16 FAIRLEAD BEND	SOUTH HEDLAND 6722	468.73
A804383	10 BANKSIA STREET	SOUTH HEDLAND 6722	468.73
A804399	7 MOORING LOOP	SOUTH HEDLAND 6722	468.73
A804411	33 FAIRLEAD BEND	SOUTH HEDLAND 6722	468.73
A804429	11 STANLEY STREET	SOUTH HEDLAND 6722	1,354.95
A804430	13 STANLEY STREET	SOUTH HEDLAND 6722	491.70
A100410	4 CONE PLACE	SOUTH HEDLAND 6722	1,807.99
A102700	16 WELSH STREET	SOUTH HEDLAND 6722	1,787.04
A103150	3 PETER WAY	SOUTH HEDLAND 6722	1,253.51
A103980	14 TRUMPET WAY	SOUTH HEDLAND 6722	1,968.28
A107320	1 BOOGALLA CRESCENT	SOUTH HEDLAND 6722	981.26
A110220	13 CORBOYS PLACE	SOUTH HEDLAND 6722	2,202.80
A110900	36 MAUGER PLACE	SOUTH HEDLAND 6722	1,657.42
A111660	9 ACACIA WAY	SOUTH HEDLAND 6722	1,523.67
A111770	5 ORCHID CLOSE	SOUTH HEDLAND 6722	1,725.45
A112070	20 LOVELL PLACE	SOUTH HEDLAND 6722	876.53
A112730	20 DORRIGO LOOP	SOUTH HEDLAND 6722	1,989.86
A113260	2 SKIPPERS LOOP	SOUTH HEDLAND 6722	1,729.84
A113510	3 HAINES ROAD	SOUTH HEDLAND 6722	1,938.25
A116544	4 GREGORY STREET	SOUTH HEDLAND 6722	1,863.44
A118950	22 GREENE PLACE	SOUTH HEDLAND 6722	1,195.36
A120090	27 LAWSON STREET	SOUTH HEDLAND 6722	1,025.10
A120570	12 REYNOLDS PLACE	SOUTH HEDLAND 6722	1,829.86
A121450	44 GREENE PLACE	SOUTH HEDLAND 6722	4,425.00
A154431	67 GREENFIELD STREET	SOUTH HEDLAND 6722	1,957.82
A401330	9 KWINANA STREET	SOUTH HEDLAND 6722	1,516.97
A401530	15 ETREMA LOOP	SOUTH HEDLAND 6722	1,074.01
A402730	6 DONGARA PLACE	SOUTH HEDLAND 6722	1,556.36
A403360	137 KENNEDY STREET	SOUTH HEDLAND 6722	1,407.26
A403460	7 PATON ROAD	SOUTH HEDLAND 6722	776.07

A404790	26 CORBOYS PLACE	SOUTH HEDLAND 6722	1,505.49
A404960	27 KENNEDY STREET	SOUTH HEDLAND 6722	835.00
A405830	120 PATON ROAD	SOUTH HEDLAND 6722	1,546.83
A802113	2 SCADDEN ROAD	SOUTH HEDLAND 6722	1,644.05
A802124	24/2 SCADDEN ROAD	SOUTH HEDLAND 6722	1,644.05
A803570	4/2 CATAMORE COURT	SOUTH HEDLAND 6722	938.24
A117320	14 LEEHEY STREET	WEDGEFIELD 6724	580.82
A117650	7 MOORAMBINE STREET	WEDGEFIELD 6724	70.77
A118600	6 YANANA STREET	WEDGEFIELD 6724	2,035.63
A118650	18 YANANA STREET	WEDGEFIELD 6724	21,116.41
A118690	23 HARWELL WAY	WEDGEFIELD 6724	1,296.63
A118710	11 HARWELL WAY	WEDGEFIELD 6724	59.48
A119290	8 RIDLEY STREET	WEDGEFIELD 6724	3,382.55
A120171	10 SANDHILL STREET	WEDGEFIELD 6724	74.99
A120750	18 MUNDA WAY	WEDGEFIELD 6724	61.02
A121120	1 LEEHEY STREET	WEDGEFIELD 6724	4,575.40
A121130	9 SANDHILL STREET	WEDGEFIELD 6724	2,917.64
A121320	8 CAJARINA ROAD	WEDGEFIELD 6724	6,696.10
A121540	30-32 PINNACLES STREET	WEDGEFIELD 6724	7,628.18
A121670	3 TRIG STREET	WEDGEFIELD 6724	2,027.24
A122240	1 MUNDA WAY	WEDGEFIELD 6724	52.37
A122590	5 YANANA STREET	WEDGEFIELD 6724	1,982.44
A122670	14-16 MUNDA WAY	WEDGEFIELD 6724	1,809.15
A123690	26 MOORAMBINE STREET	WEDGEFIELD 6724	3,460.93
A124590	4 RIDLEY STREET	WEDGEFIELD 6724	7,171.84
A125340	9 CARLINDIE WAY	WEDGEFIELD 6724	2,953.43
A126340	15 HARWELL WAY	WEDGEFIELD 6724	63.49
A127130	17 RIDLEY STREET	WEDGEFIELD 6724	65.59
A127380	3 YANANA STREET	WEDGEFIELD 6724	3,262.28
A127610	11-13 PEAWAH STREET	WEDGEFIELD 6724	69.40
A127690	3 CARLINDIE WAY	WEDGEFIELD 6724	2,744.05
A128480	1 CARLINDIE WAY	WEDGEFIELD 6724	2,214.42
A128580	6 MILLER STREET	WEDGEFIELD 6724	2,775.02
A128600	28 MOORAMBINE STREET	WEDGEFIELD 6724	1,868.76
A130240	11 TRIG STREET	WEDGEFIELD 6724	1,297.50
A130302	36 HARWELL WAY	WEDGEFIELD 6724	66.55
A155020	6 RIDLEY STREET	WEDGEFIELD 6724	66.35
A402510	3 SCHILLAMAN STREET	WEDGEFIELD 6724	159.45
A803184	B/ 12 MUNDA WAY	WEDGEFIELD 6724	72.50
A803609	12 MANGANESE STREET	WEDGEFIELD 6724	1,720.79

A803616	18 MANGANESE STREET	WEDGEFIELD 6724	80.00
A803638	1 MANGANESE STREET	WEDGEFIELD 6724	761.66
A803705	26 MANGANESE STREET	WEDGEFIELD 6724	3,942.88
			852,475.98

11.3.1.5 Request to Write Off Legal Fees at 35A & B Robinson Street PORT HEDLAND (File No: A406310)

Officer Brie Holland
Senior Rates Officer

Date of Report 13 November 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider writing off legal fees totaling \$1,402.25 on the following property; 35 A & B Robinson Street, Port Hedland.

Background

2008/2009 rates notices were issued on the 27 July 2008 to Mr Hook. By the 4 December 2008 the rates remained unpaid. The Senior Rates Officer followed the debt collection policy and referred the account to the Town's debt collector Dun and Bradstreet in an effort to recoup the outstanding monies. On the 26 August 2009, approximately one year later after the initial 2008/2009 rates were issued the rates section received correspondence from Hedland First National that they were paying rates on behalf of the ratepayer. Legal action stopped on the same day, however by that stage the account had \$1,402.25 related legal fees associated in efforts to try and recoup the outstanding rates.

On the 3 September 2009 Council received a letter from Mr Hook stating that it is not the fault of his that he did not receive his rates notices. He stated on his letter (attachment one) that, 'There should have been a flow on communication between the Council and the property managers' as Hedland First National were paying the rates on his other property at 8 Mauger Place it should have been up to the Council to make the connection that Hedland First National were paying rates at 8 Mauger place and therefore should be paying rates at 35A & B Robinson street.

Consultation Nil

Statutory Implications

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

(1) Subject to subsection

(2) and any other written law, a local government may-

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

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

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

** Absolute majority required.*

Policy Implications

Council's Policy 2/004 Rating, states (in part):

"...Rates remaining unpaid shall be recovered by Council's debt collection agency by issuing of 'Notice of Intent to Issue a Court Summons'.

The debt collection agency will proceed on behalf of Council to recover the outstanding rate or service charges as well as the recovery costs, by way of a Claim issued in a court of competent jurisdiction if the Notice of Intent to issue a Court Summons remains outstanding. "

Strategic Planning Implications Nil

Budget Implications

If Council approves Mr Hook's request to write of the legal fees, Council's income will be directly reduced by \$1,402.25 as Council will liable for the legal fees.

Officer's Comment

Before a ratepayer's outstanding rates account is sent to the Dun and Bradstreet, rates officers follow Council's policy in relation to debt collection. Please see the below rates collection process summarised below;

- Rates issued - 27 July 2008
- Final notice issued - 5 Sept 2008
- List of outstanding debtors sent to Council - 7 Nov 2008
- Legal letter of intent by Council sent - 10 Nov 2008
- Owner checked on Certificate of title - Late Nov 2008
- Postal address checked with Water Corp - Late Nov 2008
- If possible call owner; offer alternative arrangement - Late Nov 2008
- Notice of Intention to Claim (14 days to pay) - 4 Dec 2008

As shown above many checks are made by the rates officers to ensure all avenues of contacting the ratepayer are tried, within reason before referral to the Debt Collector as the final option.

In reference to Mr Hook's comment, 'There should have been a flow on communication between the Council and the property managers', it is not the responsibility of Council to trace the correct postal address of a ratepayer, it is actually the responsibility of the ratepayer or their nominated real estate agent to contact Council. Stated clearly on the back of all notices is, 'Please advise Council in writing of any change of address to which notices are to be sent'. Council does not make it a policy to check with all real estate agents if they manage properties that have outstanding rates. This is simply not a viable option.

Council received notification that Hedland First National were the managing agents on the 26 August 2009, nearly one year after the 2008/2009 rates remained unpaid on Mr Hook's account. Mr Hook mentioned in his letter that there should have been a connection made between the fact that Hedland First National paid rates on his other property of 8 Mauger Place, South Hedland and that the rates officer should have checked with the real estate agent if they were to pay rates at 35A & B Robinson Street, Port Hedland. The rates section can only update postal address when advice is given by the ratepayer or the managing agent. In many instances owners of multiple properties do not necessarily want the same postal address for all properties. They may have a real estate agent taking care of rates on one and a different postal address for another property.

Even though the Officer is empathic to Mr Hook's situation, each ratepayer should be aware that they or their appointed managing agent should contact the Town when they wish to change a postal address. As the rates section could not find any evidence that Mr Hook nor Hedland First National had previously requested to change the postal address, the Officer does not believe that it is fair the Council be liable for the legal fees. The debt collection procedure was followed by the rates section via Council policy to avoid referral to a debt collection agency in the first instance. As a side note if Council does award to write off the legal fees associated with Mr Hook's account, the legal action taken against Mr Hook would too have to be reversed which also would cost Council additionally.

Attachment

Letter dated 3 September 2009, from Mr Hook.

200910/163 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S J Coates

That Council does not approve Mr Hook's request to write off legal fees totaling \$1,402.25 on his property at 35 A & B Robinson Street, Port Hedland.

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.3.1.5

Andrew Hook
45 Ngu Xa Rd
Ba Dinh
Hanoi
Vietnam

3rd September 2009

Senior Rates Officer
Town of Port Hedland
Western Australia

Re- Outstanding rates for 35A & B Robinson St Port Hedland

Dear Sir/Madam

As discussed in our recent conversation it was a great shock to learn of the amount outstanding for rates on my Robinson St property and an even greater shock to learn of the legal fees attached to the arrears.

I am writing to argue that these legal penalties are highly unjust and under the circumstances request they be waived.

I received no rates notices during 2008 whilst I still lived in Singapore, nor have I received any at my present address in Hanoi which has been valid since February 2009. I advised my property managers First National of my change of address for Singapore from 8 Ridgewood Close to 102B Oxley Rise in early 2008. There should have been a flow on communication between the council and the property managers. Moreover the council should've had my address in their data base and at the very least, knowledge of my property manager, because of another property I owned; 8 Mauger Place. The property manager has paid the rates on that property ever since I purchased it in 2007.

The Hedland council should've been aware that something was wrong when the rates had not been paid for over a year and a half on Robinson St yet were being paid on 8 Mauger Place. It seems incredible that they didn't make a connection between the two properties under my name and therefore made a greater effort to locate me. The council surely had my details in the data base from 8 Mauger Place, both my correct Singapore address as well as the identity of my property managers in Hedland. Why did they not contact them at the very least, when the rates were overdue.....instead of letting them blow out to a year and a half overdue? Why did it take so long for the council to realize I could be located at worst, through First National?

Hence I believe that I am not entirely responsible for this fiasco and that a lack of communication, insight and commonsense on the part of the council are to blame.

I have no problem with paying the interest on the arrears but I feel paying legal fees of \$1000 plus is unjust and not right and would therefore like them waived.

Yours sincerely

Andrew Hook

11.3.1.6 Requests to Waiver Rates for Assessment A804113; Address Lot 185 Great Northern Highway Port Hedland (File No.: ...)

Officer Brie Holland
Senior Rates Officer

Date of Report 13 November 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider the request to reduce the rates payable on assessment A804113, Lot 185 Great Northern Highway, by Mrs. Dhu.

Background

Mrs. Dhu wrote to the Council, on the 5 November 2009 requesting that the rates against the property of Lot 185 Great Northern Highway be revaluated in relation to how the property has been zoned (see letter attached). The land is owned the Crown and leased Mrs. Dhu. To date, Mrs. Dhu has not objected to the the valuation set by the Valuer General.

As at time of writing the report Mrs. Dhu's rates debt equated to the following:

Rates	\$ 8,878.05
Rates in arrears	\$ 1,301.88
Alternative Arrangement fee Arrears	\$ 50.00
Late penalty fee	\$ 57.00
Interest	<u>\$ 521.27</u>
	\$ 10,808.20

Council should note that no actual dollar amount has been requested, and there it is up to Council discretion to determine how much a rate reduction, if any, should be approved.

Consultation Nil

Statutory Implications

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

(1) Subject to subsection

(2) and any other written law, a local government may-

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

- (b) *waive or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government.*
- * Absolute majority required.*

Policy Implications

Council's Policy 2/004 Rating, states (in part):

"Concessions

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

Strategic Planning Implications Nil

Budget Implications

If Council chooses to award writing off Mrs. Dhu's outstanding rates as proposed, rates for 2009/2010 will have to be written off, which will directly affect the Council's revenue, reducing it by from \$1 - \$10,808.20.

Rates written off will also impact on the provision for doubtful debts.

Officer's Comment

Council can appreciate Mrs. Dhu situation, however the parcel of land in question is especially large, consisting of 4.2 hectares. The parcel of land is outside of the Town boundaries and rated a rural parcel of land which attracts an Unimproved Value (UV) Other rating category. The UV other rating category has higher rate in the dollar compared to a Gross Rental Value. The crown leased is based on the premise that the land is used for horticultural purposes, stated by the Department of Regional Development and Lands.

Council can decided to change where Mrs. Dhu's leased land lies and zone the parcel apart of the town boundary, once this happens the VGO then change their valuation methodology. The issue then arises of the costly expense to gazette the change. If Mrs. Dhu's property zoning changes, so too does the surrounding properties. Council will also have to decide on where they will change the boundaries exactly where to. It should be noted again that Mrs. Dhu leases the property; she does not own the parcel of land.

