



## **Town of Port Hedland**

### **MINUTES**

### **OF THE**

### **ORDINARY MEETING OF THE TOWN OF PORT HEDLAND COUNCIL**

### **HELD ON**

**WEDNESDAY, 24 MAY 2006**

**AT 5.30 PM**

**IN COUNCIL CHAMBERS  
McGREGOR STREET, PORT HEDLAND**

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*Chris Adams  
Chief Executive Officer*

**UNCONFIRMED**

**MINUTES**

**"WITHOUT PREJUDICE"**

Minutes are provided on the strict understanding that all terms whether deemed expressed or implied do not purport to record the proceedings of Council until confirmed by resolution of Council.

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## OUR COMMITMENT

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

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

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

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

Mayor S R Martin (from 5:36pm)

Cr A A Carter

Cr G D Bussell

Cr G J Daccache

Cr A A Gear

(from 5:31pm)

Cr D R Pike

Cr S F Sear

Mr Chris Adams

Chief Executive Officer  
(from 5:32pm)

Mr Matthew Scott

Directory Corporate Services

Mr Grant Logie

Director Engineering Services

Mr Terry Sargent

Director Regulatory and

Community Services

Executive Assistant

Ms Gaye Stephens

Members of Public

20 (including Manager  
Planning Services, Event's  
Co-ordinator and Sport and  
Recreation Officer)

Members of the Media

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**2.2 Apologies**

Nil.

**2.3 Approved Leave of Absence**

Cr J M Gillingham

**ITEM 3 RESPONSE TO PREVIOUS QUESTIONS - ON NOTICE****3.1 Questions from Public at Ordinary Council Meeting held  
Wednesday 26 April 2006**

Nil.

**3.2 Questions from Members at Ordinary Council Meeting held Wednesday 26 April 2006**

Nil.

**ITEM 4 PUBLIC TIME****4.1 Public Question**

5:32 pm Deputy Mayor opened Public Question Time.

**4.1.1 Mr Chris Whalley**

*In reference to my previous question at the last Council Meeting, would Council give an update on the latest developments concerning the repairing of street lights not working and installing new road names where there are none?*

Deputy Mayor advised this question will be taken on notice.

**4.1.2 Miss Kelly Howlett**

*Can Council please request a public copy of the Oil Energy discharge test results from 30 March 2006 discharge incident?*

Deputy Mayor advised yes.

*Can Council ask the Department of Environment why volatile organic compounds were not tested for?*

Deputy Mayor advised this question will be taken on notice.

*In future can Council push for broader testing parameters to be set for such discharge incidents from Oil Energy, given that they treat a broad range of chemical compounds, rather than the current arrangement of just testing for hydrocarbons?*

Director Regulatory and Community Services advised that the Department of Environment set appropriate testing parameters. A request to Department of Environment to change testing parameters can be made by Council.

5:32 pm Chief Executive Officer entered and room and assumed his chair.

**4.1.3 Mrs Jan Ford**

*The Port Hedland Enquiry by Design was endorsed by State Cabinet in June 2005. The recommendations included a limit of 200 lots to be developed at Pretty Pool/Cooke Point with the balance of development to be 'very long term'. They also included that zoning of the residential area in the West End/Town*

*Centre be reduced to R12.5. Is Council aware that Cabinet endorsement of these recommendations constitutes State Government policy?*

Deputy Mayor advised this question will be taken on notice.

*If Council doesn't support the recommendations of the Enquiry by Design, will Council request the State Government to reject these recommendations to enable more dwellings to be provided to meet the pressing accommodation needs of the resources companies, small businesses and residents of Port Hedland?*

Deputy Mayor advised this question will be taken on notice.

*Will Council support the development of land and property in these locations where this development is in accordance with Town Planning Scheme No. 5?*

Deputy Mayor advised this question will be taken on notice.

*The WA Department of Health is currently undertaking a study of the health effects of airborne particles, particularly coarse crustal dust, in Port Hedland; when will the first stage of this study, being a literature review, and the second stage, being a morbidity study review, be publicly released?*

Director Regulatory and Community Services advised the timing of any release is entirely a matter for the Department of Health. To day, they have not advised Council when this will be, however it is anticipated to be next month and will be made available to the public as soon as possible.

Deputy Mayor advised Councillors will receive the results as soon a possible after receipt.

*Will Council's consideration of planning applications for West End or Town Centre developments be compromised by this study?*

Deputy Mayor advised the Department of Health's study results will be taken into consideration when any planning applications are presented to Council for their consideration.

5:35 pm Mayor Stan Martin entered the room.

5:36 pm Deputy Mayor closed Public Question Time.

#### **4.2 Public Statements**

5:37 pm Deputy Mayor opened Public Statement Time.

Nil.

5:37 pm Deputy Mayor closed Public Statement Time.

5:37 pm Mayor Stan Martin assumed the Chair.

5:37 pm Deputy Mayor returned to his chair.

**ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE****5.1 Councillor George J Daccache**

*In relation to the Grace Bros truck incident last week that damaged roads within the Town of Port Hedland, will compensation be sought from the individual for repairs made?*

Mayor advised he believes damages will be sought from the individual.

**5.2 Councillor Arthur A Gear**

*In now seems that there are less street lights operation from when I previously asked this question, which now becoming a matter of urgency to have fixed whichever state utility is responsible for this service, isn't Council also responsible to provide a safe community by ensuring street lights are working?*

Mayor advised the repair of street lighting faults relies of members of the public reporting them to Western Power.

Chief Executive Officer advised there was \$250,000 included in the 2005/06 budget for street and walkway lighting. There is significant work to be done on street lighting and walkway lighting.

Chief Executive Officer added that street lighting will be a component of the South Hedland New Living program, which will also lead to improving street lighting in South Hedland.

*Does Council or BHP Billiton own any street lighting in South Hedland?*

Chief Executive Officer advised that in general Council is responsible for walkway lighting, while Horizon Power is responsible for street lighting.

*What is the status of changes to the Emergency Services Act and any changes being implemented by FESA?*

Chief Executive Officer advised this question will be taken on notice.

*In relation to the new boundary fence installed at the Port Hedland Turf Club, isn't the facility leased from Council?*

Chief Executive Officer confirmed yes.

*As the facility is leased from Council by the Port Hedland Turf Club, should approval have been sought for the installation of new boundary fencing, of which is substandard?*

Chief Executive Officer advised he is aware of the boundary fence being installed at the facility, however is unsure if approval was sought with Council's Regulatory Services.

Mayor advised this question will be taken on notice.

*As there are only Telstra phone boxes in Jabiru, Spoonbill area, and there is a need for a phone box closer to Daylesford, can council have input in where Telstra phone boxes are located?*

Mayor advised Council can write to Telstra Country Wide advising of preferred locations.

*Can Council be provided with the statistics that are prepared for the Community Safety and Crime Prevention Working Group, what is the Group doing, have they met, and when is their next meeting?*

Chief Executive Officer advised the last meeting was held on Friday 3 February, at which the development of a revised Community Safety and Crime Prevention Plan was commenced with key stakeholders developing strategies to address issues identified at that meeting. The Plan is nearing completion now, and a draft will be presented to the Group for consideration and comment, with the revised document being presented to Council for endorsement.

Mayor added that the and Chief Executive Officer met the Premier's Law and Order adviser last week in relation to the possibility of an appointment of a senior public servant in Port Hedland to be responsible for the co-ordination of agencies to address strategies agreed in the revised Community Safety and Crime Prevention Plan.

*As access is no longer available to Paradise and Carey Creeks, can Council please undertake a community survey to determine if the community wants access to these locations, then lobby State Government?*

Mayor advised this question will be taken on notice.

*Can Councillors have a copy of the full cost of Council's litter program, which was supposed to be provided by Council, i.e. 'in house' labour, as it appears this is not the case?*

Chief Executive Officer clarified that Council determined for the litter program to be resourced internally by Council until a review is carried out as part of the budget process.

\$147,000 is included in Council's 2005/06 budget to provide this service.

### **5.3 Councillor Arnold Carter**

*What about the \$9,700 expended to Skilled Engineering for employees?*

Chief Executive Officer clarified that this expenditure was expended in the process of the initial recruitment of resources, similar to a 'spotters' fee.

### **5.4 Councillor Arthur A Gear**

*Is the guard rail installed correctly on the footpath outside the Port Hedland Regional Hospital?*

Mayor advised that as the Director Engineering Services is not in attendance tonight a response will be provided to Councillors later.

*Some months ago I queried if curfews could be investigated, can Council advise if the Community Safety and Crime Prevention Working Group supports such a strategy?*

Mayor advised curfews may be included in the revised Community Safety and Crime Prevention Plan being developed by the Community Safety and Crime Prevention Working Group.

*Is Council still considering the development of housing for staff at Moore Street?*

Mayor confirmed that Council's Staff Housing Working Group is still considering this matter and is developing options for Council's consideration.

*Has Council withdrawn from the joint venture with Newcrest Mining Limited?*

Chief Executive Officer confirmed Council has formally advised Newcrest Mining Limited that it no longer seeks to enter a joint venture arrangement for the construction of a copper concentrate storage facility.

Chief Executive Officer added that at its Ordinary Meeting held 25 January 2006, Council also resolved to endorse the signing and sealing of a funding agreement between Newcrest Mining and Council. The process is awaiting the Port Hedland Port Authority to complete unresolved administration matters, and will be signed before the end of the 2005/06 financial year.

*Could Council seek support from the Department of Education and businesses in South Hedland to ensure that all school aged children be restricted entry to businesses during school hours, unless accompanied by a teacher, parent or supervisor?*

Mayor advised that this concept is being considered as part of the revised Community Safety and Crime Prevention Plan.

*Did Council report damage to Telstra cabling caused by Council, and are Council aware of 'dial before you dig' services provided, as the damage in Robert Street was not reported.*

Chief Executive Officer advised Council is aware of 'dial before you dig' services, and is unaware of any specific damages caused in Roberts Street. Chief Executive Officer requested Councillor Gear to provide specific details of any incidents.

*Are vehicles permitted to be parked for the purposes of private sales in the vicinity of Caltex and South Hedland Fire Station adjacent to Hamilton Road, which also involves individuals driving over newly installed footpaths?*

Chief Executive Officer advised that Ranger Services are acutely aware of the matter. A report will be presented to Council's Ordinary Meeting to be held in June, which will identify options to address this matter.

*Since there are only 35 days until the end of the financial year, will Leehey Street matters be rectified by then?*

Chief Executive Officer advised this question will be taken on notice. There has been extensive discussion in relation to what is required.

*If works are incomplete by the end of the financial year, will Council need to return funding to the funding source?*

Chief Executive Officer advised that Leehey Street was not included in 2005/06 budget. Council's Engineering Services are attempting to undertake works using road maintenance budget funds, and funds obtained from adjacent properties. There is currently no grant funding for this project.

*How many Working Groups does Council have?*

Chief Executive Officer advised Council currently has a total of ten (10) Committees or Working Groups.

*When staff make presentations at Council's informal briefing sessions, which are closed to the public, and seek some form of 'direction' from Council, doesn't this break down transparency?*

Chief Executive Officer clarified that Informal Briefing Sessions are held to disseminate a great volume of information on various matters to Councillors. Informal Briefings Sessions for Council are not closed to members of the public, with members of public regularly attending.

**5.6 Councillor Arnold A Carter**

*Is it factual that the Stage Government has an agreement with LandCorp for any unallocated land?*

Chief Executive Officer advised that LandCorp have first option on any unallocated land.

**5.7 Councillor Arthur A Gear**

*Is the Chief Executive Officer aware of Council's policy that he is to appoint an Acting Chief Executive Officer for periods when he is away?*

Chief Executive Officer advised that he is not aware of any policy, and that he had been in Perth for 1.5 days on Council business and was contactable throughout this time. In periods of extended leave an acting Chief Executive Officer will be appointed.

**5.8 Councillor Grant D Bussell**

*How much has Council spent in the 2004/05 and 2005/06 financial years on petrol and diesel.*

Mayor advised this question will be taken on notice.

*Has Council been receiving the Community Safety Indicator statistics collated from various agencies by the Port Hedland Business Enterprise Centre?*

Chief Executive Officer advised these have been received and will be circulated to Councillors.

*Can Council initiate land developments in an effort to fast track the process?*

Chief Executive Officer advised that Council owns very little land to be able to fast track land development.

**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.*

Cr S R Martin	Cr A A Gear
Cr A A Carter	Cr D R Pike
Cr G D Bussell	Cr S F Sear
Cr G J Daccache	

*NOTE: Councillor Gear advised he had not read all attachments.*

**ITEM 7      CONFIRMATION OF MINUTES OF PREVIOUS MEETING****7.1          Confirmation of Minutes of Ordinary Meeting of Council held  
on Wednesday 26 April 2006.****Officer's Recommendation**

That the Minutes of the Ordinary Meeting of Council held on Wednesday 26 April 2006 be confirmed as a true and correct record of proceedings.

**200506/409 Council Decision**

**Moved:**      Cr A A Carter                      **Seconded:** Cr S F Sear

**That the Minutes of the Ordinary Meeting of Council held on Wednesday 26 April 2006 be confirmed as a true and correct record of proceedings with the following amendment:**

- .      **Item 11.2.2.5 (page 79) Record of Vote 'For' delete 'Cr GJ Daccache', insert 'Cr S Martin'.**

***CARRIED 7/0***

**ITEM 8      ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION**

Nil.

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

Nil.

**ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS****10.1 Presentation of Smarter than Smoking Country Sport Scholarships**

The Smarter than Smoking scholarships are designed to provide support to selected country athletes aged between 13 and 21. All recipients of this scholarship have shown the potential to reach State or National Selection, and to excel and achieve within their selected sport.

Mayor presented Certificates and Smarter than Smoking packs to the following winners of the 2006 round of the Smarter than Smoking Country Sport Scholarships:

- Jonathon Nowers - Water Polo (Port Hedland Water Polo Association)  
Jonathon is a 15 year old from South Hedland who has recently travelled to Newcastle in NSW to represent WA at the National Country Water Polo Championships. Jonathon aims to be a role model for youth in the Port Hedland area, and states that one of his goals is to represent WA and Australia in the near future.
- Dana Pringle – Water Polo (Port Hedland Water Polo Association)  
Dana is a 17 year old from South Hedland who also travelled to Newcastle to represent WA at the National Country Water Polo Championships. Dana's future goals include playing Water Polo at a professional level and to further develop her coaching skills through a development program.
- Aaron Neech – Cricket (Port Hedland Junior Cricket Association)  
Aaron is a 14 year old from South Hedland who has been identified by the WA Cricket Association as a talented fast bowler. Aaron will be using this scholarship to attend the Dennis Lillee Pace Academy on Perth to further develop his skills and his knowledge of the game of cricket.

The winners of the 2006 round of the Smarter than Smoking Country Sport Scholarships are:



**Policy Implications** Nil

**Strategic Planning Implications**

KRA 6 – Governance

Goal 6 – Systems Development

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

**Budget Implications** Nil

**200506/410 Council Decision/Officer's Recommendation**

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

**That the Officer's Report 'Status of Council Resolutions' as presented to the Council's Ordinary Meeting held on 24 May 2006 be received.**

***CARRIED 7/0***

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
<p>Ordinary Meeting held 28 September 2005</p>				
10.2.2.3	Revised Pretty Pool Development Plan	<p>200506/101 Council Decision That Council resolve to:</p> <p>a) initiate an amendment to Town Planning Scheme No. 5 to rezone an area of land from 'Rural' and 'Urban Development R20' to 'Urban Development' to facilitate the subdivision and development of the land in accordance with the Revised Pretty Pool Development Plan;</p> <p>b) advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority;</p> <p>c) receive the Revised Pretty Pool Development Plan for the purpose of public advertising in conjunction with the associated Town Planning Scheme No.5 Scheme Amendment;</p> <p>d) invite Landcorp to a meeting with Council to address the issues of</p> <ul style="list-style-type: none"> <li>. permeability/road layout;</li> <li>. open space window;</li> <li>. alienation of public land;</li> <li>. commercial and tourism site locations; and</li> <li>. management planning to reduce impacts on flatback turtle populations; and</li> </ul> <p>e) the final plans be returned to Council for consideration after the public consultation period and prior commencement of the project, in accordance with the Local Government Act 1995 and association regulations.</p>	<p>RESPONSIBLE OFFICER: Planning Officer</p> <p>EPA to set level of assessment prior to advertising. Amendment still with Dept of Environment for assessment. Awaiting confirmation from Dept. of Environment</p>	
10.2.3.6	Hire Car Operations	<p>200506/108 Council Decision/Officer's Recommendation That:</p> <p>i) the Chief Executive Officer and the Airport Manager commence negotiations with Hire Car operators regarding the possible relocation and consolidation of facilities; and</p> <p>ii) a report be presented for Council's consideration following negotiations being undertaken with Hire Car operators, and drainage investigations being completed at the Port Hedland International Airport.</p>	<p>RESPONSIBLE OFFICER: Airport Manager As per briefing to Council in March Letters have been sent to Hire Car Operators Ongoing discussions. Still awaiting replies. Follow up ltr sent.</p>	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
10.2.3.7	Lease of Portion of Terminal for Check In, Office, Baggage Handling and Managers Lounge: Qantas Airways Limited	200506/109 Council Decision That: i) a lease agreement be offered to Qantas Airways Limited for the Terminal Check-In areas, lounge, office and baggage make up area being approximately 255sqm for a fee of set at market rate as determined by the Valuer General, ex GST per month for a period of five years commencing on 1 July 2002 and expiring 30 June 2007 with an option of renewal for a further term of five (5) years commencing 1 July 2007 and expiring on 30 June 2012; ii) if the above offer is accepted, Council's intention to enter into the abovementioned lease agreement with Qantas Airways Limited be advertised in accordance with Section 3.58 of the Local Government Act 1995; iii) Qantas be advised that: a) rental payments are exclusive of GST and the difference in rental payments received from 1 July 2002 to present and those payable is recovered; and b) CPI increases are to be calculated for the period	RESPONSIBLE OFFICER: Airport Manager  Response received from Qantas. Seeking legal advice. A report will be presented to May Ordinary Meeting.	
10.2.5.1	Monitoring of Cemetery Beach and Pretty Pool Beach	200506/113 Council Decision/Officer's Recommendation That Council: i) endorse Ranger Services to perform ad hoc patrols of the foreshore reserves on a regular basis during flatback turtle breeding season; ii) acknowledge and approve of the lawful actions being undertaken by Authorised Officers, following any offenders being caught riding or driving on the foreshore area, including any infringements being issued; and iii) considers installing barriers along Cemetery Beach to prevent off-road vehicle access.	RESPONSIBLE OFFICER: Senior Ranger Items i) and ii) are completed. Item iii) pending. Co-ordinator Ranger Services commenced 15.03.06. A report will be presented to May Ordinary Meeting.	
Ordinary Meeting held 26 October 2005				

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
10.1.3.6	Proposed Scheme Amendment – Portion of Crowe Street Road Reserve	200506/151 Council Decision That Agenda Item 10.1.3.6 ‘Proposed Scheme Amendment – Portion of Crowe Street Road Reserve’ requesting for rezoning of portion of Crowe Street Road Reserve from ‘Local Road’ to ‘Residential R12.5/50’ lay on the table pending further information being provided to Council, including – i) any potential obstruction to public access the intended purpose for the scheme amendment rezoning may cause; and ii) advice on the affect of legal ownership that the requested rezoning may have.	RESPONSIBLE OFFICER: Planning Officer Still pending. Awaiting purchase of land prior to considering scheme amendment.	
10.2.2.1	Lease of Southern Aircraft Hangar and Surrounding Land at Port Hedland International Airport	200506/154 Council Decision/Officer’s Recommendation That: i) Council advertise its intention to dispose of the Southern Apron Hangar as per the requirements of Section 3.58 of the Local Government Act 1995; ii) if no objections are received during the advertising period, a lease agreement be entered into with Polar Aviation Pty Ltd for the Southern Apron Hangar and Land at an initial cost of \$7,000 + gst per annum; iii) the Common Seal be affixed and the Mayor and Chief Executive Officer be authorised to sign the Lease Agreement; and iv) if the transportable building located on the Western Edge of the leased are is not removed by the current lessee, that Council dispose of this building.	RESPONSIBLE OFFICER: Airport Manager  Lease negotiations are still in progress. Dft Lease to Polar Aviation May 06	
10.2.2.2	School of the Air Request to Lease Airport Building	200506/155 Council Decision/Officer’s Recommendation That: i) Council advertise its intention to dispose of Building 158 (ex Air BP) as per the requirements of Section 3.58 of the Local Government Act 1995; ii) if no objections are received during the advertising period, a lease agreement be entered into with Port Hedland School of the Air at the valuation rate. iii) the Mayor and Chief Executive Officer be authorised to sign and execute Lease Agreement documents once it has been prepared.	RESPONSIBLE OFFICER: Airport Manager  Advertising completed. No objection received. Still Awaiting valuation report.	June 06

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
10.3.2.2	Pretty Pool Stables (Reserve 31462 – Lot 5770 Styles Road, Port Hedland	200506/159 Council Decision That Council: i) extend the leases on Reserve 31462 until 30 April 2006 to allow lessee’s to submit a request for certification of unauthorised works and remove any structures as required in the Building Surveyors report above; ii) all tenants be notified of the requirements to formalise/remove structures as per building surveyors report and deadline of 30 April 2005; iii) this extension be given on the understanding there will be no more extensions, no more works undertaken and should certification/removal not occur by 30 April 2006 the lease will become void and the tenant removed. For those that comply Council will offer a lease of five years with another five year option at Council’s discretion; iv) that all living arrangements on the reserve cease immediately and should this not occur Council cease discussions and have the tenant removed; and v) In the event that leases are terminated, then public advertising of Council’s intention to lease relevant sections of Reserve Number 31462, in accordance with Section 3.58 of the Local Government Act be undertaken.	RESPONSIBLE OFFICER: Manager Administration  Ltrs sent to lessees via Registered Post 15.11.05 Have until 30 April 06 to comply.  Item to May Ordinary Meeting.	May 2006
10.3.2.3	Pretty Pool Stables Reserve 31462 – Lot 5770 Styles Road, Port Hedland - Request Received from Port Hedland Turf Club	200506/160 Council Decision/Officer’s Recommendation That Council: i) consider entering into lease negotiations with the Port Hedland Turf Club for Lease Area 6 of Reserve 31462 subject to removal of the existing unauthorised structures; and ii) in accordance with the proposed Tenancy Policy, the lease be for a term of five years (5) with a further option of five (5) years at Council’s acceptance.	RESPONSIBLE OFFICER: Manager Administration  PH Turf Club given permission to enter and construct. Awaiting valuation report. Item to May Ordinary Meeting.	May 2006
Ordinary Meeting held 23 November 2005				

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
10.4.3.5	Pretty Pool Stables (Reserve 31462 – Lot 5770 Styles Road, Port Hedland	200506/201 Council Decision/Officer’s Recommendation That Council: a) consider entering into lease negotiations with G & W Brooks for Lease Area 4 of Reserve 31462 subject to removal of the existing unauthorised structures; b) accept the lease be for a term of five years (5) with a further option of five (5) years, in accordance with the proposed Tenancy Policy; and c) resolve this matter as a one-off allowance limited to Reserve 31462 and stipulate that no other leases that prohibit transfer of ownership are impacted or subject to the precedent of this transfer.	RESPONSIBLE OFFICER: Manager Administration  Awaiting finalisation of Turf Club Lease. Lessees have until 30 April to comply. Awaiting valuation report. Item to May Ordinary Meeting.	May 2006
Ordinary Meeting held 14 December 2005				
		200506/212 Council Decision/Officer’s Recommendation That Council: i) agree to Whelans request to enter into a bonded legal agreement with the landowner of Lot 11 (29-37) Keesing Street, Port Hedland to enable the clearance of the following conditions imposed by the Western Australian Planning Commission (WAPC): ...	RESPONSIBLE OFFICER: Planning Officer Awaiting alternative solution proposal from Whelans. Legal agreement prepared by CI Lawyers and awaiting applicant to sign and return to CI for countersigning.	April 2006
10.2.4.1	Adoption of 2005-2006 Fire Management Plan	200506/217 Council Decision That: i) Council adopt the 2005-2006 Fire Management Plan; and ii) a report being presented to Council to consider reforming the Bushfire Advisory Group as either a Working Group or a Committee.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Item to May Ordinary Meeting	May 2006

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
10.2.4.2	Impounded Shopping Trolleys	200506/218 Council Decision That Council rejects the offer of \$4,500 in lieu of impounding fees for the shopping trolleys currently held at the depot and commences disposal by public tender of the impounded trolleys in accordance with the provisions of the Local Laws in January 2006.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Letters sent. Trolleys to be advertised for sale.	May 2006
Ordinary Meeting held 25 January 2006				
11.4.2.2	Proposed Lease - Part Lot 2444 Great Northern Highway, Port Hedland.	200506/264 Council Decision/Officer's Recommendation That: i) Council dispose of part Lot 2444 Great Northern Highway, Port Hedland to The Pilbara Infrastructure Pty Ltd by lease in accordance with Section 3.58 of the Local Government Act 1995; ii) Council receive a valuation of the proposed leased area by a qualified independent valuer; iii) Council delegate authority to the Chief Executive Officer to negotiate a lease with The Pilbara Infrastructure Pty Ltd subject to the following conditions: ...	RESPONSIBLE OFFICER: Manager Administration  Advertising occurring April. Finalising lease document with solicitors.	May 2006
11.4.3.1	Newcrest Mining Partnership Agreement	200506/265 Council Decision/Officer's Recommendation That Council: i) approve the establishment of the Newcrest Mining/Council Joint Projects Working Group with the expressed purpose being to: a) Discuss joint initiatives that may be appropriate between Newcrest Mining and Council; and b) Recommend projects to Council for funding from the Newcrest Mining/ToPH Strategic Plan Implementation Reserve. Note: The working group has no delegated authority to make decisions on behalf of the Council. ii) establish a new reserve account entitled Newcrest Mining Limited/ToPH Strategic Plan Implementation Reserve with the expressed purpose of the reserve being to use the funding for strategic projects as recommended by the Newcrest Mining Limited/Council Joint Projects Working Group; and iii) endorse the signing and sealing of the funding agreement between Newcrest Mining and Council as proposed.	RESPONSIBLE OFFICER: Chief Executive Officer  Ltr send 8.02.06 Reply received. MOU signed by ToPH, awaiting signature by PHPA.	
Ordinary Meeting held 22 February 2006				

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.5	Proposed Road Closure of Portion of Lawson Street South Hedland	200506/288 Council Decision/Officer's Recommendation That Council resolve to: i) close the portion of the Lawson Street road reserve as indicated on the plan received by the Department for Planning and Infrastructure (Land Assets Management Services), drawing number 5595/03/05; ii) seek comment with relation to the road closure from ... iii) advertise the proposed road closure in accordance with Section 58 of the Land Administration Act 1997.	RESPONSIBLE OFFICER: Planning Officer  Advertising in progress and awaiting comment from SP's.	May 2006
11.4.2.1	Liquor Restrictions	200506/305 Council Decision That: i) Council undertake community consultation on the level of community support and perceived effectiveness of the current Town of Port Hedland Liquor Restrictions. ii) The community consultation include: ... and iii) The Office of Racing, Gaming and Liquor be requested to expedite answers in relation to questions previously asked by Council.	RESPONSIBLE OFFICER: Chief Executive Officer  800 surveys distributed. Closing date 7.4.06 Report to April Ordinary Meeting.	✓ COMPLETED
11.4.2.3	Port Hedland Underground Power Project – Billing Model	200506/307 Council Decision/Officer's Recommendation That: i) Council send a survey to all ratepayers within the Port Hedland Underground Power project area to determine: a) the total quantum of residents who are eligible for ... b) The number of residents who intend paying their contribution 'upfront', the number that intend paying by instalments and the number intending to pay their contribution over a five year period; and ii) the results of the survey be presented to the first available Council meeting after they have been collated and analysed.	RESPONSIBLE OFFICER: Chief Executive Officer  Report to April Ordinary Meeting.	✓ COMPLETED
Ordinary Meeting held 22 March 2006				
11.2.2.4	Notification of Application for Exploration Licence	200506/342 Council Decision/Officer's Recommendation That Council defer this item pending further information on the nature of exploration proposed as a component of the Licence.	RESPONSIBLE OFFICER: Planning Officer Awaiting comment from FMG.	✓ COMP.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.5	Proposed Pedestrian Access Way (PAW) Closure At Lot 1699 (18-20) Logue Court South Hedland	<p>200506/343 Council Decision/Officer's Recommendation</p> <p>That Council:</p> <ul style="list-style-type: none"> <li>i) Resolve to close the pedestrian access way between lots 1699 and 2091 Logue Court, South Hedland;</li> <li>ii) advertise the proposed road closure in accordance with section 58 of the <i>Land Administration Act 1997</i>;</li> <li>iii) request advise from relevant service providers with regard to required easements;</li> <li>iv) provide any easements as required by service providers;</li> <li>v) amalgamate the closed Pedestrian Access Way with Lot 1699 Logue Court, South Hedland; and</li> <li>vi) allocate \$3000 from unallocated funds to account 901400 (Purchase of Land) for the purchase of the PAW if required.</li> </ul>	<p>RESPONSIBLE OFFICER: Planning Officer Public submission period completed 11.05.06 with no submissions received. Request will be made to Minister to close PAW in accordance with delegation 40(12).</p>	
12.2.2.7	Request for Scheme Amendment to Rezone Lot 5197 (21) Harper Street Port Hedland	<p>200506/345 Council Decision/Officer's Recommendation</p> <p>That</p> <ul style="list-style-type: none"> <li>a) Council initiates the scheme amendment rezoning lot 5197 (21) Harper Street Port Hedland from Residential R 15 to Residential R 30; and</li> <li>b) all costs relating to the amendment be borne by the applicant.</li> </ul>	<p>RESPONSIBLE OFFICER: Planning Officer Awaiting documentation from Whelans on behalf of applicant. Advertising in progress.</p>	
11.4.1.4	Water Corporation Loan	<p>200506/356 Council Decision/Officer's Recommendation</p> <p>That Council:</p> <ul style="list-style-type: none"> <li>i) enter into a agreement with the Water Corporation to borrow \$650,000, repayable over 5 years, with no interest payable;</li> <li>ii) the \$325,000 Pilbara Fund contribution be placed in a Reserve Account 'Wastewater Treatment Reserve', with the purpose of repaying the loan from the Water Corporation; and</li> <li>iii) consider transferring \$65,000 per annum to the Wastewater Treatment Reserve over the next five (5) years in it's Budget considerations.</li> </ul>	<p>RESPONSIBLE OFFICER: Director Corporate Services Documents signed.</p>	<p>✓ COMPLETED</p>

