Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 9 DECEMBER 2009

AT 5.30 PM

IN COUNCIL CHAMBERS
McGREGOR STREET, PORT HEDLAND

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Town of Port Hedland for any act, omission, statement or intimation occurring during Council Meetings. The Town of Port Hedland disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Town of Port Hedland advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

Chris Adams
Chief Executive Officer

OUR COMMITMENT

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

TABLE OF CONTENTS

1.1 OPENING 7

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES 7

2.1 ATTENDANCE 7

2.2 APOLOGIES 7

2.3 APPROVED LEAVE OF ABSENCE 7

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE 7

3.1 QUESTIONS FROM PUBLIC AT ORDINARY COUNCIL MEETING HELD ON WEDNESDAY 25 NOVEMBER 2009 7

3.1.1 Mr Chris Whalley 7
3.1.2 Mrs Arminie MacPherson 8

3.2 QUESTIONS FROM ELECTED MEMBERS AT ORDINARY COUNCIL MEETING HELD ON WEDNESDAY 25 NOVEMBER 2009 8

3.2.1 Councillor A A Carter 8

ITEM 4 PUBLIC TIME 8

4.1 PUBLIC QUESTIONS 8

***4.1.1** Mr Chris Whalley 9*
***4.1.2** Mr Adrian Hatwell 9*
***4.1.3** Mrs Arminie MacPherson 9*

4.2 PUBLIC STATEMENTS 10

***4.2.1** Mr John Van Uden 10*
***4.2.2** Ms Karyna Ross 10*

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE 10

5.1 Councillor J M Gillingham 10
5.2 Councillor S J Coates 11

ITEM 6 DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING 11

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING 11

7.1 CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 25 NOVEMBER 2009 11

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION 11

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION 13

9.1 Councillor S J Coates 13

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS 13

10.1 Variety WA – The Children's Charity 13

ITEM 11 REPORTS OF OFFICERS 14

11.1 REGULATORY AND COMMUNITY SERVICES 14

11.1.1 DIRECTOR REGULATORY AND COMMUNITY SERVICES 14

11.1.1.1 Monthly Report – Community and Regulatory Services (File No.: 13/04/0001) 14
11.1.1.2 Delegated Planning, Building and Environmental Health Approvals and Orders for October 2009 (File No.: 18/07/0002 and 07/02/0003) 23
11.1.1.3 Pet Sterilisation Scheme (File No.: 11/09/0001) 33

11.1.2 PLANNING SERVICES 38

11.1.2.1 Proposed Installation Public Art piece "Tear Drop 2" at Cemetery Beach Reserve (File No.: 26/08/0008) 38
11.1.2.2 Proposed Pylon Sign – Centenary Park, South Hedland Town Centre – Lot 5812 Leake Street (File No.: 130114G) 45
11.1.2.3 Proposed Mixed Use Development – Lot 1700 (1 - 4) Lawson Street, South Hedland (File No.: 113730G) 51

11.1.3 ENVIRONMENTAL HEALTH SERVICES 64

11.1.3.1 Authorisation of Dog Registration Officers – Dog Act 1976 (File No. :19/09/001) 64
11.1.3.2 Weekly Rubbish Collection Service to Jinparinga, Punju Njamal (File No.:31/01/0001) 66
11.1.3.3 Food Act 2008 Implementation (File No: 25/12/0003) 69

11.1.4 COMMUNITY SERVICES 77

11.1.4.1 Hedland Youth Zone Tender (File No.: 03/09/0004) 77
11.1.4.2 Yandeyarra Bus Service (File No.: 28/01/0007; 30/18/0001) 82

11.2 ENGINEERING SERVICES 87

11.2.1 DIRECTOR ENGINEERING SERVICES 87

11.2.1.1 Engineering Services Monthly Report (File No.: 13/04/0001) 87

11.2.2 PORT HEDLAND INTERNATIONAL AIRPORT 104

11.2.2.1 Electrical Services Specification Port Hedland International Airport Part Two (File No.: 05/09/009) 104
11.2.2.2 Polar Aviation Northern Hangar Tender Evaluation (File No.: AIRLSE/09) 108
11.2.2.3 Airport Bar & Café Tender Evaluation (File No.: 30/09/0027) 113
11.2.2.4 Common User Check-in Facility Charges- Port Hedland International Airport (File No.: …/…) 119
11.2.2.5 Hire Car Development - Allocation of Blocks and Leasing Arrangements (File No.: AIRLSE01, 2, 17 & 18) 123

11.2.3 INFRASTRUCTURE DEVELOPMENT 129

11.2.3.1 Playground Equipment and Shade Structures – Scope of Works Approval (File No.: 21/03/0001 & 21/05/….) 129

11.2.4 RECREATION SERVICES 134

11.2.4.1 South Hedland Bowling and Tennis Club Progress (File No.: …) 134
11.2.4.2 Overhead Lighting at Sporting Reserves (File No.: …) 144
11.2.4.3 Multi-Purpose Recreation Centre Update (File No.: 26/14/0006) 156
11.2.4.4 Recreation Reserve Redevelopment: McGregor Street Reserve Master Plan (File No.: 26/08/0007) 163

11.3 GOVERNANCE AND ADMINISTRATION 171

11.3.1 CORPORATE SERVICES 171

11.3.1.1 Financial Reports to Council for Period Ended 31 October 2009 (File Nos: FIN-008, FIN-014 and RAT-009) 171
11.3.1.2 First Quarterly Budget Review (File No.: -) 177

11.3.2 GOVERNANCE 194

11.3.2.1 Reticulation Upgrade (File No.: …) 194
11.3.2.2 Town of Port Hedland Litter Initiatives (File No.: …) 199

11.3.2.3 Request to Review Delegation Register – Delegation Number 6 (Donations) (File No.: …) *207*
11.3.2.4 Vehicle Number Plates : Registration Number 1PH (File No.: …) *210*

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL 212

12.1.1 Tender 09/26 Construction of Turtle Interpretive Loop (File No.: 08/02/0009)212

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN 218

ITEM 14 CONFIDENTIAL ITEMS 218

14.1 Confidential Item - Appointment of Director Community Services (File No.: …)218

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE 219

ITEM 16 CLOSURE 219

16.1 DATE OF NEXT MEETING 219

16.2 CLOSURE 219

ITEM 1 OPENING OF MEETING

1.1 Opening

The Mayor declared the meeting open at 5.32 pm and acknowledged the traditional owners, the Kariyarra people.

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES

2.1 Attendance

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

Mr Matthew Scott	Acting Chief Executive Officer / Director Corporate Services
Mr Terry Sargent	Director Regulatory and Community Services
Mr Russell Dyer	Director Engineering Services
Ms Tricia Hebbard	Governance
Members of Public	17
Members of the Media	1

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Councillor Stan R Martin

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 25 November 2009

3.1.1 Mr Chris Whalley

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

There is currently no provision for this in the 2009/10 Budget. There is always an opportunity for the community to put budget requests for Council consideration as part of the 2010/11 Budget Process.

The Water Corporation has advised that it will not be repainting the South Hedland, Stanley Street water tank in the next twelve (12) month period. The Corporation has a regular maintenance program in place for cathodic protection and corrosion control for the tank, and there are no plans to repaint the tank for at least the next two (2) years.

The Town is unsure at this stage of any likely outcome of any future negotiations between the Town of Port Hedland and the Water Corporation on assistance with any painting. The Water Corporation is currently seeking advice from their Assets Manager on this matter.

3.1.2 Mrs Arminie MacPherson

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

Mayor advised she understood this was not practice.

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

The Town's management is addressing this matter.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 25 November 2009

3.2.1 Councillor A A Carter

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

Mayor advised this question will be taken on notice.

ITEM 4 PUBLIC TIME

4.1 Public Questions

5.34 pm Mayor opened Public Question Time.

4.1.1 *Mr Chris Whalley*

Does the Council know that the Management of the Port Hedland Boulevard Shopping Centre are interested in possibility extending their existing parking areas to encompass the dust bowl in front of the Hedland Christian Church along Anderson Street that I have previously had concerns with?

Director Engineering Services advised Council is not aware of their interest.

Mayor advised this question will be taken on notice.

4.1.2 *Mr Adrian Hatwell*

In relation to the Multi Purpose Recreation Centre being built, which I am aware that the plans for this centre has been compiled for many years however as I have only been here for two years I have only just seen the plans and after consulting with other residents of Hedland and staff members of the Council's Recreation department, I would like to know why this multi million dollar project only contains one full sized basketball/ netball court?

Is there an option in the building design to add an additonal indoor, air conditioned basketball / netball court to the centre at a later date or is there enough land outside the centre to build another enclosed court that will be air conditioned?

Mayor advised this question will be taken on notice.

4.1.3 *Mrs Arminie MacPherson*

At the Ordinary Council meeting held on 25 November I asked a question in relation to the allocation of $600,000 for a new grandstand in the 2009/10 budget. The mayor clarified at the time that this was to be included in Agenda Item 11.3.2.2 and I was unable to locate it, can you please explain where the allocation is located?

Mayor advised that the item was considered as it is Royalties for Regions funding and the money was relocated from the grandstand project and put towards the Multi Purpose Recreation centre project. We apologise if this information was not clear.

5.38 pm Mayor closed Public Question Time.

4.2 Public Statements

5.38 pm Mayor opened Public Statement Time.

4.2.1 *Mr John Van Uden*

Mr Van Uden made a statement in relation to the Towns efforts in cleaning the streets of rubbish and for winning such prestigious Tidy Towns Awards, but was concerned with the high crime rate increasing and the need for extra Police to be allocated to Port Hedland.

4.2.2 *Ms Karyna Ross*

Mayor Kelly Howlett read out aloud Ms Ross's statement on her behalf thanking Council for the opportunity to present a petition at last month's meeting about reducing the population of unwanted animals in the township by implementing a strategy that supports sterilisation of pets.

5.44 pm Mayor closed Public Statement Time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

5.1 *Councillor J M Gillingham*

In relation to the statement made by Mr Van Uden about extra police needed, maybe we can investigate the option of having a security guard service in place with a small fee paid through rates similar to that in practice in the City of Stirling, where Secruity guards can be called to invesigate the problem first and then pass on information to Police of the situation reported.

Mayor advised that the question will be taken on notice.

When Council considers any concept deisgns for Crown land between Athol Street, Pretty Pool and to the Port Hedland racecourse can we make sure we take into consideration the small ecosystem and bird migration living in the area and conduct public consultation before any plans are approved?

Mayor advised these factors can be taken into consideration and there are opportunities available to promote activities such as bird watching.

5.2 Councillor S J Coates

Has Council contacted Dr Kieren Moffat from CSIRO about Council's interest in participating in the project model for Climate change adaptation?

Mayor advised no, we haven't contacted Dr Moffat but now that all other Councillors have now read the relevant information in relation to contacting CSRIO, we will action this soon.

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

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

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

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 25 November 2009

200910/177 Council Decision/ Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr J M Gillingham

That the Minutes of the Ordinary Meeting of Council held on Wednesday 25 November 2009 be confirmed as a true and correct record of proceedings.

CARRIED 7/0

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Mayor Howlett's Activity Report for the November/December period to date follows:

Thursday, 26 November

- Attended multi stakeholder meeting re: Three Mile Community and Manager Environmental Health Services
- Attended Storytime South Hedland Library
- Meeting with John Van Uden re: crime Port Hedland and Deputy Mayor and Director Regulatory and Development Services

- Attended LEMC Meeting and Manager Environmental Health Services
- LEMC BBQ and Launch "Cyclones and You Be Aware – Be Prepared

Friday, 27th November
- Welcome speech at Pilbara Cities Launch – South Hedland
- Attended Pilbara Cities Launch – Dampier/Karratha and Chief Executive Officer

Saturday, 28th November
- Attended and speech at 2009 Hedland Young Leaders Program Presentation Dinner and Cr Hooper

Sunday, 29th November
- Visit to Newman – tour of Newman (Shire of East Pilbara and BHPBIO partnership projects) and Cr Martin, Cr Carter, Cr Daccache and CHIEF EXECUTIVE OFFICER
- Informal dinner PRC delegates (Newman) and Cr Martin, Cr Carter, Cr Daccache and CHIEF EXECUTIVE OFFICER

Monday, 30th November
- November 2009 PRC meeting (Newman) and Cr Martin, Cr Carter, Cr Daccache and CHIEF EXECUTIVE OFFICER
- Attended dinner and met with Professor Sarah Dunlop (Hedland research on spinal cord injuries with Joan Foley)

Tuesday, 1st December
- Attended Storytime Port Hedland Library
- Attended Celebrate Hedland Working Group Meeting
- Attended and presented "Most Outstanding Behaviour Award" at Cassia Education Support End of Year Dinner

Wednesday, 2nd December
- Attended Hedland Well Women's Centre December Morning Tea Event

Thursday, 3rd December
- Attended the BBQ held by HYCL and TOPH at the South Hedland Skate Park, South Hedland as part of an ongoing event for children in the area to attend on a Thursday night.

Saturday, 5th December
- Participated in the Hedland Riders Toy Run as a passenger on a Harley.

Monday, 7th & Tuesday 8th December
- Myself and the Deputy Mayor accompanied the National Tidy Town judges around Port Hedland to determine our position and investigate our litter initiatives in place. They

seemed very impressed and our next step is to prepare a trade stall for Canberra in 2010.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 Councillor S J Coates

Councillor Coates wanted to thank various members of the community and to Councillors for donating money at last month's Ordinary Council meeting which raised over $460.00 for the Bartlem Family towards their daughter who was injured recently . He also thanked Cr Jan Gillingham for attending the fundraising night to present the monies raised at Council.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS

10.1 Variety WA – The Children's Charity

Mr. Peter Broad – President Pilbara Branch of Variety WA introduced Mr. Michael Pailthorpe – Chief Executive Officer of Variety WA. Michael thanked Council for their time and explained the role of Variety WA which is to assist sick and children with special needs throughout WA.
Mr. Pailthorpe thanked Peter and Julie Broad for forming the first regional branch and the branch's fundraising efforts since forming have been outstanding.
Variety WA are in interested in being involved with the proposed Marquee Park in South Hedland as this park is similar to other projects they have supported which offer all children the opportunity and ability to be included. Variety Club WA invites Council to make an application to seek funding under their flagship program, and welcome a partnership with other funding bodies.