Council does not decide the valuation of a property within its Town's boundaries, the only government official that has the authority is the Valuer General's office. As stated previously Mrs. Dhu has not contacted the VGO regarding an objection to her leased land's valuation. Therefore Council has effectively five choices, being:

1. Decline Mrs. Dhu request to reduce rates
2. Partially reduced/write off the current rates and services debt (\$1- \$10,808.20)
3. Write off the total rates and services debt of \$10,808.20
4. Re-gazette the Town's GRV and UV boundaries
5. Offer Mrs. Dhu an alternative arrangement

Reducing Mrs. Dhu's rates would directly decrease Council's revenue. It would set a potential undesirable precedence, which other ratepayers could use to justify future claims to reduce rates by the Council. Should significant claims be received based on situations similar to Mrs. Dhu, Council would need to seriously consider reducing services to all ratepayers and residents to maintain a balanced budget.

To assist Mrs. Dhu Council officers are prepared to negotiate a payment program that will settle the outstanding and current rates. This may provide time for Mrs. Dhu to organise her finances.

Attachment

Letter, from Mrs. Dhu, dated 5 November 2009

Officer's Recommendation

That Council:

- i) Decline Mrs. Dhu to reduce the outstanding rates on assessment A803135; and
- ii) Encourage Mrs. Dhu, to discuss her situation with Council Officers in order to determine a payment program to pay the outstanding debt by 30 June 2010.

200910/164 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

- i) Approves a one-off incident of reducing Mrs Dhu's outstanding rates on Assessment A803135 by 50%, conditional to the remaining 50% balance payable by Mrs Dhu is paid in full by 30 June 2010; and
- ii) encourage Mrs. Dhu, to discuss her situation with Council Officers in order to determine a payment program to pay the outstanding debt by 30 June 2010.

CARRIED BY ABSOLUTE MAJORITY 8/0

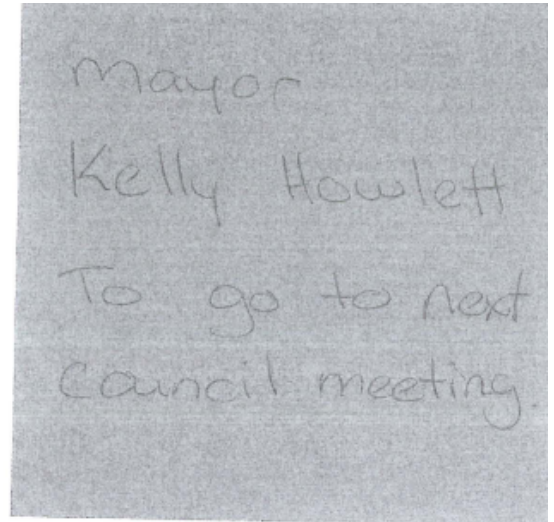
REASON: Council resolved to approve a one-off 50% reduction of outstanding rates payable by Mrs Dhu on Assessment A803135, as Council believed that the property concerned has been overrated by the Valuer General, of which Council does not have control over.

ATTACHMENT TO AGENDA ITEM 11.3.1.6

Judith Dhu
121 Kennedy Street
South Hedland WA 6722

Thursday 5th November, 2009

Chris Adams
CEO
Town of Port Hedland
PO Box 41
Port Hedland WA 6721



Re: Rates for Forrest Location 185 – Lease K621226

Dear Mr Adams,

I would like to request a review of my rates for the above property which is leased in my name and has the stated purpose of horticulture.

The current year's rates amount to \$8,965.00, which has increased from \$7,905.68 since last year. I am advised that a similar lease nearby to mine, with a stated purpose of Horses and Stabling has only accrued an annual charge of \$642.00.

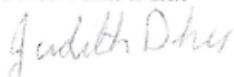
It has been explained to me that the reason for the vast difference in these two rates is that the purpose of my lease could be categorised as commercial. I would like to protest this, my activities on the lease involve propagating trees and I do this as a hobby, out of a love for trees.

Therefore I would like to ask Council to reconsider my rates notice for this year and consider amending it to suit my hobby activities on my lease. I would like this to be looked at in your next council meeting to be held on the 25th November.

Thank you for your help.

Yours sincerely

Judith Ann Dhu.


cc: Mayor Kelly Howlett.

11.3.1.7 Requests to Waiver Penalty Late Fee of \$57.00 and Penalty Interest of \$2.56 for Assessment A803944; Address 10 Pilbara Way, South Hedland

Officer Brie Holland
Senior Rates Officer

Date of Report 11 November 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider the request to waiver the late penalty fee of \$57.00 and penalty interest of \$2.56 (total \$59.56) on assessment A803944, 10 Pilbara Way South Hedland

Background

Mr Leigh Sheldrick wrote to the Council on the 9 October 2009 requesting a withdrawal of the late penalty fee of \$57.00 and penalty interest of \$2.56 against his property's account at 10 Pilbara Way South Hedland. In his letter he indicated that he incorrectly paid \$6.96 instead of \$696.00 (missed entering additional .00 on his BPoint payment account (please see attached letter).

As a consequence Council charged him a penalty late fee of \$57.00 and penalty interest of \$2.56.

Consultation Nil

Statutory Implications

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

(1) Subject to subsection

(2) and any other written law, a local government may-

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

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

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

** Absolute majority required.*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

The late payment penalty fee of \$57.00 was approved by Council for the 2009/10 budget. To approve waiving the \$57.00 penalty fee and \$2.56 late penalty interest will directly reduce the rates income thus Council's revenue.

Officer's Comment

Council can appreciate the fact that Mr Sheldrick accidentally entered the incorrect payment amount for his rates during his BPoint transaction. It should be noted however that before a BPoint transaction is finalised, the user is promoted to check the amount they are agreeing to, which is a screen that Mr Sheldrick would have been exposed to but did not pick up on his mistake.

This is the first year that Council has agreed to apply a Late Payment Penalty fee on those ratepayers' accounts who fail to pay their rates in full or pay their first instalment by the due date of 11 September 2009. The intent of the fee was to encourage ratepayers to pay the correct amount of rates, by the correct time. If Council approves to waiver the late penalty fee this may be seen as unjust for those ratepayers who did pay the correct amount of rates charged on time.

Attachment

Letter, from Mr Sheldrick dated the 9 October 2009

200910/165 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council declines Mr Sheldrick's request to write off Penalty Late Fee of \$57 and Penalty Interest of \$2.56 for Assessment A803944, for property located at 10 Pilbara Way, South Hedland.

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.3.1.7

lot 701 10 Pilbara Way
TOWN OF PORT HEDLAND

Document #: ICR497
Date: 21.10.2009
Officer: WILLIAM MATTHEW SCOTT
File: 803944G



Leigh Sheldrick
101 Raglan St
South Melbourne
3205

FILE NO. 803 944G
ACTION DATE. W

09.10.09

To Whom It May Concern:

Re Rates payment for 10 Pilbara Way, Lot 701.

I have been advised by Carris Marshall in the Rates Section to write ask that my situation might be considered.

On September 9, 2009 I paid the rates for our two properties in the Town of Port Hedland on my credit card. A month later I received my visa bill and realised that I had paid one of the bills correctly at \$696.00 and one incorrectly at \$6.96. After realising the error I rang the council to amend the payment. I was advised that I had been billed a \$57 as a late payment fine and a further \$2.56 in interest.

I was told by Carris that it would be very unlikely that the fine be removed and was advised to pay the outstanding amount. Given that the reduced payment was clearly unintentional I ask that the council reconsider the additional costs and in good faith approve a refund of \$59.56 at the next council meeting.

Thank you for your consideration,

Leigh Sheldrick

11.3.1.8 Requests to Waiver Bin Charge for Previous Financial Period of 2008/2009 on 17 Haines Street , South Hedland (Assessment No. A113580)

Officer Brie Holland
Senior Rates Officer

Date of Report 11 November 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider the request to refund the 2008/2009 bin charge paid on 17 Haines Street South Hedland.

Background

On the 11 June 2007 the dwelling at 17 Haines Street South Hedland was demolished. The bin charge however was not removed against the property as the previous owners failed to return the bin to Town of Port Hedland. On the 18 October 2009 Mr Robinson become the owner of the vacant land and subsequently in the following financial period of 2008/2009 paid \$177.00 for a bin charge with having a bin nor bin collection at his property.

On the 18 August 2009 Council received a letter requesting a refund for a bin service fee of \$177.00 for the financial period of 2008/2009 (see attached letter).

Consultation Nil

Statutory Implications

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

(1) Subject to subsection

(2) and any other written law, a local government may-

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

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

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

** Absolute majority required.*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

If Council chooses to award Mr. Robinson a refund, this will directly affect the Council's revenue, reducing it by \$177.00 and impacting on the Provision for Doubtful Debts.

Officer's Comment

Before the house was demolished in June 2007, the bin should have been returned to the Town and the fee removed. As this was not the case it should not be Mr. Robinson responsibility to pay for a bin service fee that should have been removed against the account before he purchased the block. Refunding Mr. Robinson's bin service charge would not have an individual material effect on the Council Budget.

Attachment

Letter dated, 24 August 2009

200910/166 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr sc

That Council approves the request for a refund of \$177.00 on the property of 17 Haines Street, South Hedland owned by Mr. Robinson, being for bin charges for the previous financial period.

CARRIED BY ABSOLUTE MAJORITY 8/0

ATTACHMENT TO AGENDA ITEM 11.3.1.8

18/08/2009

Lot 3886 Haines Street South

TOWN OF PORT HEDLAND	
RECORD No.	09-04527
OFFICER.....	SRO
24 AUG 2009	
FILE No.	1135809
ACTION DATE.....	

Paul Robinson

A.B.N. 28 008 945 736

Builders Registration No. S1114

Po Box 2961, Sth Hedland, 6722.

0449 025 864

Email

To whom it may concern,

I had bought a block of land at 17 Haines st from the ballot from Jakson/Ray White Real Estate 2 yrs ago. Regarding the council annual rates notice, I paid for the 'classic bin collection fee of \$175 approx. last year. I would like to be reimbursed that money. Just recently they removed the fee from my bill due to the fact that I don't have a bin and the land is vacant and don't need a bin collection service. The person in charge removed this item from this year's bill and sent me an amended bill.

I am writing to you to have my previous year's charge of \$175 reimbursed. I have never had a bin and no bin was given to me when I bought the land.

Yours Gratefully,

Paul Robinson.

11.3.1.9 Aboriginal Lands Trust - Bin Write - Off Request (File No: A401870)

Officer	Brie Holland Senior Rates Officer
Date of Report	10 November 2009
Disclosure of Interest by Officer	Nil

Summary

For Council to consider writing off all outstanding monies relating to unpaid bin charges on the following property, owned by the Crown, vested with the Aboriginal Lands Trust and leased to the Tjalka Wara Community; Lot 18 North West Coastal Highway, Port Hedland.

Background

Early July 2009 Council received a letter from the Aboriginal Lands Trust on behalf the Tjalka Wara Community (see attachment one). The letter requested Council's consideration to write off all outstanding monies relating to unpaid bin charges against the property outlined below.

Levy Description	Balance outstanding
Interest	\$ 5113.16
Legal Charges	\$ 2,029.80
Classic Bin Collection	\$ 20,083.00
Security Service Levy	\$ 21.00
Total	\$ 27,246.96

In 2004 sixteen bins were delivered to the property. In March 2007 cyclone George severely damaged the property's buildings, along with all the assigned bins. During this time the Community members were evacuated and moved into the town of Port Hedland. All buildings on the land have since been demolished as they were deemed uninhabitable by the Land Manager. None of the community members have since returned to the property.

Statutory Implications

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

- (1) *Subject to subsection*
- (2) *and any other written law, a local government may-*
 - (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) *waive or grant concessions in relation to any amount of money; or*

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

** Absolute majority required.*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

If Council chooses to award the Tjalka Wara Community the request to write off the outstanding monies relating to outstanding bin charges, it will directly affect the Council's revenue. The bin charges raised in the current year will have to be written off, which will directly affect the Council's revenue, reducing it by \$3952.14, including the following amounts in previous years; 2008/2009 \$5845.52, 2007/2008 \$5777.99, 2006/2007 \$4215.89, 2005/2006 \$3867.95, 2004/2005 \$3587.47 (totalling \$27,246.96)

Bin charges written off will also impact on the provision for doubtful debts.

Officer's Comment

All lands vested with the Aboriginal Lands Trust are non-ratable. However, service charges on all properties are payable. In the case of land leased to the Tjalka Wara Community it is a non-ratable reserve held for community welfare purposes for the use and benefit of Australian Aboriginals.

Since the replacement bins were delivered in 2004, six years ago, no monies have ever been receipted against the account for the property leased to the Tjalka Wara Community. The charges for the bins have remained, to date, outstanding for six years. The Rates section, during the history of the outstanding debt against the property, have used the debt collector Dun and Bradstreet to try and place a summons against the Community in order to recoup the outstanding debt, but to no avail. The Rates section has on numerous occasions tried to contact the Department of Aboriginal Affairs and Aboriginal Lands Trust in order to discuss finalising the debt and only until July of this year have received a reply.

It should be noted that neither the Department of Aboriginal Affairs nor the Aboriginal Lands Trust are responsible for the debts incurred by the Tjalka Wara Community. The Aboriginal Lands Trust only leased the land to the Community, whom are solely responsible for debts against the parcel of land. Also to be noted, highlighted in the attached letter, there are only a few existing members of the Community left. The past experience of the last six years from the Rates section has taught that legal action tried against the Tjalka Wara Community has not been successful. Efforts to try and recoup money from a Community group that only a few members exist today would likely to also be in vain.

Attachments

Letter dated, 12th of July 2009.

200910/167 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr A A Carter

That Council;

- i) approves to write off all unpaid bin related charges to the value of \$27,246.96; and
- ii) ceases legal action taken against the Tjalka Wara Community.

CARRIED BY ABSOLUTE MAJORITY 8/0

ATTACHMENT TO AGENDA ITEM 11.3.1.9



Government of **Western Australia**
Department of **Indigenous Affairs**



ENQUIRIES : Hugh Barnett - Ph 92358103

OUR REF: 03/1007-02

YOUR REF: Rates Dept

Natalie Octoman
Manager, Financial Services
Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

TOWN OF PORT HEDLAND	
RECORD No.	09-03707
OFFICER.....	M.F.
10 JUL 2009	
FILE No.	4018709
ACTION DATE.....	HL

Dear Natalie

OUTSTANDING AMOUNT OWING ON LOT 18 NORTH WEST COASTAL HIGHWAY, PORT HEDLAND

I refer to your letter dated 29th April 2009 regarding the outstanding rates payable for the property located at Lot 18, North West Coastal Highway. In your letter you have asked who is responsible for paying these outstanding rates which I understand were for providing rubbish collection services. I apologise for the delay in providing you with a response.

The property is Crown land (Reserve 24055) and held by the Aboriginal Lands Trust (ALT) under a Management Order. The Tjalka Wara Aboriginal Corporation (TWAC) has a lease on the reserve. The Reserve has great historical significance where Aboriginal pastoral workers gathered on this reserve for the 1946 Pilbara strike.

Up to 2007, the elders resided in the pensioner unit situated on the reserve. In March 2007, due to cyclone George, the elders were evacuated and relocated to Homeswest houses in South Hedland. The cyclone caused extensive damage to the houses and also to the health clinic located on the reserve. The pensioner units had become unsafe and inhabitable and posed a potential health risk.

