



MINUTES
OF THE
ORDINARY MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL
HELD ON
WEDNESDAY 28 OCTOBER 2009
AT 5.30 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 23 SEPTEMBER 2009.....	7
3.2	QUESTIONS FROM ELECTED MEMBERS AT ORDINARY COUNCIL MEETING HELD ON WEDNESDAY 23 SEPTEMBER 2009	7
3.3	QUESTIONS FROM PUBLIC AT SPECIAL COUNCIL MEETING HELD ON MONDAY 19 OCTOBER 2009, HELD AT 5:30PM.....	8
3.4	QUESTIONS FROM ELECTED MEMBERS AT SPECIAL COUNCIL MEETING HELD ON MONDAY 19 OCTOBER 2009, HELD AT 5:30PM	8
3.3	QUESTIONS FROM PUBLIC AT SPECIAL COUNCIL MEETING HELD ON MONDAY 19 OCTOBER 2009, HELD AT 6:00PM.....	8
3.4	QUESTIONS FROM ELECTED MEMBERS AT SPECIAL COUNCIL MEETING HELD ON MONDAY 19 OCTOBER 2009, HELD AT 6:00PM	8
ITEM 4	PUBLIC TIME.....	8
4.1	PUBLIC QUESTIONS	8
4.1.1	<i>Mr Chris Whalley.....</i>	<i>8</i>
4.1.2	<i>Mr Adrian Hatwell.....</i>	<i>9</i>
4.1.3	<i>Mr Robert Neville</i>	<i>10</i>
4.1.4	<i>Ms Betty Goedhart.....</i>	<i>10</i>
4.1.5	<i>Mr Shannon Wagner.....</i>	<i>10</i>
4.2	PUBLIC STATEMENTS.....	11
4.2.1	<i>Mr Rob Richards.....</i>	<i>11</i>
4.2.2	<i>Ms Helen Richards.....</i>	<i>11</i>
4.2.3	<i>Ms Renee Coles</i>	<i>11</i>
4.2.4	<i>Mr Chris Whalley.....</i>	<i>11</i>
4.2.5	<i>Mr Shannon Wagner.....</i>	<i>11</i>
ITEM 5	QUESTIONS FROM MEMBERS WITHOUT NOTICE.....	12
5.1	<i>Councillor A A Carter</i>	<i>12</i>
5.2	<i>Councillor J M Gillingham</i>	<i>12</i>
ITEM 6	DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING.....	13
ITEM 7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	13
7.1	CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 23 SEPTEMBER 2009.....	13
7.2	CONFIRMATION OF MINUTES OF SPECIAL MEETING OF COUNCIL HELD ON MONDAY 19 OCTOBER 2009 HELD AT 5.30PM.....	13

7.3	CONFIRMATION OF MINUTES OF SPECIAL MEETING OF COUNCIL HELD ON MONDAY 19 OCTOBER 2009 HELD AT 6.00PM.....	14
7.4	MODIFICATION OF AUGUST ORDINARY COUNCIL MINUTES	14
ITEM 8	ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION	14
ITEM 9	REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION.....	15
9.1	<i>Councillor George Daccache</i>	15
9.2	<i>Councillor Jan Gillingham</i>	15
9.3	<i>Councillor David Hooper</i>	15
ITEM 10	PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS... 15	
10.1	<i>Tidy Towns Sustainable Communities Awards</i>	15
10.2	<i>Coastal Management Awards</i>	16
ITEM 11	REPORTS OF OFFICERS	17
11.1.1	<i>Status of Council Decisions (File No.: 13/06/0001)</i>	17
11.2	REGULATORY AND COMMUNITY SERVICES.....	27
11.2.1	DIRECTOR REGULATORY AND COMMUNITY SERVICES	27
11.2.1.1	<i>Monthly Report – Community and Regulatory Services (File No.: 13/04/0001)</i>	27
11.2.1.2	<i>Delegated Planning, Building & Environmental Health Approvals and Orders for September 2009 (File No.: 18/07/0002 & 07/02/0003)</i>	41
11.2.1.3	<i>Port Hedland Yacht Club – Increase in Self Supporting Loan (File No.: 05/05/0012)</i>	51
11.2.1.4	<i>Proposed Development Assessment Panel (File No.: 18/07/0002)</i>	60
11.2.1.5	<i>Courthouse Arts Centre and Gallery & Port Hedland Visitors Centre Tender 09/23 (File No.: .././.....)</i>	69
11.2.2	PLANNING SERVICES.....	77
11.2.2.1	<i>Proposed Grouped Dwellings x 14 and Survey Strata Subdivision of Lot 250 DP61447, 11 Rutherford Road, South Hedland (File No.: 113351G)</i>	77
11.2.2.2	<i>Proposed Installation Public Art piece “Gravity” in the road verge on the corner of McKay Street and Kingsmill Street, Port Hedland and the replacement of the Robert Juniper Art piece located in Bert Madigan Park with an Public Art piece “Tear Drop” (File No.: 26/08/0008)</i>	93
11.2.2.3	<i>Proposed Amendment No. 13 to the Town of Port Hedland Town Planning Scheme No. 5 – Home Occupation (File No.: 128/09/0019)</i>	102
11.3	ENGINEERING SERVICES.....	106
11.3.1	DIRECTOR ENGINEERING SERVICES.....	106
11.3.1.1	<i>Engineering Services Monthly Report (File No.: 13/04/0001)</i>	106
11.3.1.2	<i>Regional and Local Community Infrastructure Program (File No.: 15/01/0014 & 21/05/0010)</i>	120
11.3.2	RECREATION SERVICES	124
11.3.2.1	<i>Request for Use of the JD Hardie Centre by Hakarac Boxing (File No. 26/05/0005)</i>	124
11.3.2.2	<i>Department of Sport and Recreation – Community Sport and Recreation Facilities Fund Application (File No.: 26/04/0018)</i>	128
11.3.2.3	<i>Recreation Reserve Redevelopment: McGregor Street Reserve Master Plan (File No.: 26/08/0007)</i>	131
11.3.2.4	<i>Waiver of Fees for the Hedland Tee ball Association (File No.26/02/0044)</i>	139
11.3.2.5	<i>Tender 09/25 Supply and Installation of Irrigation (File No.: Tender 09/25)</i>	142
11.4	GOVERNANCE AND ADMINISTRATION	148
11.4.1	CORPORATE SERVICES	148
11.4.1.1	<i>Financial Reports to Council for Period Ended 31 August 2009 (File Nos: FIN-008, FIN-014 and RAT-009)</i>	148
11.4.1.2	<i>Passenger Growth Incentive Scheme Proposal – Qantas (File No.: 30/09/0006)</i> ..	154

11.4.1.3	<i>Request to Connect and Upgrade Power Supply to Hedland Riders Club House "The Shed" (File No.: 05/05/0047)</i>	160
11.4.1.4	<i>Request to Waive Rates for Assessment A803135; Lot 270 Great Northern Highway Port Hedland (File No.: 24/03/0002)</i>	167
11.4.1.5	<i>Request to Waive Late Penalty Fee Rates for Assessment A130078; 13 Greene Place, South Hedland (File No.: ...)</i>	174
11.4.1.6	<i>Request for Debtor Write-Off for Pilbara Waste (File No.: ...)</i>	179
11.4.2	GOVERNANCE.....	185
11.4.2.1	<i>Cash for Trash – Request for Further Financial Support to Continue the Program (File No.: ...)</i>	185
11.4.2.2	<i>Feasibility and Design of an Aboriginal Arts Centre (File No.: ...)</i>	207
11.4.2.3	<i>Port Haven – Allocation of Rooms for Community Use (File No.: ...)</i>	211
11.4.2.4	<i>Council Meeting Dates (File No.: ADM-015)</i>	216
11.4.2.5	<i>Elected Member Representation on Council's Committees and Working Groups; and External Organisations (File No.: ADM-070)</i>	218
ITEM 12	LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL	235
ITEM 13	MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN .	245
ITEM 14	CONFIDENTIAL ITEMS	245
ITEM 15	APPLICATIONS FOR LEAVE OF ABSENCE	245
ITEM 16	CLOSURE	245
16.1	DATE OF NEXT MEETING.....	245
16.2	CLOSURE	245

ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the meeting open at 5.35pm and acknowledged the traditional owners, the Kariyarra people.

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

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

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 Tricia Hebbard	Governance

Members of Public	21
Members of the Media	2

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Cr S J Coates

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 23 September 2009**

Nil.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 23 September 2009

Nil

3.3 Questions from Public at Special Council Meeting held on Monday 19 October 2009, held at 5:30pm

Nil.

3.4 Questions from Elected Members at Special Council Meeting held on Monday 19 October 2009, held at 5:30pm

Nil

3.3 Questions from Public at Special Council Meeting held on Monday 19 October 2009, held at 6:00pm

Nil.

3.4 Questions from Elected Members at Special Council Meeting held on Monday 19 October 2009, held at 6:00pm

Nil

ITEM 4 PUBLIC TIME

4.1 Public Questions

5:40 pm Mayor opened Public Question Time.

4.1.1 Mr Chris Whalley

Congratulations on being duly elected Mayor for our town,during the next four years I think your presence will add something different and fresh to Council proceeding; does Council have any plans any time soon to ressurect the Cash for Trash program?

Mayor advised that the Cash for Trash program is an item being considered in tonight's meeting Item 11.4.2.1 and encouraged Mr Whalley to stay and listen to deliberations delivered tonight.

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 asked Mr Whalley if he could please denote those actual road names and the question will be taken on notice.

Director Engineering Services advised Council does not currently have any plans to install speed bumps in any of those roads, but Council does have a program called traffic classifiers which assess the speed on the road; and if there is an area that is identified as being a problem then different options are available to assist in calming the traffic.

Director Engineering Services requested Mr Whalley to supply Council staff with a list, so classifiers can be placed on those roads and will be able to check from the statistics collected if there is a problem.

Because of my condition I have recently been taking the bus from South to Port and return on a regular basis and the town bus service is very good, efficient, always on time, but I have concerns with the Bus signs and shelters. Does Council have an ongoing program to make sure that everywhere the bus stops there is a proper bus stop sign or bus shelter, because there is some places where there is neither.

Director of Engineering advised that Council does not currently have a program in place for bus shelters/signage, but the matter can be investigated further.

NOTE: Mayor asked are the bus stops State Government's responsibility.?

Chief Executive Officer advised it is the Town's responsibility and it is currently in the process of installing about 15 bus shelters from funding received from the Royalties for Regions Program. The Town have installed 10 new bus shelters in the last two or three years, and we are gradually upgrading other bus shelters. The bus stop signs is an area the Town has not focused on, and we will take the query on notice and definitely consider maintaining signs at every location.

4.1.2 *Mr Adrian Hatwell*

I'm a volunteer from the Hedland State Emergency Services, and in approximately June this year there was an offer extended to Hedland State Emergency Services to assist with our 50th year anniversary week long celebrations; Hedland State Emergency Services have organised an Open Day on 14 November from 5.00pm and we would appreciate any financial assistance towards the cost of supplying food for a BBQ for residents on the night.

Chief Executive Officer advised Council would be interested in supporting this celebration, if Hedland State Emergency Services could submit their request in writing and if it's an amount under \$500. The Chief Executive Officer is authorised to make a donation up to \$500; is the amount being sought is greater than \$500 Council will consider your request at their next Ordinary Meeting.

Mayor noted that it would be Council's pleasure to be involved in supporting this event.

4.1.3 Mr Robert Neville

How many votes were cast at the Wedgefield Polling station during the Local Government elections on 17 October 2009?

Chief Executive officer advised there were 37 votes taken on the day.

What was the extra cost to ratepayers to have a polling station placed at Wedgefield?

Chief Executive Officer advised there was no extra cost as Council has always run four polling places in town and Council had the same amount again this year.

Is it considered by Council that Wedgefield is an area of significant residential population?.

Chief Executive Officer advised there are 192 approved dwellings in Wedgefield

How was the decision made that Wedgefield should be a polling station in the Local Government elections on 17 October?

Mayor advised that Council were trying to increase their voter turnout and Council will continue to try a number of polling areas in the future to achieve this, and everyone should be proud that Council did achieve a higher number of Voters this year on October 17th.

4.1.4 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.

Chief Executive Officer advised that this question will be taken on notice and reported back to the November Ordinary Council Meeting.

4.1.5 Mr Shannon Wagner

We live at 51 Kennedy Street, South Hedland and we feel that a speedbump is required to reduce fast flowing traffic past this area. There is 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 this question will be taken on notice.

5:48 pm Mayor closed Public Question Time.

4.2 Public Statements

5:48 pm Mayor opened Public Statement Time.

4.2.1 Mr Rob Richards

Mr Rob Richards spoke on behalf of Mr Brad Anderson whose statement urged Council to continue supporting the Cash for Trash program, when it considers Agenda Item 11.4.2.1 'Cash for Trash – Request for Further Financial Support to Continue the Program' tonight.

4.2.2 Ms Helen Richards

Ms Helen Richards statement urged Council to continue supporting the Cash for Trash program, when it considers Agenda Item 11.4.2.1 'Cash for Trash – Request for Further Financial Support to Continue the Program' tonight.

4.2.3 Ms Renee Coles

Ms Renae Coles statement urged Council to continue supporting the Cash for Trash program, when it considers Agenda Item 11.4.2.1 'Cash for Trash – Request for Further Financial Support to Continue the Program' tonight.

4.2.4 Mr Chris Whalley

Mr Chris Whalley submitted a statement urging Council to continue supporting the Cash for Trash program, when it considers Agenda Item 11.4.2.1 'Cash for Trash – Request for Further Financial Support to Continue the Program' tonight.

4.2.5 Mr Shannon Wagner

Mr Shannon Wagner spoke in relation to supporting the Cash for Trash program, when it considers Agenda Item 11.4.2.1 'Cash for Trash – Request for Further Financial Support to Continue the Program' tonight.

5:57 pm Mayor closed Public Statement Time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE*5.1 Councillor A A Carter*

Is there any further information in relation to the letter received by Council regarding the Airport parking infringement notice for a resident receiving treatment in Perth?

Chief Executive Officer advised the Town is aware of the letter and Ranger Services have been asked to investigate the matter; Councillors will be advised of the outcome.

5.2 Councillor J M Gillingham

In relation to the queries about the Wedgefield polling station, I wanted to mention the service offered to the Yandeyarra community and whether allocating the costs to supplying a polling station at Yandeyarra was cost effective with only 9 people casting a vote?

Mayor advised that Council has a polling station at Yandeyarra each year and it is important that Council continues to work with the Western Australian Electoral Commission to ensure people are on the roll and are able to have their say. Mayor advised she received communication today from Sai Lim Co-ordinator of Yandeyarra Community and they have appointed a new Chair, Deputy Chair and a 10 member committee and it is good to see their governance is strong and working well.

So to confirm no added costs for holding a polling station at Yandeyarra Community.?

Mayor advised no.

The Birthday celebrations on the weekend that I unfortunately couldn't attend as I was in Carnarvon at a ICPA meeting, I became aware of the piano being removed from Port Hedland Courthouse Arts Centre to The Esplanade for a special concert for the Heritage Festival. Will the Piano be relocated back to the Port Hedland Courthouse Arts Centre from the The Esplanade after being used at the weekend at no further cost to Council?

Director Community and Regulatory Services advised the cost of moving the piano to and from the concert venue was part of the costs planned for the event and the piano has also been tuned and overhauled and is back in the Port Hedland Courthouse Arts Centre for future events.

**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 J M Gillingham
Cr G J Daccache	Cr D W Hooper
Cr M A Dziombak	

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on
Wednesday 23 September 2009**

200910/096 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the Minutes of the Ordinary Meeting of Council held on Wednesday 23 September 2009 be confirmed as a true and correct record of proceedings.

CARRIED 7/0

**7.2 Confirmation of Minutes of Special Meeting of Council held on
Monday 19 October 2009 held at 5.30pm.**

200910/097 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the Minutes of the Ordinary Meeting of Council held on Monday 19 October 2009 held at 5.30pm be confirmed as a true and correct record of proceedings.

CARRIED 7/0

7.3 Confirmation of Minutes of Special Meeting of Council held on Monday 19 October 2009 held at 6.00pm.

200910/098 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the Minutes of the Ordinary Meeting of Council held on Monday 19 October 2009 held at 6.00pm be confirmed as a true and correct record of proceedings.

CARRIED 7/0

7.4 Modification of August Ordinary Council Minutes

NOTE: Council at the September Ordinary Council Meeting adopted the Minutes of the Ordinary Meeting held in August: An error has subsequently been identified in relation to the recording of those Minutes in relation to Council Decision 200910/054. This Decision relates to the selection of contractors under Tender 09/18 Provision of Professional Consultancy Services to various consultants for the period 1 September 2009 to 1 March 2011. While the adopted Minutes indicate that Council accepted the Officers Recommendation with modification, Council did modify the recommendation by including EPCAD Pty Ltd and Ecoscape Australia Pty Ltd on the panel for the Landscape consultancy services tender.

200910/099 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Minutes 200910/054 from the August 2009 Ordinary Council meeting be modified to reflect that both EPCAD Pty Ltd and Ecoscape Pty Ltd were selected to Council's Landscape Architectural Services Panel.

CARRIED 7/0

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Mayor Kelly A Howlett advised it has been a busy week and she attended the following:

- 19 October 2009 - Tidy Towns Sustainable Communities Awards ceremony
- 23 October 2009 – Councillors and representatives from the State Underground Power Steering Group met with the Horizon Power Board members.
- 23 October 2009 - Lush Art Exhibition opening.
- 23 October 2009 – Lunch with Hon. Wendy Duncan, MLC.
- 23 October 2009 - Well Women's Centre Pink Breakfast fundraiser for breast cancer .

- 24 October 2009 - Hedland Heritage and Marine Festival.
- 25 October 2009 – Launch of Urban Art Project – Hedland Youth Leadership Council (HYLC) members painted the ablution block at Pretty Pool.
- Council identified a bottleneck of land available for future development and submitted this recommendation to State Land Services as a follow up from Council's Ordinary Meeting held in August.
- 27 October 2009 Pilbara Development Commission stakeholder meeting – discussed land availability issues, Update of the Land Rationalisation Plan with a new draft available to pass on at the Ordinary Council Meeting in November; idea was floated of having a full time State Land Service officer based in Port Hedland with guaranteed support from BHP Billiton.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 Councillor George Daccache

28 October 2009 - Attended an Aboriginal Justice Agreement Meeting and met the new Regional Coordinator for the Pilbara. Purpose of the meeting set up by the Deaths in Custody Commission was to review the Local Justice Agreement in Hedland. Justice of Peace training opportunities for people in Broome of Indigenous descent.

9.2 Councillor Jan Gillingham

Councillor Gillingham advised the following:

- Her apologies for not being able to attend the meeting with Horizon Power as she was away.
- Attended a Isolated Childrens Parent Association meeting in Carnarvon, where she discussed with the Carnarvon Banana Growers the idea of distributing produce directly to the Pilbara, creating employment.

9.3 Councillor David Hooper

25 October 2009 – attended the opening of the Urban Art project – Hedland Youth Leadership Council (HYLC) members painted the ablution block at Pretty Pool in harsh weather conditions.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS

10.1 Tidy Towns Sustainable Communities Awards

Presentation of Tidy Towns Sustainable Communities Awards to the Town by Chief Executive Officer Chris Adams in absence of Department of Housing representative.

Hedland won the following five (5) of the six (6) categories for Regional areas:

- Enhancing Cultural Identity Award- Hedland
- Pilbara Regional Winner Award - Hedland
- Recycling and Waste Management Award - Hedland
- Natural Heritage Conservation Award – Hedland
- Community Action Award – Hedland
- Community Appreciation Certificate - Yandeyarra

10.2 Coastal Management Awards

Presentation of Coastal Management Award to the Town of Port Hedland, by a Care for Hedland Representatives Mrs Gayatri Kurella and Ms Prem Kothalanka.

WA Coastal Management Awards to Hedland Community for Flatback Turtle Monitoring Program.

ITEM 11 REPORTS OF OFFICERS

11.1.1 Status of Council Decisions (File No.: 13/06/0001)

Officer	Gaye Stephens Executive Assistant
Date of Report	15 October 2009
Disclosure of Interest by Officer	Nil

Summary

Informing Council of actions undertaken in relations to decisions of Council in the past month.

Background

This monthly report is presented to Council for information. The report advises Council how decisions are being actioned by staff. Any Council Decision that has not yet been completely implemented will remain on the list until it has been completed.

Officers Comments

This report outlines the status of decision from previous Council meetings.

Statutory Implications

Section 2.7 of the Local Government Act states how Council is responsible for directing the local government's affairs:

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

Policy Implications Nil

Strategic Planning Implications

KEY RESULT AREA 6 – Governance

Goal 6 – Systems Development

That the Town's internal operating systems are structured in a manner that assists in providing timely accurate information to the community.

Budget Implications

Nil

200910/100 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr A A Carter

That the 'Status of Council Resolutions' Report as presented to the Council's Ordinary Meeting held on 28 October 2009 be received.

CARRIED 7/0

Special Council Meeting held 16 October 2007			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
6.1.1.1	Scheme Amend. from "ResR12.5/30, Other Public Purp- Cem, Parks & Rec. & Local Rd" to "ResR12.5/50" & "Other Pub Purp - Comm Purp"	200708/037 Council Decision/Amended Officer's Recommendation That Council: 1) requests Koltasz Smith Town Planners to amend the application to reflect the proposed rezoning of Lot 1628 from "Other Public Purposes - Cemetery" to "Community - Community"; ...	MPS	EPA requested more info. Ltr of response sent 04.12.07. Awaiting response from EPA. Pending. Reminder letter sent to EPA Jan 09 Sept OCM - no change.	Reminder email sent to EPA July 09. Still no response.		
Ordinary Council Meeting held 31 October 2007			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
11.2.2.3	Amendment to Delegation Register	200708/049 Council Decision That Council lay Agenda Item 11.2.2.3 'Amendment to Delegation Register' on table until Councillors have received an updated copy of Delegation Register; and following a proposed workshop with Council's management staff.	CEO	Updated. To be presented to Nov Informal Briefing. Sept 09 Revisit after election in October.	Revisit after election in October		Nov 2009
Ordinary Council Meeting held 23 January 2008			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
12.5	Lease of Part Reserve 31462 to the Port Hedland Turf Club	200708/160 Council Decision/Officer's Recommendation That: a) Council agrees to dispose of the property on part reserve 31462 by way of lease to the Port Hedland Turf Club as per section 3.58 (3) (private treaty) with the following conditions: ...	DCS	Survey received. Awaiting valuation. Sept OCM - No change.	Director following up with Turf Club Committee.		
Ordinary Council Meeting held 28 February 2008			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
12.1.1	Prop. Scheme Amend..No. 17 - "Local Rd Reserve" and "Other Purposes Infrastructure Res." to "Ind"	200708/089 Council Decision/Officer's Recommendation That Council: i) Initiate a Scheme amendment to the Town of Port Hedland Town Planning Scheme No 5 to rezone Lots 6047, 6048 & 6049 Bell Street, Port Hedland, from "Local Road Reserve" and "Other Purposes - Infrastructure Reserve" to "Industry" Zone, as outlined in the application received 4 February 2008. ...	MPS	Processing. Waiting on information from Applicant. Applicant preparing additional information May 2009. Sept OCM - Appl. Has been forwarded to EPA, awaiting comments.	EPA decision 'not assessed' 21/09/09. Have requested payment of initiation fee from applicant 08/10/09 and preparations for advertising commenced.		December 2009

Ordinary Council Meeting held 24 September 2008			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
11.4.1.2	Request for 100% Rate Concession for: SHOATA	200809/073 Council Decision/Officer's Amended Recommendation That Council lays Agenda Item 11.4.1.2 'Request for 100% Rate Concession for Property: Lot 5164 Shoata Road, South Hedland Leased by South Hedland Owners and Trainers Association' (SHOATA) on the table until such time as: ...	Senior Rates Officer	i) underway ii) Crs visiting SHOATA in person 25.01.09 Item included in Agenda for Ordinary Council Meeting in June 2009.	To be considered at the November Ordinary Council Meeting	✓	
11.4.1.4	Council Chambers : Table Configuration	200809/075 Council Decision That Council: i) authorise the CEO or his nominated officer to source a design of boardroom style Council table, preferably from a locally or regionally based cabinet maker, with the requirement to seat a minimum of 16 people; and a complimentary table being set aside from Council for use by the Hedland Youth Leadership Council and Media representatives; and ...	DCS	ii) quotes sourced and considering most effective/\$ saving mods. Design distributed to Councillors and disc. at Informal Briefing Session Sept. 09. No response from Council.	Revisit after LG Election in October		Dec 2009
12.1.1	Golden Eagle Airlines lease of the Airfreight Hanger at the PHIA	200809/083 Council Decision/Officer's Recommendation That Council enters into a Lease Agreement with Golden Eagle Airlines for the Air Freight Hanger at the Port Hedland International Airport, in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions in addition to Council's standard lease: ...	DCS	Draft Lease with Golden Eagle Airlines.	Amended based on received Council document. Term of release reviewed by Council 2008/2009.		
Ordinary Council Meeting held 10 December 2008			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
11.4.1.1	Port Hedland Golf Club Lease	200809/162 Council Decision That Council agrees to dispose of the property on part reserve 35915 by way of lease to the Port Hedland Golf Club Inc as per section 3.58 (3) (private treaty) with the following conditions: ...	DCS	Sept OCM - Awaiting Valuation – Yes.	Director chasing valuation.		
14.1.1	Cooke Point Caravan Park Lease	200809/171 Council Decision/Officer's Recommendation That Council ADVISE Aspen Parks that the rent review has been undertaken in accordance with Clause 3.2(c) of their lease, and that Council is not willing to consider any lease fee reduction: ...	DCS	Negotiations continuing. Sept OCM – Legal negotiations continuing with dispute over lease conditions.	Final demand for payment to be issued at end of October.		
Ordinary Council Meeting held 28 January 2009			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
11.2.1.3	Management of the Port Hedland Retirement Village	200809/179 Council Decision That Council: i) reach agreement with the joint venture partners, (the Port Hedland Retirement Village Inc. and Homeswest) prior to tenders being requested for the management of the Port Hedland Retirement Village; and ...	DRCS	Agreement reached, with details of transition process to be negotiated. Report to Council. Further discussions occurred with SCC & DOH.			Nov 2009

11.2.1.4	Expansion of Reserves - Taylor Street - Cooke Point CP	200809/180 Council Decision That Agenda Item 11.2.1.4 'Expansion of Reserves 29044 and 39832 Taylor Street - Cooke Point Caravan Park' lay on the table to enable Council to consider a more detailed map, prior to further consideration of the item.	DRCS	Additional detail sought from surveyors.	Awaiting resolution of WA State land services of issue prior to progressing.		Nov 2009
Ordinary Council Meeting held 25 February 2009			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
11.2.4.1	Turtle Interpretive Boardwalk – Change of Scope	200809/236 Council Decision That Council: i) endorses the construction of the proposed new Turtle Interpretive facility of which the revised scope for the Turtle Interpretive Loop, which includes: ...	MID	Meeting with design consultant 29.05.09 to discuss. Design being finalised for tender. Investigating scope variation to include disabled beach access as per April OCM – CLGF.	Disabled beach access not included here as timeframes would not comply with funding conditions. Designs and specifications complete pending final check. Expect tender November with construction commencing March 2010		June 2010
Ordinary Council Meeting held 25 March 2009			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
11.1.2.3	De-vesting of Reserve 46180 (Lot 6042 Masters Way) & Initiation of Scheme Amend - 'Parks & Rec' to 'Res R – 30"	200809/271 Council Decision That Council: i) delegates to the Chief Executive Officer or his nominated officer the ability to negotiate with the Department of Housing and Work's, South Hedland New Living Project for a land swap for the release of Reserve 46180 (Lot 6042) Masters Way of land of substantially greater size; ...	Planning Officer	Applicant to provide further information regarding intersection. Sept OCM – Awaiting info. from SHNL pertaining to land swap.	Subject of separate report to Council		October/November
11.3.1.3	Lease with BHP Billiton to Increase the CMO	200809/279 Council Decision 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	DCS	Negotiations continuing.	Awaiting response from BHP regarding Council's proposal.		
Ordinary Council Meeting held 27 May 2009			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE

11.2.2.1	Proposed Amend to the TPS No. 5 to Rezone Residential Land in the West End	200809/329 Council Decision/Officer's Recommendation That Council: i) Initiate a Town Planning Scheme Amendment to the Town of Port Hedland Town Planning Scheme No. 5 by:	MPS	Sept OCM - West End requires preparation of documents for EPA.	EPA Environmental Review required – EPA to advise of scope in November.		
11.2.2.3	Proposed Partial Road Closure – Abydos Place, Wedgefield	200809/331 Officer's Recommendation/Council Decision That Council: i) Advise the applicant it supports the closure of that part of Abydos Place Road Reserve bounded by Lot 103; and	PO	Sept OCM - Being advertised.	Advertising closed. Meeting to be set up with Engineering, Horizon Power and Applicant		
11.4.2.1	Kerbside Recycling: Proposed Regional Tender	200809/351 Council Decision/Officer's Recommendation That Council advises the Pilbara Regional Council that: i) the Town of Port Hedland is proposing to consult widely with the local community prior to making a decision on whether to participate in the proposed Pilbara Kerbside Recycling Tender; and	CEO	PRC Meeting held 27.06.09.	Survey of PH residents completed and reported to Council Aug 2009. Negotiations are ongoing with neighbouring councils.	✓	
11.4.2.4	Pilbara Regional Council: Future Role and Structure	200809/354 Council Decision That Council advise the Pilbara Regional Council that: 1) In relation to the responsibilities, roles and obligations of the PRC into the future:	CEO	PRC Meeting held 27.06.09.	Item raised again at PRC Mtg during LG Convention and Exhibition Week (Aug 2009); and again at PRC Mtg Sept. 09	✓	
Ordinary Council Meeting held 24 June 2009			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
11.2.1.3	Yandeyarra Bus Service	200809/377 Council Decision/Officer's Recommendation That Council: i) Proceed with a twelve week trial bus service to Yandeyarra (8 services per week); and ...	DRCS		Trial commenced. Reviewed with Yandeyarra – reduce to Thurs/Fri until further notice as Tues/Wed trips not being used. Will return to depot by 2.30pm Friday to be ready for community use on weekends.		Dec 09
11.3.2.1	West End Greening Project – Scope Variation	200809/382 Council Decision/Officer's Recommendation That Council approves the following scope variation to the West End Greening (stage 2) Project:	MID		Tree and shrub planting complete, tank painting complete. Quotes being sourced for mulch which will complete the project		November 2009

11.3.2.2	Turtle Interpretive Loop	200809/383 Council Decision/Officer's Recommendation That Council: i) approves the Turtle Interpretive Loop 'Major Node/Pavilion' to be constructed using a framed design including aluminium and stainless steel components; and	MID		Disabled beach access not included here as timeframes would not comply with funding conditions. Designs and specifications complete pending final check. Expect tender November with construction commencing March 2010		June 2010
11.4.1.3	Membership of the Port Hedland Community Foundation	200809/391 Council Decision That Council advises Big Sky Credit Union Ltd that the Town of Port Hedland:	DCS		Big Sky has been advised of Council resolution. To be followed up at end of October.		
12.2.1	Changes to the Prop. Amend to the TPS 5 to Rezone Residential Land in WE	200809/399 Council Decision That Council Initiate a Town Planning Scheme Amendment to the Town of Port Hedland Town Planning Scheme No. 5 by: ...	ACEO				
Special Council Meeting held 29 June 2009			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
6.2.2.1	Tender 09/07: Design and Construction of CMO Clubhouse	200809/401 Council Decision/Officer's Recommendation That Council: i) Note the tender submissions for Tender 09/07: Design and Construction of the Colin Matheson Oval Clubhouse;	MRS		Tenders rejected due to change of scope. Will be re-tendered mid Oct.		Nov 2009
6.1.1.2	Holiday Accom – Redev. of Existing Holiday Accom. Facility - Lots 2&3 GNH, PH	200809/403 Council Decision/Officer's Recommendation That Council: i. APPROVES the Planning Application for Holiday Accommodation – Redevelopment of existing Holiday Accommodation, at Lots 2 & 3 Great Northern Highway, Port Hedland subject to the following conditions:	MPS		Planning permit issued July 09	✓	
6.1.1.5	Prop. Creation Road Reserve Linking Channel Wy to Huxtable Crs SH	200809/405 Council Decision/Officer's Recommendation That Council: a. Subject to the Water Corporation advising in writing that it does not object to the cancelling of the portion of Reserve 31395 required for the proposed road reserve described in the attached Plan 05/087/064a: ...	MPS		Advice from Water Corp rec Aug 09 – advertising to be prepared.		
Ordinary Council Meeting held 22 July 2009			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE

11.2.2.1	Proposed Partial Road Closure – Pundul Ave. SH	200910/004 Council Decision/Officer's Recommendation That Council: i) Advise the applicant it supports the closure of that part of Pundul Avenue Road Reserve adjacent to Lot 132 and shown in red on Attachment 2 subject to the land being rezoned and incorporated into Lot 132.	Planning Officer		Council's resolution to SLS July 09 – await response.		
11.2.2.3	Prop Amend. to TPS 5 – Scheme Amendment 21, Lots 250, 251 and 252 Rutherford Rd (previously Lots 501, 502 and 503 Murdoch Dve), SH from "Residential R – 20" to "Residential R – 30".	200910/006 Council Decision/Officer's Recommendation That Council: i) adopts Amendment 21, to Town Planning Scheme No. 5 without any modifications; ... ii) forwards the following Schedule of Submission and recommendations to the Western Australian Planning Commission for the Minister's consideration: and iii) the Mayor and Chief Executive Officer be authorised to execute three (3) copies of the amendment documents in accordance with the <i>Town Planning Regulations 1967</i> (as amended), including the fixing of the Council's seal in the event that the Minister for Planning and Infrastructure approves the Amendment without modification.	Planning Officer		Gazetted 25/09/09 with minor correction 06/10/09 and scheme map updated 30/09/09.		
11.3.2.1	Common User Check-in Facilities at Port Hedland International Airport Terminal	200910/014 Council Decision/Officer's Recommendation 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 16 th June 2009), with the additional funds to be allocated from the Airport Reserves account;	Manager Airport		Completed. Goods ordered installed Nov/Dec 2009.	✓	
14.1.1	Confidential Item: Munda Station Access Road	200910/024 Council Decision/Officer's Recommendation 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. ..			Survey tour of road scheduled for 29/30 October with State Land Services surveyor.	✓	
Ordinary Council Meeting held 26 August 2009			OFFICER	Background Status/Work to Date	THIS MONTH'S UPDATED STATUS	COMPLETED ?	EST. COMP. DATE
11.2.1.3	Signs, Hoardings and Bill Posting Local Law	200910/039 Council Decision/Officer's Recommendation That Council: Continues to discourage any further proliferation of signage on road reserves. ...	DRCS		Designs of suitable banner structures are under investigation as are potential changes to Local Laws.		Nov 09

11.2.2.1	Public land Availability as identified in the Residential Land Rationalisation Plan	200910/041 Council Decision / Officers Recommendation That Council: Requests the Department Regional Development and Lands – State Land services to, in accordance with the provisions of the Land Administration Act 1997:	MPS		Land negotiations progressing report to November Ordinary Council Meeting		
11.3.3.1	Mobil Oil Lease for RFDS Extension	200910/056 Council Decision/Officer's Recommendation That Council authorise the Chief Executive Officer or his delegate to enter into negotiations with Mobil Oil into a lease agreement in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions: a) The lease term being for one year and nine months plus one (1) year option; and b) The lease rental being set at the current market value of \$7,634.20 plus GST, increased annually by CPI; subject to any submissions being received by Council.	Airport Land Side Dev. Officer		Lease to be signed. Under negotiations.		
11.3.3.2	Funding for Extension of Northern Apron for the RFDS, PHIA	200910/058 Council Decision/Officer's Recommendation That Council approves funding of \$316,000 to be allocated from the Airport Reserves Account for the Northern Apron Extension in order to accommodate the Royal Flying Doctor Services new Hangar.	Airport Land Side Dev. Officer		Construction Commenced. Oct 09		
11.3.3.3	Golden Eagle Freight Hangar	200910/057 Council Decision/Officer's Recommendation That Council revokes resolution 200809/083 of Agenda Item 12.1.1 'Golden Eagle Airlines lease of the Airfreight Hanger at the Port Hedland International Airport' of its Ordinary Meeting held on Wednesday 24 September 2008, and recorded on page 196 of those Minutes, as follows: ... 200910/060 Council Decision/Officer's Recommendation That Council authorises the Chief Executive Officer or his delegate to enter into negotiations with Golden Eagle Airlines into a lease agreement in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions: ...	Airport Land Side Dev. Officer		Lease to be signed		
11.3.4.1	Regional Aquatic Centre Management Contract	200910/061 Council Decision/Officer's Recommendation That Council endorses the attaching of the Common Seal of the Town of Port Hedland in accordance with its articles of association, in the presence of the Mayor and Acting Chief Executive Officer, to the Management Agreement for the Management and Operation of the Gratwick and South Hedland Aquatic Centres. Operational matters will be forwarded to Council for Council information following agreement between both parties.	MRS		Contracts signed		

11.3.4.2	Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse	200910/062 Council Decision/Officer's Recommendation That Council: i) reject all tenders submitted for Tender 09/07: Design and Construction of the Colin Matheson Oval Clubhouse due to change in scope; ...	MRS		Tender to be readvertised in November 2009.		
11.3.4.3	Overhead Lighting at the Aquatic Facilities	200910/063 Council Decision/Officer's Recommendation That Council: i) undertakes the following in relation to the overhead lights at the South Hedland Aquatic Centre (SHAC): ... ii) undertakes the following in relation to the overhead lighting at Gratwick Aquatic Centre (GAC): ...	MRS		Temporary overhead lighting at SHAC completed. Grant submission for overhead lighting at GAC submitted. Awaiting decision.		
11.4.1.1	Polar Aviation Northern Hanger– Tender to Demolish and Remove	200910/065 Council Decision/Officer's Recommendation That Council: i) approve the disposal of the Northern Hanger, at the Port Hedland International Airport by way of Public Tender in accordance with Section 3.58(2)(b) of the Local Government Act 1995); ...	DCS		Airport Lands Officer arranging tender document through WALGA. To be advertised in November 09. Polar Aviation is being kept up to date on progress of tender.		
12.2.1	Staff Housing at the PHIA	200910/069 Council Decision/Officer's Recommendation That Council Selects Area 2 (as per the attached map) as the preferred site for Airport Staff housing.	Airport Land Side Dev. Officer		Housing submission plans being undertaken		
12.3.1	Proposed Artwork – Marrapikurinya Park	200910/070 Council Decision/Officer's Recommendation That Council grants in-principle approval for the installation of the artwork "The Hedland Harmony Tree Project" on Reserve 30534 (Lot 6182) Richardson Street, Port Hedland with the intention of having specific details relating to the installation addressed in a planning application.	DRCS		No further progress at this stage, as the applicant has reconsidered the proposed location and may seek approval for installation in South Hedland	✓	
14.1.2	Confidential Item – Legal Matter : Notice of Motion	200910/072 Council Decision/Officer's Recommendation That Council notes the status of current legal proceedings between the Town and Sunsatin Holdings.			Nothing to update – Council noted the status of legal proceedings at the meeting.	✓	

11.2 Regulatory and Community Services**11.2.1 Director Regulatory and Community Services***11.2.1.1 Monthly Report – Community and Regulatory Services
(File No.: 13/04/0001)*

Officer Nellie Mackay
Executive Assistant
Community and
Regulatory Services

Date of Report 11 September 2009

Disclosure of Interest by Officer Nil

Summary

Report on activities for the month of September 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

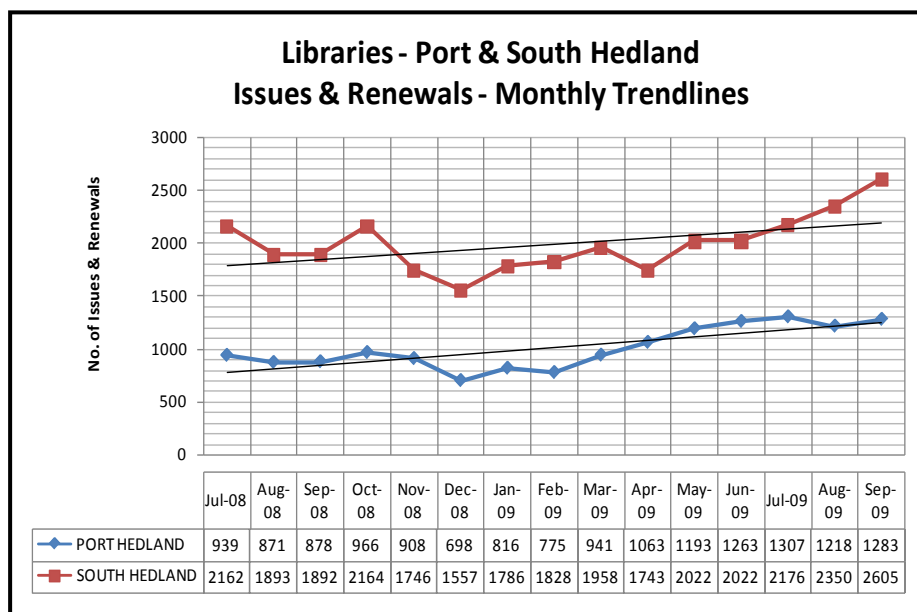
Nil

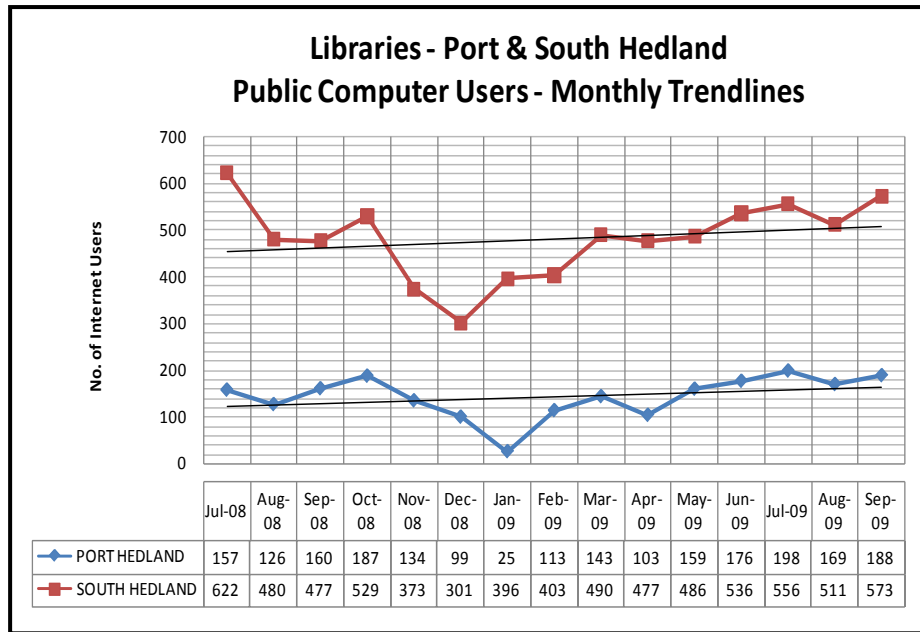
Library and Information Services

PORT HEDLAND LIBRARY	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09
Issues & Renewals	1063	1193	1263	1307	1218	1283
Reservations	29	25	37	47	50	65
New Borrowers	30	22	31	20	17	28
Public Computer Users	103	159	176	198	169	188
Door Count	New stats	851	865	969	994	1098
Reference Enquiries	collected	70	218	95	56	91
General Enquiries	effective	15	21	57	32	38
Technical/Computer	May-09	13	7	13	7	19
SOUTH HEDLAND LIBRARY	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09
Issues & Renewals	1743	2022	2022	2176	2350	2605
Reservations	69	88	40	44	39	39
New Borrowers	66	72	66	43	70	62
Public Computer Users	477	486	536	556	511	573
Door Count	New stats	1603	1702	2085	2267	2444
Reference Enquiries	collected	74	214	146	138	152
General Enquiries	effective	34	136	121	99	94
Technical/Computer	May-09	37	37	41	59	60

A meeting for the HARTZ Hedland Writers Group was held at South Hedland Library on 24 September, with 6 people attending. The next meeting will be held in late October.