ITEM 11 REPORTS OF OFFICERS

11.1 Regulatory and Community Services

11.1.1 Director Regulatory and Community Services

11.1.1.1 Monthly Report – Community and Regulatory Services (File No.: 13/04/0001)

Officer	Nellie Mackay Executive Assistant Community and Regulatory Services
Date of Report	16 December 2009
Disclosure of Interest by Officer	Nil

Summary

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

Background

Community and Regulatory Services Monthly report to Council.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

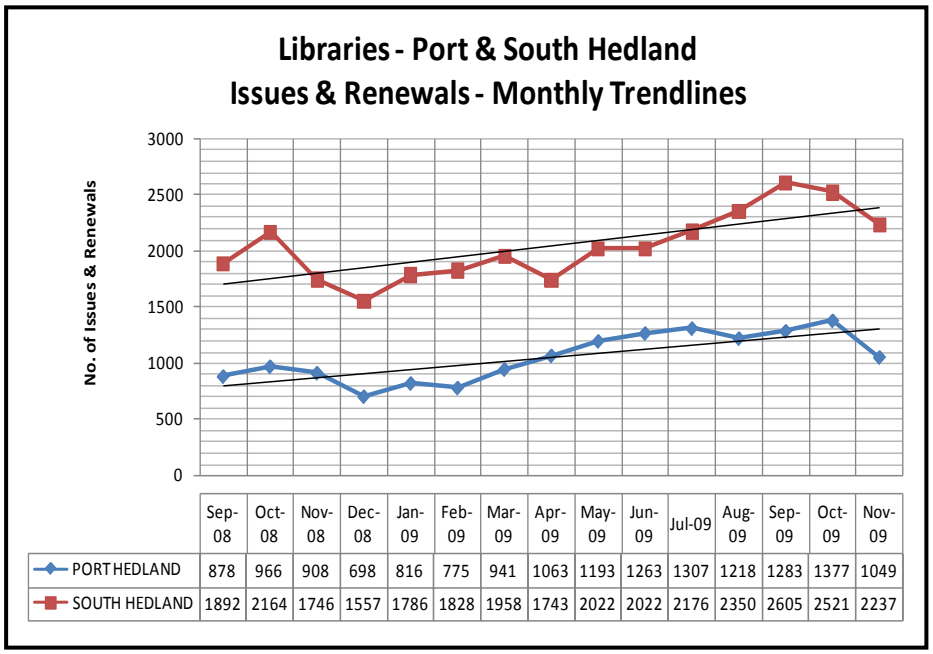
Budget Implications

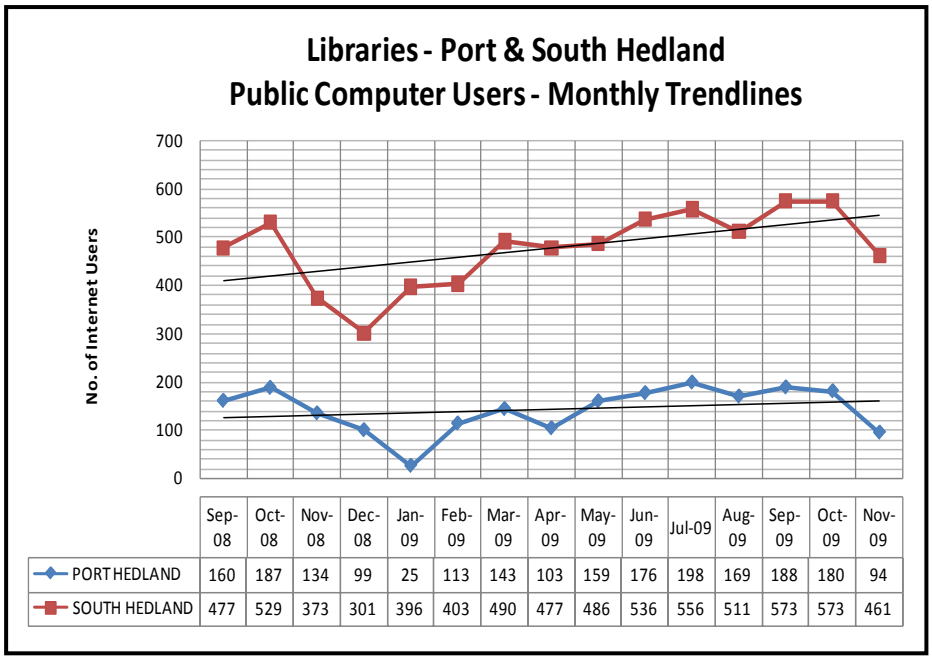
Nil

Officer's Comment

Library and Information Services

PORT HEDLAND LIBRARY	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09
Issues & Renewals	1263	1307	1218	1283	1377	1049
Reservations	37	47	50	65	105	52
New Borrowers	31	20	17	28	33	14
Public Computer Users	176	198	169	188	180	94
Door Count	865	969	994	1098	946	759
Reference Enquiries	218	95	56	91	61	46
General Enquiries	21	57	32	38	9	33
Technical/Computer	7	13	7	19	8	3
SOUTH HEDLAND LIBRARY	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09
Issues & Renewals	2022	2176	2350	2605	2521	2237
Reservations	40	44	39	39	110	91
New Borrowers	66	43	70	62	69	34
Public Computer Users	536	556	511	573	573	461
Door Count	1702	2085	2267	2444	2447	2002
Reference Enquiries	214	146	138	152	140	123
General Enquiries	136	121	99	94	69	91
Technical/Computer	37	41	59	60	43	44
Local History Enquries	Statistics commenced Sept 09			8	7	7



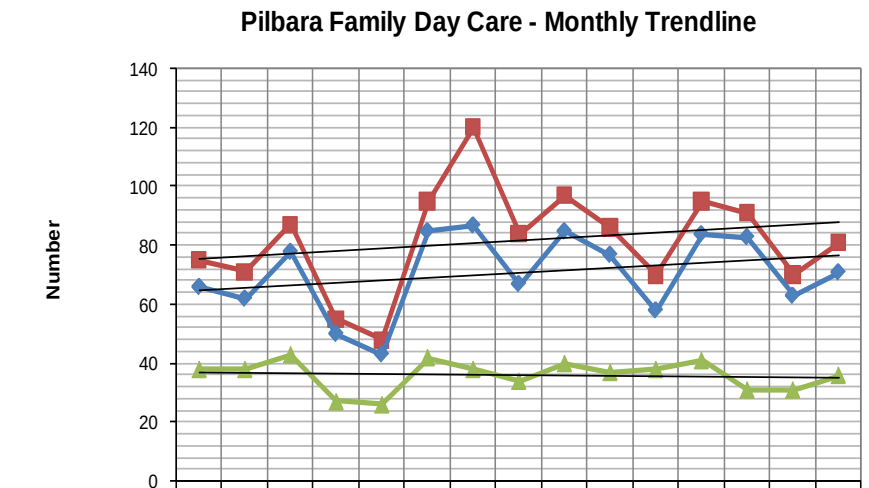


	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09
PORT HEDLAND	160	187	134	99	25	113	143	103	159	176	198	169	188	180	94
SOUTH HEDLAND	477	529	373	301	396	403	490	477	486	536	556	511	573	573	461

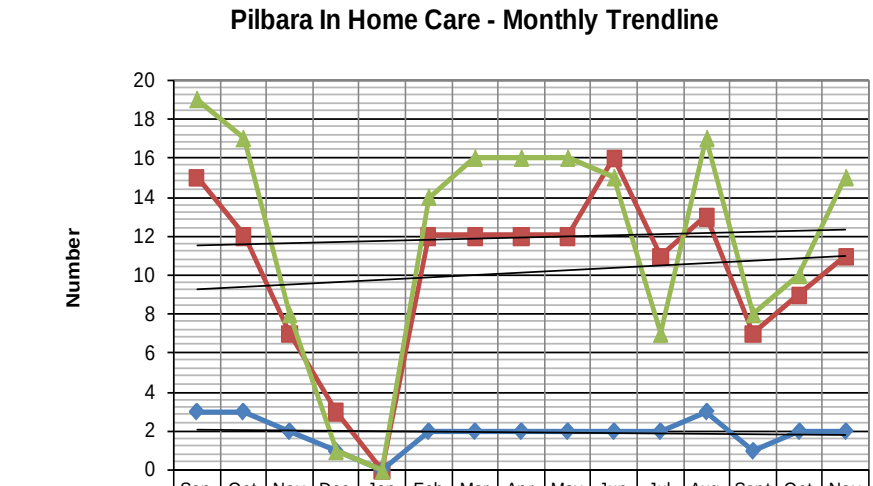
Pilbara Family Day Care (PFDC)

Location	Carers currently within Scheme	Carers currently going through licensing
South Hedland	3	1
Wickham	1	-
Karratha	4	-
Newman	4	1
Tom Price	1	-
Paraburdoo	2	-
Point Samson	-	-
TOTAL	15	2

Concerns from the PFDC Co-ordinator are that the scheme is losing three carers in South Hedland and two carers in Karratha at the end of the year. Also the Kids Matter project is no longer operating and without incentives, recruiting is very difficult, particularly in the rental housing market.



	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09	Jul 09	Aug 09	Sept 09	Oct 09	Nov 09
Children	75	71	87	55	48	95	120	84	97	86	70	95	91	70	81
Families	66	62	78	50	43	85	87	67	85	77	58	84	83	63	71
Average EFT's	38	38	43	27	26	42	38	34	40	37	38	41	31	31	36

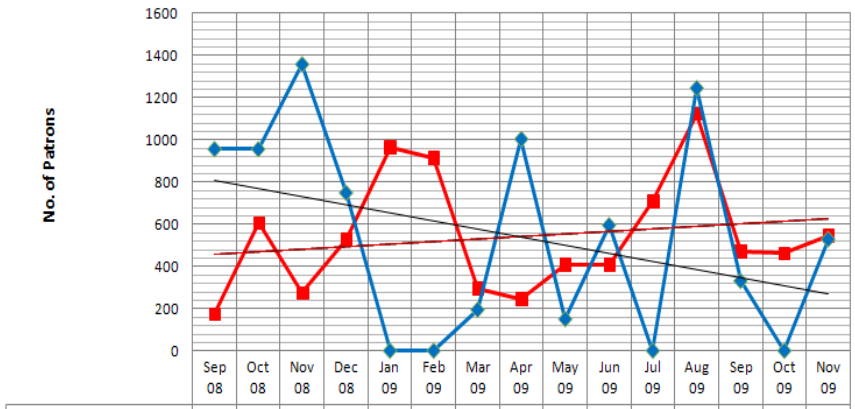


	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09	Jul 09	Aug 09	Sept 09	Oct 09	Nov 09
Children	15	12	7	3	0	12	12	12	12	16	11	13	7	9	11
Families	3	3	2	1	0	2	2	2	2	2	2	3	1	2	2
Average EFT's	19	17	8	1	0	14	16	16	16	15	7	17	8	10	15

Events and Matt Dann Cultural Centre

Events and Performances during November were as follows:-

- Wizard our Way – 3 shows – total of 489 patrons
- High School Music & Dance Showcase – 40 patrons
- Dept of Education & Learning hire – 150 patrons
- McConnell Dowell seminar – 200 patrons
- Birthday Party – 20 patrons
- Jabat End of Year Presentation – 150 patrons



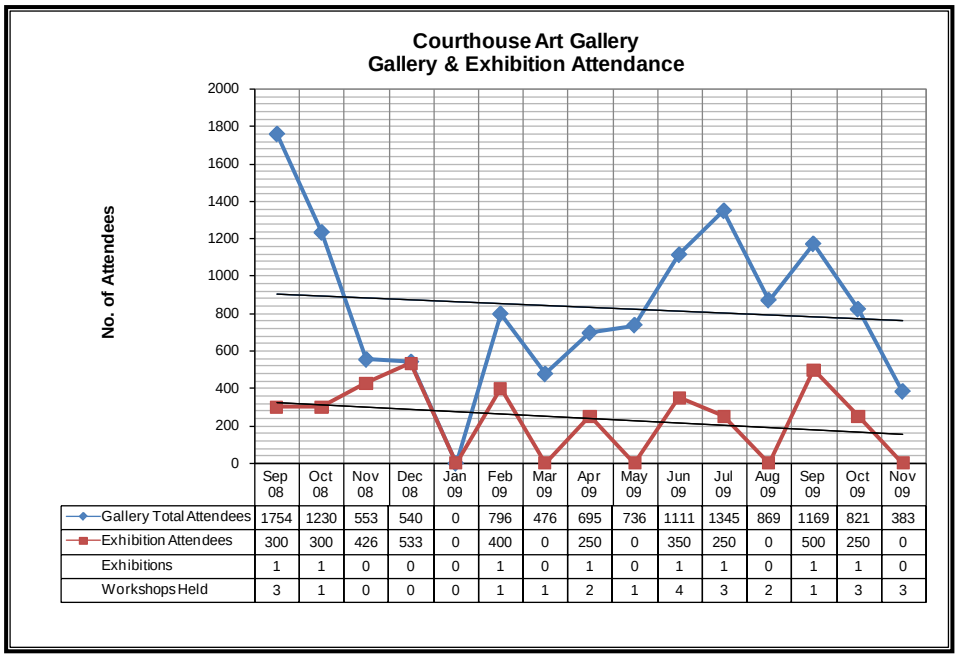
	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09	Jul 09	Aug 09	Sep 09	Oct 09	Nov 09
Attendance Movies	178	607	275	528	963	913	299	249	410	409	707	1120	473	463	547
No. Cinema Screenings	5	10	5	10	15	12	8	10	8	7	8	11	6	8	6
Attendance Live Performances	957	957	1360	750	0	0	194	1005	150	596	0	1247	331	0	529
No. Live Shows	7	7	5	2	0	0	2	4	1	2	0	8	2	0	4

Courthouse Gallery

Three workshops were held in November being:-

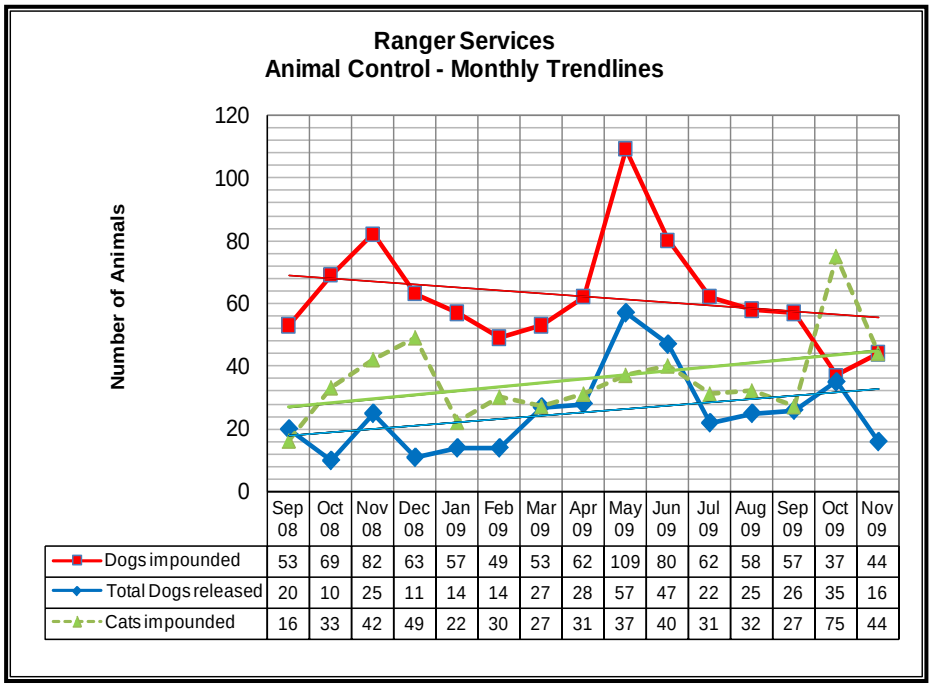
- Christian Fletcher Photoshop Part 2 (20 patrons), and
- Two local artist's workshops with Helen Ansell & Sara Barnes (12 patrons)

Helen Ansell's exhibition of "Lush" was also still on show.