Since then, due to prohibitive costs to upgrade the infrastructure to a satisfactory level, it was agreed that for their own safety and welfare that the elder be provided suitable housing with Homeswest. They were relocated to town and have not resided on the reserve since.

As you may be aware, the Corporation is currently not functional and only a few of the remaining elders make up the membership. It has also been revealed that

1st Floor, 197 St George's Terrace, Perth, Western Australia 6000
PO Box 7770, Cloisters Square, Perth, Western Australia 6850
Telephone (08) 9235 8000 Facsimile (08) 9235 8088
www.dia.wa.gov.au
wa.gov.au

TWAC had incurred debts of at least \$120,000 including debts to the Water Corporation, Horizon Power and the Australian Taxation Office.

TWAC was a "non profit organisation" and as such may be exempt from the payment of Local government rates. This however, may not extend to services provided by the local Council for rubbish collection services. This service would be agreed to by the local council and the residents (ie TWAC). The ALT is not responsible for any outstanding rates incurred by TWAC.

On behalf of the elders of Tjalka Wara, I seek that Council consider waiving the outstanding amount payable for rates on the basis that;

- The TWAC is not functional and only a few remaining Elders remain.
- The Reserve is not occupied and has not been since March 2007.
- All the buildings have been removed from the reserve.

If you have any questions in relation to this matter please do not hesitate to contact me on 92358103.

Yours sincerely



Hugh Barnett
Senior Land Operations Officer

7 July 2009

11.3.1.10 Pilbara Meta Maya Regional Aboriginal Corporation Rates Exemption Request (File No; A402170, A401200, A117390, A100150, A410037, A127380 & A111740)

Officer	Brie Holland Senior Rates Officer
Date of Report	12 November 2009
Disclosure of Interest by Officer	Nil

Summary

For Council to consider a rates exemption on the following seven properties, owned by the Pilbara Meta Maya Regional Aboriginal Corporation; 1 Chunking Crescent, 1 Limpet Crescent, 52 Somerset Crescent, 41 Brodie Crescent, 7 Arabella Street, 3 Yanana Street and 95 Bottlebrush Crescent for the financial period of 2009/2010.

Background

The Pilbara Meta Maya Regional Aboriginal Corporation sent a letter to Council on the 18 August 2009 seeking a rate exemption for seven properties they own listed below on the basis that they are registered as a public benevolent institution (see attachment one);

- 1 Chunking Crescent, South Hedland
- 1 Limpet Crescent, South Hedland
- 52 Somerset Crescent, South Hedland
- 41 Brodie Crescent, South Hedland
- 7 Arabella Street, South Hedland
- 3 Yanana Street, Wedgefield
- 95 Bottlebrush Crescent, South Hedland

Consultation	Nil
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Statutory Implications

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

(1) Subject to subsection

(2) and any other written law, a local government may-

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

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

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

** Absolute majority required.*

Policy Implications

Rating Policy 2/004 (in part) states:

“Charitable Organisations

As per the Local Government Act 1995 (as amended), charitable status of any organisation, must be applied for by an organisation, prior to the status being evaluated.

To qualify for recognition as charitable organisation, an organisation must meet general guidelines for recognition, as identified by the Department of Local Government and Regional Development and/or the West Australian Local Government Association.

Recognition of a charitable organisation will be authorized in writing by the Chief Executive Officer.

The status of all charitable organisations will be reviewed every two years.

Concessions

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

Strategic Planning Implications Nil

Budget Implications

If Council chooses to award Pilbara Meta Maya Regional Aboriginal Corporation a 100% rates concession, the 2009/2010 rates raised will have to be written off, which will directly affect the Council's revenue, reducing it by \$11,355.64 (see below table) and impacting on the Provision for Doubtful Debts, along with those anticipated for 2009/2010.

Assessment	Address	2009/10 Rates	Use
A402170	1 Chunking Crescent South Hedland	\$ 1,641.64	<u>Private</u>
A401200	1 Limpet Crescent South Hedland	\$ 1,599.00	<u>Private</u>
A117390	52 Somerset Crescent South Hedland	\$ 1,556.36	<u>Private</u>
A100150	41 Brodie Crescent South Hedland	\$ 1,471.08	<u>Private</u>

A410037	7 Arabella Street South Hedland	\$ 1,662.96	<u>Staff Housing</u>
A127380	3 Yanana Street Wedgefield	\$ 3,262.28	<u>Corporate Offices</u>
A111740	95 Bottlebrush Crescent South Hedland	\$ 430.21	<u>Vacant Land</u>
	Total write-off	\$ 11,355.64	

Officer's Comment

Presently Council does not have a formal Community Rating policy, thus considering awarding Pilbara Meta Maya Regional Aboriginal Corporation Maya a rates concession must be considered on an ad hoc basis as agreed at the informal briefing session held on 10 June 2009.

Pilbara Meta Maya Regional Aboriginal Corporation demonstrated that it was a non-profit organisation by providing Council with a letter, dated 3 April 2009 from the Australian Taxation Office stating that it is a public benevolent institution (see attachment two). It is understood that Pilbara Meta Maya Regional Aboriginal Corporation is contractually funded through the State Government for the provision of essential services (water and electricity), housing, employment and environmental services to Aboriginal and Torres Strait Island communities in the Pilbara, Gascoyne and Murchison Regions.

Pilbara Meta Maya Regional Aboriginal Corporation has requested a rates exemption on all seven properties that they own. The seven properties are used for different purposes which include; a Corporate Office (headquarters), a staff house, four private residences and parcel of vacant land. If the Pilbara Meta Maya Regional Aboriginal Corporation Maya chose to sell any of their three properties, they would potentially gain a valuable profit in regards to the high property values experienced in the Pilbara region currently. Having stated that the corporation is labelled a not for profit entity whose objectives are '...to improve the quality of life of Aboriginal and Torres Strait Islander people through better outcomes in (many) essential services.' With this in mind it may be seen as very compassionate on Council's behalf to support such an organisation which helps benefit many members of the Town.

Attachments

1. Letter dated, 18 August 2009
2. Letter dated, 3 April 2009

Officer's Recommendation

That Council:

- i) approves a 50% - 100% rates exemption on the seven properties owned by Pilbara Meta Maya Regional Aboriginal Corporation, as follows:

Assessment	Address
A402170	1 Chunking Crescent, South Hedland
A401200	1 Limpet Crescent, South Hedland
A117390	52 Somerset Crescent, South Hedland
A100150	41 Brodie Crescent, South Hedland
A410037	7 Arabella Street, South Hedland
A127380	3 Yanana Street, Wedgefield
A111740	95 Bottlebrush Crescent, South Hedland

- ii) reviews the rates exemption after one year or until a Community Rating policy has been established

200910/168 Council Decision

Moved: Cr A A Carter**Seconded:** Cr S J Coates

That Council lay Agenda Item 11.3.1.10 'Pilbara Meta Maya Regional Aboriginal Corporation Rates Exemption Request' on table pending further consideration of the proposed Community Rating Policy by Council.

CARRIED 8/0

REASON: Council resolved to lay this item on the table until it has further discussions and has considered its proposed Community Rating Policy.

ATTACHMENT TO AGENDA ITEM 11.3.1.10

18 August 2009

Chief Executive Officer
Town of Port Hedland
PO Box 41
PORT HEDLAND 6721

TOWN OF PORT HEDLAND	
RECORD No.	09/04830
OFFICER.....	SLO
20 AUG 2009	
FILE No.	24/03/0002
ACTION DATE.....	M



Pilbara Meta Maya
Regional Aboriginal Corporation

ABN: 63 954 974 254

PO Box 2680
SOUTH HEDLAND WA 6722

Lot 2954 Yanana Street
WEDGEFIELD WA 6721

Telephone: (08) 9172 5155

Office Fax: (08) 9172 3309

RAESP Fax: (08) 9140 2625

email: admin@metamaya.com.au

web: www.metamaya.com.au

Contractors For:

Remote Area Essential Services

Environmental Health

Housing Management

In Home Practical Support

*Delivering Quality Services to
Community*

Dear Mr Adams,

Re: Application for Rates Exemption

Pursuant to section 6.26(2)(g) of the *Local Government Act 1995* we wish to make application for rates exemption in respect to the properties that we own within the Town of Port Hedland. We confirm that the subject properties are used exclusively for charitable purposes.

Details of the subject properties:

1. 1 Chunking Crescent, South Hedland – currently rented to aboriginal tenants at minimal rent;
2. 1 Limpet Crescent, South Hedland – currently rented to aboriginal tenants at minimal rent;
3. 52 Somerset Crescent, South Hedland – currently rented to aboriginal tenants at minimal rent;
4. 41 Brodie Crescent, South Hedland – currently rented to aboriginal tenants at minimal rent;
5. 7 Arabella Street, South Hedland – currently used to provide staff housing;
6. 3 Yanana Street, Wedgefield – Corporate offices and workshop; and
7. 95 Bottlebrush Crescent, South Hedland – vacant land.

As you may be aware we are not for profit providers of essential (water, electricity and wastewater), housing (management, repairs and maintenance) and environmental health services to aboriginal communities in the Pilbara, Gascoyne and Murchison Regions. We provide these services under contract to the Western Australian Government on what is generally regarded as a shoe string budget.

In support of our said application we attach* hereto copies of the following:

1. PMMRAC Certificate of Incorporation;
2. Australian Taxation Office *Notification of Endorsement as a Public Benevolent Institution* dated 3 April 2009; and
3. PMMRAC Corporate Rules (as adopted on 26 May 2009) - I refer you to Rule 3 (Objectives), Rule 14.1 (Application of Funds & Property) and Rule 19 (Winding Up).

You will note that we have been granted Charitable Institution status by the Australian Taxation Office (ATO) and have received ATO endorsement as a Public Benevolent Institution.

Please advise if you require any additional information to enable you to properly consider our application. We look forward to receiving your reply.

Yours Sincerely,



Ian Rutherford

Chief Executive Officer

PO Box 3373, Albury NSW 2640

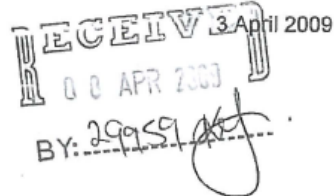


PILBARA META MAYA REGIONAL ABORIGINAL
CORPORATION
(PILBARA META MAYA REGIONAL ABORIGINAL)
PO BOX 2680
SOUTH HEDLAND WA 6722



Australian Government
Australian Taxation Office

Client enquiries
Telephone: 1300 130 248



Dear Organisation Manager

**Notification of endorsement for charity tax concessions
For your information**

Enclosed is your organisation's *Notice of endorsement for charity tax concessions*.

Please note the following points.

- Your organisation's endorsement to access charity tax concessions, together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at www.abn.business.gov.au
- Your organisation's endorsement is based on the information it has supplied. Your organisation is required by law to notify the Tax Office in writing if its circumstances change and it ceases to be entitled to endorsement.
- The tax laws do not require any particular intervals between self-reviews, but we recommend a yearly review. Your organisation should also carry out a review if there are major changes to its structure or operations.

A charity can self assess its entitlement to fringe benefits tax and GST charity tax concessions up to 1 July 2005. After this date, your charity will only be eligible to access charity tax concessions available under these laws if it has been endorsed.

For more information

We have a range of publications and services for non-profit organisations. Copies of the *Income tax guide for non-profit organisations* (NAT 7967) and other publications are available on the non-profit area of our website at www.ato.gov.au/nonprofit or by phoning us on 1300 130 248 between 8.00am and 6.00pm, Monday to Friday:

To keep up to date on key tax issues affecting the non-profit sector subscribe to receive our free electronic news service by using the subscribe link on our homepage at www.ato.gov.au

If your organisation has also applied for other endorsements you will receive separate notification.

Yours faithfully

Michael D'Ascenzo
Commissioner of Taxation and
Registrar of the Australian Business Register

CHARITY_ADVICES_342-TED-0000089-0000177



Australian Government
Australian Taxation Office

3 April 2009

Notice of endorsement for charity tax concessions

This endorsement notice has been issued to:

Name	PILBARA META MAYA REGIONAL ABORIGINAL CORPORATION
Australian business number	63 954 974 254

PILBARA META MAYA REGIONAL ABORIGINAL CORPORATION, a public benevolent institution, is endorsed to access the following tax concessions from the dates shown:

- **Income tax exemption** from 1 July 2000 under Subdivision 50-B of the *Income Tax Assessment Act 1997*.
- **GST concessions** from 1 July 2005 under Division 176 of *A New Tax System (Goods and Services Tax) Act 1999*.
- **FBT exemption** from 1 July 2005 under section 123C of the *Fringe Benefits Tax Assessment Act 1986*.

Your organisation's endorsement to access charity tax concessions, together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at www.abn.business.gov.au

Your organisation must notify the Tax Office in writing if it ceases to be entitled to endorsement.

Michael D'Ascenzo
Commissioner of Taxation and
Registrar of the Australian Business Register

*11.3.1.11 Wirraka Maya Health Service Aboriginal Corporation
Rates Exemption Request (File No: A800350)*

Officer	Brie Holland Senior Rates Officer
Date of Report	10 November 2009
Disclosure of Interest by Officer	Nil

Summary

For Council to consider a rates exemption on the following property, owned by the Wirraka Maya Health Service Aboriginal Corporation; 25 Sutherland Street Port Hedland for the financial period of 2009/2010. Wirraka Maya Health Service overlooked requesting the rates exemption on the previous item presented to Council on 24 June 2009.

Background

The Wirraka Maya Health Service Aboriginal Corporation sent a letter to Council in early June 2008 seeking a rate exemption for three properties they owned listed below on the basis that they are registered as a public benevolent institution (see attachment one);

- 1-5 Hamilton Road SOUTH HEDLAND
- 3 Daylesford Close SOUTH HEDLAND
- 9 Morgans Street PORT HEDLAND

Council at its meeting held on 24 June 2009 considered their request and resolved as follows:

“That Council:

- i) approves a 100% rates exemption on the following three (3) properties owned by Wirraka Maya Health Services:
 - a) 1-5 Hamilton Road, South Hedland (A106282);*
 - b) 3 Daylesford Close, South Hedland (A113807);*
 - and*
 - c) 9 Morgans Street, Port Hedland (A116100); and**
- ii) reviews the rates exemption after one year or until a Community Rating policy has been established; and*

- iii) *waives the rates for the following three (3) properties owned by Wirraka Maya Health Services for 2008/09*

Assessment	Address	2008/2009 Rates	2009/10 Rates
A106282	1-5 Hamilton Road South Hedland	\$19,894.84	\$7,424.00
A113807	3 Daylesford Close South Hedland	\$1,957.67	\$1,897.48
A116100	9 Morgans Street Port Hedland	\$1,787.33	\$1,535.04
	<i>Total write-off</i>	<i>\$ 23,639.84</i>	<i>\$10,856.52</i>

On the 25 August 2009 Council received a letter from Wirraka Maya Health Service requesting a rates exemption on their property at 25 Sutherland Street Port Hedland (see attachment two).

Consultation

Nil

Statutory Implications

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

(1) *Subject to subsection*

(2) *and any other written law, a local government may-*

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

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

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

** Absolute majority required.*

Policy Implications

Rating Policy 2/004 (in part) states:

“Charitable Organisations

As per the Local Government Act 1995 (as amended), charitable status of any organisation, must be applied for by an organisation, prior to the status being evaluated.