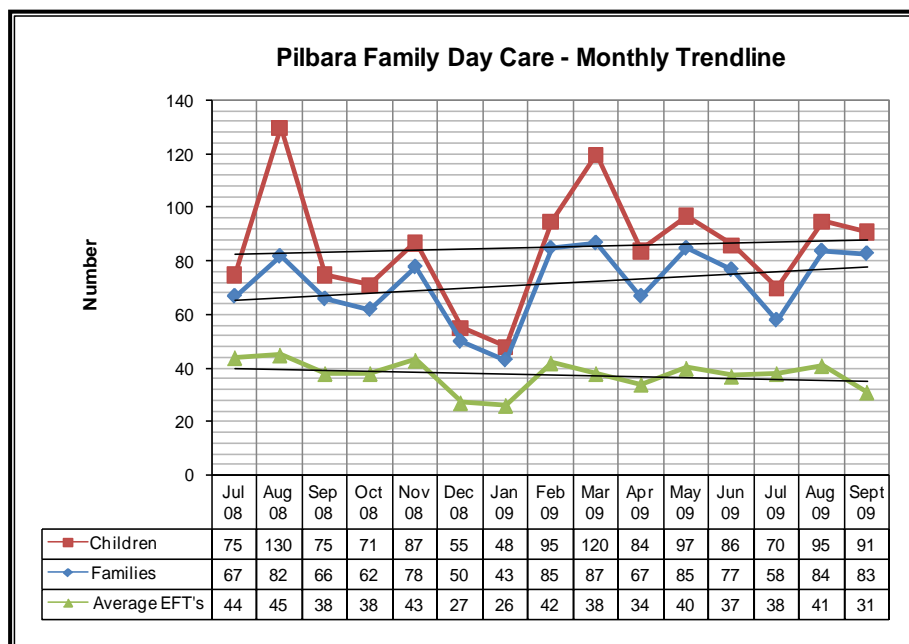
Holiday Activities were held at Port Hedland Library on 29 September with 37 children and 10 adults attending.

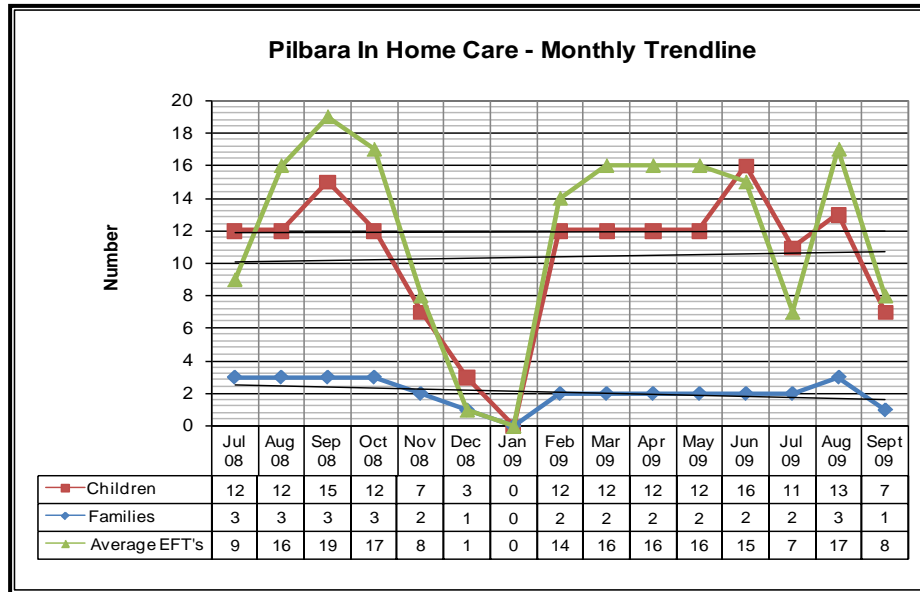




Pilbara Family Day Care (PFDC)

Location	Carers currently within Scheme	Carers currently going through licensing
South Hedland	3	1
Wickham	1	-
Karratha	4	1
Newman	4	-
Tom Price	-	1
Paraburdoo	2	-
Point Samson	-	-
TOTAL	14	3





Events and Matt Dann Cultural Centre

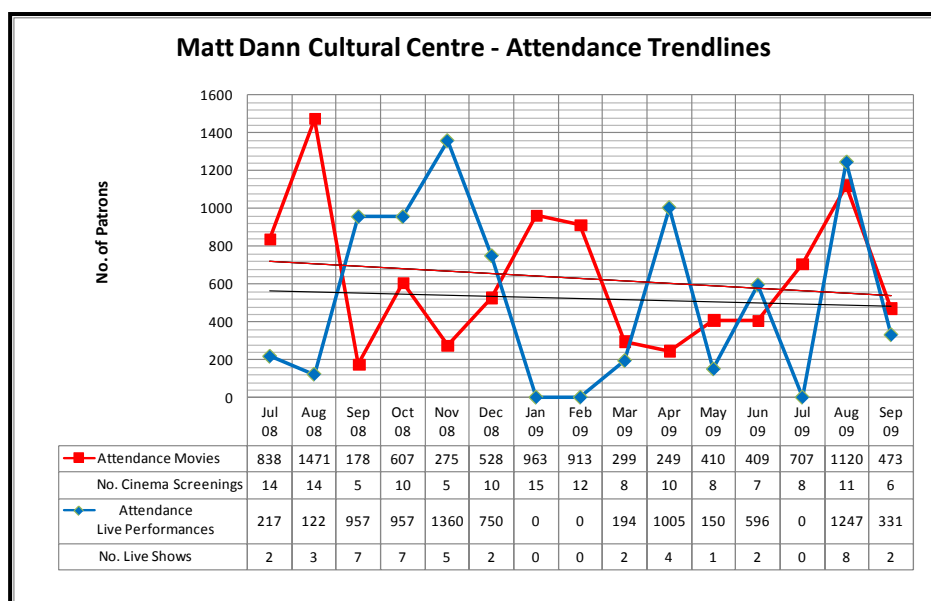
The Portbound Youth Festival was held in September and for an inaugural event was very well received with approximately 1000 patrons attending the event.

Included within the 6 movie screenings in September was a private screening of "The Voyage that Shocked the World" which attracted 55 patrons.

Live performances held in September were:-

- Madame Butterfly – 177 patrons
- C3 Youth Concert – 154 patrons

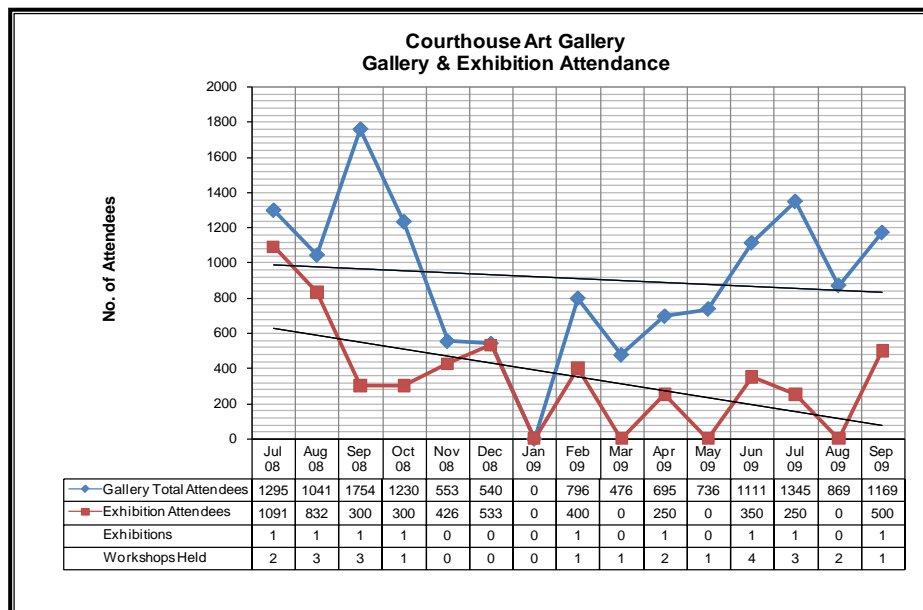
WAFM hired the Matt Dann Cultural Centre for a screening of the AFL Grand Final with 50 patrons attending.



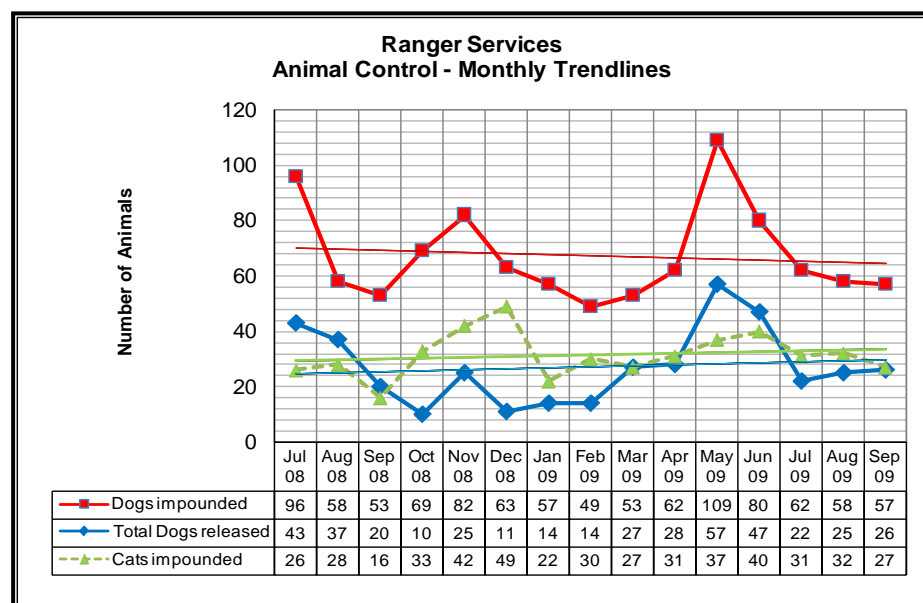
Courthouse Gallery

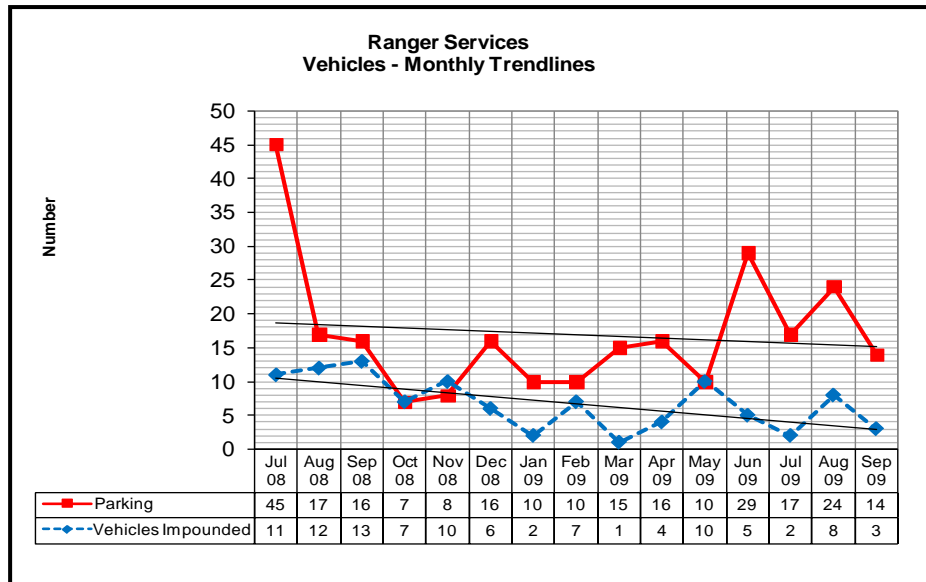
Functions and visits (number of attendees) occurring at the gallery during September were:-

- Hedland Arts Awards opening night (500)
- Local Artist's Workshop with Helen Ansell & Sara Barnes (7)
- Landcorp Sundowner (15)
- Hartz Artist's Breakfast (30)
- Music Exams Pilbara (80)
- Police Remembrance Day Service in Gallery Gardens (50)
- Let's Get Started Program with the Spinifex Hill Artists – 14-16 September (13-16 people).



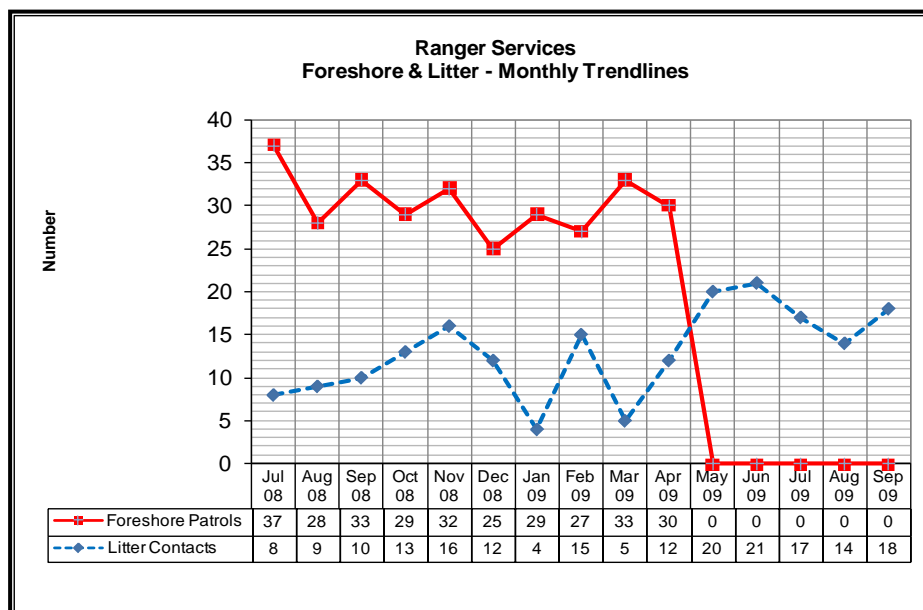
Environmental Health Services – Ranger Statistics





Litter

Since the inception of the Town of Port Hedland Litter Report Cards 12 people have been issued with fines under this initiative with 3 of these as a result of cards being handed into Ranger Services and 9 as noted by Rangers. These 12 infringements are included in the following figures.

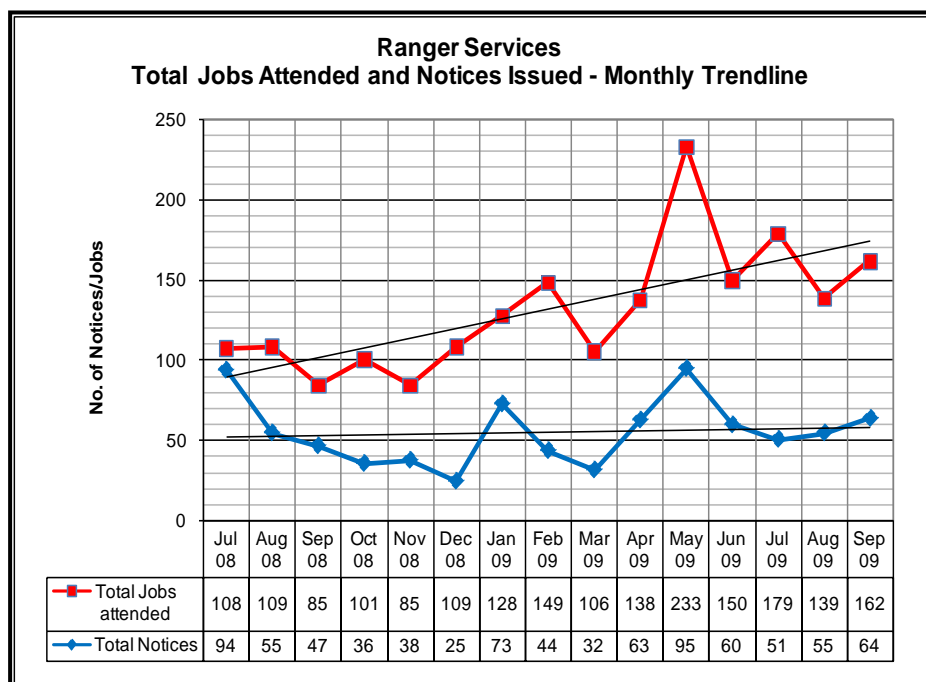


N.B. No dedicated foreshore patrols conducted in Turtle season only.

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 and Regulatory Services for the period 1 July 2000 to 30 June 2010

200910/101 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

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

CARRIED 7/0

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														
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	
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.	
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												Review commenced, to be completed in conjunction with pre-cyclone inspections October 09.	
MCED / MRS	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 2		Convert the JD Hardie Centre into a more youth focused facility. 2008 capital works program managed by MRS. Youth Precinct development project now managed by MCED	Start July 2008												Meeting held with architect and working group 23/9/09. Planning application lodged with Council; currently being assessed. Will go to tender together with Recreation Centre project.	
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.	
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											Report to August meeting with initial recommendations. Detailed review to follow.	
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												Ongoing.	
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. Next meeting scheduled for 15/10/09	

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. <i>Project Manager arriving 19/10 to meet with Horizon Power regarding poles. Stage 1 project scheduled for completion Nov 09. Working Group meeting held on 1/10/09 which identified scope for CCTV Stage 2</i>
MCED / MRS	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												<i>Heritage & Marine Festival program now being distributed. Festival in Marapikurinya Park and Edgar St Sat 24 Oct until 4pm; BBQ at Dalgety House to follow; Concert Pianist and dinner Esplanade that evening. Young Leaders Program urban Art project painting the Pretty Pool ablution block with a marine and Family theme will take place Sat 24 with community lunch to celebrate the work on Sun 25th oct at Pretty Pool park.</i>
DCRS	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									Tenders being called 19/9/09 with closing date of 14/10/09 for management of PHVC & Courthouse Arts Centre
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									<i>4 planning applications being developed at present; in conjunction with BHPBIO and artists. Unveiling of Cyclone George Relief Fund metal sculpture scheduled for 1st November to launch cyclone season and increase community awareness.</i>
MCED / MIS / MES	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									<i>Artist has completed both the metal and concrete parts of entry statement artwork. Transport and installation of the pieces in October. Landscaping to follow and official unveiling scheduled for late November.</i>
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											<i>Review of MDCC business unit to be undertaken over 1st quarter 2010. Popcorn machine being repaired and popcorn heater/warmer purchased - biggest seller of kiosk lines.</i>
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.
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											Information bay upgrade underway. <i>Northern entrance bay - gazebo and seating maintenance completed. Landscaping underway. New billboard concepts being investigated with clear maps of tourist attractions shown.</i>
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												Ongoing.
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.													<i>Policies to be developed in conjunction with newly appointed Manager Economic Development and review of Plan for the Future Feb 2010.</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																
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									Scoping of this project is proposed in October. Consultants to be selected in Nov and Project line developed from there.
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 very popular - display will now have MDCC live shows and cinema, and Council Events on one side and all other council and community events on the other.</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>Incorporation of "Celebrate Hedland!" lodged 21/9/09. Heritage Marine Festival program completed for 24 & 25/10/09.</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											Awaiting judging of Tidy Towns.
MCED	KRA 2 - Community Pride Goal 2 - Events Strategy 3		Develop a well known, all inclusive calendar of community events.													On-line and ongoing.

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
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.													Ongoing. <i>Portbound Youth & Health Festival hugely successful - plan to make it our iconic youth event each year. Planning underway for next events - Heritage Marine Festival and Australia Day 2010.</i>
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 Capital 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.													Started 2006 - Ongoing project. Options for other agencies to host PFDCS being investigated. <i>Child Care Centre building needs audit to be done.</i>
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 3		Establish regular formalised consultation mechanisms between Council and Young People.													<i>MCED mentors HYLIC - Ongoing.</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.													Ongoing
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.													Ongoing - MCED mentor role for HYLIC; chair of HYSAG
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 Strategy 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 being prepared to advise of initiative and form availability for the public. <i>12 people have been issued with fines for Littering Offences through this initiative since inception in August 09.</i>
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.													<i>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>
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. <i>Will be picked up in Town Planning Scheme No. 6</i>
MEH	KRA 5 - Environment Goal 1 - Waste Management Strategy 5		Support water re-use initiatives including residential grey water reuse.													Ongoing. ToPH recycles 100% of its wastewater received. A new "Re-use Waste Water Manual" has been developed from which a check list for compliance to our DOH approval has been raised and sent to the Manager of Works to ensure compliance with that approval. A comprehensive water sampling programme has been developed and monthly samples taken for analysis. Grey water re-use systems are approved by the Dept of Health and will be considered by the ToPH on application.
MCED	KRA 6 - Governance Goal 1 - Leadership Strategy 2		Investigate options to develop new and emergent leaders in our community.													Young Leaders Program Adventure Challenge camp <i>held at Pardoo</i> 18-20 Sept. Project work for course participants underway (Pretty Pool ablution block urban art & DVD on Youth activities in Port Hedland)
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. <i>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.</i>

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 and within budget. Press release to follow.
MEH	Foreshore Protection/Restoration Project	1105425	90,000													Works completed and main invoice processed. Awaiting other invoices for extra works undertaken.
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, hydraulics & airconditioning design underway. Architect, Mechanical & Electrical Engineers met with Planning, Building and Youth & Recreation Facilities Working Group 23/9/09 and presented work completed to date. Application with Manager Planning for assessment. Documentation ready to go 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. CCTV Stage I scheduled for completion Nov 09. CCTV Working Group met 1/10/09 to discuss Scope of Work and locations for Stage II CCTV.
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.

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

Officer Nellie Mackay
Executive Assistant
Community & Regulatory
Services

Date of Report 11 October 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 September 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 September 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

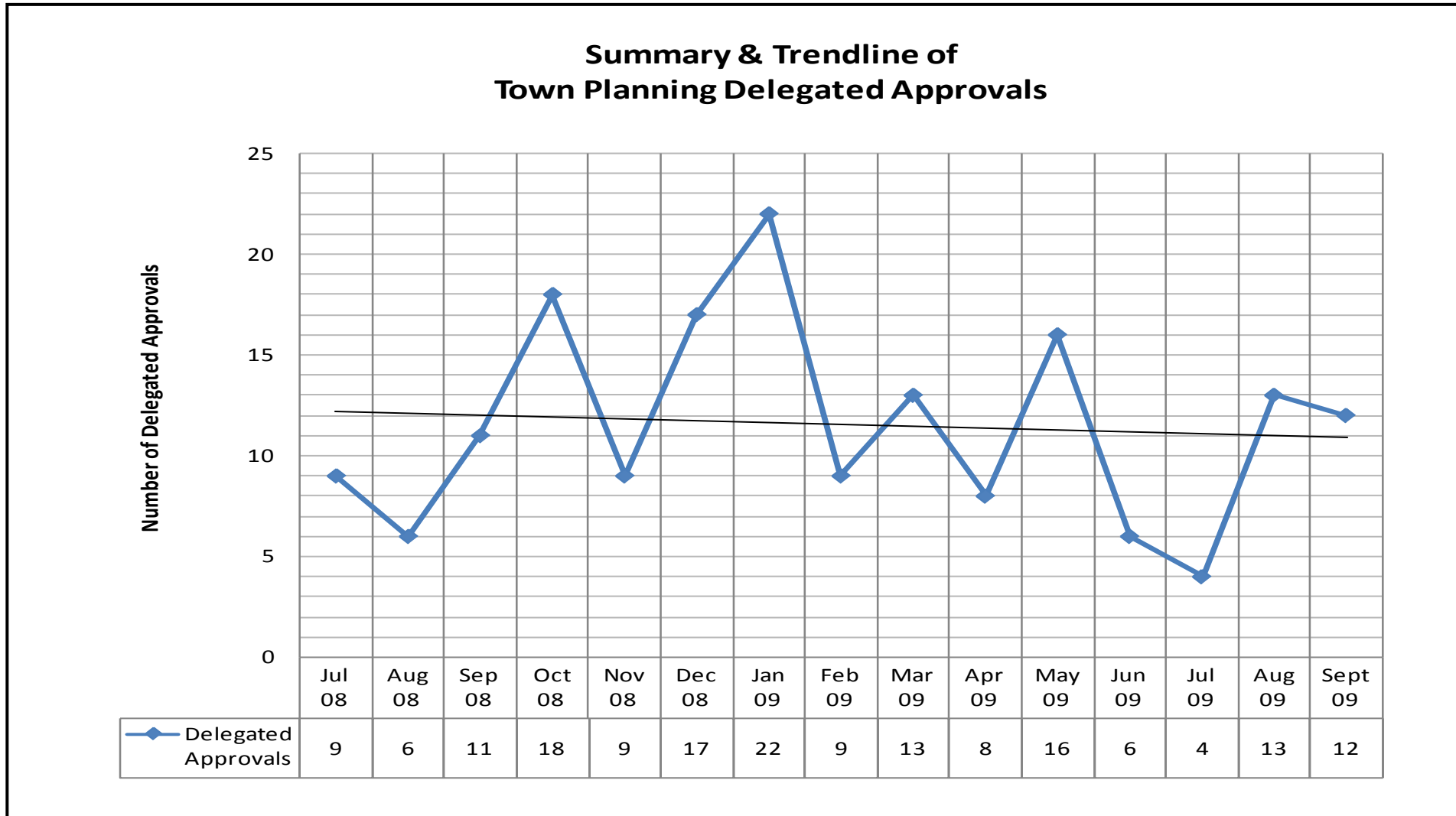
Budget Implications Nil

Officer's Comment Nil

DELEGATED PLANNING APPROVALS FOR SEPTEMBER 2009

PLANNING APPROVALS							
Application Number	Application Date	Date Determined	Description	Lot	Address	Applicants Name	Owners Name
2008/427	22/10/2008	02/09/2009	STORAGE FACILITY / DEPOT / LAYDOWN AREA - MANGANESE STOCKPILES FOR EXPORT	0000001	G45/00265 MINING TENEMENTS PORT HEDLAND AREA	STEVE CRABBE - AUVEX RESOURCES LTD	HITECH ENERGY LTD
2009/196	23/04/2009	14/09/2009	STORAGE FACILITY / DEPOT/ LAYDOWN AREA / MECHANICAL REPAIR WORKSHOP AND OFFICES.	5884	5 MANGANESE STREET WEDGEFIELD	RICHARD SIM	SABRECHIEF PTY LTD
2009/228	11/05/2009	29/09/2009	INDUSTRY LIGHT - Office and shed addition to existing facility	1402	34 PINNACLES STREET WEDGEFIELD	Patrick Hubble	ELABOR PIERS NOMINEES PTY LTD
2009/232	14/05/2009	10/09/2009	RESIDENTIAL BUILDING - accommodation for caretaker and visiting trainers on a temporary basis (race season)	5770	29 JOHNSON LANE (OFF STYLES RD) PORT HEDLAND	Arnold Carter	TOWN OF PORT HEDLAND
2009/387	13/07/2009	25/09/2009	GROUPED DWELLING - ADDITIONAL 3X 2 BEDROOM GROUPED DWELLING	35	10 EDGAR STREET PORT HEDLAND	JANINE MCDONALD	ARTHUR JULIAN MCCOLL
2009/401	17/07/2009	24/09/2009	SINGLE HOUSE, ARTS AND CRAFT CENTRE AND INDUSTRY LIGHT - PROCESSING STONE, EXPORT, CUTTING, POLISHING, TUMBLING	1	L1 REDBANK ROAD REDBANK	DEEPBLUE ENTERPRISES	DEEPBLUE ENTERPRISES
2009/439	07/08/2009	11/09/2009	INDUSTRY - LIGHT - STORAGE UNITS - PREFABRICATED TRANSPORTABLE 12m x 2.93m x 2.75m	3787	2 MUNDA WAY WEDGEFIELD	DAVID HUGH MACPHERSON	DAVID HUGH MACPHERSON
2009/467	19/08/2009	24/09/2009	INFRASTRUCTURE - OFFICE, LUNCHROOM, TOILET, STORE	86	LOC 86 FORREST LOCATION PORT HEDLAND AREA	MATTHEW POCHROJ	BHP BILLITON MINERALS PTY LTD
2009/500	28/08/2009	29/09/2009	SINGLE HOUSE - R CODE VARIATION - Sea container for storage - 6m x 4m x 3m	799	3 KIMBERLEY AVENUE SOUTH HEDLAND	LANA REED & PETER ALLEN	LANA REED
2009/506	01/09/2009	24/09/2009	INTENSIVE AGRICULTURE - SHED 24M X 12M X 4.8M - GARDEN SUPPLY AND MAINTENANCE BUSINESS	106	55 REDBANK ROAD REDBANK	SHANE STARLING	SHANE DAVID STARLING
2009/541	18/09/2009	24/09/2009	COMMUNITY USE - SHADE COVER OVER EXISTING CHILDRENS PLAY AREA	3278	LOT 3278 TINDER STREET PORT HEDLAND	GORDON HOBBS	TOWN OF PORT HEDLAND
2009/544	21/09/2009	24/09/2009	GROUPED DWELLING - RENOVATIONS TO EXISTING UNITS 5-8	3340	7-9 DAYLESFORD CLOSE SOUTH HEDLAND	JOHN KANNIS	DEPARTMENT OF HOUSING

DELEGATED PLANNING APPROVALS FOR SEPTEMBER 2009



DELEGATED BUILDING APPROVALS FOR SEPTEMBER 2009

BUILDING LICENCES						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
80649	04.09.2009	SOUTH HEDLAND	Outbuilding	\$8,000	15	Class 10a
80654	07.09.2009	SOUTH HEDLAND	Patio	\$20,000	49	Class 10a
80650	07.09.2009	WEDGEFIELD	Patio	\$7,000	47	Class 10a
80651	08.09.2009	SOUTH HEDLAND RURAL EST	Outbuilding	\$67,500	108	Class 10a
80655	09.09.2009	SOUTH HEDLAND	8 x Patios	\$75,562	15	Class 10a
80556	10.09.2009	SOUTH HEDLAND	Outbuilding	\$1,400	3	Class 10a
80661	16.09.2009	PORT HEDLAND	Spa Enclosure	\$19,520	28	Class 10a
80666	22.09.2009	PORT HEDLAND	Outbuilding	\$18,500	36	Class 10a
80671	24.09.2009		Outbuilding	\$18,000	33	Class 10a
80672	25.09.2009	PORT HEDLAND	Patio	\$12,000	36	Class 10a
80676	28.09.2009	SOUTH HEDLAND	Patio	\$19,500	96	Class 10a
80675	28.09.2009	SOUTH HEDLAND	Outbuilding	\$19,500	48	Class 10a
85053	07.09.2009	WEDGEFIELD	Swimming Pool B/G	\$19,500		Class 10b
85054	25.09.2009	SOUTH HEDLAND	Spa A/G	\$8,000		Class 10b
80645	02.09.2009	SOUTH HEDLAND RURAL EST	Dwelling	\$761,772	684	Class 1a
80644	02.09.2009	PORT HEDLAND	Dwelling	\$495,906	225	Class 1a
80646	02.09.2009	SOUTH HEDLAND	Dwelling	\$380,000	257	Class 1a
80647	02.09.2009	SOUTH HEDLAND	Dwelling	\$380,000	257	Class 1a
80648	04.09.2009	SOUTH HEDLAND	Dwelling	\$525,000	176	Class 1a
80652	07.09.2009	PORT HEDLAND	Dwelling	\$358,000	157	Class 1a
80656	09.09.2009	SOUTH HEDLAND	Dwelling	\$423,566	214	Class 1a
80657	10.09.2009	SOUTH HEDLAND	Addition to existing Dwelling & New Patio	\$120,000	150	Class 1a
80665	22.09.2009	WEDGEFIELD	Dwelling	\$142,542	79	Class 1a
80669	23.09.2009	SOUTH HEDLAND	2 X group Dwellings	\$248,820	372	Class 1a
80667	23.09.2009	SOUTH HEDLAND	Dwelling	\$240,173	167	Class 1a
80668	23.09.2009	SOUTH HEDLAND	Dwelling	\$471,600	227	Class 1a
80677	30.09.2009	SOUTH HEDLAND	Dwelling	\$254,191	174	Class 1a
80678	30.09.2009	PORT HEDLAND	Dwelling	\$750,000	302	Class 1a
80658	23.09.2009	SOUTH HEDLAND	10 X Class 2 (SOU)	\$2,500,000		Class 2
80653	08.09.2009	VIA PORT HEDLAND	Transient Workforce Accommodation	\$3,782,127	2256	Class 3

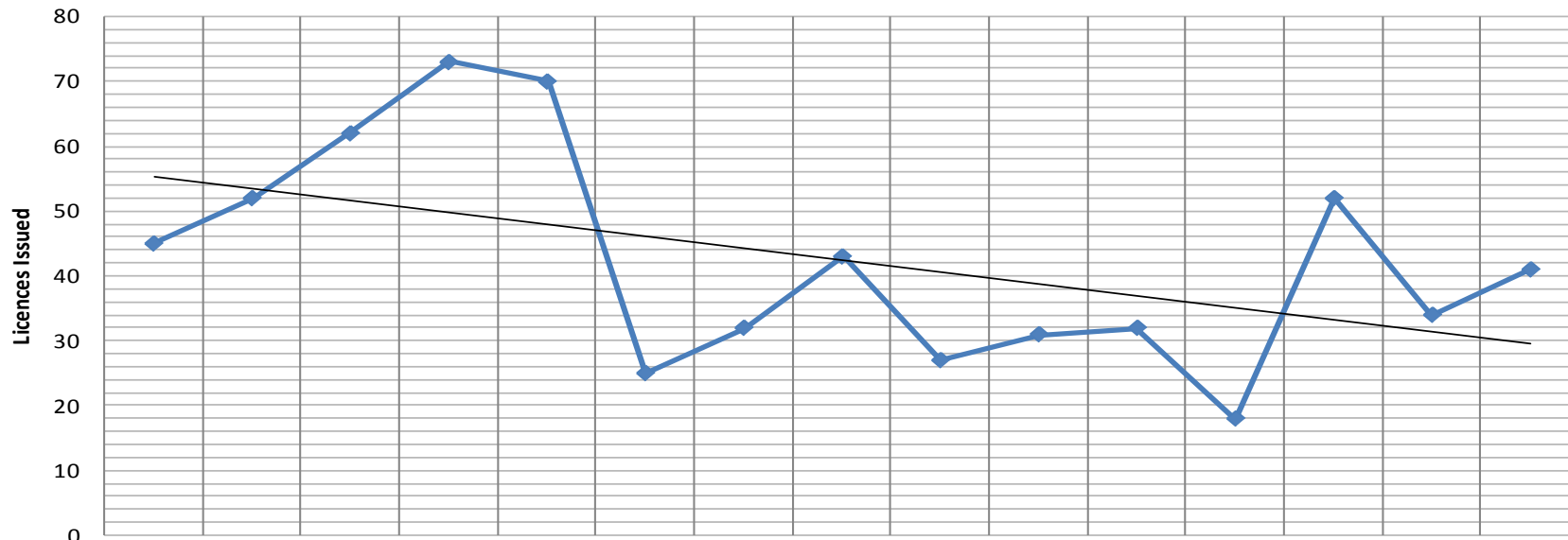
DELEGATED BUILDING APPROVALS FOR SEPTEMBER 2009 (CONTINUED)

BUILDING LICENCES Cont'd...						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
82008	09.09.2009	PORT HEDLAND	Office Building	\$9,033,792		Class 5
80663	20.09.2009	PORT HEDLAND AIRPORT AREA	1 X Admin Kitchen Diner & Utilities Building	\$13,600,000		Class 5
80673	28.09.2009	PORT HEDLAND AREA - PHR	New Office Store and Amenities	\$242,000	144	Class 5
80662	20.09.2009	PORT HEDLAND AIRPORT AREA	1 X temporary Wet Mess	\$125,000		Class 6
80670	24.09.2009	SOUTH HEDLAND	Shop Fitout	\$900,000		Class 6
80659	15.09.2009	WEDGEFIELD	Workshop & Office	\$350,000	599	Class 8
80664	21.09.2009	PORT HEDLAND	Childcare Centre	\$2,200,000	861	Class 9b
80674	28.09.2009	PORT HEDLAND AIRPORT AREA	Footings & Tie-Down Details - Stage 2 P	\$750,000		
38	TOTAL ESTIMATED CONSTRUCTION VALUE			\$39,348,471		

DEMOLITION LICENCES				
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)
83043	01.09.09	SOUTH HEDLAND	Demoliton of Dwelling	\$18,000
83044	04.09.09	PORT HEDLAND	Demolition of Whole Building	\$19,294
83041	01.09.09	SOUTH HEDLAND	Demolition of Dwelling	\$20,000
			Total	\$57,294

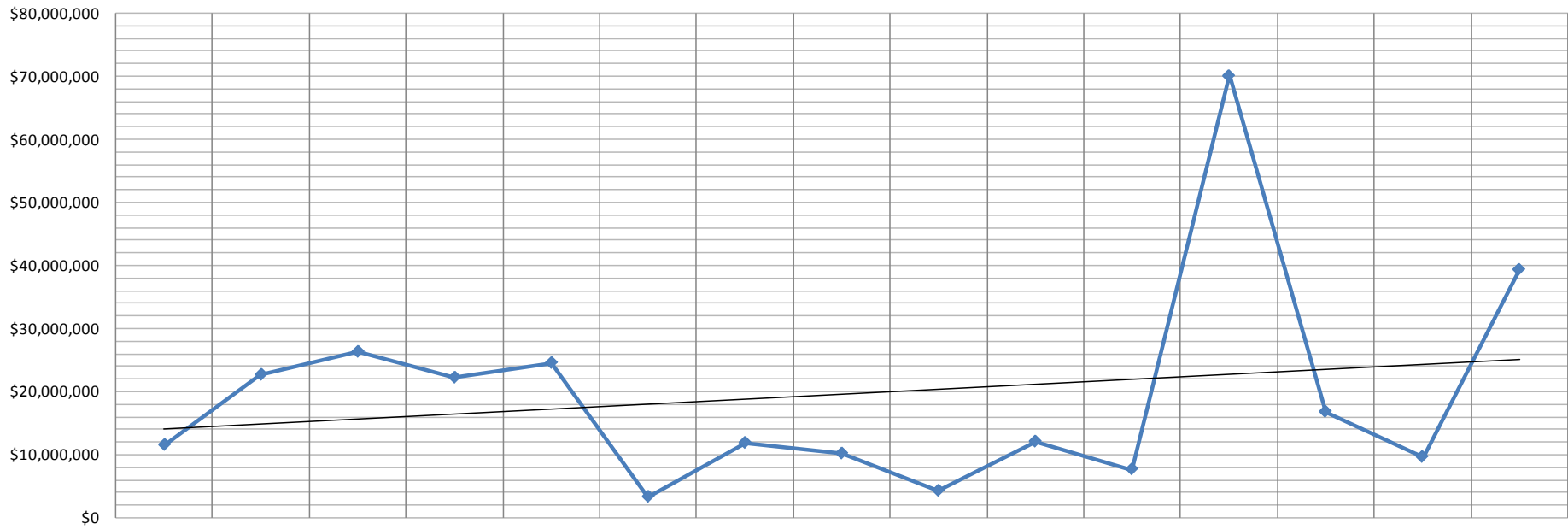
SUMMARY				
Number of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square
3	Demolitions	\$57,294		
14	Dwellings	\$5,551,570	3441	\$1,613
12	Class 10a	\$286,482	723	\$396
2	Class 10b	\$27,500		
10	Commercial	\$33,482,919		
0	Other	\$0		
41		\$39,405,765		

Summary & Trendline for Building Licence Approvals



	Jul-08	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
◆ No of Licences Issued	45	52	62	73	70	25	32	43	27	31	32	18	52	34	41

Summary & Trendline of Estimated Construction Value of Building Licences Issued



	Jul-08	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
Estimated Construction Value \$	\$11,507,955	\$22,680,221	\$26,336,156	\$22,217,971	\$24,558,195	\$3,244,322	\$11,840,566	\$10,139,570	\$4,209,939	\$12,042,120	\$7,619,823	\$70,243,761	\$16,776,179	\$9,586,773	\$39,405,765

DELEGATED ENVIRONMENTAL HEALTH ORDERS FOR SEPTEMBER 2009

Current Health Orders under Delegated Authority by Environmental Health Services	
30 Weaver Place, South Hedland (Fauntleroy/Mills)	Building Unfit for Human Habitation
207a & 207b Athol Street, Port Hedland (I Yujnovich)	~ 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.