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.2.1	Annual General Meeting of Electors held on 8 February 2006	200506/357 Council Decision/Officer's Recommendation  That: i) the decisions from the Annual General Meeting of Electors held on Wednesday 8 February 2006 be received; and ii) following the appointment of the Senior Ranger on Tuesday 15 March 2006, the provision of a dedicated off road vehicle recreation area be investigated and a report be provided to Council's Ordinary Meeting to be held in June.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Research commenced. Report to June Ord CI Mtg.	
Ordinary Meeting held 26 April 2006				
11.2.2.2	Proposed Placement of Two (2) Transportable Structures for Use as an Office and Conference Room at Lot 1406 (P51) Wilson St, PH	200506/365 Council Decision  That Council defer item 11.2.2.2 Proposed Placement of Two (2) Transportable Structures for use as an Office and Conference Room at Lot 1406 (P51) Wilson Street, Port Hedland pending further information on who will occupy the buildings and if the buildings are ratable.	RESPONSIBLE OFFICER: Planning Officer Item to May CI Mtg	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.3	Application to Convert 144 Sgle B/room Units into 96 Self-Contained Units at Lot 5954 Parker St, SH	200506/366 Council Decision/Officer's Recommendation  That Planning Consent be granted to Compass Group Australia Pty Ltd on behalf of Pilbara TAFE for the renovation of 24 accommodation units from six-bedroom to four-bedroom en-suite units at lot 5954 Kennedy Street South Hedland as outlined in the Application received 21 March 2006 (Application No. 2006/37) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	✓ COMPLETED
11.2.2.4	Application to Construct 200 Transient Workforce Accom. Rooms at Lots 5871 and 5872 Schillaman St W/field	200506/367 Council Decision/Officer's Recommendation  That Planning Consent be granted to Compass Group Australia Pty Ltd for the construction of 112 self-contained transient workforce accommodation units at Lots 5871 Schillaman Street Wedgefield as outlined in the Application received 27 March 2006 (Application No. 2006/38) and indicated on the approved plans as "Stage One", subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	✓ COMPLETED
11.2.2.5	Application to Construct a Motel Accom. Complex at lot 2053 Hamilton Rd, SH	200506/368 Council Decision  That Item 11.2.2.5 – Application to construct a Motel Accommodation Complex at lot 2053 (77-95) Hamilton Road South Hedland i) be put to further Community Consultation for a period of (14) fourteen days, and ii) at the end of the Community Consultation period a Special Meeting be called to expedite the matter.	RESPONSIBLE OFFICER: Planning Officer Advertising closes 17.05.06 Item to May Ord CI Mtg.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.6	Proposed Six Group Dwellings at Lot 3513 (11-15) Kabbarli Loop, SH	200506/369 Council Decision/Officer's Recommendation  That Planning Consent be granted to Trend Developments for the construction of six (6) group dwellings at Lot 3513 (11-15) Kabbarli Loop South Hedland as outlined in the Application received 17 March (Application 2006/35) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	✓ COMPLETED
11.2.2.7	Proposed 980 m <sup>2</sup> Storage Shed at Lot 12 (7) Byass Road, SH	200506/370 Council Decision/Officer's Recommendation  That Planning Consent be granted to Pilbara Constructions Pty Ltd for the construction of a Storage Shed and Carport at Lot 12(7) Byass Road South Hedland (Application 2006/28) and indicate on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	✓ COMP.
11.2.3.1	JD Hardie Centre Recomm.	200506/371 Council Decision/Officer's Recommendation  That Item 11.2.3.1 J D Hardie Centre Recommendation be referred back to the JD Hardie Centre Working Group for their further consideration.	RESPONSIBLE OFFICER: Sports and Recreation Officer Currently with JD Hardie Centre WG	June 2006
11.2.3.2	Finalisation of Arts, Heritage and Culture Alliance ('The Alliance') Agreement - BHPIO and Council	200506/372 Council Decision/Officer's Recommendation  That the Arts Alliance Agreement with BHP Billiton Iron Ore and the Town of Port Hedland i) be circulated to Councillors for review, and ii) if no objection is received from any Councillor within three (3) days, the Mayor and CEO be authorised to sign and affixed the common seal to the Arts Alliance Agreement with BHP Billiton Iron Ore.	RESPONSIBLE OFFICER: Events Co-ordinator Circulated for Comment.	June 2006

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.3.3	Request by Pilbara Music Festival Committee to Waive Bond	200506/373 Council Decision/Officer's Recommendation  That Council does not waive the Bond Fees for the Pilbara Music Festival Committee for use of the Gratwick Hall, the Matt Dann Cultural Centre and the Courthouse Arts Centre and Gallery.	RESPONSIBLE OFFICER: Manager Arts, Recreation and Community Activities Ltr sent	✓ COMPLETED
11.2.3.4	Request to Waive Fees Associated With Set-up & Pack-up for HSHS Senior Ball	200506/374 Council Decision/Officer's Recommendation  That the Hedland Senior High School Ball Committee be required to pay the fees applicable for the hire of Gratwick Hall for the annual Hedland Senior High School Ball to be held on Saturday 6 May 2006.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Ltr sent.	✓ COMPLETED
11.2.3.5	Recreation Facilities Working Group	200506/375 Council Decision/Officer's Recommendation That: i) the site for development of a South Hedland Skate park be the existing site and adjoining drainage reserve, adjacent to the South Hedland Shopping Centre on Throssell Road, South Hedland; and ii) the site for development of a Port Hedland Skate park is land adjacent to the Scout Hall on McGregor Street, Port Hedland.	RESPONSIBLE OFFICER: Sports and Recreation Officer	✓ COMP.
11.2.4.1	Application for Temporary Accomodation - Port Hedland Turf Club Inc.	200506/376 Council Decision/Officer's Recommendation  That a temporary licence be granted to the Port Hedland Turf Club for the period from 27 April 2006 to 31 August 2006 on Lot 1607 McGregor Street, Port Hedland upon the payment of the minimum fee of \$100 as set out in Item 3 of Schedule 3 of the <i>Caravan Parks and Camping Ground Regulations 1997</i> and subject to the following conditions: ...	RESPONSIBLE OFFICER: Acting Senior Environmental Health Officer	✓ COMP.
11.2.5.1	Request to Waive of Fees – Impounded Vehicle	200506/377 Council Decision/Officer's Recommendation  That Council waive the fees relating to towing and impounding of the Hino bus, Registration Number RQV – 443, provided it is collected prior to 30 June 2006.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	✓ COMP.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP- DATE
11.3.1.2	Tender 06/02 One (1) Steel Drum Vibrating Combination Roller	200506/379 Council Decision/Officer's Recommendation  That: i) Council award Tender 06-02 to TJ & FI Pohlner Pty Ltd for the following: a) Supply and delivery of Steel Drum Vibrating Combination Roller - \$77,700; and b) Supply and delivery of accessories being manual hand pump (\$700) and spare wheel, carrier and winch (\$1,000 fitter to roller); ii) Engineering Services to fulfill registration and stamp duty requirements upon equipments arrival in Western Australia. Stamp duty calculates to 3% of market value, \$2,331. Registration cannot be estimated until licensing inspection. for the total price \$81,731 (+ GST).	RESPONSIBLE OFFICER: Director Engineering Services Tenderer formally notified.	✓ COMPLETED
11.3.1.3	Tender 06/03 Supply of New Vehicle(s) With/Without Trade In; &/or Purchase of Vehicle(s) for Disposal	200506/380 Council Decision/Officer's Recommendation  That: i) various light fleet vehicles be purchased from Pilbara Motor Group in accordance with tender submitted; ii) various light fleet vehicles be sold to Pilbara Motor Group in accordance with tender submitted:	RESPONSIBLE OFFICER: Chief Executive Officer	✓ COMPLETED
11.3.2.1	Airservices Australia, Navigation Aid Life Extension Project (NAVEX)	200506/381 Council Decision/Officer Recommendation  That: i) Council advertise its intention to dispose a 10m x 10m section of land approximately 80 metres from the current VOR site as per the requirements of Section 3.58 of the Local Government Act 1995; ii) if no objections are received during the advertising period, a lease agreement be entered into with Airservices Australia for this portion of land at a peppercorn rent, expiring on the 30 <sup>th</sup> September 2016, for the purpose of a monitoring antenna for the DVOR only; iii) all costs associated with the development of this lease be borne by Air Services Australia; and iv) early occupation of the site to Airservices Australia will only be granted subject to the following: a) Airservices providing written confirmation that they would accept the terms of this proposed lease provided to them. b) The intent would be to charge a peppercorn rent and a term aligning with their current Facilities Lease. c) Airservices Australia would be liable for all costs associated with the lease.	RESPONSIBLE OFFICER: Airport Manager Advertised locally and state May 06.	✓ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.2.2	Conduct of Parachuting Operations	200506/382 Council Decision/Officer's Recommendation  That Council not support the waiving or dispensation of Landing Fees at Port Hedland International Airport for Pete's Parachuting.	RESPONSIBLE OFFICER: Airport Manager Ltr sent.	✓ COMP.
11.4.1.2	Audit and Finance Committee – Finance Policies	200506/384 Council Decision/Officer's Recommendation  That Council: i) deletes Policies 2/001 – 2/015, as listed in attachment 1; and ii) adopts Policies 2/001-2/009, as listed in attachment 2.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	✓ COMP.
11.4.1.3	Owner's Request to Have Proceeding Costs to Recover Rates and Service Charges, ...	200506/385 Council Decision/Officer's Recommendation  That Council does not waiver any proceeding costs for the recovery of rates and service charges for Unit 6 Number 2 Limpet Crescent South Hedland.	RESPONSIBLE OFFICER: Manager Finance Ltr sent.	✓ COMPLETED
11.4.1.4	Port Hedland State Underground Power Program – Billing Model for Underground Power Connection	200506/386 Council Decision/Officer's Recommendation  That as part of its consideration in the 2006/07 Annual Budget, Council i) set a service charge for the under grounding of power for Port Hedland residents only of: a) Connection fee of \$1733.00 per connection; and b) A KVA charge of \$288 per KVA capacity of each premise on the property; ii) set the connection for group dwellings, where kVA capacity for each unit is less than 6 kVA to be divided between each unit within that property; iii) set a standard service charge of pretty pool properties of \$500 per property; iv) set a minimum charge of \$500 per other properties, unless the property subject to 100% rebate; v) Provide the following notional rebates: a) 100% rebate for Council Properties, Pensioners and Not for Profit Organisations b) Owner Occupier rebate of \$1,885 per property; c) Small Business rebate of \$1,436 per property; and d) General Ratepayer rebate of \$332 per property	RESPONSIBLE OFFICER: Director Corporate Services	✓ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.2.1	Funeral Directors Licence – Hedland Funeral Services	200506/387 Council Decision/Officer’s Recommendation  That in accordance with the Cemeteries Act 1986 and the Town of Port Hedland Cemeteries Local Law, Mr John Eyden of Hedland Funeral Directors be issued a Funeral Directors Licence for the 2005/06 year.	RESPONSIBLE OFFICER: Manager Administration	✓ COMP.
11.4.3.1	Land Use Master Plan – Consultant to Assist Council	200506/388 Council Decision/Officer’s Recommendation  That Council accept the quotation from Koltasz Smith to undertake the Strategic Planning Review Services for the Town of Port Hedland Land Use Master Plan project.	RESPONSIBLE OFFICER: Chief Executive Officer	✓ COMP.
11.4.3.2	Council Committees and Working Groups	200506/389 Council Decision/Officer’s Recommendation  That Council 1. disband the following Committees of Council: a) Strategic Planning Committee; b) Airport Committee; and c) Community Safety and Crime Prevention Committee; 2. continue to establish Working Groups as necessary, to deal with specific issues and projects affecting Council; 3. establish a Community Safety and Crime Prevention Working Group with the following terms of reference: ...	RESPONSIBLE OFFICER: Chief Executive Officer	✓ COMPLETED
11.4.3.3	Employment Strategies for Local Indigenous People	200506/390 Council Decision/Officer’s Recommendation  That Council: 1) note the current status of the Draft Regional Partnership Agreement and seek a more detailed update at the May 2006 Council Briefing Session; and 2) note the current status of Indigenous Employment with the Town of Port Hedland Corporate structure, and i) agree to investigate the provision of traineeships within the areas of ranger services, parks and gardens, engineering works and administration (within budget limitations) ii) seek an annual report to Council on the status of indigenous employment within the Town of Port Hedland’s corporate structure.	RESPONSIBLE OFFICER: Chief Executive Officer	✓ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE												
11.4.3.4	Strategic Plan - Quarterly Review Update Report	<p>200506/391 Council Decision/Officer's Recommendation</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>note the first quarter review of the 2006 Town of Port Hedland Strategic Plan; and</li> <li>modify the Strategic Plan to include the following strategies:</li> </ol> <table border="1" data-bbox="573 424 1749 767"> <thead> <tr> <th data-bbox="573 424 1341 517">Strategy</th> <th data-bbox="1341 424 1556 517">Primary Officer Responsible</th> <th data-bbox="1556 424 1749 517">Scheduled Completion Date</th> </tr> </thead> <tbody> <tr> <td data-bbox="573 517 1341 609">Work with Western Power to implement the Port Hedland Underground Power Project in a manner that is fair and equitable to ratepayers.</td> <td data-bbox="1341 517 1556 609">CEO</td> <td data-bbox="1556 517 1749 609">Dec 2006</td> </tr> <tr> <td data-bbox="573 609 1341 702">Identify the level of community support for the Town's Liquor Restrictions and advocate for changes that are needed/wanted by the community.</td> <td data-bbox="1341 609 1556 702">CEO</td> <td data-bbox="1556 609 1749 702">Jun 2006</td> </tr> <tr> <td data-bbox="573 702 1341 767">Work with the PDC and relevant stakeholder to develop appropriate turtle interpretive facilities.</td> <td data-bbox="1341 702 1556 767">CEO</td> <td data-bbox="1556 702 1749 767">Dec 2006</td> </tr> </tbody> </table>	Strategy	Primary Officer Responsible	Scheduled Completion Date	Work with Western Power to implement the Port Hedland Underground Power Project in a manner that is fair and equitable to ratepayers.	CEO	Dec 2006	Identify the level of community support for the Town's Liquor Restrictions and advocate for changes that are needed/wanted by the community.	CEO	Jun 2006	Work with the PDC and relevant stakeholder to develop appropriate turtle interpretive facilities.	CEO	Dec 2006	RESPONSIBLE OFFICER: Chief Executive Officer	✓ COMPLETED
Strategy	Primary Officer Responsible	Scheduled Completion Date														
Work with Western Power to implement the Port Hedland Underground Power Project in a manner that is fair and equitable to ratepayers.	CEO	Dec 2006														
Identify the level of community support for the Town's Liquor Restrictions and advocate for changes that are needed/wanted by the community.	CEO	Jun 2006														
Work with the PDC and relevant stakeholder to develop appropriate turtle interpretive facilities.	CEO	Dec 2006														
11.4.3.5	Funding for Turtle Interpretive Projects	<p>200506/393 Council Decision That the Council advise the Pilbara Development Commissions Turtle Interpretive Centre Working Group that the preferred vision for the facility is the development of a landmark building (similar to the Bunbury Dolphin Interpretive Centre).</p> <p>200506/394 Council Decision/Officer's Recommendation That Council advise the Pilbara Development Commission's Turtle Interpretive Centre Working Group that it supports the exploration of options for additional tenants for the new building to share the operating costs.</p> <p>200506/395 Council Decision/Officer's Recommendation That Council advise from the Pilbara Development Commissions Turtle Interpretive Centre Working Group that it supports the concept of a portion of the \$1m funding being put aside for recurrent expenditure.</p>	RESPONSIBLE OFFICER: Chief Executive Officer	✓ COMPLETED												

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.3.6	Upgrade and Redev. Works at the PH Y&FC - Pilbara Reg. Dev. Scheme Funding Agreement	200506/396 Council Decision/Officer's Recommendation  That approval be granted for the Mayor and Chief Executive Officer to sign and duly affix the Town of Port Hedland Common Seal to the following Pilbara Regional Development Scheme's Financial Assistance Agreement (FAA) for upgrade and redevelopment works undertaken at the Port Hedland Youth and Family Centre.	RESPONSIBLE OFFICER: Executive Assistant	✓ COMPLETED
11.4.3.7	Town of Port Hedland Liquor Restrictions – Results of Community Survey	200506/397 Council Decision/Officer's Recommendation  That: i) Council writes to the Director of Liquor Licensing seeking the immediate revocation of the following restrictions on the basis that they are not supported by the Port Hedland community and are not assisting in reducing alcohol related harm: a) the restriction that prohibits any external promotion of which advertises the price of full strength "mainstream" packaged beer (i.e. regular beer with over 3.5% ethanol by volume); Ready to Drink spirit mixes; 2 litre wine casks; or spirits) whether the price is discounted or not; and b) the restriction that prohibits the link of the sale of full strength beer, Ready to Drink spirit mixes; 2 litre wine casks; or spirits with prizes, contests or customer incentives; and ii) the Director of Liquor Licensing be invited to the Town of Port Hedland to discuss alternatives to the existing liquor restrictions with the Town Council, licensees and the general community.	RESPONSIBLE OFFICER: Chief Executive Officer	✓ COMPLETED
11.4.3.8	WALGA – Daylight Savings Survey	200506/398 Council Decision  That i) Council does not support the introduction of Daylight Savings Time in Western Australia, and ii) Daylight Savings is not a Local Government issue that members would like WALGA to pursue	RESPONSIBLE OFFICER: Executive Assistant Ltr sent 9 May 2006	✓ COMPLETED
14.1	Confidential Matter : Legal Matter – Wellard Industries	200506/404 Council Decision  That Council seek a second legal opinion on Wellard Industries legal matter currently being considered by Council.	RESPONSIBLE OFFICER: Chief Executive Officer Item to May CI Mtg	✓ COMP.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
		200506/405 Council Decision  That the Chief Executive Officer be empowered to write to Land Asset Management Services (LAMS) and Department of Planning and Infrastructure (DPI) to advise of Council’s position on this matter and indicate that no further action should be taken to rescind existing leases and/or use rights until such time that Council has further considered this matter.	RESPONSIBLE OFFICER: Chief Executive Officer	✓ COMP.
14.2	Confidential Matter : Landfill Org. Restructure	200506/406 Council Decision  That Council: i) offer the Mr John Gibbs the option of; ... ii) if Mr Gibbs accept the redundancy, offer: ...	RESPONSIBLE OFFICER: Chief Executive Officer	✓ COMPLETED

**11.2 REGULATORY AND COMMUNITY SERVICES**

**11.2.1 Director Regulatory and Community Services**

**11.2.1.1 *Monthly Report – Regulatory and Community Services (File No: ADM-091)***

**Officer** Terry Sargent  
Director Regulatory and  
Community Services

**Date of Report** 12 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

For Council’s information.

**Background**

Regulatory and Community Services Monthly Report to Council.

**Consultation**

Nil.

**Statutory Implications** Nil

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer’s Comment**

***Library and Information Services***

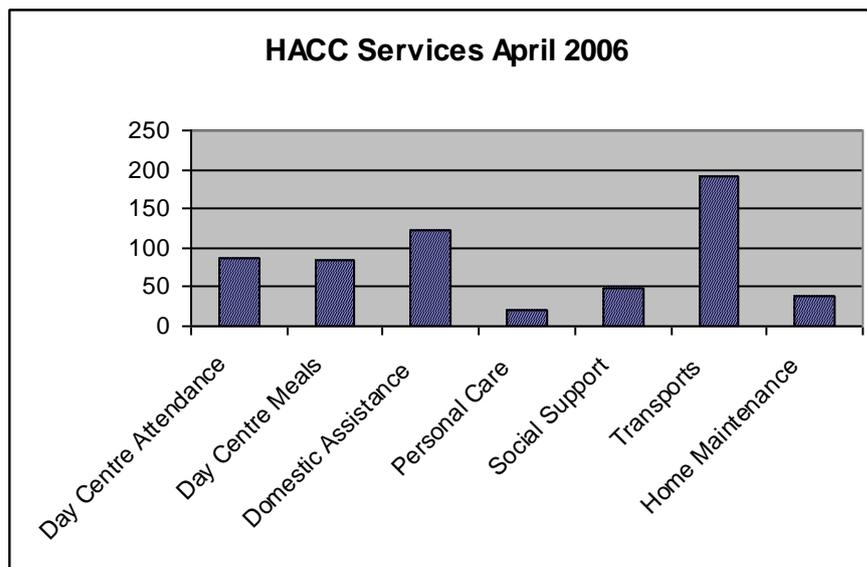
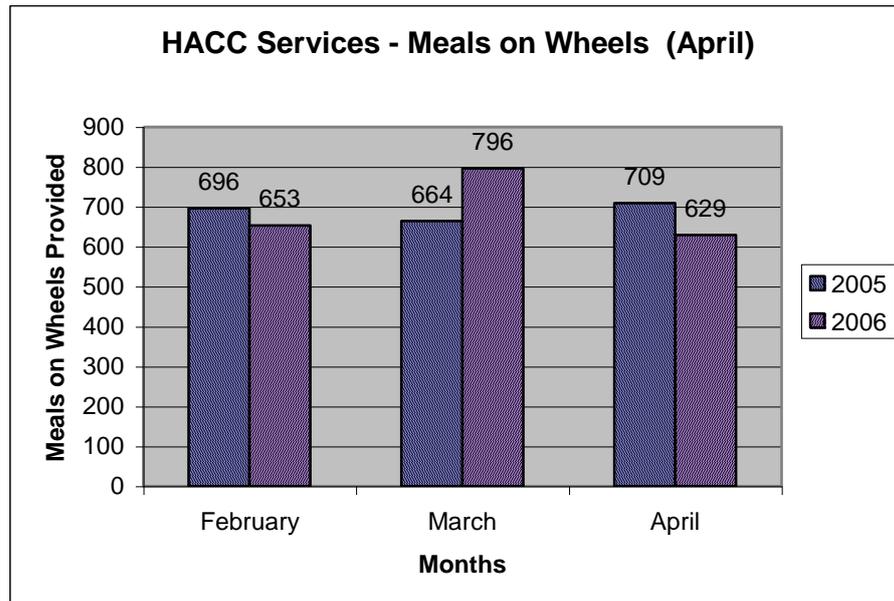
Port Hedland Library	April 2005
Issues and Renewals	492
Reservations	3
New Borrowers	13

Port Hedland library was closed for 3 weeks due to refurbishment.

South Hedland Library	April 2005
Issues and Renewals	2271
Reservations	132
New Borrowers	38

*Human Services*

*HACC Programme*



For the 05/06 period to date the HACC Programme provided 1,749 clients with 17,018 units of service in the communities of Port and South Hedland.

*Mirtanya Maya*

Occupancy of 7 (70%). Currently 3 vacancies exist for long term low residential care. There was a respite occupancy of 2 (100%)

*Pilbara Family Day Care*

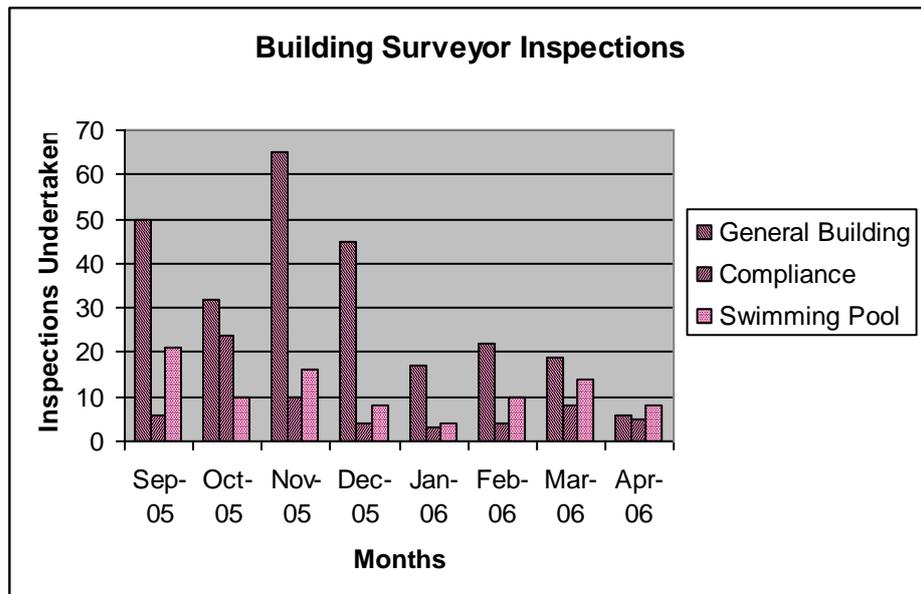
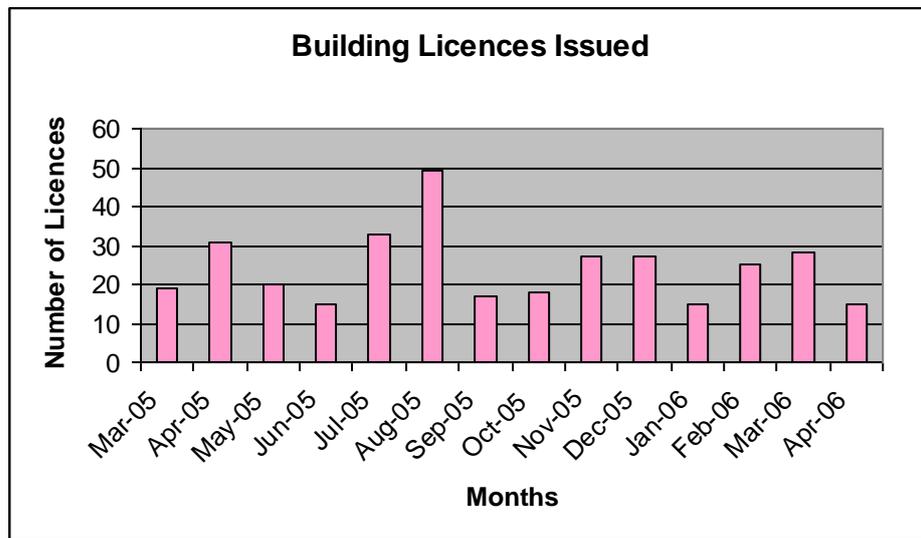
Community and corporate consultations currently underway to determine any issues in regard to the provision of child care services in Port and South Hedland.

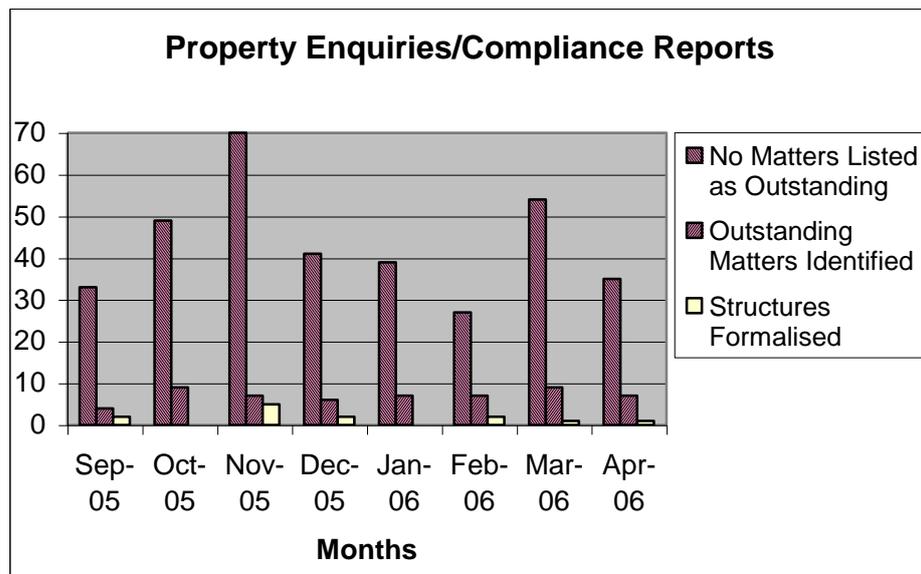
Currently the scheme supports 6 Family Day Care Providers in the region - 2 in Port Hedland, 2 in Karratha, and 1 each in Newman and Wickham.