To qualify for recognition as charitable organisation, an organisation must meet general guidelines for recognition, as identified by the Department of Local Government and Regional Development and/or the West Australian Local Government Association.

Recognition of a charitable organisation will be authorized in writing by the Chief Executive Officer.

The status of all charitable organisations will be reviewed every two years.

Concessions

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

Strategic Planning Implications Nil

Budget Implications

If Council chooses to award Wirraka Maya Health Service a 100% rates concession, the 2009/2010 rates raised will have to be written off, which will directly affect the Council's revenue, reducing it by \$1,620.32 (see below table) and impacting on the Provision for Doubtful Debts.

Officer's Comment

At present Council does not have a formal Community Rating policy, thus considering awarding Wirraka Maya Health Service a rates concession must be considered on an ad hoc basis as agreed at the informal briefing session held on 10 June 2009.

The Rating Policy 2/004 states that all rate concessions will be considered by Council during the budget process. Although the second letter from Wirraka Maya Health Service was not received until the 25 August 2009, Wirraka Maya Health Service only discovered that they had missed requesting a rates exemption previously, until the subsequent 2009/2010 rates had been issued against the property.

On 15 October 2008 Wirraka Maya Health Service demonstrated that it was a non-profit organisation by providing Council with a letter from the Australian Taxation Office stating that it is a public benevolent institution (see attachment three).

In general terms, a community-based organisation will be deemed a public benevolent institution, by the Australian Taxation Office, if its objects and activities relate solely to the provision of assistance or benefits to needy members of the public.

If Council chooses to make all three properties owned by the Wirraka Maya Health Service rates exempt and not 25 Sutherland Street, it may be interpreted as inequitable. In reference the confirmed minutes of the 24 June 2009 Council meeting, the reasoning behind the resolution was, "...Council seeks to provide incentive for the provision of Aboriginal Health Services and support (the) Federal Government political aim to increase indigenous health".

Awarding Wirraka Maya Health Service a rates exemption on their property of 25 Sutherland Street will help support the reason behind the initial resolution.

Attachments

1. Letter dated, 5 June 2008.
2. Letter dated, 19 August 2009.
3. Letter dated, 13 October 2008.

200910/169 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S J Coates

That Council;

- i) Approves a 100% rates exemption on the property of 25 Sutherland Street owned by Wirraka Maya Health Service; and
- ii) Council notes that when the Community Rating Policy is established, all properties owned by Wirraka Maya currently receiving a rates exemption will be reviewed to ensure compliance.

CARRIED BY ABSOLUTE MAJORITY 8/0

ATTACHMENTS TO AGENDA ITEM 11.3.1.11



Wirraka Maya Health Service

1-5 Hamilton Road / PO Box 2523 South Hedland 6722

Phone : Clinic (08) 9172 0400 / Administration (08) 9172 0410 / Director (08) 9172 0405

Fax Clinic: (08) 9140 2966 / Administration: (08) 9140 2295

Wellbeing Centre

Phone : (08) 9174 0444 / Fax : (08) 9172 3719

RECORD No. 08-02680
 OFFICER SPO
 17 SEP 2008
 FILE No. Various
 ACTION DATE _____

Town of Port Hedland
 P O Box 41,
 Port Hedland WA 6721

June 5th, 2008

Attention: Senior Rates Officer

Application for rates exemption for registered Charity Public Benevolent Institution

Dear Sir/Madam

Our organisation currently owns three properties in Port Hedland/South Hedland listed below, which are used to undertake Public Benevolent duties on behalf of various Federal and State Government departments. In the past the properties have been rated without any general charitable exemption.

Assess No	Name	Lot No.	House No.	Street Name	Street Type	Suburb
A106282	WIRRAKA MAYA HEALTH SERVICES AB. CORP.	500	1-5	HAMILTON	ROAD	STH HEDLAND
A113807	WIRRAKA MAYA HEALTH SERVICES AB. CORP.	3	3	DAYLESFORD	CLOSE	STH HEDLAND
A116100	WIRRAKA MAYA HEALTH SERVICES AB. CORP.	108	9	MORGANS	STREET	PT HEDLAND

08-02680
 08-02685
 08-02682

Our research indicates that our organisation is able to access the general exemption that applies to charitable not for profit organisations, and we intend to apply for this exemption.

We are requesting that you place this request to the TOPH Council at the next meeting for their consideration.

If you have any further queries, please contact our Operations Manager Geraldine Burgess on 91720401.

Yours faithfully

Wendy Clinch
 Chief Executive Officer



COPY

Wirraka Maya Health Service

1.5 Hamilton Road / PO Box 2523 South Hedland 6722
 Phone : Clinic (08) 9172 0400 / Administration (08) 9172 0410 / Director (08) 9172 0405
 Fax Clinic: (08) 9140 2966 / Administration: (08) 9140 2295

Wellbeing Centre

Phone : (08) 9174 0444 / Fax : (08) 9172 3719 *Lot 504, 25 Sutherland*

TO

19th August 2009

Town of Port Hedland
 PO Box 41
 Port Hedland WA 6721

Attention: Senior Rates Officer

TOWN OF PORT HEDLAND
 RECORD No.
 OFFICER..... *SPO* *CK*
 25 AUG 2009
 FILE No. *Various*
 ACTION DATE..... *u*

A800350 a Lot 504 25 Sutherland. 91:04530
91 0410002 - 91 04403 jn

Application for rates exemption for registered Charity Public Benevolent...

Dear Sir/Madam

Our organisation currently owns a property in Port Hedland listed below, which is used to undertake Public Benevolent duties on behalf of various Federal and State Government departments. In the past the property has been rated without any general charitable exemption.

Assess No.	Name	Lot No.	House No.	Street Name	Street Type	Suburb
A800350	WIRRAKA MAYA HEALTH SERVICES AB. CORP.	504	25	SUTHERLAND	STREET	PORT HEDLAND

Our research indicates that our organisation is able to access the general exemption that applies to charitable not for profit organisations, and we intend to apply for this exemption.

We are requesting that you place this request to the TOPH Council at the next meeting for their consideration.

If you have any further queries, please contact our Amanda Bolan on 9172 0407.

Yours faithfully

Wendy Clinch
 Chief Executive Officer



Telephone: (08) 9268 5111
Facsimile: (08) 9268 5016

Australian Taxation Office
45 Francis St Northbridge WA 6003
GPO Box 9990 Perth WA 6001

Our Reference: NOR J10/50 Vol 60
Contact Officer: Andrew Carver Extn: (08) 9268 5259
Your Reference:

25 February 1999

Wirraka Maya Health Service
Aboriginal Corporation
PO Box 373
PORT HEDLAND WA 6721



Dear Sir

— INCOME TAX:

**Public Benevolent Institution
WIRRAKA MAYA HEALTH SERVICE
ABORIGINAL CORPORATION**

We acknowledge receipt of your letter dated 3 February 1999 advising this office of the change of name of the organisation from Hedland Aboriginal Health and Medical Services to Wirraka Maya Health Service Aboriginal Corporation

Under the provisions of taxation legislation administered by the Commissioner of Taxation, we advise that the Wirraka Maya Health Service Aboriginal Corporation continues to be a Public Benevolent Institution

The following taxation concessions under the provisions administered by the Commissioner of Taxation apply to all public benevolent institutions ("PBI"):

1. Gifts of \$2 and upwards to the Corporation are an allowable deduction under the provisions of item 4.1.1 in section 30-45 of the *Income Tax Assessment Act 1997 (ITAA1997)*. All receipts which are issued to the donors should be printed to clearly display the name of the organisation exactly as Wirraka Maya Health Service Aboriginal Corporation, as it is under this name that the organisation is registered with this office, and always quote the Reference Number: **DGR 473 099**
2. Goods purchased for use and not for sale by the Corporation are exempt from sales tax under Item 140(c) in Schedule 1 to the *Sales Tax (Exemptions & Classifications) Act 1992*
3. The Corporation is exempt from income tax liability under item 4.1.1 in section 50-5 of the *Income Tax Assessment Act 1997* [formerly Sec 23(e) *ITAA1936*] as a charitable institution whose objects are for purposes beneficial to the community.
4. Benefits provided to employees of the Corporation in respect of those persons' employment by the organisation are exempt benefits under section 57A(1) of the *Fringe Benefits Tax Assessment Act*.

5/1
Wirraka
White
D.P. F

IMPORTANT: THIS NOTICE SHOULD BE RETAINED FOR FUTURE REFERENCE.

TAXES - Building a better Australia

If you have any further queries regarding this matter, please contact the officer named above.

Yours faithfully,



(Andrew Carver)

For Neil Mann

DEPUTY COMMISSIONER OF TAXATION

Small Business Income

11.3.1.12 Bloodwood Tree Association Inc. Rates Exemption Request (File No; A803501)

Officer Brie Holland
Senior Rates Officer

Date of Report 11 November 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider a rates exemption on the following property, owned by the Bloodwood Tree Association Inc. ; 36 Roberts Street, South Hedland for the 2009/2010 financial period.

Background

Late August 2009 Council received a letter from Bloodwood Tree Association (see attachment one). The basis of the request was that the Bloodwood Tree Association is a non-profit Indigenous Australian employment organisation that is registered with the Australian Taxation Office as a public benevolent institution (see attachment two).

Consultation Nil

Statutory Implications

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

(1) Subject to subsection

(2) and any other written law, a local government may-

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

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

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

** Absolute majority required.*

Policy Implications

Rating Policy 2/004 (in part) states:

“Charitable Organisations

As per the Local Government Act 1995 (as amended), charitable status of any organisation, must be applied for by an organisation, prior to the status being evaluated.

To qualify for recognition as charitable organisation, an organisation must meet general guidelines for recognition, as identified by the Department of Local Government and Regional Development and/or the West Australian Local Government Association.

Recognition of a charitable organisation will be authorized in writing by the Chief Executive Officer.

The status of all charitable organisations will be reviewed every two years.

Concessions

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

Strategic Planning Implications Nil

Budget Implications

If Council chooses to award Bloodwood Tree Association 100% rates concession for 2009/2010 as proposed, the rates raised for the current year will have to be written off, which will directly affect the Council's revenue, reducing it by \$1,300.52.

Rates written off will also impact on the provision for doubtful debts.

Officer's Comment

Presently, Council does not have a formal Community Rating policy, thus considering awarding Bloodwood Tree Association Inc. a rates concession must be considered on an ad hoc basis as agreed at the informal briefing session held on 10 June 2009.

Bloodwood Tree Association Inc. is an organisation that was founded in 1977 and its aim is to "help (Australian) Aboriginal people in any way it can", more specifically the association is an Indigenous Australian employment agency. The centre operates on limited Government funding and the style of its operations does not allow the centre to generate a high level of income. It has been labeled as a public benevolent institution by the Australian Taxation Office (ATO).

Generally, the Australian Taxation Office deems an organisation to be a public benevolent institution if its agendas and activities directly involve providing compassionate or 'benevolent' relief to needy members of the public.

In other words the organisation is labeled "non-profit", that is, it is carried on without purpose of private gain and its funds and assets are used solely to advance its objectives, which is true in the case of the Bloodwood Tree Association Inc.

It should be noted that the Bloodwood Tree Association Inc. currently receives a 100% rates concession at their leased property of 9 Hamilton Road, South Hedland. The association has been receiving this discount since 2002/2003. This is the first time the association has requested a rates exemption on their privately property of 36 Roberts Street, South Hedland which is the location of their employment headquarters. It may be seen as inequitable if a rates exemption is given for one of the association's properties and not the other.

Attachments

Letter received, late August 2009
Letter from the ATO, dated 8 July 2005

200910/170 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S J Coates

That Council;

- i) approves a 100% rates exemption on the property owned by the Bloodwood Tree Association Inc. for the 2009/2010 financial years or until such time as the Community Rating Policy is endorsed by Council; and
- ii) reviews the rates exemption after one year or until a Community Rating policy has been established.

CARRIED BY ABSOLUTE MAJORITY 8/0

ATTACHMENTS TO AGENDA ITEM 11.3.1.12

BLOODWOOD TREE ASSOCIATION INC.

(Incorporating the PORT HEDLAND SOBERING UP CENTRE GROUP INC.)

ABN: 93 975 267 470

P.O. BOX 2099, 36 ROBERTS STREET SOUTH HEDLAND

Tele: 9172 3622. Facsimile: 9140 1474. E-mail: manager@bloodwoodtree.org.au



Freecall: 13 64 64



Town Of Port Hedland
McGregor Street,
Port Hedland WA 6722,

To Whom It may Concern,

I am writing this letter on behalf of Bloodwood Tree Association, 36 Roberts Street South Hedland Lot 1904 of Lawson P211426 regarding rates concessions concerning Non for profit organisations.

Our incorporated bodies such as Bunara Maya Hostel receive concession on their rates this letter is to inform that we too are a non for profit organisation and we feel as though we should also be eligible for this concession.

I have attached a copy of the companies Public Benevolent Certificate.

If you require more information please do not hesitate to contact myself.

Kind regards

Ashleigh Tiller
Admin Support officer / Bookkeeper
0891723622

PO Box 3373, Albury NSW 2640



BLOODWOOD TREE ASSOC INC
(BLOODWOOD TREE ASSOC INC)
C/- MARFLEET PIKORA PTY LTD
PO BOX 128
SUBIACO WA 6904



Australian Government
Australian Taxation Office

Client enquiries
Telephone: 1300 130 248

8 July 2005

RECEIVED
21 JUL 2005

BY:.....

Dear Organisation Manager

**Notification of endorsement for charity tax concessions
For your information**

Enclosed is your organisation's *Notice of endorsement for charity tax concessions*.

Please note the following points.

- Your organisation's endorsement to access charity tax concessions, together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at www.abr.business.gov.au
- Your organisation's endorsement is based on the information it has supplied. Your organisation is required by law to notify the Tax Office in writing if its circumstances change and it ceases to be entitled to endorsement.
- The tax laws do not require any particular intervals between self-reviews, but we recommend a yearly review. Your organisation should also carry out a review if there are major changes to its structure or operations.

A charity can self assess its entitlement to fringe benefits tax and GST charity tax concessions up to 1 July 2005. After this date, your charity will only be eligible to access charity tax concessions available under these laws if it has been endorsed.

For more information

We have a range of publications and services for non-profit organisations. Copies of the *Income tax guide for non-profit organisations* (NAT 7967) and other publications are available on the non-profit area of our website at www.ato.gov.au/nonprofit or by phoning us on 1300 130 248 between 8.00am and 6.00pm, Monday to Friday.

To keep up to date on key tax issues affecting the non-profit sector subscribe to receive our free electronic news service by using the email update link on our homepage at www.ato.gov.au

If your organisation has also applied for other endorsements you will receive separate notification.

Yours faithfully

Michael Carmody
Commissioner of Taxation and
Registrar of the Australian Business Register



7:16 pm Councillor G J Daccache declared an impartiality in Agenda Item 11.3.1.13 'Cooke Point Recreation Club Inc. Rates Exemption Request' as he is a member of the Cooke Point Recreation Reserve. Councillor Daccache advised that as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Daccache declared that he will consider this matter on its merits and vote accordingly. Councillor Daccache did not leave the room.

11.3.1.13 Cooke Point Recreation Club Inc. Rates Exemption Request (File No; A102540)

Officer Brie Holland
Senior Rates Officer

Date of Report 12 November 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider a rates exemption on the following property, owned by the Cooke Point Recreation Club Inc; 13-27 Keesing Street, Port Hedland for the financial period of 2009/2010.