CURRENT LEGAL MATTERS BEING UNDERTAKEN AS AT SEPTEMBER 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 ~ Listed for hearing 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.	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	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 set for 16/11/09	MEH

Attachments

Nil

200910/102 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr A A Carter

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 September 2009 be received.

CARRIED 7/0

11.2.1.3 Port Hedland Yacht Club – Increase in Self Supporting Loan (File No.: 05/05/0012)

Officer Terry Sargent
Director Regulatory &
Community Services

Date of Report 7 October 2009

Disclosure of Interest by Officer

The officer writing this report declares that he is a committee member of the Port Hedland Yacht Club.

Summary

For Council to consider increasing a self supporting loan from \$350,000 to \$500,000.

Background

The Port Hedland Yacht Club is currently constructing a two-storey club building within their current lease area.

Council considered the request by PHYC for a \$350,000 self supporting loan originally at its 23 May 2007 Ordinary Meeting of Council. At this meeting the item was laid on the table pending a presentation by the Commodore of the PHYC at Council's July informal briefing session wherein he outlined the planned upgrade of the club facilities and the proposed lease was discussed.

The item was then reconsidered at the Ordinary meeting of Council on 25 July 2007, and subsequently a \$350,000 self supporting loan was approved within the 2007/08 budget deliberations.

This amount was carried forward to the 2008/09 budget as construction delays meant the loan was not drawn upon in the 07/08 financial year.

The amount was again carried forward in July 2009 as the \$350,000 loan had still not been drawn on.

The Port Hedland Yacht Club has since requested an increase of the approved loan from \$350,000 to \$500,000 to meet their escalating costs since starting the project.

Consultation

Nil.

Statutory Implications

Clause (2) of Section 6.20 (Subdivision 3 — Borrowings) of the Local Government Act 1995 states (in part):

“6.20.Power to borrow

*...(2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (**power to borrow**) and details of that proposal have not been included in the annual budget for that financial year —*

- (a) unless the proposal is of a prescribed kind, the local government must give one month’s local public notice of the proposal; and*
- (b) the resolution to exercise that power is to be by absolute majority.”*

Policy Implications

Nil.

Strategic Planning Implications

Nil.

Budget Implications

Because this is a self supporting loan there is no significant direct budgetary implication.

Officer’s Comment

The Yacht Club redevelopment is progressing slowly and the project design advanced to produce a very high quality facility.

Although an amount of work is proposed utilizing volunteer resources, and a very beneficial arrangement is in place with the builder, costs have escalated since the commencement of the project. The yacht club has sufficient funds at present to complete the basic facilities and public areas; however the function room may not be completed to a standard that would maximize the potential revenue returns from the facility. An additional \$150,000 will enable the club to complete the whole project rather than staging the development by completing the upstairs function room at a later time. This will maximize the benefit to the community and completion of the function room will maximize the potential return to the club by way of hire fees, bar sales etc.

Financial records have been received which include:-

- Operating accounts
 - 2008/09 Income and Expenditure, Budget & Actual YTD 30/6/09

- 2006/07 Income and Expenditure, Actual
- 2007/08 Income & Expenditure, Budget
- Building Summary of income and expenses to 30/6/09
- Bar income and expenditure breakdown

The club has a positive financial balance and will have even better prospects once the building is completed. The financial statements are presented for information (refer Attachment 2) and are currently with their auditors for verification. The club does not have a history of adverse audit reports.

Negotiations are incomplete at this stage but indications from potential tenants of the club's new kitchen suggest that it will receive considerably more from the new kitchen lease than it does from the current arrangement.

It is noteworthy that should the Yacht Club default on the self supporting loan, the facility would become a Council asset that Council could lease out commercially, deriving income well in excess of the loan costs.

The request from the PHYC for additional self supporting loan funds of \$150,000 does not represent any significant financial risk to Council but will maximize the potential amenity and utilization of this iconic site.

Attachments

1. Letter of application from Port Hedland Yacht Club (Inc).
2. Unaudited balance sheets/financial statements

200910/103 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr G J Daccache

That Council:

- i) Approve an increase in the Self Supporting Loan to the Port Hedland Yacht Club (Inc), from \$350,000 to \$500,000.
- ii) Advertise the increase in loan amount in accordance with Clause 6.20 of the Local Government Act 1995
- iii) Amend the 2009/10 budget as required to reflect the increase in loan.
- iv) Amend the loan application for endorsement by Council and Port Hedland Yacht Club (Inc.)

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.1.3

PORT HEDLAND YACHT CLUB (INC.)

PO Box 389 Port Hedland WA 6721 phone (08) 91731198



Chris Adams
Chief Executive Officer
Port Hedland Town Council

23rd July 2009

PORT HEDLAND YACHT CLUB DEVELOPMENT

Chris,

Currently the Port Hedland Yacht Club Re-development is progressing slowly. We have progressed from the fabrication stage to the building / erecting stage. As you can appreciate the costs have escalated over the intervening time since starting. The yacht club has sufficient funds at this time to continue building. However, the club won't have enough funds to fully complete the project.

The funds previously organized and approved by the Town of Port Hedland Council (Self Supporting Government loan for \$350,000) will go a long way to meeting the deficiency. The club would like to request an extension of the approved loan from \$350,000 to \$500,000 to further meet our needs.

The club has a positive financial balance and even better prospects when the building is completed. Our current financial statements are at the auditors for verification, but I have attached a copy of our current balance sheets as way of proof the club can easily meet repayments and still operate successfully.

Therefore on behalf of the Port Hedland Yacht Club Inc I wish to officially apply for a Five Hundred Thousand dollar (\$500,000) self supporting low interest WA Government loan using the council as the facilitator.

If you have any queries you are welcome to call the undersigned on (08) 91722337, Mobile 0407381805 or the Club on (08) 91731198.

Thank you for your consideration.

Adrian John Bartlem
Commodore PHYC

ATTACHMENT 2 TO AGENDA ITEM 11.2.1.3

Port Hedland Yacht Club Inc

BAR	2008-09
Income	
Sales	\$ 228,400.25
Eftpos surcharge	\$ 1,824.00
Total Income	\$ 230,224.25
Expenditure	
Cost of Sales	\$ 115,965.99
Bank Fees (Merchant Charges)	\$ 1,687.16
Bar Supplies (Consumables)	\$ 1,235.72
License Fees (Liquor & Sound)	\$ 437.50
Superannuation	\$ 7,228.51
Workers Compensation Insurance	\$ 985.05
Wages	\$ 41,533.00
Total Expenditure	\$ 169,072.93
NET PROFIT (BAR)	\$ 61,151.32

Other Income	2008-2009
Membership fees	\$ 39,116.00
Donations	\$ 1,504.00
Social Fundraising (raffles etc)	\$ 32,059.00
Sponsorship (includes matched giving)	\$ 25,650.00
Market Days	\$ 6,736.00
Total Other Income	\$ 105,065.00

PORT HEDLAND YACHT CLUB INC OPERATING ACCOUNT	BUDGET	ACTUAL YTD 30/6/09	%
	2008/2009	YTD 100%	
EXPENSES			
Accounting Services	\$ 2,500	\$ 2,120	85%
Advertising	\$ 2,000	\$ 2,042	102%
Regatta & Sailing	\$ 2,000	\$ 789	39%
Bank Fees	\$ 2,000	\$ 1,901	95%
Bar Supplies (Consumables)	\$ 2,000	\$ 1,236	62%
Cleaning & Rubbish Removal	\$ 5,000	\$ 4,021	80%
Computer Requirements	\$ 500	\$ 91	0%
Corsair Maintenance	\$ 500	\$ 221	0%
Donations	\$ 300	\$ -	0%
Subscriptions	\$ 1,000	\$ 728	73%
Commodore's Account	\$ 1,000	\$ 574	57%
Entertainment	\$ 500	\$ -	0%
Coffee & Market Expenses	\$ 500	\$ 20	4%
Electricity & Gas	\$ 8,000	\$ 8,454	106%
Fees and Charges	\$ 200	\$ 44	22%
Functions	\$ 500	\$ -	0%
Insurance & WCI	\$ 5,000	\$ 4,653	93%
Landscaping (Gardening)	\$ 500	\$ 151	30%
Liquor License & Phonographic	\$ 500	\$ 438	88%
Maintenance	\$ 10,000	\$ 5,695	57%
Maintenance (Equipment)	\$ 10,000	\$ 7,296	73%
Membership expense	\$ 5,000	\$ 4,210	84%
Yachting WA Memberships	\$ 5,000	\$ 4,704	94%
Postage/Printing/Stationery/Office Supplies	\$ 1,000	\$ 655	65%
Presentations/Trophies (Arts Award)	\$ 2,000	\$ 2,000	100%
Rates	\$ 3,600	\$ 3,339	93%
Staff Training	\$ 200	\$ -	0%
Superannuation	\$ 8,000	\$ 7,229	90%
Telephone	\$ 1,500	\$ 1,519	101%
Bar Uniforms	\$ 200	\$ -	0%
Wages	\$ 35,000	\$ 41,533	119%
Water	\$ 10,000	\$ 8,789	88%
Total Expenses	\$ 126,000	\$ 114,450	91%
NET PROFIT (LOSS)	\$ 174,000	\$ 189,277	109%

PORT HEDLAND YACHT CLUB INC OPERATING ACCOUNT	BUDGET 2008/09	30-Jun-09 YTD	%
INCOME			100%
Hardstand Fees	\$ 7,500	\$ 6,297	84%
Sales (Bar)	\$ 240,000	\$ 228,400	95%
Membership	\$ 40,000	\$ 39,116	98%
Galley	\$ 15,000	\$ 15,000	100%
Galley Electricity	\$ 1,500	\$ 1,467	98%
Galley Telephone	\$ 500	\$ 502	100%
Sponsorship Receipts (Matched Giving, M'ship Cards)	\$ 25,000	\$ 25,650	103%
Social Club Fundraising (raffles/functions etc)	\$ 35,000	\$ 32,059	92%
Regatta & Sailing Nomination Fees	\$ 1,500	\$ 1,003	67%
GISBS Course	\$ 1,000	\$ 218	0%
Insurance Claim	\$ -	\$ 923	0%
Profit/Loss on Sale of Assets	\$ -	\$ 3,260	0%
Market Days	\$ 6,000	\$ 6,736	112%
Donations	\$ 5,000	\$ 1,504	30%
Eftpos surcharge	\$ 2,000	\$ 1,824	91%
Interest Received	\$ 50,000	\$ 55,734	111%
Total Income	\$ 430,000	\$ 419,693	98%
Cost of Sales (Bar Purchases for resale)	\$ 130,000	\$ 115,966	89%
Gross Profit	\$ 300,000	\$ 303,727	101%
<i>Funding/Sponsorship - BHPB Building Fund</i>	\$ -	\$ 436,364	
BAR			
SALES	\$ 240,000	\$ 228,400	95%
Eftpos surcharge	\$ 2,000	\$ 1,824	91%
Expenditure			
COST OF SALES	\$ 130,000	\$ 115,966	89%
Bank Fees (Merchant Charges)	\$ 2,000	\$ 1,687	84%
Bar Supplies (consumables)	\$ 2,000	\$ 1,236	62%
License Fees (Liquor & Sound)	\$ 500	\$ 438	88%
Superannuation	\$ 8,000	\$ 7,229	90%
Workers Compensation Insurance	\$ 1,000	\$ 985	99%
Bar Uniforms	\$ 200	\$ -	0%
Wages	\$ 35,000	\$ 41,533	119%
Total Expenditure	\$ 178,700	\$ 169,073	95%
NET PROFIT YTD (BAR)	\$ 61,300	\$ 61,151	100%

PORT HEDLAND YACHT CLUB INC
NEW BUILDING SUMMARY OF INCOME EXPENSES

NEW BUILDING	To Date 30/6/2009
Income	
Pilbara Fund Sponsorship BHPB 15/5/07	\$ 100,000
Pilbara Development Commission Sponsorship 20/6/07	\$ 100,000
Social Club Fundraising Raffles (since 2007)	\$ 23,401
BHP Matched Giving (since 2008)	\$ 36,348
Donations (Blue Cardboard Model since 2007)	\$ 7,283
Interest Received from fixed term deposits	\$ 58,760
Black Rock Stakes Donation towards Lift (paid to Elevatech)	\$ 5,000
Aeroplane Flight Raffle Proceeds for Building (2007)	\$ 2,500
Helicopter Raffle Proceeds for Building (2008)	\$ 2,920
Sponsorship BHP Billiton 2008	\$ 450,000
Sponsorship PDC 2009	\$ 300,000
	\$ 1,086,211
Expenditure	
Architect Fees Paterson Group (since 2007)	\$ 89,700
Plans for Yacht Club Building to TOPH	\$ 1,260
TOPH Fees	\$ 201
New Building Construction	\$ 485,317
	\$ 576,478

PORT HEDLAND YACHT CLUB INC OPERATING ACCOUNT	ACTUAL 2006-2007	BUDGET 2007-2008
INCOME		
Hardstand Fees	\$ 1,018	\$ 5,000
Reimbursement	\$ 307	\$ 500
Sales (Bar)	\$ 189,803	\$ 200,000
Membership	\$ 21,157	\$ 25,000
Galley	\$ 13,722	\$ 15,000
Regatta & Sailing Nomination Fees	\$ 290	\$ 1,000
Social Fundraising (raffles etc)	\$ 10,540	\$ 15,000
Profit/Loss on Sale of Assets	\$ -	\$ 4,200
Market Days	\$ 2,028	\$ 10,000
Corsairs Fundraising (sponsorship, raffles)	\$ 229	\$ 500
Donations	\$ 1,200	\$ 3,800
Interest Received	\$ 10,559	\$ 10,000
Total Income	\$ 250,853	\$ 290,000
Cost of Sales (Coffee Purchases for resale)	\$ -	\$ 1,000
Cost of Sales (Bar Purchases for resale)	\$ 105,438	\$ 130,000
Gross Profit	\$ 145,415	\$ 160,000
EXPENSES		
Accounting Services	\$ 980	\$ 3,000
Advertising	\$ 644	\$ 2,000
Regatta & Sailing	\$ 2,529	\$ 2,000
Bank Fees	\$ 1,330	\$ 2,000
Bar Supplies (Consumables)	\$ 217	\$ 2,000
Birds	\$ 170	\$ 200
Cleaning & Rubbish Removal	\$ 2,828	\$ 6,000
Power Boat Maintenance	\$ 680	\$ 1,500
Donations	\$ 310	\$ 350
Subscriptions	\$ 286	\$ 250
Commodore's Account	\$ 724	\$ 1,000
Coffee and Market Expenses	\$ 836	\$ 500
Electricity & Gas	\$ 8,542	\$ 8,000
Fees and Charges	\$ -	\$ 2,000
Functions	\$ 99	\$ 400
Insurance	\$ 4,910	\$ 5,000
Landscaping (Gardening)	\$ 795	\$ 1,000
Liquor License & Phonographic	\$ 830	\$ 1,000
Maintenance	\$ 8,432	\$ 10,000
Maintenance (Equipment)	\$ 1,852	\$ 10,000
Membership expense	\$ 4,156	\$ 5,000
Yachting WA Memberships	\$ 4,850	\$ 5,000
Postage/Printing/Stationery/Office Supplies	\$ 1,059	\$ 1,000
Rates	\$ 3,463	\$ 3,600
Staff Training	\$ 837	\$ 500
Superannuation	\$ 1,859	\$ 5,000
Telephone	\$ 1,677	\$ 1,500
Bar Uniforms	\$ 25	\$ 200
Wages	\$ 30,712	\$ 35,000
Water	\$ 4,498	\$ 5,000
Total Expenses	\$ 90,129	\$ 120,000
NET PROFIT (LOSS)	\$ 55,285	\$ 40,000

11.2.1.4 Proposed Development Assessment Panel (File No.: 18/07/0002)

Officer	Terry Sargent Director Regulatory Services
Date of Report	10 October 2009
Disclosure of Interest by Officer	Nil

Summary

This Report proposes a response to the Department of Planning's discussion paper "Implementing Development Assessment Panels in Western Australia".

Background

In mid- September Council received a discussion paper (released by the Minister for Planning on Sept 11) and request to comment on the implementation of Development Assessment Panels (DAP's) within Western Australia, from the Department of Planning. Comments on the proposal will be received until 2 November 2009.

Council has not been invited to have any input into the decision of whether or not to implement the panels. That decision has already been taken.

The discussion paper (attached) proposes:-

"The introduction of development assessment panels will not create a new approval system, as the development assessment process will continue to operate in the same way as it currently does. The only difference will be that a development assessment panel, instead of the local government or WAPC, will determine the application. So a single decision-maker will be created, which is focused solely on determining development applications. This should assist local governments and the WAPC by allowing them to focus on the development of strategic planning instruments, rather than the administration of them.

The development assessment panels will not undermine the decision making role of local governments as decisions by the development assessment panels will be determined within the local policy framework set by the local government. The local government views will essentially be represented by the development assessment panel members."

The discussion paper states the benefits of DAP's are:

“• *Timeliness:*

As a development assessment panel will be the only decision-making body responsible for determining development applications for significant projects where dual assessment would ordinarily be required, the overall time taken to determine the application shall be reduced. For panels established voluntarily, the participation of independent and technical experts will save the costs and time delays usually incurred by the hiring of such experts to brief the decision-making authority.

• *Efficiency:*

By only requiring one decision-making body to determine applications for significant projects, applicants will incur fewer costs and fewer government resources will need to be dedicated to the matter.

• *Simplicity:*

Eliminating the need for dual approval will simplify the application process for significant projects, as well as for development applications made to local governments that have delegated their powers to a panel.

• *Transparency:*

Decisions made by development assessment panels will be transparent and publicly accessible, as they will be made in a public forum. Voting trends will be recorded and made publicly available.

• *Sustainability:*

The involvement of both independent experts and elected members on a development assessment panel should ensure that the panel makes the most sustainable decision possible.

• *Accountability:*

Development assessment panels will be required to report regularly to the Minister on their decisions, and panel members will be subject to a strict Code of Conduct. Voting trends will be recorded and made publicly available.

• *Fairness:*

Applicants will be able to make an application for review to the State Administrative Tribunal regarding a discretionary decision made by a development assessment panel (unless called in by the Minister).

• *Consistency:*

The application and determination process for significant projects will be clear, as the criteria for such applications will be identified in the regulations made to support the panels. In addition, the confusion surrounding dual approval requirements will be eliminated by development assessment panels consistently being the determining authority for applications made in particular local government areas. Development assessment panels will make decisions in accordance with the existing planning framework.

• *Suitability:*

Development assessment panels will determine development applications for matters of State and regional significance. Panels may also be created by the Minister to determine applications made to a non-performing local government, or to a local government that is voluntarily participating in the development assessment panel.

Planning professionals and others involved in the development assessment process are struggling to understand the rationale behind these claims or to understand how a “one size fits all” model offers any benefit to those Councils whose planning approval process is delivering an efficient and effective service to developers and the community.

It is proposed that development applications for the Town of Port Hedland, meeting the following criteria will be assessed by a joint DAP.

• Applications for development approval valued at equal to and/or over \$1 million where they represent:

- All commercial, retail and office applications;*
- All mixed use/centre applications (such as commercial, retail and residential);*
- All industrial (including, but not limited to, light, service, extractive, general, noxious and rural industry) applications;*
- All grouped dwelling or multiple dwelling applications of over 10 dwellings;*
- Non-complying grouped dwelling or multiple dwelling applications of 10 or less dwellings;*
- All aged and dependent persons dwelling applications;*
- All infrastructure proposals;*
- Applications requiring dual approval of the local government and the WAPC, under the Peel Region Scheme, Greater Bunbury Region Scheme or other future region scheme;*
- Strategic land use, transport and infrastructure projects;*
- Public works of state/regional significance where not exempt from local planning approval requirements;*
- All applications for hospitals, TAFE's, universities and non-government schools.*

• Exempt development will include:

- The determination of an application of approval for the purpose of one or more single houses, complying and non-complying;*
- The determination of an application for approval of development for the purpose of not more than 10 complying grouped dwellings or multiple dwellings;*

- *Minor applications, such as carports, shade sails, outbuildings and sheds*

The criteria for referral to the DAP is primarily based on the cost of the development and does not recognise the potential for developments to be significant or controversial irrespective of the cost of the development. Neither does the criteria address the differential building costs throughout the state. It is proposed that developments valued at \$2,000,000 be referred to a DAP in the metropolitan area and that developments of \$1,000,000 in value be referred to a DAP in non-metropolitan areas. If Port Hedland has a development cost differential of say +80% (a realistic approximation) then referral to a DAP will apply to a development which would cost approx \$560,000. i.e. less than 28% of the size, complexity, etc., at which referral would be triggered.

Joint DAP's will consist of at least five Members at any given time, these being:

- the Chairperson (a specialist member);
- two specialist members; and
- two local government representatives.

"The local government membership of the panel will depend on the location of the development applications being determined at the time. It is intended that the local government members will rotate on and off the panel accordingly. This rotating membership will ensure that local knowledge relevant to each development application is present on the panel. So for example, if there are two local governments participating in the joint development assessment panel, there will be a total of four members appointed, two from each local government.

Two local government representative members; two specialist Members; two representatives from local government A; two representatives from local government B if the panel is considering four applications during its meeting, and two applications are within the area of Local Government A, then the two representatives from Local Government A will only sit on the panel when the applications being determined by the panel relate to ... Local Government A. Likewise, when the remaining two applications that relate to ... Local Government B are being determined, then the two representatives from Local Government B will sit on the panel.

During a meeting of the joint development assessment panel, matters in both local government areas may be considered. As such, the two members from each individual local government will join the three specialist members to comprise the joint development assessment panel when an application within that particular local government area is being considered. The two members from each local government will only sit on the panel when the applications being

determined by the panel have been made under their local planning scheme.”

The specialist members of the Joint DAP will be appointed by the Minister for Planning for a 2 or 3 year term. The costs of convening a DAP including the sitting fees, secretariat support will be borne by the Council from its application fee revenue.

Secretariat support for a local development assessment panel will be provided by staff from the relevant local government. Secretariat support for a joint development assessment panel will be provided by the relevant local governments on a six monthly rotational basis. Secretariat duties will include, but may not be limited to, preparing agendas, advertising meetings, organising meetings, taking minutes and publicising meeting outcomes. The secretariat support will also coordinate the preparation of the relevant local or joint development assessment panel annual report in consultation with panel members and technical planning staff (when required).

The Local Government members of the Joint DAP will be appointed by the Council and will receive no sitting fees or remuneration, apparently on the understanding that these duties fall within the role for which Councillors currently receive an allowance.

All potentially suitable candidates for panel membership and nominated Council representatives, will be required to attend a mandatory training session developed by the Department of Planning before they can be appointed to a DAP.

Interestingly, because the DAP will be making decisions on behalf of Council, an aggrieved party who appeals to the State Administrative Tribunal will require a response not from the DAP but from the Council, which having played no part in the original decision could potentially need to decide how vigorously it defends the DAP decision.

Consultation

Council staff have attended the department's Development Assessment Panel information session, forum hosted by Council's lawyers and discussed the matter widely with staff and elected members from a variety of other local governments.

Statutory Implications

While the State Government's proposal will have significant statutory implications and require the drafting and implementation of new regulations, Council's response to this discussion paper has no such implications

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

The State Government's proposal will potentially have significant budgetary implications, adding costs to be borne by Council with no identifiable cost reductions or offsets within the new system. Council's response to this discussion paper does not; of itself have any budgetary implications

Officer's Comment

The implementation of DAP's seems to be in response to industry concerns over the failures of some Council's to properly deal with development applications in an efficient and timely manner and offers little for applicants in Port Hedland where turnaround times (for the applicants who supply the required information) is overwhelmingly well within the 60 day statutory period proposed as the target for the DAP's.

Council doesn't have opportunity to demonstrate that a DAP offers no advantage to the local community as a "one size fits all" approach is taken to solve a problem that exists in a minority of Councils.

The effective removal of Councillors from any role in assessing significant development proposals in their communities is a "done deal" and the consultation around the discussion paper is designed to influence that decision.

It is recommended that Council express its displeasure in being excluded from that decision and in the poor quality of data provided by way of a discussion paper.

The appointment of specialist panellists does certainly offer the potential for additional expertise to be applied to assessing proposals, but in the past four years there hasn't been one application of the classes referable to the DAP which has been referred to appeal. This suggests that to date, Councillors have acted properly on the competent advice of its professional staff.

Despite suggestions that the costs of the DAP will be covered by the application fees, there is significant administrative cost imposed by the DAP and additional costs in sitting fees and possibly travel and accommodation costs. These directly impact on Council's "bottom line" and are borne by the local community at the cost of infrastructure and services to the local community.

As previously stated these matters are not addressed in any detail in the discussion paper which fails to give any meaningful consideration to the problems faced by geographically remote communities facing the imposition of a joint DAP with others that are hundreds of kilometers and many travelling hours apart. These are raised in the recommendations below.

In seeking to objectively consider the merits of the proposal it is worth noting that reducing Council's involvement in the statutory town planning role does offer a significant benefit. Less time spent considering development applications will effectively free up Councillor time and energy to undertake its strategic planning function. This could enable development of more effective policy and statutory frameworks (Local Laws and Town Planning Scheme requirements) that will then be implemented by the DAP. While Council potentially loses the ability to make decisions on a lot of individual applications it can, if it is wise, still be very effective in shaping the future built form and land use of the town.

Attachments

Discussion Paper – "Implementing Development Assessment Panels in Western Australia"

200910/104 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr A A Carter

That Council:

- i) Expresses its extreme disappointment at the absence of meaningful data and generally poor quality of the discussion paper, "Implementing Development Assessment Panels in Western Australia"; which fails to account in any meaningful way for the specific requirements of a DAP in a remote area.
- ii) Refutes the suggestion that there is a need for, or any benefit to be gained, by establishing a Development Assessment Panel in the Pilbara as suggested in the Department of Planning's discussion paper, "Implementing Development Assessment Panels in Western Australia";

- iii) Advises the Minister for Planning and the Director General of the Department of Planning, of Council's disappointment at being excluded from the decision to implement Development Assessment Panels and being permitted only token input into the implementation of the panels.
- iv) Acknowledging that the decision to introduce Development Assessment Panels will likely be implemented, irrespective of Council's views, advises the Department of Planning that should a development Assessment Panel be formed for the Pilbara the following issues need to be considered and be satisfactorily resolved:
 - a) **Annual reporting must include a comparison of the cost effectiveness of the Development Assessment Panel with the Local Government performance at the time the panel commences.**
 - b) **All additional costs associated with having applications assessed by the Development Assessment Panels, must be borne by the state unless it can demonstrate that there is no net increase in costs to the community.**
 - c) **The remuneration of local government members of Development Assessment Panels must be recognised as their cost of travel, accommodation, time away from business or employment are greatly increased beyond their current responsibilities as a member of Council.**
 - d) **Membership of development assessment panels must be structured to provide majority local representation.**
 - e) **The high cost of construction in the Pilbara artificially increases the number of referrals that would be made to the DAP and so it is more appropriate to have a referral threshold for the Pilbara, which is higher, rather than lower than the metropolitan area.**

CARRIED 7/0

- 6:23 pm Councillor Kelly A Howlett declared a financial interest in Agenda Item 11.2.1.5 'Courthouse Arts Centre and Gallery & Port Hedland Visitors Centre Tender 09/23' as she is employed by the Port Hedland Visitors Centre. Councillor Howlett left the room.
- 6:23 pm Councillor David W Hooper declared a financial interest in Agenda Item 11.2.1.5 'Courthouse Arts Centre and Gallery & Port Hedland Visitors Centre Tender 09/23' as he is the Vice present of HARTZ (Hedland Arts Council) which was one of the founding groups to establish the Art gallery. Councillor Hooper left the room.
- 6:23 pm Councillor Michael A (Bill) Dziombak declared an impartiality interest in Agenda Item 11.2.1.5 'Courthouse Arts Centre and Gallery & Port Hedland Visitors Centre Tender 09/23' as he is a member of the Port Hedland Visitor Centre Committee of Management. Councillor Dziombak advised that as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Dziombak declared that he will consider this matter on its merits and vote accordingly. Councillor Dziombak did not leave the room.
- 6:23 pm Deputy Mayor Arnold Carter assumed the Chair.

*11.2.1.5 Courthouse Arts Centre and Gallery & Port Hedland
Visitors Centre Tender 09/23 (File No.: .././....)*

Officer Julie Broad
Manager Community Development

Date of Report 14 October 2009

Disclosure of Interest by Officer Nil

Summary

To consider the responses to Tender 09/23 for the management of the Courthouse Arts Centre and Gallery and the Port Hedland visitors Centre in Port Hedland.

Background

At its 25th February 2009 meeting Council considered a report on options for the future management of the Courthouse Arts Centre and Gallery. At that meeting the Council resolved the following:

“That Council:

- a) advises the current management bodies of the Port Hedland Visitor Centre and the Courthouse Art Centre and Gallery that its preferred future direction is for the two facilities to be managed under one single board of management with Council directing its contribution for the operation of both facilities to that Board;*
- b) authorises the Chief Executive Officer or his delegate to continue negotiations with the Port Hedland Visitor Centre Committee and FORM for the extension of their existing management arrangements until 30 December 2009 to allow appropriate time for the Board to be established; and*
- c) authorises the Chief Executive Officer, or his delegate to commence discussions with relevant stakeholders regarding:*
 - the composition and structure of the proposed new board.*
 - The funding commitment that may be required/requested by the Board in the post 30 December 2009 period.”*

Council unanimously resolved in its meeting of 26th August 2009 that it:

- 1) agrees to provide the Port Hedland Visitor Centre Committee Inc. a total of \$100,000 (plus GST) to operate the Visitor Centre Service for the period from 1 July 2009 to 31 December 2009, with the following conditions:
 - The service shall be operated in accordance with a management agreement that shall be negotiated to by the Town's Chief Executive Officer and the Port Hedland Visitor Centre Management Committee.
 - Monthly payments in advance will be made to the Port Hedland Visitor Centre Committee Inc. upon the provision of a management report for the previous month.
 - Any surplus funds at the winding up of the committee (i.e. 1 January 2010) shall be returned to the Town of Port Hedland.

- 2) Agrees to extend the existing management contract with FORM for the management of the Courthouse Art Gallery for the period from 1 September 2009 to 31 December 2009, with the following conditions:
 - The service shall be operated in accordance with the terms and conditions contained within the current management agreement between the Town of Port Hedland and FORM.
 - Monthly payments in advance will be made to the FORM upon the provision of a management report for the previous month.

- 3) develops and a five (5) year contract for the management and operation of both the Courthouse Art Gallery and Port Hedland Visitor Centre with the following key contractual terms:
 - a) the Town will pay the successful contractor a fixed annual management fee for the management and operation of both facilities. The fee shall be paid quarterly in advance and will not exceed the following:
 - 2010 calendar year: \$450,000 (plus GST)
 - 2011 calendar year: \$400,000 (plus GST)
 - 2012 calendar year: To be negotiated
 - 2013 calendar year: 2012 fee plus CPI
 - 2014 calendar year: 2013 fee plus CPI

 - b) any nett surplus from the operation of the facilities in any given calendar year shall be divided equally between the Town and the successful contractor.

- c) the successful contractor will be required to provide a monthly report that details:
- financial performance;
 - patronage;
 - customer/consumer trend analysis;
 - safety issues;
 - preventative maintenance that has been undertaken;
 - marketing initiatives that have been undertaken and/or have been planned;
 - special programs/activities that have been programmed or undertaken;
 - continuous improvement initiatives; and
 - any other information that is mutually agreed as being relevant to the operations of the facilities.
- d) the successful contractor shall be required to establish a community and industry based advisory board. The composition of this committee shall be approved by the Town of Port Hedland prior to its initiation. The contractor shall be required to coordinate meetings with this group on at least a quarterly basis and provide a written report to the Town on issues, initiatives and actions that are proposed from this group.
- 4) The tender assessment criteria for the selection of the contractor shall be as follows:
- a) Acceptance of mandated financial arrangements. (Pass/Fail)
 - b) Service delivery model proposed (50%)
 - c) Previous experience at operating similar facilities (40%)
 - d) Local supplier/contractor (10%)

Tenders were called and advertised in the West Australian newspaper on Saturday 19th September, closing on Wednesday 14th October at 2.30pm.

In addition to the advertisement, advice that the tender was advertised was sent by email and telephone to parties who had registered an interest in the project. Four (4) tender information packs were distributed on request to companies and individuals.

The following evaluation table was included as part of the tender documentation.

MANAGEMENT of the
COURTHOUSE ARTS CENTRE & GALLERY and
PORT HEDLAND VISITORS CENTRE

Item	Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
1	Service Delivery Model Proposed	10	5	50
2	Previous Experience	8	5	40
3	Local Supplier/Content	2	5	10
4	Acceptance of Financial Arrangements	N/A	N/A	Pass/Fail
	Max Loaded Score			100

Consultation

ToPH –Chief Executive Officer
 ToPH - Director Community & Regulatory Services
 Courthouse Art Gallery – FORM
 Port Hedland Visitors Centre –Committee

Statutory Implications

Nil

Policy Implications

11/001 'Tourism Policy' (in part) states:

“The Town of Port Hedland will guide the development of tourism within the Town of Port Hedland District through planning, development and marketing. To do this it will:

...

Support the provision of a high quality visitor information service at the Port Hedland Visitor Information Centre.”

Strategic Planning Implications

Developing a consolidated board of management for the two facilities is a specific strategy that is listed within the Town's Plan for the Future.

Key Result Area 3 – Community Development

Goal 7 - Arts and Culture

Strategy 1- Complete the redevelopment of the Courthouse Art Gallery precinct including the development of a Board of Management to operate Council funded facilities within the precinct.

Budget Implications

As indicated in his 26th August report to Council, the CEO has identified that:

Council's Adopted 2009/10 Budget has the following allocation for the operation of these facilities:

PHVC	\$180,000
CAG	\$280,000
Total	\$460,000

(Note: These costs exclude depreciation; insurance and building maintenance costs that are borne by Council and have been separately budgeted for.)"

If Council elects to pursue the third option in the Officer's Recommendation, the costs for the operation of both centres over the 12 months commencing 1 January 2010 would be \$430,000. Council's budget for the operations of both centres for 2008/09 was \$460,000.

No consideration has yet been given to costing the options of establishing a board of management for the centres, or of in-house management of the centres. It is expected that these options could be achieved within the budgeted amount.

Officer's Comment

Three non-conforming tenders were received from:

- FORM \$280,000.00+ GSTpa.
(Management of CHAC&G only, for 2010 and 2011)
- Creating Communities Australia \$325,000.00+ GST
(Management of CHAC&G and PHVC for 12 month period.
Includes development of a business plan)
- Creating Communities Australia \$150,000.00+ GST
(Management of PHVC for 2010 only, for 12 month period.
Includes development of a business plan)

These non-conforming tenders were reviewed by the Chief Executive Officer (CEO), Director Community & Regulatory Services and Manager Community Development but as they were all non-conforming they were not evaluated against the stated criteria of the tender documentation.

Council in its August 2009 meeting considered three options for management of the centres:

Option 1: Progress with Board of Management Concept

Option 2: Seek Separate Management of the Two Facilities.

Option 3: Undertake a Prescribed Management Tender for the Facilities.

Council resolved to develop a five-year management contract for both the Court House Art Centre & Gallery and the Port Hedland Visitors Centre. The proposed contract required the contractor to establish a community and industry based advisory board.

Responses received to the request for tenders to manage the Court House Arts Centre & Gallery, and Port Hedland Visitors Centre suggest that, within our existing market, there is very limited expertise capable of, and willing to, undertake joint management of the two facilities.

In its non-conforming tender, FORM has indicated its preference to manage only the Court House Arts Centre & Gallery. Similarly, Creating Communities Australia has indicated a preference to manage only the Port Hedland Visitors Centre. It has also submitted a non-conforming tender for the joint management of both centres.

While Council has seen ample evidence of the Creating Communities professionalism in community development projects, the company has not demonstrated that it would provide an Arts Centre service which is better value than that being provided currently.

A fourth option of proceeding with an in-house management by Council staff has not been pursued at this point in time. This option would require the development or acquisition of skills currently not available in-house and is likely to be more expensive due to the requirement to pay wages in accordance with the Town's EBA.

Attachments

Nil – all tender documentation is available on request.

Officer's Recommendation

OPTION 1

That Council:

1. Reject all tenders that have been received for Tender 09/23: Management of the Courthouse Arts Centre and Gallery and the Port Hedland Visitor Centre.

2. Resume in-house management of the Court House Arts Centre & Gallery and the Port Hedland Visitors Centre effective from 1 January 2010

Or

OPTION 2

That Council:

1. Reject all tenders that have been received for Tender 09/23: Management of the Courthouse Arts Centre and Gallery and the Port Hedland Visitor Centre.
2. Establish a community-based board of management for the Court House Arts Centre & Gallery and the Port Hedland Visitors Centre effective from 1 January 2010.

Or

OPTION 3

That Council:

1. Reject all tenders that have been received for Tender 09/23 Management of the Courthouse Arts Centre and Gallery and the Port Hedland Visitor Centre.
2. Offer preferred contractor status to FORM for the management of the Court House Arts Centre & Gallery.
3. Offer preferred contractor status to Creating Communities Australia for the management of the Port Hedland Visitors Centre.
4. Authorise the CEO (or his delegate) to negotiate management agreements with both of the above listed groups with the outcome of these negotiations being present these to Council for its consideration.

Or

OPTION 4

That Council:

1. Reject all tenders that have been received for Tender 09/23 Management of the Courthouse Arts Centre and Gallery and the Port Hedland Visitor Centre.

2. Authorise the CEO (or his delegate) to enter into negotiations FORM to undertake the management of the Court House Arts Centre & Gallery.
3. Discuss the potential extension of previous management/financial arrangements for the operation of the Port Hedland Visitor Centre with the Port Hedland Visitor Centre Committee Incorporated.
4. Authorise the CEO (or his delegate) to negotiate management agreements with both of the above listed groups with the outcome of these negotiations being present these to Council for its consideration.

200910/105 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

1. Reject all tenders that have been received for Tender 09/23 Management of the Courthouse Arts Centre and Gallery and the Port Hedland Visitor Centre;
2. Authorise the Chief Executive Officer (or his delegate) to enter into negotiations FORM to undertake the management of the Court House Arts Centre and Gallery; and
3. Readvertise Tender 09/23 for the Management of the Port Hedland Visitor Centre.

CARRIED 5/0

REASON: Council indicated that it supported the continuation of negotiations with FORM for Management of the Courthouse Art Gallery but felt there was value in retendering the Port Hedland Visitors Centre.

6:27pm Councillor Howlett re-entered the room and assumed the Chair.

6:27pm Councillor Hooper re-entered the room and assumed his chair. Deputy Mayor advised both Councillor Howlett and Councillor Hooper of Council's decision.

11.2.2 Planning Services**11.2.2.1 *Proposed Grouped Dwellings x 14 and Survey Strata Subdivision of Lot 250 DP61447, 11 Rutherford Road, South Hedland (File No.: 113351G)***

Officer	Luke Cervi Planning Officer
Date of Report	6 October 2009
Application No.	2008/465 & 2008/482
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from Kevcor Pty Ltd to construct 14 grouped dwellings on Lot 250 DP61447, 11 Rutherford Road, South Hedland. In addition, Council has received a request for comments regarding the Survey Strata subdivision of the proposed grouped dwellings from WAPC.

Under the delegation approved by Council on 13 December 2006 (as amended), the Director Regulatory and Community Services may not determine applications of 10 or more grouped dwellings or provide referral comments to subdivisions.

As the proposal includes 14 grouped dwellings and subdivision creating 15 lots (1 lot for each grouped dwelling and 1 common lot), Council determination is required.

Background***The Site***

Lot 250 DP61447 is basically rectangular in shape with a dog leg in the western boundary (see attachment 2). The area of the lot is 5203m² and is wholly within a Residential Zone. The site previously consisted of two lots with one lot being coded R20 and the other lot R30 for development purposes. The developer has amalgamated the lots to form one lot and also undertook a scheme amendment to have the amalgamated lot coded R30 in its entirety. The site has two road frontages being Rutherford Road and Murdoch Drive however, Council's Engineering Department have prohibited vehicle access to Murdoch Drive from this site.

The Proposal

It is proposed to develop the site with 14 grouped dwellings and undertake a survey strata subdivision of the resultant dwellings.

The dwellings will be three bedroom, single storey and colorbond clad.

Consultation

The applicant obtained the consent of the adjoining neighbour on the eastern side (Lot 251, DP61447) for the incorporation of a retaining wall over 500mm (up to 900mm) in height along part of the boundary. Part of the western boundary will also incorporate a retaining wall greater than 500mm (up to 830mm) in height however, as this is the electricity substation, neighbour consent was not required.

The application was referred internally to the Engineering, Building and Environmental Health Departments with no objections being raised.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

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

Key Result Area 4

Goal 4 – Land Development Projects

Strategy 2 - Promote and support initiatives that attract new developers, builders and/or trades people to the Town.

Budget Implications

An application fee of \$8,578.00 was paid on lodgement and deposited into account 10063260.

Officer's Comment

The proposal and design of the development has been amended on a number of occasions since lodgement to address staff concerns and to comply with Scheme and R Code provisions. These concerns included undersize car parking bays and access way widths, impact on streetscape and density issues.

The changes made have led to the application being in compliance with the Planning Scheme and the Acceptable Development Standards of the R Codes and as such, no discretionary consent is required.

Council's engineering department have advised that no access is permitted to Murdoch Drive and requested bollards be installed to prevent this occurring. It is considered appropriate to deal with this matter by way of permit conditions which have been included in the recommendation.

In regard to the proposed Survey Strata subdivision, as the grouped dwellings have been designed with this subdivision in mind, there are no Planning Scheme or R Code concerns. As such it is recommended that Council not object to the proposed subdivision.