**Hedland Volunteer Resource Centre**

A survey was sent to community groups, government and non-government organisations including the corporate sector to determine the scope and use of the Volunteer Resource Centre. The marketing schedule and promotional tools were evaluated, reviewed and updated to ensure appropriateness to the target groups.

***Building Services***





*Status of Building Licenses for Valuer General's Office*

*Building Licence Applications Received in 2004*

Total Building Licence applications received in 2004: 417  
 Building Licences approved in 2004: 411  
 Building Applications not approved: 6

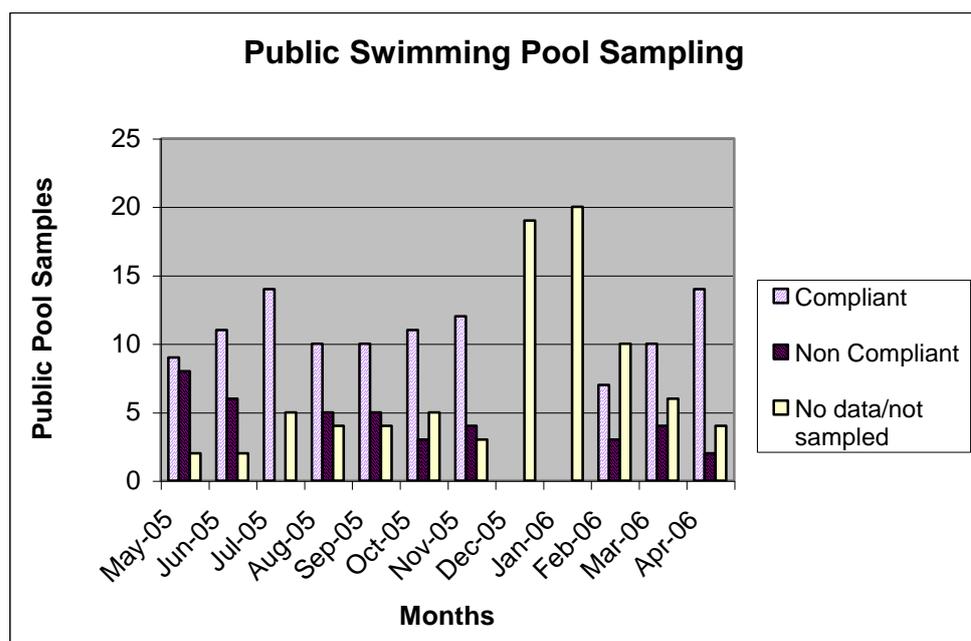
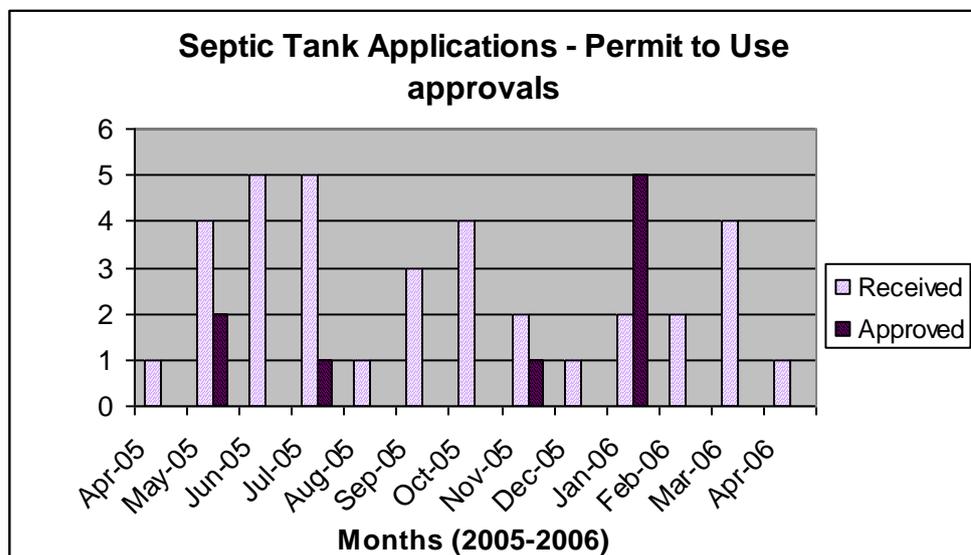
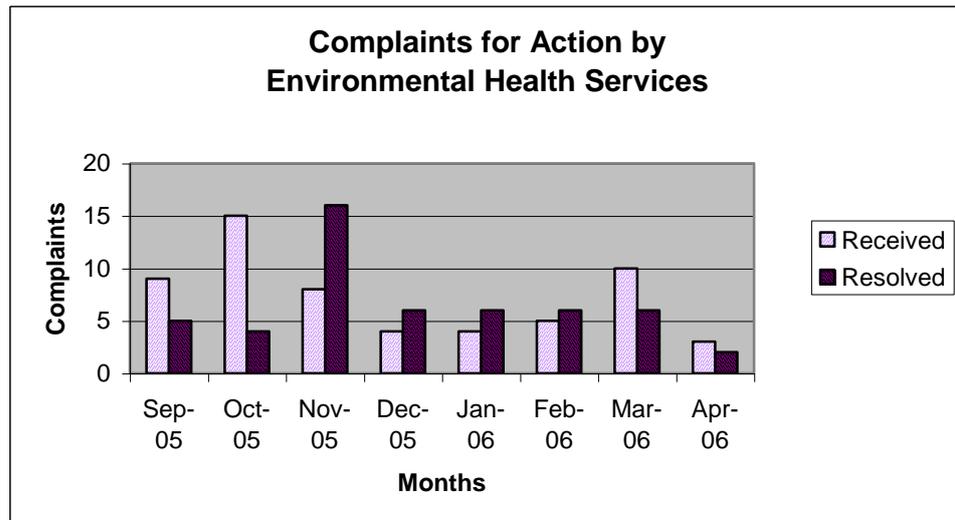
2004	Running Total as at 25/3/06
Licences copied & sent to VGO	278
Licences not required to be sent	110
Licences expired – structure not built	10
More information required	10
Not complete – building in progress	3

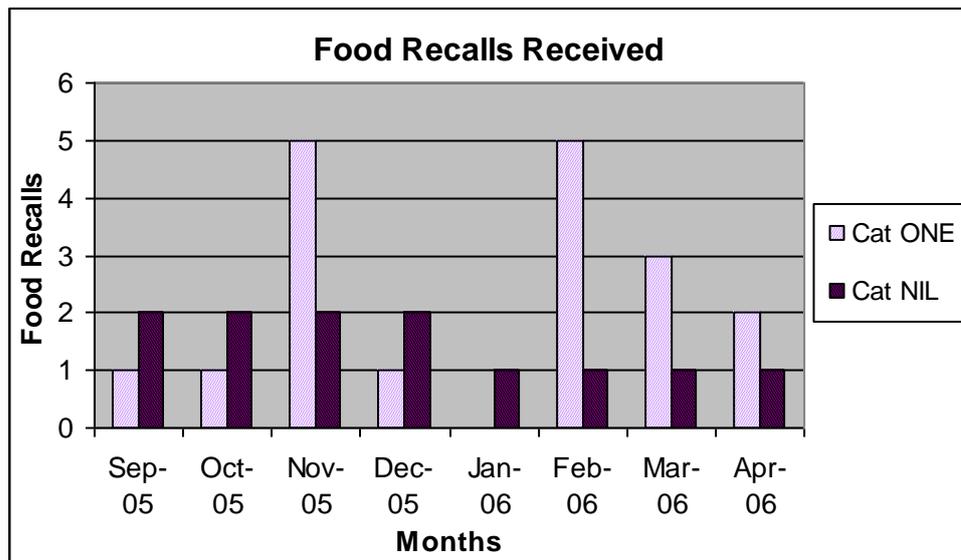
*Building Licence Applications Received in 2005*

Total Building Licence applications received in 2005: 386  
 Building Licences approved in 2005: 289  
 Building applications not approved or withdrawn: 3  
 Approved in 2006: 16  
 Building applications received in 2005 that are pending: 78

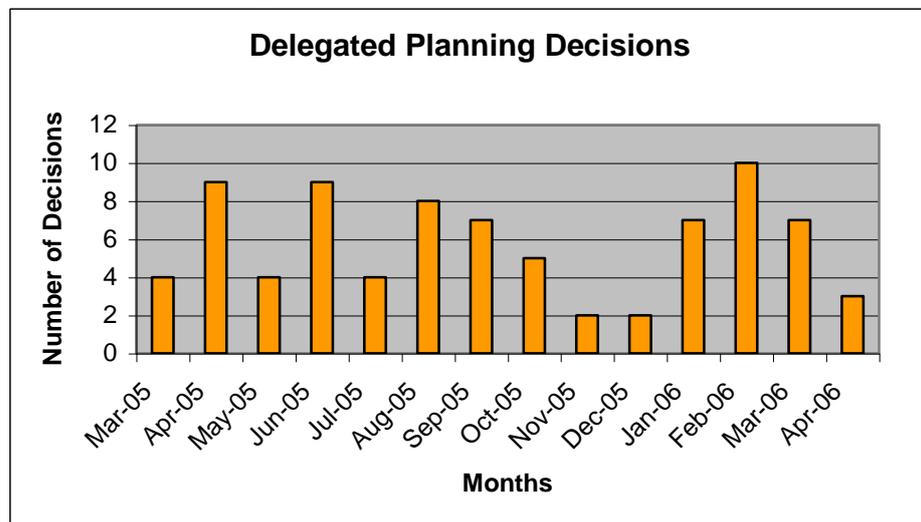
2005	Running Total as at 25/3/06
Licences copied & sent to VGO	67
Licences not required to be sent	99
Structure not built	0
More information required	144
Not complete – building in progress	0

**Environmental Health Services**

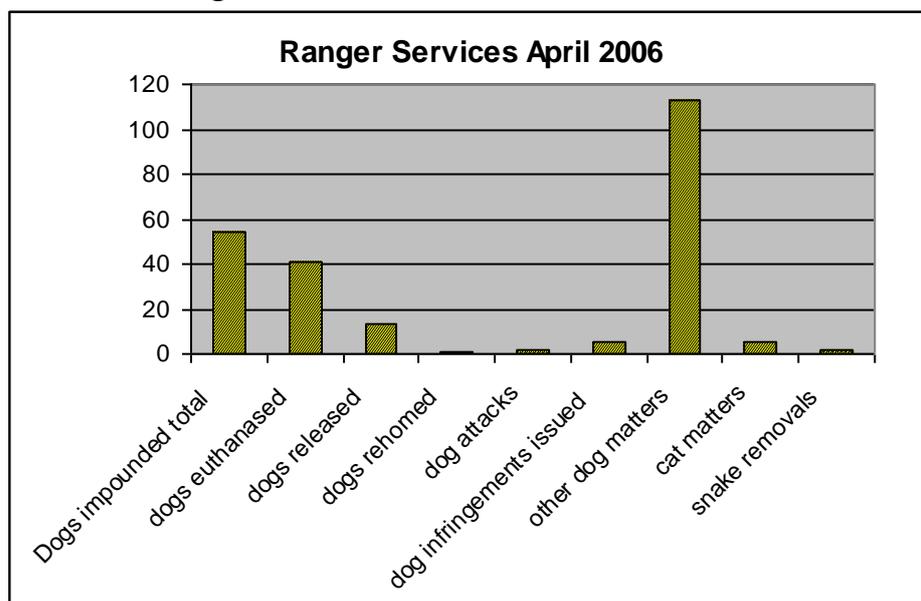


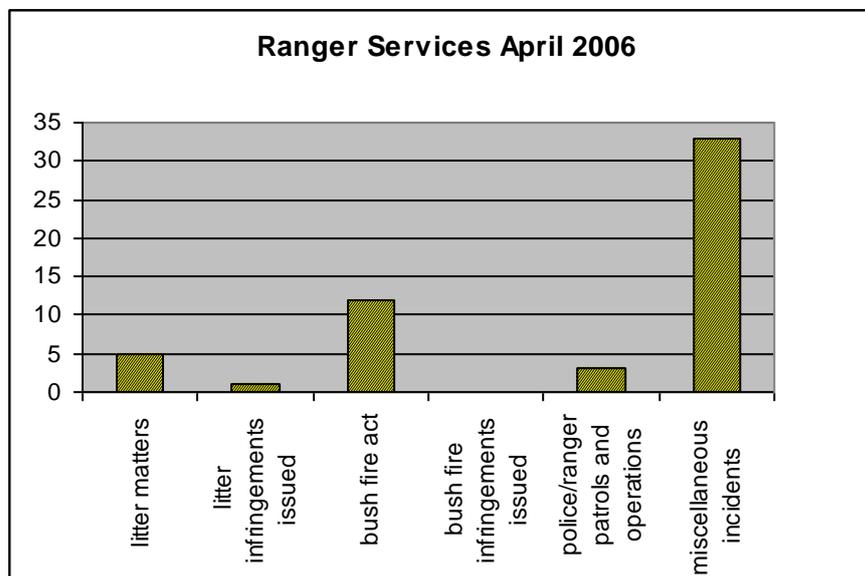
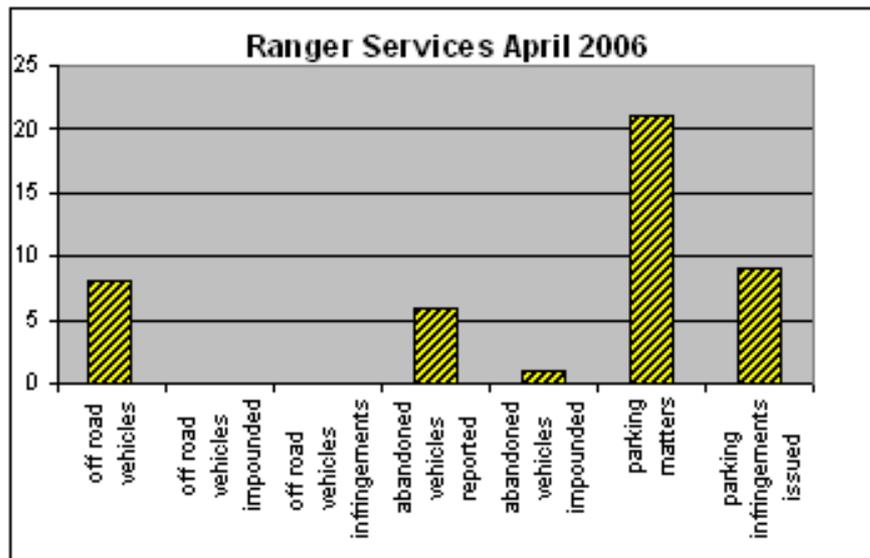


Planning Services



Ranger Services





**Arts, Recreation and Community Activities**

*Matt Dann Cultural Centre*

Events	April 2006	Year to Date
Cinema (sessions)	19	117
Live (e.g. Theatre)	0	9

Attendance	April 2006	Year to Date
Cinema	348	4013
Live (e.g. Theatre)	0	1502

*Courthouse Arts Centre and Gallery*

	April 2006
Exhibitions held	1
Attendance at Exhibitions	60
Total Attendance	410

*Events Coordination**Arts Alliance*

Key stakeholders have been briefed and possible community representatives identified. Once the Arts Alliance Agreement has been signed, these representatives will be invited to join the committee.

The proposed timeline is as follows:

8th - 12th May: Community representatives approached

30th May: First meeting - introductory session, adopt grants criteria, set future meeting dates and funding rounds

1st June : Release of pamphlet explaining Arts Alliance and Grants Program

*Tidy Towns*

Port Hedland is officially entered! Community groups, businesses and schools will be approached in the coming weeks to submit existing projects or initiate new programs in line with the Tidy Town principles. The portfolio of projects is due in to judges by 31st July 2006.

*Pilbara Development Commission Stage*

Pilbara Development Commission is working on a Memorandum of Understanding so that the stage may be handed over to Council. Training for Council and Community groups on the set-up and dismantlement of the stage will take place on the Friday 19th and Saturday 20th May (the trainers are from South Australia). Once the MOU is signed, a policy and fee structure for use of the stage by community groups will be established.

*Sports and Recreation**Responsible Service of Alcohol*

Course occurred Saturday 8<sup>th</sup> April, provided by Aragon Education. All 10 attendees passed and now have an accredited certificate to be Bar Managers throughout Australia. Providing this course is compliant with Council Policy.

*President's Breakfast*

Occurred on 12th April commencing at 6:45 am. The breakfast was open to all presidents and committee members from all sporting organisations and clubs to act as a communication point between these associations and the Town of Port Hedland. Approximately 25 representatives attended, and all feedback received indicated that the Breakfast was well received. Breakfast's similar to this will occur 4 times per year.

*Corporate Triathlon*

Council supported the Corporate Triathlon run by the Hedland Tri Club. The Town of Port Hedland was represented by Bec Coxall (Sports and Recreation Officer), Andrew Patterson (Planning Officer) and Richard Bairstow (Manager Planning) competing in the mixed division. The team finished second overall, with Bec the fastest female runner.

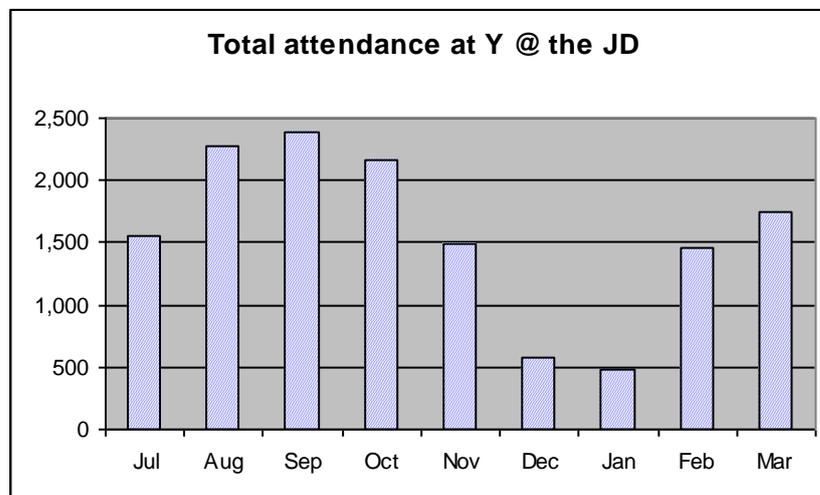
*Recreation Facilities Working Group*

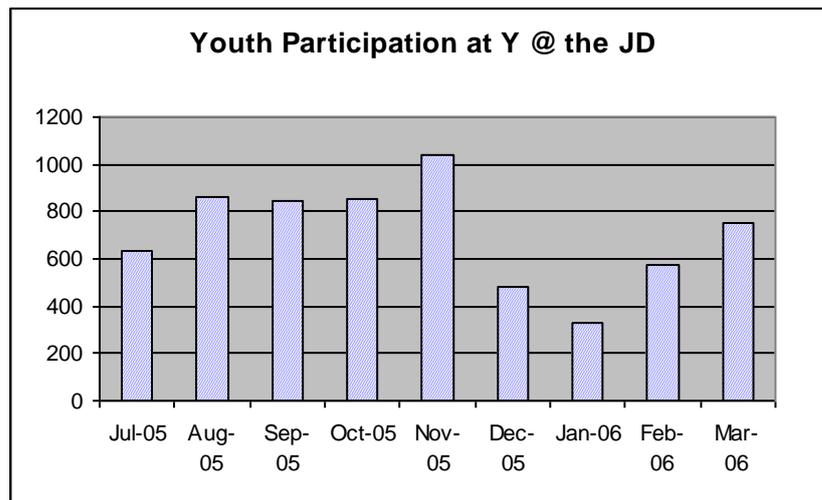
CCS Strategic Management have been selected to conduct the Recreation Facilities Audit for the Town of Port Hedland, and the first visit by Mark Casserly (Principal) will be this Wednesday 10th May. During his first consultant's visit to Hedland, Mark will be doing an inventory of all recreation facilities, and meeting with representatives from as many recreational organisations as possible.

Important dates for this audit are:

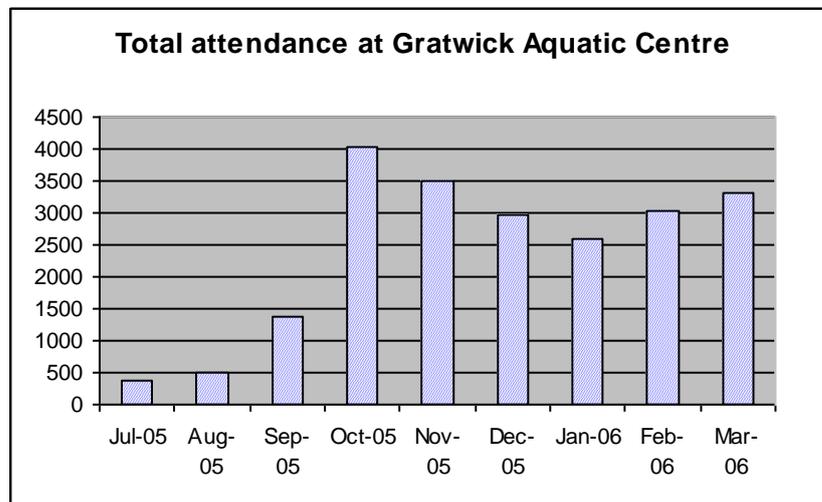
- 31st May – Submit First Progress Report
- 30th June – Submit Second Progress Report
- 25th July – Submit Final Report.

*Y at the JD*

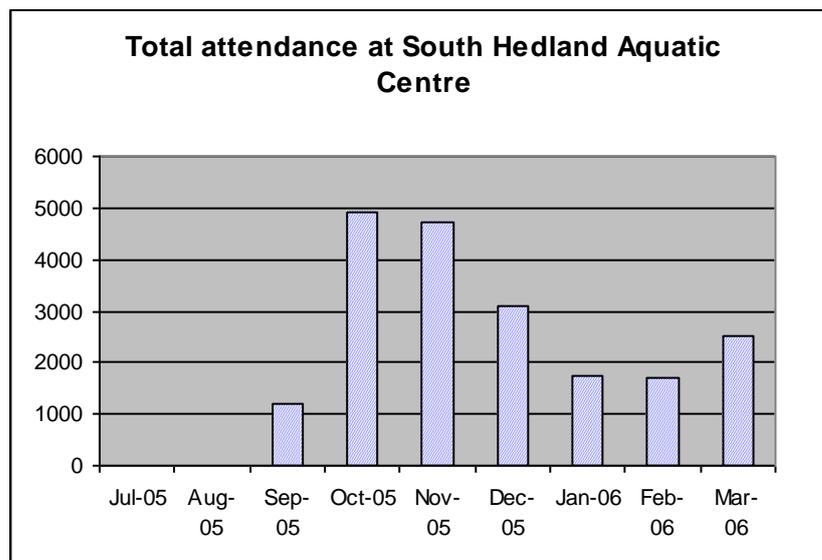




*Gratwick Memorial Pool*



*South Hedland Aquatic Centre*



**200506/411 Council Decision Officer's Recommendation**

**Moved:** Cr G J Daccache      **Seconded:** Cr G D Bussell

**That Council receives the Regulatory and Community Services Report for April 2006.**

***CARRIED 7/0***

**11.2.2 Planning Services****11.2.2.1 *Delegated Planning Approvals for April 2006 (File No.: PLN-104)***

**Officer** Sarah Hepburn  
Administration Officer  
Development & Regulatory  
Services

**Date of Report** 2 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

This item relates to the Planning Applications considered under Delegated Authority for the preceding calendar month.

**Background**

A list of Planning Consents issued by Council's Planning Services under Delegated Authority for the month of April 2006 are 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.

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer's Comment** Nil

**200506/412 Council Decision Officer's Recommendation**

**Moved:** Cr A A Carter                      **Seconded:** Cr D R Pike

**That the Schedule of Planning Consents issued by Delegated Authority for the month of April 2006 be received.**

***CARRIED 7/0***

*ATTACHMENT TO AGENDA ITEM 11.2.2.1*

Date	App. No.	Address	Applicant	Owner	Development	Delegation	Zoning	Comment
13/04/06	2006/42	169 Greenfield St, Boodarie	Pilbara Constructions P/L	JC Amos & CM Gleeson	Ground Floor Enclosure of a Single House	40 (1) (a)	Rural Resid	Enclosure of the lower storey of a two storey dwelling.
24/04/06	2006/41	2 Hakea Close, SH	CBF Contracting Pty Ltd	C Nuku	Decking and Shade Sails	40 (4)	R20	This application requires planning approval as the proposed decking is located one metre from the side boundary.
21/4/06	2006/47	8 Padbury Place, PH	Trend Developments P/L	Denboer Holdings P/L	Retaining Wall	40 (4)	R50	700 mm retaining wall on the front boundary (requires planning approval as greater than 500mm)

6:17 pm Councillor G J Daccache declared a financial interest in Item 11.2.2.2 as he owns BHP Billiton shares and is employed by BHP Billiton. Councillor G J Daccache left the room.

**11.2.2.2 Proposed Three Group Dwellings at Lot 5595 (14) Counihan Crescent Port Hedland; Applicant: Hodge and Collard on behalf of BHPBIO (File No.: 1558820G)**

**Officer** Andrew Patterson  
Planning Officer

**Date of Report** 26 April 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received an application from Hodge and Collard Architects on behalf of BHP Billiton Minerals Pty Ltd to construct three group dwellings at lot 5595 (14) Counihan Crescent Port Hedland. The land comprises 2220 m<sup>2</sup> and is zoned Residential R 15 in Council's Town Planning Scheme No. 5.

**Background**

This land was previously zoned "Other Purposes – Water and Drainage", with the scheme amendment rezoning the land to "Residential R 15" published in the *Government Gazette* on 5 November 2004.

*R Code Compliance*

*Density*

R15 density coding requires that any development achieve an average lot size of 666 m<sup>2</sup> with a minimum of 580 m<sup>2</sup>. The minimum lot size for this development is 727 m<sup>2</sup> and the average across the development is 740 m<sup>2</sup>.

*Streetscape*

The required front setback for land zoned R 15 is six metres. The balconies of units one and two as proposed encroach into the front setback by a maximum of one metre and this variation is permitted under section 3.2.2 A2 of the R codes.

This application proposes a 1.8 metre front fence constructed from colourbond to 900 mm and powdercoated "pool" fencing to 1.8 metres. This proposed fencing complies with the requirements of the *Residential Design Codes*.

Along the Butler Way street frontage, which comprises the side boundary of the lot, this application proposes a 1.8 metre colourbond fence constructed at the top of a retaining wall that rises from approximately 0.4 to 1.2 metres.

#### *Open Space*

This application complies with the requirement for 50% of the lot retained as open space.

#### *Car Parking*

The minimum two parking spaces are provided per dwelling, with units 2 and 3 provided with 1 additional bay. The dimensions of each bay comply with Town Planning Scheme 5 dimensions.

#### *Site Works*

This site slopes from the north to the south on this lot, from a maximum of 14.7 AHD to 12.2 AHD. The site plan indicates that the site is to be retained to the rear of the lot and along the Butler Way street frontage. The maximum height of the retaining wall along Butler Way is approximately 0.4 metres to 1.2 metres. The retaining walls at the rear of the lot, between to dwellings and the store rooms/parking bays are located behind the lot boundaries and are therefore not assessed under the Residential Design Codes.

#### **Consultation**

Neighboring properties with a view of lot 5595 have been advised in writing of the proposed development and invited to comment on the proposal. Council has received no comments regarding this application.

Building Services offered no objection to the application and have advised that a building licence is required prior to site works.

Environmental Health Services offered no objection and have requested a number of conditions to any planning approval. These conditions are reflected in the Officer's recommendation.

Planning Services has placed notices on the site advising that a development application has been submitted to Council for three group dwellings on the site with the application to be considered at Council's Ordinary Meeting on 24 May 2006. Council has received no submissions or queries regarding this application.

#### **Statutory Implications**

The Town of Port Hedland Town Planning Scheme No. 5 zones the land as Residential R 15.

**Policy Implications**

Nil.

**Strategic Planning Implications****KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT****Goal 3 - Business Development**

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

**Strategy 3:**

Work with key stakeholders to develop a Town of Port Hedland Business and Personnel Attraction/Retention plan.