Background

The Cooke Point Recreation Club Inc sent a letter to Council on the 20 October 2009 seeking a rate exemption the property they own at 13-27 Keesing Street, Port Hedland. Their reasoning behind the request is that they are 'not for profit' organisation and the zoning for their property is Community, not Commercial which should be further reason to grant them rate exempt.

Consultation Nil

Statutory Implications

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

(1) Subject to subsection

(2) and any other written law, a local government may-

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

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

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

** Absolute majority required.*

Policy Implications

Rating Policy 2/004 (in part) states:

"Charitable Organisations

As per the Local Government Act 1995 (as amended), charitable status of any organisation, must be applied for by an organisation, prior to the status being evaluated.

To qualify for recognition as charitable organisation, an organisation must meet general guidelines for recognition, as identified by the Department of Local Government and Regional Development and/or the West Australian Local Government Association.

Recognition of a charitable organisation will be authorized in writing by the Chief Executive Officer.

The status of all charitable organisations will be reviewed every two years.

Concessions

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

Strategic Planning Implications Nil

Budget Implications

If Council chooses to award Cooke Point Recreation Club Inc a 100% rates concession, the 2009/2010 rates raised will have to be written off, which will directly affect the Council's revenue, reducing it by \$ 8,790.68 (see below table) and impacting on the Provision for Doubtful Debts, along with those anticipated for 2009/2010.

Officer's Comment

Presently Council does not have a formal Community Rating policy, thus considering awarding the Cooke Point Recreation Club Inc a rates concession must be considered on an ad hoc basis as agreed at the informal briefing session held on 10 June 2009.

On the 4 September 2009 a letter on behalf of the Town of Port Hedland was sent to the Cooke Point Recreation club in reply to their initial request to be considered for a rates exemption. It stated, 'Some suggestions which lead to supporting your request for rates exemption include; evidence that your organisation is registered as a Charity or Public Benevolent Institution with the Australian Taxation Office (ATO), a comprehensive outline of your organisations activities and a summary of how any funds received are distributed'. In reply to this suggestion the Cooke Point Recreation Club did not provide a charitable status letter from the ATO, instead they provided a copy of their Rule book. It is not clear to how any funds received are distributed by the club as a financial summary has not been provided with the rule book.

In reference to the comment by Cooke Point Recreation Club Inc that the land is zoned for community purposes, this is correct however Council does not have a 'Community' rating category. The property attracts a Gross Rental Value (GRV) and the rating categories the Town has established for GRV properties are;

- Residential
- Commercial and
- Industrial

The land containing the Cooke Point Recreation club cannot be classified as residential or industrial, as the primary purpose of the club is serving food and alcoholic beverages hence attracting a commercial rating category.

Even though the land to which the Club exists is zoned Community, it does not automatically imply that the establishment is operated by a charitable organisation. The primary activity carried out on the premises is a commercial enterprise and attracts a commercial rating category. In comparison to the many other requests sent to Council from organisations for rates exemptions it cannot be said that the Cooke Point Recreation Club provides essential services to the residences of the Town of Port Hedland like an Employment agency or a Medical centre. If the club truly was a non-profit organisation the ATO would have issued a tax exemption letter labeling the club as a public benevolent institution, which has shown not to be the case.

Presently the Town has arranged with the Cooke Point Recreation Club to pay their rates via an alternative arrangement, which the club is currently up to date with their payment schedule.

Attachments

Letter dated, 20 October 2009.
Cooke Point Recreation Club rules book.

200910/171 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr M Dziombak

That Council does not approve a rates exemption on the property of 13-27 Keesing Street, Port Hedland.

CARRIED 8/0

ATTACHMENTS TO AGENDA ITEM 11.3.1.13



Cooke Point Recreation Club Inc.

COPY

20th October 2009

Councillors
Town of Port Hedland
PO Box 41
Port Hedland 6721

CC: Mr Chris Adams
Ms Natalie Octoman

Re: You Reference # BH A102540

Dear Councillors,

In response to your above mentioned letter regarding the Cooke Point Recreation Club's application for a review to be undertaken on the way in which our land is 'rated' I offer the following response.

As per section 1 (a) of the Cooke Point Recreation Club's Rules (copy previously sent with original application, additional copy now attached) it is clearly stated that the Cooke Point Recreation Club is 'not for the purpose of making a profit'. Your comment 'before your letter is presented to Council there is a necessity for your organisation demonstrate exactly how it is labelled as non-profit' is an interesting one. To further clarify the Cooke Point Recreation Clubs operation, no person, persons or corporate entity benefits from any profit or loss that the Club may make. In other words, no one other than direct employees receive any remuneration from the Club's operations. The Club is governed by the Rules and is managed by a committee of volunteers.

Your comments in regards to the zoning of the property (Community) not being a part of the council's current rating classification is also interesting. Can you please advise how it was determined that a not for profit organisation residing on land zoned as community, that does not have a rating classification under the Town of Port Hedland rating scheme should be rated as being commercial? Can I suggest that if land does not have a rating classification then the land was never meant to attract rates?

Given our land is used for community purposes in a not for profit way, the Cooke Point Recreation Clubs land should be rates exempt. The fact that the land is now being rated as a commercial lot may have been caused by a simple administrative error that we are now left with the task of trying to correct. I have attached a copy of the Town of Port Hedland Town Planning Scheme No 5 (downloaded from your website today following a visit to your offices at the Civic Centre) and a copy of the legend that accompanies the scheme and highlighted the land on which the club resides so as to clarify the piece of land that we are referring too.

I trust the above information is of assistance and look forward to your favourable response.

Kind regards,

Aaron Ludlow
President

TOWN OF PORT HEDLAND	
RECORD No.	JCL 541
OFFICER.....	DCS: [Signature]
22 OCT 2009	
FILE No.	102540G
ACTION DATE.....	[Signature]

COUNCIL REPORT

ABN:39 472 077 272
9 Keessing Street, (PO Box 193) Port Hedland, W.A., 6721
Ph: (08) 9173 1578; Fax: (08) 9173 2666
Email: theclub6@bigpond.com

COOKE POINT
RECREATION
CLUB

RULES

REVISED 1999

~~CONSTITUTION OF COOKE POINT RECREATION CLUB (INC)~~

In these Rules unless there be something in the context inconsistent therewith:

"The Club" means Cooke Point Recreation Club

"The Committee" means the Committee of Management for the time being of the club

"Annual Meeting" means Annual General Meeting

"Special Meeting" means any other meeting of the Club

"General Meeting" means a General Meeting of the Club whether annual or special

The word 'month' means a calendar month

OBJECTS

1. The objects of the Club shall be:
 - (a) For social literary and sporting purposes and in particular the playing of bowls, tennis, football, cricket, darts, snooker and 8-ball and for the purpose of accommodating and providing amenities for the members and their guests upon premises lawfully occupied by the Club in good faith, and not for the purpose of making profits divisible among the members or any of them or for the support of any object other than:
 - (i) accommodating and providing amenities for members and their guests;
 - (ii) gifts for purposes that are in accordance with the law of the State of Western Australia; charitable or for any other purposes.
 - (b) To borrow or raise or secure the payment of money for the purpose of the Club in such manner as the members think fit and in particular by the issue of debentures charged upon all or any of the Club property (both present and future) and to redeem or pay off any such securities.
 - (c) For the purpose aforesaid to draw, make, accept, endorse and issue negotiable securities or instruments of whatsoever kind or nature.
 - (d) For the like purposes to sell or dispose of the whole or any part of the assets of the Club.
 - (e) To do all the other things incidental or conducive to the attainment of the above objects.
 - (f) To hold a club licence authorising the sale of liquor.
 - (g) To purchase, take on lease, or otherwise acquire for such price and upon such terms and conditions as the Club thinks fit, any freehold or leasehold lands or property which the Club considers is suitable for or may be used in the carrying out of any of the above purposes.

MEMBERS

2. No person under the age of eighteen years shall be admitted a member of the Club. Any person not under the age of eighteen years desiring to become a member of the Club shall sign an application on the form provided and such form must bear the signature of two members of the Club as proposer and seconder.

3. The Club shall consist of the following classes of members;
 - (i) Ordinary members (Single, Family, Pensioner)
 - (ii) Corporate members
 - (iii) Life members
 - (iv) Temporary members (Out of Towners)

ORDINARY MEMBERS

4. All members hereinafter otherwise defined, and all members paying the fees and subscriptions hereinafter provided for of an ordinary member shall be deemed ordinary members. Ordinary single members (male or female) shall pay a nomination fee, an annual subscription or six monthly. Ordinary family members (husband and wife) shall pay a nomination fee, an annual subscription or six monthly. Pensioner single shall pay a nomination fee, an annual subscription or six monthly. Pensioner family shall pay a nomination fee, an annual subscription or six monthly. All subscriptions shall be payable in advance on the first day of January in each year (six monthly membership being the first day of January until the 30 June - 1 July until the 31 December in each year).
 - (a) The Committee shall have the power to set the annual subscriptions, which are presented at the A.G.M.
5. All applications for ordinary membership must be in writing and must bear the signatures of two members of the Club as proposer and seconder.
6. When the Secretary receives an application from any person desiring to become a member he/she shall forthwith place the said application on the Notice Board in a conspicuous place in the Club premises. Such application must contain the name and address of the proposed member.
7. After such application has been on the Notice Board for at least fourteen days the applicant can be balloted for (two dissensions to exclude) and elected by the Committee on a date to be notified and a record shall be kept by the Secretary of the Club of the names of the members of the Committee present and voting on such day. All members shall be elected by the Committee on a day to be notified as aforesaid. If an applicant is refused election then the fees accompanying the application are to be refunded.
8. On the election of each candidate the Secretary shall notify the same to him/her and shall furnish him/her with a printed copy of the Rules and he/she shall on payment of his/her first yearly subscription be enrolled as a member of the Club and become entitled to the privileges, and be bound by its rules and by all consequences resulting from breach or non-performance thereof and shall thereby absolve every person concerned in carrying out and enforcing such rules from all personal responsibility or legal liability on such account.
9. The rights and privileges of every member shall be personal to himself/herself and they shall not be in any manner transferable by his/her own act or through any other person on his/her behalf or by operation of law and on any member ceasing by death or otherwise to be a member all his/her interest and share shall survive accrue and belong to the other members for the time being.

10. No person shall be entitled to exercise any of the privileges of a member until he/she shall have paid all subscriptions payable by him/her upon his/her election and if he/she shall not within two weeks of his/her election make all such payments his/her election shall be null and void but he/she shall nevertheless remain liable for the payment of all such moneys.

CORPORATE MEMBERS.

11. (a) The following persons shall be eligible for consideration as Corporate Members.
- (i) Where a Business/Organisation nominate a group of ten or more persons.
 - (b) The Committee shall have the power to negotiate the annual subscription.

LIFE MEMBERS.

12. Life Members shall be elected by the general body of members on the recommendation of the Committee and may be elected at any general Meeting. The name and address of every person proposed as a Life Member shall be posted on the Notice Board for at least a week before the General Meeting at which the Life Member is to be elected and an interval of not less than two weeks shall elapse between nomination and the election. Life Members shall pay annually in advance a subscription equal to the minimum subscription payable by members as from time to time fixed by the Liquor Act 1988 and its amendments.

TEMPORARY MEMBERS

13. (a) The following persons shall be eligible for consideration as Temporary Members.
- (i) A person who is on any day visiting the Club as a member or an official of, or a person assisting a team that is to contest a pre-arranged event in that sport on that day.
 - (ii) A person who is on any day visiting the Club as an invitee of a member of the Club to engage in a competitive sport on that day.
 - (iii) Officials of any State body or organisation which controls State-wide any sport which the Club is constituted lawfully to conduct.
 - (iv) Members of Eastern States or overseas Clubs conducting any sport (as in (iii)) and visiting this State.
 - (v) Persons of distinguished or public positions, including Ministers of Religion, visiting the Club.
 - (vi) Members of other Clubs in this State conducting a sport which the Club is constituted lawfully to conduct and affiliated with any of the State bodies or organisations.
 - (vii) Officers of the Navy, Army or Airforce of Australia and of any other country visiting the State.
- (b) No person shall become an Temporary Member of the Club:

- (i) Whose usual place of abode is less than 24 kilometres from the Club premises by the shortest route.
 - (ii) Who has been afforded Temporary membership of the Club during the period of three months immediately preceding the date of his/her nomination, or;
 - (iii) He/She is under the age of eighteen years.
14. No person shall become a Temporary Member of the Club unless:
- (a) He/She is proposed in writing signed by a member in a form setting out that such person is, to the knowledge of the proposer, eligible according to the rules of the Club to be elected a Temporary Member, and;
 - (b) Notice is posted on the Club premises by the Secretary thereof, the time of such posting being marked thereon, and;
 - (c) At least seven days elapse between posting of such notice and the election, and;
 - (d) The person proposed as a Temporary Member is duly elected according to the rules of the Club.
15. When the requirements of the foregoing rules have been complied with the proposed Temporary Member may be elected by the Committee.
16. A Temporary membership shall last for one month from the day of election or such extended time as the Committee may think fit not exceeding two months in the whole. Temporary Members shall pay a subscription of not more than Ten Dollars (\$10) per month.
17. The Committee shall have the power in cases appearing to them to require it to revoke the admission of any Temporary Member without any notice and pending meeting, the Manager, Secretary, President or two Committeemen shall have the same power.
18. Temporary Members shall not be entitled to vote or be present at any meeting of the members of the Club nor be entitled to hold any office in the Club nor have any right title or interest in or to any of the property of the Club or propose or second any candidate for admission as a member or Temporary Member. Except as aforesaid Temporary Members shall be afforded all privileges enjoyed by members.

VISITORS

19. Any member of the Club shall be at liberty to invite a maximum of three guests into the Club between business hours of the Club, and may order such refreshments as are usually supplied at a bar. The visitor shall not be supplied with liquor on the Club premises unless on the invitation and in the company of a member and such liquor shall be consumed by the visitor on the Club premises. Liquor shall not be supplied to any person under the age of eighteen years. The visitors full name and address will be entered into the visitors book and signed by the member with their membership number.
20. These rules shall be the rules of the Club and be binding on members.

MANAGEMENT.

21. The business and affairs of the Club shall be under the management of a Committee, elected for not less than twelve months by the general body of members. The Committee shall consist of nine members. The term elected for Committee shall be three years. At the Annual General Meeting in each year, three committee members shall retire from office, but shall be eligible for re-election. At the next meeting of the Committee members following the Annual General Meeting each year, the members of the Committee shall elect the President, Vice President, Treasurer and Secretary from the Committee.
22. All Committee members on the Committee at the date of adoption of these rules shall hold their Committee position until the next Annual General Meeting.
23. No person shall be eligible as a Committee member of the Club who is not a financial member. A Committee member of the Club ceasing to be a financial member there of shall ipso facto vacate his/her Committee position.
24. Nomination of candidates for the Committee shall be in writing signed by the proposer and seconder and by the candidate and shall be in the hands of the Secretary not less than fourteen days before the date fixed for the Annual General Meeting. The name of the candidate shall be notified to members in the notice convening the Annual General Meeting and shall also be posted on the club Notice Board seven days at least before such meeting.
25. The position of Committee person shall be vacated if the person filling it shall:
 - (a) Hold any place of profit under the Club.
 - (b) Be concerned or participated in the profits of any contract with the Club.
 - (c) Be absent without leave of the Committee from three (3) consecutive ordinary meetings of the Committee.