Attachments

1. Locality Plan
2. Site Plan
3. Floor and Elevation Plans

200910/106 Council Decision/Officer's Recommendation

Moved: Cr G J Daccache

Seconded: Cr A A Carter

i) That Council APPROVES the planning application submitted by Kevcor Pty Ltd, for GROUPED DWELLINGS – construction of 14 grouped dwellings, on Lot 250 DP61447, 11 Rutherford Road, South Hedland, subject to the following conditions:

1. **This approval relates only to the proposed GROUPED DWELLINGS – construction of 14 dwellings and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.**
2. **This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.**
3. **The driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, prior to the occupation of the dwelling(s).**
4. **No vehicle access is permitted from the site to Murdoch Drive.**

5. To prevent vehicle access to Murdoch Drive, bollards must be installed at the end of the accessway adjacent to Murdoch Drive. The bollards are to be consistent with those installed as part of the South Hedland New Living project (i.e powder coated steel post and rail) and be to the satisfaction of the Manager Planning.
6. The carparking bays and accessway shall be designed and constructed in accordance with the requirements of Town Planning Scheme No. 5 – Appendix 8.
7. The minimum distance between the edge of the roof and the lot boundary shall be no less than 750mm.
8. Stormwater disposal to be designed in accordance with Council’s Engineering Department Guidelines, and all to the satisfaction of the Manager Planning.
9. Fencing of the Murdoch Drive frontage is to be consistent with Section 6.2.5 – Street walls and fences, of the Residential Design Codes.
10. All fencing shall be installed in accordance with the Residential Design Codes and/or the Dividing Fences Act and prior to the occupation of the dwelling(s) all to the satisfaction of the Manager Planning.
11. 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.
12. Within 30 days of the date of this approval, a detailed landscaping plan must be submitted to and approved by the Manager Planning.
13. Within 60 days, or such further period as may be agreed by the Manager Planning, landscaping and reticulation must be established in accordance with the approved detailed landscaping plans to the satisfaction of the Manager Planning.
14. 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 materials and equipment to the site;

- b. The storage of materials 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; and
 - f. Other matters likely to impact on the surrounding residents;
- to the satisfaction Manager Planning.**

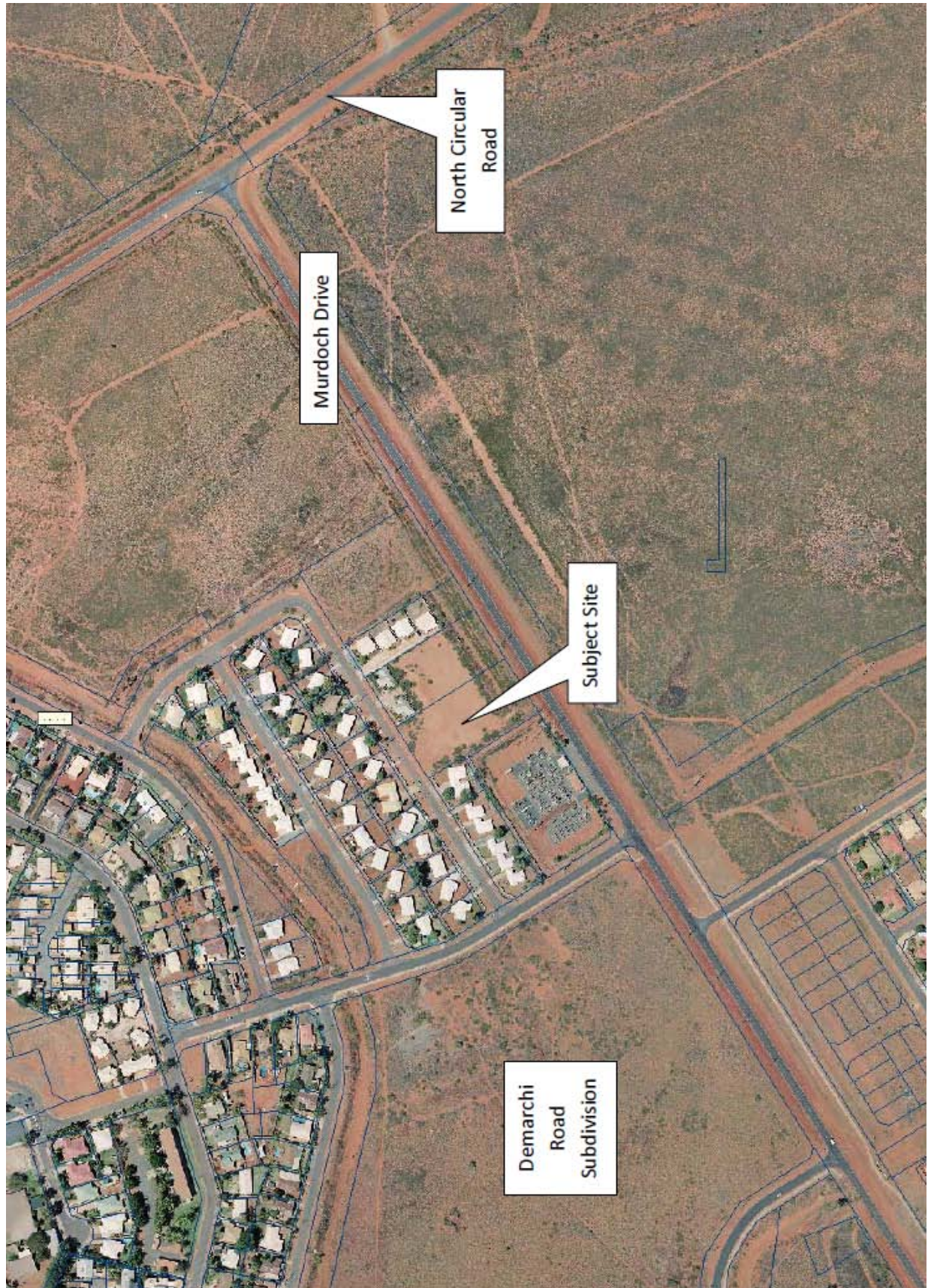
FOOTNOTES:

1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
 2. You are advised that drawings submitted for Building License are to be properly drawn and signed by a practicing structural engineer.
 3. In relation to Conditions 3, 4, 5, 6 and 8 please contact the Manager Infrastructure Development 9158 9350 for further details.
 4. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
 5. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
- ii) ADVISE the Western Australian Planning Commission the Council does not object to the proposed Survey Strata subdivision of Lot 250 DP61447, 11 Rutherford Road, South Hedland and RECOMMEND the following condition be imposed:

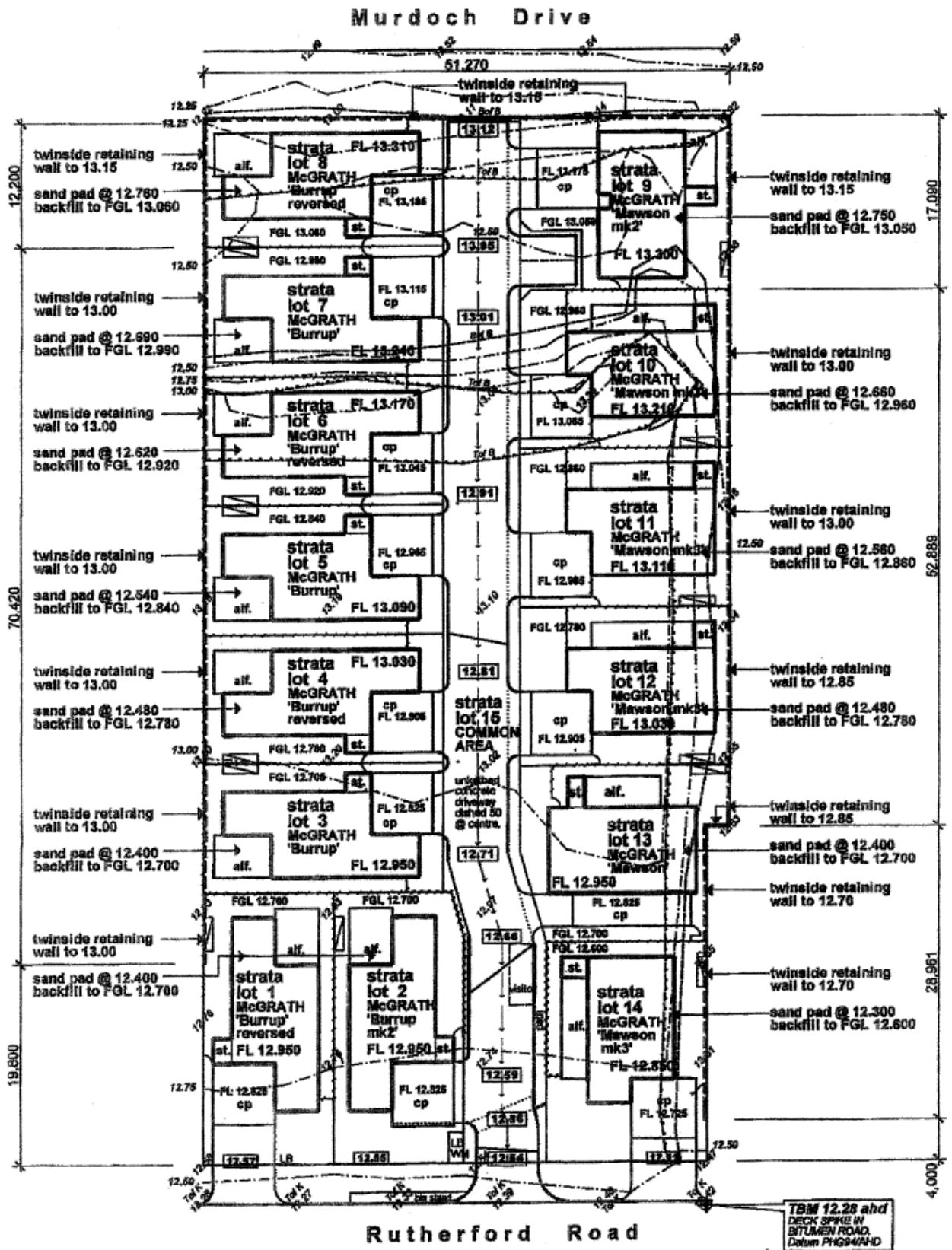
- a) **The subdivision is to be consistent with Planning Permit 2008/465 issued by the Town of Port Hedland for Grouped Dwellings on the site.**

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.1



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.1



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.1

MAWSON

FRONT ELEVATION SCALE 1 : 100

RIGHT SIDE ELEVATIONS SCALE 1 : 100

REAR ELEVATION SCALE 1 : 100

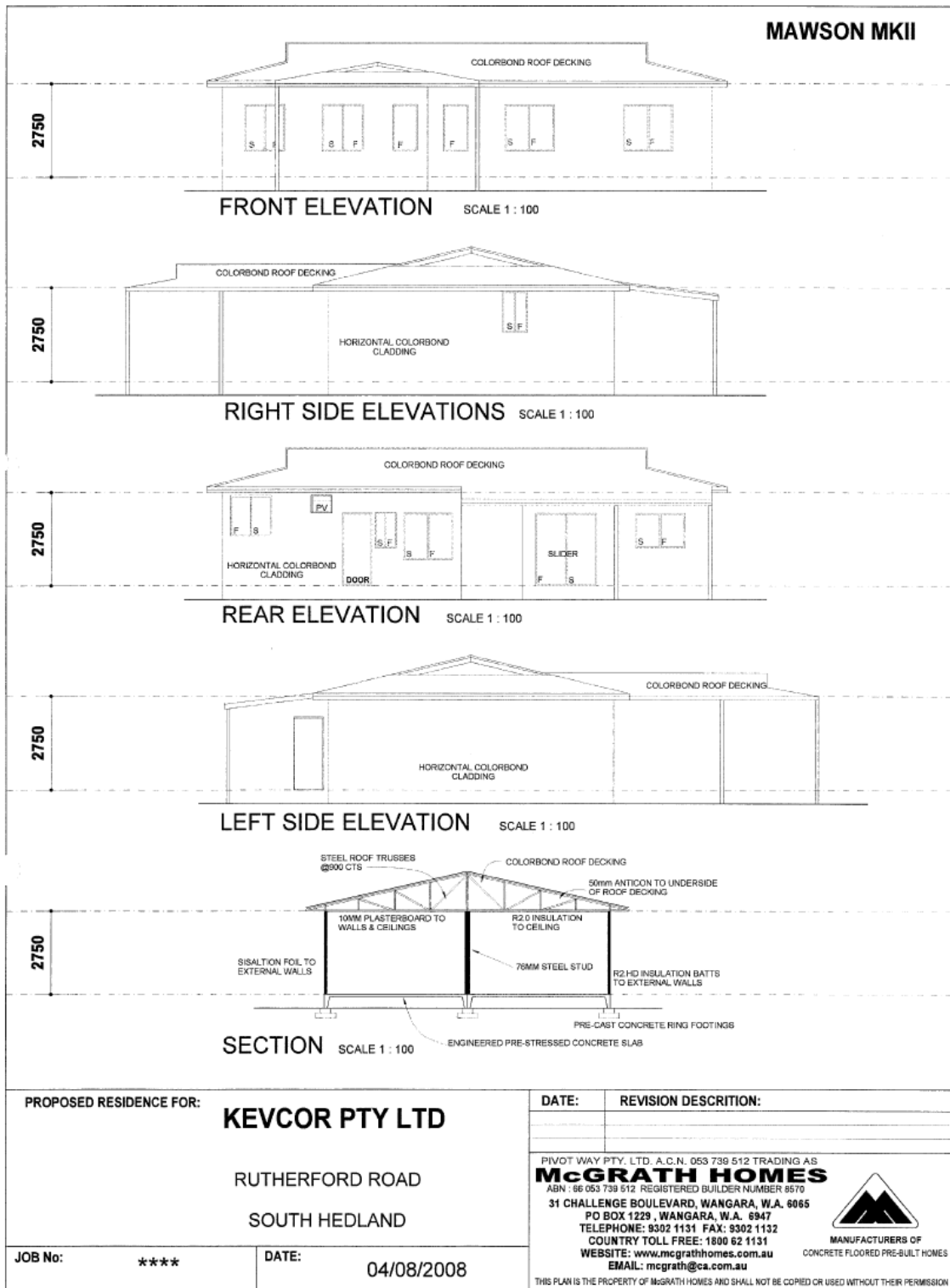
LEFT SIDE ELEVATION SCALE 1 : 100

SECTION SCALE 1 : 100

PROPOSED RESIDENCE FOR: KEVCOR PTY LTD RUTHERFORD ROAD SOUTH HEDLAND	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">DATE:</th> <th>REVISION DESCRIPTION:</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td colspan="2"> PIVOT WAY PTY. LTD. A.C.N. 053 739 512 TRADING AS McGRATH HOMES ABN : 66 063 739 512 REGISTERED BUILDER NUMBER 8570 31 CHALLENGE BOULEVARD, WANGARA, W.A. 6065 PO BOX 1229, WANGARA, W.A. 6947 TELEPHONE: 9302 1131 FAX: 9302 1132 COUNTRY TOLL FREE: 1800 62 1131 WEBSITE: www.mcgrathhomes.com.au EMAIL: mcgrath@ca.com.au </td> </tr> </table> <div style="text-align: right; margin-top: 10px;"> MANUFACTURERS OF CONCRETE FLOORED PRE-BUILT HOMES </div>	DATE:	REVISION DESCRIPTION:			PIVOT WAY PTY. LTD. A.C.N. 053 739 512 TRADING AS McGRATH HOMES ABN : 66 063 739 512 REGISTERED BUILDER NUMBER 8570 31 CHALLENGE BOULEVARD, WANGARA, W.A. 6065 PO BOX 1229, WANGARA, W.A. 6947 TELEPHONE: 9302 1131 FAX: 9302 1132 COUNTRY TOLL FREE: 1800 62 1131 WEBSITE: www.mcgrathhomes.com.au EMAIL: mcgrath@ca.com.au	
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| JOB No: **** | DATE: 04/08/2008 |

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2 LIFT SPEC
MAWSON MK III
 STANTA LOTS ID. 11.12.14

LEFT SIDE ELEVATION
SCALE 1:100

FRONT ELEVATION
SCALE 1:100

RIGHT SIDE ELEVATION
SCALE 1:100

REAR ELEVATION
SCALE 1:100

PROPOSED RESIDENCE FOR:
KEVCOR PTY LTD
 RUTHERFORD ROAD PORT HEDLAND

DATE:	REVISION DESCRIPTION:	JOB No:	*****
		DATE:	2008
		DRAWN:	777
		SHEET No:	3 of 9

PROV. WAY PTY. LTD. A.C.N. 857 729 912 A.B.N. 85 857 729 912 TRADING AS
MCGRATH HOMES
 A.B.N. 37 295 954 377 - REGISTERED BUILDER NUMBER 6570
 31 CHALLENGE BOULEVARD, WANGARUA, W.A. 8005
 PO BOX 1229, WANGARUA, W.A. 6947
 TELEPHONE: 9392 7131 FAX: 9392 7132
 WEBSITE: mcgrathhomes.com.au
 EMAIL: mgrath@ca.com.au

MANUFACTURERS OF
 CONCRETE FLOORED PRE-BUILT HOMES

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LOT 1
BURRUP

FRONT ELEVATION SCALE 1 : 100

2750

RIGHT SIDE ELEVATION

2750

REAR ELEVATION SCALE 1 : 100

2750

LEFT SIDE ELEVATION SCALE 1 : 100

2750

SECTION SCALE 1 : 100

STEEL ROOF TRUSSES @900 CTS 12° PITCH LOW SIDE & 18° HIGH SIDE

COLORBOND ROOF DECKING

50mm ANTI-ICON TO UNDERSIDE OF ROOF DECKING

10MM PLASTERBOARD TO WALLS & CEILINGS

R2.0 INSULATION BATTS TO CEILINGS

76MM STEEL STUD

R2.0 HD INSULATION BATTS TO EXTERNAL WALLS

HOUSE SUNKEN IN APPROX 250M & BACKFILLED

VERTICAL CORRUGATED COLORBOND WALL CLADDING

PRE-CAST CONCRETE RING FOOTINGS

ENGINEERED PRE-STRESSED CONCRETE SLAB

ALFRESCO ROOF

PROPOSED RESIDENCE FOR:

KEVCOR PTY LTD

RUTHERFORD ROAD
SOUTH HEDLAND

DATE:	REVISION DESCRIPTION:
25/08/2006	DESIGN FINALIZED BY ARCHITECT
30/09/2008	CHANGE ROOF PITCH

PIVOT WAY Pty. Ltd. A.C.N. 226 554 377 A.B.N. 37 226 554 377 TRADING AS
McGRATH HOMES
REGISTERED BUILDER NUMBER 8570

31 CHALLENGE BOULEVARD, WANGARA, W.A. 6065
PO BOX 1229, WANGARA, W.A. 6847
TELEPHONE: 9302 1131 FAX: 9302 1132
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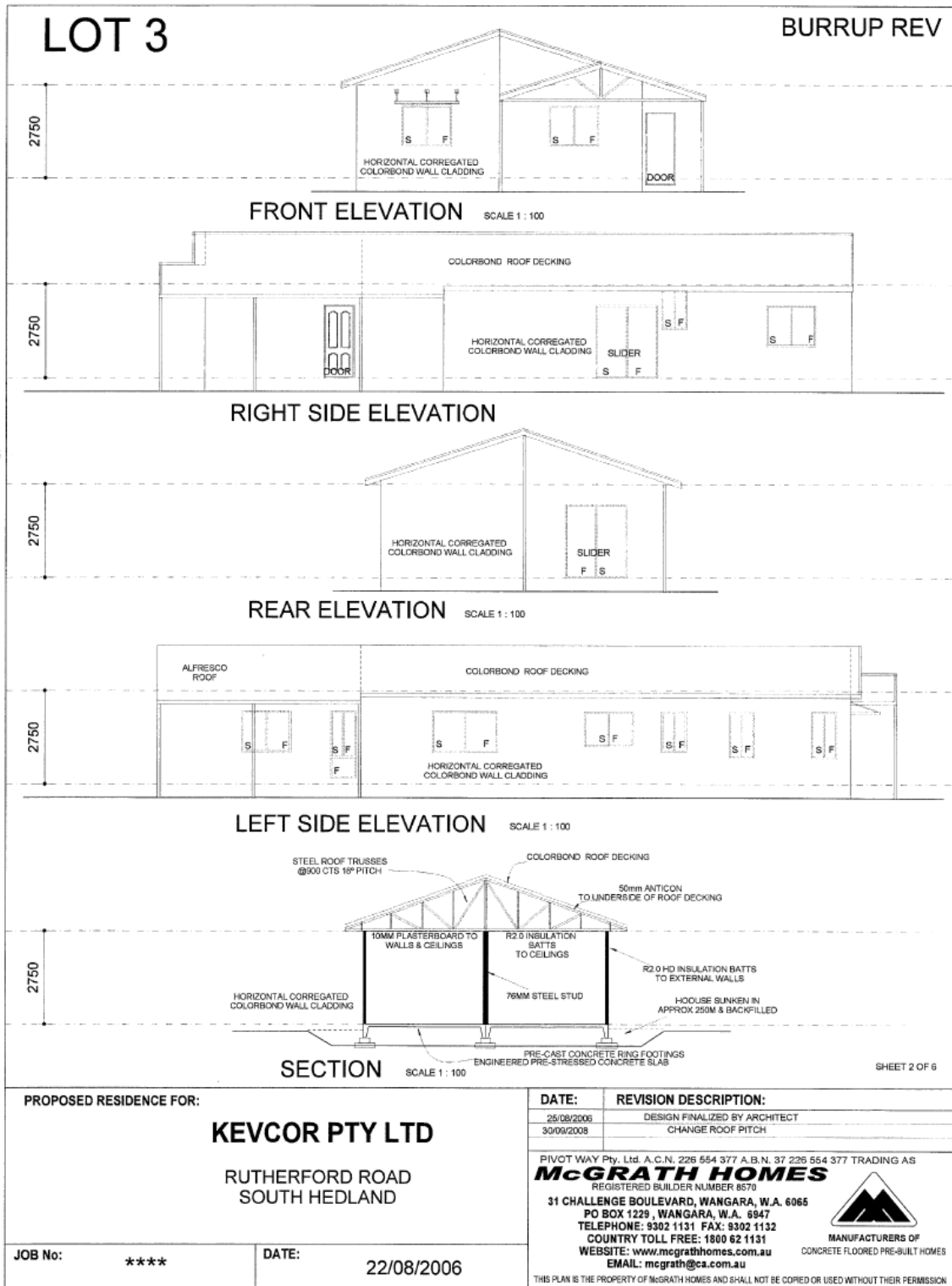
MANUFACTURERS OF
CONCRETE FLOORED PRE-BUILT HOMES

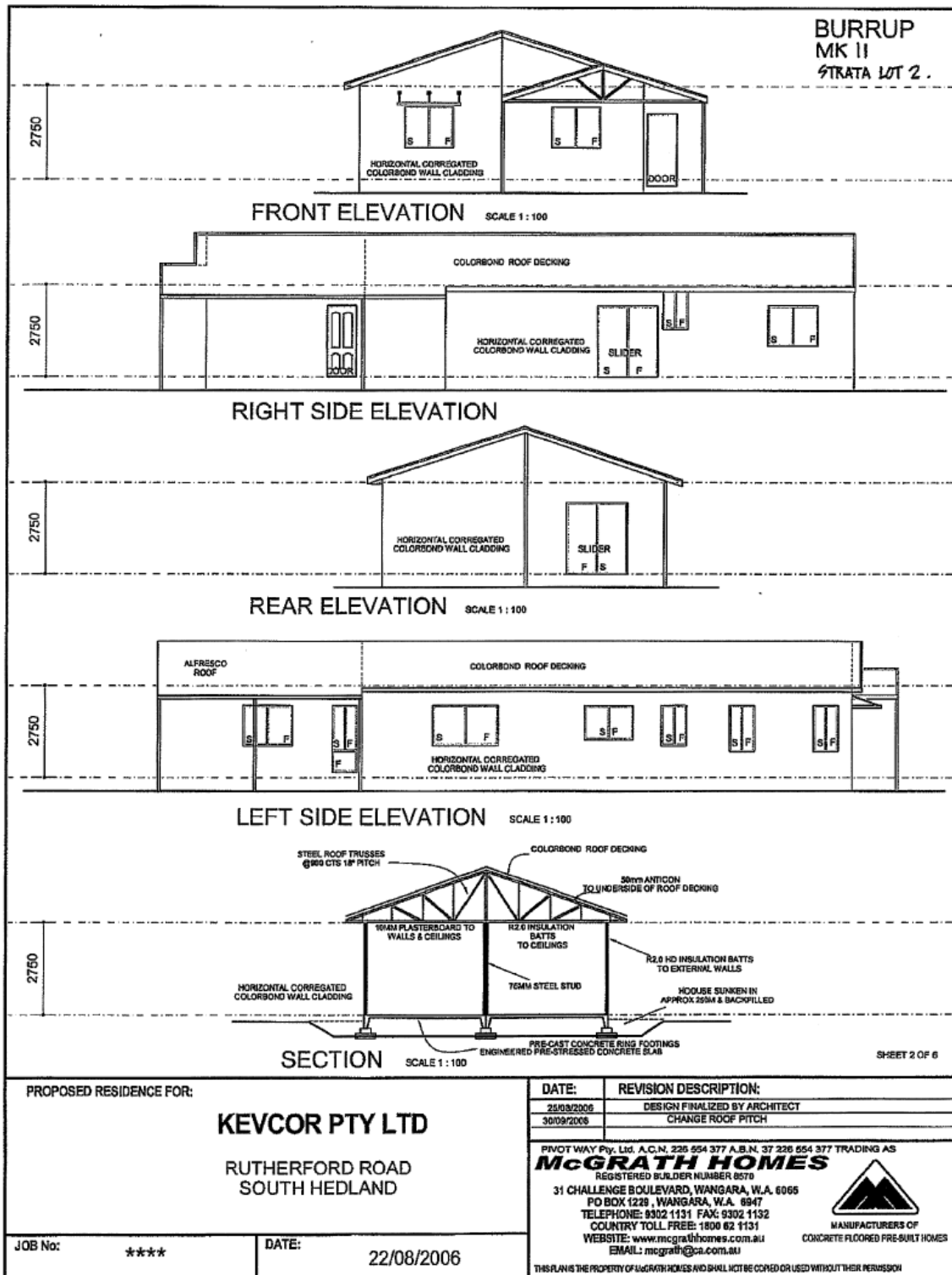
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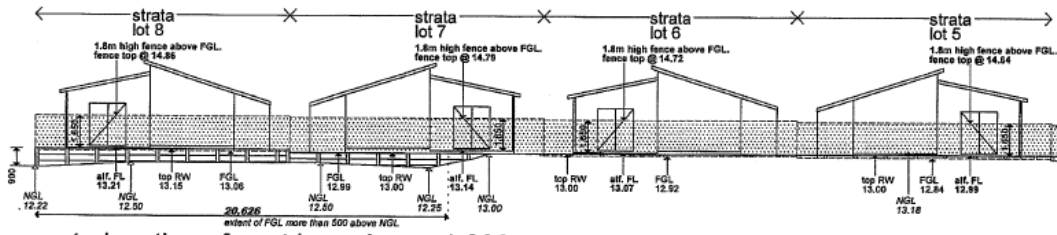
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DATE: 22/08/2006

SHEET 2 OF 8

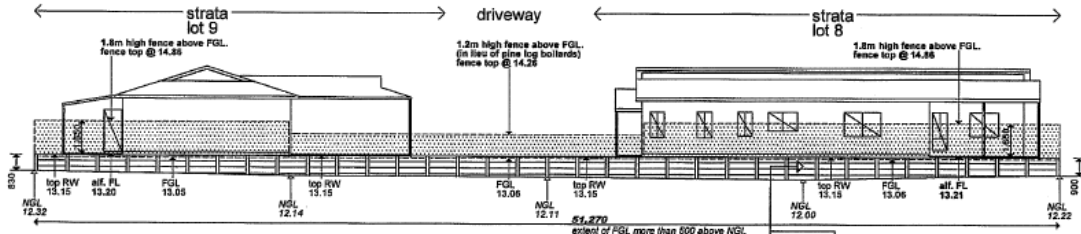






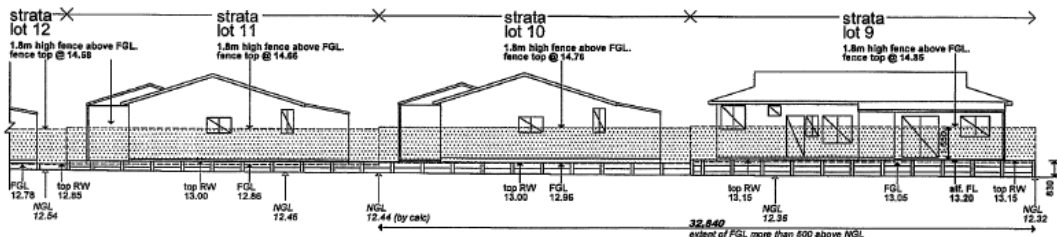
part elevation of east boundary. 1:200

OVERLOOKING ADJOINING LOT 251



elevation of south boundary. 1:200

OVERLOOKING MURDOCH DRIVE



part elevation of west boundary. 1:200

OVERLOOKING ADJOINING LOT 2941

<p>PROPOSED 14 GROUPED DWELLINGS LOT 250 RUTHERFORD ROAD SOUTH HEDLAND for: KEVCOR PTY LTD</p>	<p>BODAK DESIGN DRAFTING : 9445 8220 33 Walters Drive, Osborne Park 6017</p>	drawn : KWB	sheet no. 03 of 06
		date : 03.09.09	

6:31 pm Councillor George J Daccache declared an impartiality interest in Agenda Item '11.2.2.2 Proposed Installation Public Art piece "Gravity" in the road verge on the corner of McKay Street and Kingsmill Street, Port Hedland and the replacement of the Robert Juniper Art piece located in Bert Madigan Park with an Public Art piece "Tear Drop". Councillor Dacacche 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.

11.2.2.2 Proposed Installation Public Art piece “Gravity” in the road verge on the corner of McKay Street and Kingsmill Street, Port Hedland and the replacement of the Robert Juniper Art piece located in Bert Madigan Park with an Public Art piece “Tear Drop” (File No.: 26/08/0008)

Officer	Leonard Long Planning Officer
Date of Report	6 October 2009
Application No.	2009/468
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from EPCAD Pty Ltd on behalf of BHP Billiton for the installation of a public art piece “Gravity” in the road verge on the corner of McKay Street and Kingsmill Street.

A second application has been received by Carolyn Karnorsky (Court House Gallery) for the replacement of the current public art piece of Robert Juniper at Bert Madigan Park with an art piece referred to as the “Tear Drop”.

Council at its Ordinary Meeting on 25 March 2009, resolved that a planning permit for the installation of all future public art would be required.

The matter is therefore referred to Council as the current notice of delegation does not permit works on reserves to be dealt with under delegated authority.

Background

The art piece proposed on the corner of McKay and Kingsmill Street, consists of two folded metal structures (**attachment 1**), the artist Johnathon Leahey exhibited this piece called “Gravity” at Sculpture by the Sea in Bondi in 2008.

The following words are offered by the artist to describe the piece. “Children make paper planes and use them in fun. Adults make steel planes and use them in anger. In the end, gravity always wins.”

The art piece which is proposed to replace the existing art piece in Bert Madigan park, consists of interwoven steel (**attachment 2**), the art piece called “Tear Drop” was created as part of the 2009 sculpture program.

Consultation

Due to the locations of the public art pieces, being either within a road verge or on a reserve, the Council's Engineering section was consulted. The said department has indicated that there is no objection to the locations as proposed.

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.

Goal No. 5 – Arts and Culture

Strategy 2

Develop a public art policy / strategy and install public art in key locations within the town.

Budget Implications

Council at its Ordinary Meeting on 25 March 2009, resolved that public art applications will be exempt from planning fees.

Officer's Comment

It is considered, the location of Public Art Pieces should reflect on current or past uses in that area. The public art pieces proposed is constructed out of steel which is a direct reflection on the main commodity of the Town, being steel.

The art piece proposed at the corner of McKay Street and Kingsmill Street is description by the artist as paper planes which could be associated with the existing heritage buildings and the use of these buildings in the day, being the Royal Flying Doctor Service in Richardson Street and Airline House on the corner of Richardson Street and McKay Street.

Furthermore, it is debatable whether the artist description of "adults make steel planes and use them in anger. In the end, gravity always wins.", should be associated with a use like the Royal Flying Doctor, considered to be a compassionate community use, which is not associated with anger or crashed planes.

The art piece that is to replace the current art piece at Bert Madigan Park referred to as "Tear Drop", is also constructed out of steel, again reflecting the main commodity of the Town.

The location and meaning of the art piece "Tear Drop" can be related to term "blood, sweat and tears" reflecting the immense past and ongoing effort of the community as a whole in developing the town and harbor into what it is today.

Therefore, in its own way both the proposed art pieces relate to uses within the area, and Port Hedland as a whole.

Attachments

Attachment One (1)	- Public Art Piece "Gravity"
Attachment Two (2)	- Public Art Piece "Tear Drop"
Attachment Three (3)	- Locality - "Gravity"
Attachment Four (4)	- Locality - "Tear Drop"

200910/107 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr A A Carter

That Council:

- i) approves the installation of the public art piece "Gravity" in the road verge on the corner of McKay Street and Kingsmill Street, and
- ii) approves the replacement of the current public art piece by Robert Juniper art piece with the art piece "Tear Drop".
- iii) advises the applicants that an installation plan must be prepared and approved by the Manager Planning prior to the installation of the art pieces.

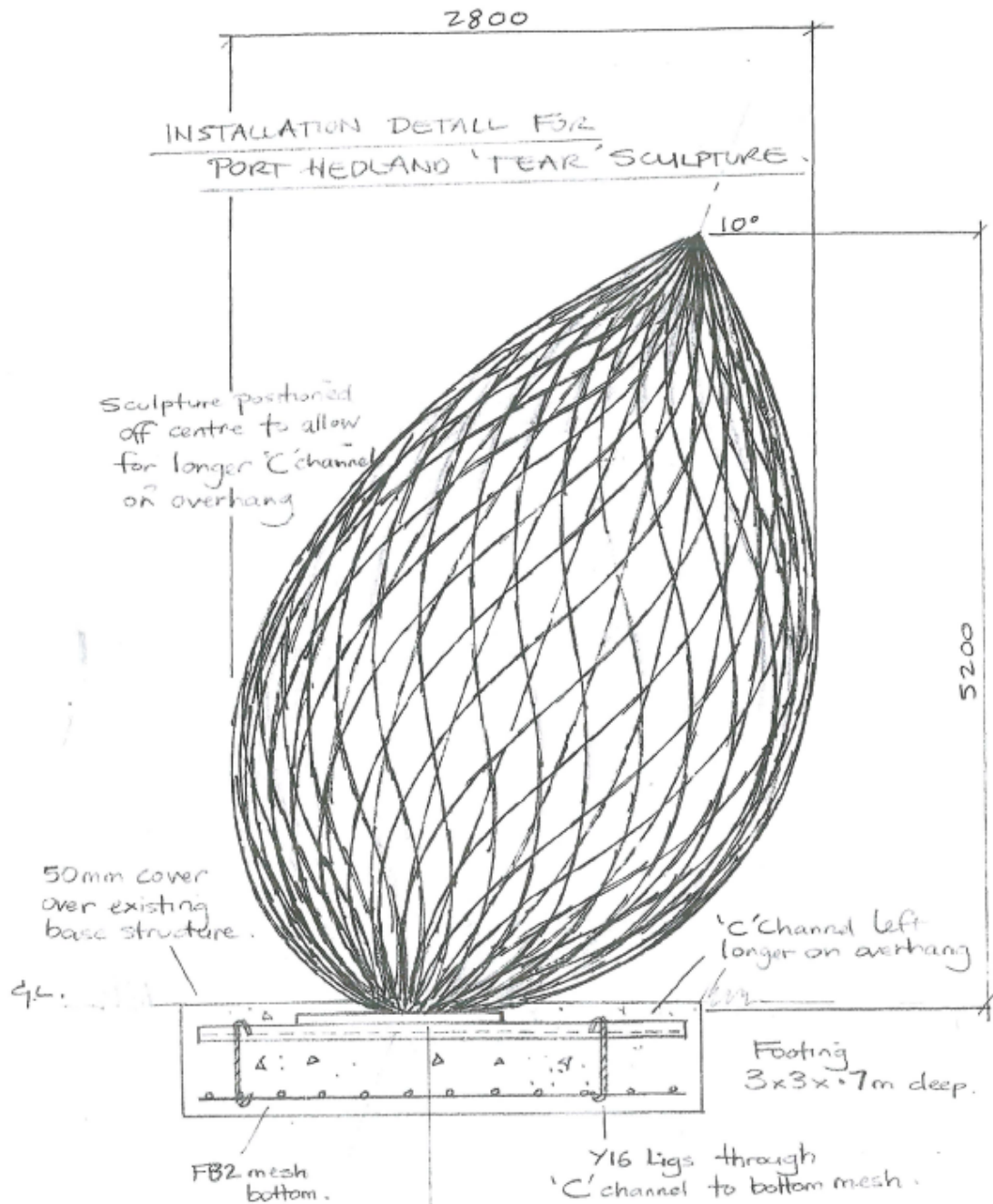
CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.2



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.2

ATTACHMENT 2



* Existing base structure with 50mm cover.
(circular plate with 'C' channel.)
- Channel cut back on 3 sides to suit slab/footing.

Matthew Harding.

SCALE 1:30.

ATTACHMENT 3 TO AGENDA ITEM 11.2.2.2



ATTACHMENT 4 TO AGENDA ITEM 11.2.2.2



ATTACHMENT 4



PROJECT NO.	1000000000
PROJECT NAME	SCULPTURE INSTALLATION
CLIENT	WINDYBUSH
DATE	10/10/09
SCALE	1:100
DESIGNER	WINDYBUSH
APPROVED BY	[Signature]
DATE	10/10/09
PROJECT NO.	1000000000
PROJECT NAME	SCULPTURE INSTALLATION
CLIENT	WINDYBUSH
DATE	10/10/09
SCALE	1:100
DESIGNER	WINDYBUSH
APPROVED BY	[Signature]
DATE	10/10/09

EPCAD

805/5/5/101

NW

11.2.2.3 Proposed Amendment No. 13 to the Town of Port Hedland Town Planning Scheme No. 5 – Home Occupation (File No.: 128/09/0019)

Officer Luke Cervi
Planning Officer

Date of Report 9 October 2009

Disclosure of Interest by Officer Nil

Summary

This report updates Council on the status of Scheme Amendment 13 – “Home Occupation” and discusses what will be achieved by the Scheme Amendment. The report also recommends that Policy 11/001 – Home Occupation be rescinded and that a workshop be conducted to identify opportunities and constraints impacting on economic development, diversification and growth as it relates to the gap between Home Occupation and Commercial operations.

Background

At its Ordinary Meeting on 28 February 2007, Council initiated Amendment 13 to the *Town of Port Hedland Town Planning Scheme No.5* (TPS 5). This amendment is to modify the way applications for home occupations are assessed under the Scheme. (The amendment was altered at the Ordinary Meeting on 27 February 2008 and renumbered Amendment 17).

In preparing this amendment for final adoption, analysis of the amendment text revealed that some administrative matters needed to be readdressed. Having regard to those matters and the changes adopted by the resolution of 27 February 2008 (Amendment 17), it is now recommended to continue with the changes under Scheme Amendment 13 by readvertising as opposed to initiating another Scheme Amendment (17)

Consultation

The Scheme amendment has been advertised in the newspaper and no submissions received.

Statutory Implications

Any amendment to a Town Planning Scheme is to be in accordance with the *Planning and Development Act 2005* and the *Town Planning Regulations 1967*.

Policy Implications

The Scheme Amendment will conflict with the *Town of Port Hedland Policy 11/001 - Home Occupation Policy* in some areas. As such it is recommended that the Policy be rescinded. It is considered that the Scheme (by way of the Amendment) will provide clarity to requirements and negate the need for a Policy. However, if in the future it is considered that a Policy would be beneficial, appropriate policy can be considered.

Strategic Planning Implications

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

KEY RESULT AREA 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.

Strategy 2 - Develop Council policies and/or incentives that assist in attracting and retaining businesses within the Town of Port Hedland.

Budget Implications

Advertising fees are expected to cost approximately \$140, and will be invoiced from account 1006249 – Advertising.

Officer's Comment

The current definition of Home Occupation is overly restrictive. The changes proposed will result in the replacement of 'Home Occupation' with the definitions 'Home Business', 'Home Office' and 'Mobile Business' allowing for more accurate definition and more relevant and/or specific controls. The proposed changes are generally consistent with the Model Scheme Text (MST) as published on the Planning WA website although there are some minor amendments. The MST is in essence a template that all Planning Schemes in WA are to be consistent with.

It is important to understand that the general public's understanding of a home business can include a variety of land use definitions not just 'Home Occupation'. In this regard it is noted that there are a number of commercial/industrial land uses that can currently be considered in the Residential Zone. These include Restaurant (includes cafe), Child Care Service, Consulting Rooms, Private Recreation and Industry – Cottage, amongst others.

'Home Occupations' that have previously obtained Planning Approval are unlikely to be impacted by this amendment as the proposed changes are less restrictive. The changes will also permit a number of businesses, currently operating without any adverse impact, to be approved.

Council has approved 30 Home Occupations since December 1998 and another 7 applications are pending. Of these, 3 businesses will not meet the new definitions and will not be capable of approval as 'Home Occupations'. Two of these businesses could be considered under a different land use category under TPS5.

Having regard to the above details, it would appear that the amendment will not address all matters relating to businesses operated in residential areas. Gaps or difficulties will still exist for those persons who do not meet the 'Home Occupation' definitions and are not capable of relocating to a commercial/industrial area for whatever reason. It is of concern that there may be a perception by Councillors and/or the public that this amendment will resolve all the issues relating to businesses within residential areas, which unfortunately is not the case.