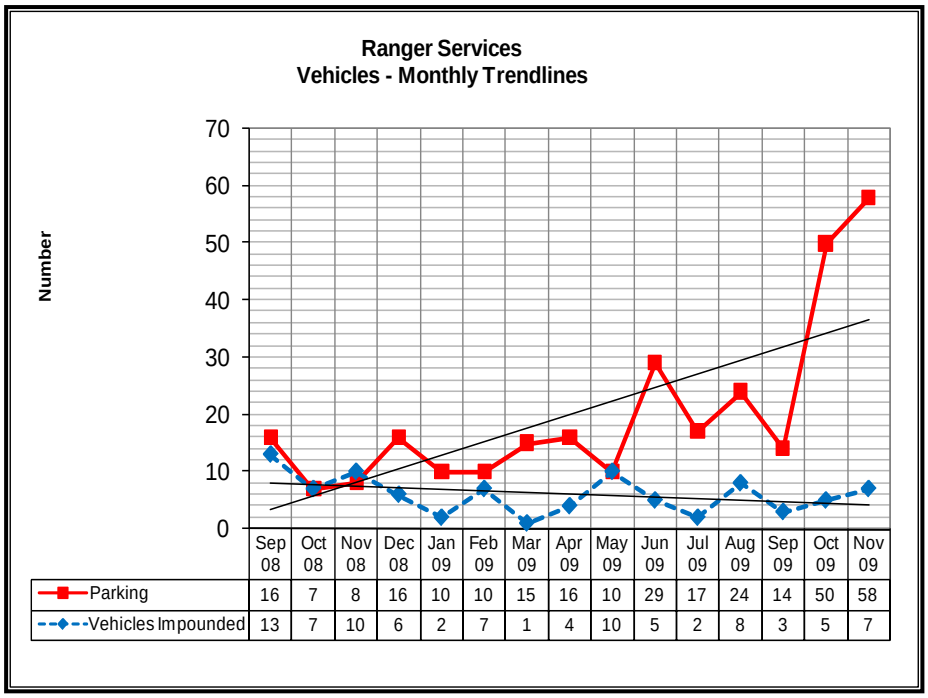


	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09	Jul 09	Aug 09	Sep 09	Oct 09	Nov 09
Gallery Total Attendees	1754	1230	553	540	0	796	476	695	736	1111	1345	869	1169	821	383
Exhibition Attendees	300	300	426	533	0	400	0	250	0	350	250	0	500	250	0
Exhibitions	1	1	0	0	0	1	0	1	0	1	1	0	1	1	0
Workshops Held	3	1	0	0	0	1	1	2	1	4	3	2	1	3	3

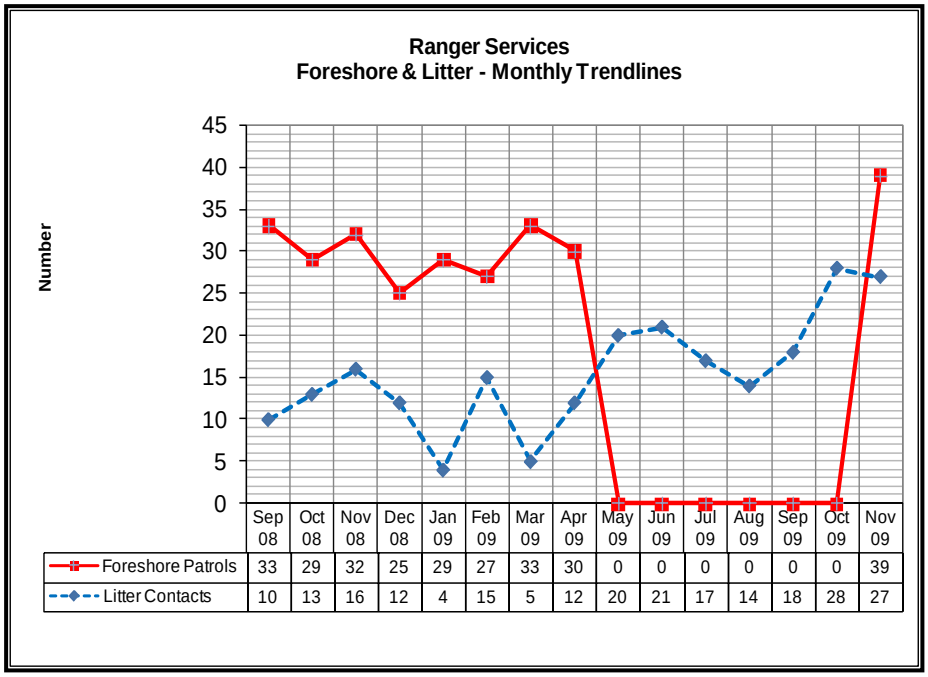
Environmental Health Services – Ranger Statistics



	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09	Jul 09	Aug 09	Sep 09	Oct 09	Nov 09
Dogs impounded	53	69	82	63	57	49	53	62	109	80	62	58	57	37	44
Total Dogs released	20	10	25	11	14	14	27	28	57	47	22	25	26	35	16
Cats impounded	16	33	42	49	22	30	27	31	37	40	31	32	27	75	44



	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09	Jul 09	Aug 09	Sep 09	Oct 09	Nov 09
Parking	16	7	8	16	10	10	15	16	10	29	17	24	14	50	58
Vehicles Impounded	13	7	10	6	2	7	1	4	10	5	2	8	3	5	7



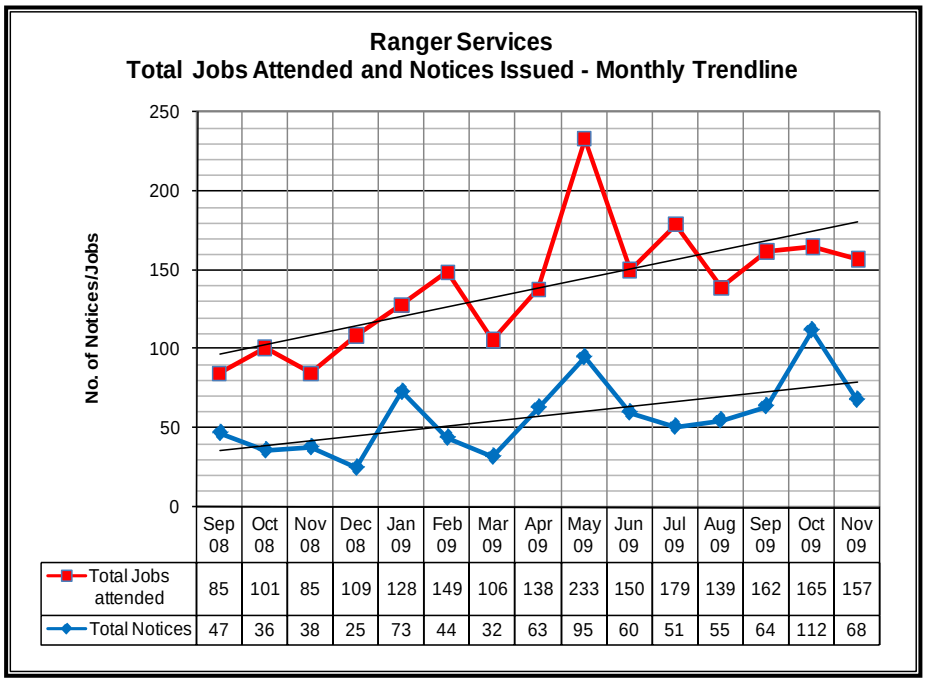
	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09	Jul 09	Aug 09	Sep 09	Oct 09	Nov 09
Foreshore Patrols	33	29	32	25	29	27	33	30	0	0	0	0	0	0	39
Litter Contacts	10	13	16	12	4	15	5	12	20	21	17	14	18	28	27

N.B. Dedicated foreshore patrols are conducted in Turtle season only.

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

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

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



	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09	Jul 09	Aug 09	Sep 09	Oct 09	Nov 09
Total Jobs attended	85	101	85	109	128	149	106	138	233	150	179	139	162	165	157
Total Notices	47	36	38	25	73	44	32	63	95	60	51	55	64	112	68

Microchipping

Rangers conducted the 4th microchipping and dog registration weekend on 7 & 8 November 2009 at the works depot. The weekend proved yet another successful event with a total of 50 pets microchipped which included 11 cats. Although the figures are down from the previous years microchipping weekends, Rangers are satisfied that the provision of this service allowed residents the opportunity to microchip their pets. Over the weekend 15 dogs were also registered. The graph below shows microchipping results for the period 2006-2009.

Plan for the Future 2008-2013 Progress Report

Council's Community & Regulatory Services Directorate normally provides an update on the projects that they are currently managing (48 of the 110 strategies defined) in line with the current Plan for the Future 2008-2013. Due to the December meeting being held early and an update being provided for projects as recently as 18 November 2009 to the November Council meeting, an update will not be provided for the December Council meeting. The regular report will be provided again for the January 2010 meeting.

Attachments

Nil.

200910/178 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr J M Gillingham

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

CARRIED 7/0

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

Officer	Nellie Mackay Executive Assistant Community and Regulatory Services
Date of Report	1 December 2009
Disclosure of Interest by Officer	Nil

Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of November 2009. A list of current legal actions is also incorporated.

Background

A listing of Planning, Building and Environmental Health approvals and Orders issued by Council's Planning, Building and Environmental Health Services under Delegated Authority for the month of November 2009 are attached to this report. Further to Council's request a listing of current legal actions is also attached to this report.

Consultation	Nil

Statutory Implications

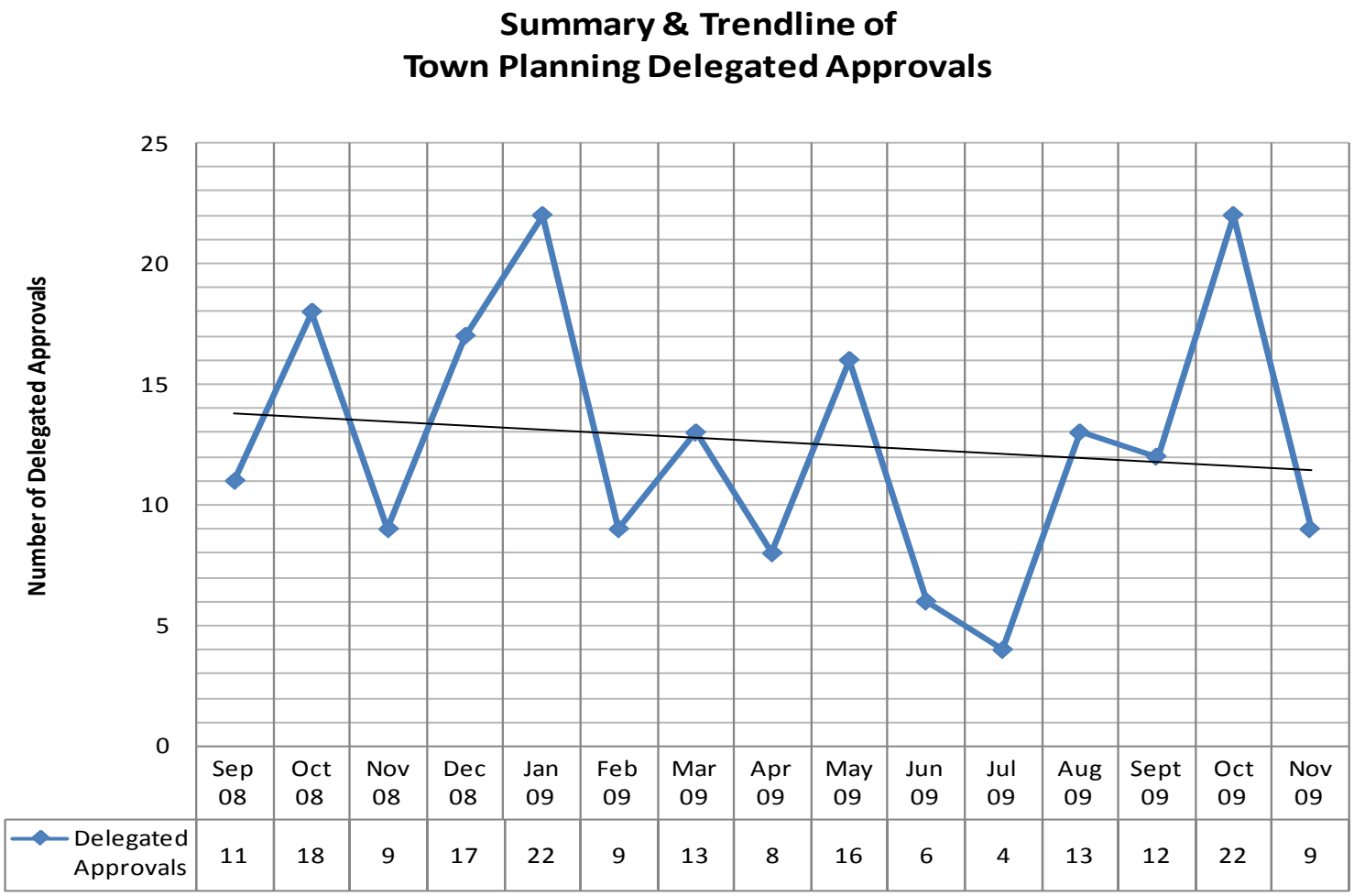
Town of Port Hedland Delegation Register 2005 outlines the limitations of delegated authority and requires a list of approvals made under it to be provided to Council. This report is prepared to ensure Council is advised of the details of applications which have been dealt with under delegated authority.