But the above rules shall be subject to the following exceptions that no Committee person shall vacate their office by reason of his/her being a member of any company which has entered into contracts with or done work for the Club, nevertheless he/she shall not vote in respect of such contract of work and if they do so vote their vote shall not be counted.
26. The election shall be by ballot by the general body of members and shall be conducted in manner from time to time prescribed by the Committee in the presence of scrutineers (members of the Club) elected for that purpose at each Annual Meeting. In case no more than the required number of positions shall be nominated those so nominated shall be declared elected and in case any doubt shall arise as to the election of any candidate to any position in the reason of the same number of votes having been given for such candidate and any other candidate or candidates such doubt shall be determined by the casting vote of the person presiding.
27. Any vacancy in the Committee or in the position of Auditor occurring between annual meetings may be filled by the Committee by the appointment of some duly qualified person. Auditor or Committee person so chosen shall retain his/her position only until the next Annual General Meeting.

28. The Committee shall meet regularly and at least once in each calendar month and shall keep written minutes of all its resolutions and proceedings entered in book or books for such purpose.
29. The Committee shall regulate its own proceedings. The President or Vice-President or failing either of them a Committee person appointed by the Committee at the particular meeting shall preside at all meetings of the Committee. The Committee quorum shall be five.
30. Questions arising at a meeting of the Committee shall be determined by a majority of votes and in case of an equality the President shall have a second or casting vote.
31. The Committee shall frame by-laws not inconsistent with these rules for the conduct of the Club and shall take active steps to ensure that the by-laws are complied with.
33. It shall be the duty of the Treasurer with the President and the Vice-President to form a Finance Committee to examine all accounts to check all receipts and to make recommendations to the Committee with regards to payments. The Treasurer shall sign all cheques as co-signatory with the President or Secretary. All members of the Finance Committee shall be members of the Club and shall be required to report and be responsible to the Committee.
34. The business and affairs of the Club shall be under the management of the Committee who may pay all expenses incurred in promoting and registering the club.
35. Without prejudice to the powers conferred by the last regulation the Committee shall have the power to do any one or more of the following acts:
 - (a) To borrow money for all or any purposes of the Club on mortgage debentures or otherwise.
 - (b) To purchase or otherwise acquire any books newspapers or periodicals and dispose of them as they think fit.
 - (c) In accordance with the provisions of the said Liquor Act 1988 to determine from time to time the conditions on which and times when members may use the property of the Club or any part of the premises of the Club or any part or parts thereof shall be used by the members or any of them.
 - (d) To appoint for fixed periods or otherwise as they shall deem advisable and from time to time remove the Secretary and such servants and assistants as may in the opinion of the Committee be necessary and to pay such Secretary, servants or assistants as the Committee may deem fit.
 - (e) To make all necessary arrangements for the supply to the Club of all wines, spirits, malt liquors, viands, cigarettes, tobacco and provisions as may be required and to obtain same on credit or otherwise.
 - (f) To make and from time to time alter or repeal by-laws for all or any of the purposes aforesaid or for better carrying out these rules or the objects of the said Club.

- (g) To delegate subject to such conditions as they may think fit, any of their powers to sub-committees consisting of such members of the Club as they think fit and to make such regulations as to the proceedings of such sub-committees as may be thought desirable PROVIDED that no act of any sub-committee shall be binding upon the Committee of Club until ratified by the Committee. All members of sub-committees shall be members of the Club and shall be required to report and be responsible to the Committee.
 - (h) To regulate and control their own meetings and the transaction of business thereat.
 - (i) To pay to any servant of the Club any gratuity for faithful and diligent service as to them seems fit.
 - (j) The Committee shall have the power to elect by ballot all ordinary members and if they shall see fit to return any portion of any subscription for unexpired time for which same shall have been paid also to suspend or expel any member and to do any other business not required to be done at a General meeting.
 - (k) To register the Club under 'The Associations Incorporations Act 1987'.
 - (l) The Committee shall have the power to amend the rate of subscriptions for members elected after 1st January on each year to a pro-rata basis for the remainder of the Club financial year.
36. The Committee may act notwithstanding any vacancy in their body.
37. It shall be the duty of the Committee to manage and conduct the Club and to see that all rules and by-laws are carried out.
38. Three (3) members of the Committee may at any time summon a meeting of the Committee.
39. The Committee shall cause the true accounts to be kept:
- (a) Of the stock-in-trade of the Club.
 - (b) Of the sums of money received and expended by the Club and the matters in respect of which such receipt and expenditure take place and
 - (c) Of the assets and liabilities of the Club.
40. The Accounts shall be closed on the last day of June in each year and a balance sheet containing a summary of the property and liabilities of the Club on that date shall be forthwith made out.
41. A copy of the balance sheet shall ten days perviously to each Annual General Meeting be posted upon the Notice Board in the Club Room.
42. In estimating the value of the furniture and effects of the Club a deduction shall be made of at least \$10.00 per centum per annum for depreciation.
43. One member of the Committee shall count stock with the Manager at least once a month.

44. The Committee shall have full power to suspend or expel any member of the Club:
- (a) Who shall fail in the observance of any rule or regulation of the club, or any rule or by-law of the Committee or any order or direction of the Committee of Special or Ordinary General Meeting, or;
 - (b) Who shall be convicted of an indictable offence or;
 - (c) Who shall in the sole and absolute judgement and discretion of the Committee have been guilty either in or out of the Club's premises of any act, practice, conduct, matter or things calculated to bring discredit on or in any other manner prejudicially affect the reputation of the Club or calculated in any manner to impair or affect the enjoyment of the Club premises by the members thereof or to cause any ill feeling or friction between or among the members without prejudice however to his/her liability to pay when required any part or the whole of fees due.

The following shall be the mode of procedure:

- (i) A charge must in the first place be made either by a member of the Committee or by resolution of the committee stating the nature of the offence of which the member is accused.
 - (ii) The Committee shall then cause a notice to be sent to the member complained against to attend before the Committee to answer the said charge and also to his/her accuser if any and the Manager must on application to either party send a notice to any other member to appear and give evidence provided that such application must be made three clear days before the date of the hearings of such charge. Seven clear days' notice must be given of such hearing. Should either of the parties fail to attend the Committee shall take evidence and decide the case the same as if all parties had been present.
 - (iii) In after hearing the evidence the Committee shall be of the opinion that the charge is substantiated, they shall inflict such penalty as they may think fit, either by fine suspension from the privileges of membership for a certain time or by expulsion and shall thereupon cause notice of such penalty to be sent to the member charged at his/her last address and in case of expulsion, name of such member shall be erased from the list of members and he/she shall cease to enjoy the privileges of a member.
45. Any member shall have a right of appeal to a General Meeting of the Club as herein provided.
46. Should any member make a charge which in the opinion of the Committee shall be of a frivolous nature and unsupported by evidence at such enquiry the Committee shall impose such penalty against him/her as they may think fit, but any such decision shall be subject to appeal to a General Meeting as herein specified.
47. The Committee shall have full power to enquire into any matters they may think fit, whether any charge shall have been made before them or not and shall proceed in the same manner as if a charge has been made and shall inflict a similar penalty as to them may seem fit.
48. Any member of the Club who may be aggrieved by an action of the Committee may appeal to a General Meeting. He/She shall give notice to the Committee who shall place the appeal stating the nature thereof on the business sheet of the next General Meeting. Should any

member require a special General Meeting called for the purpose he/she must get the necessary number of signatures to a requisition and lodge the sum of \$25.00 with the Secretary to cover the cost of calling such a meeting which shall be forfeited if such a General Meeting uphold the decision of the Committee otherwise it shall be returned to him/her. Until the hearing of any such appeal the decision of the Committee shall have full effect, the same as if no appeal had been made.

GENERAL PROVISIONS

49. No member shall bring any legal action against the Club (save as an express contract with the Club) and must conform to the decisions of the Committee and in case of appeal to the General Meeting to which he/she appeals.
50. Correct accounts and books shall be kept showing the financial affairs of the Club and the particulars usually shown in books of account of a like nature.
51. A visitor shall not be supplied with liquor on the Club's premises unless on the invitation or in the company of a member and then only in such part of the Club premises as set apart for Club visitors, or be allowed to buy takeaways.
52. No liquor shall be sold or supplied for consumption elsewhere than on the Club's premises unless such liquor is removed from the premises of the Club by the member purchasing same.
53. No person under eighteen years of age shall be admitted as a member of the Club and no liquor shall be sold or supplied to any person under eighteen years of age.
54. No person under eighteen years of age shall be employed in the Club, but this restriction shall not apply to persons employed in the clerical or administrative work of the Club, provided that no person under the age of eighteen shall be employed in or about a bar or in the delivery of liquor on the Club premises.
55. No steward, cook or other employee of the Club shall be employed for a longer period than persons employed in an hotel or restaurant may for the time being be lawfully employed.
56. The accommodation is to be provided and maintained from joint funds of the Club and no person shall be entitled under these rules to derive any benefit or advantage from the Club which is not shared equally by every member thereof.
57. An up to date register of members of the Club shall be made available for inspection.
58. No payment or part payment of any Secretary, Manager or other officer or servant of the Club shall be made by way of commission or allowance from or upon the receipts of the Club for liquor supplied.
59. All unfinancial member's names shall be posted on the Club Notice Board; After the duration of fourteen (14) days such member or members' names shall be automatically struck from the register and be automatically excluded from Club privileges.

CONVENING MEETINGS

60. The Annual General Meeting shall be held no later than the month of October.

61. Any member may on giving notice to the Secretary not less than seven days' written notice, together with a copy of the proposed resolution, submit any resolution to a General Meeting. The Secretary shall immediately upon receipt of any notice and resolution post a copy of the same on the Notice Board.
62. The Secretary shall, whenever required by the Committee or by a requisition made in writing by not less than fifty per cent of the members of the Club convene a Special Meeting. Any requisition made by members shall express the object of the meeting proposed to be called and on receipt thereof the Secretary shall forthwith convene a Special Meeting. If he/she does not convene a Special Meeting to be held in not less than seven days nor more than fourteen days from the time of the requisition being sent, the requisitionists or any of them may convene such a meeting.
63. Every General Meeting shall be held on the Club premises.
64. Seven days' notice at least of every General Meeting specifying the time and place of the meeting and nature of the business shall be given to the members.
65. All business shall be deemed special that is transacted at an Annual Meeting with the exception of the consideration of accounts balance sheets and report of the Committee and the election of officers.
66. At all meetings of the Club fifteen members shall form a quorum.
67. If within half an hour from the time appointed for a General Meeting a quorum of members is not present, the meeting if convened upon requisition of members shall be dissolved, but in any other case it shall stand adjourned to the same day in the following week at the same time and place if at such adjourned meeting a quorum of members do not present the members present shall be a quorum and may transact the business for which the meeting was called.
68. The President of the Committee or in his/her absence a Vice-President or in the absence of a Vice-President, some member of the Committee shall preside at every meeting of the Club. If within ten minutes after the appointed time of the meeting none of the persons aforesaid are present, the meeting may elect its own Chairperson.
69. At any General Meeting, unless a poll is demanded by at least five members, a declaration by the Chairperson that a resolution has been carried or carried by a particular majority or lost and an entry to that effect in the Minute Book of the Club shall be sufficient evidence of the number or proportion of the votes recorded in favour or against such resolution.
70. Every financial member shall be entitled to one vote.
71. No member shall be considered financial who has not paid all dues payable by him/her.
72. The following shall be the order of business at all Annual Meetings:
 - (a) Confirmation of Minutes of last Annual General Meeting and of any Special Meeting held since the preceding Annual Meeting.
 - (b) Receiving and discussing the Annual Accounts and reports of the Committee.

- (c) The Election of Committee and the determination of any matter appearing on the notice convening the meeting.
 - (d) Special business, if any brought forward after written notice as before mentioned.
 - (e) General Business.
73. Minutes of the proceedings at every General Meeting shall be entered and kept in the book and the said book, when signed, shall be conclusive evidence that the proceedings minuted therein were regular and actually took place as minuted at a meeting duly convened and held and shall be binding on all members.
74. Once at least every twelve months the accounts of the Club shall be examined and their corrections ascertained by a professional auditor and submitted to General Meeting.
75. No rule shall be altered, except by a resolution passed at a General or Special Meeting and carried by a majority of two-thirds of the members present and entitled to vote such alteration to have been displayed on the notice convening the meeting. As soon as is practicable after the alteration of any rule, a certified copy of such alteration is to be forwarded to the Director, Liquor Licensing Division and Minister for Fair Trading. No alteration is to take effect until such approval is granted.

LIQUIDATION AND WINDING UP.

76. The members of the Club may at any time by a resolution carried by a three-quarters majority of members present at a Special Meeting of the Club determine to liquidate and wind up the Club and thereupon the Club shall cease and be dissolved.
77. At the same time or by any other subsequent or special resolution passed by the aforesaid majority the members may do any one or more of the following acts:
- (i) Appoint a liquidator or liquidators.
 - (ii) Appoint a Committee of inspection of any number.
 - (iii) Give such remuneration as may be thought desirable to the said liquidator or liquidators and a Committee of inspection or either of them.
 - (iv) Confer upon such liquidators and Committee such powers, authorities, rights and privileges as may be thought desirable.
78. As soon as practicable after the passing of the resolution to liquidate the Club, the liquidator or liquidators shall prepare an account or balance sheet showing the position of the Club.
- (a) Any and all assets remaining after full settlement of all just debts and liabilities incurred by the Club shall be disposed of by transfer to some other institution, or organisation having similar objects to the Club and which has in its Constitution a clause or paragraph prohibiting the gift or transfer of its assets to any of its members or subscribers.

GENERAL.

79. No member shall take from the Club or injure or destroy any newspaper, periodical article or thing the property of the Club and any damage done by a member shall be made good at his/her expenses forthwith.
80. Each member shall from time to time notify the Secretary in writing of any change in his/her address. No member shall give the Club as his/her registered address.
81. Damage to any property of the Club shall be paid for by the member causing such damage and the Committee shall determine the amount to be paid.
82. The Club shall not be responsible for any article whatsoever brought into the Club by members.
83. All complaints should be submitted to the Manager in writing who will lay them before the Committee.
84. No member of the Club other than a member of the Committee shall be allowed behind the bar on any pretext whatsoever, except as directed by the Manager.

AUDITORS

85. The election of an Auditor will be made by the Club at its Annual Meeting in each year. A retiring Auditor shall be eligible for re-election.
86. If any casual vacancy occurs in the office of any Auditor appointed by the Club, the Committee shall fill the appointment until the next Annual meeting.
87. Every Auditor shall have a list delivered to him/her of all books kept by the Club and shall at all reasonable times have access to the books and accounts of the Club.
88. The Auditor shall make a report to the members upon the balance sheet and accounts in every such report he/she shall report whether in his/her opinion the balance sheet is a full and fair balance sheet and properly drawn up so as to exhibit a true and correct view of the Club's affairs and such report shall be read together with the report of the Committee at the Annual Meeting of the Club.

COMMON SEAL.

89. The Club shall have a Common Seal to be kept in the custody of the Secretary and it shall not be used except by the authority of the Committee. For the purpose of the Association Incorporation Act, the President, Vice-President and Secretary for the time being shall be Trustees and any document to which the Common Seal is affixed shall be countersigned by the three (3) Trustees.