Whilst the amendment will provide greater flexibility from a regulatory aspect, it will not cover all issues. It is believed that a number of businesses currently operate from homes without the required planning approval. Some of these unauthorised businesses may not fit within the proposed definitions or other land use definitions that can be considered in their location. Therefore, some existing businesses may still be unable to gain Planning Approval. (Note: Council has recently been involved in a number of prosecutions against businesses operating without Planning Approval, this has contributed to a significant increase in the number of home business enquiries by both potential and existing businesses).

It is popular opinion that the TOPH does not have the diversity and choice that can be found in other municipalities or towns of similar size. Having identified that gaps or difficulties may still exist that are prohibitive to existing and potential new businesses at the conclusion of the amendment (even though the amendment will provide greater flexibility), it is recommended that a Business Development and Growth Workshop be conducted. The workshop could identify opportunities and constraints impacting on economic development, diversification and growth as it relates to the gap between Home Occupation and Commercial operations.

Attachments

Nil.

Officer's Recommendation

That Council:

- i) Act on the changes previously adopted at its Ordinary Meeting on 27 February 2008 relating to Home Occupation and the Town of Port Hedland Town Planning Scheme No. 5 by:
 - a) proceeding with Scheme Amendment No. 13
 - b) re-advertising Scheme Amendment No.13 with the changes adopted on 27 February 2008 and any consequential administrative changes.
- ii) Rescind Policy 11/001 - Home Occupation Policy.
- iii) Conduct a Business Development and Growth Workshop with relevant stakeholders to identify opportunities and constraints impacting on economic development, diversification and growth as it relates to the gap between Home Occupation and Commercial operations.

200910/108 Council Decision

Moved: Cr A A Carter**Seconded:** Cr S R Martin

That Council lay item 11.2.2.3 'Proposed Amendment No. 13 to the Town of Port Hedland Town Planning Scheme No. 5 – Home Occupation ' on the table pending further discussion.

CARRIED 7/0

REASON: Councillors wished to hold further informal discussions with Council's Planning staff and the community prior to considering this matter.

11.3 ENGINEERING SERVICES**11.3.1 Director Engineering Services***11.3.1.1 Engineering Services Monthly Report (File No.: 13/04/0001)*

Officer Russell Dyer
Director Engineering
Services

Date of Report 12 October 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

200910/109 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr A A Carter

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

CARRIED 7/0

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

Legend - Current Project Phase

	Concept
	Development
	Implementation
	Finalisation
	Project completed and acquitted

Cyclone Watch/Season



A/c Number	Scope	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												
	Diamond 1 Backnet Scope: Replacement of backnet at Diamond 1 following Cyclone George		Project nearing completion. Support poles have been installed, with cross poles and wire to be installed week commencing 11th Oct. Backnet scheduled to be completed by the first Baseball game												
1107430	SHAC Upgrade Scope: Design, purchase and installation of 7 x shade sails at SHAC		All shades installed at existing structures, with shade over playground currently being installed. Temporary overhead lights to installed, but continuing work being undertaken to increase LUX levels.												
	SHAC Upgrade Scope: Replacement of filters, installation of lockers and change tables.		Complete												
1106430	GAC Upgrade Scope: Replacement of filters and installation of shade structures		Complete												
1109451	McGregor Street Oval Upgrade Scope: Completion of Master Plan for McGregor St Reserve		Carry Forward Project. Final Master Plan completed and forwarded to stakeholders Wed 30th Sept. Feedback due 13th Oct with item being presented to Oct OCM.												
1111437	Recreation Reserve Redevelopment Scope: Upgrade of oval and irrigation at Colin Matheson Oval		C/F Project. Project commenced - area fenced and effluent lines removed. Quotes for stolons currently being sourced, with the tender for the supply and installation of irrigation to close on the 14th Oct. Expected completion date: Dec 09.												
1108269	Multi-Purpose Rec. Centre - Architectural Design Scope: Completion of Architectural Designs		C/F Project. Architectural Designs being completed and due November 2009. Schematic design endorsed by Council at OCM May 09. Negotiations occurring to reduce initial QS.												
1108420 1108421	Multi Purpose Recreation Centre - construction Scope: Construction of MPRC - Stage 1		Project due to commence following completion of architectural designs.												

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

Legend - Current Project Phase

	Concept
	Development
	Implementation
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Cyclone Watch/Season



A/c Number	Scope	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1109455	Colin Matheson Clubrooms Scope: Design and Construction of Colin Matheson Clubrooms		C/F Project. D&C tender presented to OCM August, with all tenders rejected. Change in scope means that a new tender will be called Oct. 2009.												
1201440	Town Cycle Plan: Bicycle Parking Scope: Year 1 component of the Town Cycle Plan		C/F Project. Bike parking quotes being sourced, with orders to be placed mid-Oct.												
	Town Cycle Plan: On-road Circuits Scope: Year 1 component of the Town Cycle Plan		Meetings to occur with MID and Main Road WA re: suitability for roads identified, and requirements.												
	Town Cycle Plan: Shared Paths Scope: Year 1 component of the Town Cycle Plan		Shared path constructed 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		Preferred tenderers list being evaluated to determine suitability. Scope being developed.												
	Town Cycle Plan: Spot Improvements Scope: Year 1 component of the Town Cycle Plan		SRO and MID to meet to determine suitability of recommendations												
1107239	SHAC Design Scope: Detailed designs for complete upgrade at SHAC		Design component commenced, with presentation to the Sept Council Briefing informing Cr's of project. First concept to be presented to Council following receipt of survey.												
1109454	McGregor St Reserve Rehab Scope: Upgrading surfaces of sports fields		Staff are determining the works that are to be undertaken at McGregor St, which will be scheduled according to sporting schedules and availability of contractors.												
1104420	JD Hardie Centre P&E Scope: Updating of P&E at JDHC		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		Artificial Turf ordered, with quotes for extension of practice pitches being sourced.												

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

Legend - Current Project Phase

	Concept
	Development
	Implementation
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Cyclone Watch/Season



A/c Number	Scope	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
NEW	Overhead Lighting Plan Scope: Commencement of recommendations as per OCM endorsement		Awaiting outcome of grant application to DSR for overhead lights at GAC. Temporary lights have been installed at SHAC												
1106413	GAC P & E Scope: Purchase of P & E at GAC		Completing 2008/09 project. Obtaining quotes for pool blanket covers.												
1104246	JDHC Minor Equipment Scope: Replacement program and purchases for equipment		Audit to be undertaken in December 2009, with orders placed in January.												
1105236	GAC Gym Maintenance Scope: Quarterly audit and review of gym equipment and assets		Quarterly maintenance on schedule.												
1108264	Walk it Hedland Project Scope: Encouraging community members to become physically active		Project nearing completion. All funds requiring acquittal have been completed, with the remaining funds to be used in March 2010 for the Corporate Challenge.												
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												
1201487, 1201422 & 1201421 (R4R)	Street Lighting Upgrades Scope: 0809 stage 2 - Captains, Dongara, Dulverton, Koolama, Scadden, plus 0910		Quotes are progressively being received from Horizon Power. To date works have been authorised to commence on Eucla, Dorrigo, Yarrunga, Kybra, Denman, Wangara, Koojarra, Boogalla, Yanderra and Kangaroo.												
1105410	Finucane Island Boat Ramp shade Scope: Installation of 1 shade structure		Contractors organised to install shade structure in lieu of Council staff due to other commitments. Completion expected by end October.												

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

Legend - Current Project Phase

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	Implementation
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Cyclone Watch/Season



A/c Number	Scope	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1105410	Finucane Island Boat Ramp Scope: parking, solar lighting		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 (approximately April).												
1111446	Playground Shade Scope: Installation of shade at Daylesford and Marapikurrinya parks		Contractors organised to install shade structure in lieu of Council staff due to other commitments. Completion expected by end October.												
1105424	Port Hedland Boat Ramp Scope: Asphalt seal to top of ramp		Finalising sealing timeframes with contractors. Likely end October.												
1009481	Cemetery Upgrade Scope: Main Cemetery, concrete lintels, replace plot markers, fencing, landscaping, to be reviewed		There were no attendees at the stakeholder meeting, nor were any comments received, therefore staff are progressing with the project as approved by Council during the budget process. Fencing contract has been awarded, quotes are being sourced for general clean-up and landscaping design is being finalised. A public notice will advise residents of clean-up works.												
1201481 & 1201418 (R4R)	Walkway/Park Lighting Scope: Baler car park, Lions park, Koombana Lookout, Greene place and Civic Centre walkway		Quotes are being sourced (utilising panel contracts) for the design of lighting as required.												
1201439 & 1201412 (RFR)	Public Infrastructure Scope: Bins, seating, shade, water fountains, etc. Inc shade as per AAWG		Works progressing well. New BBQ locations have been finalised, allowing for electrical investigations, at Shay Gap park, Marapikurrinya park, Cemetery Beach park, Koombana Lookout and both Aquatic Centre. Staff have been liaising with Recreation Department for additional public infrastructure requirements.												
1201450 & 1201415 (R4R)	Boulevard Tree Planting Scope: Planting of street trees to Murdoch drive		Additional trees to be ordered to accommodate early planting in future programs. 2009/10 project scheduled to commence April.												
1201475 & 1201416	PH Footpath Construction Scope: Harper, Butler		Additional footpath construction/replacement commencing along Anderson street between the Esplanade Hotel and Dalgety House.												

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

Legend - Current Project Phase

	Concept
	Development
	Implementation
	Finalisation
	Project completed and acquitted

Cyclone Watch/Season



A/c Number	Scope	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
(R4R)															
1201476 & 1201471 (R4R)	SH Footpath Construction Scope: Clam, Cone, Dorrigo, Kwinana, Lovell and Mauger		Program 90% complete.												
1111436	Bore Installations Scope: Investigation and installation of bores at McGregor street and KSO re-use tanks		Further investigations required prior to Council presentation												
1201458	Throssell Street Streetscape Scope: median planting, street trees, turf, banner poles, garden planting		Reticulation installation 50% complete at time of writing, lawn installation commencing 13th October, new bus shelter has been installed, banner poles and banners arrived with installation due mid October, planting of bougainvillea on shopping centre side of road schedule for end of month.												
1111448	Kevin Scott Oval Reservoir Flushing System Scope: Installation of flushing system to re-use water tanks (Tender 09/01)		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		Consultants panel members have been approached to comment on scope of works to provide cost estimate for design component. Works ongoing.												
1201411	Richardson street Parking Scope: Design and installation of street parking on Richardson street (kerbing, line marking, tree planting)		Concept designs received. Design is as per original scope (central parking) however there is a loss of a few parking bays due to accurate calculations of vehicle turning movements and width of road (survey).												
1111435	Stairway to the Moon Scope: Viewing platform construction near Taylor street, dune rehab, interpretive signage, car park		Information has been forwarded to CEO regarding project budget requirements which must be reviewed before implementation can proceed. Further funding required.												
1201461	Town Entry Statement Scope: Landscaping component at GNH information bay sculpture		Project is construction ready however can't progress until the installation of the sculpture at the Visitors Bay.												
1201435	Cottier road (Blackspot) Scope: Remove hazards (various) as per RSA		Review of potential Black Spot projects includes Wedgefield upgrades and Limpet crescent. Review												

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

Legend - Current Project Phase

	Concept
	Development
	Implementation
	Finalisation
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Cyclone Watch/Season



A/c Number	Scope	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
			ongoing - for discussion with MRWA												
1201486	Wedgefield Upgrades Scope: Pinga street/Cajarina intersection upgrades, turning lane and reconstruction		Design to be prepared for road and intersection reconstruction for approval prior to construction. Design development to proceed after completion of GNH modifications to determine impact of new GNH/Pinga intersection. Post construction report from MRWA will be reviewed in conjunction with design development.												
1201457	Yandeyarra road Scope: Re-sheeting and formation improvements		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		Scope to be finalised and consultant engaged												
1201473	Drainage Construction Scope: Spot improvements		Drainage construction (spot improvement) completed on Harper road. Throssell road improvements (adjacent to Wankga Maya) scheduled for October. Remainder of spot improvements will be determined during wet season.												
1201401	Manilha Drive Reconstruction Scope: Repair potholes and apply sand seal		Works scheduled in October when contractors are available.												
1201478	Reseals Scope: To be reviewed		First stage of reseals scheduled for October when contractors available												
1208443	Light Vehicle Replacement Scope: PH9639, PH9681, PH10018, PH9083, PH9689, PH10069, PH9782, PH10290, PH9383, PH9582, PH9912		Executive team vehicles have been ordered, with delivery scheduled within the next month. Further review of specifications of all other vehicles progressing prior to quoting and ordering.												
1201480	Kerbing Construction Scope: To be reviewed		Program under review to include consideration of reseat and footpath program.												

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

Legend - Current Project Phase

	Concept
	Development
	Implementation
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Cyclone Watch/Season



A/c Number	Scope	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1105410	Finucane Island Boat Ramp Scope: Completion of ramp reconstruction		Boat ramp construction works is complete. As constructed survey and engineering sign-off being finalised prior to acquittal of DPI funding.												
1105421	Disabled Beach Access Scope: installation of disabled access to Finucane Island boat ramp shelters/beach		Construction of disabled access walkway has commenced.												
1201438	West End Greening Stage 2 Scope: Shrub, tree planting and retic - Frewer to Short street		Painting of water tank is complete. Quotes being sourced for supply of mulch however may require tender due to quantities.												
1105426	Turtle Interpretive Loop Scope: Pavillion & nodes from Cemetery beach/GAC/All Seasons loop, interpretive signage		Final designs and specifications have been received and will be reviewed in consultation with Planning and Building departments. Expect to tender in November for construction to commence in 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		Detailed design progressing as planned, including engagement of various sub-consultants.												
1201483	Nth Circular Rd East Culverts Scope: Widen culverts to A.S., install new headwall		Structural design of headwalls being finalised prior to sourcing quotes from contractors.												
1111446 & 1111403 (R4R)	Playground Equipment Scope: To be confirmed		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		Project development to commence October.												
1201437	Hedditch - Forrest Circle Rd Scope: Design and construction of road link from Hedditch to Forrest circle		Consultants visiting site 12th October to finalise concept designs. Expect designs will be complete mid November.												
1201413 &	Murdoch drive Nodes Scope: Construction of 2 'nodes' along pathway		Project development scheduled to commence October.												

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

Legend - Current Project Phase

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Cyclone Watch/Season



A/c Number	Scope	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1201414 (R4R)	similar to Sutherland street														
1201420 (R4R)	Recycling Project Scope: Crushing concrete for re-use in footpaths		Approaching R4R for modification of scope - as crushed concrete may not be compliant with AS for footpath construction it is proposed to use it as a base course (non structural).												
1201447	Buttweld road Scope: Survey and design of road reconstruction		Project development to commence October. Will potentially require additional resources to accommodate design costs which can be sourced from R2R at no cost to Council. Will need to liaise with Main Roads regarding GNH intersection design as future bridge over railway will impact on intersection location.												
1201489	Hillside-Woodstock road Scope: Re-sheeting and formation improvements		Scheduled after cyclone season.												
1201419	Parks Upgrades Scope: Upgrade of existing parks (fencing, planting, seats, retic, etc) as per audit. Includes drainage swale		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, vert mowing and topdressing, soil level raising, obtaining quotes and information												
1202401	Depot Flammable Storage Cpbds Scope: For workshop		Finalising specification and procurement.												
1111401	Replace Effluent Line Scope: SH Oval main reticulation line to be replaced with polypipe		Works to commence end of September utilising approval Panel contractor. Project will include as constructed plans for distribution on 'Dial Before You Dig' searches												
1102415	Civic Centre Verge Landscaping Scope: Retaining & native planting of steep embankment		Sourcing plant species and availability of plants; 200x <i>Crotalaria cunninghamii</i> (green bird flower) 200x <i>Senna notabilis</i> (cockroach bush)												

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

Legend - Current Project Phase

	Concept
	Development
	Implementation
	Finalisation
	Project completed and acquitted

Cyclone Watch/Season



A/c Number	Scope	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
			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		Concept designs for extending terminal 50m East. Tender to be arranged (Including relocation of depot).												
1210403	Depot Development		Concept designs for relocating wedgfield depot to airport. Airport staff and depot will also need to be relocated to the Airservices workshop and office facility. Tender to be arranged as above.												
1210402	Parking/ Hire car development		Construction area fenced , survey and design levels for set out are done and construction will start early October.												
1210453	Northern Apron Extension		Earthworks commenced September 09. To facilitate the RFDS hangar extension. Requires resiting access gate 10												
1213420	Café Modifications		Concept design completed. Quotes being sourced to resite café walls. Funding to be carried forward from prior year.												
1210407	Common user Check-in Facilities		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		Quotes received from the only two system suppliers - Evaluation in progress												
1210406	International Carousel		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.												

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

Legend - Current Project Phase

- Concept
- Development
- Implementation
- Finalisation
- Project completed and acquitted

Cyclone Watch/Season

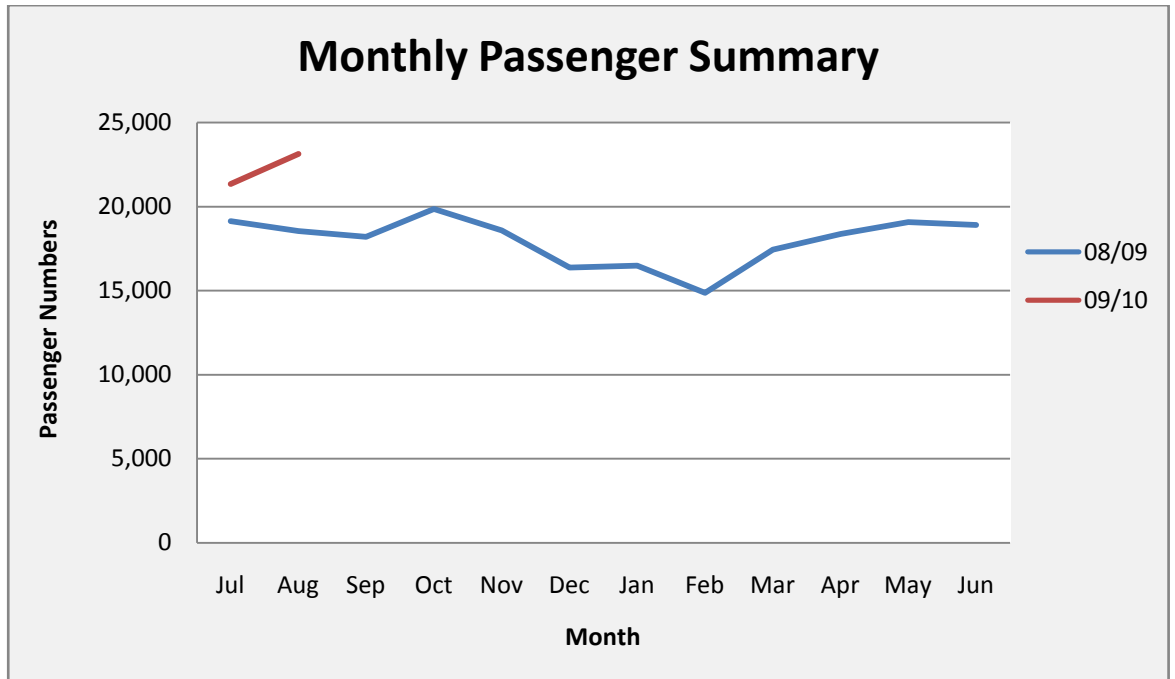


A/c Number	Scope	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1210271	Solar Lights-Landside		Trial of landside 7.5 metre roadside solar power lights. R4R funded - Quotes sourced and goods ordered for manufacture. External pole fitted battery boxes manufactured for installation. Luminaires being manufactured to fit into existed light head covers with Australian designed lense to amplify LUX output with no additional heat generation.												
1210401	Solar Lights-Taxiway and runway		Approval for Solar installation to be sourced from CASA - Approval application is in the process of being prepared for submission. Dept. of Infrastructure (RADS) notified of progress												
1210440	Automated Weather information Broadcast		Quotes sourced. Goods ordered and to be installed by end of October. AWIB in Transit and finalising radio type required for constant broadcast.												
1210440	PA & CCTV		Existing PA system repaired but is only temporary due to age. Quotes being sourced for new system - May well link in with FIDS application - This possibility being investigated.												
1210473	Electrical Upgrades		Stage 2 ring road connection. Tender to be arranged												
1210477	Grading of Drains		On hold til weather compatible.												
901424	Airport Housing		Research for design and type being undertaken. Location and scope under discussion												

ATTACHMENT 2 TO AGENDA ITEM 11.3.1.1

Port Hedland International Airport

Monthly Passenger Numbers



Please note that above graph excludes Pearl Aviation, Virgin Blue and Qantas passenger numbers for August 2009, as these were unavailable at the time the graph was compiled.

11.3.1.2 Regional and Local Community Infrastructure Program (File No.: 15/01/0014 & 21/05/0010)

Officer Lynne Nanini
Project Development Officer

Date of Report 16th October 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider how to utilise the Australian Government's recently announced Regional and Local Community Infrastructure Program allocation.

Background

The Town of Port Hedland has been granted \$147,000 in the second round of funding from the Australian Government's \$100 million Regional and Local Community Infrastructure Program (RLCIP). Council must now decide how this funding is to be used.

The RLCIP will provide funding to local governments for community infrastructure including new construction and major renovations or refurbishment of assets such as:

1. Social and cultural infrastructure (eg, art spaces, gardens);
2. Recreational facilities (eg, swimming pools, sports stadiums);
3. Tourism infrastructure (eg, walkways, tourism information centres);
4. Children, youth and seniors facilities (eg, playgroup centres, senior citizen centres)
5. Access facilities (eg boat ramps, footbridges); and,
6. Environmental initiatives (eg, drain and sewerage upgrades, re-cycling plants)

Funding can be used for:

1. Re-furbishment or fit-out;
2. Construction for new or upgraded facilities.

The funding cannot be spent on ongoing costs, transport infrastructure or related infrastructure covered by the Roads to Recovery or Black Spot program. Additionally, the funding must be spent by the end of December 2010.

It is recommended that the funding be used to complete the Stairway of the Moon Viewing Platform. Located on the dune foreshore near the intersection of Goode Street & Taylor Street, Port Hedland, the Stairway to the Moon Viewing Platform will involve the construction of a platform, capable of holding approximately 124 people. The recommendation to spend the granted funding on this project is based on the following items:

1. The project meets the funding criteria
2. The project is fully designed, is 'ready to go' and can be completed by the stipulated deadline.
3. The project has been discussed for over four (4) years and is yet to be delivered due to a range of project management and cost issues.

The objective of this project is to provide visitors and residents of the Town of Port Hedland a viewing platform on the dune foreshore to watch the naturally occurring phenomenon, *Stairway to the Moon*. The platform will provide key tourism infrastructure as well as protection to the delicate sand dunes and coastal area.

Consultation

The Stairway to the Moon project has been discussed at various times by Council over the past four years. The project has received all environmental and aboriginal heritage clearances that are required.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 2 – Community Pride

Goal 2 – Events

Strategy 3 – Develop a well known, all inclusive calendar of community events

Strategy 4 – Explore and actively seek to attract 'draw card' events to the Town of Port Hedland

Key Result Area 2 – Community Pride

Goal 3 – Townscape

Strategy 1 – In conjunction with industry, business and the community, develop improved verge and streetscape treatments throughout the Town.

Key Result Area 4 – Economic Development

Goal 1 – Tourism

Strategy 5 – Implement both the Turtle Boardwalk project and the Stairway to the Moon project and work with stakeholders to identify other tourism product development initiatives

Budget Implications

The following table illustrates the projected income and expenditure for this project.

INCOME	\$
2009/10 Committed Funds (inc Grant funds)	272,955
Regional and Local Community Infrastructure Program	147,000
Additional Council Contribution in 2009/10 Budget	19,189
TOTAL INCOME	\$439,144
EXPENDITURE	
Project Expenditure to Date on Design, Engineering, Contract Documentation and Environmental and Aboriginal Heritage Approvals.	66,994
Platform Construction	265,150
Interpretative Signage	5,000
Dune rehabilitation	5,000
Administration (advertising, planning/building fees, etc.)	2,000
Car park construction	68,000
Project Management Costs	27,000
TOTAL EXPENDITURE	\$439,144

Officer's Comment

The planning for this project is well advanced. The only issue that is preventing the project from being delivered is financial resources. The provision of Federal Government stimulus funds through the Regional and Local Community Infrastructure Grants program provides an opportunity to deliver this project relatively quickly.

While officers support the allocation of funds for this purpose, there are other projects that Council could potentially allocate these funds to. In this instance, it is recommended that the funds be allocated to this particular project as it is well planned and ready to go.

Attachments

Nil

200910/110 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

1. Notes that the total project budget to deliver the proposed Stairway to the Moon project is \$439,144.
2. Allocates the Regional and Local Community Infrastructure Program (RLCIP) funds that it has received (\$147,000) to the Stairway to the Moon Viewing Platform; and
3. Allocates an additional \$19,190 of Council Funds to the Stairway to the Moon project with these funds being found from the October budget review.

CARRIED 7/0

11.3.2 Recreation Services**11.3.2.1 Request for Use of the JD Hardie Centre by Hakarac Boxing (File No. 26/05/0005)**

Officer Sarah Cunningham
Recreation Centre Supervisor

Date of Report 12 October 2009

Disclosure of Interest by Officer Nil

Summary

The Town of Port Hedland's JD Hardie Centre has been approached by a local business to operate Hakarac Boxing out of the centre, twice per week. Refer to attachment 1 for the letter in full.

Background

The Town of Port Hedland has been approached by a local instructor wishing to run a form of Boxing called Hakarac Boxing from the JD Hardie Centre. There are currently no known boxing training facilities in South Hedland, and it is known to be a popular program.

As standard practice, any external facility hire running their own program to the public must obtain Public Liability Insurance and must provide certification to prove they are trained and qualified in the program they are offering.

The JD Hardie Centre has a room fully designed for boxing and fitness classes; however does not have the capacity or the expertise to run these specialised classes as part of the standard programs.

The JD Hardie Centre has not been able to offer Boxing to the community of Hedland for a number of years due to the lack of qualified boxing instructors available. The process of gaining a formal qualification is very complex, and was not a viable option.

Consultation

Manager Recreation Services
Recreation Centre Supervisor
Sport and Recreation Officer
Recreation Centre Staff

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil**Budget Implications**

It is anticipated that by allowing this program to operate out of the JD Hardie Centre Casual Hire revenue will increase and centre exposure will also be of benefit. Should the facility be hired at the current fees and charges there is expected revenue of approximately \$4,160 annually. Should Council decide the centre should be hired out at a commercial rate, this figure is expected to be higher.

Officer's Comment

Several options were considered when approached by this gentleman including:

1. Employing the instructor as a staff member;
2. Commencing a not-for-profit group similar to Hedland Tae Kwon Do; or,
3. Operate commercially

After discussing the options with Mr. Franks, it became evident that option 3 was the most suitable in this instance. The JD Hardie Centre discussed the possibility of employment, however Mr Franks was not keen on this option, and he also indicated he does not have the capacity or the inclination to commence a not-for-profit community group.

From a community perspective, it is likely that this program will be of benefit to the community, as there are no similar programs currently operating. The JD Hardie Centre does not have the capacity to run specialised programs that require qualified instructors, however does have the facilities to be able to provide a space for them to be facilitated. The aim of the Centre is to encourage physical activity and the use of the JD Hardie Centre. By providing a Centre for boxing to operate will enable more people able to enjoy boxing.

Council therefore has three (3) options:

1. Allow the use of the JD Hardie Centre for Hakarac Boxing as per standard booking conditions, at the current rate within the Schedule of Fees and Charges;
2. Deny the request for use at the JD Hardie Centre; or,
3. Allow the use of the JD Hardie Centre for Hakarac Boxing, at a rate determined by Council.

Attachments

Letter from Damien Franks

200910/111 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council allows the use of the JD Hardie Centre for Hakarac Boxing as per standard booking conditions, at the current rate within the Schedule of Fees and Charges.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.3.2.1

Damien Franks
1 Barker Court
Port Hedland WA 6721
Ph: 0417 170 936
Damien.G.Franks@bhpbilliton.com

9 September 2009

Sarah Cunningham
JD Hardie Center
Cottier Drive
South Hedland WA 6722

Dear Sarah,

I would like to apply to operate Hakarac Martial Boxing out of the JD Centre located in South Hedland. Hakarac Martial Boxing is a system of mixed martial arts and fitness that incorporates elements of western boxing and several traditional martial arts systems.

As an approved instructor for Hakarac Martial Boxing I was hoping to commence classes in the South Hedland area due to local demand and the availability of facilities.

After visiting the JD Hardie Centre I believe the facilities and location are more than suitable. Currently I have been conducting personalised one on one training sessions and through this, there has been a lot of positive feedback and interest in providing group classes especially as there is no other avenue within the Port or South Hedland area for this kind of training. I have also received several phone calls from persons who have had my details passed onto them wanting to be trained in this style of mixed martial arts.

I was hoping to conduct one class of Martial Boxing twice per week and ideally on a Monday and Wednesday. This class would run for 60 – 90 minutes starting at 6pm and I am more than happy to work in with the JD Hardie Centre Program.

I hope this information has been useful and if you require any further information please feel free to contact me anytime.

Regards,
Damien Franks

11.3.2.2 Department of Sport and Recreation – Community Sport and Recreation Facilities Fund Application (File No.: 26/04/0018)

Officer Bec Pianta
Manager Recreation Services

Date of Report 7 October 2009

Disclosure of Interest by Officer Nil

Summary

As part of the Department of Sport and Recreation's Community Sport and Recreation Facilities Funding round, the relevant local government authority must approve and endorse funding application/s to the state government department for contributions towards applicable projects.

Background

The Community Sporting and Recreation Facilities Fund (CSRFF) program is administered by the Department of Sport and Recreation (DSR). This program invites sporting associations and local governments to submit proposals for funding assistance, providing all relevant guidelines are met. It is a requirement of the DSR that all applications be approved by the local government before being submitted to the Department of Sport and Recreation regional office.

CSRFF assistance is available for local sporting groups, associations and local governments to develop infrastructure that will encourage physical activity and healthy communities, through the development of recreation related facilities.

The role of the Town of Port Hedland within this process is to rank the order of priority of the projects that have been received (two projects may not be equally ranked and all projects must be given a ranking). The local government is also required to rate all applications as high, high/medium, medium, medium/low, low or not recommended. This rating reflects how worthwhile the project is considered to be, and indicate its importance, actual need and benefit to the community.

The recreation department has developed a funding application for the Design and Redevelopment of the South Hedland Aquatic Centre (SHAC), and has worked with the South Hedland Bowls and Tennis Club to develop an application for their new Clubhouse.

This item has therefore been prepared to request Council approval for the two submissions to the DSR.

Consultation

The Department of Sport and Recreation advertised the CSRFF round via all standard media avenues, including newspaper, email, written letters and website promotion.

Statutory Implications Nil

Policy Implications Nil

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...; and,

Strategy 3: Identify and implement opportunities to sustainably upgrade programs and services at the Town Aquatic facilities.

Budget Implications

The DSR will fund up to 33% of a project, with other funding to be sourced from additional avenues. It is anticipated that funding for the SHAC Redevelopment and South Hedland Bowls and Tennis Club will be sourced from external stakeholders, including potential requests from the Town of Port Hedland.

Officer's Comment

The Department of Sport and Recreation's CSRFF round is an annual program aimed at improving the sporting and recreational infrastructure within the state. The DSR will give consideration to projects that do not request more than 1/3 of the total project amount, will not commence prior to the funding being announced, and encourage/promote physical activity through the development/upgrade of recreational infrastructure.

In September 2009, the DSR Manager Pilbara visited Port Hedland to ascertain the upcoming projects for the region. The SHAC Redevelopment and South Hedland Bowls and Tennis Club were identified as feasible projects for CSRFF for this financial year. As the SHAC Redevelopment falls classically into the requirements to meet CSRFF status, it is recommended that this project be ranked number 1. While the South Hedland Bowls and Tennis Club Project is clearly a needed/wanted community project, it does not fall as neatly within the CSRFF guidelines and hence it is recommend that this project be ranked number 2.

Attachments

Nil.

200910/112 Council Decision/Officer's Recommendation

Moved: Cr G J Daccache

Seconded: Cr A A Carter

That Council endorses two applications to the Department of Sport and Recreation for the Community Sport and Recreation Facilities Fund, with the SHAC Redevelopment ranked as the highest priority, and the South Hedland Bowls and Tennis Club ranked as the second highest priority.

CARRIED 7/0

11.3.2.3 Recreation Reserve Redevelopment: McGregor Street Reserve Master Plan (File No.: 26/08/0007)

Officer Bec Pianta
Manager Recreation Services

Date of Report 13 October 2009

Disclosure of Interest by Officer Nil

Summary

The final McGregor Street Reserve Master Plan has been developed, following community and Council consultation. For this project to be completed (the Master Planning phase), Council notation is required. The Master Plan can be viewed in Attachment 1.

Background

The Town of Port Hedland contracted ROSS Planning in November 2007 to undertake Master Planning for Colin Matheson Oval and McGregor Street Reserve. The impetus for this project was to consider future planning of recreational reserves, to ensure a well-planned and well-designed process that is comprehensively linked to the Land Use Master Plan. These plans need to ensure that amenities at sporting reserves meet expectations, are of high quality and allow for economy of scale (efficiency of use). At the conclusion of this process, Council will receive the following:

- a consolidated, costed plan, including estimated timeframes for deliverables;
- a report recommending the process of redevelopment;
- a report detailing the individual components of each reserve (including the provision of specific sporting facilities including clubrooms, change rooms and toilet facilities, and any specialised facilities, including turf club amenities, potential child-care facilities etc.); and,
- a report detailing the location of each facility, to maximise efficiency, use and aesthetics.

A series of consultation sessions were undertaken with the stakeholders of the reserve, as well as members of Council and the community. This feedback received was then presented at the Ordinary Council Meeting on the 28th May 2008. At this meeting, Council resolved (in part) that:

“...ii) the following matters with regards to McGregor Street Sporting Reserves lay on the table for further consideration by Council at its Ordinary Council Meeting to be held in July 2008:

- a) *the concept development for the relocation and upgrade at the reserves continue as planned;*
- b) *all possible inclusions as received via feedback be included in the revised concept plan; and*
- c) *that liaison with the Port Hedland Turf Club and Main Roads WA occur as to the most ideal location of the turf track, based on Option 1."*

As per the recommendation above, ROSS Planning received all comments and feedback from the community and Council, and included or considered all possibilities within their updated concept plans.

Due to time-commitment required by all volunteers of the Port Hedland Turf Club, staff at the Town of Port Hedland were not able to present the newly developed concept designs until after the conclusion of the racing season. The report was therefore presented at the Ordinary Council Meeting on the 24th September 2008, where it was resolved that:

"Council do not progress the McGregor Street Reserve Development Project until complete soil analysis is undertaken, and those results are available to Council."

As per the resolution above, the Town of Port Hedland arranged for a soil analysis and geotechnical investigation to be undertaken. This report was received in March 2009 and was presented to Council at the Ordinary Council Meeting on the 22nd April 2009.

The geotechnical and soil investigations occurred at the proposed location of the McGregor Street Reserve Pavilion and ovals. As detailed within the report, the test pits revealed:

"...a relatively consistent soil material comprising of fine to medium grained, light brown, dry, dense Clayey sand to a depth of about 0.3 metres, followed by plastic clay to a depth of 1.8 metres."

The geotechnical report also stipulates that although the site has coastal constraints (due to location), this shouldn't impinge significantly on the development of the reserve. Grassed reserves and infrastructure can be developed providing adequate project management, design and building requirements are met.

At this meeting, it was resolved that Council:

- ...i) notes the Geotechnical Report on the McGregor Street Reserve, from SGS Australia Pty Ltd, dated 9 March 2009;*
- ii) provides a copy of the Geotechnical Report dated 9 March 2009 to ROSS Planning for inclusion in the McGregor Street Reserve Master Plan;*

- iii) *Recommence the finalisation of the McGregor Street Reserve Master Plan; and*
- iv) *Consider the completed McGregor Street Reserve Master Plan at a future meeting of Council and stakeholders."*

As per the resolution above, the Master Plan was finalised, forwarded to all stakeholders for consideration, and is now being presented to Council for endorsement or otherwise.

Consultation

The project has been discussed amongst various Town of Port Hedland staff members, including:

- Chief Executive Officer
- Director Engineering
- Manager Planning
- Manager Infrastructure Development
- Manager Recreation Services
- Sports and Recreation Officer

Throughout the development of the concept plans, the following forms of community consultation have been undertaken throughout this project:

- Newspaper advertisements
- Shopping centre displays
- Email correspondence
- Community forums
- Radio advertisements (with live coverage)
- Radio interview
- Media Releases
- Hard copy displays at the:
 - Civic Centre
 - JD Hardie Centre
 - South Hedland Library
 - Port Hedland Library
- Dedicated Turf Club Meeting

Statutory Implications Nil

Policy Implications Nil

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... the development of additional quality facilities...

Budget Implications

Should Council resolve to endorse the Officer's Recommendation, the project can conclude. Currently, the original Purchase Order for this project is only partially invoiced, so sufficient funds have been allowed and allocated to the completion of the conceptual stage of the project.

Officer's Comment

A direction for the future of this reserve is essential. Currently, the McGregor Street Master Plan is 2/3 complete. Since the final Master Plan has been received, it has been forwarded to all stakeholders of the McGregor Street Reserve, asking for whether their group supported the proposed Master Plan. The following responses have been received:

Group	Support	Additional Comments
Port Hedland Canine Club	Yes	Require additional parking
Port Hedland Scouts	Yes	Require additional space
Port Hedland Cricket Association	Yes	
SHOATA/Equestrian	Yes	Require area for use
Port Hedland Turf Club	No	
Port Hedland Junior Cricket Assoc.	Yes	

The additional comments with regards additional space will be forwarded to ROSS Planning, however can easily be incorporated into the Master Plan without changing overall localities of infrastructure and reserves. It is important to note that the Master Plan is purely conceptual – detailed design would not occur until the development phase of the project.

No comments were received from Port Hedland Junior Soccer Association, Hawks Rugby League Club or the BMX Club, however all have been involved in the process to date, and have previously provided comments and positive feedback.

Community consultation has occurred extensively throughout this project, with the Port Hedland Turf Club being the primary objector to the project. Risk identification has taken place based on community feedback, and whilst many of the items may have mitigation or resolution opportunities, it is apparent that the historical and sentimental value of the Turf Club to its members is a very real issue. The comments received from the Turf Club during this round of consultation are as follows:

“The Club is still to be convinced that it will benefit firstly, racing in Port Hedland and secondly, other sporting clubs that may be affected.”

As can be seen from the feedback received from other groups and clubs in town, the overall support for this Master Plan is strong, and therefore it appears the Port Hedland Turf Club is the primary objector to the continuation of this project.

Initially, the prominent issue raised that may have affected the project was the soil type (potential leaching, limestone ridges, tidal and river areas) and soil stability, however the geotechnical report details recommendations to ensure these issues do not pose a threat to the continuation of this project.

Rationale for continuing with this concept development has been increasing since the commencement of this project. In-depth and broad community consultation has meant that the project has gained momentum and community support. The primary reason for continuing with the proposed redevelopment of the McGregor Street Sporting Reserves is to ensure all stakeholders have access to high quality facilities, amenities and reserves. Presently, the sports grounds on McGregor Street are in dire need of leveling, redeveloping and resurfacing. This has been delayed due to the unknown status of this project; redeveloping the entire reserve means that undertaking sports ground surface repairs would be redundant at this time. Should this proposed redevelopment not occur, essential sports ground repairs and replacement infrastructure would be required.

The existing change room facility at the McGregor Street Sporting Reserve will soon require replacement. The septic is becoming aged and unreliable, and Council has approved a temporary clubroom facility for establishment at the reserve. The temporary nature of this facility will enable replacement with a multi-use pavilion should the project continue. It is likely that should this project be rejected, considerable funds will be required to upgrade the existing facilities and amenities to a standard agreed to in the Recreation Facilities Audit (and as part of the Strategic Plan). As can be seen from the proposed concept design, multi-use facilities and amenities would be available for public use, meeting the project scope of providing a consolidated, efficient, useful and aesthetically pleasing reserve. As the maintenance cost to Council steadily increases, providing facilities that are more efficient and therefore more cost effective will no doubt prove to be advantageous in the long term.

It is recommended that Council allow for the completion of the McGregor Street Reserve Master Plan, which will provide a costed plan, estimated timeframes for deliverables (including the process of redevelopment), and includes the individual components of each reserve.

Council has already committed to the contract for this work, and endorsing the final master plan does not necessarily mean that the infrastructure will be developed, it merely means the project concept can be completed.

Council therefore has two (2) options:

1. Discontinue the project; or,
2. Endorse the McGregor Street Reserve Redevelopment Master Plan

Attachments

Proposed Master Plan – McGregor Street Sporting Reserves

Officer's Recommendation

That Council:

- i) Advise ROSS Planning that the final McGregor Street Reserve Master Plan is endorsed;
- ii) Advise ROSS Planning that the project is to be completed as per the agreed project scope;
- iii) Advise all stakeholders that the Master Plan Concept project of the McGregor Street Sporting Reserve is concluding; and,
- iv) Consider the completed report at the next available Council Meeting.

6:37pm Councillor Stan R Martin left the room.

200910/113 Council Decision

Moved: Cr A A Carter

Seconded: Cr M A Dziombak

That Council lay item '11.3.2.3 Recreation Reserve Redevelopment: McGregor Street Reserve Master Plan' on the table pending further information.