Policy Implications	Nil
Strategic Planning Implications	Nil
Budget Implications	Nil
Officer's Comment	Nil

DELEGATED PLANNING APPROVALS FOR NOVEMBER 2009

PLANNING APPROVALS							
Application Number	Application Date	Date Determined	Description	Lot	Address	Applicants Name	Owners Name
2007/100.01	11/09/2009	11/11/2009	GROUPED DWELLING - 2 x 4 bedroom dwellings	5292	12 BROWN PLACE SOUTH HEDLAND 6722	AIDAN LEIGH CHAMBERLAIN	AIDAN LEIGH CHAMBERLAIN
2009/495	27/08/2009	25/11/2009	USE NOT LISTED - 8x single bedroom dwellings	105	15 MORGANS STREET PORT HEDLAND 6721	HENRY CHAPEL SWEETLAND	HENRY CHAPEL SWEETLAND
2009/508	01/09/2009	27/11/2009	SHOP - External Alterations (ATM addition)	4	9-31 THROSSELL ROAD SOUTH HEDLAND 6722	Miles Fyfe	PERPETUAL TRUSTEES AUSTRALIA LIMITED
2009/522	11/09/2009	19/11/2009	STORAGE FACILITY/DEPOT/LAYDOWN AREA - office addition	5913	44 MOORAMBINE STREET WEDGEFIELD 6724	Mike Forbes	KERRY THERESE CORIDAS
2009/536	15/09/2009	17/11/2009	MOTOR VEHICLE &/OR MARINE REPAIR - Heavy vehicle washbay	832	LOT 832 BELL STREET PORT HEDLAND 6721	Mike Forbes	WESTRAC EQUIPMENT PTY LTD
2009/542	18/09/2009	05/11/2009	HOME OCCUPATION - Car detailing - Dirt Busters""	100	48-50 MCPHERSON STREET PORT HEDLAND 6721	Sharon Taylor	BHP BILLITON MINERALS PTY LTD
2009/665	09/10/2009	24/11/2009	STORAGE FACILITY / DEPOT / LAYDOWN AREA & MOTOR VEHICLE AND / OR MARINE REPAIR - shed and office addition.	5547	31 HARWELL WAY WEDGEFIELD 6722	Michael Butterley	CAPRICORN HOMES PTY LTD
2009/667	12/10/2009	27/11/2009	GROUPED DWELLING - 2nd grouped dwelling addition	1982	25 CORBOYS PLACE SOUTH HEDLAND 6722	Adrian Frazer	JOHN LOUIS DAVEY
2009/691	22/10/2009	05/11/2009	SINGLE HOUSE - R CODE VARIATION - primary street fencing	164	20 TRAINE CRESCENT SOUTH HEDLAND 6722	NATALIE LEANNE COPE & GLENN WILSON	NATALIE LEANNE COPE

DELEGATED PLANNING APPROVALS FOR NOVEMBER 2009



	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09	Jul 09	Aug 09	Sept 09	Oct 09	Nov 09
Delegated Approvals	11	18	9	17	22	9	13	8	16	6	4	13	12	22	9

DELEGATED BUILDING APPROVALS FOR NOVEMBER 2009

BUILDING LICENCES						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value ($)	Floor area square metres	Building Classification
80718	03.11.2009	SOUTH HEDLAND	Outbuilding	$3,500	4	Class 10a
80727	17.11.2009	SOUTH HEDLAND	Outbuilding	$19,200	49	Class 10a
80728	18.11.2009	PORT HEDLAND	Communications Building	$510,072	75	Class 10a
82009	19.11.2009	SOUTH HEDLAND	Outbuilding	$19,800	60	Class 10a
80734	24.11.2009	SOUTH HEDLAND	Outbuilding	$4,500	9	Class 10a
80735	24.11.2009	SOUTH HEDLAND	Carport	$35,350	75	Class 10a
80736	24.11.2009	PORT HEDLAND	Outbuilding	$18,367	60	Class 10a
80737	25.11.2009	PORT HEDLAND	Patio	$19,200	24	Class 10a
80739	26.11.2009	SOUTH HEDLAND	Outbuilding	$5,000	4	Class 10a
80741	28.11.2009	SOUTH HEDLAND	Outbuilding	$10,000	36	Class 10a
85059	06.11.2009	SOUTH HEDLAND	Swimming Pool (Above Ground)	$15,000		Class 10b
85061	09.11.2009	SOUTH HEDLAND	Swimming Pool (Above Ground)	$8,000		Class 10b
85060	09.11.2009	PORT HEDLAND	Swimming Pool (Below Ground)	$20,000		Class 10b
85062	16.11.2009	SOUTH HEDLAND	Swimming Pool (Below Ground)	$19,000	4	Class 10b
80716	02.11.2009	SOUTH HEDLAND	Dwelling	$350,000	221	Class 1a
80719	03.11.2009	SOUTH HEDLAND	Dwelling	$281,688	121	Class 1a
80717	03.11.2009	SOUTH HEDLAND	Dwelling	$453,545	252	Class 1a
80720	09.11.2009	SOUTH HEDLAND	Dwelling	$240,000	230	Class 1a
80721	10.11.2009	SOUTH HEDLAND	Dwelling	$376,000	216	Class 1a
80723	12.11.2009	SOUTH HEDLAND	Dwelling	$429,544	182	Class 1a
80722	12.11.2009	PORT HEDLAND	Dwelling	$638,662	164	Class 1a
80725	16.11.2009	SOUTH HEDLAND	Dwelling	$456,000	254	Class 1a
80724	16.11.2009	SOUTH HEDLAND	Dwelling	$267,738	121	Class 1a
80726	16.11.2009	SOUTH HEDLAND	9 x Group Dwelling Refurbishments	$173,000		Class 1a
80733	23.11.2009	PORT HEDLAND	Patio	$19,670	28	Class 1a
80731	23.11.2009	SOUTH HEDLAND	Dwelling	$469,393	254	Class 1a
80732	23.11.2009	SOUTH HEDLAND	Dwelling	$375,000	213	Class 1a
80742	30.11.2009	SOUTH HEDLAND	Dwelling	$523,947	294	Class 1a
80738	26.11.2009	REDBANK	Shed	$120,000	288	Class 8
80740	27.11.2009	WEDGEFIELD	Workshop	$510,000	3560	Class 8
30		**TOTAL ESTIMATED CONSTRUCTION VALUE**		**$6,391,176**		

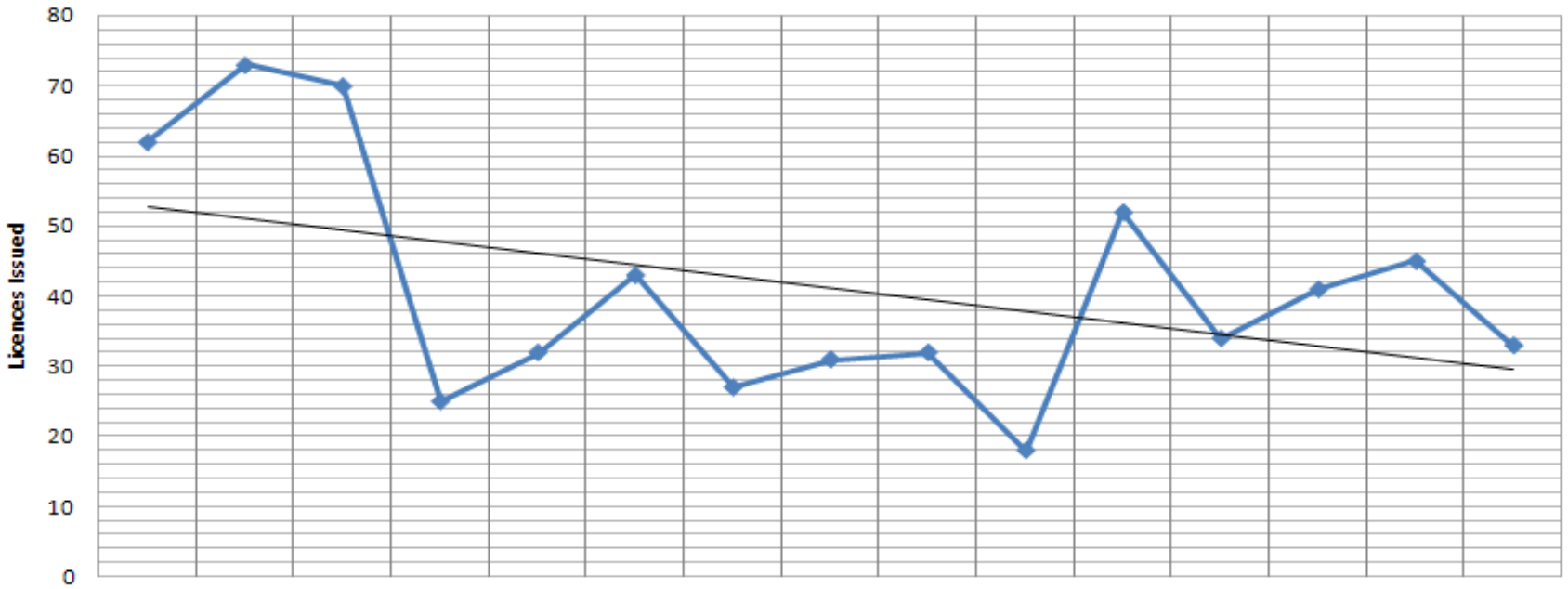
DELEGATED BUILDING APPROVALS FOR NOVEMBER 2009 (Continued)

DEMOLITION LICENCES				
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value ($)
83048	06.11.2009	PORT HEDLAND	1 x Demolition of Dwelling	50000
83050	06.11.2009	PORT HEDLAND	1 x Demolition of Dwelling	23000
83049	06.11.2009	PORT HEDLAND	1 x Demolition of Dwelling	31000
			Total	**$104,000**

DELEGATED BUILDING APPROVALS FOR NOVEMBER 2009 (Continued)

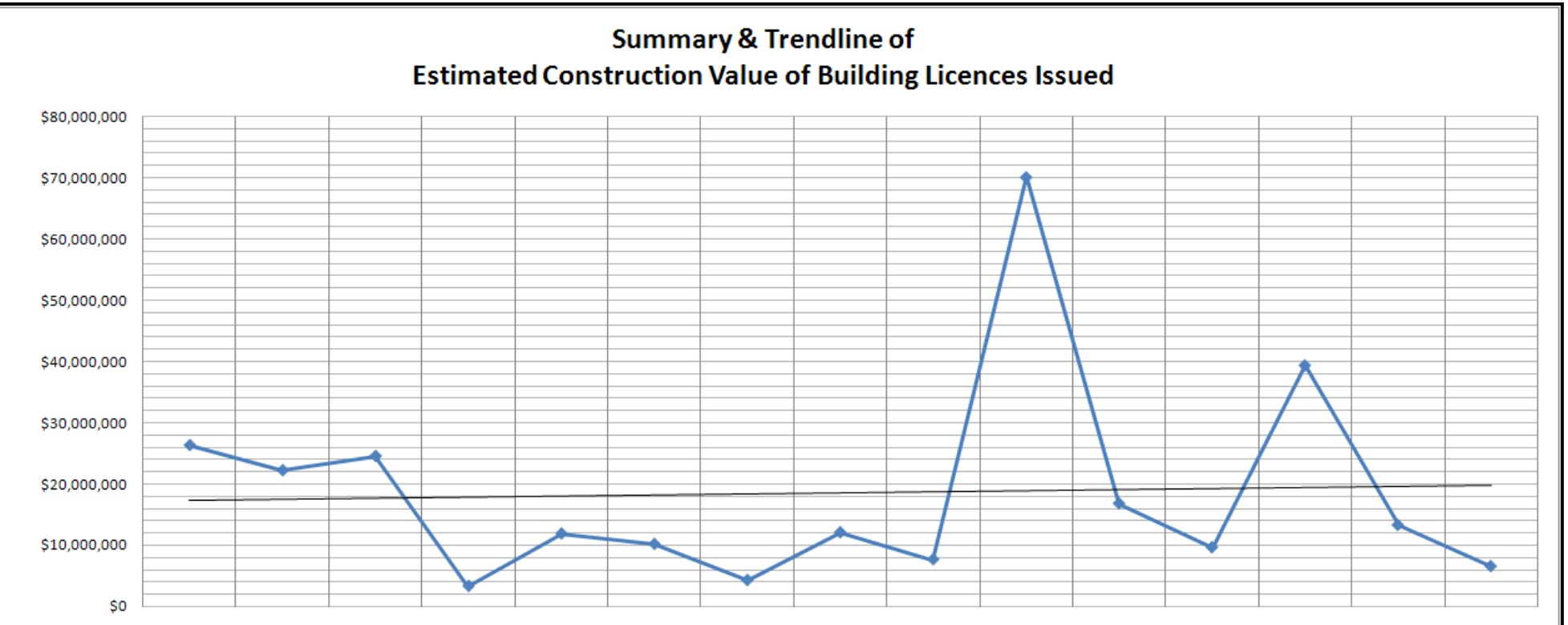
SUMMARY				
Number of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
3	Demolitions	$104,000		
14	Dwellings	$5,054,187	2550	$1,982
10	Class 10a	$644,989	396	$1,629
4	Class 10b	$62,000	0	
2	Commercial	$630,000	3848	$164
0	Other	$0		
33		**$6,495,176**		

DELEGATED BUILDING APPROVALS FOR NOVEMBER 2009 (Continued)



	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09
No of Licences Issued	62	73	70	25	32	43	27	31	32	18	52	34	41	45	33

DELEGATED BUILDING APPROVALS FOR NOVEMBER 2009 (Continued)



	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09
Estimated Construction Value $	$26,336,156	$22,217,971	$24,558,195	$3,244,322	$11,840,566	$10,139,570	$4,209,939	$12,042,120	$7,619,823	$70,243,761	$16,776,179	$9,586,773	$39,405,765	$13,239,101	$6,495,176