**Budget Implications**

The Town of Port Hedland has received planning fees of \$3 300 reflecting an estimated development cost of \$1 500 000. Fees are deposited in account 1006326 (Town Planning Fees).

**Officer's Comment**

Notwithstanding that the proposed fence complies with both TPS 5 and R Code compliance, it is the opinion of the Planning Officer that such fencing would be out of character in this area. Existing fencing along Counihan Crescent is almost exclusively at or below 1.2 metres and visually permeable.

As this is a particularly prominent street frontage in Pretty Pool, the applicant and owner have been contacted with regard to the front fencing and have agreed to reduce the height to 1.2 metres visually permeable in order to maintain a consistent streetscape.

The Butler Way frontage, while also complying with both TPS 5 and the R Codes also presents at its lowest extreme a three metre high combination of retaining wall and fence. In order to ameliorate the impact of this streetscape, the applicant has also agreed to modify the plans to setback to boundary fence to allow for some landscaping that will reduce the visual impact.

**200506/413 Council Decision/Officer's Recommendation**

**Moved:** Cr A A Carter

**Seconded:** Cr S F Sear

**That Planning Consent be granted to Hodge and Collard on behalf of BHP Billiton Iron Ore Pty Ltd for the construction of three (3) group dwellings at lot 5695 (14) Counihan Crescent Port Hedland as outlined in the Application received 3 April 2006 (Application Number 2006/44) and indicated on the approve plans, subject to the following conditions:**

**GENERAL**

- a) **The development to comply with the provisions of Council's Town Planning Scheme No.5, the Health Act 1911, Building Code of Australia, Residential Design Codes and any other relevant Acts, Regulations, Local Laws and Council Policies (except where varied by this approval).**
- b) **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 (PS).**
- c) **Front walls and fences within the primary street setback area to be a maximum 1.2m above natural ground level (PS).**
- d) **Detailed plans and specifications relating to the disposal of stormwater for the development being submitted and approved by Council's Engineering Services (ES).**
- e) **Details of any fill or drainage on the site to be in accordance with plans and specifications submitted to and approved by Council's Engineering Services (ES).**
- f) **Airconditioner units to be located so as not to create a noise nuisance to bedroom areas of adjoining dwellings (PS).**
- g) **All vehicle crossings to be designed and constructed to the satisfaction and specification of Council's Engineering Services (ES).**
- h) **The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity (EHS).**
- i) **Developers and/or contractors of developments which are likely to occur at times when prevailing winds will generate a dust nuisance to nearby residents, to take appropriate dust prevention measures by the damping with water of disturbed surfaces and/or hydromulching when necessary to the satisfaction of Council's Engineering Services and Environmental Health Services (EHS).**
- j) **The development to be connected to the Water Corporation deep sewerage service (EHS).**

**ADVICE TO DEVELOPER**

**NOTE 1:** The applicant is advised that a building licence is required prior to the commencement of site works.

**NOTE 2:** The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year 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.

***MAYOR CAST HIS PRESIDING VOTE 4/3***

*NOTE: As there was initially an equal vote, Mayor cast a second vote as prescribed in 5.21 (3) of the Local Government Act.*

*NOTE : Cr A A Gear requested the votes be recorded.*

*Record of Vote:*

<b>FOR</b>	<b>AGAINST</b>
Cr S R Martin	Cr G D Bussell
Cr A A Carter	Cr A A Gear
Cr S F Sear	Cr D R Pike

6:22 pm

Cr G J Daccache re-entered the room and assumed his chair.  
Mayor advised Cr G J Daccache of Council's decision.



**11.2.2.3 Application for Planning Approval for 52 Additional Transient Workforce Accommodation Units at Lot 300 Schillaman Street Wedgefield; Applicant – Greg Rowe and Associates on Behalf of Eurest Australia Pty Ltd. (File No.: 124924)**

**Officer** Andrew Patterson  
Planning Officer

**Date of Report** 26 April 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received an application to grant planning approval for 52 transient workforce accommodation units at lot 300 Schillaman Street. The units have been constructed without planning approval due to an administrative error on the part of the applicant.

The land comprises 1.9803 ha and is zoned “Transient Workforce Accommodation”; this is listed as a permitted use on the Town of Port Hedland Town Planning Scheme No 5.

Delegated Officers are authorised to determine “P” uses, and this item is presented for Council consideration due to the potential controversial nature of this land use.

**Background**

At its Ordinary Meeting on 26 April 2006, Council considered an application to construct an additional 200 transient workforce accommodation units at the adjacent lot 5871 Schillaman Street. At this meeting, Council resolved to approve the construction of 112 additional units.

During the assessment of this application, Council staff became aware that the number of units on lot 300 exceeded those approved by Council. Investigation into this matter has revealed that these units were identified as “Future Stage Three” of a planning application approved under delegated authority on 19 May 2005.

Having been made aware of this unauthorised development, the applicant is now making application to formalise the affected development.

*Town Planning Scheme Compliance*

This application complies with relevant sections of the Town of Port Hedland Town Planning Scheme No 5, except with regard to car parking requirements under section 6.13 and appendix 7. This application would raise the number of approved residential units to 336 for lot 300, requiring the provision of 168 parking bays, and an additional 34 oversized bays. The site currently provides for 81 bays, a shortfall of 87 bays.

It is noted that the applicant has obtained, or is able to obtain a lease for lot 5872 that is currently undeveloped with no current planning approval. This land could be developed to provided the required parking bays.

Should Council resolve to approve this application subject to the provision of adequate parking on lot 5872, a caveat to the title or a condition on the lease could be required to ensure that this parking would remain available through the lifetime of this development.

#### *Odour Considerations*

As noted on the report submitted regarding the development of lot 5871 Schillaman Street, this land is affected by odors generated by both Oil Energy Corporation and the sewage treatment ponds servicing the workers' camp. Notwithstanding that these accommodation units are located further from the odor source than those approved by Council at its Ordinary Meeting on 26 April 2006, these units will still be affected to some degree.

While not consulted directly with regard to this application, Oil Energy Corporation management have previously indicated that they oppose any further residential development adjacent to their operations. As noted in the April report, OEC is licensed by the Department of Environment and operates within required guidelines and with appropriate Council planning approval.

#### **Consultation**

Environmental Health Services have not supported this application, and have highlighted concerns regarding the incompatible land uses developed adjacent to each other.

Engineering Services offered no objection to the application subject to crossovers complying with Council specifications, drainage designs being approved and implemented to Council satisfaction and any parking areas designed and constructed to Council satisfaction.

Building Services have not objected to the application and advised that as the structures have already been constructed, a certificate of classification is required to formalise the structures.

**Statutory Implications**

The Town of Port Hedland Town Planning Scheme No. 5 zones the land "Transient Workforce Accommodation" and allows this as a permitted use on the zoning table.

**Policy Implications**

Nil.

**Strategic Planning Implications**

Key Result Area 4 – Economic Development

Goal 2 – Mining

That the Town has developed strong working relationships with the mining industry that are achieving sustainable outcomes for the local community.

Strategy 3: Work closely with mining companies to minimise the negative impacts of short-term construction activities.

Goal 5 – Town Planning & Building

That long-term land use and development within the Town of Port Hedland is well planned. Council's policies, procedures and practices are assisting in the improving the visual amenity of the town.

Strategy 1: Develop appropriate solutions to land use conflicts that are evident at Wedgefield and at the 'West End.'

**Budget Implications**

Planning application fee of \$2950 have been deposited in account 1006326 (Town Planning Fees) reflecting an estimated development cost of \$1,500,000.

**Officer's Comment**

As noted in the statutory implications, Council has the ability to approve an existing development. As this appears to be a genuine oversight on the part of the applicant, approval, subject to conditions is recommended.

In order to maintain consistency with Council's previous resolution relating to this accommodation village, similar conditions are included in the Officer's recommendations.

Should Council resolve not to approve this application, the applicant would be in breach of the Town of Port Hedland Town Planning Scheme No 5 and may be subject to prosecution under the *Planning and Development Act 2005*.

**200506/414 Council Decision/Officer's Recommendation****Moved:** Cr A A Carter**Seconded:** Cr S F Sear

**That Planning Consent be granted to Compass Group Australia Pty Ltd for the construction of 52 self-contained transient workforce accommodation units at Lot 300 Schillaman Street Wedgefield as outlined in the Application received 10 April 2006 (Application No. 2006/51) and indicated on the approved plans subject to the following conditions:**

**GENERAL**

- a) **The development to comply with the provisions of Council's Town Planning Scheme No.5, the Health Act 1911, Building Code of Australia, Residential Design Codes and any other relevant Acts, Regulations, Local Laws and Council Policies (except where varied by this approval).**
- b) **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 (PS).**

**PRIOR TO ISSUE OF BUILDING LICENCE**

- c) **Detailed plans and specifications relating to the disposal of stormwater for the development being submitted and approved by Council's Engineering Services (ES).**
- d) **Details of any fill or drainage on the site to be in accordance with plans and specifications submitted to and approved by Council's Engineering Services (ES).**
- e) **All vehicle crossings to be designed and constructed to the satisfaction and specification of Council's Engineering Services (ES).**
- f) **Additional garbage storage facilities to be provided or current facilities to be deemed adequate to the satisfaction of Council's EHS.**

- g) A minimum of 87 car parking spaces and 34 oversized bays are to be provided in conjunction with the proposed development in accordance with Appendix 7 of Council's Town Planning Scheme No.5. Should the applicant provide the required parking bays on a separate lot, a caveat on the title, or condition on any lease is required at no cost to Council to maintain the parking bays for the lifespan of this development.**
- h) The proponent is to prepare and implement a mosquito management plan for the sewerage treatment ponds located on Lot 1621 Schillaman Street, Wedgefield to the satisfaction of Council's Environmental Health Service.**

**DURING CONSTRUCTION**

- i) The road reserve and associated facilities shall be kept free of all vehicles, machinery and activities associated with the development unless written approval is obtained from Council's Engineering Services (ES).**
- j) The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity (EHS).**
- k) Developers and/or contractors of developments which are likely to occur at times when prevailing winds will generate a dust nuisance to nearby residents, to take appropriate dust prevention measures by the damping with water of disturbed surfaces and/or hydromulching when necessary to the satisfaction of Council's Engineering Services and Environmental Health Services (EHS).**

**PRIOR TO OCCUPATION**

- l) An approved effluent re-use system is to be installed to the satisfaction of Council's EHS (EHS).**
- m) Approval to be obtained from Council's Environmental Health Services and the Department of Health for the additional discharge of sewage into the existing effluent disposal system (EHS).**
- n) Approval to be obtained from Council's Environmental Health Services prior to occupation of the accommodation (EHS).**
- o) The owner to enter into a formal agreement with Council stating that:**

- i) They are aware of the potential impacts of emissions and odours associated with being located in proximity to all, or particular developments, within the Wedgefield Industrial Area, and**
  - ii) Council is not liable for any damage caused by exposure to emissions, risks or hazards and no legal action shall be taken against Council in this regard (PS).**
- p) The developer is to install and maintain notices in each habitable room to the effect that the development is located on land affected by odours generated by an adjacent sewage treatment facility and an industrial incinerator that is licensed by the Department of Environment (PS), and display contact details of the Department of Environment on the notice in case of complaint.**
- q) The proponent is to employ an Environmental Specialist to undertake an independent assessment of the odours and emissions and implement appropriate measures as necessary following the completion of the assessment.**

#### **USE OF DEVELOPMENT**

- r) The buildings to comply at all times with the relevant provisions of the Health Act 1911 and the Town of Port Hedland Health Local Laws 2000 to the satisfaction of Council's Environmental Health Services (EHS).**

#### **ADVICE TO DEVELOPER**

- s) The applicant is advised that a certificate of classification is required to be issued for the approved structures.**
- t) 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 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.**

- u) The applicant is advised to submit a Building Licence application for the approved structures (BS).

***CARRIED 5/2***

*NOTE : Cr A A Gear requested the votes be recorded.*

*Record of Vote:*

<b>FOR</b>	<b>AGAINST</b>
Cr S R Martin	Cr G D Bussell
Cr A A Carter	Cr A A Gear
Cr G J Daccache	
Cr D R Pike	
Cr S F Sear	

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.3



**11.2.2.4 Municipal Heritage Inventory Review (File No.: PLN – 008)**

**Officer** Andrew Patterson  
Planning Officer

**Date of Report** 24 April 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received an updated copy of the draft Municipal Heritage Inventory and comments have been received from Councillors. The draft is now presented for Council to consider for release for public comment.

**Background**

On 2 February 2006, Councillors were advised that a draft Municipal Heritage Inventory (MHI) was available for their consideration, with any comments to be received by Planning Services by 2 March 2006. All comments received were forwarded to the heritage consultant and the updated MHI is now presented for Council consideration.

Should Council resolve to distribute this reviewed document for the purpose of public consultation, any comments and recommendations received from the public will be collated for consideration and inclusion in the final Inventory.

It is proposed that copies of the Draft MHI be made available at the Port and South Hedland Libraries, the Civic Centre, Dalgety House and the Art Gallery. In addition, it is proposed that one copy of the document is forwarded to the Port Hedland Historical Society.

A submission period of 21 days is recommended, with all comments received compiled by Council's Planning Services for submission to *Laura Gray Heritage and Conservation* for inclusion into the final document.

Once the final document is compiled, the Municipal Heritage Inventory will be submitted to Council for final adoption and forwarding to the Heritage Council as required under the *Heritage of Western Australia Act 1990*.

### Consultation

In addition to advertising in the *North West Telegraph* the availability of the MHI at the Civic Centre, public libraries, Dalgety House and the Art Gallery, it is recommended that the Draft MHI be forwarded to the Port Hedland Historical Society for comment.

Additional copies will also be made available on request.

### Statutory Implications

Section 45 of the Heritage of Western Australia Act 1990 states:

*“45. Local government inventories*

- (1) A local government shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.*
- (2) The inventory required by subsection (1) shall be compiled no later than 4 years from the commencement of this Act and shall be —*
  - (a) updated annually; and*
  - (b) reviewed every 4 years after compilation.*
- (3) A local government shall provide the Council with a copy of the inventory compiled pursuant to this section.*
- (4) A local government shall ensure that the inventory required by this section is compiled with proper public consultation.”*

### Policy Implications

Nil.

### Strategic Planning Implications

KEY RESULT AREA 3 – COMMUNITY DEVELOPMENT

Goal 7 - Arts & Culture

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

Strategy 1

Review the Town's Cultural Plan and implement appropriate strategies.

### Budget Implications

Accompanying this draft document is an invoice for \$4000. The balance of the tender fee will be \$6450 after processing this invoice.

**Officer's Comment**

Council is required under the *Heritage of Western Australia Act 1990* to produce a local heritage inventory, with appropriate community consultation for submission to the Heritage Council. Consultation methods are not determined by the Act, however the process as recommended offers opportunity for comprehensive public participation.

**200506/415 Council Decision/Officer's Recommendation**

**Moved:** Cr A A Carter

**Seconded:** Cr A A Gear

**That Council:**

- i) **distribute the Town of Port Hedland Municipal Inventory of Heritage Places Review 2006 for the purpose of public advertising;**
- ii) **advertise in the North West Telegraph that copies of the Draft Heritage Inventory will be available for viewing until 28 June 2006 at the:**
  - a) **Port Hedland Library**
  - b) **South Hedland Library**
  - c) **Dalgety House**
  - d) **Courthouse Art Gallery;**
- iii) **provide a copy of the Draft Heritage Inventory to the Port Hedland Historical Society with a request for comment to be received by the Town of Port Hedland before 28 June 2006; and**
- iv) **forward all submissions to the consultant for assessment and inclusion into the Municipal Heritage Inventory.**

***CARRIED 7/0***

ATTACHMENT TO AGENDA ITEM 11.2.2.4



**11.2.2.5 Application to Place an Administration Building and Ablution Block at Lot 2954 Yanana Street Wedgefield (File No.: A127380G)**

**Officer** Andrew Patterson  
Planning Officer

**Date of Report** 13 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received an application from Pilbara Meta Maya Regional Aboriginal Corporation to place an 18 m x 12 m transportable office and a 6 m x 3 m ablution block at lot 2954 Yanana Street Wedgefield.

The land comprises 6491 m<sup>2</sup> and is zoned "Industry." "Office" is listed as an "IP" use on the Town of Port Hedland Town Planning Scheme No 5.

This item is presented for Council consideration as Delegated Officers do not have the authority to determine "IP" uses.

**Background**

Pilbara Meta Maya is seeking to locate an office and ablution block to this site in order to complement their current use of the land as a workshop and storage yard.

Both the proposed and existing structures located on the lot comply with boundary setback requirements.

The parking identified on the site exceeds minimum requirements.

**Statutory Implications**

The Town of Port Hedland Town Planning Scheme No 5 zones the land as "Industry" and establishes the front setback and car parking requirements.

**Policy Implications**

Nil

**Strategic Planning Implications**

KEY RESULT AREA 6 – GOVERNANCE  
Goal 2 - Traditional Owners and Aboriginal People

That traditional owners and aboriginal are informed about, and involved with, the provision of Council services and facilities.

Strategy 3. Work with key stakeholders to improve the level of aboriginal employment within the Town and investigate options for increasing aboriginal employment within the Town of Port Hedland.

### **Budget Implications**

Planning fees of \$230 received and deposited into account 1006326 (Town Planning Fees) reflecting a development cost of \$100 000.

### **Officer's Comment**

Notwithstanding that this proposal is to locate a second hand transportable building to a new location, it shall not have an appreciable detrimental impact on the amenity of the surrounding area as the newly located structures will be located to the rear of the existing workshop.

This development is also unlikely to cause any significantly increased demand on services or traffic generation and is considered an appropriate use for land in an industrial area.

### **200506/416 Council Decision/Officer's Recommendation**

**Moved:** Cr G J Daccache      **Seconded:** Cr S F Sear

**That Planning consent be granted to Pilbara Meta Maya Regional Aboriginal Corporation on behalf of Alan Munro for the relocation of an Administration and Ablution Block to Lot 2954 (3) Yanana Street Wedgefield as outline in the Application received 29 March 2006 (Application 2006/39) and indicated on the approved plans subject to the following conditions:**

### **GENERAL**

- a) **The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity (EHS).**

- b) Developers and/or contractors of developments which are likely to occur at times when prevailing winds will generate a dust nuisance to nearby residents, to take appropriate dust prevention measures by the damping with water of disturbed surfaces and/or hydromulching when necessary to the satisfaction of Council's Engineering Services and Environmental Health Services (EHS).**
- c) Car parking bays to be minimum of 5.4m x 3.0m; constructed, drained and sealed; to be line marked and served by a paved access way, with a minimum width of 5.8 metres in accordance with Appendix 8 of Council's Town Planning Scheme No.5 and to the satisfaction of Council's Engineering Services (ES).**
- d) No materials to be stored in the front setback area. This area may be used for car parking or landscaping only.**
- e) The development must not interfere with property and effluent mains and/or effluent disposal systems (EHS).**
- f) An approved effluent disposal system to be installed to the satisfaction of Council's Environmental Health Services and/or the Health Department of Western Australia (EHS).**
- g) The developer and/or operator are advised that the operations must be conducted in accordance with the Environmental Protection (Unauthorised Discharges) Regulations 2004.**
- h) The development to comply with the provisions of Council's Town Planning Scheme No.5, the Health Act 1911, Building Code of Australia, Residential Design Codes and any other relevant Acts, Regulations, Local Laws and Council Policies (except where varied by this approval).**
- i) 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 (PS).**

**ADVICE TO DEVELOPER**

**NOTE 1** 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 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.

**NOTE 2:** Approval from the Water Corporation is required prior to the establishment of any land use, which involves the storage, or use of any chemical, petroleum or other substance or any process which is capable of producing any waste or discharge.

**NOTE 3:** The applicant is advised that a Building Licence is required to be issued prior to the commencement of site works.

**NOTE 4:** Where petrol, benzene or other inflammable or explosive, or grease, oil or greasy/oily matter which is likely to be discharged, a sealed wash down area and a petrol and oil trap to be installed and to be connected to either an approved leach drain or to the sewer, with the Water Corporation's approval.

***CARRIED 7/0***



**11.2.2.6 Proposed Placement of Two (2) Transportable Structures for Use as an Office and Conference Room at Lot 1406 (P51) Wilson Street, Port Hedland (File No.: 803054G)**

**Officer** Andrew Patterson  
Planning Officer

**Date of Report** 16 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

This item relates to item 11.2.2.2 considered by Council at its Ordinary Meeting on 26 April 2006. At this meeting, Council lay the item on the table in order to obtain additional information to determine the application, and this item is presented to provide the requested information.

**Background**

At its Ordinary Meeting on 26 April 2006, Council considered a proposal to erect two transportable structures for use as an office and a crib room at lot 1406 (P51) Wilson Street Port Hedland. At this meeting, Council resolved:

*“That Council defer item 11.2.2.2 Proposed Placement of Two (2) Transportable Structures for use as an Office and Conference Room at Lot 1406 (P51) Wilson Street, Port Hedland pending further information on who will occupy the buildings and if the buildings are rateable.”*

*REASON: Council sought further clarification on the occupier of the building, why the buildings are to be constructed on Port Hedland Port Authority land and if the buildings are rateable.*

Council's Planning Office has contacted the applicant and confirmed the intended occupier of the proposed facilities will be Portside Fabrication, which is a subsidiary company of Broad Construction.

The proposed buildings are to be constructed on Port Hedland Port Authority land, as the applicant desires to locate the office and conference room adjacent to the workshop that it services. The applicant has indicated that they currently lack sufficient office space for supervisors and administrative personnel on this lot and are seeking to provide more appropriate facilities with this application.

Council's Senior Rates Officer has confirmed that Port Authority land is exempt from Council rates, however where the Port Authority subleases the land, it then becomes rateable. This land is subleased by the Port Authority and therefore rated by Council.

In line with standard administrative procedure, should Council resolve to approve this application, Council's Compliance Officer will forward plans to the Valuer General's Office who will determine the new Gross Rental Value. This figure is provided to Council's Corporate Services who will adjust the new rates payable.

### **Consultation**

Aside from contacting the applicant to ascertain details as required by Council, no further consultation has occurred for this item.

### **200506/417 Council Decision/Officer's Recommendation**

**Moved:** Cr D R Pike

**Seconded:** Cr A A Carter

**That Planning Consent be granted to Broad Construction on behalf of the Port Hedland Port Authority for the construction of two (2) transportable structures for use as an office and conference room at Lot 1406 (P51) Wilson Street Port Hedland as outlined in the Application received 8 February 2006 (Application 2006/20) and indicated on the approved plans, subject to the following conditions:**

### **GENERAL**

- a) **The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity (EHS).**
- b) **Developers and/or contractors of developments which are likely to occur at times when prevailing winds will generate a dust nuisance to nearby residents, to take appropriate dust prevention measures by the damping with water of disturbed surfaces and/or hydromulching when necessary to the satisfaction of Council's Engineering Services and Environmental Health Services (EHS).**
- c) **The development must not interfere with property and effluent mains and/or effluent disposal systems (EHS).**

- d) The development to comply with the provisions of Council's Town Planning Scheme No.5, the Health Act 1911, Building Code of Australia, Residential Design Codes and any other relevant Acts, Regulations, Local Laws and Council Policies (except where varied by this approval).
- e) 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 (PS).

#### ADVICE TO DEVELOPER

- f) A Building Licence to be issued prior to the commencement of any on site works (BS).
- g) 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 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.
- h) The developer is advised that this property is situated in close proximity to a working port and associated industry and that prospective owners and occupiers of the development are advised of this fact.

***CARRIED 5/2***

*NOTE : Cr A A Gear requested the votes be recorded.*

*Record of Vote:*

<b>FOR</b>	<b>AGAINST</b>
Cr S R Martin	Cr G D Bussell
Cr A A Carter	Cr A A Gear
Cr G J Daccache	
Cr D R Pike	
Cr S F Sear	

**11.2.2.7 Application to Convert 24 of the existing accommodation units from six-bedroom units to four-bedroom en-suite units at Lot 5954 (Reserve 31664) Parker Street, South Hedland (File No.: 802140G)**

**Officer** Richard Bairstow  
Manager Planning

**Date of Report** 16 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Council at its Ordinary April meeting determined an application from Compass Group Australia (ESS Services) Pty Ltd on behalf of Pilbara TAFE to modify 24 of the existing accommodation units from six-bedroom units to four-bedroom en-suite units. The determination was an approval subject to recommended conditions and a footnote.

**Background**

At its Ordinary Meeting held 26 April 2006, Council resolved to grant approval for the proposed modifications to Pundulmurra Accommodation Village. This approval is yet to be sent due to some complexities in the approval process and associated conditions that were proposed. The Pundulmurra Accommodation Village was originally proposed to provide temporary accommodation for the HBI plant construction workforce. The following is a summary of the key dates and advice provided by the Town.

11 September 1996 – Council at its Ordinary Meeting considered the original as item 10.2.3. The Council resolved to approve the proposal as a Hostel and Boarding House. The definition under the then Town Planning Scheme No. 4 (TPS4) for these uses were:

*“Hostel: means a lodging house which is not open to the public generally but is reserved for use solely by students and staff of educational establishments, members of societies, institutes or associations; and*

*Boarding House: means a building in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but does not include:*

- a) *premises the subject of an Hotel, Limited Hotel or Tavern Licence granted under the provisions of the Liquor Act 1970 (as amended);*
- b) *premises used as a boarding school approved under the Education Act 1928 (as amended)*
- c) *a single dwelling, attached, group or multiple dwelling unit; and*
- d) *any building that is the subject of a strata title issued under the provisions of the Strata Titles Act.”*

7 November 1996 - The advice letter however issued the proposal as a “Housing and Hostel Project”, effectively not recognising the “Boarding House” use. Housing was a use that was not defined under TPS4 or the current Town Planning Scheme No. 5 (TPS5), which was gazetted on the 31<sup>st</sup> August 2001.

23 December 1998 - A further Planning Consent was issued for the subject site. The approval was for *“proposed accommodation for 240 persons at Pundulmurra Village”*. Condition 9 of that approval did make reference however to Council’s previous 1996 resolution for the proposed Hostel and Boarding House.

Under TPS5 neither the Hostel nor Boarding House uses were recognised and therefore in accordance with *Clause 8.1 – NON-CONFORMING USE RIGHTS* these uses became non-conforming uses. The clause states:

*“Expect as otherwise provided in this Part, no provision of the Scheme shall prevent the:*

- a) *continued use of any land or building for the purpose for which it was lawfully used at the time of coming into force of the Scheme, or*
- b) *carrying out any development thereon for which, immediately prior to that time, a permit or permits, lawfully required to authorise the development to be carried out were duly obtained and are current.”*

27 January 2005 - The then Principle Planner provided written advice to on a misinterpretation of the “non-conforming uses” clause stating that the proposal would be classed as “Transient Workforce Accommodation” under the current Scheme and that this was the non-conforming uses. This is incorrect as the actual non-conforming uses remained as the “Hostel” and “Boarding House” uses.

A letter of the same date and again from the Principle Planner advises that the sites use was limited to temporary workforce accommodation.

2 & 30 August 2005 - Written advice was provided by the Town's Chief Executive Officer stating that the site was approved as a "Boarding house" and that any other use would require a Council approval. The later letter also requested the applicant to provide evidence in a signed statutory declaration and that the matter would then be investigated.

23 September 2005 - Boodarie Iron advised the Council that the title and management of the Pundulmurra Accommodation Village had been handed over to Pilbara TAFE as of the 1<sup>st</sup> September 2005.

23 November 2005 - Council at its Ordinary Meeting further addressed the issue of non-conforming land use as Item 10.2.2.9 where Council acknowledged that the use would continue unless:

- a) the non-conforming use is discontinued for a period of six (6) months or more; or
- b) the buildings required for the non-conforming use are destroyed to 75% or more of their value.

21 February 2006 - Written advice was provided by the Town's Planning Officer that the 'Transient Workforce Accommodation was a non-conforming use as it was a permitted use under TPS4.

#### *Future Trends*

Attachment 2 (chart) indicates BHP Billiton's projected short-term housing requirements, and reveals an expected shortfall of more than 100 rooms by March 2007. While the attached charts show a projected drop in demand by May 2007, this is potentially misleading as other construction and maintenance projects may lead to the maintenance or further expansion of the demand for transient workforce accommodation.

#### *Other Housing Options*

Other housing options have been investigated by the applicant, include:

- The currently vacant detention centre located on Robinson Street.
- Instigating a Living Away From Home Allowance (LAFHA)

Of these, the detention centre is not considered appropriate due to its location and the scope of works required to renovate the facility to an appropriate standard. The Immigration Department is also unlikely to release the facility for commercial use.

The LAFHA option is also not preferred, due to the high social cost inflicted on the residential population and the increasing pressure on rental and housing prices likely to result.

The applicant has acknowledged that this application does not provide a long-term solution to providing transient workforce accommodation and is actively seeking alternative sites to develop specifically for this purpose.