CARRIED 6/0

REASON: Council indicated that it wanted further informal discussion on this item prior to proceeding with making a formal Council decision on this matter.

mcgregor street

the vision

create a multi-use sporting precinct that has a **unique sense of spaciousness**, encourages a diverse mix of uses, utilises a **robust variety of materials** and incorporates a **distinct local character** to create a strong sense of place.

design principles

- Ensure the reserve is flexible to allow a broad range of community, cultural and sporting events.
- Ensure adequate multi-functional facilities are designed and constructed to ensure long term use and avoid ad-hoc development in the future.
- Encourage co-located users to share 'core' facilities to create a well integrated recreation and sports park.
- Provide high quality landscape elements throughout the reserves to promote strong character and identity.
- Adopt CPTED principles to ensure that users are safe and feel safe
- Ensure structures and landscape elements are well integrated to provide a unified public open space.



pathway
Pedestrian pathways meander throughout the reserve. Ensure new internal pathways connect to the existing pedestrian and cycle network outside of the reserve, particularly the foreshore network. Ensure pedestrian connection to proposed town centre.

formal car park
Formal car park for approximately 80 vehicles.

reserve entry
Reserve entry to include signage and strong landscape treatment.

grassed area
Grassed area for temporary marquees on race days and other special events.

entrance road
Strong avenue planting on entrance road. Road to include drop off zone at front of pavilion.

new formal car park
Vehicular and pedestrian entrance with car park accommodating approx. 160 vehicles.

scout hall
Relocate Scout hall. Ensure close to car park facilities. There is potential to relocate to an alternative site.

multi purpose sports pavilion
Two storey multi functional sports pavilion with covered grandstand. All sporting codes and Turf Club to have adequate space within the pavilion.

existing skate facility
shelter
Shelter with bench seating and tables to provide a shaded rest spot for children using the skate park and the bmx track.

formal car park
Entry and small car park for skate and BMX facilities.

bxm track
Potential location for BMX track.

buffer planting
Buffer planting between reserve facilities and water treatment plant.

canine club
New canine club.

spectator seating
Spectator seating, with removable shade structures, along field perimeters to provide comfortable viewing of games.

tennis club
Existing tennis courts and club house facilities.

home parade area
Home parade area and entrance to track.

formal car park
Formal car park for approximately 80 vehicles.

emergency / maintenance access and entrance to informal parking area

removable fencing
Removable fencing along main straight to allow easier access to fields.

cricket nets
4 cricket nets. Relocate existing nets if feasible. Nets to include lighting.

informal parking
Informal overflow parking area for full capacity events.

field lighting
Field lighting for main fields. Ensure field lighting meets Australian Standards to allow safe night time use.

proposed sporting field zone
The sporting field zone consists of 2 cricket fields with lighting, 1 cricket field without lighting, 1 rugby league field, 3 full size soccer fields.

Electronic score board for sporting fields.

Finish post with electronic results board.

buffer planting
Buffer planting between reserve facilities and proposed town centre.

dam
Walk in dam for horse training and swimming. Further investigation necessary to determine feasibility. Potential to collect storm water runoff from Port Hedland Road.

feature banners
Interchangeable feature banners along Port Hedland Road.

legend

existing vegetation

avenue tree

large shade tree

other proposed trees and shrubs

gateway marker/statement

field lighting

vehicular orientation/directional signage

shade sails



Signage is an important landscape element for the reserves. It plays a role in identity and interpretation for local residents and visitors of the reserve. Placement, graphic language and style, and scale in the landscape, are all important factors when designing a signage suite for the site.

Interchangeable feature banners.

landscape elements
A common theme, reflected through actions and locations, to be incorporated into all landscape elements throughout the reserve to reinforce unity within the space.



Town of Port Hedland

draft master plans

2009

*11.3.2.4 Waiver of Fees for the Hedland Tee ball Association
(File No.26/02/0044)*

Officer Nicole Roukens
Sport and Recreation Officer

Date of Report 13 October 2009

Disclosure of Interest by Officer Nil

Summary

Council has received a request to waive fees from the Hedland Tee ball Association for the overhead lighting charges for the North West Championships held in September 2009.

Background

The Hedland Tee ball Association hosted the North West Tee ball Championships at Marie Marland Reserve, South Hedland, from the 18th of September – 20th September 2009. A number of teams attended the championships from all over the North West.

The Hedland Tee ball Association has requested a waiver of all fees and charges for the competition including:

- Hire of Marie Marland Reserve
- Extra bins for the competition
- Overhead lighting costs

According to the 2009/2010 Fees and Charges all sporting reserves are to be provided to junior community groups at 100% discount. Therefore the hire of Marie Marland Reserve was provided to the Hedland Tee ball Association at no charge. Extra bins were also provided at the event at no cost.

The Hedland Tee ball Association used the overhead lights for a total of 6.41 hours at a total cost of \$225.63 and have also requested these fees be waived.

Consultation

Bec Pianta, Manager Recreation Services
Chris Adams, Chief Executive Officer
Frank Turner, President of the Hedland Tee ball Association

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Should Council approve this request for waiver of fees, Council will forego revenue of approximately \$225.63.

Officer's Comment

The Town of Port Hedland provided the Hedland Tee ball Association with free use of Marie Marland Reserve for the two days of competition and also provided extra bins at the event for no extra cost. All other junior sporting associations are required to pay for their overhead light use and if the waiver of fees for the overhead light charges is approved this could set a precedence whereby all groups seek waiving of light usage costs.

6:38pm Councillor Stan R Martin re-entered the room and assumed his chair.

200910/114 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr M A Dziombak

That Council advises the Hedland Tee ball Association

- i) their request for waiver of the overhead lighting fees is denied; and
- ii) the overhead lighting costs of \$255.63 are invoiced to the Hedland Tee ball Association.

CARRIED 7/0

6:39 pm Councillor George J Daccache declared an impartiality interest in Agenda Item '11.3.2.5 Tender 09/25 Supply and Installation of Irrigation' 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.

11.3.2.5 Tender 09/25 Supply and Installation of Irrigation (File No.: Tender 09/25)

Officer Bec Pianta
Manager Recreation Services

Date of Report 16th October 2009

Disclosure of Interest by Officer Nil

Summary

This report provides a summary of submissions received for Tender 09/25: Supply and Installation of Irrigation at Colin Matheson Oval, for the purpose of informing Council and to seek endorsement in awarding the tender to the most suitable Contractor.

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, various tenders have been called for the completion of each component of this project, including the Supply and Installation of Irrigation.

Tender 09/25 was called in October 2009, with the tender specification requesting the following:

- Supply and installation of pump components:
 - Pump units, with filter flush capability
 - Electronic controls, including lockable cabinet
 - Filtration, with automatic self cleaning filter, with the capacity to install a liquid fertiliser and/or chlorine injection point if required
 - Pressure relief valve
 - Pump protection

- 240 KL Liner Tank (fresh water) that meets Cyclone Region D category
- Supply and installation of irrigation equipment:
 - Irrigation controllers
 - Sensor interactive decoders
 - Solenoid valves
 - Sprinklers
 - Control cables
 - Oval ring-main and laterals

Tender 09/25: Supply and Installation of Irrigation closed on 14th October 2009, and two (2) bids were received. Tenders were received from:

- Water Dynamics
- Total Eden

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

The total budget allocation for the Recreation Reserve Redevelopment is \$1,131,637, with \$900,000 obtained from the BHP Sustainability Partnership Fund for 2008/09.

It is anticipated that these funds will be adequate to complete this project, based on the income and expenditure as detailed in the table below:

Income (09/10)		Expenditure	
Recreation Reserve Re-development (BHP Sustainability)	\$895,113	GHD engineering design	\$28,500
Irrigation Tank Upgrades	\$194,500	Site forward works	\$8,000
Sportsground Repairs	\$47,000	McGregor St Reserve upgrade	\$47,000
		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 (inc. Labour)	\$400,000
		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
		Items not included in tender, including professional support	\$119,566
		Replace globes at Colin Matheson	\$32,950
		Installation of stolons from Port Hedland Golf Course	\$37,000
		Baler primary school re use tank flushing system	\$82,432
Total	\$1,131,637	Total	\$1,131,637

Officer's Comment

Tender information was forwarded to 11 organisations, with two (2) tenders submitted. Of these two tenders, both have been considered conforming. There was no site meeting held for this tender.

The Tender was called as a Construction only project, whereby the tenderers were required to submit proposals based on the previously completed design proposal.

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

	Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
1	Price	1	50	50
2	Experience	4	5	20
3	Resources (supervisory, plant and equipment)	2	5	10
4	Demonstrated understanding of WUC	2	5	10
5	Local Industry Development	2	5	10
	Max Loaded Score			100

1. *Price (50)*

Contractor	Price	Score
Water Dynamics	\$ 448,200	42
Total Eden	\$ 376,189	50

The lowest price Tender (T_{lp}) was awarded a score of 50 for the Price criterion. The second-lowest price Tender (T_{slp}) was therefore awarded a score determined in the following manner:

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

and so forth for the remaining Tenders.

The following exclusions apply to each tenderer:

Water Dynamics:

- Controller (either \$5,200 or \$2,850 depending on type)
- Weather Station Module (\$8,950)
- 12 month maintenance schedule
- Power supply
- Water connection

Total Eden

- Levels for tank installation
- Comm's cards installed in SAT TW
- Alert Bird (approx. \$1,500)
- Wind monitor station
- Shed / cage for pumping station
- Power supply
- Water connection

2. *Experience (5)*

Contractor	Experience (Score)	Loaded Score
Water Dynamics	5	20
Total Eden	4	16

Assessment was based on the following information included:

Knowledge (3)

- Use of expert staff
- Familiarity
- Research

Expertise (2)

- Years of experience
- Pilbara experience
- Staff skill set
- Similar tasks

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

Contractor	Resources (Score)	Loaded Score
Water Dynamics	5	10
Total Eden	5	10

Assessment was based on the following information included:

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

4. *Demonstrated Understanding of WUC (5)*

Contractor	WUC (Score)	Loaded Score
Water Dynamics	5	10
Total Eden	5	10

Assessment was based on the following information included:

- Competing Projects
- Construction Program
- Unique and Critical Activities

Water Dynamics has indicated that they could commence the project after receipt of order in a minimum of 4 weeks. Total Eden has indicated they require 3 – 4 weeks.

5. *Local Industry Development (5)*

Contractor	Local Dev. (Score)	Loaded Score
Water Dynamics	2	4
Total Eden	1	2

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	WUC	Local Dev.	TOTAL
Water Dynamics	42	20	10	10	4	86
Total Eden	50	16	10	10	2	88

The tender specifications and scope of work within the tender documentation is specific and detailed in its requirements. Total Eden has scored the highest rating according to the maximum loaded score, and is therefore the recommended contractor for this portion of the project.

Attachments

Nil

200910/115 Council Decision/Officer's Recommendation

Moved: Cr A A Carter**Seconded:** Cr G J Daccache

That Council:

1. Award Tender 09/25: Supply and Installation of Irrigation to Total Eden for the value of \$376,189 + GST; and
2. Advise all tenderers of this outcome.

CARRIED 7/0

11.4 GOVERNANCE AND ADMINISTRATION**11.4.1 Corporate Services****11.4.1.1 *Financial Reports to Council for Period Ended 31 August 2009 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Lee Crombie
Senior Finance Officer

Date of Report 8 October 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 31 August 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 31 August 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 31 August 2009;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided from the following financial institutions: National Australia Bank, Bank West, Commonwealth Bank, Macquarie 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 28 October 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			
CHQ19062	CHQ19106	123,368.50	1	7	1	Municipal Fund	
EFT26541	EFT26853	3,198,705.44	7	68	1	Municipal Fund	
CMS070809	CMS070809	192.39	68	68	1	Municipal Fund	Photocopier Lease – Engineering Department
PAY090825	PAY090825	277,308.30	68	68	1	Municipal Fund	
PAY110809	PAY110809	268,499.15	68	68	1	Municipal Fund	
BOQ270809	BOQ270809	891.10	68	68	1	Municipal Fund	Finance Equipment
	Municipal Total	\$3,868,964.88					
3001687	3001707	8,350.00	68	71	3	Trust Fund	
	Trust Total	\$8,350.00					
	Sub-Total	\$3,877,314.88					
LESS: one-off pays		-					
	Total	\$3,877,314.88					

Consultation

Nil

Statutory Implications

Financial Statements

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

“34. Financial activity statement report - s. 6.4

(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);

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

In this regulation:

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

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

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

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

- (b) *waive or grant concessions in relation to any amount of money; or*
- (c) *write off any amount of money, which is owed to the local government.*
- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”*

Policy Implications

2/003 Financial Statements – Copies for Councillors

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

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

Irregular Financial reports will be presented to Council on request.

Strategic Planning Implications

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

Budget Implications

At the Special Meeting held on 29 July 2009, Council resolved to adopt item 6.1.1.1 '2009/2010 Budget Adoption' en block, 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:

1. *Period Variation*

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

2. *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.

3. *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 – August 2009 Bank Reconciliations.
- Pages 1 to 49. Detailed Financial Activity by Program.
- August 2009 Accounts for Payment
- Comparison Between 2008/09:2009/10 Utility & Fuel Costs

200910/116 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

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 31 August 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 August 2009 under Delegated Authority, as presented and/or attached be received.

CARRIED 7/0

11.4.1.2 Passenger Growth Incentive Scheme Proposal – Qantas (File No.: 30/09/0006)

Officer Matthew Scott
Director Corporate Services

Date of Report 9 October 2006

Disclosure of Interest by Officer Nil

Summary

For Council to consider a proposal by Qantas to reduce the passenger service charge by 50% to 75%, should passenger growth exceed 2008/09 actual figures.

Background

After several brief discussions, Qantas Airlines wrote to Council on 15 September 2009 (letter attached) outlining a “passenger growth incentive scheme” proposal which would see a significant discount in passenger service charges should Qantas Airline growth significantly exceed previous year’s passenger numbers.

In this proposal Qantas suggest the scheme is mutually beneficial, as higher passenger numbers should reduce the unit cost to both Council and Qantas in servicing passengers.

The current proposal is:

1. If annual passenger growth is 10%-15% greater than 2008/09 then Council would provide a 50% discount on the passenger service charge; and
2. If annual passenger growth is greater than 15% of 2008/09, the Council would provide a 75% discount on the passenger service charge.

According to Qantas, Qantas passenger numbers for 2008/09 were 198,627. Council records indicate the Qantas numbers for the last 6 years.

	03/04	04/05	05/06	06/07	07/08	08/09
July	8,084	7,086	8,147	11,594	16,031	18,760
August	7,345	6,569	7,984	11,134	16,275	17,628
September	7,535	6,863	8,532	11,600	15,511	17,618
October	8,089	7,311	9,601	11,802	16,239	18,911
November	7,557	6,972	9,490	12,574	15,660	17,007
December	7,409	6,553	8,449	11,452	13,406	14,825
January	6,920	6,350	8,524	11,902	14,186	14,598
February	6,946	6,256	8,393	12,535	14,918	14,045
March	7,526	7,057	9,587	12,419	16,125	16,348
April	7,640	6,979	9,637	13,486	17,040	16,820
May	6,963	7,106	10,515	14,045	17,357	17,618
June	6,769	7,416	10,222	14,897	16,672	17,831
Total	88,783	82,518	109,081	149,440	189,420	202,009
Annual Increase		-7%	32%	37%	27%	7%

Consultation

Nil

Statutory Implications

Section 6.12 – Power to defer, grant discounts, waive or write off debts in accordance with the Local Government Act 1995:

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

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

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

- (3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power. “*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

The current Passenger Service Charges are:

- \$20.30 per full fare, one way (\$19.60 08/09)
- \$40.60 per full fare, return (\$39.20 08/09)
- \$10.15 per half fare, one way (\$9.80 08/09)
- \$20.30 per half fare, return (\$19.60 08/09)

Council has budgeted \$3,526,000 income from Passenger Service Charge in 09/10 (\$3,780,000 08/09) equivalent to approximately 173,700 full fare passengers.

Should Qantas's growth increase by at least 15% (29,794 passengers), under this proposal, Council would provide Qantas a minimum discount of \$453,614 (29,794 x \$20.30 x 75%).

Apart from \$380,000, being Council's return on investment from the Airport, Any surplus generated from the Airport is transferred to the Airport Reserve for future Airport improvements/upgrades.

Officer's Comment

By Qantas' own admission, they have already averaged passenger growth of 15% over the last 6 years. This would indicate that they are already expecting to reach at least the 10%-15% growth in 09/10. Combine this with the known expansion plans of the majority of mining companies in the district, achieving over a 15% increase in passenger growth is realistic outcome, without significant effort by Qantas.

Council is also aware that over the last 6 years, despite this above average growth, Qantas has not reduced airfares to the general community. Council needs to consider whether forgoing the additional income generated from increased numbers will benefit the greater community. Given that the majority of Air Traffic in the district is generated from the mining sector, a major unit cost saving generated by Qantas (as suggested) will benefit this sector, not the greater Port Hedland Community.

Council should also note that increase passenger numbers may not also mean additional landing fees, as typically it is more efficient for airlines to utilise larger aircraft, with a larger passenger capacity, rather than increasing the number of flights/planes.

Though accepting this proposal is not recommended, Council should use this opportunity to open a dialogue with Qantas in order to establish additional routes/destinations from the Airport. Over the last year, Council has offered various initiatives, including significant discounts should additional routes, especially interstate, be established.

Attachments

Letter received on 15 September 2009 from Louise Burgher, Senior Procurement Executive of Qantas Airlines.

200910/117 Council Decision/Officer's Recommendation

Moved: Cr G J Daccache

Seconded: Cr S R Martin

That Council:

- i) Reject the proposed passenger growth incentive scheme from Qantas; and
- ii) Advise Qantas that the Town of Port Hedland would be prepared to consider significant passenger service charge or landing fee discounts should they develop a regular interstate or international direct service to the Port Hedland International Airport.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.4.1.2



Qantas Airways Limited
ABN 16 009 661 901

Strategic Procurement,
Fuel and Aviation Charges
Building QCA5
Qantas Centre
203 Coward Street
Mascot NSW 2020
Australia

Telephone (61 2) 9691 5891
Facsimile (61 2) 9691 5897

15 September 2009

Mr Matthew Scott
Director of Corporate Services
Town of Port Hedland
PO Box 41
Port Hedland WA 6721

Dear Mr Scott,

Re: Port Hedland International Airport Fees and Charges

Thank you for participating in the phone hook-up with Jean Elverton and myself on 2nd September 2009 to discuss the Port Hedland Airport Fees and Charges. We appreciate the time taken to explore mutually beneficial opportunities in the current environment where the airline industry is experiencing extreme cost pressures.

Following our discussions, we would like to propose to Port Hedland Airport a passenger growth incentive scheme for the Qantas Group of Airlines. Over the past 6 years Port Hedland Airport has experienced a year on year passenger growth of approximately 15%. Qantas Airlines has represented the majority of Port Hedland's traffic during this period. Since July 2005, the Qantas Group has also experienced an average annual increase of 4.3% in Port Hedland Airport Fees and Charges.

A passenger growth incentive scheme is one way of providing a mutually beneficial opportunity for both Port Hedland Airport and the Qantas Group. This is achieved by providing incentive for Qantas to maintain and grow passenger traffic through Port Hedland while providing a unit cost reduction for exceeding passenger expectation. We would, therefore, like to propose the following passenger growth incentive scheme effective FY0910:

For passenger growth between 10% and 15% above the Qantas Group FY0809, a discount to the passenger service charge of 50%.

For passenger growth greater than 15% above the Qantas Group FY0809, a discount to the passenger service charge of 75%.



The Qantas Group FY0809 total arriving and departing passengers was 198,627.

We would appreciate Port Hedland Airport's consideration of this proposal for the Qantas Group.

Please contact me on (02) 96914189 if you have any questions.

I look forward to receiving your reply.

Regards,



Louise Burgher
Senior Procurement Executive – Fuel and Aviation Charges

Cc: Jean Elverton, Head of Strategic Procurement – Fuel and Aviation Charges
Gordon McKirdy, Head of Customer Service – QantasLink
Rob Sharp, Head of Commercial Airport and Infrastructure Services
Ian Gay, Regional General Manager Western Australia & NT

11.4.1.3 Request to Connect and Upgrade Power Supply to Hedland Riders Club House "The Shed" (File No.: 05/05/0047)

Officer Matthew Scott
Director Corporate Services

Date of Report 9 October 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider assisting Hedland Riders to upgrade and connect power their Club House, known as "the Shed".

Background

The Hedland Riders Association is a club of motorcycle enthusiasts, based at "the Shed" at the Port Hedland International Airport. The Club promotes itself as a charity organisation, which conducts an annual "toy run" between South and Port Hedland, collecting toys for needy children prior to Christmas.

Currently the club is a "tenant at will" (does not have a lease) at the airport since its lease expired on 3 June 2004. Since December 2006, due to a failure of the main electrical ring, several airport buildings including the shed, lost power. Due to various issues, this upgrade was not finalised by Horizon Power until late 2007 at a cost of \$67,000.

In May 2007, Council resolved not to renew this lease, subject to the Club finding an alternative location. This decision was revoked in August 2007 subject to the building being upgraded to meet the requirements of a Public Building, Class 9B, as per the Building Council of Australia (BCA) standards and a liquor licence.

Principally these standards require a building to have as follows:

- Electrical upgrade to meet the requirements of a Form 5 Certificate;
- Emergency lighting;
- Illuminated Emergency Exit signs;
- Two Emergency Exits;
- Adequate ventilation;
- Disabled access and disabled toilets.

In late 2007, the power ring was restored however only one (1) phase power was available to the Eastern side of the Airport (including "the Shed"). Also Council had not received a certificate (as requested) certifying the facility could be legally connected.

In February 2008 Council wrote to Hedland Riders requesting an inspection of the property, as per the August resolution. This letter was not replied to, except in March '08, Council received a signed Form 5 Electrical Certificate. It is understood that Hedland Riders was contacted by Council's Regulatory Services section to arrange an inspection, however to date Council records indicate an inspection has never been carried out.

Since this time, it is understood that Hedland Riders have been dealing directly with Airport Services and specifically the then Director, Engineering Services. This seems to coincide with development of the Airport Master plan, in which "the Shed" is located at the preferred site for the relocation of the Town's Works Depot.

In September 2009 this office was contacted by a representative of Hedland Riders, regarding ongoing issues with "the Shed", and several meetings were held. At these meetings the future of facility was and several possible relocation sites were discussed.

At the September '09 meeting of Council, a delegation from Hedland Riders asked several questions of Council regarding their continued lack of power. From these questions a meeting was arranged with Hedland Riders on 30 September 2009, attended by the Mayor, the Director, Corporate Services and the Director, Engineering Services.

At this meeting the following facts were established:

1. The building only has access to one (1) phase power, but requires three (3) phase; and
2. The cost of upgrading to three phase has been estimated at \$12,000; and
3. Hedland Riders are prepared to install a new power cable (connecting the Shed to the power ring).
4. That the club needs a five (5) year lease so to generate the funds required to relocate in the future, as per the proposal of the Airport Master Plan.

Hedland Riders have confirmed these outcomes in a letter received by Council on the 8 September 2009 (attached).

Consultation

WA Police – have no specific objection to the reconnection of power supply to the building used as a club house for Hedland Riders.

Statutory Implications

Section 6.8 – Expenditure from Municipal Fund not included in annual budget in accordance with the Local Government Act 1995:

“6.8. Expenditure from municipal fund not included in annual budget:

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;*
 - (b) is authorised in advance by resolution*;* or
 - (c) is authorised in advance by the mayor or president in an emergency.*

Section 3.58 – Disposing of property in accordance with the Local Government Act 1995:

“3.58. Disposing of property:

- (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;*
- and*
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

[Section 3.58 amended by No. 49 of 2004 s. 27.]”

** Absolute majority required.*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Subject to the finalisation of the 2008/09 Financial Statements, the Airport reserve currently has \$4,031,609. Given that the Hedland Riders Shed is located on Airport Land, these funds could be utilised to fund this upgrade. \$15,000 transfer should not have a significant impact on this reserve, while having no impact on the Municipal cash surplus.

Officer's Comment

Hedland Riders has been effectively without power since December 2006 and therefore it is understandable their frustration to date. Hedland Riders has also acknowledged that over this period, there has been no correspondence from the Club, documenting this frustration, which has probably compounded the problem.

Since the delegation from Hedland Riders attending Council in September, a meeting has been held, outlining the issues and developing a workable solution. In essence there are two (2) issues to be resolved, as follows:

1. Connection of three phase power to "the Shed"; and
 2. The formalisation of the agreed five (5) year lease.
- The connection of power is the immediate need for the association. Currently their shed is powered on generators, and cannot be used for fund raising events. Upgrading the power the three phases will be necessary in the future should the Depot be relocated in the future. The cost of upgrading the power has already increased from \$9,500 to \$12,000 over the last 2 years and is likely to increase significantly the longer Council defers this decision. Hedland Riders have already committed in providing and installing a new cable. This seems a relatively easy decision to make.
 - The second issue, the lease can still be developed, once the Shed has been inspected and approved as a public building, by Council's Regulatory Services Department. Arrangements are being made for this to occur, and once approved the lease will be organised.

Attachments

Undated letter received from Hedland Riders 8 October 2009

200910/118 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) Approve a transfer from the Airport Reserve to the Municipal fund, not exceeding \$15,000, to connect three phase power the Hedland Riders "the Shed" located at the Port Hedland International Airport; and

- ii) Subject to the Shed meeting the standards required as a “Public Building”, the Chief Executive Officer, or his delegate, negotiate a 5 year lease with the Hedland Riders Association, as per Section 5.58(3) of the Local Government Act 1995, in accordance with resolution 200607/404.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.4.1.3

HEDLAND RIDERS

TO THE MAYOR AND THE COUNCIL OF PORT HEDLAND,

WE THE

HEDLAND RIDERS WOULD LIKE TO ASK FOR YOUR ASSISTANCE IN GETTING THE POWER RE-PAIRED AND A FIVE YEAR LEASE ON OUR CLUB HOUSE. THIS IS A LITTLE INFO FOR THOSE WHO MAY NOT HAVE BEEN HERE IN 2007. AS PER THE MOTION THAT WAS PASSED BY COUNCIL IN JULY 2007, WE BELIEVE THE CLUB HAS MET ALL THE REQUESTS THAT WAS REQUIRED TO BE DONE IN ORDER TO GET A RE-LEASE AND THE POWER RE-PAIRED TO OUR CLUB HOUSE, THIS WAS DONE THRU DONATIONS AND A COST TO THE CLUB OF OVER \$9,000 WHICH HAS LEFT OUR ACCOUNT NEAR EMPTY.

AS OUR POWER RUNS FROM THE AIRPORT THE BOX INSTALLED THERE IS ONLY A SINGLE PHASE UNIT AND FOR US TO HAVE POWER IT NEEDS TO BE THREE PHASE , THE CABLING THAT RUNS FROM OUR CLUB HOUSE IS NO LONGER ANY GOOD AND NEEDS TO BE REPLACED IN ORDER FOR US TO HAVE POWER .

A QUOTE HAS BEEN GIVEN TO MATHEW SCOTT FOR THIS TO HAPPEN, THE QUOTE IS A LOT LESS THAN WE HAVE BEEN TOLD OVER THE LAST YEAR AT \$11,000 TO \$12,000 DOLLARS, THE QUOTE IS NOW 12 MONTHS OLD ORIGINAL QUOTE WAS \$9,500 (WE WERE TOLD BY TREVOR DODD \$25,000). MEMBERS OF THE HEDLAND RIDERS HAVE BEEN OFFERING THEIR SERVICES OVER THE LAST YEAR TO HELP GET THE COST DOWN EVEN LOWER, BUT UP UNTIL NOW WE HAVE BEEN TOLD NO. WE AGAIN OFFER OUR SERVICES AND ARE ABLE TO ASSIST IN THE FOLLOWING WAYS.

- 1) SUPPLY OF THE THREE PHASE CABLING (DONATED BY ROSS PIESSE FROM CEACON W.A) TO GO FROM CLUB HOUSE TO AIRPORT
- 2) DIGGING OF THE TRENCH TO THE SPECS AND STANDARDS REQUIRED
- 3) LAYING OFF THE CABLE TO THE SPECS AND STANDARDS REQUIRED
- 4) BACK FILLING OF TRENCH TO SPECS AND STANDARDS REQUIRED

WE WILL NEED TO KNOW WHAT WORKS OR MAINS EXISTS UNDER GROUND AND A PLAN OF WHERE THE CURRENT CABLE EXISTS

HEDLAND RIDERS

AS MENTIONED BY MATTHEW SCOTT AT A MEETING WITH HIMSELF ,STAN MARTIN ,RUSSELL DYER AND TWO HEDLAND RIDERS MEMBERS “ANY POWER INSTALLED NOW CAN BE UTILIZED FOR THE FUTURE PLANS FOR THIS LOCATION IN YEARS TO COME “

AS FOR THE LEASE ON THE CLUB HOUSE, WE UNDERSTAND THE LAND WILL BE NEEDED IN FIVE YEARS TIME TO FURTHER IMPROVE OUR AIRPORT FOR THE BENEFITS OF OUR TOWN. WE WOULD LIKE THIS TIME TO GATHER THE FUNDS NEEDED TO REBUILD OUR CLUB HOUSE IN ANOTHER LOCATION IN PORT HEDLAND ,BUT IN ORDER TO DO THIS WE NEED OUR CURRENT CLUB HOUSE AND MORE IMPORTANTLY POWER .

WE THE HEDLAND RIDERS ARE HOPEFUL THAT YOU OUR COUNCIL WILL PASS THE MOTION TO HELP US ACHIEVE THIS OBJECTIVE , BUY ACCEPTING THIS QUOTE AND OUR ASSISTANTS TO REPAIR POWER AS SOON AS IS POSSIBLE

WE THANK YOU FOR YOUR TIME

HEDLAND RIDERS ASSOCIATION

11.4.1.4 Request to Waive Rates for Assessment A803135; Lot 270 Great Northern Highway Port Hedland (File No.: 24/03/0002)

Officer Brie Holland
Senior Rates Officer

Date of Report 12 October 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider the request to reduce the rates payable on assessment A80315, Lot 270 Great Northern Highway by Mr David Paddington.

Background

Mr. Jaffery wrote to the Council, on behalf of Mr. Paddington on the 30 September 2009 requesting that the rates against the property of Lot 270 Great Northern Highway be revaluated (see letter attached). Mr. Jaffery has been nominated to handle Mr. Paddington's financial affairs. The land is owned the Crown and leased to Mr. Paddington. Mr. Paddington has already objected to the valuation set by the Valuer General. On 21 September 2009 the Senior Rates Officer was notified by the District Valuer, Chris Olsen that Mr. Paddington's objection had been denied and the valuation of the unimproved land remained at \$40,000.

As at time of writing this report Mr. Paddington's rates debt equated to the following:

Rates	\$ 9,011.35
Emergency Services Levy	\$ 83.00
Legal fee	\$ 389.91
Late penalty fee	\$ 57.00
Interest	\$ 524.31
	\$10, 065.57

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

Section 6.12 – Power to defer, grant discounts, waive or write off debts in accordance with the Local Government Act 1995:

“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.*
[Section 6.12 amended by No. 64 of 1998 s. 39.]”...

Policy Implications

Rating Policy 2/004 (in part) states:

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 Mr. Paddington’s outstanding rates as proposed, rates for 2008/2009 and 2009/2010 will have to be written off, which will directly affect the Council’s revenue, reducing it by \$4,276.39 in 2008/2009 and \$5,706.18 in 2009/2010.

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

Officer’s Comment

Council can appreciate Mr. Paddington’s situation, however it is highly probable that he is not the only ratepayer in the district experiencing financial hardship in the current “Inflated” economical environment of the region. Mr. Paddington has not made a payment to his account since end of the financial period of 2007/2008, nor has he previously requested to go on an alternative arrangement to pay his rates.

Council does not decide the valuation of a property within the Town’s boundaries, the only government official that has the authority is the Valuer General’s office. As stated previously the objection to the valuation placed against the property leased by Mr. Paddington has been denied. As the land is owned by the Crown, Mr. Paddington can not apply for a Pensioner rebate.

Pensioner rebates are only awarded to owner/occupiers of their primary residence.

Therefore Council has effectively four choices, being:

1. Decline Mr. Paddington's request to reduce rates
2. Partially reduced/write off the current rates and services debt (\$1- \$9,882.57)
3. Write off the total rates and services debt of \$9,882.57
4. Offer Mr. Paddington an alternative arrangement

Reducing Mr. Paddington's rates would directly decrease Council's revenue. It would set a potential unaffordable instance 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 Mr. Paddington, Council would need to seriously consider reducing services to all ratepayers and residents to maintain a balanced budget.

To assist Mr. Paddington Council officers are prepared to negotiate a payment program that will settle the outstanding and current rates. At present legal action with the Town's debt collector Dun and Bradstreet has been taken against Mr. Paddington. Once an alternative arrangement was made, this would cease legal action, and may provide time for Mr. Paddington to organise his finances.

Attachments

Letter from Mr. Paddington received 30 September 2009

200910/119 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

1. Decline Mr. Paddington's request to reduce the outstanding rates on assessment A803135; and
2. Encourage Mr. Paddington, to discuss his situation with Council Officers in order to determine a payment program to pay the outstanding debt by 30 June 2010.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.4.1.4

COPY

RECORD NO. 09/05502
OFFICER. DEP SRO
30 SEP 2009
FILE NO. 24/03/0002
ACTION DATE. 18/03/09

P. O. Box 2243
 SOUTH WYLAND
 WA 6722

Dear Mr Adams

I received a letter recently my friend Peter a Mr J Paddy who I have known for a long time now is he is with ill health I came to the home after early this year on the advice of Stan Mouton to talk to you regard these rates. I came every day at 8 o'clock ^{5 days} and I was told on every occasion that you where away. Well, I was just told by Stan Mouton that the Block had been re charged with money but on Phang the Home Dept they were talking about it I thought that the home was supposed to look

after the interests of the Post
 Hedden Rate Payers and every body
 in there right mind would ~~not~~
 wonder that the rate should not
 decrease until the rate on the
 Block there are no services
 there at all. This Block is lease
 hold and it cannot be freeholded
 as I was told so some can be
 Block in Boston Lodge worth over
 a \$1,500,000 to say is not only
 \$2000, and what about the
 Blocks in Wedge field where there
 are 8 or 10 people ~~living~~ living
 on the same Block it does not
 take much to pay the rates
 when they are all paying
 \$1500 a week each
 these rates are just under
 INDIAN station and the lease
 500 000 acres not 200 and
 there are 14 people there there
 and they are working for different

companies and the stone grades
 to road you do nothing ~~on~~ on
 my friends had ~~years~~ have never
 ever graded the road.

at one year later is asking
 for \$10,000 Rates I only own
 2008-2009 Rates and the current
 rate for 2009-2010, I would
 like the time to discuss the
~~road~~ Problem with you, and what
 we are on the matter of people
 live in the Block in Nedge field
 may be ~~you~~ you should ask
 Mr S Martin why he has
 4 tenants on the Block in
 Hornell Way in Nedge field

I do not have a phone
 as I am very hard of hearing
 but I can give you my
 friend number it is

0428 939313

Henry to Near. Koro
 you Record -

P. 5

I am in Block in Wedjefield and my total sales are not as much as this Block so what is going on it once again remind the people of the North West again

And I have written to Mr Barnall asking him to tell me as I have been here for 45 years that Post Auldred has got for 40 years of Mums and the Rates for the Mums council and we will soon to have the Rates for the next 40 years

11.4.1.5 Request to Waive Late Penalty Fee Rates for Assessment A130078; 13 Greene Place, South Hedland (File No.: ...)

Officer Brie Holland
Senior Rates Officer

Date of Report 12 October 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider the request to waive the late penalty fee of \$57.00 on assessment A130078, 13 Greene Place, South Hedland.

Background

Ms. Rebecca Healey wrote to Council on 5 October 2009 requesting a withdrawal of the late penalty fee of \$57.00 against her property's account at 13 Greene Place South Hedland. In her letter she indicated that she was away on holidays when the original rates notice was issued thus was late in paying her rates (please refer to attached letter).

Consultation

Nil

Statutory Implications

Section 6.12 – Power to defer, grant discounts, waive or write off debts in accordance with the Local Government Act 1995:

“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.*

[Section 6.12 amended by No. 64 of 1998 s. 39.]”...

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 fee will directly reduce the rates income thus Council's revenue.

Officer's Comment

Council can appreciate the fact that Ms. Healey was on holidays when the original rates notice was issued on 7 August 2009. It is highly improbable however that she was the only ratepayer to be out of town when the rates were initially issued. If Ms. Healey was aware of the dates she was going to be away from her billing address, it can be suggested that she could have made arrangements for an early rates payment before she left for holidays.

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 installment by the due date of 11 September 2009. On the back of the original rates notice it clearly states in capitals, 'PLEASE NOTE THAT ALL ACCOUNTS PAID AFTER THE DUE DATE AND WHICH NO ALTERNATIVE ARRANGEMENTS HAVE BEEN MADE WILL INCUR A LATE PENALTY FEE OF \$57.00' (see copy attached).

The intent of the fee was to encourage ratepayers to pay their rates on time. If Council approves to waive the late penalty fee for Ms. Healey it may set a precedent for others who were overdue in paying their rates to request that they too be excused from paying this fee. This may be seen as unjust for those ratepayers paying on time

Attachments

Letter from Ms. Healey dated 5 October 2009
Rates notices (terms and conditions)

Officer's Recommendation

That Council declines Ms Healey's request to waive the late penalty fee of \$57.00 on Assessment A130078, 13 Greene Place, South Hedland.

Or

That Council approves Ms Healey's request to waive the late penalty fee of \$57.00 on Assessment A130078, 13 Greene Place, South Hedland taking into account the delay of the mail delivery.

200910/120 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council approves Ms Healey's request to waive the late penalty fee of \$57.00 on Assessment A130078, 13 Greene Place, South Hedland taking into account delay of mail delivery.

CARRIED 7/0

REASON: Council decided Ms Healey's request to waive her late fee was reasonable based upon the delay of mail delivery which Council has no control over.

ATTACHMENT 1 TO AGENDA ITEM 11.4.1.5

Rebecca Healey
PO Box 3089
South Hedland WA 6722
Tel: (08) 9172 5923

5th October 2009

Town of Port Hedland
Rates Section
McGregor Street
Port Hedland WA 6721

To Whom It May Concern

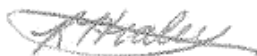
RE: 2009/2010 Rates – Assessment No: A130078

I am writing to request the withdrawal of my overdue fee of \$57.00 for my 2009/2010 Rates for 13 Greene Place, South Hedland. The reason for this request is as follows:

- I was away on holidays when the original Rate Notice came.
- The Final Notice only arrived in my letterbox on Tuesday, 29/9/09 and states I had to of paid by the 25/9/09. The mail delay isn't my fault.
- Since owning our property we have always paid our rates in full and prior to the due date.

It would be much appreciated if this fee could please be withdrawn of my account.

Regards



Rebecca Healey

ATTACHMENT 2 TO AGENDA ITEM 11.4.1.5

NOTICES

PAYMENT BY DUE DATE

1. Rates and services are payable within 35 days (referred to as the DUE DATE on this notice) of the DATE OF ISSUE of the original rate notice.
2. PLEASE NOTE THAT ALL ACCOUNTS PAID AFTER THE DUE DATE AND WHICH NO ALTERNATIVE ARRANGEMENTS HAVE BEEN MADE WILL INCUR A LATE PAYMENT PENALTY FEE OF \$57.00.
3. Pay this notice by BPay quoting the Council's Biller Code 42010 and your reference number or pay online with BPoint at www.porthedland.wa.gov.au with MasterCard or Visa quoting the Biller code and reference number shown on the front page.

11.4.1.6 Request for Debtor Write-Off for Pilbara Waste (File No.: ...)

Officer	Lee Crombie Senior Finance Officer
Date of Report	9 October 2009
Disclosure of Interest by Officer	Nil

Summary

For Council to consider writing off \$1,024.22 of tip fees charged to Pilbara Logistics.

Background

On the 29 July 2009, Council adopted it's 2009/10 Budget, which included changes in commercial landfill fees:

	2008/09	2009/10	% difference
Domestic/Industrial Waste	38.22	39.60	3.7%
Washdown Facility	16.00	16.60	3.7%
Hazardous Waste	54.29	56.30	3.7%
Medical Waste	38.22	39.60	3.7%

Given the slight delay in adopting the Budget (29/7/09) the majority of Landfill customers were issued with a letter, dated 30 July 2009, advising them that all landfill fees had increased by 3.7% as of 1 July 2009 and that when they received their invoice, a table would be provided demonstrating the changes (letter attached).

On 17 September 2009 Council received a letter from Pilbara Waste, objecting to the new fees being applied as of 1 July 2009 (letter attached). Pilbara Waste also noted that they did not receive Council's advice to all Landfill users until the 16 September 2009, some 48 days after it was issued. This has resulted in Pilbara Waste on charging the lower 2008/09 rates to their customers in July and August. This letter was also copied to Tom Stephens MLA, no correspondence has been received.

Pilbara Waste is the second company to dispute the increase in fees as of 1 July 2009. At the September 2009 XX Council approved a similar write-off Pilbara Logistics.

Consultation	Nil
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Statutory Implications

Section 6.12 – Power to defer, grant discounts, waive or write off debts in accordance with the Local Government Act 1995:

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

- (2) *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.*

** Absolute majority required.*

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

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Should Council agree to write off these tip fees, Council income from the Tip will be reduced by \$1,024.22. The current budget for Tip fees (A/c 1004328) is \$1,500,000.

Officer's Comment

Council has essentially 2 options with regards to this item, it can choose to either:

1. Not write off the difference; or
2. Write off the difference

To date, Pilbara Waste is the second business to formally complain regarding the CPI increase in fees at the South Hedland Landfill. As previously stated, the majority of Landfill customers were advised of the increase in fees when receiving their invoices after the adoption of the 2009/10 Fees. Pilbara Waste have disputed this, claiming this advice was not received by them until 16 September 2009, sometime after they had already on charged their customers. It is also noted that the weighbridge receipts (produced every time the weighbridge is used) were not updated with the new fees, until mid August, which could have added to their confusion.

The amount of the write off is not significant, being only \$1,024.22, however if Council does write these fees off, it could set a precedent for other Landfill customers to claim a reduction in their July and August Account. General Landfill charges for July 2009, was \$92,774.73. If however other customers were to complain, it would be expected that they (like Pilbara Waste) would have contacted Council by now.

Both Options have been included in the Officers recommendation for Council to consider.