DELEGATED ENVIRONMENTAL HEALTH ORDERS FOR NOVEMBER 2009

Current Health Orders under Delegated Authority by Environmental Health Services	
(Fauntleroy/Mills)	Building Unfit for Human Habitation
207a & 207b Athol Street, Port Hedland (I Yujnovich)	~ SAT hearing occurred 11/8/09. Residences to be restored in accordance with Structural Engineers Report. ~ Site meeting on 14/9/09 identified degree of concern that required works outlined in the RSA may not be completed by next scheduled SAT hearing of 17/9/09. ~ Hearing listed for 17/9/09 has been vacated and relisted for 22 October 2009. ~ Application to SAT by Yujnovich to defer 22/10. Approved and relisted for SAT hearing 26/11/09. ***~ SAT gave extension given until February.***

CURRENT LEGAL MATTERS BEING UNDERTAKEN AS AT NOVEMBER 2009

CURRENT LEGAL MATTERS					
File No.	**Address**	**Issue**	**First Return Date**	**Current Status**	**Officer**
WEDGEFIELD					
121670G	Lot 3 Trig Street (J Yujnovich)	Non-compliance with planning conditions	~ First return date 21/1/09	~ Court hearing date 14/4/09 ~ Adjourned until 25/5/09. ~ Adjourned to 6/7/09 ~ Trial 23/11/09 ***~ Due to length of trial, Court adjourned trial on 23/11 for a mention in Perth on 11 Dec 09 for a trial date to be set in Perth.***	MP
803175G	Lot 1402 (34) Pinnacles Street (National Tyres)	Illegal Residential dongas and office		~ Instruction & Docs sent to Solicitors 15 April 09 ~ Further information required prior to prosecution notice to be filed/served.	MP
124590G	Lot 1029 (4) Ridley Street (Carey Gardner Engineering)	Illegal Residential dongas		~ Instruction & Docs sent to Solicitors 4 September 09	MP
125890G	Lot 3787 (2) Munda Way (Macpherson, Pilbara Earthmoving)	Illegal Residential dongas		~ Instruction & Docs sent to Solicitors 7 September 09	MP
REDBANK					
116770G	Lot 134 Roche Road (Western Desert)	Illegal laydown area	~ First Return date 21/1/09	~ Adjourned to 27/2/09 ~ Hearing on 27/2/09 adjourned to 28/4/09 ~ Adjourned until 29/5/09. ~ Court hearing date 29/5/09 adjourned until 6/7/09 ~ Entered into a plea to be heard 4/8/09 - adjourned ~ Court 31/8/09 - matter adjourned ~ Matter adjourned to 21 September 09 ~ Allocated for Court 12 October 09 ~ Adjourned until 30/10/09. ~ 30/10/09 Found guilty and fined $15,000 with $1,000 costs. Arrangements being made for payment of fine.	MP
SOUTH HEDLAND RURAL ESTATE					
1554422G	Lot 11 (39-41) Greenfield St Outlook Contracting	Illegal development and storage of heavy vehicles		~ 11/8/09 fined $20,000 plus court costs $700 ~ 21/9/09 case reinstated by Outlook Contracting on grounds of not receiving summons for court appearance on 11/8/09. Fines withheld until court resolved. ~ Court date to set a hearing date 29/1/2010.	MP
154412G	Lot 2 (5-7) Quartz Quarry Road (Macpherson - Sunsatin P/L t/as Pilbara Earthmoving)	Earth Moving business & repairs being opperated from the property	~ First return date 21/1/09	~ Adjourned to 27/2/09 ~ Adjourned to 20/4/09 ~ Adjourned to 15/6/09 ~ Adjourned to 7/7/09 for plea ~ Listed for Trial 16/11/09 ~ Early listing application 30/10/09 to vacate 16/11. ~ Trial of 16/11/09 vacated until 22/4/2010.	MP
SOUTH HEDLAND					
	Nil				
PORT HEDLAND					
400330G	83 Athol Street (P Oldenhuis)	Health - Asbestos removal	~ First Return date 25/2/09	~ No appearance by Mr Oldenhuis ~ Court hearing date 28/4/09 adjourned until 29/5/09. ~ Plea hearing date 13/7/09 ~ Trial 16/11/09 heard to 7pm. ***~ Decision handed down 23/11 - guildy and issued $250 in fines and $4250 in costs.***	MEH
108970G	40 Morgans Street (Pilbara Earthmoving)	Health - Asbestos removal	~ First Return date 14/12/09	~ First Return date 14/12/09	MEH

Attachments Nil

200910/179 Council Decision/ Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That the Schedule of Planning and Building approvals, Environmental Health Orders issued by Delegated Authority and the listing of current legal actions for the month of November 2009 be received.

CARRIED 7/0

11.1.1.3 Pet Sterilisation Scheme (File No.: 11/09/0001)

Officer	Terry Sargent Director Regulatory Services
Date of Report	1 December 2009
Disclosure of Interest by Officer	Nil

Summary

To consider providing free or subsidised sterilisation of cats and dogs.

Background

Council has, by means of a petition and questions from the public at Council meetings, been requested to provide free or discounted sterilisation for pets as a means of reducing the incidence of stray and unwanted cats and dogs prevalent within the Town.

Council rangers typically impound an average of 70 dogs each month of which more than 50% are destroyed. While some of these impounded are pets that have escaped from homes with secure fences and owners who have endeavoured to exercise responsibility for their pet, the overwhelming majority are neglected and not well cared for by their owners.

In addition to the impounded dogs, Council's rangers collect litters of unwanted kittens which the vet euthanizes to reduce the pool of unwanted kittens. Again, very few of these come from households where the owners exercise responsible pet ownership.

The local veterinarian undertakes sterilisation of pets. The veterinary practice is the only place where desexing operations can be conducted in Port or South Hedland. The cost of such an operation varies with the size of the animal, and the gender, but would on average be approximately $300.00 per animal.

Council currently provides a subsidy for the owners of sterilized dogs by way of registration. This occurs by way of a rebate on the annual registration fee for sterilized animals. Annual registration fees for sterilized dogs are $10.00 as opposed to $30.00 for unsterilized dogs. The subsidy, while in many cases will not equate to a complete reimbursement of sterilisation costs is nonetheless still very significant over the lifetime of a pet.

The proposal recently submitted to Council consists of the following:

- "Join forces with Centrelink to ensure aboriginal people can have their three dogs per home – however the dogs must be neutered (by a vet) before those people will be paid for them weekly.
- Join forces with BHP – they might pay the vets in South Hedland one day a week/month and X amount of people can get their pets de-sexed for free.
- Full page advert in Hedland Newspaper promoting the importance and benefits of having your pet de-sexed (reminder to get the procedure done)
- BHP – might contribute financially to subsidize the cost of neutering/spaying for a set amount of time/or set amount of de-sexing operations so people are more inclined to have the procedure done.
- People with Pension/Health Care Cards can get a sustainable discount for de-sexing.
- Dogs/Cats adopted from Ranger/Pound must be neutered or a down payment must be made before being taken home.
- The humane cages more available i.e. paying for them at the Post Office as well as the Library and the Rangers Office – the service advertised more
- Concentrate on catching strays "trouble spots" like Blackrock Caravan Park/ESS Pundulmurra Camps – work with residents there to decrease the numbers of strays
- One month a year do the cheap micro-chipping/de-sexing drive."

Some of these considerations are already being undertaken by Council's Ranger Services. Some are impractical or beyond Council's authority.

Consultation

No formal consultation is required; however reference is made to an independently prepared proposal presented to Council which is quoted above.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Council has not made budgetary provision for any subsidy or reimbursement of animal de-sexing.

Officer's Comment

The experience of Council's Ranger Service at the Town of Port Hedland is consistent with that of other Councils' which is that responsible pet owners get their animals sterilized but most of the animal control problems in town are invariably the result of neglect by the irresponsible pet owners.

That being the case the proposal put forward seems to be aimed at directing resources to responsible pet owners and as a result is unlikely to achieve any marked improvement.

Comments on the proposal are included below:-

> *"Join forces with Centrelink to ensure aboriginal people can have their three dogs per home – however the dogs must be neutered (by a vet) before those people will be paid for them weekly."*

This proposal ignores the fact that many indigenous residents of the town are responsible pet owners. It is inappropriate for Council to determine policy based on the ethnicity of the pet owner. Council does not have the right to require any pet owners as a group to de-sex their dogs. Furthermore Council has no legal right to access information from Centrelink over such matters.

> *"Join forces with BHP – they might pay the vets in South Hedland one day a week/month and X amount of people can get their pets de-sexed for free."*

Council works closely with BHP Billiton Iron Ore over a number of community based initiatives, and the company may be receptive to working with Council on an appropriate initiative to improve the amenity and safety of the Town. Having said that, BHP Billiton Iron Ore has indicated that its community investment program will be focused on the issues of Health, Education, Policing and community facilities. Dogs are not likely to be a priority for this company.

> *"Full page advert in Hedland Newspaper promoting the importance and benefits of having your pet de-sexed (reminder to get the procedure done)"*

Each year prior to the annual renewal of dog registrations, the Town distributes information on responsible pet ownership, which of course includes sterilisation, via leaflets, paid advertising and other media, in addition to this Ranger Services targets problem areas which has seen an increase in dog registrations. This however will be reviewed to ensure its effectiveness is improved.

> *"BHP – might contribute financially to subsidize the cost of neutering/spaying for a set amount of time/or set amount of de-sexing operations so people are more inclined to have the procedure done."*

As mentioned above, the company along with other industry players do work with council on a range of community initiatives. It has not been general practice to use this partnership to provide direct subsidies to individuals, rather to work on broader community benefits. This proposal seems to be directing an incentive towards the responsible pet owners and not the people who currently cause the problem, namely the irresponsible pet owners who don't manage their pet breeding.

> *"People with Pension/Health Care Cards can get a sustainable discount for de-sexing."*

The annual registration fees for a sterilized dog is currently 1/3 of that for an unsterilized dog and pensioners receive a further 50% discount. This arrangement has been in place for some years to achieve the same benefit.

> *"Dogs/Cats adopted from Ranger/Pound must be neutered or a down payment must be made before being taken home."*

All dogs adopted from Council's pound currently have to be sterilized or they cannot be adopted. In the case of young dogs arrangements are put in place to have them sterilized at 3 months of age.

> *"The humane cages more available i.e. paying for them at the Post Office as well as the Library and the Rangers Office – the service advertised more"*

Cages can currently be booked at the Council's Wedgefield Depot, South Hedland Libraries and the Civic Centre. No residential area of the Town of Port Hedland is more than a couple of kilometers from a current booking centre so there seems no advantage in providing additional booking centres, which will charge Council a fee for the service. The locations and availability of these cages can possibly be promoted better.

> *"Concentrate on catching strays "trouble spots" like Blackrock Caravan Park/ESS Pundulmurra Camps – work with residents there to decrease the numbers of strays."*

This is precisely the approach taken by Council Rangers in impounding between 50 and 110 dogs each calendar month over the past year.

> *"One month a year do the cheap micro-chipping/de-sexing drive."*

Council currently undertakes a micro-chipping weekend per year in conjunction with the local vet.

There is no doubt that more could be done to reduce the problems caused by stray animals in the community. While Council can and does assist, responsible pet ownership is an individual pet owner's responsibility, not the Local Government's. In order to ensure that this issue is being appropriately addressed, a wider review of current service levels, the effectiveness of current information campaigns and more effectively targeted initiatives should be considered prior to adoption of the next budget.

Attachments

Nil

200910/180 Council Decision/ Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr J M Gillingham

That Council:

i) undertakes further publicity initiatives on responsible pet ownership including references to Council's current initiatives and actions;

ii) undertakes of comprehensive review of resources and the effectiveness of current animal control measures with a view to exploring all reasonable measures including incentive schemes, to reduce the incidence of unwanted animal breeding.

iii) considers the findings of such a comprehensive review prior to adoption of the 2010/2011 budget.

CARRIED 7/0

11.1.2 Planning Services

11.1.2.1 Proposed Installation Public Art piece "Tear Drop 2" at Cemetery Beach Reserve (File No.: 26/08/0008)

Officer	Luke Cervi Planning Officer
Date of Report	6 November 2009
Application No.	2009/706
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from FORM for the installation of a public art piece "Tear Drop 2" at Cemetery Beach Reserve. The art piece would be located within the roundabout located within the car park.

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

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

Background

The art piece proposed for the Cemetery Beach roundabout, titled *Tear Drop 2*, is constructed using interwoven lengths of stainless steel rod, a material with a direct reflection on the main commodity of the Region. The artist (Melbourne-based sculptor Matthew Harding) describes the work as being a "sister sculpture" to *Tear Drop* which he created with the community as part of the 2009 Courthouse Gallery Sculpture Program and which has been approved for installation at Bert Madigan Park. Both works reference the saying about Port Hedland: "you cry when you first arrive, but when you leave you really cry. That's what the place does: it slowly works its magic so that when it's time to move on, it feels impossibly hard to say goodbye".

Consultation

The application has been referred to Council's Engineering, Building and Community Services teams for comment. No objection to the art piece or location was received.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 2 – Community Pride
Goal No. 3 – Townscape
Strategy 1 - In conjunction with industry, business and the community, develop improved verge and streetscape treatments throughout the Town.
Goal No. 5 – Arts and Culture
Strategy 2 - Develop a public art policy / strategy and install public art in key locations within the town.

Budget Implications

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

Officer's Comment

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

The art piece proposed at Cemetery Beach Reserve is described by the applicant as being a "sister sculpture" to *Tear Drop* which has been approved for installation at Bert Madigan Park.

It was questioned whether having the sister sculpture to *Tear Drop* in a different location was appropriate and would it not be more appropriate to co-locate the art pieces? The applicant advised as follows:

> *"Your suggestion of co-locating the two sculptures is not possible given space restrictions of Bert Madigan Park. Further, to install them in close proximity to each other would result in the two sculptures competing with one another visually. However, it has been our intention from the start to install a small plaque on each to allow the community to understand their narrative."*

Given the comments of the applicant, it would appear that the setting of the art piece is not significant as long as it is in Port Hedland.

However, having regard to the narrative of the art piece (you cry when you arrive, but when you leave you really cry), it would seem appropriate to locate the art piece at an entry/exit of the Town such as Redbank or the visitor bay on the Great Northern Highway near the South Hedland turnoff. It is understood that both of these locations are to be upgraded in the near future.

It is worth noting that several smaller art pieces are located at the Cemetery Beach Reserve and the placement of another art piece may compete with those already installed at Cemetery Beach Reserve. For these reasons it is considered it could be more appropriate to locate the art piece *Tear Drop 2* at another location that is an entry/exit to the Town where there are no competing art pieces. Having said that however, it is acknowledged that the roundabout in which it is proposed to install the sculpture is currently undeveloped.