As per the agreement with Pilbara TAFE, eight of the existing accommodation units will remain unaltered, as these have been identified as being primarily for student accommodation.

#### *Applicant's justification*

The issue ESS is seeking to address with this application is to bring the Pundulmurra facility up to the same standard as the Wedgefield accommodation. Should Council grant this application, the total number of rooms available for transient workers would diminish, however the remaining rooms will become more acceptable to potential customers.

Land available for transient workforce accommodation is currently limited in Port Hedland. Notwithstanding that the current use of lot 5954 does not conform with the current town planning scheme, the fact remains that there are no other sites specifically identified and available for transient workforce accommodation.

#### **Consultation**

Engineering Services offered no objection to the proposal

Building Services have offered no objection to the proposal and advised that a building licence is required.

Environmental Health Services has not objected to the proposal subject to a number of conditions relating to the construction and operation of the development. Conditions and advice notes are reflected within the Officer's recommendation.

Public consultation is not required by the Scheme.

#### **Statutory Implications**

As previously mentioned the uses of Hostel and Boarding House are "Non-Conforming" uses under TPS5 as they are not longer listed under the Zoning Table.

The current application is required in accordance with Clause 8.2 of TPS5, which states:

**“8.2 EXTENSION OF NON-CONFORMING USE**

*A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the planning approval of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.”*

Council has twice previously approved the proposal in 1996 and 1998. Neither of the processes associated with these approvals clearly identified the uses approved, the time frame for which these uses could operate or the individuals/businesses/organizations, which could occupy the development.

The initial application and the approval of the temporary workforce accommodation in 1996 as “Boarding House” may be determined to be an unlawful approval if tested at law. That is the applicant couldn’t comply if requested to with the “Boarding House” definition as contained within TPS4.

This may pose a problem to the town if a legal challenge was considered by a interested party.

**Policy Implications**

Nil.

**Strategic Planning Implications****KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT****Goal 2 – Mining**

That the Town has developed strong working relationships with the mining industry that are achieving sustainable outcomes for the local community.

Strategy 3: Work closely with mining companies to minimise the negative impacts of short-term construction activities.

**Budget Implications**

Planning fees of \$2410 deposited to account 1006326 (Town Planning Fees) reflecting an estimated development cost of \$1.2 million.

**Officer’s Comment**

An assessment of the history of the site has revealed a series of miss communications resulting in the original approval of “Hostel” and “Boarding House” ultimately end up as a non-conforming use right for “Transient Workforce Accommodation”.

Clearly this progression was not intentional and can be contributed to the experience and/or workload faced by Town Planning staff at that time. A number of work procedures have already been modified, which will minimise the likelihood of another series of events resulting in the current situation.

It is worth noting that whether legally and statutorily correct, in reality the development has provided a relief valve for the land shortage associated with requirements of Transient Workforce Accommodation.

Council has two options:

- 1) Refuse the application, which may bring the situation to a head with the accommodation of the Transient Workforce being currently substandard compared to that at Wedgefield Street. This was confirmed by the applicant's justification.

This is the least preferred option however given the current demand for Transient Workforce Accommodation and the economic return to the Pilbara TAFE the Town is unlike to see any change in the foreseeable future.

- 2) Approve the application as previously resolved with modified conditions to best address the situation that currently exists.

The modified conditions and advice notes have considered all of the available information and the intent indicated by Council that it did not wish to see the site used as a motel. It is recommended that the changes to the conditions as contained within the current resolution will sufficiently address the concerns of Council and its administration. This is achieved by:

- The use definitions of a Hostel and Boarding House are sufficiently restrictive to minimise the likelihood of the site being used as a motel and this addresses the concern of Council.
- The site has no approval or non-conforming use for Transient Workforce Accommodation. It is acknowledged however that Council has previously accepted that the development as proposed on 1996 was deemed to comply with the definition of a "Boarding House" and the inclusion of the definition maintains the status quo for the statutory approvals for the site.
- The definition of "Hostel" allows members of an association to occupy the accommodation and this addresses the concerns of sporting organizations and the like who may wish to utilize the facility from time to time.

It is recommended that Option 2, as detailed in the recommendation be supported.

**200506/418 Council Decision/Officer's Recommendation****Moved:** Cr A A Carter**Seconded:** Cr G D Bussell

**That Planning Consent be granted to Compass Group Australia Pty Ltd on behalf of Pilbara TAFE to the Non-conforming uses – Hostel and Boarding House to renovation 24 of the accommodation buildings from six-bedroom to four-bedroom including en-suite units as part of the at lot 5954 Kennedy Street South Hedland as outlined in the Application received 21 March 2006 (Application No. 2006/37) and indicated on the approved plans, subject to the following conditions:**

**GENERAL**

- a) **Prior to the commencement of any works the applicant/owner shall submit plans and/or written explanation indicating how and when the subject development will be brought into conformity with Town Planning Scheme No. 5 to the satisfaction of the Manager Planning.**
- b) **The use of the buildings is limited to that of "Boarding House" which means: "a building in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but does not include:**
  - i) **premises the subject of an Hotel, Limited Hotel or Tavern Licence granted under the provisions of the Liquor Act 1970 (as amended);**
  - ii) **premises used as a boarding school approved under the Education Act 1928 (as amended)**
  - iii) **a single dwelling, attached, group or multiple dwelling unit; and**
  - iv) **any building that is the subject of a strata title issued under the provisions of the Strata Titles Act."**
- c) **A minimum of 192 on-site carparking bays shall to be provided to the satisfaction of the Manager Planning.**
- d) **The development to comply with the provisions of Council's Town Planning Scheme No.5, the Health Act 1911, Building Code of Australia, Residential Design Codes and any other relevant Acts, Regulations, Local Laws and Council Policies (except where varied by this approval).**

- e) 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 (PS).
- f) The buildings to comply at all times with the relevant provisions of the Health Act 1911 and the Town of Port Hedland Health Local Laws 2000 to the satisfaction of the Manager Environmental Health Services (EHS).

#### DURING CONSTRUCTION

- g) The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity (EHS).
- h) Developers and/or contractors of developments which are likely to occur at times when prevailing winds will generate a dust nuisance to nearby residents, to take appropriate dust prevention measures by the damping with water of disturbed surfaces and/or hydromulching when necessary to the satisfaction of the Manager Engineering Services and Manager Environmental Health Services (EHS).
- i) The development must not interfere with property and effluent mains and/or effluent disposal systems (EHS).

#### ADVICE TO DEVELOPER

- j) The applicant/owner is advised/reminded that the remaining living quarters are approved as "Hostel" accommodation which means: *a lodging house which is not open to the public generally but is reserved for use solely by students and staff of educational establishments, members of societies, institutes or associations*".
- k) In regard to Condition (c), the Town is prepared to negotiate on the carparking provisions subject to the applicant providing justification and written undertakings that the additional carparking will be provided if deemed necessary by the Town, all to the satisfaction of the Manager Planning.
- l) The development including buildings and carparking are required to comply with the requirements of the Building Codes Australia including but not limited to requirements dealing with disability.

- m) 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 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.
- n) A Building Licence to be issued prior to the commencement of any on site works (BS).

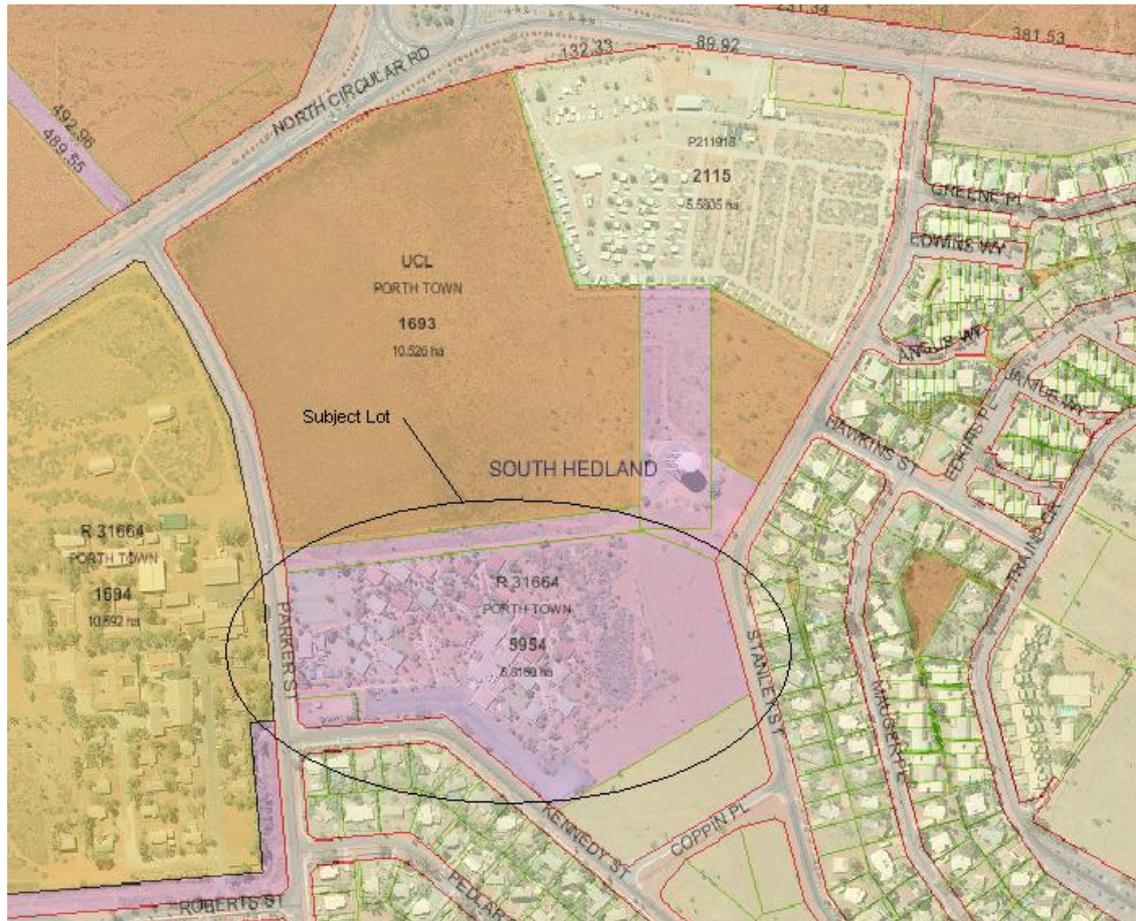
**CARRIED 5/2**

*NOTE : Cr A A Gear requested the votes be recorded.*

*Record of Vote:*

<b>FOR</b>	<b>AGAINST</b>
Cr G D Bussell	Cr S R Martin
Cr A A Carter	Cr A A Gear
Cr G J Daccache	
Cr D R Pike	
Cr S F Sear	

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.7



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.7

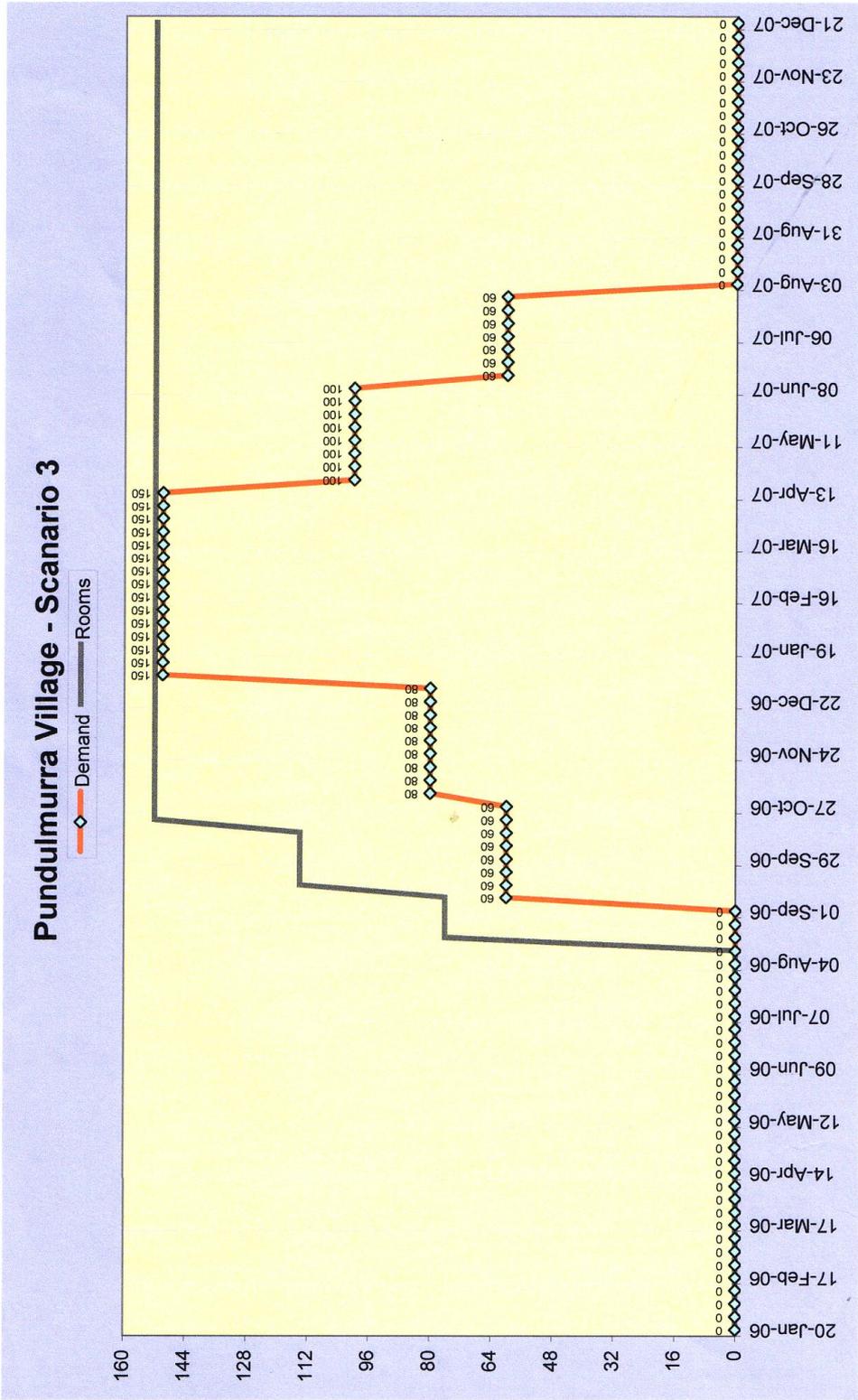
06-01332

MPD JV

BHP Billiton Iron Ore - Asset Development Projects

RAPID GROWTH PROJECT - PORT HEDLAND ACCOMMODATION

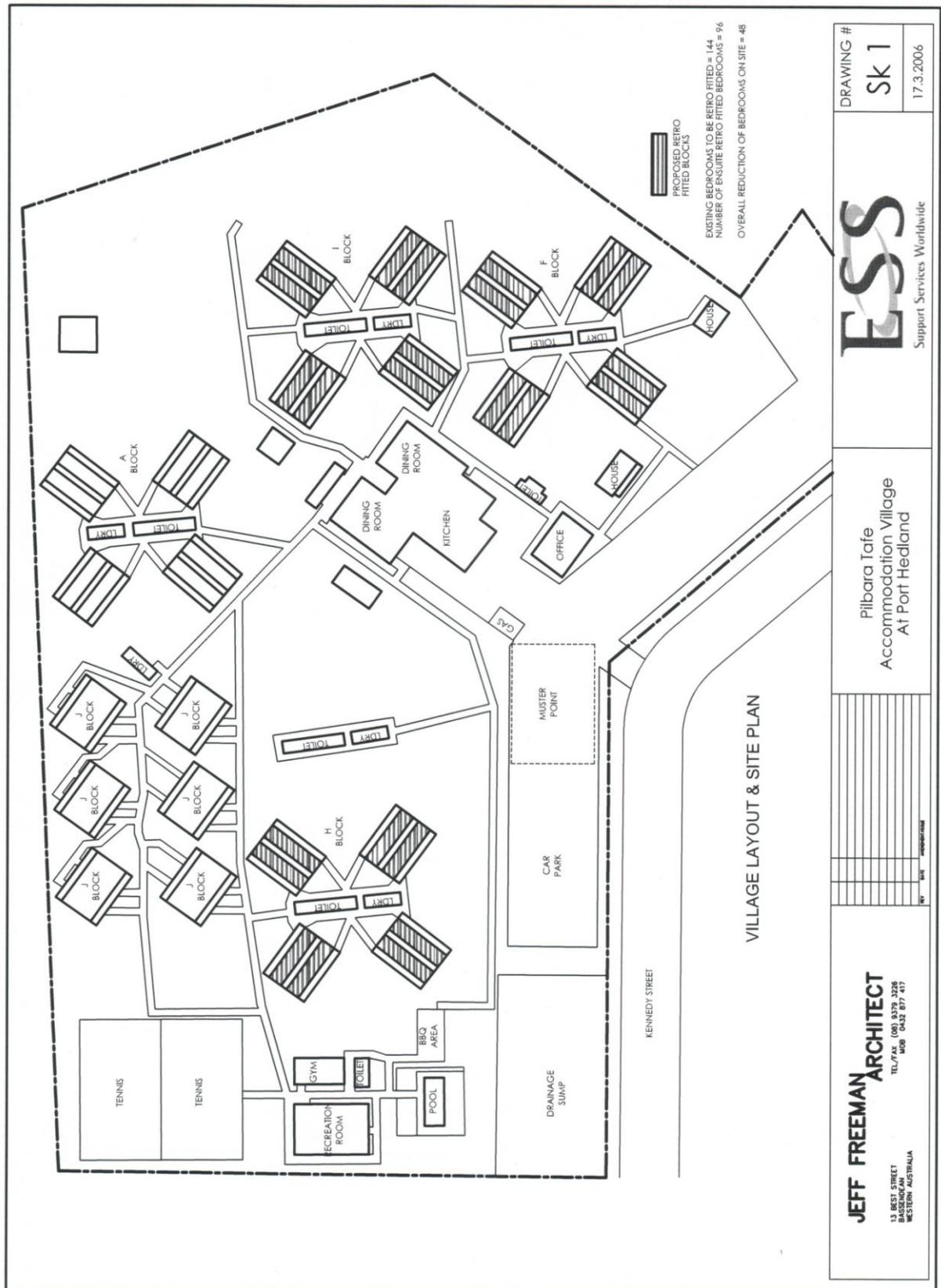
Pundulmurra Village - Scenario 3



16/03/2006

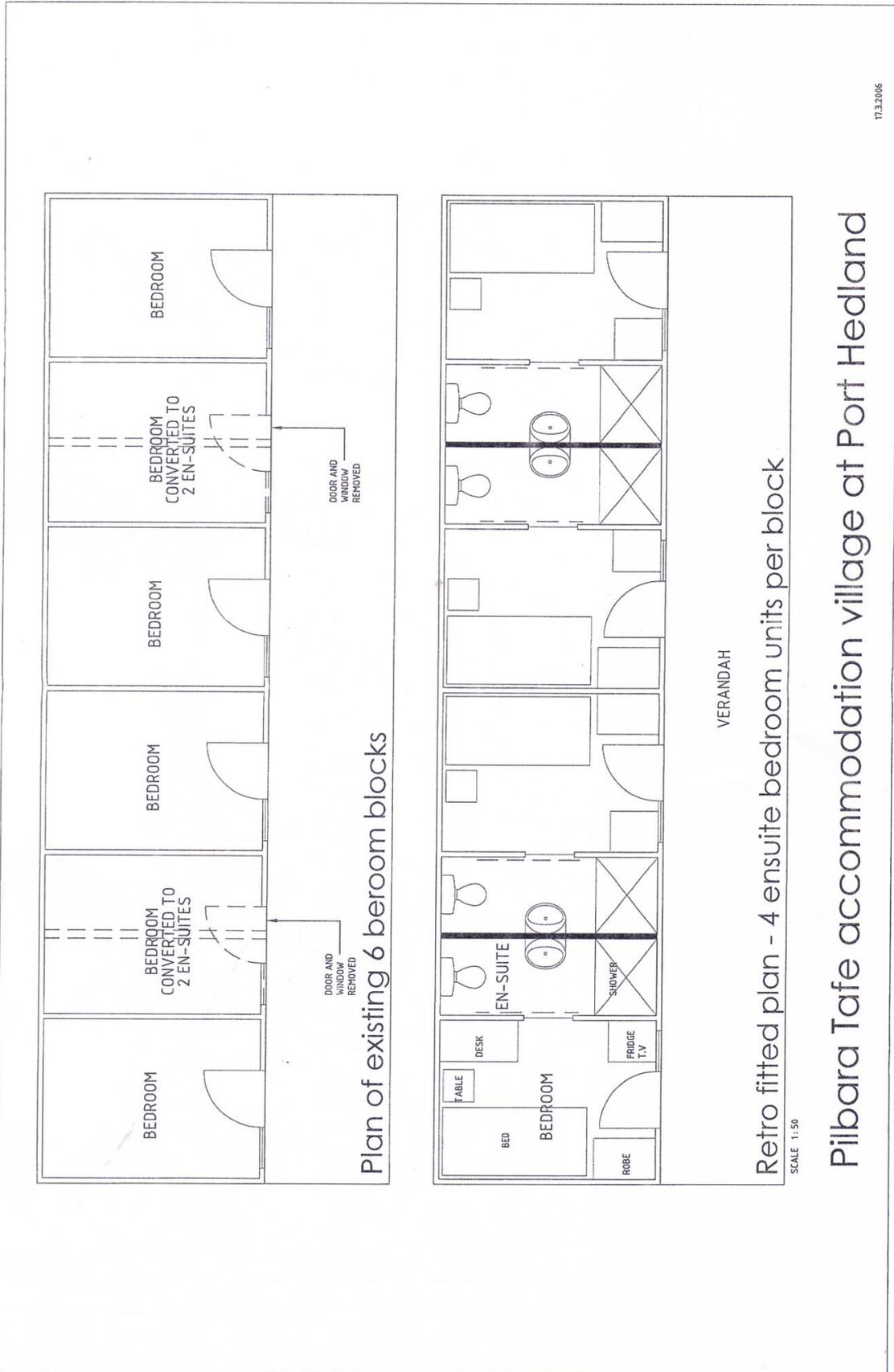
Prepared for MPDJV by:  
KEN EMPSON ASSOCIATES PTY LTD

ATTACHMENT 3 TO AGENDA ITEM 11.2.2.7



<p><b>ESS</b> Support Services Worldwide</p>	<p>DRAWING #</p>
	<p>Sk 1</p>
<p>Pilbara Tafe Accommodation Village At Port Hedland</p>	<p>17.3.2006</p>
	<p>DATE</p>
<p><b>JEFF FREEMAN</b> ARCHITECT 11, BEST STREET BASSENDRUP WESTERN AUSTRALIA TEL/FAX (08) 9375 3025 MOB 0432 877 417</p>	<p>DATE</p>
	<p>DATE</p>

ATTACHMENT 4 TO AGENDA ITEM 11.2.2.7



17.3.2006

Plan of existing 6 bedroom blocks

Retro fitted plan - 4 ensuite bedroom units per block

SCALE 1:50

Pilbara Tafe accommodation village at Port Hedland

**11.2.3 Arts, Recreation and Community Activities****11.2.3.1 Community Support Funding 2nd Round (File No.: GRT - 027)**

**Officer** John Cornelder  
Manager Arts, Recreation  
and Community Activities

**Date of Report** 11 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

For council to consider applications that have been received for Community Support Funding.

**Background**

The Town of Port Hedland offers Community Support Funding to encourage and support activities and events that promote and enhance the well being of the Port Hedland Community.

Community Support Funding rounds are advertised twice a year. The budget is \$7,000 each round, with a maximum amount of \$750.00 available per organisation.

Requests were received from 10 applicants' for this funding round. A balance of \$9,519.68 was available for distribution.

A review panel comprising Manager Arts, Recreation & Community Activities and Community Services Administration Officer has considered the applications and the recommendation was that 8 of the 10 applicants were to be approved, with 2 to be rejected.

The panel approved the following applications:

1. Hedland Canine Club  
(Repair mesh fencing around grounds)  
Grant requested \$750  
Grant amount approved \$750
2. Youth Involvement Council  
(Youth Disco)  
Grant requested \$750  
Grant amount approved \$750

- |    |   |       |
|----|---|-------|
| 3. | Hedland Well Woman's Centre<br>(Arts Picnic for WOW Week)<br>Grant requested \$750<br>Grant amount approved   | \$750 |
| 4. | SAFE Hedland Inc<br>(Food & Accessories to save animals)<br>Grant requested \$750<br>Grant amount approved  | \$750 |
| 5. | Volunteer Marine Rescue<br>(Training Book Replacements)<br>Grant requested \$750<br>Grant amount approved   | \$750 |
| 6. | Cooke Point Playgroup<br>(Play items upgrade)<br>Grant requested \$750<br>Grant amount approved   | \$750 |
| 7. | Hedland Junior Football Association<br>(Level 1 Football Coaching Accreditation Clinic)<br>Grant requested \$750<br>Grant amount approved                   | \$750 |
| 8. | Hedland Touch Association<br>(Travel & Accommodation for 2006<br>North-West Championships held in Broome)<br>Grant requested \$750<br>Grant amount approved | \$750 |

Funding is not recommended for:

1. Cassia Primary School

For the reason that Community Support Funding specifically excludes Government Agencies and/or organizations, and the funding should have been sources through the Education Department.

2. Pilbara Arts, Crafts & Designs Aboriginal Corporation

The application did not provide essential information, had no ABN and is already receiving the required amount of funding from other organisations according to the application. The applicant has been advised to re-submit with appropriate information in the next funding round.

TOTAL APPROVED: \$6,000

**Consultation**

The second round of Community Support Funding (CSF) for 2005/06 was advertised through the North-West Telegraph on 15 March 2006.

**Statutory Implications**

Nil

**Policy Implications**

Nil

**Strategic Planning Implications**

Not specifically identified in the Strategic Plan

**Budget Implications**

GL Account 011293 "Community Support Funding"  
Balance: \$9,519.68 available.  
Grants approved to the value of \$6,000.

**Officer's Comment**

For information of Council, this is part of Council's standing support mechanisms for the Community Activities.

**200506/419 Council Decision/Officer's Recommendation**

**Moved:** Cr D R Pike                      **Seconded:** Cr G J Daccache

**That the distribution of Community Support Funding for May 2006 be noted.**

***CARRIED 7/0***

6:49 pm Cr G J Daccache declared a financial interest in Item 11.2.3.2 Representatives for the Alliance Advisory Committee, as he owns BHP Billiton shares and is employed by BHP Billiton.

Cr G J Daccache left the room.

6:49 pm Cr D R Pike declared a financial interest in Item 11.2.3.2 Representatives for the Alliance Advisory Committee, as he owns BHP Billiton shares. Cr D R Pike did not leave the room as the Department of Local Government and Regional Development have exempted him to do so.

### **11.2.3.2 *Representatives for the Alliance Advisory Committee (File No.: CMS-071)***

**Officer** Claire Roberts  
Events Coordinator

**Date of Report** 12 May 2006

**Disclosure of Interest by Officer** Nil

#### **Summary**

For Council to determine the three community and two Council representatives for The Alliance Advisory Committee.

#### **Background**

Since 1998, the Town of Port Hedland and BHP Billiton Iron Ore have undertaken extensive community consultation regarding the formation of a strong arts, culture and heritage focus in Port Hedland.

From this, a partnership between BHP Billiton Iron Ore and the Town of Port Hedland has been developed whereby BHP Billiton has provided \$1.2million towards the achievement of this goal. This agreement is known as 'The Alliance' and copies were circulated following Council's conditional endorsement of the agreement at its Ordinary meeting on 26 April 2006.

Within the agreement, an Advisory Committee is to be formed comprising;

- Two Council representatives;
- Two Company (BHP Billiton) nominees; and
- Three community representatives, appointed by the Council and the Company to represent the fields of arts, heritage and culture in the local area.

The Advisory Committee will have the following roles and responsibilities:

- Recommending appropriate grant allocations for community groups consistent with the objectives of the Alliance;
- Recommending suitable events and programs for Alliance support;
- Providing input and advice, where appropriate, to the programs drawn up by the Events Coordinator;
- Monitoring the progress of the Alliance program in meeting the objectives of the Alliance;
- Advising the Council on strategic arts development and;
- The Advisory Committee is to meet at least four times a year, unless otherwise agreed

**Consultation**

- BHP Billiton Iron Ore
- Community members from the areas of arts, culture and heritage

**Statutory Implications**

Nil

**Policy Implications**

Nil

**Strategic Planning Implications**

Key Result Area 3 – Community Development

Goal 7 – Arts and Culture

Strategy 1: Review the Town's Cultural Plan and implement appropriate strategies

**Budget Implications**

Nil

**Officer's Comment**

A shortlist of three community representatives has been developed in consultation with BHP Iron Ore Billiton. Each individual has a background in arts, heritage or culture, however their role will be representative of all three fields.