Attachments

1. Letter to majority of Landfill customers, dated 30 July 2009;
2. Letter from Pilbara Waste, dated 16 September 2009;

Officer's Recommendation

That Council does not write off the difference between the 2008/09 and 2009/10 Tip Fees invoiced to Pilbara Waste, totalling \$1,024.22 for the month of July and August 2009.

OR

That Council approves the write off the difference between the 2008/09 and 2009/10 Tip Fees invoiced to Pilbara Waste, totalling \$1,024.22 for the month of July and August 209 from account 1004328.

200910/121 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council approves the write off the difference between the 2008/09 and 2009/10 Tip Fees invoiced to Pilbara Waste, totalling \$1,024.22 for the month of July and August 2009 from Account Number 1004328.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.4.1.6

TOWN OF
PORT HEDLAND

RECEIVED
24 AUG 2009



BY:.....

Our Ref:

Your Ref:

Enquiries:

Direct Line:

30 July 2009

Dear Customer

I write to inform you that the South Hedland Landfill fees and charges have increased by 3.7% and take effect from 01 July 2009, as approved by Council.

Please find attached an outline of all the new fees and charges for the 2009/2010 financial year relating to the landfill, for your information.

Attached to your invoice is a comparison that details the old rates that will appear on the weighbridge docketts you may have already received, along with the new rates that have been charged as they are applicable from 01 July 2009.

If you have any queries, please contact debtors on 9158 9300.

Regards

Natalie Octoman
Manager Financial Services

Encl.

VIC CENTRE, MCGREGOR STREET, PORT HEDLAND
TELEPHONE: (08) 9158 9300 FACSIMILE: (08) 9158 9399

PO Box 41, PORT HEDLAND 6721
EMAIL:council@porthedland.wa.gov.au

ATTACHMENT 2 TO AGENDA ITEM 11.4.1.6

ATTACHMENT2 TO AGENDA ITEM

17/09/2009 09:06 00-9140-1478

PILBARA WASTE

PAGE 05/05



**PILBARA
WASTE**

ABN 64 100 970 096

16 September 2009

ATTENTION: NATALIE OCTOMAN
Manager Financial Services
Town of Port Hedland
P O Box 41
PORT HEDLAND WA 6721

Dear Natalie

RE: SOUTH HEDLAND LANDFILL FEES & CHARGES

We have just received your unreferenced correspondence today, regarding your increase in landfill fees and charges effective from 1 July 2009.

We strongly object to having an increase in charges retrospectively applied, especially when we have already received priced weighbridge dockets based on the existing rates at the time. Bearing in mind that we have already passed on the landfill costs to our clients for the month of July and August. It would be equally unfair and unprofessional for us to now apply the increase on those charges. The new landfill rate was charged on the weighbridge docket on 4 August 2009 and as we have to inform our clients of the increase, we did not increase the landfill fees and charges effective from 1 September 2009. Therefore, we will only be paying your accounts on the old rate for the month of July and August.

We request that council please give consideration to applying the new charges and we look forward to your favourable response.

Yours sincerely



TONY ANDRI
Operations Manager
Pilbara Waste Disposal

Cc: Tom Stephens
Local MP

41 Harwell Way
Wedgefield South Hedland WA 6722
PO Box 486
Port Hedland 6721
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6.48 pm Councillor Kelly A Howlett declared a financial interest in Agenda Item 11.4.2.1 'Cash for Trash – Request for Further Financial Support to Continue the Program' as she is the President of Care for Hedland Environment Association and contributes financially to the program. Councillor Howlett left the room.

Deputy Mayor Arnold Carter assumed the Chair.

11.4.2 Governance**11.4.2.1 *Cash for Trash – Request for Further Financial Support to Continue the Program (File No.: ...)***

Officer Chris Adams
Chief Executive Officer

Date of Report 30 September 2009

Disclosure of Interest by Officer Nil

Summary

Report outlines a proposal from the Care for Hedland Environmental Association for continued financial support for the operation of the Cash for Trash initiative.

The Care for Hedland Environmental Association has provided Council with a Business Plan that seeks ongoing support for the Cash for Trash program for the August – December 2009 period. The support being requested equates to \$50,000 (GST inc) being 6,000 bags of aluminium cans at \$6/bag, 2,500 bags of street litter at \$5 per bag and \$1,500 for the purchase of bags.

Background

At its January 2009 Council meeting Council considered a late item on a proposal to partner with the Care for Hedland Environmental Association on a range of litter initiatives. The focus of the proposal was on partnering with the Association on litter minimization and waste reduction initiatives. At that meeting Council resolved:

“That Council:

- i) accepts the Care for Hedland Environmental Association Inc. proposal to partner with the association for the duration of the Recycling and Community Rubbish Collection trial period, and its 2009 Clean Up Australia Day initiatives, and provide the following support:*

Clean Up Australia Day:

- 1. authorise a donation of \$500 towards marketing and promoting the event.*
- 2. purchase BBQ materials up to a value of \$250 for volunteers who work on the day.*
- 3. purchase orange Clean Up Australia Day rubbish bags for use on the day.*
- 4. ensure that tip fees are not charged for general litter and/ or glass that is collected by volunteers on 2009 Clean Up Australia Day – Sunday 1 March 2009.*

Recycling and Community Rubbish Collection Initiative:

1. *authorise a payment of \$500 to Care for Hedland Environmental Association Inc. to engage 'Captain Clean Up' to promote litter reduction initiatives throughout the Town;*
2. *utilising Council's existing cash for rubbish initiative called 'Clean Up and Fundraise' with Care for Hedland Environmental Association Inc. being the nominated community group; authorise the payment of \$6 per bag of aluminium cans (crushed and/or non crushed) to the Care for Hedland Environmental Association Inc.;*
3. *ensure that a suitable area is made available at the landfill facility for storage of glass that is collected;*
4. *ensure that tip fees are not charged for general litter and/ or glass that is collected by volunteers and placed in clearly marked skip bins for the community litter reduction events being held on the following days:*
 - . *Saturday 7 March 2009*
 - . *Saturday 21 March 2009*
 - . *Saturday 4 April 2009*
 - . *Saturday 18 April 2009*
 - . *Saturday 2 May 2009*
5. *agree to donating 100% of income received by the Town (from the recycling of aluminium cans through CMA Recycling in Wedgefield) to the Care for Hedland Environmental Association Inc., for the duration of the two-month pilot trial (Sunday 1 March to Saturday 2 May 2009);*

and

- ii) *increases its existing cash for rubbish initiative 'Clean Up and Fundraise' from \$5 to \$6 per bag of aluminium cans only, for the duration of the two-month Recycling and Community Rubbish Collection pilot period, in accordance with Section 6.16 of the Local Government Act."*

The trial program operated with a high level of community support.

At its May 2009 Meeting, Council considered a Notice of Motion from Cr Howlett that sought continued financial support for the Cash for Trash program for the July to December period. While the Notice of Motion was defeated, the following resolution was passed by Council:

“That Council:

- i) indicate its continued support for the Cash for Trash Initiative by committing to funding \$6/bag of aluminium cans and \$5/per bag of street litter collected by the Cash for Trash Scheme for the period up until the end of July 2009.*
- ii) allocate a total of \$13,400 for this initiative over the June/July 2009 period (being an estimate of 1400 bags of aluminium cans and 1000 bags of street litter over four separate collection days)*
- iii) request that the Care for Hedland Environmental Association (being the management body of the Cash for Trash Scheme) prepare a business plan for the continued operation of the Cash for Trash program/s throughout 2009/10. This business plan should clearly indicate all projected income and expenditure sources for the program for the 2009/10 financial year.*
- iv) offers its support to the Care for Hedland Environmental Association to develop the business plan as outlined in point 3 above.*
- v) consider funding the continued operation of the Cash for Trash initiative on a more permanent basis as a component of its 2009/10 Budget deliberations.“*

The program continued to operate successfully throughout June and July with increasing volumes of litter being recorded and increasing numbers of participants being involved.

While Council’s formal support was limited to June and July 2009, the association continued to operate the program in August and September 2009. On the 16th September 2009 the Association provided the Town with a Draft Business Plan as requested at the May 2009 Council meeting. As this business plan did not include the financial data requested by the Town at the May Council meeting, the Chief Executive Officer indicated to Care for Hedland that further information was required. On the 23rd September 2009 an updated version of the Business Plan was provided. This updated version has been attached to this report.

Consultation

As indicated above the Town has been working closely with the Care for Hedland on this initiative since its inception.

While no formal community consultation has been undertaken, the program has been the subject of media scrutiny and public debate over recent months.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Litter reduction strategies and community pride is a key focus area in Council's Plan for the Future 2008-2013, and is reflected by the following Critical Success Strategy under Key Result Area 2 of the Plan:

"The implementation of initiatives that reduce the prevalence of litter within the Township."

Key Result Area 2 – Community Pride

Goal 1 – Litter: That the Town of Port Hedland is seen by residents and visitors as a clean and tidy place.

Strategies:

1. Work with community groups to develop community programs and initiatives that reduce litter and improving the appearance of Port and South Hedland.
5. Regularly report on the litter collection and waste minimisation activities that are being undertaken and regular report on the amount of litter and broken glass that is being collected.

Budget Implications

2009/10 Budget Expenditure

Council has allocated a total of \$100,000 (plus GST) towards Waste Management and Recycling Initiatives in its 2009/10 budget. This account is where initiatives such as Cash for Trash are traditionally funded from. In 2008/09 Council allocated \$30,000 to this account.

Expenditure to Date

The table below illustrates the data that has been provided by Care for Hedland regarding collections through the Cash for Trash initiative:

Month	Bags of Cans	Bags of Street Litter	Bottles
March	696	121	29,962
April	919	274.5	42,136
May	533.8	222.5	35,035
June	589	147	42,179
July	1,050.5	318	65,650
TOTAL	3,788.3	1,083	214,962

In addition to the Town based collections, three collections have been coordinated in Yandeyarra. Care for Hedland has indicated that the following has occurred at these collections:

Month	Bags of Cans	Bags of Street Litter
June	62	32
August	11	123
September	60	113
TOTAL	133	268

To date the Town's contributions towards the program (other than promotional costs and bags) has been limited to paying \$6 per bag of cans and \$5 per bag of street litter. Care for Hedland has sourced other funding to cover the costs of the 10c bottle refunds.

Care for Hedland has submitted two claims for reimbursement to the Town. The claims are for the March – May period and the June to September period at Yandeyarra. The Town's Finance staff sought to reconcile the claims with the Care for Hedland's claimed amounts with the Care for Hedland's receipt books from collection points. The table below illustrates the claims made and the amounts paid to date.

Period	Care for Hedland Claim	Amount Paid by Council to Date.
Mar – May *	2529.46 cans @ \$6 = \$15,176.76 1124.5 litter @ \$5 = \$5,622.50 TOTAL = \$20,799.26	2007.16 Cans @ \$6 = \$12,042.96 1007.5 litter @ \$5 = \$5037.50 TOTAL = \$17,080.46
Yandeyarra **	133 cans @ \$6 = \$798 268 litter @ \$5 = \$1,340 TOTAL = \$2,138	62 cans @ \$6 = \$372 32 litter @ \$5 = \$160 TOTAL = \$532
TOTAL	\$22,937.26	\$17,612.46

* Care for Hedland's attached business plan claims a total of 2,766.8 bags were collected during the Mar – May Period. The invoice for the corresponding period claims a total of 3,653.96 bags were collected. A reconciliation of the Care for Hedland's receipt books by Town staff was able to verify 3,014.66 bags. Care for Hedland was advised of the discrepancy (and hence a lower payment) on the 4th September 2009. At the time of writing there had been no approach from Care for Hedland to Council staff by Care for Hedland to review this matter.

** As Council has only committed to funding the Cash for Trash Program until the end of July, the claimed payments for the Yandeyarra collections in August and September have not been authorised.

- *** While Council has committed its support for the program for the June/July period, at the time of writing no claim for payment had been made.

Future Finances

The Care for Hedland Business Plan estimates an average of 500 bags of litter and 1,200 bags of cans will be collected per month during the July to December period. This compares to an average of approximately 200 litter bags and 750 bags of cans per months over the first five months of the program's operation.

If Care for Hedland's estimate (as contained in the Business Plan) is correct, the nett annual contribution to the Care for Hedland Association from Council for the Cash for Trash program would be \$116,400pa (inc GST). This is marginally above the budgeted amount, but is not considered to be significant in terms of the Council's total budget.

Officer's Comment

While there is widespread community support for the Cash for Trash program and Councilors (and staff) are supportive of the program, there are some operational and program sustainability issues that need to be addressed. These have been outlined below:

To what Degree is the Program's Aim Being Achieved?

The stated aim of the program as listed in the Business Plan is to "Significantly reduce street litter and broken glass in Port and South Hedland and increase community pride and visual amenity in Town." While the program has undoubtedly instilled a higher level of community pride, there is some debate whether the litter/glass that is being paid for is coming from the streets (as is the program's aim) or whether it is coming from people and/or businesses who have collected their cans and bottles from their own personal use. While a large number of the cans and bottles have undoubtedly been collected from the streets, it is highly unlikely that over 200,000 bottles and 3,700 bags of aluminium cans have been collected from the streets by the public over the past six months.

To address this it is recommended that tighter controls be developed to ensure that the litter that is being paid for by the Town is street litter – not domestic or commercial waste.

Financial Sustainability

The Cash for Trash Scheme has grown rapidly and, given the publicity that it has generated, is likely to continue to grow into the future. As indicated in the Financial Implications section of this report, the cost to Council of supporting this program at the current level is likely to be in the order of \$120,000pa.

If this payment is making a considerable difference to the appearance of local streets, the expenditure is considered to be reasonable.

Financial Accountability

As indicated in the Financial Implications section of this report, there have been some issues with accuracy of financial data for the program. This would seem to be due to the voluntary nature of the Associations' payees who are processing payments to volunteers. While doing the job in good faith, there may not be full comprehension of the need for accurate, complete record keeping for the program.

To overcome this, it is recommended that Care for Hedland work in conjunction with Council to develop cash management and record keeping procedures relating to the program along with a training program for volunteers who are handling money.

Recycling Capacity

While not a stated aim of the program, there is widespread community perception that the glass and cans that are being are being recycled. While the aluminium cans are being sold to a metal recycler at a significantly lower rate than the Cash for Trash program is paying volunteers for their collection, an effective manner to recycle the bottles that have collected is yet to be determined.

Sending the bottles to a recycling plant is not economical and we are yet to find a scheme whereby we can effectively recycle or reuse the glass here in the Town without incurring significant capital and/or recurrent expenses. While this is currently the case, it is anticipated that a re-use initiative can/will be found and the bottles will not simply be placed in landfill.

Kerbside Recycling

At its August meeting, Council resolved to pursue kerbside recycling through either the PRC or through a sub-regional style recycling tender. While a PRC driven process currently seems unlikely, there is some interest in a sub-regional model. At this point in time it is not clear what happens to the Cash for Trash initiative (if anything) should kerbside recycling come into fruition.

Attachments

Care for Hedland Business Plan – As provided 23 September 2009

Officer's Recommendation

That Council:

- i) Advise the Care for Hedland Environmental Association that:
 - a) It will make payments of \$5/bag of street litter and \$6/bag of collected aluminium cans for verified collections that were undertaken by the Cash for Trash program for the June – September 2009 period (including the Yandeyarra collections).
 - b) It is willing to continue to support the Cash for Trash for the October 2009 – June 2010 period by providing rubbish bags, \$5/bag of street litter and \$6/bag of aluminium cans that are collected from the street on the following conditions:
 - c) Care for Hedland must work with the Town to develop and implement financial and operational management procedures for the operation of the program. These procedures must be developed to the satisfaction of the Director of Corporate Services.
 - d) Volunteers who are handling funds for the Cash for Trash are to undertake training (as approved by the Director of Corporate Services) on processes and procedures for cash handling and receipting.
 - e) Care for Hedland Environmental Association must make claim for reimbursement to the Town within 14 days of each individual collection.
 - f) The Care for Hedland Association must develop procedures or protocols that aim to ensure that only litter and cans that is collected from the Town's streets is being paid for (ie No domestic or commercial waste).
 - g) The Town must be recognised in all publications and promotions as the major sponsor of the program.
- ii) Continues pursuing options for the potential introduction of a kerbside recycling service through a sub-regional model commencing July 2010 (at the earliest); and
- iii) Requests a report for the November Council meeting on Options for the potential reuse of glass that is currently stored at the South Hedland Landfill facility.

200809/122 Council Decision

Moved: Cr J M Gillingham

Seconded: Cr A A Carter

That Standing Orders be suspended.

CARRIED 6/0

6.53 pm Deputy Mayor advised that Standing Orders are suspended.

200809/123 Council Decision

Moved: Cr S R Martin

Seconded: Cr G J Daccache

That Standing Orders be resumed.

CARRIED 6/0

7:03 pm Deputy Mayor advised that Standing Orders are resumed.

200910/124 Council Decision

Moved: Cr S R Martin

Seconded: Cr M A Dziombak

That:

- i) Council will not support cash for trash past the end of July (the time authorised by resolution of Council);
- ii) the officers assessed cost of project from October 2009 to June 2010 of \$120,000 be used to employ an additional litter crew to supplement Council crews engaged in cleaning roads, footpaths and public areas;
- iii) Council lobby State Government to introduce a container deposit scheme similar to that operating in South Australia;
- iv) Council continues to pursue options for the potential introduction of a kerbside recycling service through a sub regional model; and
- v) Council considers a report at its November meeting regarding enhancement and improvement of its own litter reimbursement program.

CARRIED 4/2

NOTE: Cr Arnold A Carter requested the votes be recorded.

Record of Vote:

FOR	AGAINST
Cr S R Martin	Cr G J Daccache
Cr A A Carter	Cr D W Hooper
Cr J M Gillingham	
Cr M A Dziombak	

REASON: Council indicated that it preferred to use its resources in other ways to address litter issues within the Town and indicated that it did not wish to financially support the Cash for Trash in its previous format.

7:06 pm Councillor Kelly A Howlett entered the room and reassumed the Chair and Deputy Mayor advised her of the outcome.

ATTACHMENT 1 TO AGENDA ITEM 11.4.2.1

Business Case – Cash For Trash Program Continuation August – December 2009

Executive Summary – Summary of what is being requested

The Care For Hedland Environmental Association wishes to continue the operation of the Cash For Trash Program over the five month period from August – December 2009.

In order to do so the Care For Hedland Environmental Association is seeking \$50,000 (incl GST).

This broken down is: **\$36,000** is 6,000 bags of aluminium cans at \$6 ea (1,200 bags per month for 5 months), **\$12,500** is 2,500 bags of street litter at \$5 ea (500 bags per month for 5 months) and **\$1,500** is for the purchase of 5,000 bags (1,000 bags per month for 5 months).

Aim of the Program

Significantly reduce street litter and broken glass in Port and South Hedland and increase community pride and visual amenity in Town.

Background – how has this matter come about

- Broken glass and street litter was a widespread issue within the Town of Port Hedland
- Within Port Hedland area, pro-active approach to the issue of litter in natural and town environment
- Visit by Captain Cleanup to local schools in July 2008 exposed the true extent of the issue, each time every single child put up their hand and said they had been hurt/affected by broken glass on streets & footpaths
- Town of Port Hedland was already offering \$5 per bag for community groups/organisations to collect litter. However this scheme was poorly patronised.
- Care For Hedland Environmental Association was aware of the South Australian experience and therefore wanted to see if it could be done at a Council level
- A two month pilot was conducted (1st March – 2nd May 2009) and this was a huge success with a total participation of 991, incl 496 children participants, glass bottles collected: 106,713 (well and truly exceeded all set targets), bags aluminium cans collected: 2,235.3 and bags street litter collected: 784.5. The Cash For Trash Pilot saw:
 - Collaborative approach
 - 11 sponsors involved (Council, State Govt, Industry, Waste Industry & Business)
 - Secured sponsorship for 10c per glass bottle and Town of Port Hedland followed with \$6 per bag cans & \$5 per bag litter
 - First time initiative within the Town of Port Hedland
 - Launched on Clean Up Australia Day – linkage with national focus/campaign
 - Restaurants, cafes, hotels, bars and wet mess exempted from Pilot
 - 5 fortnightly collection weekends (Saturdays 9am-11am)
 - Skip bins, collection points manned by volunteers
 - Cash paid on the spot
- **Key Success Of Cash For Trash Pilot Program**
 - Launch on Clean Up Australia day

- All inclusive & broad based promotion
 - Stakeholders involved
 - Newspaper
 - Radio
 - Flyers with school newsletters
 - Captain Cleanup school visits
 - Make it easy for people to be involved:
 - Supply crates, gloves, bags
 - Encourage children & families to participate
- The beautiful part about the Cash For Trash Program including Pilot and till September 2009 is in a town of 18,000 residents that currently do not have any form of recycling, is how well the community for a brand new initiative got involved. The positive improvement and difference the Pilot made, particularly in terms of broken glass on streets and footpaths, was significant.
- Cash For Trash Program has brought the community together, helped to re-instil community spirit and pride.
- The Cash For Trash program has also encouraged people change their behaviour and make a real difference.

Children were walking to school and collecting rubbish/litter on the way. It is now common to see people out on weekends in public areas collecting litter and tidying areas where Council resources would have previously not have been able to stretch to.

Also one morning a fellow Councillor on their way to work, had a car stop in front of them, a young child got out of the car, ran over the other side of the road, collected some litter and ran back and got back in the car and they continued on their way. Getting that story reported back to the Care For Hedland Environmental Association from a Councillor was fantastic and there are many similar stories. Therefore it is felt that there is support throughout the community to continue the Program.

- Also Care For Hedland Environmental Association had a very positive meeting with Minister Environment advisor Simon Taylor (April 2009). This resulted in the WA Waste Advisory Board successful grant application for \$10,000 and we are hoping to brief the Minister again soon regarding the continued success of the Program
- The Care For Hedland Environmental Association has fielded information requests from right across WA from Walpole, Bunbury, Newman, Wickham, Broome and Karratha.
- No Council money will be spent for anything else except direct payments for people for their efforts (\$5 litter & \$6 bags cans and purchase of 1,000 garbage bags), as per above.
- Care For Hedland would only claim payments for bags of cans and street litter collected (via triplicate receipt and invoice issued to TOPH). If the community does not collect this estimated amount we will not receive the monies. If the community collects more than guesstimated Care For Hedland will approach Council to see if they will cover what is collected. But this covering of additional bags collected is not guaranteed.
- There is now a drop off facility operating and this facilitates people to drop off bags of aluminium cans and litter everyday of the week. This has seen a slight increase in the amount of bags of aluminium cans and litter being collected. It has been found that original estimates have been exceeded (both aluminium cans and street litter) due to convenience of being able to make a drop off anytime during the week.
- The Cash For Trash Pilot originally for two months cost \$40,717.28 [please see attached budget table Cash For Trash Pilot] (but this does not factor in Care For Hedland volunteers,

administration (my time in co-ordinating), phone calls and Cleanaway & CMA Recycling donating trucks, bins, staff every second Saturday).

- To date for the Cash For Trash Pilot the Town of Port Hedland contributed \$18,584.30 which included \$500 advertising, \$500 Captain Clean up school visits & \$250 for commencement bbq and the remainder solely for bags of litter and bags of cans collected.
- For the continuation of the Cash For Trash Program from August to December 2009 there will not be advertising, jumpy castles and other first time things needed to start a Program.
- At the end of the day the Cash For Trash Program is not about money, it is about being proactive and addressing the glass and street litter issue and getting people to have pride again in where they live and to be happy. This is a priceless outcome.
- The Cash For Trash Program was highly praised during the recent Tidy Towns Judging Visit (August 2009) and has received a nomination for the 2009 Western Australian Environment Awards.

Proposal – the detail of the proposal

why (why does it need to occur)

In order to continue the Program from August – December 2009 for the bags of aluminium cans and bags of street litter component of the Cash For Trash Program.

Glass bottles are sponsored outside of this proposal under a separate arrangement. This part of the Program is already in the process of being secured till December 2009.

who (stakeholders involved)

Collaborative approach - 11 sponsors involved (Council, State Govt, Industry, Waste Industry & Business) – Care For Hedland Environmental Association, CMA Recycling, Transpacific Cleanaway, Pilbara Logistics, SHNL, BHPBIO, TOPH, Spirit Radio, North West Telegraph, WA Waste Advisory Board and Mc Donalds South Hedland.

what (what is being requested)

Care For Hedland Environmental Association is seeking \$50,000 (incl GST).

- **\$36,000** is 6,000 bags of aluminium cans at \$6 ea (1,200 bags per month for 5 months)
- **\$12,500** is 2,500 bags of street litter at \$5 ea (500 bags per month for 5 months)
- \$1,500 is for the purchase of 5,000 bags (1,000 bags per month for 5 months) To date and since the 2nd May 2009 has been financially purchasing the litter bags to participants.
- **+ Free Tipping of collected street litter**

What's In it for the TOPH we get back.

List what the Council gets back in return (ie why should we do it?)

Recognised as a litter prevention leader

Good publicity

Cleaner streets

Stronger, connected community

Increased community pride

how (how will it achieved & managed)

- At below listed monthly community collection days (Saturdays) Care For Hedland volunteers man collection points and oversee counting of bags of litter, number glass bottles and bags of aluminium cans collected in supplied litter collection (Black bags) these are all supplied and are a set size
- They hand the “collector/community member” a piece of paper detailing what they have provided (ie number of bags cans, whole glass bottles and bags aluminium cans)
- This is then taken to collection desk for re-demption of monies owed
- If a Care For Hedland volunteer collects litter items and wants payment, the counting is done by an outside party, verified and paid. No volunteer is allowed to pay themselves or write their own slips or receipts.
- For collections outside the nominated collection days (ie use of drop off facility at Landfill) the collection is viewed by the weighbridge attendant and supplied paperwork is completed in front of the weighbridge operator which they verify and sign stating that what has been said to be collected is collected. Especially taking note that it is street litter, and presented in supplied black litter bags.
- These drop off are also checked each week judging by how often CMA Recycling (aluminium cans skip bins) and Cleanaway (whole glass bottles skip bins) require emptying. All CMA and Cleanaway operators are familiar with amounts that are collected on normal community collection days and any discrepancies are soon detected and payment is refused.
- Care For Hedland would only claim payments for bags of cans and street litter collected (via triplicate receipt and invoice issued to TOPH). If the community does not collect this estimated amount we will not receive the monies. If the community collects more than guesstimated Care For Hedland will approach Council to see if they will cover what is collected. But this covering of additional bags collected is not guaranteed.
- Secured sponsorship for 10c per glass bottle and Town of Port Hedland providing \$6 per bag cans & \$5 per bag litter
- Restaurants, cafes, hotels, bars and wet mess exempted from Program (in terms of receiving financial payment)
- Once a month collection weekends (Saturdays 9am-11am) drop off facility available currently bottles & aluminium cans (form filled out and left at gatehouse South Hedland Landfill). Been concerns about bags of aluminium cans being stolen so will look to move cans drop off only to CMA Recycling (as of Wednesday 23rd September 2009)
- Skip bins, collection points manned by volunteers
- Cash paid on the spot, cheques sent to participants who use drop off service

when (timetable)

Collection Days

August – Saturday 8th August 2009September – Saturday 12th September 2009October – Saturday 3rd October 2009November – Saturday 14th November 2009December – Saturday 12th December 2009

Operating 9am-11am on these designated days.

At the following collection points:

- South Hedland Shopping Centre
- Shay Gap Park
- Daylesford Park
- Port Hedland Shopping Centre
- South Hedland Landfill

where (what resources will be used)

- volunteers, high vis safety vests, bags & gloves, skip bins, collection area at South Hedland Landfill, Receipt books, pens, paper & calculators, sponsored advertisements in North West Telegraph and on Spirit Radio, visit by Captain Cleanup (November 2009), McDonalds vouchers

Financial - Detailed financial summary (ie funding sources, expenses, income, net financial cost to Care for Hedland and/or Council), this should reference back to what has already occurred, (ie a financial comparison on previous activities).

1st March – 2nd May 2009 Cash For Trash Pilot Program

For information from 1st March – 2nd May Cash For Trash Pilot Program (please see attached document – Budget Table Glass Bottle Collection OCM May09)

August – December 2009

This information for August – December 2009 does not include glass bottles, as the Town of Port Hedland does not contribute to this part of the Program. Financial funding has been secured from BHPBIO, SHNL, WA Waste Advisory Board to date for glass bottles. Applications are currently pending with the WA Waste Advisory Board and Keep Australia Beautiful Council for funding to continue to cover the glass bottle component of Cash For Trash Program.

Care For Hedland Environmental Association is seeking \$50,000 (incl GST).

- **\$36,000** is 6,000 bags of aluminium cans at \$6 ea (1,200 bags per month for 5 months)
- **\$12,500** is 2,500 bags of street litter at \$5 ea (500 bags per month for 5 months)
- **\$1,500** is for the purchase of 5,000 bags (1,000 bags per month for 5 months) To date and since the 2nd May 2009 has been financially purchasing the litter bags to participants.

Care For Hedland would only claim payments for bags of cans and street litter collected (via triplicate receipt and invoice issued to TOPH). If the community does not collect this estimated amount we will not receive the monies. If the community collects more than guesstimated Care For Hedland will approach Council to see if they will cover what is collected. But this covering of additional bags collected is not guaranteed.

Outcomes – Along with the financial outcomes, are there any other outcomes that could benefit Council by being involved (community participation, reduced waste, etc)

- Significantly reduced the amount of broken glass and litter on streets and in public areas
- Litter now being viewed financially
- Sense of community at weekend collection stalls

- Lots of these bottles and cans have not seen the light of day for a very long time
- Mainly alcohol bottles have been returned
- Heightened awareness and support for local recycling and reuse opportunities (ie crushed glass for footpath/non structural concrete)
- Real life, real world data and hopeful of eventual support for a container deposit scheme throughout WA
- See application potential at local, regional & State level. Victorian State Parliament used the Cash For Trash Pilot Program as a part of their considerations of a Victorian Container Deposit Scheme
- Not much prior preparation, readily taken up, high level of participation (nearly 50% children participation rate)
- Really acts to set an example & opportunity to be a waste/litter leader
- There is ready support to continue the program
 - Community
 - Sponsors (approaching Port Hedland Liquor Accord Group)
- Ideal recycling opportunity particularly in remote & regional areas where currently there is no formalised recycling
- Interest expressed from Walpole, Bunbury, Perth, Karratha, Newman and Broome
- Currently also conducting the cash For Trash Program in Yandeyarra with strong results to date
- Hedland could well win the State and maybe even the National Tidy Towns/Sustainable Communities Competition in 2009 largely on the basis of the Cash For Trash Program
- Hedland could also be recognised highly in the 2009 Western Australia Environment Awards on the basis of the nomination of the Cash For Trash Program (area Waste Management & Recycling)

Risk Analysis – are there any risks associated with proposal, have they be identified and how are will be managed

Convert the previous info into the following table.

NEED TO MENTION INSURANCE

Identified Risk	Mitigation Strategies
- Insufficient volunteers	Reduce community collection points or cancel collection days
- Collection exceeds expectations (ie insufficient sponsorship funds to cover costs)	Reduce items that can be collected (ie no more glass bottles) or reducing who can be paid (ie making it so that only children can gain payment)
- People collection home based waste and/or commercial waste as opposed to street litter	<p>Volunteers and weighbridge attendants on lookout for things that are not street litter and will issue first and final warning (as was case at outset and the Japanese restaurant).</p> <p>Because collectors are issued with receipts collection patterns can be monitored and any spikes in collection behaviour identified and collector questioned. If there is any doubt at all no payment is made.</p> <p>To date 5 collectors have been refused payment due to inability to verify where they collected the material, sharp spikes in amounts collected etc Care For Hedland Environmental Association reserves the right not to pay collectors. If there is any doubt the no payment option is exercised.</p> <p>Home based glass bottles & cans are accepted.</p> <p>No home based litter accepted.</p>

	No bottles or cans accepted from hotels, cafe's, wet mess or camp areas. No commercial outlets can receive payment (this includes Golf Club, Sth Hedland Bowls Club & Port Hedland Yacht Club)
- Injury to litter collectors and/or volunteers	<p>Public liability and volunteers insurance (all participants volunteers & collectors are classed as Care For Hedland members and are covered by our volunteers insurance policy).</p> <p>This policy covers all Care For Hedland activities ie turtle monitoring, Clean Up Australia Day events, river weeding etc</p> <p>Care For Hedland Environmental Association has had this Policy for 6 years and to date has not made any claims and has had not trouble in renewing our Policy.</p> <p>A senior first aider is always roving and available on each community collection days (Saturdays).</p> <p>Members of Care For Hedland Environmental Association have completed Conservation Volunteers Australia (CVA) course on Hazard Identification and minimising risk to volunteers. This has enabled a number of activities to take place incident free over the past 6.5yrs of Care For Hedland operation</p>
- 'Theft' of collected cans/bottles.	<p>On community collection days volunteers remain with the skip bins until they are collected.</p> <p>At the Sth Hedland landfill drop offs are watched and regular drop ins by CMA & Cleanaway ensure that bags are collected regularly.</p> <p>There has been two instances of bags of aluminium cans having been stolen from Sth Hedland Landfill (when perimeter fencing works were taking place) also Council staff have been observed taking collected bags of cans and putting them into the Council crate at the drop off area.</p> <p>To avoid future occurrences of this all aluminium can drop off outside of community collection days can only take place at CMA Recycling Wedgefield (where they are recorded and locked away securely)</p>
- Long term sustainability of the program.	Continue to seek funding and hope for future State Govt support to continue the Program
- Financial Risk re Volunteers not Managing Funds appropriately	<p>Experienced team captains are assigned to each of the collection points at collection Saturdays and they take full responsibility for payments on day.</p> <p>Cash tins are locked and can only be accessed by team captains</p>
- OTHERS	

- Ensure that there are sufficient numbers of volunteers and skip bins to ensure safety of community members on collection days and ensure no litter that has been collected is lost back again to the environment.
- Each community collection point on collection day has a team captain (all volunteers wearing high vis safety vests) and overall on day there is a nominated senior first aider and liaison person in charge of events on day and able to be contacted at all times (by volunteers and skip bin providers) to ensure that there are no issues or incidents on the collection days.

- bags & gloves supplied to participants. Continued education regarding the collection of litter especially glass and making sure children are aware of correct procedure and if possible supervised by an adult to ensure that risk of harm from collecting litter is minimised
- scheduling another Captain Cleanup schools visit to continue the message of safe collecting procedures
- at community collection points cover glass bins to minimise the chance of flying broken glass being an issue on collection days
- make sure children are supervised when around the skip bins and around the community collection points on collection days
- make sure all adults and children are wearing appropriate footwear when in and around the community collection points on collection days
- hotels, pubs & cafes will be reminded that community cannot take their bottles, cans etc but will work with these commercial premises to see if we can assist them with their recycling requirements outside of the bounds of the Cash For Trash Program
- participants will be reminded that they are not allowed to take bottles and cans from established commercial premises ie hotels, pubs & cafes
- bags of aluminium cans will be dropped direct to CMA Recycling in Wedgefield rather than continue being dropped at South Hedland Landfill to stop potential of bags of cans being stolen from the Landfill and trying to be claimed again for payment
- if the community collects in excess of what is predicted this will leave a shortfall in terms of current amount of funding secured. If this is the case we may need to change the parameters of the Program ie only children can gain payment for items collected or cut off the proposed December 2009 collection event

Pilot Program: Income and Expenditure Statement

<i>Expenditure</i>	\$
March Collection	
- x litter @ \$5/bag	121 = \$605.00
- y glass @ 10c/bottle	26,962 = \$2,696.20
- z cans @ \$6/bag	696 = \$4,176.00
April Collection	
- x litter @ \$5/bag	274.5 = \$1,372.50
- y glass @ 10c/bottle	42,136 = \$4,213.60
- z cans @ \$6/bag	919 = \$5,514.00
May Collection	
- x litter @ \$5/bag	222.5 = \$1,112.50
- y glass @ 10c/bottle	35,035 = \$3,503.50
- z cans @ \$6/bag	533.8 = \$3,202.80
June Collection	
- x litter @ \$5/bag	147 = \$735.00
- y glass @ 10c/bottle	42,179 = \$4,217.90
- z cans @ \$6/bag	589 = \$3,534.00
July Collection	
- x litter @ \$5/bag	318 = \$1,590.00
- y glass @ 10c/bottle	65,650 = \$6,565.00
- z cans @ \$6/bag	1,050.5 = \$6,303.00
Purchase of Bags & crates	\$7,179.00
Advertising costs	
- Radio	\$850.00
- Newspaper	\$1,000.00
- Other	\$5,537.50
Safety Gear	
- Vests & Shade	\$597.66
- Gloves	\$547.52
- Other	
Administration Costs	
- Stationary	\$500
- Phone	\$500
Insurance	\$600
Skip Bins	
- 3 skip bins x 5 collection points x 7 @ \$80 per bin	\$8,400.00
McDonalds Give-Aways	\$500
TOTAL EXPENDITURE	\$75,552.68

<i>Income</i>	
TOPH Sponsorship	
- Litter bags x 2500	\$3,922.50
- Can bags x 6000	\$13,411.80
- Litter Bags	\$2,500
- BBQ & Captain Cleanup	\$1,000
Other sponsorship	
- CMA & Cleanaway Sponsorship (Donation of Bins)	\$8,400.00
- SHNL Sponsorship	\$7,608.00
- North West Telegraph (Free printing advertising)	\$1,000.00
- McDonalds	\$500.00
- Spirit Radio (Free radio slots)	\$1,000.00
- BHPBIO	\$11,000.00
- Care For Hedland	\$8,310.38
- Waste Management Authority (State Govt)	\$11,000.00
- Kelly Howlett	\$2,000.00
- Collectors who donate monies back to Program	\$500.00
- Income from sale cans to CMA	\$3,400.00
TOTAL INCOME	\$75,552.68

Projected Budget (August – December Period)

<i>Expenditure</i>	<i>\$</i>
August Collection	
- x litter @ \$5/bag	500 = \$2,500.00
- y glass @ 10c/bottle	45,000 = \$4,500.00
- z cans @ \$6/bag	1,200 = \$7,200.00
September Collection	
- x litter @ \$5/bag	500 = \$2,500.00
- y glass @ 10c/bottle	45,000 = \$4,500.00
- z cans @ \$6/bag	1,200 = \$7,200.00
October Collection	
- x litter @ \$5/bag	500 = \$2,500.00
- y glass @ 10c/bottle	45,000 = \$4,500.00
- z cans @ \$6/bag	1,200 = \$7,200.00
November Collection	
- x litter @ \$5/bag	500 = \$2,500.00
- y glass @ 10c/bottle	45,000 = \$4,500.00
- z cans @ \$6/bag	1,200 = \$7,200.00
December Collection	
- x litter @ \$5/bag	500 = \$2,500.00
- y glass @ 10c/bottle	45,000 = \$4,500.00
- z cans @ \$6/bag	1,200 = \$7,200.00
Purchase Bags	\$1,500.00
Advertising costs	
- Radio	Nil
- Newspaper	Nil
- Other	Nil
Safety Gear	
- Vests	Nil
- Gloves	\$300.00
- Other	
Administration Costs	
- Stationary	\$100
- Phone	\$500
Insurance	Nil (12 month policy)
Skip Bins	
- 3 skip bins x 5 collections x 5 @ \$80 per bin	\$6,000.00
McDonalds Give-Aways	\$500.00
TOTAL EXPENDITURE	\$79,900.00

<i>Income</i>	
TOPH Sponsorship	
- Litter bags x 500 per month x 5 mths	\$12,500.00
- Can bags x 1200 per month x 5 mths	\$36,000.00
- Litter Bags	\$1,500.00
Other sponsorship	
- CMA & Cleanaway (Donation of Bins)	\$6,000.00
- SHNL Sponsorship	\$2,500.00
- McDonalds	\$500.00
- State Govt (KABC)	\$5,000.00 (application pending)
- BHPBIO	\$10,500.00
- Collectors who donate monies back to Program	\$400.00
- Income from sale cans to CMA	\$5,000.00
TOTAL INCOME	\$79,900.00

7:07 pm Councillor George J Daccache declared an impartiality interest in Agenda Item '11.4.2.2 Feasibility and Design of an Aboriginal Arts Centre' as he is employed by BHP Billiton Iron Ore. 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.

*11.4.2.2 Feasibility and Design of an Aboriginal Arts Centre
(File No.: ...)*

Officer Chris Adams
Chief Executive Officer

Date of Report 8 October 2009

Disclosure of Interest by Officer Nil

Summary

Report seeks Council's consideration to provide financial resources that are within the 2009/10 Council budget for development of feasibility, business plan and concept designs to Wangka Maya – Pilbara Aboriginal Language Centre.

Background

BHP Billiton Iron Ore (BHPBIO) has committed \$8M towards the Town of Port Hedland Sustainability Partnership in the 2009/10 financial year. These funds can only be used on projects that are jointly agreed upon by both the Town and BHPBIO.

One of the partnership projects that has been supported by BHPBIO and agreed to by the Council in the Town's 2009/10 Budget is the provision of \$80,000 (plus GST) to undertake feasibility, business planning, community consultation and concept design for proposed new Aboriginal Arts Centre.

Consultation

A preliminary meeting regarding this project was held on the 10th of September. Attendees at the meeting included:

BHPBIO: Fran Hainz and Patrik Melberg

Wangka Maya: Nadine Hicks

FORM: Lynda Dorrington

TOPH: Chris Adams

At the meeting Wangka Maya outlined previous feasibility work that they had done regarding the development of an arts centre. Wangka Maya indicated an interest/desire to operate the project on behalf of Council. Given that Wangka Maya has done some preliminary work and has close links with indigenous artists, all other parties at the meeting indicated that they believed that this was appropriate.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

The Town's Plan for the Future includes the following statements that are directly related to this project:

Goal 5 - Arts & Culture

That the Town is recognised as a location where arts and culture is promoted and quality art work is produced.

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.

Budget Implications

Council's 2009/10 budget includes an allocation of \$80,000 plus GST) for this project.

Officer's Comment

Given that Wangka Maya has some previous research/work on this proposal and has expressed an interest in pursuing the matter it seems sensible for them to assume leadership of the project.