Options

Council has the following options of dealing with the request:

1. Approve the installation of the art piece at Cemetery Beach Reserve.
2. Refuse the installation of the art piece at Cemetery Beach Reserve.

If Council refuses the installation of the art piece at Cemetery Beach Reserve, it may wish to consider approving the installation of the art piece at an alternative location. If an alternative site is approved it is recommended that a Town entry/exit such as Redbank or the visitor bay on the Great Northern Highway near the South Hedland turnoff be the approved location.

Attachments

1. Site Plan
2. Art piece plans

Officer's Recommendation

That Council:

i) Refuses the installation of the public art piece "Tear Drop 2" at the Cemetery Beach Reserve for the following reasons:
   a) The art piece will compete with the existing art pieces located at Cemetery Beach Reserve, and
   b) The art piece is more appropriately located at an entry/exit of the Town.

OR

ii) Approves the installation of the public artwork "Tear Drop 2" in accordance with plans and specifications submitted to Council.

200910/181 Council Decision

Moved: Cr A A Carter **Seconded:** Cr D W Hooper

That Council approves the installation of the public artwork "Tear Drop 2" in accordance with plans and specifications submitted to Council.

CARRIED 6/1

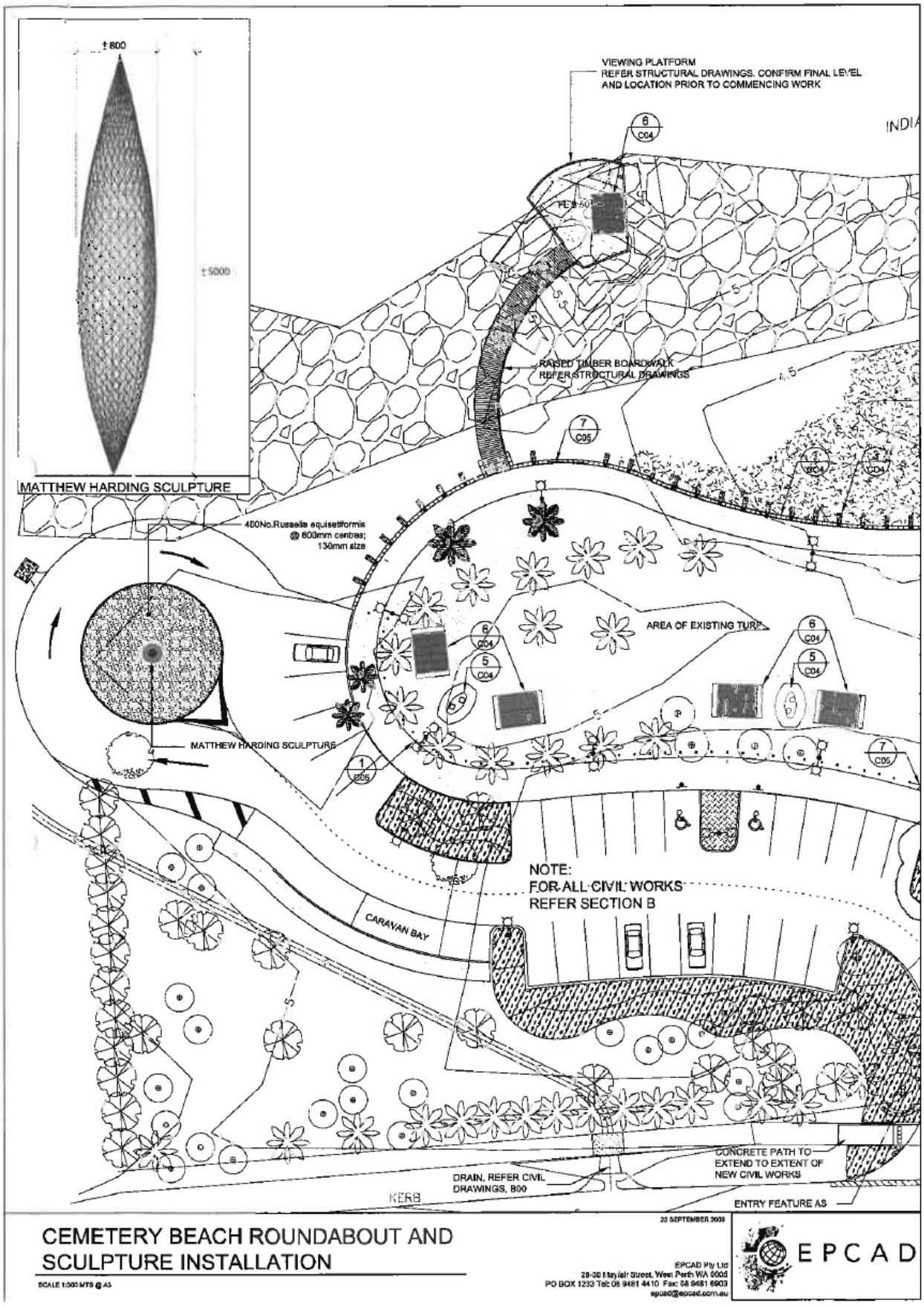
NOTE: Cr G J Daccache requested the votes be recorded.

Record of Vote:

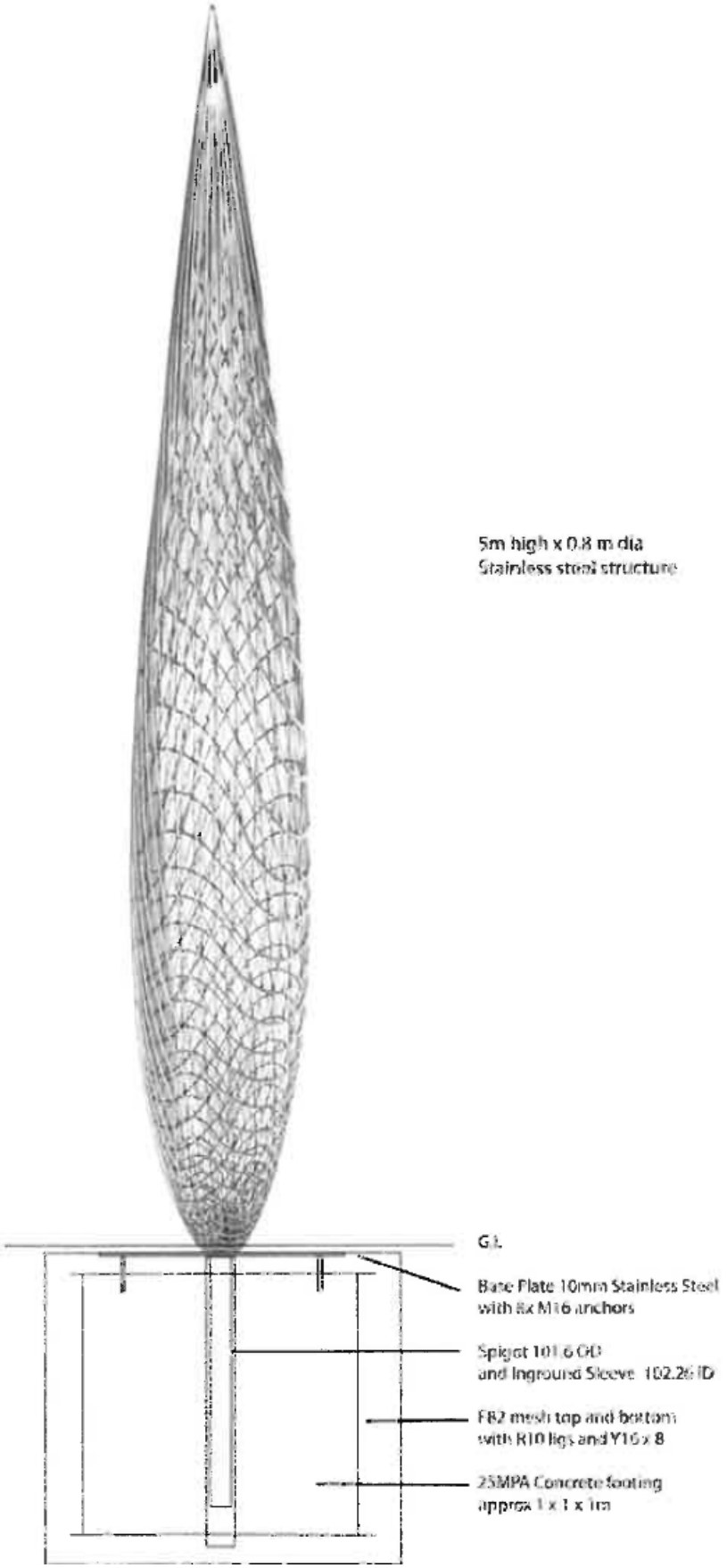
FOR	AGAINST
Cr K A Howlett	Cr G J Daccache
Cr D W Hooper	
Cr A A Carter	
Cr J M Gillingham	
Cr M Dziombak	
Cr S J Coates	

REASON: Council approved the installation of public artwork "Tear Drop 2", at Cemetery Beach reserve.

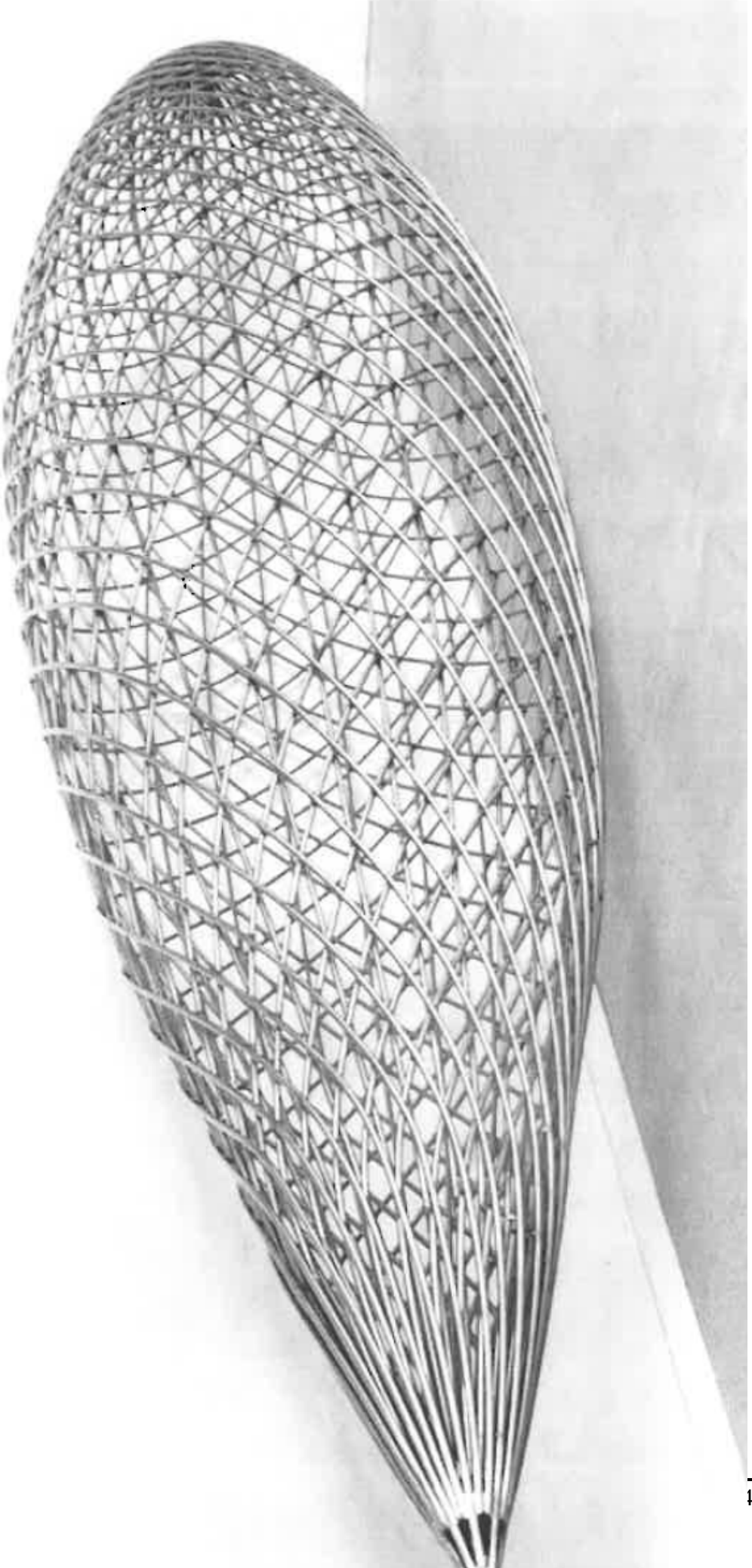
ATTACHMENT 1 TO AGENDA ITEM 11.1.2.1



ATTACHMENT 2 TO AGENDA ITEM 11.1.2.1



Matthew Harding



11.1.2.2 Proposed Pylon Sign – Centenary Park, South Hedland Town Centre – Lot 5812 Leake Street (File No.: 130114G)

Officer	Luke Cervi Planning Officer
Date of Report	16 November 2009
Application No's	2009/733
Disclosure of Interest by Officer	Nil

Summary

Council has received a request from LandCorp to erect a pylon sign within the South Hedland Town Centre at Centenary Park. The sign will provide information and marketing relating to the redevelopment and improvements being undertaken within the Town Centre.

This item is referred to Council for determination as it is a 'Use not listed' within the TPS 5 and the signs do not comply with all provisions of Council's "*Signs, Hoardings and Bill Posting"* Local Law.

Background

The New Living project is an initiative of the Department for Housing & Works that involves numerous urban renewal projects focused on revitalising the South Hedland Town Centre.

Consultation

Nil

Statutory Implications

'Advertising' is a Use not Listed within the TPS 5 Zoning table. As such Section 3.2.6 of the Scheme is relevant:

> *"If the development of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be included in the definition of one of the development categories the Council may determine:*
>
> *a) That the development or use is not consistent with the objectives and purposes of the particular zone or precinct and is, therefore, not permitted, or*

b) By absolute majority that the proposed development may be consistent with the objectives and purposes of the zone and an application for planning approval should be determined in accordance with Part IV, including the advertising procedures of clause 4.3."

In addition, Council's "*Signs, Hoardings and Bill Postings"* Local Law applies to the proposal and a number of areas of potential conflict with the Local Law are proposed.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

Signs, Hoardings and Bill Postings Local Law

The proposed sign best fits in the definition of *'Pylon Sign'* under the Local Law. The applicant has sought a variation from the Local Law which is as follows:

> *"5.16.1(e) A sign supported on two or more piers or columns can be monolithic or shall remain open below the sign panel to a height of 2.75m above the ground immediately below it."*

The proposed sign is only 1m above ground level.