*Fred Beel*

Representing arts. Fred is the current president of HARTZ and is also a well-known practicing artist in the Port Hedland community.

*Trish Parker*

Representing heritage. Trish has a good working knowledge on the history of Port Hedland. She also has extensive contacts within the arts community.

*Jilalga Murray*

Representing culture. Jilalga has been involved in the community consultation process of the Alliance. She has many contacts in the indigenous and non-indigenous art community.

It is proposed that membership of the committee will be for an annual term.

Council representation can consist of both Councillors and staff members.

### **Officer's Recommendation**

That:

- i) the Alliance Advisory Committee include the following community representatives for the next 12 months:

Trish Parker  
Fred Beel  
Jilalga Murray

- ii) the Alliance Advisory Committee have the following Council representatives:

Cr \_\_\_\_\_  
Coordinator Courthouse Arts Centre and Gallery; and

- iii) the Events Coordinator attend Advisory Committee meetings as an ex officio member.

### **200506/420 Council Decision/Amended Officer's Recommendation**

**Moved:** Cr A A Carter                      **Seconded:** Cr A A Gear

**That:**

- i) the Alliance Advisory Committee have the following community representatives for the next 12 months:**

**Julie Hunt  
Fred Beel  
Jilalga Murray**

- ii) **the Alliance Advisory Committee have the following Council representatives:**

**Councillor Arnold A Carter  
Councillor Jan M Gillingham (Deputy)  
Coordinator Courthouse Arts Centre and Gallery; and**

- iii) **the Events Coordinator attend Advisory Committee meetings as an ex officio member.**

***CARRIED 6/0***

6:53 pm Cr G J Daccache re-entered the room and assumed his chair.  
Mayor advised Cr G J Daccache of Council's decision.

**11.2.3.3 Requests for Fee Waiver of Gratwick Hall (File No.: BLD/044)**

**Officer** Terry Sargent  
Director Regulatory and  
Community Services

**Date of Report** 18 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received two fee waiver requests.

1. Philippine Australian Friendship Association (FAFA) is holding their Independence Night on Saturday 17 June 2006 in Gratwick Hall. They are requesting a waiver of particular fees for the set-up of the event.
2. South Hedland Police Social Club is holding their Police Charity Ball on Saturday 15 July 2006 in Gratwick Hall. They are requesting a waiver of particular fees for the set-up and pack-up of the event.

**Background***Filippine Australian Friendship Association (FAFA)*

The President of FAFA has written to the Council with the following request:

- Waive the hire fees of Gratwick Hall for setting up (Saturday 17 June 2006).

This request has been made with the following explanations:

- The FAFA Committee needs time to set-up the event aside from the time already booked.
- FAFA is a non profit making organisation whose aim is to make Filipino people feel welcome.
- Money is raised all year for the party, and sponsorship is sought, however the Committee rarely has a great deal left over.

*South Hedland Police Social Club Ball*

The South Hedland Police Social Club Ball Co-ordinator has written to the Council and then had further discussion with the Events Co-ordinator with the following request:

- Waive the hire fees of Gratwick Hall for setting up (Saturday 15 July 2006), and the morning of Sunday 16 July 2006 (Cleaning).

This request has been made with the following explanations:

- The South Hedland Police Social Club Ball Committee needs time to set-up and clean up the event aside from the time already booked.
- The function is a charity event and all proceeds from the evening will be donated to the Western Australian division of the Royal Flying Doctor Service.

### **Consultation**

Not applicable

**Statutory Implications** Nil

### **Policy Implications**

Neither event is specifically mentioned in Council's Community Recreation Celebrations and Events policy.

**Strategic Planning Implications** Nil

### **Budget Implications**

If the requests are supported Council will forego revenue of up to \$660.

The fees from which the FAFA Committee are seeking exemption are:

Saturday Hire	\$275.00
---------------	----------

The fees from which the South Hedland Police Social Club are seeking exemption are:

Saturday Hire	\$275.00
Sunday Morning (2 hrs)	\$110.00

### **Officer's Comment**

Both organisations have committed to paying for the hire of the hall for their respective events.

Presently, there are no bookings on the day of Saturday 17 June, Saturday 15 July or Sunday 16 July 2006. As such, no other community group or business will be inconvenienced at this point in time if the hall is used by the FAFA Committee or the South Hedland Police Social Club Ball Committee prior to their respective events.

Despite these merits, it must be noted that standard hire fees are imposed on all organisations in an attempt to recoup a margin of the costs of maintenance of the hire venue. In order for the policies and fee structure of the Town of Port Hedland to be maintained and respected a consistent approach must be taken towards all groups who wish to hire Council facilities, including not-for-profit groups and schools.

Council has two options:

1. Waive the fees for the set-up of the FAFA Independence Night and waive the fees for the set up and cleaning of the Police Social Club Charity Ball; or
2. Require the FAFA Committee and the South Hedland Police Social Club to pay for the hire of Gratwick Hall for the set up time of their respective events, and the following day for pack up if required.

**200506/421 Council Decision/Officer's Recommendation**

**Moved:** Cr A A Carter

**Seconded:** Cr S F Sear

**That:**

- i) **the Philippine Australian Friendship Association be required to pay the fees applicable for the hire of Gratwick Hall for the FAFA Independence Night to be held on Saturday 17 June 2006, in accordance with Council's Schedule of Fees and Charges; and**
- ii) **the South Hedland Police Social Club be required to pay the fees applicable for the hire of Gratwick Hall for the Police Charity Ball to be held on Saturday 15 July 2006, in accordance with Council's Schedule of Fees and Charges.**

***CARRIED 7/0***

**11.2.4 Ranger Services****11.2.4.1 Proposed Vehicular Access Restrictions: Pretty Pool and Cemetery Beach (File No.: RAN-026)**

**Officer** Terry Sargent  
Director Regulatory and  
Community Services

**Date of Report** 15 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

This report, which is for information only, is to advise of progress to date on the proposed exclusion of vehicles from the beaches, which the Flatback Turtles use for nesting.

**Background**

Following the resolution of Council dated 28 September 2005 the Coordinator Ranger Services has held discussions with a representative of the Care for Hedland Environmental Group which has received grant funding for works to protect the breeding sites of the Flat Back Turtle.

The funding available to Care for Hedland is sufficient to cover the total cost of any construction works, bollards or barricades and any supporting signage etc.

**Consultation**

In discussions with Care for Hedland it has become apparent that broader community consultation will not only provide feedback but will be a very useful educational tool in disseminating information about the restriction of vehicular access to designated beach areas.

It is proposed that feedback from the Care for Hedland consultation be taken into account in placing barriers to exclude vehicles from the beaches.

**Statutory Implications**

Town of Port Hedland Local Law (Reserves and Foreshores)

- “5. A person other than an employee of the Council executing his/her normal duties shall not without the consent of the Council:
- (a) drive or ride any vehicle onto a reserve or foreshore or permit any person to drive or ride or bring any vehicle

*onto a reserve or foreshore except on or over such parts of the reserve or foreshore as are set aside as roads or driveways or vehicle parking areas; ...”*

**Policy Implications**

Nil

**Strategic Planning Implications**

This topic is not specifically mentioned in the Council's strategic plan.

**Budget Implications**

Nil. Works undertaken to exclude vehicles from beach areas will be entirely at the cost of the Care for Hedland Environmental Group which has received funding for that purpose.

**Officer's Comment**

Discussions to date, including comment at the last informal Councillor briefing, confirm the most suitable barrier to exclude vehicles from the beach will be bollards constructed of railway iron or similar. Bollards can be placed at key beach entry points and above the tidal zone, excluding vehicles but permitting pedestrian access.

It will not be practicable to totally exclude vehicles from the beaches but durable barriers supported by publicity and random Ranger patrols during the turtle breeding season are expected to have a significant impact.

It is envisaged the construction and location of barriers should be the subject of further community consultation and a detailed proposal will be developed by Care for Hedland Environmental Group, based on the feedback from that consultation process. That proposal will be circulated to Councillors and relevant Council staff. Subject there being no objections, barriers and appropriate signage will be installed at Pretty Pool and Cemetery Beach to exclude vehicles from the beaches.

**200506/422 Council Decision/Officer's Recommendation**

**Moved:** Cr D R Pike

**Seconded:** Cr S F Sear

**The Coordinator Ranger Services continues to liaise with the Care for Hedland Environmental Group as they seek community feedback over the exclusion of vehicles from beaches at Pretty Pool and Cemetery Beach.**

***CARRIED 7/0***

**12.2.4.2 Re-establishment of Bushfire Advisory Committee or Working Group (File No.: - )**

**Officer** Peter Wilden  
Coordinator Ranger  
Services

**Date of Report** 15 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

For Council to consider whether or not to re-establish the Bushfire Advisory Committee (BFAC) or a Bushfire Advisory Working Group (BFAWG).

**Background**

In the past the Town of Port Hedland has had a Bushfire Advisory Committee. From September 1999 to July 2005 this committee looked at the prevention, preparedness, response and recovery to bushfires within the district.

The Bush Fire Advisory Committee was supposed to meet twice a year, in March and September, to discuss the previous and forthcoming fire season.

Committee members included the Chief and Deputy Chief Bush Fire Control Officers, local Volunteer Fire Brigades, FESA Fire Services Managers and BHP Billiton emergency services representatives.

At Council's ordinary Council Meeting held on 27 July 2005 Council resolved to discontinue the Bush Fire Advisory Committee. Mr Peter Cann, (FESA Regional Director – Pilbara) was advised that there had been a decision by Council to disband the committee.

At Council's ordinary Council Meeting held on 14 December 2005 Council resolved in part to "... Consider reforming the Bushfire Advisory Group as either a working group or a committee."

**Consultation**

Mr Tony Taylor (FESA District Officer) has also identified that there is no mandatory requirement under the Act for a Council to form a Bush Fire Advisory Committee. He did not suggest any particular need to have a committee.

Mrs Jo Cummings, Captain of the Town of Port Hedland Volunteer Bush Fire Brigade, advised that interaction between agencies was important, and she had attended several of the previous Bush Fire Advisory Committee meetings.

Mr Phil Latham, Captain of the South Hedland Fire and Rescue Service advised his unit was not actively involved with the BFAG and that he had not attended a meeting in the past two years while he had been in his current position.

Discussions with current Ranger Services team indicated there did not appear to be a lot of interest in the committee from past committee members.

### **Statutory Implications**

Section 67 of the Bush Fires Act States:

*“Advisory committees*

*67.(1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of firebreaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified in this subsection.*

*(2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.*

*(3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may*

*(a) make rules for the guidance of the committee;*

*(b) accept the resignation in writing of, or remove, any member of the committee; and*

*(c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.*

*(4) A committee appointed under this section*

*(a) may from time to time meet and adjourn as the committee thinks fit;*

*(b) shall not transact business at a meeting unless the quorum fixed by the local government is present;*

- (c) *is answerable to the local government and shall, as and when required by the local government, report fully on its activities.*”

NOTE: There is currently no mandatory requirement under the *Bush Fires Act 1954*, to have a Bush Fire Advisory Committee as the Act states a Local Government “*may*” appoint such persons as it thinks fit.

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications** Nil

#### **Officer’s Comment**

While it can be advantageous to have interagency meetings, there is anecdotal evidence suggesting in the past getting all the Committee members together to attend meetings could often pose a problem.

With the current local agencies, Councils Ranger Services, FESA, the State Wildfire Management Group (SWMG) and the Local Emergency Management Advisory Committee (LEMAC) all maintaining a reasonable level of communication there is the opportunity to resolve issues as they arise without the need for another forum in which to raise concerns or exchange ideas.

The Town of Port Hedland is still committed to working with the local Volunteer Fire Service and allied agencies on matters pertinent to bush fire prevention and control but there has not been any widespread concern expressed after the previous committee was disbanded and investigation to date has not shown a compelling reason to reform the committee.

It appears the committee’s greatest value was in keeping the Council informed as to the town’s state of readiness to deal with bushfires and the effectiveness of local services. This function could be achieved by ensuring the Chief Bushfire Control Officer maintains regular contact with FESA and local Volunteer Fire Brigades and reports to council annually on the Town of Port Hedland’s prevention, preparedness, response and recovery to bushfires within the district.

#### **Officer’s Recommendation**

That:

- i) Council does not establish a Bush Fire Advisory Committee or Working Group; and

- ii) the Chief Bushfire Control Officer maintains regular contact with the Fire and Emergency Services Authority (FESA) and local Volunteer Fire Brigades and reports to Council annually on the Town of Port Hedland's prevention, preparedness, response and recovery to bushfires within the District.

**200506/423 Council Decision/Officer's Recommendation****Moved:** Cr G D Bussell**Seconded:** Cr A A Gear**That:**

- i) **Council transfers the responsibilities of Bush Fire Advisory Committee (BFAC) to the Local Emergency Management Advisory Committee (LEMAC); and**
- ii) **that the Local Emergency Management Plan be referred to LEMAC for review, and then be returned to Council for further consideration.**

***CARRIED 7/0***

*REASON: As there is currently no mandatory requirement under the Bush Fires Act 1954, to have a Bush Fire Advisory Committee, Council preferred to transfer the responsibilities of such a Committee to the Local Emergency Management Advisory Committee. Council also sought for the Local Emergency Management Plan to be reviewed by LEMAC, prior to being returned to Council for further consideration.*

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

**Officer** Grant Logie  
Director Engineering  
Services

**Date of Report** 11 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

For Council's Information

**Background**

Engineering Services monthly report to Council.

**Consultation** Nil

**Statutory Implications** Nil

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer's Comment***Engineering Services Works*

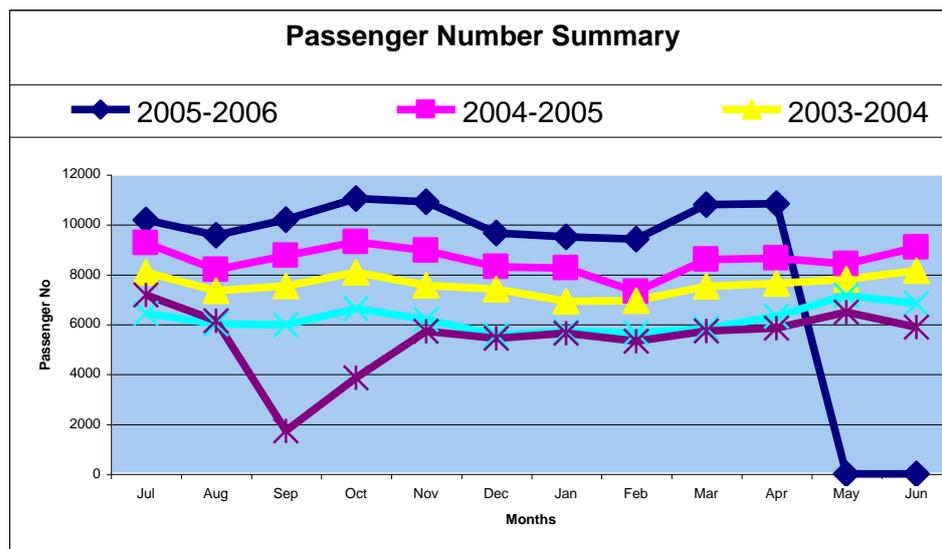
PROJECT	STATUS
South Hedland Cemetery Upgrade	Positive feedback received from the community. Contacted the Australian Cemeteries and Crematoria Association and received advice that there are no restrictions or regulations on Cemetery design regarding entrance and plot alignment. ES to proceed with upgrade as presented to Council.
Playgrounds	Removal of existing playground equipment at SHAC and Shay Gap Park commenced. New playground equipment (including rubber soffitall) ordered for South Hedland Aquatic Centre and Shay Gap Park to be installed mid May.
Black Spot Funding	Mark Taylor of Taurus Designs has been commissioned to complete design work for Throssell road, North Circular/Murdoch roads and North Circular/Hamilton road. Contractors are working on surveys at present. Signage as per the Road Safety Auditors recommendations has been received, awaiting installation.

Roads to Recovery Funding	Boat Ramp Road (Finucane Island) has been formed and drainage completed; awaiting Seal contractor to complete upgrade works. Identified extension of Buttweid Road to North Circular Road as project for 2006/2007 funding; approved. Currently seeking approval for development of reserve from Department for Planning and Infrastructure.
Sutherland Street Footpath Upgrade	Work has commenced on the footpath upgrade, partially complete. Water Corporation has completed relocation of pipe. Crash Barrier materials have been received, installation in progress. Awaiting concrete works to be completed.
Regional Road Group Funding	Materials for the road safety barrier on Hamilton Road have been received, awaiting contractor to install.
Landfill	Detail Site Survey has been completed and submitted to Harold McKenzie, awaiting the submission of the Strategic Waste Management Plan. Burning of greenwaste and pallet stockpiles completed successfully.
Walkway Lighting	05/06 Walkway Lighting Upgrade Program in South Hedland is complete. Engineering services awaiting confirmation from Western Power that redundant walkway lights are disconnected in order to have them removed.
Litter Collection	Council staff are carrying out Litter Collection. A review is scheduled.
Sutherland Street Foreshore	Temporary restoration of dunes damaged due to storm surge is complete. Currently seeking funding for protective works. Fencing replacement is near completion.
Goode Street Foreshore	Materials for fencing replacement have been received, installation works awaiting staff availability. Walkways have been closed due to damage caused by storm surge, pending further assessment.
Kerbing Construction	2005/2006 Kerbing program complete.
Footpath Construction	2005/2006 Footpath Construction program almost complete. Awaiting the completion of works along Sutherland Street, Anderson Street and Murdoch Drive.
Bell Street/LIA	Work has commenced & 50% of work has been completed to date. Work delayed due to rain.
Port Hedland Enhancement Scheme	Received Ministers approval from installation of shade and bus shelters and upgrade of Wedge Street canopy (designs) Liaising with Pilbara Development Commission for implementation of above works.
Pinnacle Street	Drainage works still underway, awaiting materials. Delayed due to rain.
Surplus Tender	Surplus Tender closed on 12 <sup>th</sup> April. Currently distributing items to awarded tenderers.
Flood Damage	Currently applying for funding for opening and reinstatement of Yandeyarra Road, Hillside-Woodstock Road and Pippingarra Road after roads were closed due to flood damage from recent cyclone activity.
5 Year Programming	5 year programming completed for road construction, drainage construction, road reseals, walkway lighting, playground equipment replacement, light and heavy fleet replacement. Currently programming kerbing construction works.

*Parks and Gardens*

Ovals Maintenance	Preparation works for races at Port Hedland Oval has been completed. Maintenance ongoing.
Slashing	Slashing currently being undertaken at Port Hedland vacant blocks and South Hedland Schools. Open area slashing in Port Hedland, South Hedland and Wedgefield ongoing.

*Airport*



Passenger numbers for the period July to March are approx 20% up on the same period last year. A Record month for Qantaslink, as they carried more passengers in February than in any other month since operating at Port Hedland International Airport.

Information source BTRE February 2006

Route	Ranking In Aust	Pax Numbers	Available Seats	Load Factors	Aircraft Movements
Port Hedland-Perth	47	8,767	14,344	61.1	130
Karratha- Perth	31	17,639	26,646	66.2	232
Kalgoorlie-Perth	36	13,389	23,992	55.8	234
Broome-Perth	42	10,635	19,478	54.6	176

**Significant Aircraft Movements**

Falcon 2000EX outbound to the Maldives  
 6 x Hawk Jets 79sqn outbound to Surabaya  
 C130 Hercules inbound from Singapore  
 C130 Hercules inbound from Singapore cancelled at last minute.  
 2 x Aerocommander 500's outbound to Cocos and Libya

**Officer's Recommendation**

That Council receive the Engineering Services Report for April 2006.

**200506/424 Council Decision**

**Moved:** Cr G D Bussell                      **Seconded:** Cr A A Carter

**That:**

- i) **Council receive the Engineering Services Report for April 2006.**
- ii) **Engineering Services defer further work on the South Hedland Cemetery until the advice from the Australian Cemeteries and Crematorium Association is presented to Council for its consideration and approval.**

***CARRIED 7/0***

*REASON: Council prefer to consider advice pending from the Australian Cemeteries and Crematorium Association prior to commencement of works at the South Hedland Cemetery.*

**11.4 GOVERNANCE AND ADMINISTRATION****11.4.1 Corporate Services - Finance****11.4.1.1 *Financial Reports to Council for period ended 30 April 2006 (File Nos: FIN-008, FIN-014 and RAT-009)***

**Officer** Stephen Carstairs  
Accountant

**Date of Report** 16 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

The objective of this item is to present a summary of the financial activity of the Town to 30 April 2006, and to compare this with budget expectations.

The summary sheet for the Statements of Financial Activity (see Function 2) indicated that actual operating revenue (\$20,860,091) at 30 April 2006 was not appreciably different (variance was 110%) from budgeted revenue (\$18,898,105) for the same period. Further, actual (\$14,442,541) and budget (\$16,162,168) operating expenses were also similar (variance was 89%). In April 2006 non-operating revenue and expenditure varied less from budget (105% and 53% respectively) than in January and February 2006.

As at 30 April 2006 Council's cash amounted to \$9,870,889 (see Reconciliation of Statement of Financial Activity to Current Assets).

Rates outstanding at 30 April 2006 (\$344,848), was less than that (\$521,993) at the same time in 2005.

**Background****1. *Schedule of Accounts Paid***

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 16 May 2006 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 costings.

Voucher No's			Pages		Fund No	Fund Name	Description
From	To	Value	From	To			
EFT 15545	15751	\$733,365.87	1	62	1	Municipal Fund	
16367	16373	0	62	62	1	Municipal Fund	Cancelled
16374	16374	\$70.40	62	62	1	Municipal Fund	
16375	16375	0	62	62	1	Municipal Fund	Cancelled
16376	16380	\$1,285.74	62	63	1	Municipal Fund	
16381	16381	0	63	63	1	Municipal Fund	Cancelled
16382	16412	\$43,566.23	63	68	1	Municipal Fund	
16413	16413	0	68	68	1	Municipal Fund	Cancelled
16414	16448	\$162,475.99	68	75	1	Municipal Fund	
PAY110406		\$185,768.27	75	75	1	Municipal Fund	
PAY250406		\$180,645.20	75	75	1	Municipal Fund	
PAY250406		\$1454.16	75	75	1	Municipal Fund	
	Municipal Total	\$1,308,631.86					
301256	301256	\$200.00	75	75	3	Trust Fund	
301257	301257	0	75	75	3	Trust Fund	Cancelled
301258	301261	\$2,400.00	75	75	3	Trust Fund	
	Trust Total	\$2,600.00					
TOTAL		\$1,311,231.86					

**2. Financial Statements**

Presented (see attachments) in this report for the financial period ended 30 April 2006, are the:

- Statements of Financial Activity – see Functions 2 to 14;
- Reconciliation of Statement of Financial Activity to Current Assets for the Period 30 April 2006;
- Review of Transaction Activity:
  - i). the Statements of Financial Activity at 30 April 2006 did not include depreciation for April 2006;
  - ii) . the gap between actual and budget non-operating expenditure at 30 April 2006 was substantial (53%);
  - iii) . during weeks one and two of May 2006 Council's senior staff reviewed actual expenditure to budget for the year to 31 March 2006,

and identified that allocation of plant costs required further review;

- iv) . otherwise the Statements of Financial Activity presented here do not indicate material variations from the 2005/06 Budget.

### 3. *Investments*

Council's Investment Register and reconciliation of Municipal, Trust and Reserve Funds at 30 April 2006 is presented as an attachment.

Interest Rates for investments are based on the best rate given by the National Australia Bank, BankWest, Commonwealth Bank of Australia and the Australian and New Zealand Bank.

### 4. *Rate Receipts Received Year to Date*

The Schedule of Rate Receipts to 30 April 2006 is attached.

The combined 2005/06 rates and services outstanding as per the attached schedule was \$344,849.26.

## **Consultation**

The following Council Officers contributed to the final form of this agenda item:

Linda Nickoll (Accounts)  
Lenore Postans (Rates)

## **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..*

### Policy Implications

Council Policy 2/005 Financial Statements - Copies to Councillors, requires that statements shall be issued in the form of:

Quarterly: In accordance with Local Government (Financial management) Regulations 1996, plus detailed schedules 2 – 17 Municipal Fund.

Other Months: Schedules of operating Income and Expenditure and Capital Income and Expenditure as adopted in the Annual Budget.

(July, August, October, November, January, February, April, May).

Monthly: Bank Reconciliations for each account operated by Council.”

Policy 2/014 ‘Investment Policy’ sets guidelines and authority levels for Council investments.

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer’s Comment**

As at 30 April 2006 Council’s cash position was strong. It is anticipated that continued lively capital expenditure in the period 1 April to 30 June 2006 will erode the vast majority of this cash.

**200506/425 Council Decision/Officer’s Recommendation**

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

**That:**

- i) **the list of Accounts paid under Delegated Authority as presented be received;**
- ii) **the -**
  - . **Statements of Financial Activity (represented by Functions 2 to 14);**
  - . **Reconciliation of Statement of Financial Activity to Current Assets for the Period 31 March 2006; and**
  - . **Review of Transaction Activity:**
    - . **the Statements of Financial Activity at 30 April 2006 did not include depreciation for April 2006;**
    - . **the gap between actual and budget non-operating expenditure at 30 April 2006 was substantial (53%);**
    - . **during weeks one and two of May 2006 Council’s senior staff reviewed actual expenditure to budget for the year to 31 March 2006, and identified that allocation of plant costs required further review;**
    - . **otherwise the Statements of Financial Activity presented here did not indicate material variations from the 2005/06 Budget.**

**as attached and presented be received;**

- iii) the Register of Investments and Municipal, Trust and Reserve Bank Reconciliations as at 30 April 2006 as attached be received; and
- iv) the Rates Summary Trial Balance for the month ending 30 April 2006, as attached be received.

*CARRIED 7/0*

**11.4.1.2 Debtors over 90 Days... (File No.: Fin-005/Fin-100)**

**Officer** Julie Roberts  
Accounts Officer

**Date of Report** 17 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Presented in this item are sundry debts that were outstanding for 90 days or more at 30 April 2006, and small sundry debt account balances that Council may consider to write off.

**Background**

On 30 April 2006 forty (40) sundry debtor accounts remained unpaid for 90 days or more, and nineteen (19) of these were for penalty interest charges raised on accounts overdue after 67 days (60 days plus 7 days legal action notice), see Table below. Interest charges amounted to \$36.57.

<b>Sundry Debtor</b>	<b>Amounts Over 90 days outstanding \$</b>	<b>Balance @ 30th April 2006 \$</b>	<b>Debt Collection Status for Debts over 90 days</b>
Alamaty Aviation Joing Stock	1073.60	1073.60	See Request to Write Off Debtors item presented this meeting
Brenton Hanson	30.33	30.33	Correction of wrong address, awaiting payment.
Chevron Corporation	595.55	595.55	See Request to Write Off Debtors item presented this meeting
Chris Sousa	86.37	135.65	Sent Legal Action Notice – Debtor has offered to pay \$50.00 with balance to follow
Greg Atkins	1025.00	1025.00	Court charges for dog attack, paying \$100.00 per month
Horizon Airlines	10779.55	10779.55	Administrator Appointed
Indonesia Airlines Transport	457.60	460.77	See Request to Write Off Debtors item presented this meeting
Lumley General Limited	0.30	0.30	Short payment of Inv 9818 – \$0.07, Inv 9817 - \$0.18, Inv 12693 - \$0.05
Mark Probert	1810.35	5862.05	Overdue notices sent, debtor has not responded – Council's options are being reviewed.

Michelle Cooke	434.00	434.00	Summons issued and sent 30/03/06, no response, Dun & Bradstreet awaiting instruction to enter judgement
NZ Aerial Mapping Pty Ltd	163.64	164.50	Debtor has since paid - \$0.86 late payment interest is outstanding
Nicole Love	44.00	44.00	Overdue notices have been issued for Library debt.
Personal Airliner Ltd	74.24	75.69	See Request to Write Off Debtors item presented this meeting
Peter Murray Edwards	80.00	80.00	Court order for graffiti damaged, under 18 years of age, can not serve summons
Pilbara Community & Aged Care Services	24.00	4572.39	A query about the invoice has now been resolved and payment is expected next run.
Ramirez Contracting	1933.30	1933.30	Legal Action has begun, the Town is to decide its next course of action
Rossy Rotor Aviation	87.56	121.56	Debtor was away on holidays has since returned and paid account
Russell Graeme Thomas	4376.00	4376.00	Legal action has begun on account. Summons was unable to be served, a trace report was conducted and found debtor is in extreme remote aboriginal community.
Swans Football Club	5439.50	6289.55	Payment plan approved by council Feb 2006
Union Charter Trust	79.25	81.38	See Request to Write Off Debtors item presented this meeting
Westfield Aviation Trustee	360.04	362.54	See Request to Write Off Debtors item presented this meeting
William Deague	0.01	0.01	Interest charges raised
Williambury Helicopters	0.05	0.05	Interest charges raised
Antonov Airlines	0.20	0.20	Interest charges raised
BGC Contracting Pty Ltd	0.12	0.12	Interest charges raised
BHP Billiton Iron Ore	0.84	3753.15	Interest charges raised
BHP Billiton Iron Ore	0.66	0.67	Interest charges raised
Barclay Mowlem	5.72	176.72	Interest charges raised
Broome Aviation	0.14	0.14	Interest charged raised
Ceacon WA	0.11	0.11	Interest charges raised
Down Town Trading Post	0.31	35.51	Interest charges raised

Eric J Roulston	1.23	19.65	Interest charges raised
Heavy lift Cargo Airlines	12.64	12.64	Interest charges raised – Overseas account
Hedland Equestrian Association	0.33	0.33	Interest charges raised
Isolated Childrens Associated Pilbara Branch	0.06	0.25	Interest charges raised
National Gallery of Australia	5.30	5.30	Interest charges raised
O'Donnell Griffin	0.86	28.74	Interest charges raised
VEE H Aviation Pty Ltd	0.05	0.05	Interest charged raised
WACA	7.91	7.91	Interest Charges Raised
Southern Cross Aviation	0.03	0.03	Interest Charges Raised
<b>Totals</b>	<b>28,990.75</b>	<b>42,539.14</b>	

### Statutory Implications

Refer to item Request to Write Off Debtors presented at this meeting.