INCOME AND PROPERTY.

90. The income and property of the Club shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of pecuniary profit to the members provided that remuneration may be

paid in good faith to officers and servants of the Club or other persons in return for services actually rendered to the Club.

BY-LAWS

1. Smoking over the billiard and pool tables is not permitted.
2. Glasses are not to be placed on game tables.
3. Foul or abusive language will not be tolerated in the Club or in the vicinity of the Club and members or visitors using same will render themselves liable for disciplinary action.
4. Any member or visitor not considered suitably dressed will be refused admission to the Club.
5. Membership Cards must be produced on request.
6. The Manager has the authority to refuse members admission or ask members to leave the Club premises in the event of misconduct or breach of rules or by-laws.
7. Persons under the age of 18 years are not permitted on the Club premises unless accompanied by their immediate parent or for the purpose of participating in an organised sport and are only permitted entry to the Club building for the purpose of using the downstairs toilet facilities.
8. No person will be admitted to the Club as a visitor more than three times in any one fiscal year.
9. Members evicted from the Club for Misconduct or Breaching of Rules or Bylaws, shall have all Privileges of the Club withdrawn until he/she has been cleared by the Committee under Rule 44 Sub Clause i, ii, iii.
10. The Manager has the Authority to refuse entry or service to an intoxicated person they being Members or Vistors.

7:19 pm Councillor G J Daccache declared a financial interest in Agenda Item 11.3.2.1 'Business Plan Consideration – Port Hedland Airport TWA' as his wife is employed by Auzcorp Pty Ltd.

Councillor Daccache left the room.

11.3.2 Governance**11.3.2.1 Business Plan Consideration – Port Hedland Airport TWA (File No.: ...)**

Officer Chris Adams
Chief Executive Officer

Date of Report 12 November 2009

Disclosure of Interest by Officer Nil

Summary

In accordance the Local Government Act 1995 (LG Act), Council has sought public submissions on the Business Plan that was prepared for the proposed leasing of a portion of the Port Hedland International Airport (PHIA) to Auzcorp as was proposed in Tender. Public advertising was required as the proposal is considered to be a major land transaction under the LG Act as the total consideration of the transaction exceeds \$1M.

Background

At its September meeting Council considered a report titled “Proposed Major Land Transaction at Port Hedland International Airport. Initiation of Business Plan” where it resolved the following:

That Council notes the contents of the attached Business Plan for the Proposed Leasing of Land at Port Hedland International Airport to Auzcorp Pty. Ltd and seeks public comment on the proposed major land transaction for a minimum of six (6) weeks in accordance with Section 3.59 of the Local Government Act 1995.

In summary details of the proposal (as outlined in the Business Plan are:

- Nature of Major Land Transaction: Leasing arrangement
- Location of Lease: Port Hedland International Airport.
- Nature of Tenure: Land is owned freehold by the Town of Port Hedland.
- Term of Lease: 5 years (no option)
- Rental Amount to Council: \$172,228 pa (reviewed annually).
- Project Capital Cost to Auzcorp: circa \$20M
- Lease Commencement: Prior to March 2010.
- Lease Completion: 5 years after commencement
- Total benefits to Council: Approx \$3M
- Risk to Council: Negligible or Nil.

The proposal was advertised in the both the West Australian Newspaper and the North West Telegraph. While a number of phone calls were received by staff to discuss the matter, at the close of the six week submission period only one submission had been received. The submission was from Lavan Legal (on behalf of Auzcorp Pty Ltd) and indicated its support for the business plan to proceed.

Consultation

The subject land has been under a lease arrangement for slightly over three years. The issue of leasing or re-leasing this particular section of land has been discussed at Council on several occasions over the past twelve months. Public consultation was undertaken on this matter in accordance with the Local Government Act.

The only submission that was received on the proposal was positive. In summary, the submission indicated:

The business plan offers significant benefits for the Town including:

- *Accommodation*
- *Financial benefits to Council*
- *Community access to facilities*
- *Improved visual amenity*
- *Local and indigenous employment.*

A full copy of the submission has been appended to this report.

Statutory Implications

Relevant excerpts from the Local Government Act and the Local Government (Functions And General) Regulations have been quoted below:

“3.59. Commercial enterprises by local governments

(2) Before it —

- (a) commences a major trading undertaking;*
- (b) enters into a major land transaction; or*
- (c) enters into a land transaction that is preparatory to entry into a major land transaction,*
a local government is to prepare a business plan.

(3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —

- (a) its expected effect on the provision of facilities and services by the local government;*
- (b) its expected effect on other persons providing facilities and services in the district;*
- (c) its expected financial effect on the local government;*
- (d) its expected effect on matters referred to in the local government’s current plan prepared under section 5.56;*

- (e) *the ability of the local government to manage the undertaking or the performance of the transaction; and*
 - (f) *any other matter prescribed for the purposes of this subsection.*
- (4) *The local government is to —*
- (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;*
 - (ii) *a copy of the business plan may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - and*
 - (b) *make a copy of the business plan available for public inspection in accordance with the notice.*
- (5) *After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.*

** Absolute majority required.*

Local Government (Functions and General) Regulations:

“7. Minimum value of major land transaction

For a land transaction to be a major land transaction the total value of —

- (a) *the consideration under the transaction; and*
- (b) *anything done by the local government for achieving the purpose of the transaction,*

has to be more, or worth more, than either \$1 000 000 or 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.

Policy Implications

Nil

Strategic Planning Implications

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

Vision: Port Hedland: A significant regional centre where people enjoy the lifestyle and natural environment and are proud to call home.

Mission: To enhance social and economic well-being through leadership and working in partnership with the community.

KRA 1: Infrastructure

Goal 3: Airport

Strategy 4: Develop a Transient Workforce Accommodation camp on Airport land.

KRA 4: Economic Development

Goal 4: Land Development Projects – That land is being released and developed to meet the needs of a growing community.

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

Budget Implications

As detailed in the Business Plan, the direct and indirect financial benefits to Council over the proposed five (5) year lease of the facility are approximately \$3M.

The costs to Council of undertaking the transaction have been relatively minor as the business plan and vast majority of discussions/negotiations have been undertaken by staff. Legal costs have been incurred regarding various elements of the transaction. These costs are within existing budget parameters for Legal Fees.

Officer's Comment

Council has discussed this matter several times over the past year. Given there have been no objections received to the Proposed Major Land Transaction regarding leasing of land to Auzcorp at the Port Hedland International Airport, it is recommended that Council proceeds with the Business Plan.

Attachments

Copy of Submission from Auzcorp (Drafted by Lavan Legal)

200910/172 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr M Dziombak

That Council:

- i) Notes the submission that was received on the Proposed Major Land Transaction regarding leasing of land to Auzcorp at the Port Hedland International Airport.
- ii) Agrees to proceed with the business plan for the major land transaction as proposed.
- iii) Authorises the Chief Executive Officer and Mayor to sign and seal lease documentation that is consistent with the approved business plan.

CARRIED 7/0

7:20 pm Councillor Daccache re-entered the room and assumed his chair.
Mayor advised Councillor Daccache of Council's decision.

1. NOV. 2009 16:44

LAVAN LEGAL

ATTACHMENT TO AGENDA ITEM 11.3.2.1

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 Email: paul.mcqueen@lavanlegal.com.au



11 November 2009

Mr Chris Adams
 Chief Executive Officer
 Town of Port Hedland
 PO Box 41
 PORT HEDLAND WA 6721
 By Facsimile: (08) 9173 1766

Dear Mr Adams

Proposed Leasing of Land at Port Hedland International Airport to Auzcorp Pty Ltd, Lot 2443 and portion of Lot 2444 on Crown Plan 12197 (Proposal) – Submission re Business Plan

Lavan Legal acts for Auzcorp Pty Ltd (**Auzcorp**) and writes to make a submission in relation to the Business Plan for the proposal for the Town of Port Hedland (**Town**) to lease the land at the Port Hedland International Airport to Auzcorp for a period of five years.

Background

On 29 July 2009 the Town resolved that Auzcorp was the preferred tenderer for Tender 09/10 Land Lease – Port Headland International Airport for Transient Work Force Accommodation. Pursuant to section 3.59 of the *Local Government Act 1995*, the Town prepared a Business Plan and advertised it for public submissions on 23 September 2009.

Submission

I am instructed on behalf of Auzcorp to make submission in support of the Business Plan.

The Business Plan will offer significantly greater benefits to the Town than the Council would otherwise receive under the current lease arrangement with Pilbara Infrastructure Pty Ltd (**PIPL Lease**), including:

- 1 **Accommodation:** the proposal set out in the Business Plan will provide quality temporary workers' and tourist accommodation to address the short-term accommodation demand in the Town. Port Hedland International Airport was

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Page 1 of 2

identified by the Town as a preferable site for the construction of short term accommodation. Once construction is complete the site will accommodate a significantly larger number of patrons than under the PIPL Lease.

- 2 **Financial benefits:** in addition to the lease fee, the Auzcorp Proposal commits to providing an annual cash donation of \$350,000 (\$1,750,000 over a five year term), provision of \$150,000 towards the construction of a public toilet block, 200 hours per annum of free access to the training facilities that will be available on the leased site (\$50,000 over a five year term) and full local government rates. These additional revenue streams will assist the Town to deliver improved facilities and services to the Port Hedland community.
- 3 **Community access to facilities:** the proposal will provide full community access to facilities (including training and conference centre, external catering services, a la carte restaurant and lounge bar, lockers and showers for travelling, coffee shop and business centre, shuttle bus service) which will be constructed on the site.
- 4 **Visual amenity:** the proposal involves improved building design and upgraded landscaping of the area resulting in improved visual amenity of the site.
- 5 **Local and indigenous employment:** the proposal commits to having 10% local indigenous participation of the total work force and a minimum of 75% of the work force from local communities, in addition to apprenticeship programs and ongoing training and development programs.

For the reasons set out above, it is our client's submission that the Business Plan for the proposal be accepted by the Town.

Please contact me if you have any queries.

Yours sincerely



for

Paul McQueen
Partner

11.3.2.2 *Business Royalties for Regions: Pilbara Priority Projects – Status Report*

Officer Chris Adams
Chief Executive Officer

Date of Report 16 November 2009

Disclosure of Interest by Office Nil

Summary

Report updates Council on the status of various projects associated with the \$20.2Million that the Town received from the Royalties for Regions Scheme and seeks Council's consideration of proposed reallocations of some of the project funding.

Background

In June 2009 the Town was advised that the State Government would provide it \$20.2M through the Royalties for regions Program to implement a range of partnership projects. The projects that were funded included:

Project Name	R4R funding	Total Project Expenditure Planned for 2009/10
Multi Purpose Recreation Centre	10,500,000	19,300,000
JD Hardie Centre Redevelopment	2,600,000	7,700,000
Marquee Park	2,700,000	8,160,000
McGregor St Community Facility	600,000	700,000
Crime and Safety Initiatives	900,000	1,660,000
Public Amenity Enhancements	2,900,000	4,524,000
TOTAL	20,200,000	42,044,000

There is a strong desire from the various project partners involved with the projects above to complete all of the projects in a timely manner. A brief summary of the status of each project is listed below.

Multi-Purpose Recreation Centre:

(R4R contribution of \$10.5Million)

Detailed design for project is nearing completion. Current Quantity Surveyors estimate is \$37.5M. Secured funds at this stage = \$34.25M. Aim to go to tender in early 2010 – funding permitted. Need to secure up additional funding to ensure project can proceed.

JD Hardie Centre Youth Project

(R4R Contribution of \$2.6Million)

Detailed design and contract documentation nearing completion. Quantity surveyors current estimate is \$7.96million. Funding

confirmed to date = \$7.7million. Aim to go to tender in early 2010 – funding permitted. Need to secure up additional funding to ensure project can proceed.

Marquee Park

(R4R Contribution of \$2.7Million)

Detailed design and approvals processes proceeding. Due for completion in Jan 2010. Works scheduled to commence in April 2010 and be completed Dec 2010. Project on budget.

McGregor St Community Facility

(R4R Contribution of \$600,000)

Project is yet to be well defined as McGregor St Master plan is yet to be completed. Given this, it is highly unlikely that project will be completed in a timely manner. Recommend reallocation of project funds to other projects.

Crime & Safety Initiatives

Project was broken into three (3) programs.

- Walkway Lighting: (R4R Contribution of \$100,000 towards \$210,000 program)
Quotes received. Project scheduled for early 2010. On budget and on target.
- Public Lighting: (R4R Contribution of \$400,000 towards \$850,000 program)
30% committed to date. Awaiting further quotes for remainder of project. No issues with budget or timeframe.
- CCTV Stage II: (R4R Contribution of \$400,000 towards \$600,000 program)
Project has been delayed due to unforeseen technical issues relating to the transmission of data across the Port Hedland International Airport.

Public Amenity Enhancements

Project was broken into seven (7) programs.

- Boulevard Tree Planting (R4R Contribution of \$300,000 towards \$999,000 program)
Obtaining access to appropriate quantities of reasonable sized trees has proven to be difficult. Project scope modified to eliminate reticulation. Recommend that R4R project funds be allocated elsewhere as funds are no longer required to complete the project scope.
- Parks Upgrade Program (R4R Contribution of \$1,000,000 towards \$1,000,000 program)
Project is upgrading existing parks and reserves throughout Port and South Hedland through a 'retro-fit' of infrastructure. Program is progressing (approx 25% complete). No budget or timeframe issues.

- Playground Equipment (R4R Contribution of \$175,000 towards \$175,000 program)
Project scope to be confirmed by Council in December. Installations scheduled for April/May.
- Shade Structures (R4R Contribution of \$400,000 towards \$210,000 program)
Shade planned for South Hedland Skate Park and playground locations. Installations scheduled for Q4 2009/10. No budget or timeframe issues.
- Public Toilets (R4R Contribution of \$600,000 towards \$750,000 program)
Project scheduled for implementation in early 2010. No budget or timeframe issues.
- Footpaths (R4R Contribution of \$225,000 towards \$500,000 program)
Program is complete. Awaiting invoices. No budget issues.
- Public Furniture (R4R Contribution of \$200,000 towards \$600,000 program)
Bus shelters have been installed and BBQ's to be installed shortly. Bins and other infrastructure schedule for early 2010. No budget or timeframe issues

Consultation

The projects above were selected based upon community feedback obtained from Council's community survey with the vast majority of the projects being specifically listed in the Town's Plan for the Future.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

The partnership projects that are being undertaken are key projects that are listed in the Town's Plan for the Future.

Budget Implications

Interest Earnt

The Town received the State Government's Royalties for Regions payment of \$20.2Million as an 'up-front' payment. These funds are currently sitting in a Council Reserve Account that has been effectively quarantined for the delivery of the above listed project. The Reserve Account is currently generating interest whilst it is invested. The anticipated Annual interest on the reserve is \$754,000.

The funding agreement with the State specifically states that 'any interest earned from either the recipients overnight cash deposit facility or short term inscribed stock facility accounts must be utilised towards Royalties for Regions funded projects within this agreement. At this stage the Town has yet to allocate this interest to any project.

Scope Change

As indicated in the Background section of this report, the total value of the partnership projects is some \$42.04Million. While the vast majority of these projects are progressing well, some budget modifications are recommended due to some project scope changes.