Other parts of the Local Law that are considered relevant to the proposal are:

> *"5.16.1(b)The Council may in the case of a shopping centre permit a sign up to 25m2 on any face."*

The application is not for a shopping centre but will promote the Town Centre in general. The Local Law otherwise restricts signs in general to 3m in width and 6m2 in area. The proposed sign is 5.4m x 1.8m being 9.72m2 in area.

> *"5.16.2 For a single tenant site, only one pylon sign is permitted. For a multi tenant site, the Council may permit up to two composite pylon signs comprising equal sized infill panels for each tenancy and space for each shop or unit on the Lot."*

Although only one sign is proposed as part of this application, it should be noted that Council approved 3 other signs for Landcorp in the South Hedland Town Centre at its Ordinary Meeting on 29 July 2009.

Town Planning Scheme No. 5

Although defined within the TPS 5 'Advertisement' is not a listed use within the Zoning Table. As such Council must, by absolute majority, determine that the proposal is consistent with the objectives and purpose of the 'Town Centre' zone.

Options

Council has the following options for determining the applications:

1. Approve the application with or without conditions.
2. Refuse the application.

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

Attachments

1. Site Plan
2. Location & Signage Detail Plan

200910/182 Council Decision / Officer's Recommendation

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

That Council APPROVES Planning Application 2009/733 being for USE NOT LISTED – Pylon Sign at Lot 5812 Leake Street, South Hedland, subject to the following conditions:

1. This approval relates only to the proposed USE NOT LISTED – Pylon Sign and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.

2. Sign is to be modified to comply with Council's Signs Hoardings and Billposting Local Laws.

3. This approval to remain valid until such time as the redevelopment of the South Hedland Town Centre has been completed.

4. Upon the expiry of the permit the sign must be removed and land returned to its original condition to the satisfaction of the Manager Planning.

FOOTNOTES

5. You are advised that drawings submitted for a Sign Licence are to be properly drawn and signed by a practicing structural engineer.

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

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.2

ATTACHMENT 2 TO AGENDA ITEM 11.1.2.2

11.1.2.3 Proposed Mixed Use Development – Lot 1700 (1 - 4) Lawson Street, South Hedland (File No.: 113730G)

Officer	Leonard Long Planning Officer
Date of Report	30 November 2009
Application No.	2009/703
Disclosure of Interest by Officer	Nil

Summary

An application has been received from Koltaz Smith on behalf of Hedland Investments Pty Ltd the registered owners of Lot 1700 (1 - 4) Lawson Street, South Hedland.

The proposal is to develop a mixed use development consisting of three ground floor office units, one ground floor shop unit and 18 residential units in a "Multiple Dwelling" configuration.

However, the Town of Port Hedland TPS 5, does not make provision for "Mixed Use Developments", so the development needs to be considered as a "Use Not Listed".

Therefore, the proposal is being referred to Council for determination as the development is a "Use Not Listed" consists of more than 10 residential units, for which the Director Community and Regulatory Services does not have delegated authority to consider.

Background

The Site

The Port Hedland Town Planning Scheme No. 5 (TPS 5), zones Lot 1700 (1 - 4) Lawson Street "Commercial". The lot measures 2,990m², with frontage onto Lawson Street. The lot also adjoins a public park to the east.

Access to the proposed development will be obtained from Lawson Street.

The zoning permits the land uses in the following manner:

Shop	"P"	(the development is permitted by the scheme)
Office	"P"	(the development is permitted by the scheme)

Multiple Dwelling	"SA"	(the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3.) Clause 4.3 refers to advertising/ consultation requirements.

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

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

Consultation

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

In addition hereto, the application has been circulated to the surrounding property owners to obtain comments in regard to the proposed development.

The following comments were received:

Lot 59 (10) Graham Place:

> *"Having inspected the plans and have to say that we have no objection and wish you the best of luck with your investment"*

Lot 112 (3) Graham Place:

> *"- We want very careful planning & choice of businesses that lease commercial units. We're worried about loiterers.*
> *- Evening opening hours to be limited for retail outlet."*

Town Planning Response:

The design of the building allows for passive surveillance of both Lawson Street and the Public Park, this will serve to deter any possible loiterers in the area.

In regard to the opening hours the applicant has indicated that the offices and shop would be operating Monday to Friday between 9am and 5pm.

These operating times are deemed reasonable and would not have a negative impact on the residential area.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

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

Budget Implications

An application fee of $ 10,800.00 was paid on lodgement and deposited into account 10063260 – Town Planning Fees.

Officer's Comment

The favorable consideration of the application will address two aspects, providing a convenience store within a residential context, without competing with the Town Centre, and provide much needed residential units within South Hedland. As a result of the increased density the adjoining public park may be better utilized.

Furthermore, as the applicants have indicated they will operate under restricted hours, the convenience store, it is not perceived that it would compete with the services currently provided in the Town Centre. Therefore, the increase in density would also contribute to the rejuvenation of the Town Centre.

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

- Streetscape
- Passive Surveillance
- Carparking

Streetscape

The applicant has through his design of the building achieved an acceptable streetscape to both Lawson Street and the public park adjoining the lot to the east.

Passive Surveillance

The design allows for a commercial interface on the ground floor and residential on the first floor, the combined uses offering high level of passive surveillance to Lawson Street during and after normal business hours.

Whilst the multiple dwellings to be developed on the eastern side of the lot offers passive surveillance of the public park, to further enhance the passive surveillance capabilities a condition will be imposed to ensure that any solid or obscure fencing adjoining the public park is no higher than 1.2m.

The design allows for passive surveillance of the existing parking lot to the south, currently utilized by the youth centre, whilst it is currently beneficial to have passive surveillance of the parking area, due consideration must be given to the long term future of the lot.

Since the lot is zoned “Residential” there is a possibility that it may be developed for such purposes in the future. Should this occur it would not be good Town Planning practice to permit overlooking (passive surveillance) over the lot. In this regard only unit 6 and unit 11 may have the ability to overlook any future development to the south, and unit 10 and unit 18 to the north.

Therefore, to overcome this potential situation a condition will be imposed requiring that, if and when the adjoining lot is developed that the owners of unit 6, unit 10, unit 11 and unit 18 will provide screening and / or demonstrate to the satisfaction of the Manager Planning that no overlooking will take place.

Carparking

When developing a “Mixed Use Development”, the Residential Design Codes allow for certain relaxations. In terms of parking the Residential Design Codes, as acceptable development reads as follows:

> *“on-site car parking – as for multiple dwellings; may be reduced to one per dwelling where on-site parking required for other users is available outside normal business hours.”*

Taking this into consideration the table below sets out the parking requirements and provision for the development.

Calculated Parking Requirements		
Use	Requirement	Calculation
Shop	1 bay per 20m² shop floor area	100m² /20m² = 5 bays
Office	1 bay per 30m² office floor area	300m² / 30m² = 10 bays
Multiple Dwelling	As prescribed by the R-Codes clause 7.2.1 (A1)(iii) bullet 4	18 dwellings = 18 bays
	Total	33 bays

The applicant has opted to provide parking for the development in the following way:

Proposed Parking Provision		
Use	Provision	Total provided
Shop	9 bays	9 bays
Office	5 bays These bays are proposed as reciprocal use bays with the residential uses	
Multiple Dwelling	2 parking bays per residential unit	36 bays
	Total	45 bays

From the above tables it is clear that the applicant has provided sufficient parking, and although has justified reciprocal use of parking, it is not required in this instance.

An area of concern is the on and off-loading facilities coupled with the office and shop use. The applicant's justification has addressed this issue as follows:

> *"The area of Road Reserve to the south of the subject land is underutilized and perfectly located to service overspill car parking and loading bays for the proposed mixed use development. The provision of loading bays in this location will separate them from the proposed residential component of the development so as residents are not disturbed by the loading and unloading of commercial vehicles."*

Whilst the applicant's justification for the on and off-loading is currently achievable, due consideration must be given to the future development of the lot. The applicant would have to provide on and off-loading facilities on the development lot, taking into consideration the size of the shop and offices it is the opinion that it is unlikely that large vehicles would be utilized.

It is proposed to impose a condition that ensures that the on and off-loading facilities will not have a negative impact on traffic flow and safety of the area.

Attachments

Locality Plan
Site and floor plans
Elevations

200910/183 Council Decision / Officer's Recommendation

Moved: Cr G J Daccache **Seconded:** Cr J M Gillingham

That Council approves the application submitted by Koltaz Smith on behalf of Hedland Investments Pty Ltd, for a "Use Not Listed" for a "Mixed Use Development" at Lot 1700 (1 - 4) Lawson Street, South Hedland, consisting of three ground floor office units, one ground floor shop unit and 18 residential units, as indicated on the approved plans, subject to the following:

1. This approval relates only to the proposed one ground floor shop unit, three ground floor office units and 18 multiple dwellings on the ground floor and first floor and other incidental development. It does not relate to any other development on this lot;

2. The development must only be used for purposes which are related to the operation of a "Shop", "Office" and "Multiple Dwelling" as indicated on the approved plans. Under the Town of Port Hedland Town Planning Scheme No. 5, the above approved uses are defined as follows:

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

   "Office"
   "A building or part of a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, a post office, bank, building society, insurance office, estate agency, typist and secretarial services or services of a similar nature, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking."

"Multiple Dwelling"
"A dwelling in a group of more than one where any part of a dwelling is vertically above part of another."

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

4. Prior to the submission of a Building Licence the plans be amended:

   a. The access width of the to the development be amended to 5.8m or to the specification of the Manager Infrastructure Development,

   b. The proximity of the building to Lawson Street be address to the specification of the Manager Infrastructure Development,

   c. Every residential unit is to be provided with a store room as per the clause 6.3.7 of the Port Hedland Town Planning Scheme No. 5,

   d. Every residential unit is to be provided with a clothes drying facilities within the unit.

all to the satisfaction of the Manager Planning.

5. The development shall comprise of the following:

   a. a maximum of 300m² office floor area.

   b. a maximum of 100m² shop floor area.

   c. a maximum of 18 multiple dwellings.

6. The operating times for the proposed office and shop development shall be restricted to hours of 7am to 7pm.

7. Any fencing to be constructed along the eastern boundary of the lot abutting the public park shall be no higher than 1.2m or visually permeable.

8. Should the lots adjoining Lot 1700 to the north or south be developed, the balconies of units 6, unit 10, unit 11 and unit 18 are to be screened to the satisfaction of the Manager Planning.

.

9. A minimum of 45 bays are to be provided in accordance with Appendix 7, of Council's Town Planning Scheme No. 5, to the satisfaction of the Manager Planning.

10. All vehicles associated with the use on the lot including service vehicles (on and off-loading) are to be accommodated wholly on the lot and be able to exit the lot in a forward gear. No vehicles shall be permitted to be parked within the road verge, or on the road reserve without prior approval of the Town.

11. The parking areas and / or associated accessways shall not be used for storage (temporary or permanent) without the prior approval of the Town.

12. Any roof mounted or freestanding plant or equipment, such as air conditioning units, to be located and / or screened so as not to be visible beyond the boundaries of the development site, to the satisfaction of the Manager planning.

13. Within 30 days of this approval, a detailed landscaping and reticulation plan, including the Lawson Street verge, must be submitted to and approved by the Manager Planning. The plan to include species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.

14. Within 60 days, or such further period as may be agreed by the Manager Planning, landscaping and reticulation to be established in accordance with the approved detailed plans to the satisfaction of the Manager Planning.

15. The proposed development shall be connected to reticulated mains sewer.

16. Stormwater disposal designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the Manager Planning.

17. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.

18. No external clothes drying areas shall be permitted.

19. The submission of a construction management plan at the submission of a building licence application stage for the proposal detailing how it is proposed to manage:

    a. The delivery of material and equipment to the site;
    b. The storage of material and equipment on the site;

c. The parking arrangements for the contractors and subcontractors;
d. Impact on traffic
e. Operation times including delivery of material;
f. Other matters likely to impact on the surrounding uses;
g. Building waste management control;
h. Point of contact or personnel for control of enquiries and any complaints; and

all to the satisfaction of the Manager Planning.

FOOTNOTES:

1. You are reminded that this is a Planning Approval only, and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.

2. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of the Council's Health Local Laws 1999 and to the satisfaction of the Manager Planning

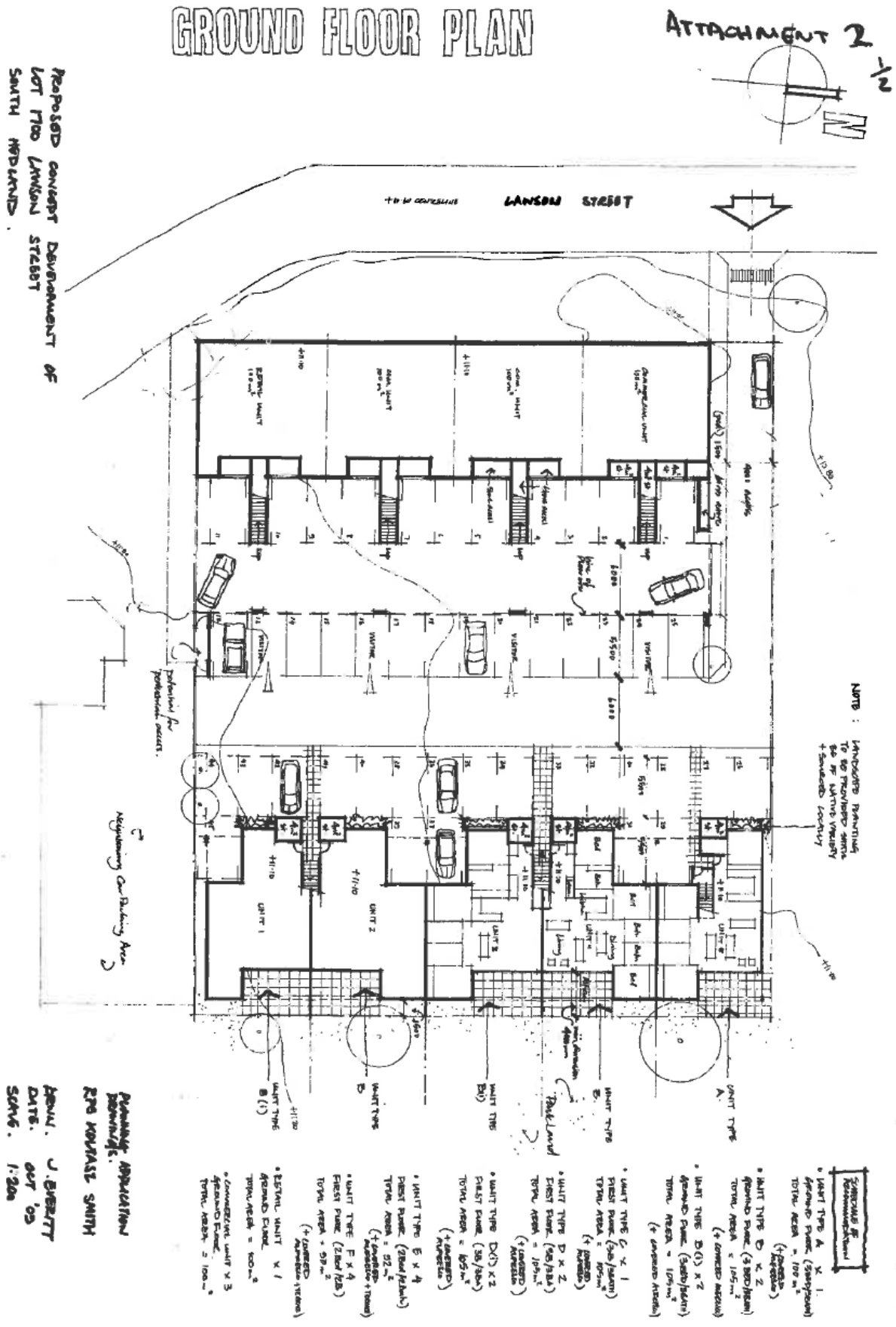
3. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year average recurrence interval (A.R.I) cycle of flooding could affect any property below the ten (10) meter level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and / or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