### Policy Implications

Council Policy 2/003 Financial Statements - Copies For Councillors

*Apart from the financial reports that are required to be presented to Council 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  
Rates Summary Trail Balance  
Reserve Account Balances*

*Quarterly Quarterly Budget Review*

*Irregular Financial reports will be presented to Council as deemed necessary by the Director, Corporate Services or Manager, Financial Services or requested by Council by resolution.*

2/012 Sundry Debt Collections

**Strategic Planning Implications Nil**

### Budget Implications

Should Council determine to write off the late payment interest penalty, \$36.57 will be applied to Council's Provision of Doubtful Debts (Balance Sheet account).

### Officer's Comment

On 30 April 2006 late payment interest charges for nineteen sundry debtor accounts in 90 days amounted to \$36.57. The cost to Council of collecting this money would far exceed the debt itself.

### 200506/426 Council Decision/Officer's Recommendation

**Moved:** Cr A A Carter                      **Seconded:** Cr G D Bussell

### That Council:

- i) receive sundry debtors outstanding for ninety days or more at 30 April 2006,
- ii) write-off the following late payment interest penalty charges to the Provision of Doubtful Debts,

Debtor Name	Amount \$
William Deague	0.01
Williambury Helicopters	0.05
Antonov Airlines	0.20
BGC Contracting Pty Ltd	0.12
BHP Billiton Iron Ore	0.84
BHP Billiton Iron Ore	0.66
Barclay Mowlem	5.72
Broome Aviation	0.14
Ceacon WA	0.11
Down Town Trading Post	0.31
Eric J Roulston	1.23
Heavy lift Cargo Airlines	12.64
Hedland Equestrian Association	0.33
Isolated Childrens Associated Pilbara Branch	0.06
National Gallery of Australia	5.30
O'Donnell Griffin	0.86
VEE H Aviation Pty Ltd	0.05
WACA	7.91
Southern Cross Aviation	0.03
<b>Totals</b>	<b>36.57</b>

- iii) accept that the listing of +90 days Debtors be included in the future monthly financial reports.

***CARRIED BY ABSOLUTE MAJORITY 7/0***

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

**Officer** Julie Roberts  
Accounts Officer

**Date of Report** 17 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Requesting for council to write off debtors over 90 days that are deemed to be unrecoverable or raised in error.

**Background**

The following outstanding debts are International Aircraft accounts that have landed at the Port Hedland International Airport and are unresponsive to any demands for payment.

Debtor No	Date	Invoice No	Description	Amount \$	Reason
7116 Westfield Aviaiton California USA	30/01/06	13715	Airport Landing Fee December 2005	360.04 + \$2.50 Interest	Uneconomical to pursue
7141 Winderadeen Corp - USA	13/03/06	14086	Airport Landing Fee November 2005	99.94	Uneconomical to pursue – Returned mail
7106 Personal Airliner Ltd – USA	19/12/05	13497	Airport Landing Fee February 2006	74.24 + \$1.45 Interest	Uneconomical to pursue – Returned mail
7096 Union Charter Trust	23/11/05	13288	Airport Landing Fee October 2005	79.20 + \$ 2.18 Interest	Uneconomical to pursue - Return ed mail
1126 Indonesia Air Transport	30/01/06	13714	Airport Landing Fee December 2005	457.60 + \$3.17 Interest	Uneconomical to pursue
5899 Chevron Corporation	19/05/05	11661	Airport Landing Fee April 2005	595.55	Uneconomical to pursue
6896 Alamaty Aviation Joint Stock	10/03/05	11561	Airport Landing Fee March 05	1073.60	Money has been received on 10/02/05 after re- invoicing to Aircraft Charters – Debt needs to be cleared as in last financial year
<b>Total</b>				<b>2,749.47</b>	

**Consultation**

Prior to legal action commencing, the Airport Manager and Manager Finance was informed of the status of account.

Overdue reminders notices have been send along with legal action intent notices. Dun & Bradstreet have not been consulted due to the fact that they do not service overseas accounts.

### **Statutory Implications**

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

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

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

- (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money;*
- (b) waive or grant concessions in relation to any amount of money; or*
- (c) write off any amount of money, which is owed to the local government.*

*\* Absolute majority required.*

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

### **Policy Implications**

2/012 Sundry Debt Collections

**Strategic Planning Implications** Nil

### **Budget Implications**

The proposed write offs equate to \$2,749.47. These write-offs should be applied to the Provision of Doubtful Debts. This is a balance sheet account and therefore does not directly affect the Municipal Budget.

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

### **Officer's Comment**

In any organisation or business it is not preferable to write off debt. Essentially this write off is a loss of income, which any organisation requires to survive.

In saying this, there are times when the cost of collecting the debt can exceed the debt itself and a decision must be made to either pursue or extinguish the debt.

The debts included in this report are reasonably minor, and given that they are overseas accounts, any further attempts to simply locate the debtors, let alone collect the money will exceed any benefit to the council.

It is therefore recommended that Council proceed to write off these minor debts. If Council knows the debtor after this occurs, Council can still attempt to recover debts, if appropriate. The overseas landing fees collection is currently being reviewed to ensure any future accounts are paid before departing the airport.

**200506/427 Council Decision/Officer's Recommendation****Moved:** Cr A A Gear**Seconded:** Cr A A Carter

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

Debtor No	Invoice No	Amount \$
7116 Westfield Aviaiton California USA	13715	362.54
7141 Winderadeen Corp - USA	14086	99.94
7106 Personal Airliner Ltd – USA	13497	75.69
7096 Union Charter Trust	13288	81.38
1126 Indonesia Air Transport	13714	460.77
5899 Chevron Corporation	11661	595.55
6896 Alamaty Aviation Joint Stock – Almaty Kazakhstan	11561	1073.60
<b>Total</b>		<b>2,749.47</b>

***CARRIED 6/1***

**11.4.1.4 Withdrawal of Caveat Lot 2214 (9) Brodie Crescent, South Hedland (File No.: RAT-009, A402520)**

**Officer** Matthew Scott  
Director Corporate  
Services

**Date of Report** 11 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

For Council to approve the use of The Town Seal to lift a Caveat on Lot 2214 (9) Brodie Crescent, South Hedland.

**Background**

Council lodged a Caveat on the above property on 27<sup>th</sup> November 2002 to protect outstanding accounts applicable to the property totaling \$2,416.28 at that time. The account has now been paid in full and the owners need the Caveat lifted in order to proceed with the sale of the property.

**Consultation**

Credipac – TPA (Council's previous Debt Collector and agent responsible for Lodging the Caveat)  
First Choice Conveyancing, Vendor's Settlement Agent

**Statutory Implications**

*Transfer of Land Act*

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer's Comment**

Council resolved that all items regarding the use of The Seal be put to Council prior to The Seal being used (Minute 200506/297).

As the property cannot be settled until the Caveat is lifted, there is some urgency in this matter. As stated previously, there is no money owing on the property and therefore no need to retain the Caveat.

**200506/428 Council Decision/Officer's Recommendation**

**Moved:** Cr A A Gear

**Seconded:** Cr S F Sear

**That Council authorise the Common Seal to be affixed to the Withdrawal of Caveat Form W1 and be signed by the Mayor and the Chief Executive Officer.**

***CARRIED 7/0***

**11.4.1.5 Funeral Directors Licence – Hedland Funeral Services and Pilbara Funeral Services (File No.:LND-001)**

**Officer** Danielle Cowan  
Manager Administration

**Date of Report** 12 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Council approval is sought to issue a Funeral Directors Licence to:

- Christine and Gavyn Hunt who are operating Hedland Funeral Services; and
- Gavin Ness who is operating Pilbara Funeral Services.

to conduct funerals at Council's Cemetery, North West Coastal Highway.

**Background**

Section 17 of the *Cemeteries Act* provides that where an application has been made and the appropriate fee paid, an applicant who satisfies the Council that he or she is of good repute and fit to hold a Funeral Directors Licence and has suitable facilities and equipment for handling and storing dead bodies and conducting funerals, shall be entitled to be issued with a Funeral Directors Licence.

**Consultation**

The application has been referred to Councils Environmental Health and Planning departments.

**Statutory Implications**

Cemeteries Act 1986  
Town of Port Hedland Cemeteries Local Law 2000

**Policy Implications**

1/021 Licencing of Funeral Directors

**Strategic Planning Implications** Nil

**Budget Implications**

Licence Application Fee - \$150.00

**Officer's Comment**

In recommending a Funeral Directors Licence application Council Officers have considered the following:

1. Mortuary and Viewing Room Facilities and Vehicles;
2. Operation of Business
3. Public Liability Coverage

As part of this process the applicant for Pilbara Funeral Services, Mr Gavin Ness, was asked to submit an application to Carry on a Home Occupation/Mobile Business or Home Office. The application for a Home Business for Mr Ness at 83 Athol Street was advertised and licence number 2006/11 was issued.

For the application from Christine and Gavyn Hunt of Hedland Funeral Services, Council's Planning Department requested a planning application be lodged for a change of use and subsequently issued approval 2006/59 on 11 May 2006.

Council Officers have assessed each of the above criteria and believe the applicant has satisfied these requirements and now makes recommendation to Council that a Funeral Directors Licence be issued.

**200506/428 Council Decision/Officer's Recommendation**

**Moved:** Cr D R Pike                      **Seconded:** Cr G J Daccache

**That in accordance with the *Cemeteries Act 1986* and the Town of Port Hedland Cemeteries Local Law, the following applicants:**

- i) **Mrs Christine Hunt of Hedland Funeral Services; and**
- ii) **Mr Gavin Ness of Pilbara Funeral Services**

**be issued a Funeral Directors Licence for the 2005/06 year**

***CARRIED 4/3***

*NOTE : Cr A A Gear requested the votes be recorded.  
Record of Vote:*

<b>FOR</b>	<b>AGAINST</b>
Cr S R Martin	Cr G D Bussell
Cr G J Daccache	Cr A A Carter
Cr D R Pike	Cr A A Gear
Cr S F Sear	

7:26 pm Cr S F Sear left the room.

7:28 pm Cr S F Sear re-entered the room and assumed his chair.

### 11.4.1.6 *Pretty Pool Stable Compliance – Reserve 31462 (File No.: LSE-020)*

**Officer** Danielle Cowan  
Manager Administration

**Date of Report** 9 May 2006

**Disclosure of Interest by Officer** Nil

#### Summary

For Council to consider extending the timeframe to allow the current tenants at Reserve 31462 (Pretty Pool Stables) to become compliant before issuing new leases.

#### Background

As detailed in the minutes of the Ordinary Meeting of 26 October 2005 (Minute number 200506/159), the issues of leases and building compliance on this reserve have been ongoing for a number of years.

The tenants of the six lease areas at Pretty Pool Stables were given until 30 April 2006 to meet Council requirements for unauthorised works. If these requirements were met Council resolved to enter into lease negotiations.

Council's Health and Building departments have received a number of applications to formalise existing structures. To date the bulk of the requirements have been met with the table below outlining the works that are still outstanding:

N	Name	Building Compliance	Health Compliance
1.	Healy	Complies	requires the septic system to be upgraded. (installation of two septic tanks to an existing leach drain)
2.	Turf Club	Engineer to inspect – Work to be done.	requires a new leach drain to be installed to the existing septic tanks.
3.	Hopkinson	90% Work done – Buildings retained are; No 19 & 25, inspected O'K.	Compliant
4.	Brooks	Complies – all remedial work done	requires another 1200mm septic tank to be installed to the existing system. The existing leach drain will need to be extended if it is not 9 metres long.
5.	Purcell	Engineer inspection report to hand – Required remedial work to done & inspected.	They need to install a new septic system on their lease as their system is currently located on lease six.
6.	Turf Club	Transportable to be tied down – new stables under construction – ablution block to be installed and tied down.	They need to establish what exactly is located on their lease however a minimum of two septic tanks and 9 metres of leach drain are required.

**Consultation**

Council's Building and Planning departments.

**Statutory Implications**

3.58 of the Local Government Act

**Policy Implications**

Nil.

**Strategic Planning Implications**

Nil.

**Budget Implications**

Nil

**Officer's Comment**

The resolution of 26 October 2005 was intended to resolve the non-compliance issues that have been ongoing on this reserve. The resolution allowed Council to evict the tenant and release the land if the works were not completed.

As detailed all tenants still have outstanding works, however the majority of works on all lease areas have been completed. All tenants have spent considerable time and money having structures certified by structural engineers and getting the works undertaken to the required standard.

Given the investment by the tenants it would be unfair to take back the lease with almost all the works completed. An extension to 31 August would allow the outstanding works to be undertaken, given the difficulties currently experienced hiring qualified trades.

Should the works not be 100% completed by this date the tenant should be evicted and the lease area advertised in accordance with the 26 October 2005 resolution.

**200506/429 Council Decision/Officers Recommendation**

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

**That:**

- i) **the current tenants of part Reserve 13462 (Lot 5770) be given permission to access the land until 31 August 2006 in order to become fully compliant with Building and Health standards and requirements;**

- ii) should the tenants become compliant by the 31 August 2006, Council dispose of part Reserve 13462 (Lot 5770) to the Port Hedland Turf Club, M Hopkinson, G & W Brooks, L Healey and J Purcell, by lease in accordance with Section 3.58 of the Local Government Act 1995, should the remedial works outstanding be completed by 31 August 2006;
- iii) Council delegate authority to the Chief Executive Officer to negotiate lease conditions with the current tenants with the following minimum conditions:
  - a) A term of five (5) years plus a five (5) year option;
  - b) Lease rental be no less than market value.
  - c) Rental to be increased annually by CPI – Perth;
  - d) All improvements to the land to be approved in writing by Council; and
- iv) the proposed leases be advertised in accordance with Section 3.58 of the Local Government Act 1995. Should no submission be received, the Mayor and Chief Executive Officer execute the lease document.

***CARRIED BY ABSOLUTE MAJORITY 7/0***

**11.4.2 Governance****11.4.2.1 Local Government Week 2006 (File No: ADM-028)**

**Officer** Gaye Stephens  
Executive Assistant

**Date of Report** 15 May 2005

**Disclosure of Interest by Officer** Nil

**Summary**

To determine attendees to Local Government Week 2006.

**Background**

Local Government Week is held annually in Perth and comprises formal speeches and presentations, seminars and workshops relevant to the business of local governments, and social events providing an opportunity to network with other Councillors and local government professional officers. It is promoted by the Western Australian Local Government Association (WALGA), as the premier local government event held each year.

**Officer's Comment**

Local Government Week 2006 commences on Friday 4 August and concludes on Tuesday 8 August.

Events will include the Annual General Meetings, including that of the Western Australian Local Government Association (WALGA), of which the Mayor, plus one other attendee is a voting delegate. There will also be a meeting of the Pilbara Regional Council, of which Councillors S R Martin and A A Carter are delegates, and Councillor A A Gear is deputy.

Councillors S R Martin, G D Bussell, G J Daccache, A A Gear, J M Gillingham and S F Sear have expressed their interest to attend Local Government Week 2006.

**Statutory Implications** Nil

**Policy**

Council Policy 1/014 Travel and Accommodation, point (ix), states:

*"Determinations of attendances to Local Government Week shall be subject to Council consideration annually by way of resolution."*

**Strategic Planning**

Nil

**Budget**

On the assumption that all delegates will attend full days, including Elected Member Development Programs on Friday 4 August, Tuesday 8 August and Wednesday 9 August, it is estimated the cost of registration will be approximately \$1,500 per delegate.

Estimated costs (\$20,730 excluding meal costs) for the following elected members to attend Local Government Week 2006, are as follows:

	Airfare (including GST) Estimate	Accommodation (including GST) *excluding meal costs	Local Government Week 2005 Registration Fees (including GST)
Mayor Stan R Martin	\$800	\$1,155	\$1,500
Cr Grant D Bussell	\$800	\$1,155	\$1,500
Cr George J Daccache	\$800	\$1,155	\$1,500
Cr Arthur A Gear	\$800	\$1,155	\$1,500
Cr Jan M Gillingham	\$800	\$1,155	\$1,500
Cr Shane F Sear	\$800	\$1,155	\$1,500
TOTAL	\$4,800	\$6,930	\$9,000
APPROXIMATE TOTAL COST (*EXCLUDING MEAL COSTS)			\$20,730*

The costs associated with attendances to Local Government Week 2005 will be costed to General Ledger Account Number 401220 'Conferences'.

**200506/430 Council Decision/Officer's Recommendation****Moved:** Cr A A Carter**Seconded:** Cr A A Gear**That:**

- i) **Mayor Stan R Martin, and Councillors Grant D Bussell, George J Daccache, Arthur A Gear, Jan M Gillingham and Shane F Sear attend Local Government Week 2006;**
- ii) **Mayor Stan R Martin and Councillor Arthur A Gear represent Council as voting delegates at the Western Australian Local Government Association's Annual General Meeting, being held on Sunday 6 August 2006 during Local Government Week; and**

- iii) **Mayor Stan R Martin and Councillor Arthur A Gear attend the Pilbara Regional Council Meeting being held during Local Government Week.**

***CARRIED 7/0***

7:31 pm Cr A A Gear declared a financial interest (in common) in Item 11.4.2.2 South Hedland New Living Program – Proposed Memorandum of Understanding as he lives in the Street.

Cr A A Gear left the room.

**200506/431 Council Decision**

**Moved:** Cr G J Daccache      **Seconded:** Cr D R Pike

**That the meeting be adjourned for a period of five (5) minutes.**

***CARRIED 6/0***

7:32 pm Mayor adjourned the meeting.

**200506/432 Council Decision**

**Moved:** Cr G J Daccache      **Seconded:** Cr S F Sear

**That the meeting be resumed.**

***CARRIED 7/0***

7:38 pm Cr A A Gear declared a financial interest in Item 11.4.2.2 South Hedland New Living Program – Proposed Memorandum of Understanding as he lives in a street that will be impacted by the South Hedland New Living Program..

Cr A A Gear left the room.

**11.4.2.2 South Hedland New Living Program – Proposed Memorandum of Understanding (File No.: - )**

**Officer** Chris Adams  
Chief Executive Officer

**Date of Report** 12 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

The Department of Housing and Works (DHW) is seeking to enter into a Memorandum of Understanding (MOU) with Council in relation to the development of the South Hedland New Living Project.

**Background**

The proposed MOU sets out the working relationship between the Town and DHW relating to the New Living Project. It discusses:

- The process for the development of a Structure Plan (Master Plan ) for South Hedland.
- The process for agreement in relation to actioning items identified in the Master Plan process
- The processes and relationships that are aimed to be developed/used throughout the implementation of the New Living project.
- Review processes for the MOU.

A copy of the MOU is included with this agenda.

The proposed MOU is the first step in ensuring that Council has meaningful input into the development process of the South Hedland New Living Project. Further negotiations will be required as the project progresses in relation to commitments from the various parties towards development works.

**Consultation** Nil

**Statutory Implications** Nil

**Policy Implications** Nil

### **Strategic Planning Implications**

Council's Strategic Plan includes the following statements that are relevant to this matter:

*KRA 4: Economic Development*

*Goal 4: That land is being released and developed to meet the needs of a growing community.*

### **Budget Implications**

As the MOU is broad in nature, there are no direct financial implications from entering into the agreement. As the New Living Project progresses, it is likely that Council will progressively be asked to contribute toward infrastructure development and community development programs in South Hedland.

### **Officer's Comment**

The South Hedland New Living Project is an exciting project for the Town of Port Hedland. For it to be successful a combined effort will be required from the State Government, the Jaxon's consortium and Council. The signing of the MOU is an indication from both the Council and the State Government that they are willing and eager to work together to progressively improve the amenity and social infrastructure of South Hedland.

### **Officer's Recommendation**

That Council authorise the signing and sealing of the South Hedland New Living Memorandum of Understanding between the Town of Port Hedland and the State Housing Commission trading as Homeswest.

### **200506/432 Council Decision**

**Moved:** Cr G J Daccache      **Seconded:** Cr S F Sear

**That Council authorise the signing and sealing of the South Hedland New Living Memorandum of Understanding between the Town of Port Hedland and the State Housing Commission trading as Homeswest with the following amendment:**

- . **Section 10, point (v) to read "Council will consider zoning applications in a timely manner".**

***CARRIED 6/0***

*REASON: Council determined that it will consider zoning application in a timely manner to ensure timely implementation of the South Hedland New Living Program.*

- 7:41 pm Cr A A Gear re-entered the room and assumed his chair. Mayor advised Cr A A Gear of Council's decision.
- 7:42 pm Cr G J Daccache declared a financial interest in Item 11.4.2.3 BHP Billiton/Council Sustainability Partnership, as he owns BHP Billiton shares and is employed by BHP Billiton.
- 7:42 pm Cr G J Daccache left the room.
- 7:42 pm Cr D R Pike declared a financial interest in Item 11.4.2.3 BHP Billiton/Council Sustainability Partnership,, as he owns BHP Billiton shares. Cr D R Pike did not leave the room as the Department of Local Government and Regional Development have exempted him to do so.
- 7:42 pm Mr Chris Adams, Chief Executive Officer declared a financial interest in Item 11.4.2.3 BHP Billiton/Council Sustainability Partnership, as he owns BHP Billiton shares and is the author of the Report. Mr Adams did not leave the room.

**11.4.2.3 BHP Billiton/Council Sustainability Partnership (File No.: - )**

**Officer** Chris Adams  
Chief Executive Officer

**Date of Report** 17 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

For Council to consider the recommendations put forward by the BHP/Town of Port Hedland Joint Projects Working Group.

**Background**

At its December 2005 meeting Council resolved (in part) to:

- "i) Endorse the signing and sealing the funding Agreement between BHPBIO and Council.*
- ii) Approve the establishment of the BHPBIO/Council Joint Projects Working Group with the expressed purpose being to:
  - a) Discuss joint initiatives that may be appropriate between BHPBIO and Council*
  - b) Recommend projects to Council for funding from the BHPBIO/ToPH Strategic Plan Implementation Reserve."**

The agreement between Council and BHP Billiton provides for a \$1,000,000 contribution to Council towards projects that are specifically listed in the Town's Strategic Plan. \$500,000 has been paid in the 2005/06 financial year with a further \$1,000,000 scheduled to be paid throughout 2006/07.

The BHPBIO/Council Joint Projects Working Group met on Tuesday 16<sup>th</sup> of May to discuss potential projects that could/should be funded with this partnership resource. Projects that were considered were those that:

- Are included in the Town's Strategic Plan (either explicitly or implicitly)
- Are capital in nature (i.e. are non-recurrent expenditure)
- Have been listed by Councillors and/or staff during the 2006/07 budget preparation process.

The Committee went through a process of discussing the merits of each potential project then identified those where it felt the available funds could be best utilised. Projects that the committee believed were likely to be fully expended by June 2007 were given priority over projects that were less advanced in the planning processes. The recommended projects are tabled below:

Project	BHP Partnership Funding	Other Grant Funding	Council Municipal Funds (inc Reserves)	Total Cost
South Hedland Cemetery Upgrade	\$40,000	\$119,000	\$15,000	\$174,000
South Hedland Skate Park	\$100,000	\$50,000	\$50,000	\$200,000
Port Hedland Skate Park	\$40,000	\$120,000	\$0	\$160,000
Playground Equipment Upgrades	\$100,000	\$25,000	\$35,000	\$160,000
Footpath Construction	\$150,000	\$0	\$150,000	\$300,000
Mosquito Prevention/Eradication Equipment	\$25,000	\$0	\$0	\$25,000
Walkway Lighting	\$45,000	\$90,000	\$45,000	\$180,000
Native Plant Nursery	\$100,000	\$0	\$0	\$100,000
Town Entry Statements	\$100,000	\$0	\$0	\$100,000
Youth Facility/s Upgrade	\$300,000	\$0	\$0	\$300,000
Sports Facility Developments	\$500,000	\$0	\$0	\$500,000
<b>TOTAL</b>	<b>\$1,500,000</b>	<b>\$404,000</b>	<b>\$295,000</b>	<b>\$2,199,000</b>

The proposed expenditure is a mixture of jointly funded programs, BHP direct sponsorship of specific projects and 'fast tracking' of some of Councils 5yr programs (e.g. 3yrs of playgrounds upgrades/development are proposed for 06/07).

Where possible the proposed funding will be used as leverage to obtain additional grant funds from other funding sources to further enhance the facilities that are available to residents of the Town. A meeting is planned between representatives of the Town, BHP Billiton and the Pilbara Development Commission to discuss opportunities to achieve this result.

### **Consultation**

The 2005 Town of Port Hedland Community Survey found that the five areas of infrastructure where the community's perception of service levels varied most significantly from their desired levels were:

- Youth Services
- Footpaths
- Child Care
- Parks, Gardens
- Playgrounds

When selecting projects the Working Group considered feedback this along with feedback that BHP Billiton has received during the development of its Social Impact Assessment and various other community consultations that have been undertaken.

**Statutory Implications** Nil

**Policy Implications** Nil

### **Strategic Planning Implications**

The primary purpose of the new funding initiative is to assist Council in the implementation of its Strategic Plan. The development of the agreement is consistent with the following statements that are listed within the Draft 2006-2011 Strategic Plan:

#### **Goal 2 – Mining**

That the Town has developed strong working relationships with the mining industry that are achieving sustainable outcomes for the local community.

Strategy 1 - Work with BHP, FMG, Dampier Salt, Newcrest Mining and others mining companies to implement their Community Development Plans.

Strategy 2 - Actively seek contributions from mining companies towards the sustainable, development and operation of municipal services and infrastructure.

### Budget Implications

BHP Billiton's contributions to Council are being 'quarantined' in a Council reserve account. If the above listed projects are approved, the information will be fed into the 2006/07 Council budget process with the works being progressively implemented throughout the financial year.

### Officer's Comment

The selected projects closely align with community priorities and should all be able to be completed by the end of June 2007. The expenditure will make significant improvements to the Town and should result in significantly improved community facilities and enhanced local community pride.

### 200506/433 Council Decision/Officer's Recommendation

**Moved:** Cr A A Carter                      **Seconded:** Cr S F Sear

**That Council endorse the BHP Billiton/Town of Port Hedland Joint Projects Working Group recommended projects with the following listed projects being funded from the BHPB/Council Community Partnerships Reserve in 2006/07:**

Project	BHP Partnership Reserve Funding
South Hedland Cemetery Upgrade	\$40,000
South Hedland Skate Park	\$100,000
Port Hedland Skate Park	\$40,000
Playground Equipment Upgrades	\$100,000
Footpath Construction	\$150,000
Mosquito Prevention/Eradication Equipment	\$25,000
Walkway Lighting	\$45,000
Native Plant Nursery	\$100,000
Town Entry Statements	\$100,000
Youth Facility/s Upgrade	\$300,000
Sports Facility Developments	\$500,000
<b>TOTAL</b>	<b>\$1,500,000</b>

***CARRIED BY ABSOLUTE MAJORITY 6/0***

7:43 pm Cr G J Daccache re-entered the room and assumed his chair.  
Mayor advised Cr G J Daccache of Council's decision.

**11.4.2.4 Resignation of Councillor Trona Young (File No.: - )**

**Officer** Chris Adams  
Chief Executive Officer

**Date of Report** 15 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Cr Trona M Young submitted her resignation from Council effective from the 9 May 2006. Council direction is required in relation to when a replacement Councillor will be found

**Background**

Councillor Young was elected to Council in May 2003 for a four year term. Due to her husband securing work based in Perth, she has had to resign from her position.

The 2007 Local Government Elections are proposed to be held in October rather than the traditional May elections. Council needs to determine whether it wants to operate with eight Councillors for the next 17 months or whether it would like to hold a by-election to fill the Councillor position vacated by former Councillor Young.