The following modifications are suggested:

Project	Change in R4R Contribution
McGregor St Community Facility	Reduce by \$600,000
Boulevard Tree Planting	Reduce by \$300,000
Multi-Purpose Recreation Centre	Increase by \$600,000
JD Hardie Youth Precinct	Increase by \$300000
Nett Position	No change in R4R contribution

Officer's Comment

The Town of Port Hedland has developed a reputation with stakeholders and funding partners as an organisation that delivers projects in a timely manner. In order to secure funding for additional projects in the future, it is important that Council maintains this reputation by delivering the Pilbara Priority Royalties for Regions projects both quickly and on budget.

While the vast majority of projects are progressing well, there are some projects that are likely to require additional funding and others that are unlikely to be completed due to either supply or project planning issues. Given this, it is suggested that Council seek permission from the Department for Regional Development to modify some of the project allocations to better reflect both project funding needs and the ability to deliver the projects in a timely manner.

Additionally, it is recommended that Council allocate the interest earned on the Royalties for Regions reserve account to various pre-approved projects in accordance with the requirements of the funding agreement.

Attachments

Nil

200910/173 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

- i) Note the current status of partnership projects that have been approved through the Royalties for Regions Pilbara Priority Scheme
- ii) Seek consent from the Department of Regional Development to modify the financial contribution detailed in Financial Assistance Agreement for the Town's Pilbara Priority Projects in the following manner:

Project	Change in R4R Contribution
McGregor St Community Facility	Reduce by \$600,000
Boulevard Tree Planting	Reduce by \$300,000
Multi-Purpose Recreation Centre	Increase by \$600,000
JD Hardie Youth Precinct	Increase by \$300,000
Nett Position	No change in R4R contribution

- iii) That interest generated within the Town's Royalties for Regions Reserve Account in 2009/10 financial year (estimated at \$750,000) be allocated to the Multi Purpose Recreation Centre Project.

CARRIED 8/0

11.3.2.3 Office Accommodation (File No.: ...)

Officer Chris Adams
Chief Executive Officer

Date of Report 12 November 2009

Disclosure of Interest by Officer Nil

Summary

In its current configuration, the Town of Port Hedland's Civic Centre is unlikely to be able to accommodate Council's staff accommodation requirements in the short/medium term. Council consideration of a longer term office accommodation plan is required.

Background

Growth in both the Town's population and service base has led to an increase in the staffing levels at the Town Council. This has led to office accommodation shortages. These shortages are likely to be exacerbated by growth in the staffing numbers over the coming years. A plan for both the short term and long term staff accommodation is required.

In early 2009 Council engaged the Australian Institute of Management to prepare a report on the likely staffing and accommodation requirement for the Town of Port Hedland over the coming years. Key findings of this report pertaining to staff numbers were:

- The Civic Centre is currently overcrowded (as are some of our other work sites.)
- An additional 35 Council staff are likely to be required prior to 2014.
- Further staff growth is likely after 2014 but staff numbers growth is likely to be at a slower pace.

While this matter has been discussed informally by Council over the past 2-3 years and was discussed as a component of the Town's Land Use Master Plan, the Town Council has not formed a consolidated position on how it would like to address the issue of office accommodation in the longer term.

Given the overcrowding that exists a range of immediate initiatives have been undertaken. These include:

- Relocating the Engineering Directorate to the Port Hedland International Airport.
- Relocating the Town's IT service to the Airport
- Establishing a records storage area at the Airport

- Standardising desk size and creating a more open plan style office space in the Civic Centre to create additional usable space.

While these actions have assisted somewhat, there is still an office accommodation shortage. Both short term and long term action needs to be undertaken to address this issue.

Short Term Options

Option 1: Relocate more staff to the Port Hedland International Airport

Advantages

- Likely to be cheaper cost alternative.
- Can be undertaken reasonably quickly

Disadvantages

- Fragmentation of staff resources
- Duplication of administrative resources and equipment through multiple office space (ie two receptions required).
- Location is difficult for customers to access.
- Limited parking available.
- Will require upgrades to telephone and IT systems

Option 2: Install a portable office space in the area adjacent to the Civic and Swimming Pool.

Advantages

- Can be achieved relatively quickly.
- Provides centralization of staff/administrative resources.
- Temporary building can potentially be resold when permanent solution is delivered.

Disadvantages

- Unlikely to be aesthetically pleasing.
- Loss of car parking spaces.
- IT and telecommunications upgrades will be required
- Potentially duplicating customer service/reception roles by having two separate building structures.
- Reduced level of security
- Reduced level of convenience for customers and/or staff located in external building

Option 3: Converting a portion of the current Council chambers into office space.

Advantages

- Utilises a space that is currently underutilised
- Provides centralization of staff/administrative resources
- Is more aesthetically pleasing than a 'donga' attached to the Civic Centre.

Disadvantages

- Reduction in civic space for Council meetings and ceremonial events (citizenship ceremonies, political delegations, etc.)
- Modifications to IT, phones and airconditioning required.

Option 4. Relocating of ground floor records storage to Gratwick Hall (backstage area).

Advantages

- Can be achieved relatively quickly
- Relatively low cost
- Retains records within existing building “footprint”
- Does not remove USEABLE space from the backstage
- Maintains high level of security for records and staff.

Disadvantages

- Modifications to IT, phones and airconditioning required.
- Requires modification to upstairs loading facilities

Longer Term Options

The most commonly expressed views about the potential long term development of Council office accommodation are:

- Develop additional office space at the existing Civic Centre site
- Develop a new office space in the West End
- Develop a new office space in the South Hedland CBD

Each option has a range of logistical and cost implications that are yet to be fully explored.

Consultation

There have been a range of internal discussions regarding the short and long term office options and the matter was discussed informally at the Council Briefing session that was held on the 11th of November.

To date, the community has not had an opportunity to formally comment on alternative options. It is recommended that a community Consultative process be undertaken prior to Council formalising its position.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

The development of new office space is specifically mentioned in the Town's Plan for the Future via the following strategy statement:

"Review options for the development of office space and depot accommodation for the Town of Port Hedland."

Budget Implications

At this stage, the total costs of undertaking the short or long term development options have not been fully costed. While some funds have been allocated with the 2009/10 Budget for Furniture and Equipment, there is currently no allocation for the development of new office space.

It should be noted that Council does not currently own the land on which the Civic Centre sits on, the land is simply vested to the Town by the State. Council does potentially have the ability to purchase the land at its unimproved value and re-sell/lease the land at commercial level.

Officer's Comment

Short Term

The Chief Executive Officer's preference is to have the vast majority of staff located in a centralized office space rather than having numerous office environments. The CEO prefers this model from the perspectives of improving internal communications, maintaining a 'team feel' in the organisation and providing a consistent level of customer service. Given this, the Officers preference for the short term is either the conversion of a portion of the current backstage area into storage and office space (freeing up further space within the ground floor area) or the installation of a temporary building adjacent to the Civic Centre and the Gratwick Aquatic Centre.

Long Term

A significant redevelopment of office space is required at the Town of Port Hedland. Given land access, funding, design and construction timeframes this is a longer term project that is likely to take several years to complete. The first step in the process is getting an agreed position on the option or options that the Council wants to consider. It is recommended that the community be canvassed on this issue prior to Council determining where the long term future for staff office space.

Attachments

Nil

Officer's Recommendation

That Council:

- i) Request a further report on design a cost estimates for both of the following short term office refurbishment expansion options:
 - Converting a portion of the current backstage area into storage and office space.
 - Installing a temporary office space in the area adjacent to eastern end of the Civic Centre.

- ii) Prepare and widely distribute an options paper that seeks community feedback on their preferred direction/location for the Council offices in the longer term with the following options being canvassed:
 - Option 1: Expanding the existing Civic Centre office building.
 - Option 2: Selling the Civic Centre building and building/leasing a new Council office facility in the West End of Port Hedland.
 - Option 3: Selling the Civic Centre building and building/leasing a new Council office building in the South Hedland CBD.
 - Option 4: Any other option/alternative as identified by the public.

200910/174 Council Decision

Moved: Cr A A Carter

Seconded: Cr S J Coates

That Council:

- i) Request a further report on design a cost estimates for both of the following short term office refurbishment expansion options:
 - Converting a portion of the current backstage area into storage and office space.
 - Installing a temporary office space in the area adjacent to eastern end of the Civic Centre.
- ii) Prepare and widely distribute an options paper that seeks community feedback on their preferred direction/location for the Council offices in the longer term with the following options being canvassed:
 - Option 1: Expanding the existing Civic Centre office building.
 - Option 2: Selling the Civic Centre building and building/leasing a new Council office facility in the West End of Port Hedland.
 - Option 3: Selling the Civic Centre building and building/leasing a new Council office building in the South Hedland CBD.
 - Option 4: Any other option/alternative as identified by the public.
- iii) investigates the ownership, and possible alternative to purchase the Civic Centre property, providing a report on these to Council at a future Ordinary Meeting; and
- iv) commits to making a decision on the matter within six (6) months.

CARRIED 8/0

REASON: In addition to the Officer's Recommendation, Council included Clauses iii) and iv), to ensure the possible purchase of the Civic Centre property could be investigated and reported to Council; and made a commitment to made a decision on the matter within six (6) months.

11.3.2.4 Nomination for Pilbara Development Commission Board Membership (File No.: ORG-096)

Officer Gaye Stephens
Executive Assistant

Date of Report 9 November 2009

Disclosure of Interest by Officer Nil

Summary

To endorse the nomination of Council's representative(s) to fill two (2) Local Government authority vacancies on the Pilbara Development Commission's Board of Management.

Background

The Pilbara Development Commission (PDC) has advised that it currently has two (2) Local Government vacancies on its Board of Management. Both positions are for a term of up to three (3) years from the date of appointment.

The objectives of the Pilbara Development Commission is to –

- maximise job creation and improve career opportunities in the Region;
- develop and broaden the economic base of the Region;
- identify infrastructure services to promote economic and social development within the region;
- provide information and advice to promote business development within the Region;
- seek to ensure that the general standard of government services and access to those services in the Region are comparable to that which applies in the metropolitan area; and
- generally take steps to encourage, promote, facilitate and monitor the economic development of the Region.

Officer's Comment

It is recommended that Council nominates two (2) elected member representatives for membership of the Board of Management of the Pilbara Development Commission. Nominations close on Thursday 10 December 2009.

Statutory Implications

The Pilbara Regional Council was established under the Regional Development Commissions Act 1993.

Part 3, Division 1, Section 15 of the Regional Development Commission Act 1993 advises that the Board consists of a maximum of nine (9) members who are to be appointed by the Minister for Local Government and Regional Development, as follows (in part):

“15. Board of management of a commission

- (1) Subject to section 16, a commission is to have a board of management comprising — ...*
- (b) a prescribed number of other members, not exceeding 9, who are to be appointed by the Minister in the prescribed manner. ...”*

with the following section, Section 16 detailing three (3) members of the Board are to be elected from a local government authority within the Pilbara Region, unless particular circumstances require otherwise, as stated (in part):

“16. Method of appointment of appointed members

Regulations made for the purposes of paragraph (b) of section 15(1) are to be consistent with the following, unless particular circumstances require otherwise — ...

- (b) one third of those members are to be members of the council of a local government in the region and are to be nominated by local governments in the region in accordance with the regulations; and ...”*

[Section 16 amended by No. 14 of 1996 s. 4; No. 16 of 1997 s. 4.]

Schedule 2, Part 1 of the the Regional Development Commissions Act 1993 outlines the constitution and proceeding of a Board, particularly Section 1 as stated (in full):

“1. Term of office of appointed member

- (1) An appointed member holds office for such term, being not more than 3 years, as is specified in the member's instrument of appointment, but he or she is eligible —*
 - (a) for further reappointment, if the reappointment is consecutive to a previous appointment and will not result in the member holding office continually for a time which exceeds 6 years; or*
 - (b) to be reappointed from time to time, if the term of the reappointment is not consecutive to a previous appointment.*
- (2) An appointed member, unless the member sooner dies or resigns or is removed from office, continues in office until a successor comes into office, despite the fact that the term for which the member was appointed may have expired.”*

[Clause 1 amended by No. 16 of 1997 s. 6(1).]

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 4 – Economic Development

Goal 3 - Business Development

That the Town of Port Hedland is recognised as a local government authority that works closely with businesses to achieve sustainable economic growth.

Strategy 4 - Work with relevant stakeholders to coordinate a workshop with business and industry to discuss/debate the future of business development and economic growth in the Town

Budget Implications

Nil

Attachments

Letter from Pilbara Development Commission, dated 29 October 2009.

Note: A copy of the Nomination Form has been circulated to all elected members electronically.

Officer's Recommendation

That Council advises the Pilbara Development Commission and the Minister for Regional Development, the Honourable Brendon Grylls, MLA, be advised of Council's nominations of Councillors _____ and _____ for membership of the Board of Management for the Pilbara Development Commission.

200910/175 Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council advises the Pilbara Development Commission and the Minister for Regional Development, the Honourable Brendon Grylls, MLA, be advised of Council's nominations of Councillors J M Gillingham and A A Carter for membership of the Board of Management for the Pilbara Development Commission.

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.3.2.4



Government of **Western Australia**
Pilbara Development Commission



Our Ref:09/02527

Cr Kelly Howlett
Mayor
Town of Port Hedland
PO Box 41
Port Hedland WA 6721

Dear Cr Howlett

PILBARA DEVELOPMENT COMMISSION BOARD VACANCIES

The Pilbara Development Commission is seeking nominations to fill two Local Government vacancies on its Board of Management. Both positions are for a term of up to three years from the date of appointment.

In accordance with the Regional Development Commissions Act 1993, the four local government authorities in the Pilbara are invited to nominate up to two Councillors for each vacant position.

Nominee details will be forwarded to the Minister for Regional Development, the Hon Brendon Grylls MLA for his consideration and selection. The successful candidates will be advised of their appointment following endorsement by the Western Australian State Cabinet.

The Town of Port Hedland is encouraged to forward its nominations together with a completed application form and a brief CV for each of its nominees to the Commission by 5pm on Thursday 10 December 2009.

Information on the Commission and the Board is available at www.pdc.wa.gov.au. If you require further assistance please do not hesitate to contact me by calling 08 9173 8400 or by email at stephen.webster@pdc.wa.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads 'S. Webster'.

Mr Stephen Webster
Chief Executive Officer

29 October 2009

Port Hedland Office: Shop 2, 6 Wedge Street, Port Hedland, Western Australia 6721
PO Box 544, Port Hedland, Western Australia 6721 Telephone: (08) 9173 8400 Facsimile: (08) 9173 1881

Karratha Office: State Government Office Building, Cnr Searipple and Welcome Roads, Karratha, Western Australia 6714
Telephone: (08) 9185 0155 Facsimile: (08) 9185 0189
www.pdc.wa.gov.au Email: pdc@pdc.wa.gov.au

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

ITEM 14 CONFIDENTIAL ITEMS

Nil.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

200910/176 Council Decision

Moved: Cr G J Daccache **Seconded:** Cr A A Carter

That the following Applications for Leave of Absence:

- i) Councillor J M Gillingham from 27 November 2009 to 2 December 2009, inclusive;
- ii) Councillor S J Coates from 28 November 2009 to 8 December 2009, inclusive; and
- iii) Councillor S R Martin from 6 to 10 December 2009; and 12 to 19 December 2009, inclusive;

be approved.

CARRIED 8/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 9 December 2009, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 7:30 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 9 December 2009.

CONFIRMATION:

MAYOR

DATE