The alternative is for Council to manage the delivery of the project. While this is clearly an option, it is not favoured as Town staff does not have the extensive experience in this area and do not have the level of connectedness with the local aboriginal community that the Wangka Maya organization has.

Attachments

Nil

200910/125 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

- i) Provides the \$80,000 (plus GST) that is allocated within the 2009/10 budget from the BHP Billiton Iron Ore/Town of Port Hedland Sustainability Partnership to Wangka Maya Pilbara Aboriginal Language Centre to be used by them to manage the delivery of the feasibility study, business plan concept designs for the proposed new Aboriginal Arts Centre; and

- ii) Advises Wangka Maya that they Town would like to remain integrally involved with the development of Aboriginal Arts Centre Project.

CARRIED 7/0

7:09 pm Councillor Michael A (Bill) Dziombak declared an impartiality interest in Agenda Item '11.4.2.3 Port Haven – Allocation of Rooms for Community Use' as he is the Chair of the Port Hedland Chamber of Commerce and Industry Committee. Councillor Dziombak advised that as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Dziombak declared that he will consider this matter on its merits and vote accordingly. Councillor Dziombak did not leave the room.

*11.4.2.3 Port Haven – Allocation of Rooms for Community Use
(File No.: ...)*

Officer Chris Adams
Chief Executive Officer

Date of Report 12 October 2009

Disclosure of Interest by Officer Nil

Summary

Report seeks Council's consideration on how best to manage the rooms that have been made available to Council/community at the Port Haven facility that is currently under construction at the Port Hedland International Airport.

Background

At its Ordinary Meeting held in December 2008, Council resolved to proceed with the development of the Port Haven facility at the Port Hedland International Airport in accordance with the Business Plan that had been prepared and advertised regarding the proposal.

A key component of the Business Plan from a Council/community perspective was the provision of free and heavily subsidised rooms by the lessee (the Compass Group). As a component of the lease between the parties, the Compass Group must provide the Town of Port Hedland with access to:

- 5 fully serviced rooms at no cost
- 20 fully serviced rooms at a cost of \$50/night
- 55 fully serviced rooms at a cost of \$95/night

The purpose of the rooms is to make more affordable accommodation available for essential service workers and small business operators within the Town.

Construction of the Port Haven facility is well advanced. Preliminary discussions have been held regarding the management of the community/small business rooms. During these discussions, two key issues have been raised, being:

- The cost/quantum of rooms available.
- The appropriate management arrangement for the rooms.

Number of Rooms:

While the number of rooms made available at the facility has been agreed to (i.e. 80), the Town's Chief Executive Officer initiated some discussions with Port Haven on the issue of affordability of some of the rooms.

This was done on the basis that while rooms for \$635/week (or \$95/night) are cheaper than usual for TWA style accommodation, they are unlikely to be affordable for small businesses. A concept was put back to the Compass Group that, if acceptable to Compass, the Town may be willing to 'take-up' fewer rooms in return for greater number of rooms being made available at a rate of \$50/night.

Compass came back to Council with a proposal which offered:

- 5 fully serviced rooms at no cost
- 30 fully serviced rooms at a cost of \$50/night (ie an additional 10 rooms)

TOTAL of 35 rooms

Negotiations have continued regarding the quantum of rooms but have yet to be finalised. Direction from Council is required on whether Council wishes to continue to negotiate on this matter, or whether Council wishes retain access to the room allocation as negotiated in the original tender and lease.

Management of the Community Rooms

Preliminary discussions have been held on how best to manage the community rooms. The Compass Group has indicated that it is willing to work with Council to find an appropriate solution regarding management of this accommodation.

The Chief Executive Officer is of the opinion that while negotiating access to the rooms for the community is a good outcome, management of accommodation for small business/community use is not a core business of the Town and is a task that could/should be done by another group.

Discussions have been held with the Port Hedland Chamber of Commerce and Industry (PHCCI) regarding the potential for them to manage the rooms on the Town's behalf. These discussions were initiated as the PHCCI has far closer ties with local small businesses than the Town Council does. The PHCCI has written to the Council indicating that it is interested in managing the rooms on the Town's behalf and has outlined some preliminary proposals on how they would manage the facility. While details would need to be finalised, the proposal involves the PHCCI receiving a management fee in return for managing the rooms on Council's behalf. This management fee would be used to cover administrative and other costs associated with managing the rooms.

Direction is required from Council as to whether it wishes to further pursue this proposal or wishes to pursue other potential avenues for management of the community/small business rooms.

Consultation

As outlined above, preliminary discussions have been held with the Compass Group and the Port Hedland Chamber of Commerce and Industry regarding this matter. Cr Martin and Cr Carter have been involved with these discussions.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

The allocation of rooms at Port Haven for small businesses is consistent with the following statement within the Town's Plan for the Future:

Goal 3 - Business Development

That the Town of Port Hedland is recognised as local government authority that works closely with businesses to achieve sustainable economic growth and a broad economic base.

Strategy 1: Work with the BEC and PHCCI to investigate the potential development of a Business Incubator and/or other small business development initiatives within the Town.

Develop Council policies and/or incentives that assist in attracting and retaining businesses within the Town of Port Hedland.

Budget Implications

The Council's 2009/10 budget currently includes no income or expenditure relating to the management of the subsidized rooms at Port Haven.

Officer's Comment

Room Rates

While Council has negotiated access to 80 rooms, under the Terms of the lease, the rooms need to be filled or Compass obtains the right to fill them themselves. While Council is likely to be able to fill them, it is questionable whether a rate of \$635/week per room will be attractive to local small businesses who are struggling to find affordable accommodation. This was/is the key target group that Council was targeting. A rate of \$350/week is considered to be more reasonable for this target group.

Council can:

- Option 1: Continue to negotiate with the Compass Group regarding the quantity and cost for community/business rooms at Port Haven.
- Option 2: Present a final offer to Compass Group regarding this matter indicating that if this offer is not accepted, the Town will continue to access the 80 rooms as currently stipulated.
- Option 3: Elect to discontinue further discussions/negotiations on the item and proceed with the 80 rooms as agreed to in the leasing arrangement.

Council's Director of Corporate Services has prepared a financial model that indicates that up to 55 rooms could be provided at \$50/night in lieu of the current offer/acceptance with little financial impact on Compass Group. The Compass Group has indicated that some of the assumptions made in the financial model are not accurate which has inflated the number of rooms that could be provided. At the time of writing there had been no agreement on the quantum or cost issue.

Management of the Rooms

While preliminary discussions have been held with the PHCCI regarding them managing the rooms on the Town's behalf, there are other alternatives that Council could consider. These include:

- Option 1: Council managing the rooms itself.
- Option 2: Calling for EOI's/Tenders from interested groups or individuals to manage these rooms on Council's behalf
- Option 3: Continuing to negotiation a management agreement with the PHCCI.

Council does not currently have the resources or organisational structure to manage the allocation of the community/business rooms and hence it is not recommended that Council undertake this role at this time. Having said that, if Council wanted to manage the rooms itself it could potentially undertake this role within its newly formed Economic Development Department should it so wish. Additional staff and other resources would be required to facilitate this.

Seeking external EOI's/tenders to manage the rooms on Council's behalf may elicit alternate proposals that are yet to be considered. These proposals could potentially be more financially advantageous than directly 'doing a deal' with the PHCCI. While this may be the case, it is recommended that Council continue to pursue a management agreement with the PHCCI as:

- Council's intent has been to provide affordable accommodation to local businesses at Port Haven.
- The PHCCI is the local organisation who has a highest membership of local businesses and the greatest level of interaction with local small businesses.

Attachments

Nil

200910/126 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr A A Carter

That Council:

- i) Advise the Compass Group that:
 - a) **It would be willing to accept 50 rooms for \$50/night at the Port Haven facility in lieu of the current arrangement that has been agreed to within the lease agreement between the Town and Compass (i.e. five (5) rooms for free, 20 rooms for \$50/night and 55 rooms for \$95/night); and**
 - b) **Failing agreement of point a) above, the Town will retain access to the rooms as agreed to in the lease negotiations;**
- ii) Continues to negotiate a management agreement with the Port Hedland Chamber of Commerce and Industry regarding the management of the Council's community/business rooms at the Port Haven facility on its behalf; and
- iii) Receives a report detailing the proposed management agreement once it has been developed by the parties.

CARRIED 7/0

11.4.2.4 Council Meeting Dates (File No.: ADM-015)

Officer Gaye Stephens
Executive Assistant

Date of Report 23 September 2009

Disclosure of Interest by Officer Nil

Background

The Local Government (Administration) Regulations require that at least once each year "...a local government is to give local public notice of the dates on which and the time and place at which the ordinary meetings and committee meetings are to be held in the next 12 months".

Council has determined its meeting dates up to and including the November Ordinary Meeting, and will need to consider meeting dates for the next 12 months.

Statutory Implications

Council is required to determine at least once each year, its meeting program and this is to be set and advertised in local newspaper.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Budget allocation for advertising Council Meetings is included in Administration General Expenses, General Ledger Account Number 404287 'Advertising and Promotions'.

Officer's Comment

Council has previously determined that it will meet on the fourth Wednesday of each month.

It is recommended the December 2009 meeting occurs on the second Wednesday, being 9 December 2009.

Easter in 2010 occurs on Friday 2 April 2010 (Good Friday) and Monday 5 April 2009 (Easter Monday) and therefore has no effect on the April meeting.

Attachments Nil

200910/127 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That the Ordinary Council Meeting be held at 5:30 pm in Council Chambers on the following dates:

Wednesday 28 October 2009

Wednesday 25 November 2009

Wednesday 9 December 2009

Wednesday 27 January 2010

Wednesday 24 February 2010

Wednesday 24 March 2010

Wednesday 28 April 2010

Wednesday 26 May 2010

Wednesday 23 June 2010

Wednesday 28 July 2010

Wednesday 25 August 2010

Wednesday 22 September 2010

Wednesday 27 October 2010

Wednesday 24 November 2010

and be advertised accordingly.

CARRIED 7/0

11.4.2.5 Elected Member Representation on Council's Committees and Working Groups; and External Organisations (File No.: ADM-070)

Officer Gaye Stephens
Executive Assistant

Date of Report 12 October 2009

Disclosure of Interest by Officer Nil

Summary

To nominate elected members to represent Council on its Committees and Working Groups, and other external organisations.

Background

Following the Ordinary Local Government elections held on Saturday 17 October 2009, it is now recommended that Council considers:

1. reviewing its existing Committees and Working Groups to ensure the Purpose/Aim, Membership, Delegations (if any) and Tenure align with Council's aims;
2. disbanding Working Groups which are no longer required;
3. establishing new Working Groups for the purpose of specific issues; and
4. reviewing elected member representation on each of Council's Committees and Working Groups; and on external organisations:

Council currently has the following Committees and Working Groups:

- Audit and Finance Committee
- Alliance Advisory Working Group
- BHPBIO/Council Joint Projects Working Group
- Newcrest Mining/Council Joint Projects Working Group
- Youth and Recreation Facilities Working Group
- Local Law and Policy Review Working Group
- Community Safety and Crime Prevention Working Group
- Aquatic Centre's Advisory Working Group
- Spoilbank Project Working Group
- Staff Housing Working Group
- Cycle Plan Development Working Group
- Recreation Reserve Development Plan Working Group
- Airport Working Group
- Aboriginal Affairs Working Group
- CCTV Project Implementation Working Group
- CEO Performance Review Working Group

and is represented on the following external organisations:

- Pilbara Regional Council
- Regional Roads Group
- Port Hedland Visitors Centre Management Committee
- Port Hedland Retirement Village (Inc.)
- Local Emergency Management Advisory Committee
- BHP Billiton Consultative Committee
- Pilbara Development Commission Board of Management
- Port Hedland Enhancement Scheme Steering Group
- Community Bank Steering Committee

Consultation

Chief Executive Officer

Statutory Implications

Subdivision 2 of Section 5 of the Local Government Act (1995) specifically relates to the establishment and operations of committees of Council. In summary the legislation:

- Requires committees to have at least three members if they are established.
- Outlines the prescribed method of appointment of committee members
- Details the tenure of committee representatives
- Specifies the Mayors ability to be involved in any or all committees of Council.
- Details quorum requirements of committees.
- Limits the roles and functions that committees are able to make decisions on.
- Details requirements for record keeping, particularly in relation to minutes and decisions made by the committee under delegated authority.

The requirements of Committee Meetings are largely the same as those that apply to formal Council meetings.

There is no requirement for Local Government to establish and/or operate committees of Council other than its Audit and Finance Committee.

The presiding member, deputy presiding member, committee members and the Council officer responsible for the committee are to make themselves fully conversant with all of the provisions of the Local Government Act and Council's Local Law on Standing Orders relating to committees and committee meetings. Refer to sections 5.8 to 5.25 of the *Local Government Act 1995*.

Council's Local Law on Standing Orders provides the following:

"Appointment of Committees

19.3 Any motion to establish a committee shall contain:

- a) the duties and any delegations proposed to be entrusted to the committee;*
- b) the number of members intended to constitute the committee;*
- c) the term of establishment of the committee;*
- d) details of when the committee is to meet and how it shall report to Council."*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Operating committees under the requirements of the Local Government Act tends to be more time consuming and expensive for Councils to run due to the strict record keeping and administrative procedures that need to operate. The administration of these procedures is more labour intensive than less formal arrangements.

Officer's Comment

At its Ordinary Meeting held on Wednesday 26 October 2005, Council resolved as follows:

"That:

- i) Council agree to the establishment of working groups on specific issues on an as needs basis;*
- ii) Council specifically detail the aims and purpose of the group, the membership of the group and the tenure of the group as a component of the establishment of each working group;*
- iii) as a standard practice, no delegated authority be provided to Council committees unless specifically deemed necessary by the Council; and*
- iv) minutes of working groups and advisory committees be provided to Council as a component of the Monthly Council information Bulletin."*

Working Groups

A Working Group is not a formal Committee established under section 5.8 of the Local Government Act. A working group is to meet as and when required, and membership is to vary dependent on the issues to be addressed. The Officer responsible for the working group will report any outcomes from working group meetings direct to Council via an Officer's Report.

While not specifically referred to in the Local Government Act, the operation of working groups, advisory groups and other similar structures is commonplace in Local Government authorities. These structures are used to allow input into discussions and debate regarding community issues in a less formal setting.

Representation on External Organisations

From time to time Council is requested to nominate a Council member to represent the Council on committees of external organisations. Sometimes the constitution of the external organisation requires Council to nominate a representative. Council may also require a Council of staff member to be a representative where Council's interests need to be protected, for example where Council contributes to the organisation financially or otherwise.

External organisations will be informed in writing of Council representatives. Where appropriate, the external organisation and the Council representative/s are to determine the extent of representation required e.g.; attendance at all meetings, attendance at meetings only when necessary, acting as a contact person.

As the tenure Staff Housing Working Group was until such time that the plan has been developed or 30 May 2006 (whichever comes earlier), it is recommended this be disbanded.

Attachments

Town of Port Hedland 'Council Committees, Working Groups and Representation on External Organisations', amended 25 June 2008.

Officer’s Recommendation

That Council:

- i) nominates Council Representative(s) on its Audit and Finance Committee, in accordance with Section 5.8 and 5.9 of the *Local Government Act 1995* and Regulations, as follows:

Audit and Finance Committee

Terms of Reference

- a) Part 7, the Local Government Act 1995;
- b) Liaise with Auditor:

Membership

Cr _____;
 Councillor _____; and
 Councillor _____

Delegation

Council provides delegated authority to the Audit and Finance Committee to meet annually with the Town’s Auditor(s) as required by Section 7.12A(2), Local Government Act 1995.

Tenure:

Ongoing in accordance with Section 5.8 and 5.9 of the Local Government Act 1995.

- ii) nominates the following Council Representative(s) on its Working Groups as follows:

- a) BHPBIO/Council Joint Projects Working Group

Purpose/Aim:

To:

- a) discuss joint initiatives that may be appropriate between BHPBIO and Council; and
- b) recommend projects to Council for funding from the BHPBIO/TOPH Sustainability Partnership Fund.

Membership:

Council Membership includes:

Mayor _____
 Councillor _____
 Councillor _____

Delegation: Nil
 Tenure: Ongoing

- b) JD Hardie Youth Precinct Development Working Group

Purpose/Aim:

To liaise with architects, contractors and community during the design and construction phase of the JD Hardie Youth Precinct.

Membership:

Councillor _____; and
 Councillor _____
 Director Community Development
 Manager Community Deveopment
 Manager Recreation Services

two (2) interested community members;
Department of Sport and Recreation representative
Manager, Youth Involvement Council

Delegation: Nil.

Tenure: Until the JD Hardie Youth Precinct Development is completed.

c) Multipurpose Recreation Centre Development Working Group

Purpose/Aim:

To liaise with the architects, contractors and community during the design and construction phase of the Multipurpose Recreation Centre.

Membership:

Councillor _____; and

Councillor _____

Director Community Development
Manager Community Deveopment
Manager Recreation Services

two (2) interested community members;

Department of Sport and Recreation representative

Delegation: Nil.

Tenure: Until the Multipurpose Recreation Centre Development is completed.

d) Community Safety and Crime Prevention Working Group

Purpose/Aim:

To review and assess the 2006-2009 Community Safety and Crime Prevention (CSCP) Plan with a view of developing a new 2010-2013 CSCP plan based on key outcomes from the previous plan, community consultation and research.

Membership:

Councillor _____; and

Councillor _____

Signatories to the Hedland Community Safety and Crime Prevention Plan 2006-2009

Interested community groups and non-government agencies

CEO and/or relevant staff representatives

Delegation: Nil.

Tenure: Ongoing

e) Spoilbank Project Working Group

Purpose/Aim:

To progress the implementation of planning and development in the spoilbank precinct.

Membership:

Councillor _____; and

Councillor _____

Chief Executive Officer

Representatives from the Port Hedland Port Authority, Port Hedland Yacht Club

Delegation: Nil.
Tenure: Ongoing

f) Staff Housing Working Group

Purpose/Aim:

To periodically consider alternatives for potential staff housing options.

Membership:

Councillor _____; and

Councillor _____

Chief Executive Officer

Director Community Development

Manager Economic Development

Delegation: Nil.

Tenure: Ongoing

g) Airport Working Group

Purpose/Aim:

To develop and implement a Masterplan for the Port Hedland International Airport.

Membership

Councillor _____; and

Councillor _____

Chief Executive Officer

Director Engineering Services

Manager Economic Development

Airport Manager

Airport Development Officer

Delegation: Nil.

Tenure: Ongoing

h) Aboriginal Affairs Working Group

Purpose/Aim:

To:

a. Ensure that appropriate input is received from Traditional Owners and Aboriginal residents on Town of Port Hedland issues specifically affecting aboriginal people;

b. Work with the State and Federal Government to implement the 2006 Regional Partnership Agreement and/or its successor agreements;

c. Work with relevant agencies to implement an appropriate action plan to address community visitors;

Membership

Councillor _____

Councillor _____; and

Councillor _____

Director Community Services

Community/Agency Representatives to be invited by the Working Group:

. Aboriginal Representatives

- . Representative(s) of the Native Title applicants in the Port Hedland Area
- . Pilbara Native Title Service Representative
- . Department of Indigenous Affairs Representative
- . Indigenous Co-ordination Centre Representative

Delegation: Nil.

Tenure: The tenure of the Aboriginal Affairs Working Group was agreed at the first meeting as twelve (12) months, and to be reviewed again at that time.

i) CCTV Implementation Working Group

Purpose/Aim:

Oversee the implementation of CCTV Project

Membership

Councillor _____; and

Councillor _____

Director Regulatory Services

Representation from:

- . WA Police
- . Youth Involvement Council
- . Port Hedland Chamber of Commerce and Industry
- . BHP Billiton Iron Ore

Members of the Community invited by the Working Group to provide specialised advice or information to the group with the purpose of co-ordinating the installation of the system.

Aboriginal Representatives

Delegation: Nil.

Tenure: Completion of Implementation for Stage 2.

j) PHIA TWA Implementation Working Group

Purpose/Aim:

To implement the community integration initiatives agreed to within the Town of Port Hedland/Compass Lease Agreement.

Membership:

Councillor _____; and

Councillor _____

Chief Executive Officer

Director Community Development

Delegation: Nil.

Tenure: Ongoing

k) Chief Executive Officer Performance Review Working Group

Purpose/Aim:

Commence the process of renegotiating a new employment contract with Mr Chris Adams, with its negotiations being presented to Council for consideration.

Membership:

Mayor
Deputy Mayor
Councillor _____; and
Councillor _____

Delegation: Nil.

Tenure: Until a new employment contract with Mr Chris Adams is presented to Council for consideration.

- iii) nominates Council Representative(s) on external organisations as follows:

Celebrate Hedland! Inc. (formerly Alliance Advisory Working Group

Councillor _____

Pilbara Regional Council

Mayor _____

Councillor _____

Regional Roads Group

Councillor _____

Port Hedland Visitors Centre Management Committee

Councillor _____

Port Hedland Retirement Village (Inc.)

Councillor _____

Local Emergency Management Advisory Committee

Mayor _____

Councillor _____

BHP Billiton Consultative Committee

Councillor _____

- iv) disbands the following Working Groups:

Newcrest Mining/Council Joint Projects Working Group

Alliance Advisory Group;

Cycle Plan Development Working Group;

Recreation Reserve Development Plan Working Group;

Local Law and Policy Review Working Group; and

Aquatic Centre's Advisory Working Group

200809/128 Council Decision

Moved: Cr S R Martin

Seconded: Cr A A Carter

That Standing Orders be suspended.

CARRIED 7/0

7:11 pm Mayor advised that Standing Orders are suspended.

200809/129 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Standing Orders be resumed.

CARRIED 7/0

7:20 pm Mayor advised that Standing Orders are resumed.

200910/130 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

- i) nominates Council Representative(s) on its Audit and Finance Committee, in accordance with Section 5.8 and 5.9 of the Local Government Act 1995 and Regulations, as follows:

Audit and Finance Committee

Terms of Reference

a) Part 7, the Local Government Act 1995;

b) Liaise with Auditor:

Membership

Mayor Howlett;

Councillor Carter; and

Councillor Dziombak

Delegation

Council provides delegated authority to the Audit and Finance Committee to meet annually with the Town's Auditor(s) as required by Section 7.12A(2), Local Government Act 1995.

Tenure:

Ongoing in accordance with Section 5.8 and 5.9 of the Local Government Act 1995.

- ii) nominates the following Council Representative(s) on its Working Groups as follows:

a) BHPBIO/Council Joint Projects Working Group

Purpose/Aim:

To:

- a) discuss joint initiatives that may be appropriate between BHPBIO and Council; and
- b) recommend projects to Council for funding from the BHPBIO/TOPH Sustainability Partnership Fund.

Membership:

Council Membership includes:

Mayor Howlett;
Councillor Carter; and
Councillor Daccache

Delegation: Nil

Tenure: Ongoing

b) JD Hardie Youth Precinct Development Working Group

Purpose/Aim:

To liaise with architects, contractors and community during the design and construction phase of the JD Hardie Youth Precinct.

Membership:

Mayor Howlett;
Councillor Hooper;
Councillor Carter;
Councillor Martin; and
Director Community Development
Manager Community Deveopment
Manager Recreation Services
two (2) interested community members;
Department of Sport and Recreation
representative
Manager, Youth Involvement Council

Delegation: Nil.

Tenure: Until the JD Hardie Youth Precinct Development is completed.

c) Multipurpose Recreation Centre Development Working Group

Purpose/Aim:

To liaise with the architects, contractors and community during the design and construction phase of the Multipurpose Recreation Centre.

Membership:

Mayor Howlett;
Councillor Martin;
Councillor Daccache;
Councillor Coates; and
Director Community Development
Manager Community Development
Manager Recreation Services
two (2) interested community members;
Department of Sport and Recreation
representative

Delegation: Nil.

Tenure: Until the Multipurpose Recreation Centre Development is completed.

d) Community Safety and Crime Prevention Working Group

Purpose/Aim:

To review and assess the 2006-2009 Community Safety and Crime Prevention (CSCP) Plan with a view of developing a new 2010-2013 CSCP plan based on key outcomes from the previous plan, community consultation and research.

Membership:

Mayor Howlett;
Councillor Coates;
Councillor Daccache; and
Councillor Martin;
Signatories to the Hedland Community Safety and Crime Prevention Plan 2006-2009
Interested community groups and non-government agencies
CEO and/or relevant staff representatives

Delegation: Nil.

Tenure: Ongoing

e) Spoilbank Project Working Group

Purpose/Aim:

To progress the implementation of planning and development in the spoilbank precinct.

Membership:

Mayor Howlett;
Councillor Dziombak;
Councillor Carter;
Councillor Gillingham;
Councillor Martin; and
Chief Executive Officer
Representatives from the Port Hedland Port Authority, Port Hedland Yacht Club

Delegation: Nil.

Tenure: Ongoing

f) Staff Housing Working Group

Purpose/Aim:

To periodically consider alternatives for potential staff housing options.

Membership:

Mayor Howlett;
Councillor Carter;
Councillor Martin;
Councillor Dziombak; and
Chief Executive Officer
Director Community Development
Manager Economic Development

Delegation: Nil.

Tenure: Ongoing

g) Airport Working Group

Purpose/Aim:

To develop and implement a Masterplan for the Port Hedland International Airport.

Membership

Mayor Howlett;
Councillor Carter;
Councillor Gillingham;
Councillor Martin; and
Chief Executive Officer
Director Engineering Services
Manager Economic Development
Airport Manager
Airport Development Officer

Delegation: Nil.

Tenure: Ongoing

h) Aboriginal Affairs Working Group

Purpose/Aim:

To:

- a. Ensure that appropriate input is received from Traditional Owners and Aboriginal residents on Town of Port Hedland issues specifically affecting aboriginal people;
- b. Work with the State and Federal Government to implement the 2006 Regional Partnership Agreement and/or its successor agreements;
- c. Work with relevant agencies to implement an appropriate action plan to address community visitors;

Membership

Mayor Howlett;

Councillor Daccache; and

Director Community Services

Community/Agency Representatives to be invited by the Working Group:

- . Aboriginal Representatives
- . Representative(s) of the Native Title applicants in the Port Hedland Area
- . Pilbara Native Title Service Representative
- . Department of Indigenous Affairs Representative
- . Indigenous Co-ordination Centre Representative

Delegation: Nil.

Tenure: The tenure of the Aboriginal Affairs Working Group was agreed at the first meeting as twelve (12) months, and to be reviewed again at that time.

i) CCTV Implementation Working Group

Purpose/Aim:

Oversee the implementation of CCTV Project

Membership

Mayor Howlett;
Councillor Hooper;
Councillor Coates;
Councillor Martin; and
Director Regulatory Services

Representation from:

- . WA Police
 - . Youth Involvement Council
 - . Port Hedland Chamber of Commerce and Industry
 - . BHP Billiton Iron Ore
- Members of the Community invited by the Working Group to provide specialised advice or information to the group with the purpose of co-ordinating the installation of the system.

Delegation: Nil.

Tenure: Completion of Implementation for Stage 2.

j) PHIA TWA Implementation Working Group

Purpose/Aim:

To implement the community integration initiatives agreed to within the Town of Port Hedland/Compass Lease Agreement.

Membership:

Mayor Howlett;
Councillor Daccache;
Councillor Gillingham;
Councillor Carter; and
Chief Executive Officer
Director Community Development

Delegation: Nil.

Tenure: Ongoing

k) Chief Executive Officer Performance Review Working Group

Purpose/Aim:

Commence the process of renegotiating a new employment contract with Mr Chris Adams, with its negotiations being presented to Council for consideration.

Membership:

Mayor Howlett;
Councillor Carter
Councillor Daccache;
Councillor Dziombak;
Councillor Gillingham; and
Councillor Martin

Delegation: Nil.

Tenure: Until a new employment contract with Mr Chris Adams is presented to Council for consideration.

- iii) nominates Council Representative(s) on external organisations as follows:

Celebrate Hedland! Inc. (formerly Alliance Advisory Working Group

Mayor Howlett;
Councillor Carter;
Councillor Hooper; and
Councillor Gillingham;

Regional Roads Group

Councillor Daccache

Port Hedland Visitors Centre Management Committee

Councillor Carter

Port Hedland Retirement Village (Inc.)

Councillor Gillingham

Local Emergency Management Advisory Committee

Mayor Howlett
Councillor Martin

BHP Billiton Consultative Committee

Councillor Daccache;
Councillor Dziombak

iv) disbands the following Working Groups :

**Newcrest Mining/Council Joint Projects Working Group
Alliance Advisory Group;
Cycle Plan Development Working Group;
Recreation Reserve Development Plan Working Group;
Local Law and Policy Review Working Group; and
Aquatic Centre's Advisory Working Group**

CARRIED 7/0

200910/131 Council Decision

Moved: Cr S R Martin

Seconded: Cr A A Carter

Council nominates the following Council Representatives to be on the Pilbara Regional Council:

Delegates:

Mayor Howlett;
Councillor Martin

Proxy Delegates:

Councillor Daccache;
Councillor Carter

CARRIED 4/3

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL**12.1** *Proposed Permanent Closure of Portions of Smith Street, Huxtable Crescent and Baler Close (File No.: 28/01/0017)*

Officer Leonard Long
Planning Officer

Date of Report 26 October 2009

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Taylor Burrell Barnett, Town Planners on behalf of the South Hedland New Living Project (SHNL) to permanently close portions of Smith Street, Huxtable Crescent and Baler Close. These proposed road closures form part of adjacent residential subdivisions proposed for the South Hedland New living Project (SHNL).

Background

The purpose of the proposed road closures is to excise unused portions of existing road reserves and amalgamate the land into adjacent proposed residential subdivisions.

None of the proposed road closures will adversely affect traffic, pedestrian or cycle traffic. Following each road closure, appropriate applications for rezoning will be lodged to facilitate the Scheme Amendments where necessary to rezone the closed reserves to match the amalgamated residential lots.

The details and a brief discussion of each proposed road closure is listed below:

Baler Close

This proposed road closure comprises 711 m² that adjoins Lots 340 and 2590 Baler Close. **(Attachment 1)**

The purpose of the road closure is to amalgamate a section of the road reserve with the adjoining lots to create a single grouped housing site that will then be either retained and developed by South Hedland New Living or sold on the open market. While South Hedland New Living has not yet lodged this application for subdivision with the WAPC, this draft plan **(Attachment 1A)** is attached to this report to demonstrate how it is intended to amalgamate these lots.

The land subject to this closure is not used for any authorised public purpose. Aerial photography indicates that the land may be used as an informal thoroughfare from the cluster housing site on Cowrie Way. The development of Lots 340 and 2590 will restrict this use completely however, regardless of this proposed road closure.

The dimensions of the road closure have been designed to ensure a minimum verge width of 5.4 metres is maintained between the road pavement and the new lot boundary.

Huxtable Crescent

At its Ordinary Meeting on 29 June 2009, Council considered a request from South Hedland New Living to create a road reserve crossing the stormwater drainage reserve and linking the western end of Huxtable Crescent to the new subdivision directly north of the drainage reserve. This request is the next step in creating a new direct link of Huxtable Crescent to Paton Road, thereby improving the legibility and function of the local road network.

This proposed road closure (**Attachment 2**), directly affects two landowners who will lose one of their two existing street frontages. The applicant has advised that South Hedland New Living has discussed the proposed new road layout with these landowners who have not objected to the proposal.

Notwithstanding this advice, should Council resolve to support this request, all affected landowners and residents will have opportunity to comment on the proposal prior to Council making any final resolution to request the closure of this portion of road reserve.

Smith Street

The section of the Smith Street road reserve subject to this request comprises 154 m² located at the eastern corner of the Weaver Place intersection (**Attachment 3**). The land is undeveloped and not required for any future road widening or intersection modification works.

Should this request be supported, it is proposed that the closed road reserve be included in an application to subdivide adjacent undeveloped land. As with the Baler Close proposal, the draft plan of subdivision is attached to this report demonstrating how the closed road reserve will be incorporated into the new subdivision (**Attachment 3 A**).

Consultation

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

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

Statutory Implications

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

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

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

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

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

Policy Implications

Nil.

Strategic Planning Implications

Nil

Budget Implications

The application fee of \$460.00 has been received and deposited into account 0010063260 in accordance with Council's adopted Town Planning Fees and Charges.

Officer's Comment

The proposed road closures are associated with adjacent proposed residential subdivisions that are soon to be submitted to the Western Australian Planning Commission. None of the proposed partial road closures will affect traffic permeability or adversely impact pedestrian or cyclist networks.

It is recommended that Council initiate the road closures in accordance with the *Land Administration Act 1997* to enable all interested parties the opportunity to comment on the proposal, after which the Director Regulatory and Community Services may forward Road Closure Applications direct to the Department of Land Administration in the event of:

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

If comments are received the Council will need to make a decision as to whether a request is made to the Honourable Minister for Lands.

Attachments

Attachment 1	Proposed Road Closure Plan Baler Close, South Hedland.
Attachment 1A	Draft Plan of Subdivision Baler Close, South Hedland.
Attachment 2	Proposed Road Closure Plan Huxtable Crescent, South Hedland.
Attachment 3	Proposed Road Closure Plan Smith Street, South Hedland.
Attachment 3A	Draft Plan of Subdivision Pedlar Street, South Hedland.

200910/132 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) Initiates the proposed permanent road closures and advertises the proposed permanent road closures of portions of :
 - a) **Smith Street,**
 - b) **Huxtable Crescent,**
 - c) **Baler Close,**

for a period of 35 days pursuant to section 58(3) of the *Land Administration Act 1997*;

- ii) Forwards a copy of the request to the various service authorities to obtain comments;
- iii) Delegates the Director Regulatory and Community Services under section under Delegation 40(12) to submit the road closure requests to the Department of Regional Development and Lands (State Land Services), subject to no adverse submissions being received during the statutory advertising period;
- iv) Advises the applicant that all costs incurred for the advertising of this proposal shall be the responsibility of the applicant.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 12.1



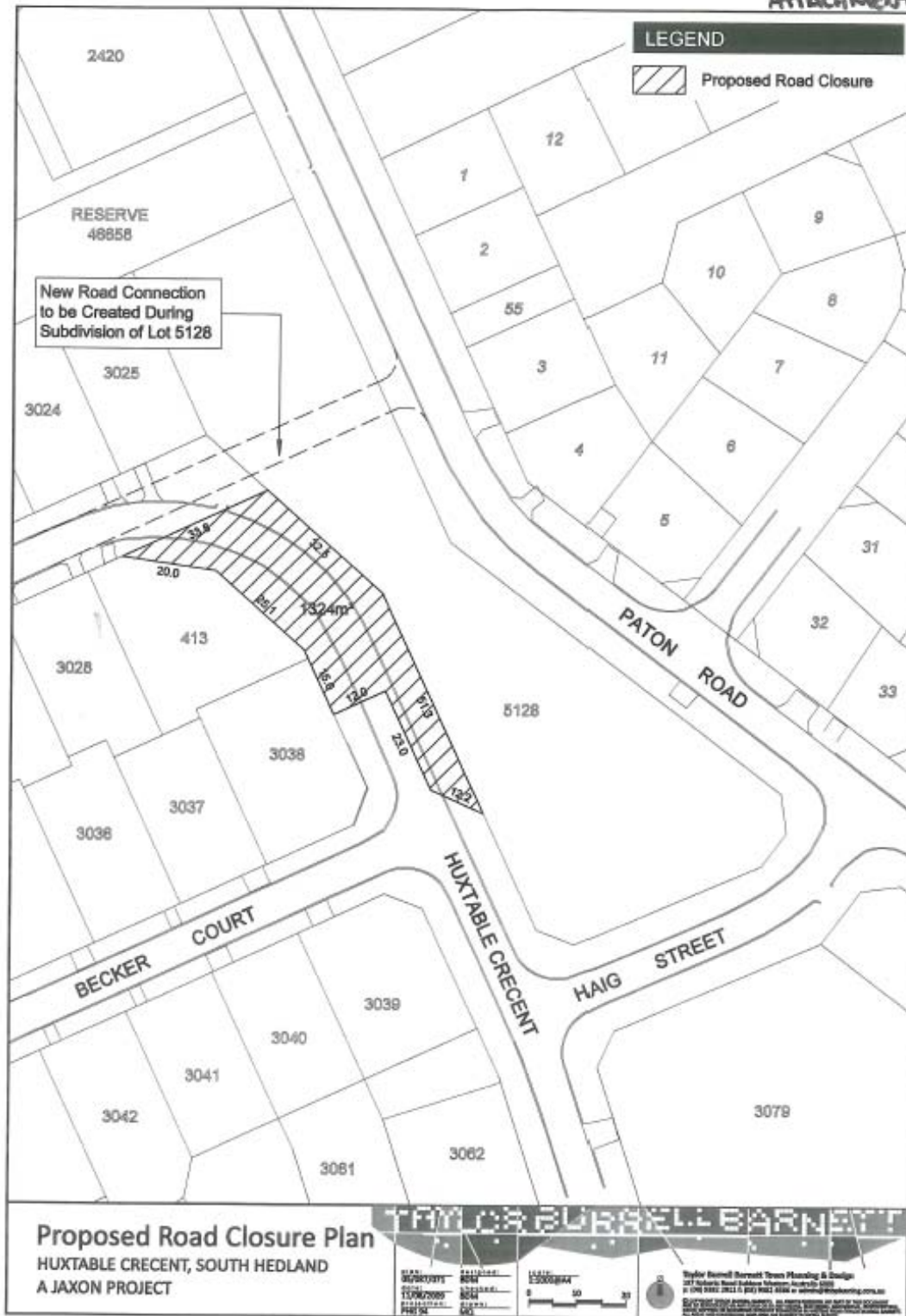
ATTACHMENT 1A TO AGENDA ITEM 12.1

ATTACHMENT 1A

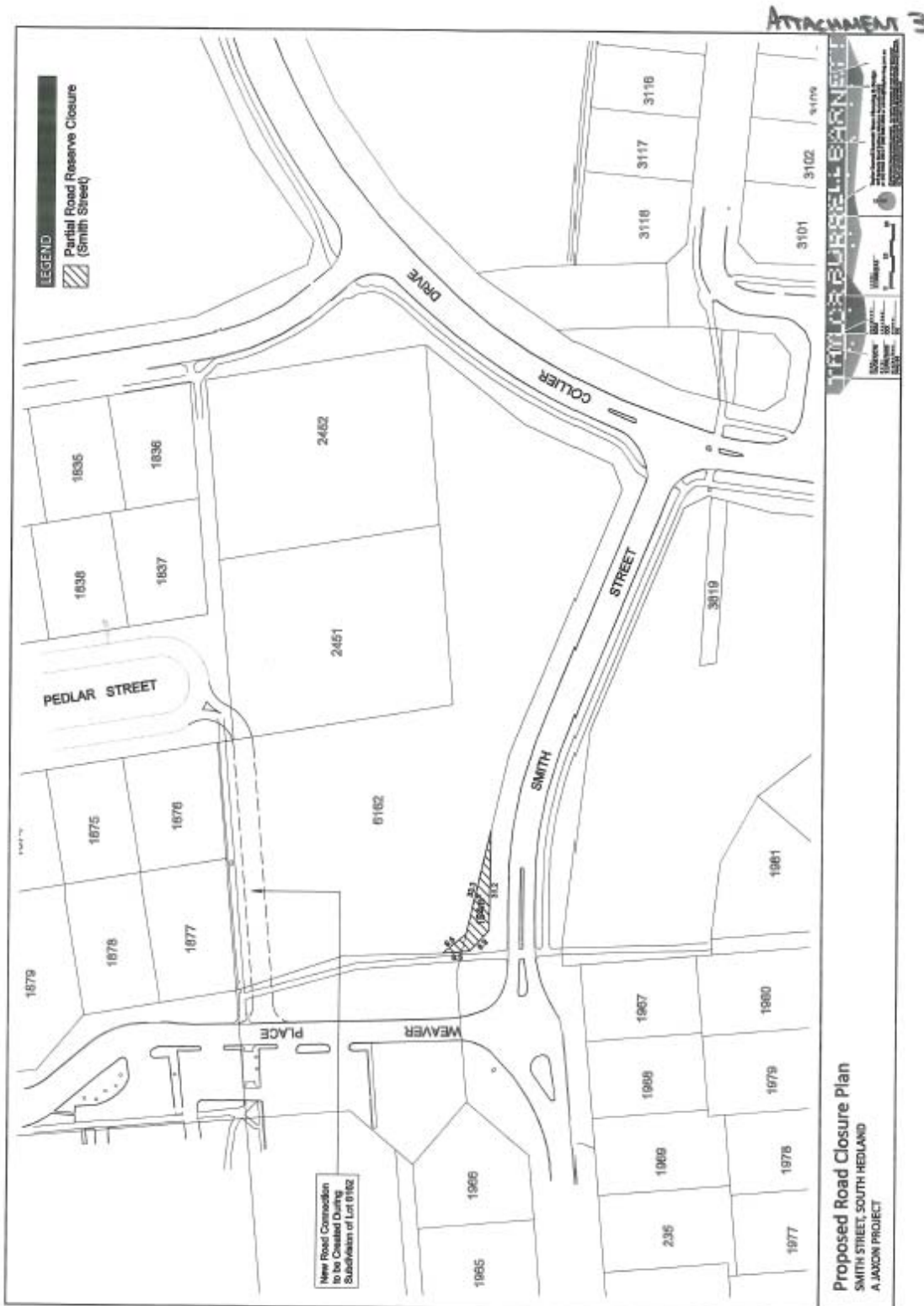


ATTACHMENT 2 TO AGENDA ITEM 12.1

ATTACHMENT 2



ATTACHMENT 3 TO AGENDA ITEM 12.1



ATTACHMENT 3A TO AGENDA ITEM 12.1



ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

ITEM 14 CONFIDENTIAL ITEMS

Nil.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

200809/133 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the following Applications for Leave of Absence:

- . Councillor George J Daccache from 2 to 10 November 2009 inclusive, and 16 to 24 November 2009 inclusive; and
- . Councillor Kelly A Howlett from 5 to 10 November 2009 inclusive;

be approved.

CARRIED 7/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 25 November 2009, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 7.28 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 25 November 2009.

CONFIRMATION:

MAYOR

DATE