**Consultation** Nil

**Statutory Implications**

The most relevant section of the *Local Government Act* relating to this matter are quoted below:

*How Vacancies become Available*

*2.32(b)The office of member of Council as an elected mayor or president or as a Councillor becomes vacant if the member resigns from the office*

*Holding Extraordinary Elections*

*4.8(1)If the office of a Councillor or of an elector Mayor or President becomes vacant under section 2.32 or 2.33 an election to fill the office is to be held.*

*4.9(1)Any poll needed for an extraordinary election is to be held on a day decided on and fixed-*

- a) by the Mayor or President, in writing, if a day has not been fixed under paragraph (b); or*
- b) by the Council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a)*

4.9(2) *The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with, but unless the Electoral Commissioner approves or section 4.10(b) applies, it can not be later than 4 months after the vacancy occurs.*

*Cases in which vacant offices can remain unfilled*

4.17(3) *If a Councillor's office becomes vacant under section 2.32*

- 
- (a) *in a district that has no wards; and*
  - (b) *at least 80% of the number of offices of member of the council in the district are still filled,*

*the Council may, with the approval of the Electoral Commissioner, allow\* the vacancy to remain unfilled and, subject to subsection (4), in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.*

*\* Absolute majority required.*

**Policy Implications** Nil

**Strategic Planning Implications** Nil

### **Budget Implications**

Conducting an in-person by-election is likely to cost approximately the same as a full Council election as the same legislative requirements need to be fulfilled. It is anticipated that the total cost of the election would be approximately \$15,000. Council currently does not have funds budgeted for this purpose.

### **Officer's Comment**

The advantages and disadvantages of holding an Extraordinary election are listed below.

#### Advantages

- **Ease of Decision Making** – Due to the requirements for Councillor/s to leave the room when they have an 'interest', a reduction in the number of Councillors increases the likelihood of a quorum (5) of Councillors not being in attendance
- **Less Tied votes** – Operating with eight Councillors creates additional opportunities for 'tied' Council votes requiring a casting vote by the Mayor.
- **Increased Representation** – An additional Councillor potentially gives a wider perspective on community views prior to decisions being made

**Disadvantages**

- Cost – The cost of running an extra-ordinary election is estimated at approximately \$15,000
- Resources – In addition to the financial costs, significant administration time is taken up preparing for the successful operation of the election. This time could be spent on achieving other goals/strategies listed in Council's Strategic Plan.
- Instability – Council elections tend to create an air of instability and angst within the community as candidates raise issue, concerns and level criticisms.

Given the above assessment, it is recommended that Council elect not to hold an extraordinary election to replace the Councillor position vacated by former Cr Trona Young.

**Officer's Recommendation**

That Council write to Electoral Commissioner requesting that the Commissioner utilise powers granted her office under Section 4.17(3) of the *Local Government Act* to allow the Town of Port Hedland to operate with eight Councillors (as opposed to the current nine) until the next ordinary local government elections.

**200506/434 Council Decision**

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

**That :**

- i) **the Agenda Item 'Resignation of Trona Young' lay on the table until Council's Ordinary Meeting to be held in June 2006, to ensure full Council is present to consider this matter;**
- ii) **during this period the community be canvassed for their opinion; and**
- iii) **a letter of appreciation be forwarded to Cr T M Young for her services to Council.**

***CARRIED BY ABSOLUTE MAJORITY 7/0***

*REASON: Council decided to defer any consideration of the item until all Councillors are present, and enabling community opinion to be canvassed during this time. Council also requested a letter of appreciation be forwarded to Cr T M Young for her services to Council.*

**11.4.2.5 Department of Local Government and Regional Development for and on behalf of the State of Western Australia and Town of Port Hedland - Affix Common Seal Anzac Day Working Group – Small Grant Scheme 2006 (File No.: GRT-042)**

**Officer** Heather Logie  
Research Officer

**Date of Report** 15 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

To seek approval to affix the common seal on the funding agreement between the Department of Local Government and Regional Development for and on behalf of the State of Western Australia and Town of Port Hedland for the Financial Assistance Agreement Small Grants Scheme 2006 for the RSL Port Hedland Sub Branch upgrade.

**Background**

The Department of Premier and Cabinet advertised ANZAC Day Working Group – Small Grants Scheme to provide for the refurbishment of war memorials, honour rolls, purchase of public address (PA) systems and lecterns for ANZAC Day and Remembrance Day services and the upgrading of facilities at RSL or Memorial Halls or other venues used for ANZAC and Remembrance Day Services.

The aim of the Small Grants Scheme is to promote a better understanding of the spirit of ANZACs to future Generations and to ensure that the observance of ANZAC Day is continued and enhanced in the lead up to the one hundredth (100<sup>th</sup>) anniversary of the Gallipoli landings in 2015.

Local Government authorities and RSL Branches were eligible to apply for funds. Council staff met with the RSL Port Hedland Branch Sub Branch and identified their needs.

The grant is to purchase;

. Supply of 3 sliding Door panels to secure memorabilia	\$5,172.79 (ex GST)
. Purchase of exterior corrosive resistant paint	\$1,171.65 (ex GST)
. Purchase Lectern	\$840.00 (ex GST)
	<b>\$7,184.44 (ex GST)</b>
GST	\$718.44

The total Project cost is \$16,695.21 of which Council's contribution is \$900 for staff to provide administrative support and to acquit the grant. The remainder of the project cost is covered by donations of time by RSL Members and volunteers from the key stakeholders.

The Town of Port Hedland funding application was successful.

The Department of Local Government and Regional Development on behalf of the State of Western Australia is administering the Grant.

### **Consultation**

RSL Port Hedland Sub Branch Members, Department of Veterans' Affairs, Australian Navy Cadets, TS Pilbara, Australian Army 1 Squadron – The Pilbara Regiment, and the Australian Army Cadets 514 ACU Port Hedland were consulted and supported the application.

**Statutory Implications** Nil

**Policy Implications** Nil

### **Strategic Planning Implications**

Mission Statement: To enhance social, environmental and economic well-being through leadership and working in partnership with the community

### **Budget Implications**

Staff to provide Administrative support and Acquit Grant, \$900.

### **Officer's Comment**

The RSL Port Hedland Sub Branch Members obtained the quotes required and assisted in all stages of the grant application process.

The funding Agreement once signed and the Town of Port Hedland Common seal has been affixed, the agreement will be forwarded to the Director General of the Department of Local Government and Regional Development and the funds will be released to Council.

The RSL Port Hedland Sub Branch Members will commence the upgrade once the funds are available. It is expected that the project will be completed by July 2006.

**200506/435 Council Decision/Officer's Recommendation**

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

**That approval be granted for the Chief Executive Officer to sign and duly affix the Town of Port Hedland Common Seal to the Financial Assistance Agreement Small Grants Scheme 2006 (SGS) between the Director General of the Department of Local Government and Regional Development of and on behalf of the State of Western Australia and the Town of Port Hedland for the amount of \$7,902.88 (inclusive of GST).**

***CARRIED 7/0***

**11.4.2.6 Sustainable Air Services To Port Hedland**

**Officer** Chris Adams  
Chief Executive Officer

**Date of Report** 17 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

For Council to consider its position and level of support for the continuation of competition for regular passenger transport (RPT) flights to/from Port Hedland.

**Background**

The Town of Port Hedland is currently serviced by two RPT air carriers that fly to/from the town – Qantas and Skywest. Over the past five years the Port Hedland International Airport has seen progressive growth in RPT numbers with total number for the 2005/06 year anticipated to be approximately 110,000. This is an increase of approximately 15% on previous years.

While RPT passenger load has progressively increased, the bulk of the increase patronage has come through Qantas flights. Qantas holds the national contract for BHP which guarantees and underwrites passenger numbers to a large extent. Qantas is now flying 100 seater 717 jets to Port Hedland as compared to the smaller BAE146's that previously flew the Perth to Port Hedland route.

In contrast to Qantas growth, Skywest has struggled to obtain market share in Port Hedland and has consequently dropped two of its weekly, scheduled Fokker 100 flights from Perth to Port Hedland over the last six months. Passenger numbers on the remaining flights continue to be below expectations and, without an increase, there is a possibility that Skywest services to the Town could be further reduced or eliminated all together.

Informal discussions have been held with Skywest regarding potential strategies to improve the viability of their Port Hedland services. The Town of Port Hedland has previously supported Skywest by:

- Not charging landing fees or passenger service charges for the international services (effectively foregoing approximately \$130,000pa in revenue)
- Contributing funds (\$3000) towards a Skywest Marketing campaign.

Other strategies that have been mentioned include:

- Making Skywest Council's preferred provider for passenger flights to Perth.
- Encouraging major mining companies and other heavy users of jet services to Perth to support Skywest as well as Qantas.

### **Consultation**

Informal discussions have been held with Skywest, BHP Billiton and Fortescue Metals Group representatives regarding this matter.

**Statutory Implications** Nil

### **Policy Implications**

If supported by Council, it could become policy for preference to be given to Skywest when booking Town of Port Hedland business related flights.

### **Strategic Planning Implications**

The Town's Strategic Plan lists the following Goal under the heading of Airport:

Our goal is to have an International Airport that has high passenger numbers and positive customer feedback

### **Budget Implications**

As outlined above, Council currently financially supports the Skywest services through free landing fees, no passenger service charges and has made a contribution towards marketing costs of the service.

### **Officer's Comment**

Council currently books 40-50 flights per annum to Perth. These flights are currently booked primarily on the basis of price and flight availability. A Council decision to solely use Skywest flights is unlikely to make any significant difference to the financial viability of the Skywest service but would demonstrate that the Town is committed to preserving competition for RPT flights.

The vast majority of air travel to Port Hedland is business related with tourism and visiting friends and relatives (VFR) travel making only a very small percentage of the total flight bookings.

If Skywest is to be a sustainable service, it will need to attract a higher degree of business related travel, particularly from one or more of the major mining companies in the region. Assuming that Council supports competition for air services, Council should be encouraging the major industry players to support both of the existing services.

**Officer's Recommendation**

That Council:

- i) Write to Fortescue Metals Group, BHP Billiton and the Minister for Planning and Infrastructure indicating:
  - a) That Council strongly supports the retention of two RPT air service carriers to the Town of Port Hedland; and
  - b) That the Town encourages their organisations to take appropriate steps to ensure that both Qantas and Skywest continue to fly the Perth-Port Hedland air route.
- ii) Establish the following practice when booking of airfares for staff/Councillors for Town of Port Hedland business.
  - a) Quotation to be sought for flights from travel agency with specific request for quotations for both Skywest and Qantas flights.
  - b) If the quoted Skywest flight is flying at a suitable time and is within 10% of the Qantas price, preference is to be given to flying with Skywest.

**200506/436 Council Decision**

**Moved:** Cr G D Bussell

**Seconded:** Cr A A Gear

**That:**

- i) **Council strongly supports the retention of two RPT air service carriers to the Town of Port Hedland;**
- ii) **the Town encourages their organisations to take appropriate steps to ensure that both Qantas and Skywest continue to fly the Perth-Port Hedland air route; and**
- iii) **the following practice be established when booking of airfares for staff/Councillors for Town of Port Hedland business.**

- a) Quotation to be sought for flights from travel agency with specific request for quotations for both Skywest and Qantas flights.
  - b) the preferred Airline utilised for Council and staff be Skywest; except in exceptional circumstances authorised by the Chief Executive Officer, can Council staff and elected members fly with airlines other than Skywest Airlines; and
- iv) a Airline Retention Working Group be formed immediately immediately with the purpose of developing actions and strategies that assist in retaining Skywest Airlines operations within the Town of Port Hedland District
- v) the Airlie Retention Working Group consist of the following members:

**Cr S R Martin**  
**Cr A A Carter**  
**Cr A A Gear**  
**Cr G D Bussell**  
**Chief Executive Officer**

***CARRIED 7/0***

*REASON: Council sought for Skywest Airlines to be the preferred Airline to be utilised for use by Council staff and elected members, and for a Working Group to be formed to retain Skywest Airlines operations within the Town of Port Hedland District.*

## ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

**12.1.1.1 *Application to Construct a Motel Accommodation Complex at Lot 2053 (77-95) Hamilton Road South Hedland (File No.: 127990G)***

**Officer** Andrew Patterson  
Planning Officer

**Date of Report** 12 May 2006

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received an application to construct a 455 room motel development at lot 2053 (77-95) Hamilton Road South Hedland. Council initially considered this item at its Ordinary Meeting on 26 April 2006 where Council resolved to reconsider the application following a period of public consultation.

**Background**

In making its 26 April 2006 resolution, Council expressed the opinion that due to the size and nature of the proposed development, community consultation was required prior to determining the application.

In complying with this resolution, an advertisement was placed in the *North West Telegraph* on 3 May 2006, with a public submission period closing 18 May 2006. In addition, letters were sent to the following organisations inviting comment on the proposed development also with the submission period closing 18 May:

Blackrock Tourist Park  
Bloodwood Tree Association  
Caltex Service Station  
Cooke Point Holiday Park  
Cougars Rugby League Club  
FESA Port Hedland  
Finucane Island Club  
Hedland Junior Football Assoc  
Hedland Senior High School  
Hedland Touch Association  
Kakulas Holdings Pty Ltd  
Matt Dann Cultural Centre  
Minister for Education  
Pilbara Meta Maya  
Port Hedland Baseball Association  
Port Hedland Caravan Park  
Port Hedland Cricket Association

Port Hedland Golf Club Inc  
Port Hedland Netball Assoc  
Port Hedland Softball Assoc  
South Hedland Bowling and Tennis Club  
South Hedland Owners and Trainers Assoc  
South Hedland Police Station  
State Energy Commission  
Swans Football Club  
YMCA

### **Consultation**

In response to the mailed request for comment, and the newspaper advertising, Council has received a total of 20 written responses from individual persons. In addition, the Port Hedland Chamber of Commerce, Posh's Refrigeration Services, Trax Music, the Port Hedland Caravan Park, the Port Hedland Visitor Centre and Home Hardware have also provided written responses to the proposal.

In each case the submission has supported the proposal. Some of the comments note that this development will improve the area by:

- . creating a better entry statement into South Hedland,
- . benefit local businesses, and
- . providing needed additional short-term housing for business travellers.

The Port Hedland Baseball Association (PHBA) has not objected to the proposal subject to the recognition that this proposal is located adjacent to a sporting facility that is frequently used at night. The PHBA notes that it will not accept complaints regarding noise generated by these pursuits.

The Port Hedland Caravan Park has also noted that the development should be of a high standard "similar to Cooke Point Caravan Park."

### **Officer's Comment**

The advertising of this application has generated a relatively large response with regard to this development. It is noted that all the responses have either supported or not objected to the proposal.

With respect to the response from the PHBA noting the potential for noise complaints, it is noted that Council has received no complaints from the existing caravan park with regard to the sporting activities, and that noise levels are regulated through the *Environmental Protection (Noise) Regulations 1997* and are more appropriately regulated through this legislation.

**200506/437 Council Decision****Moved:** Cr A A Carter**Seconded:** Cr G J Daccache**Officer's Recommendation**

**That Planning Consent be granted to Club Hamilton Pty Ltd for the construction of 455 Motel Units at Lot 2053 Hamilton Road as outlined in the Application received 4 April 2006 (Application No. 2006/45) and indicated on the approved plans, subject to the following conditions:**

**GENERAL**

- a) **The use and development of the site shall be for Motel as opposed to Transient Workforce Accommodation. To achieve this, a minimum of 20% of the rooms shall be available for rent to the traveling public/tourists/business people as opposed to fly-in-fly-out workforces.**
- b) **The development to comply with the provisions of Council's Town Planning Scheme No.5, the Health Act 1911, Building Code of Australia, Residential Design Codes and any other relevant Acts, Regulations, Local Laws and Council Policies (except where varied by this approval).**
- c) **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 (PS).**

**PRIOR TO THE SUBMISSION OF A BUILDING LICENCE**

- d) **Car parking bays to be minimum of 5.4m x 3.0m; constructed, drained and sealed; to be line marked and served by a paved access way, with a minimum width of 5.8 metres in accordance with Appendix 8 of Council's Town Planning Scheme No.5 and to the satisfaction of Council's Engineering Services (ES).**
- e) **A minimum of 551 car parking spaces are to be provided in accordance with Appendix 7 of Council's Town Planning Scheme No.5 and to the satisfaction of the Council's Manager Planning. (PS).**

- f) A Rubbish Collection Strategy / Management Plan shall be submitted to and approved by the City prior to the commencement of works. The strategy / plan shall consider service vehicle maneuvering on the internal roads of the development. Any alterations to the approved plans required as a result of the strategy / plan shall be incorporated into the building licence plans. The approved strategy / plan shall be implemented to the satisfaction of the Council's Manager Planning. EHS.**

**DURING CONSTRUCTION**

- g) The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity (EHS).**
- h) Developers and/or contractors of developments which are likely to occur at times when prevailing winds will generate a dust nuisance to nearby residents, to take appropriate dust prevention measures by the damping with water of disturbed surfaces and/or hydromulching when necessary to the satisfaction of Council's Managers of Engineering Services and Environmental Health Services (EHS).**
- i) The development must not interfere with property and effluent mains and/or effluent disposal systems (EHS).**
- j) The development to be connected to the Water Corporation deep sewerage service (EHS).**
- k) Front walls and fences within the primary street setback area to be visually permeable 1.2m above natural ground level (PS).**
- l) Visitors car parking area(s) to be marked as being for the exclusive use of visitors and signage directing visitors to the parking area(s) to be erected to the satisfaction of Council's Manager Planning (PS).**

**PRIOR TO OCCUPATION**

- m) The parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for Offstreet Carparking (AS2890.1-2004) unless otherwise specified by this approval. Such areas are to be constructed, drained, marked and thereafter maintained to the satisfaction of the Council's Manager Planning prior to the development first being occupied.**

- n) **Approval must be obtained from Council's EHS and the Department of Health prior to the installation of the swimming pool (EHS).**
- o) **Areas for the preparation of food shall comply with the requirements of the Health (Food Hygiene) Regulations 1993 to the satisfaction of Council's Manager Environmental Health Services (EHS).**
- p) **The lodging of detailed landscape plans, to the satisfaction of the Manager Planning, for the development site and the adjoining road verge(s) with the Building Licence Application.(PS).**
- q) **Landscaping and reticulation to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Planning. (PS).**

#### **USE OF DEVELOPMENT**

- r) **Pool must comply with the Health (Swimming Pools) Regulations 1964 to the satisfaction of Council's Environmental Health Services (EHS).**
- s) **The buildings to comply at all times with the relevant provisions of the Health Act 1911 and the Town of Port Hedland Health Local Laws 2000 to the satisfaction of Council's Environmental Health Services (EHS).**
- t) **The applicant/owner is required to install pool safety devices (ie self latching doors, barrier fencing etc) to the dwelling as required under legislation.**

#### **ADVICE TO DEVELOPER**

- u) **In regard to condition 4, the Council may consider a cash in lieu of car parking contribution subject to a written request including a justification and negotiation with Council's Director Technical Services is required in accordance with clause 6.13.3 of Council's Town Planning Scheme No.5**

- v) 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 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.
- w) Footpath deposits, kerb deposits, and crossover specifications and policies to be to the satisfaction of Council's Manager Engineering Services.
- x) A Building Licence to be issued prior to the commencement of any on site works (BS).

*CARRIED 7/0*

## ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

13.1 *Councillor Grant D Bussell***Moved:** Cr G D Bussell**Seconded:**

That Council resolve to ban burning off green waste and identify alternative methods of waste management.

**Officer's Comment**

In early May a large controlled burn was undertaken at the Port Hedland Landfill site. Due to the fact that green waste and pallets had been stockpiled for many years, the burn was the largest controlled burn for several years. The burn was appropriately managed and was done in accordance with all necessary permits, regulations and approvals.

All options were considered prior to undertaking the burn with various discussions being held with Council's landfill consultant and other interested parties. Options considered included:

- Burying: The volume of materials was very large. Burying the green waste would have used up a substantial amount of air space at the tip and would have considerably shortened the remaining life span of the facility. There would also have been significant cost implications with digging the pits, machinery and man hour costs.
- Mulching: Mulching was seriously considered but was discounted as:
  - v) The cost of mulching the material was \$140,000.
  - vi) The green waste had been contaminated with a variety with other rubbish and debris making it difficult to mulch
  - vii) It is highly unlikely that there would have been a market for the volume of mulch that would have been
- Stockpiling: Continuation with stockpiling the waste was considered to be unsafe as the pile created a potential fire risk.

The Pilbara Regional Council (PRC) has commenced a process for the development of a Regional Waste Management Plan. The proposed outcomes of the project are:

- A review document that compares and contrasts current waste management practices across the Pilbara region.
- Clear direction in relation to current (and potential future) recycling and re-use opportunities that exist on both a local, sub-regional and regional basis within the Pilbara.
- Recommendations on the most appropriate manner in which to progress recycling and re-use initiatives across the Pilbara region.
- Identification of sustainable policy positions relating to waste management across the Pilbara Region

Until such time that this plan is complete it may be premature to make a policy position on this how best to manage green waste at the Port Hedland Landfill site.

*NOTE: Cr G D Bussell circulated the following report to elected members prior to the meeting:*

**“Date of Report:** 24th May 2006

**Summary:**

*The recent burn-off at the South Hedland Tip caused significant nuisance to South Hedland residents, and caused health risks to those with impaired pulmonary function.*

*Nuisance included residents being required to wash their clothes multiple times, the smell of smoke pervading their homes and spoiling the fresh air that should be the right of residents of a country town like South Hedland.*

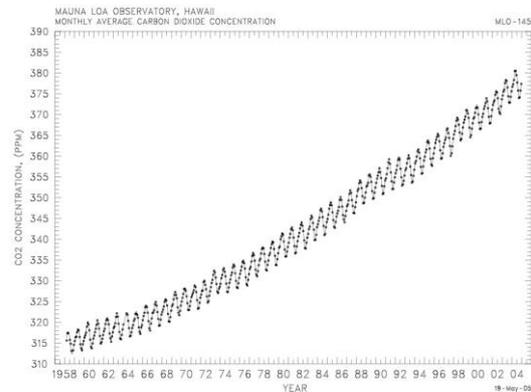
**Background:**

*Currently, Council views burning off as a ‘solution’ to green waste management. We have no strategy, no knowledge, and no ideas of how to progress towards sustainable management of the biggest component of the Town’s waste stream.*

*It speaks poorly of the capacity of the Town as an innovative, learning organisation.*

*Too often, the relatively small size of the Town (although it is one of the ten biggest towns outside of the metro area) is used as an excuse for doing things the way that they have always been done.*

*The carbon dioxide that results from the inefficient combustion of organic matter is rising disturbingly rapidly in the atmosphere, as shown at right. Scientists have labeled this trend as a giant, uncontrolled experiment. The global warming that it has produced is already clearly apparent across the earth’s natural systems, and increasingly in human societies, and it is accelerating. There is no doubt that the 21st century is going to be a hot one.*



*There are two major methods of recycling green waste streams - aerobic composting and anaerobic digestion. Incineration is almost never used now because of the nuisance that it causes to nearby residence and the contribution that it makes to atmospheric pollution and global greenhouse warming.*

*There are two widely accepted solutions to green waste management:*

*1. Aerobic composting usually involves shredding, placing into windrows, turning and refining. Compost can be used in domestic gardens, minesite rehabilitation, and soil stabilisation. Compost can replace fertiliser, bind heavy metals, improve water retention, improve carbon sequestration.*

*2. Anaerobic Digestion involves the processing of organic material in the absence of air, to generate biogas for conversion to electricity*

*Both of these solutions present their own opportunities - the production of valuable products. I am confident that the Town has the entrepreneurial and technical capabilities to realise these opportunities, and if not the private sector should be tested.*

*Nor has Council considered external funding - another (smaller and remoter) community, Lord Howe Island, received \$433,000 Natural Heritage Trust funding for a Treatment and Recycling Facility. Opened in 2000 by Senator Alan Eggleston, the plant has reduced annual waste on the island from 200 Tonnes to just 27 Tonnes.*

*I would like to see Parks and Gardens, and Landfill staff working together to investigate this matter.*

*From Council I would like to see a clear statement that in 2006 burning off is no longer acceptable, and a strategic direction to Staff to plan, and build, a good solution."*

#### **200506/438 Council Decision**

**Moved:** Cr G D Bussell

**Seconded:** Cr A A Gear

**That Council resolve to ban burning off green waste and identify alternative methods of waste management.**

***CARRIED 5/2***

**ITEM 14 CONFIDENTIAL ITEMS**

8:10 pm Cr A A Gear left the room

**200506/439 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr G D Bussell

**That the Meeting be closed to members of the public as prescribed in Section 5.23 (2) (a) of the Local Government Act 1995, to enable Council to consider the following confidential item:**

- . **14.1 Legal Matter – Wellard Industries; and**
- . **14.2 Qantas Lease**

***CARRIED 7/0***

*NOTE: Section 5.23 of the Local Government Act 1995 states:*

*“5.23. Meetings generally open to the public*

*...(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following – ...*

*(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; ...”*

8:10 pm Members of the public left the room.

**200506/440 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr G D Bussell

**That the Standing Orders be suspended in accordance with Clause 20.8 of the Standing Orders Local Law, as follows:**

**“Suspension of Standing Orders**

**20.8 In cases of urgent necessity any of the standing orders may be suspended on a motion carried by an absolute majority of the members.”**

***CARRIED UNANIMOUSLY 7/0***

8:10 pm Mayor suspended standing orders.

**200506/441 Council Decision**

**Moved:** Cr D R Pike

**Seconded:** Cr A A Carter

**That the Standing Orders be resumed.**

***CARRIED BY ABSOLUTE MAJORITY 7/0***

8:34 pm Mayor advised standing orders were resumed.

**14.1 Confidential Matter : Qantas Lease (File No.: (AIR LSE 20)**

**200506/442 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr D R Pike

**That Council's lawyers be requested to draft correspondence to Qantas advising –**

- i) Council does not enter into an agreement with Qantas; and**
- ii) commencing 1 July 2006 Council intends on developing a lease with Qantas for use of the Port Hedland International Airport with the rent being set at the value established by an independent valuer;**

**for review by Councillor's prior to despatch to Qantas.**

***CARRIED 7/0***

*REASON: Council sought to have Qantas continue to rent on a monthly basis; and seek lawyers to draft correspondence advising Qantas that Council does not wish to enter into an agreement, and the Gross Rental Value of the Port Hedland International Airport.*

**14.2 Confidential Matter : Legal Matter – Wellard Industries (File No.: GREA842, 116960G)**

*Note: Three (3) Councillors, being Cr G J Daccache, Cr A A Gear, and Cr D R Pike, gave their show of hand support prior to the Officer's Recommendation to rescind a motion was considered.*

**200506/443 Council Decision/Officer's Recommendation**

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

**That Council rescind Council decisions 200506/149 (October 2005) and 200506/290 (February 2006) relating to Council objection to the storage of manganese ore on Lot 842 and the proposed leasing of Lot 5909.**

***CARRIED BY ABSOLUTE MAJORITY 7/0***

**200506/444 Council Decision/Officer's Recommendation**

**Moved:** Cr G J Daccache                      **Seconded:** Cr D R Pike

**That Council write to LAMS advising that:**

- **Council does not object to the proposed changing of the purpose of the lease on Lot 842 Great Northern Highway from 'Transport Depot' to 'Stockpiling of Ore'**
- **Council does not object to the proposed leasing of Lot 5909 to Wellard Properties for the purposes of 'Stockpiling of Ore'**

**providing that:**

- i) **Current legal action against the Town of Port Hedland by Wellard Properties is ceased with no claim for costs incurred being made by either party.**
- ii) **A formal agreement is entered into between Council and Wellard Properties that includes the following commitments:**
  - a) **Wellard Properties commits to actively pursuing the relocation of the stockpiling of manganese ore to a more appropriate site. Should such land become available, on terms and conditions acceptable to Wellard Properties, Wellard Properties commits to commencing relocation of the stockpiling operation to this site within a reasonable time period.**

- b) Stockpiling of manganese ore shall primarily be confined to the rear of the properties with the front of the property being used for storage of plant and equipment. Wellard Properties shall progressively relocate the existing stockpiles from the front of the property the rear of the property as the site preparation works to Lot 5909 are completed following finalisation of formal lease documentation.
- c) Wellard Properties shall landscape the road frontage area by the planting of fast growing trees to act as screen to the property. Landscaping shall be discussed with the Local Authority prior to implementation. Additional tree planting shall be undertaken around the lease area.

***CARRIED 6/1***

**200506/445 Council Decision**

**Moved:** Cr A A Gear

**Seconded:** Cr G J Daccache

**That the Meeting be opened to members of the public.**

***CARRIED 7/0***

8.47 pm Three (3) Members of the Public re-entered the room.

**ITEM 15      APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**ITEM 16      CLOSURE**

**16.1          Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 28 June 2006, commencing at 5.30 pm.

**16.2          Closure**

There being no further business, the Chairman declared the meeting closed at 8:48 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 28 June 2006.

CONFIRMATION:

\_\_\_\_\_ MAYOR

\_\_\_\_\_ DATE