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

CARRIED 7/0

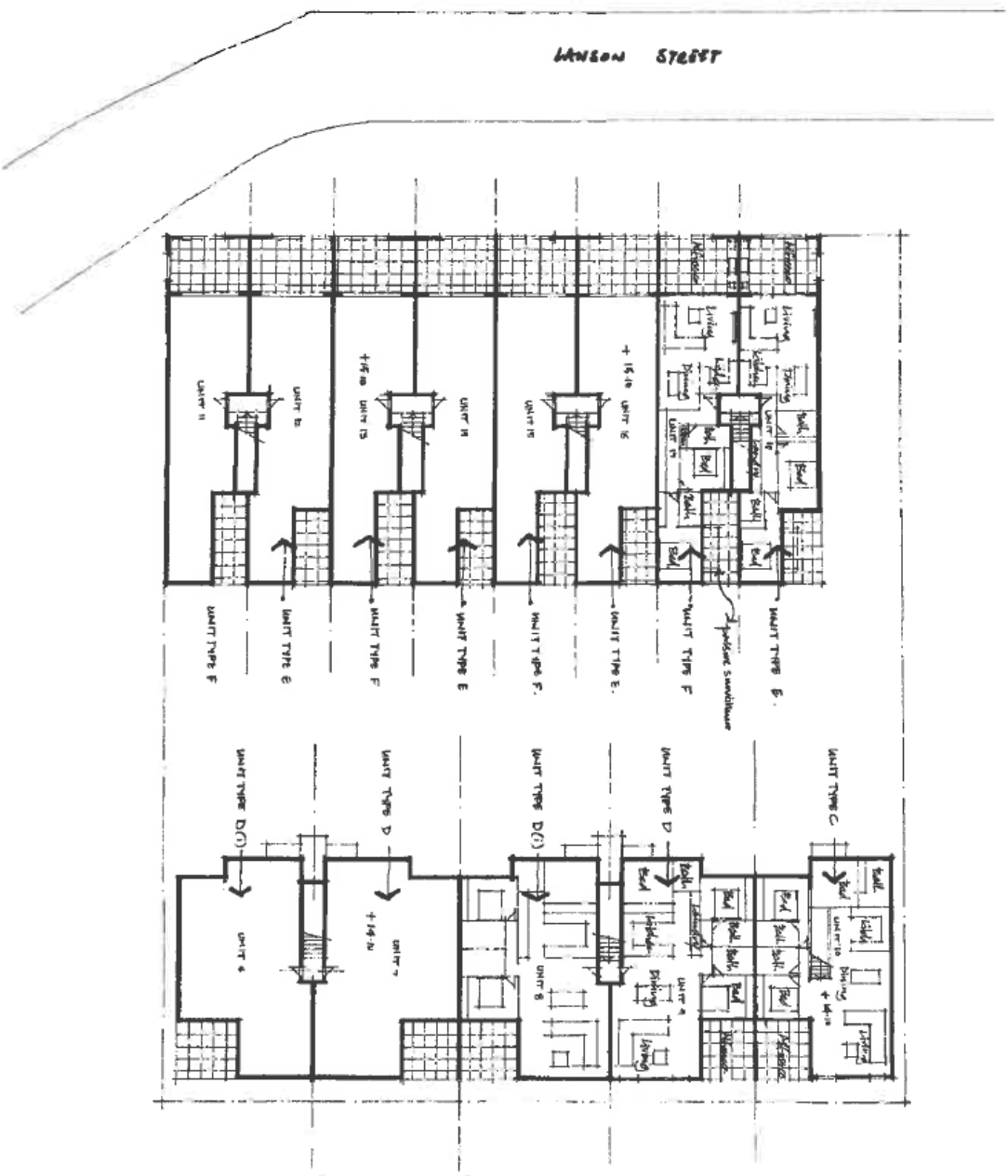
ATTACHMENT 1 TO AGENDA ITEM 11.1.2.3

ATTACHMENT 2 TO AGENDA ITEM 11.1.2.3



FIRST FLOOR PLAN

ATTACHMENT 2



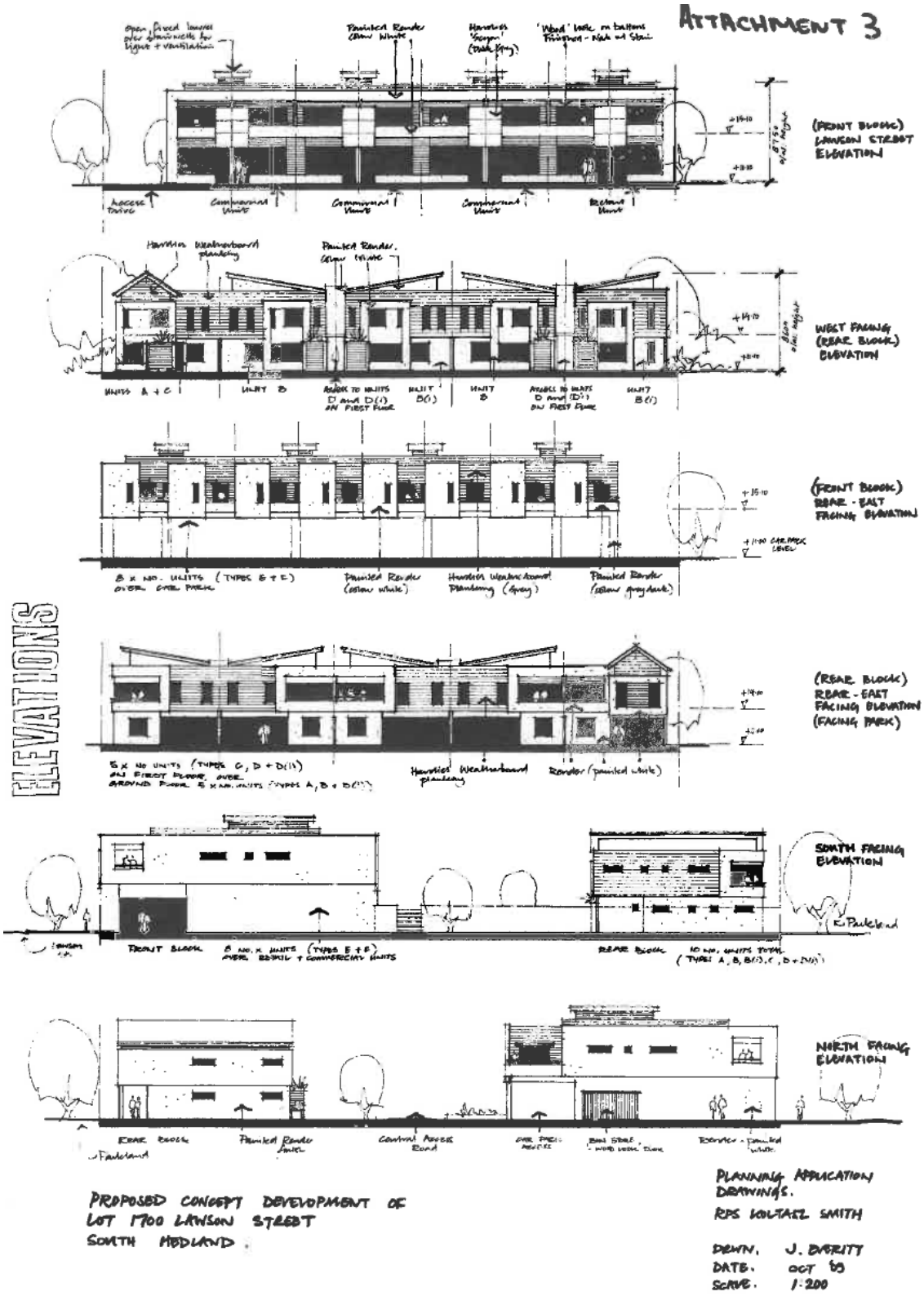
PROPOSED CONCEPT DEVELOPMENT OF
LOT 1700 LAWSON STREET
SOUTH HEDLAND.

SITE AREA
=2990 m²

CURRENT MAX. PLOT RATIO
= 0.7
PROPOSED PLOT RATIO
= 0.684

PLANNING APPLICATION
DRAWING.
RJS ARCHITECT SOUTH
DRWN. J. BARRETT
DATE. OCT 09
SCALE. 1:200

ATTACHMENT 3 TO AGENDA ITEM 11.1.2.3



11.1.3 Environmental Health Services

11.1.3.1 Authorisation of Dog Registration Officers – Dog Act 1976 (File No. :19/09/001)

Officer Nellie Mackay
Executive Assistant
Regulatory Services

Date of Report 11 November 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider the appointment of Dog Registration Officers for the Town of Port Hedland.

Background

Council allows for the registration of dogs at both the Town of Port Hedland's Civic Centre, South Hedland Library and at the Rangers Office at the Works Depot in Wedgefield. The Dog Act 1976 requires that all persons that register dogs be authorised under the said Act to carry out this function.

Consultation Nil

Statutory Implications

Dog Act 1976 (as amended)

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Authorisation of officers will need to be advertised in the Government Gazette.

Officer's Comment

It is a legal requirement that any officer that effects the registration of dogs be authorised. Authorisation of officers also gives the Council and staff legal protection while carrying out this function and "acting in good faith".

The following staff members are required to be authorized as Dog Registration Officers:

- Anneke Scheepers
- Leanne Cunningham
- Riekie Long
- Christine Nunn
- Cassandra Woodruff
- Rachel Machado

In addition the following staff members have left the employ of the Town of Port Hedland and therefore their authorisation is required to be cancelled:

- Sherilyn Mathewson
- Pam Whiteford-Hey
- Kay Anderson

Attachments Nil

200910/184 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr J M Gillingham

That Council:

1. Authorize the following staff members as Dog Registration Officers for the Town of Port Hedland pursuant to the Dog Act 1976:-

a) Anneke Scheepers
b) Leanne Cunningham
c) Riekie Long
d) Christine Nunn
e) Cassandra Woodruff
f) Rachel Machado

2. Cancel the following previous staff members authorization as Dog Registration Officers:-

a) Sherilyn Mathewson
b) Pam Whiteford-Hey
c) Kay Anderson

Advertise the officers as listed in points i) and ii) above in the Government Gazette under appointments.

CARRIED 7/0

11.1.3.2 Weekly Rubbish Collection Service to Jinparinga, Punju Njamal (File No.:31/01/0001)

Officer	Darryal Eastwell Manager Environmental Health Services
Date of Report	1 December 2009
Disclosure of Interest by Officer	Nil

Summary

To consider providing a weekly rubbish collection service to the Aboriginal Communities of Jinparinga and Punju Njamal situated 30 kilometres out of town on a 50-50 basis with the Australian Government - Department of Families, Housing, Community Services and Indigenous Affairs (FHCS&IA)

Background

Earlier this year the Town received a request from the Jinparinga community to provide a rubbish service to their community situated some 30 kilometres out of Town on the Broome highway. The community is having difficulty in managing their landfill and is concerned with the public and environmental issues relating to operating such a facility.

In an attempt to assist the community, funding applications to various agencies and industry to assist the Town to commence the service were undertaken but proved unsuccessful.

Further approaches were made to FHCS&IA who advised that they were arranging a fortnightly service to the communities which was set up through the National Job Creation Package which was good news at the time.

In November, FHCS&IA advised that the proposal under the National Job Creation Package to start a service had hit some hurdles and has formally requested a partnership arrangement with the Town to commence the service.

The Department is prepared to contribute 50% of the costs to provide a weekly service to the communities in partnership with the Town.

There are a total of 16 dwellings at the Jinparinga (9) and Punju Njamal (7) communities.

Consultation

Consultation has been undertaken with Pilbara Meta Maya, Department of Health, Department of Families, Housing, Community Services & Indigenous Affairs and Town of Port Hedland staff.

Statutory Implications

Nil.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

At present the Communities of Jinparinga and Punju Njamal are situated on reserve land and are not subject to Council land rates.

Jinparinga	9 houses
Punju Njamal	7 houses
Extra bins	4 extra bins
Total	20 bins
Allow 2 extra bins for the playground areas in each community	
It would take 2.5 hours to complete the rubbish pick up at a charge out rate of $165 per hour	
Which equals 2.5 x $165 = $412.50/week x 52	$21,450 pa
20 bins at service rate $200	$ 4,000 pa
Total cost to provide service	$25,450pa

Based on a 50% funding arrangement the total cost of $25,450 per annum would be shared by FHCS&IA and the Town being $12,725.00 each per annum. FHCS&IA are prepared to enter into a Program Funding Agreement (PFA) from the 1st of January 2010 to commence the service and will also provide $2,000.00 in funding to replace missing and broken bins on the proviso that unspent funds would be carried forward into future financial years.

FHCS&IA have formally advised that it is their intention to continue the arrangement in the 2010-2011 financial year subject to funding being available.

A representative of FHCS&IA has advised informally that funding arrangements of this nature only come under threat if the service is not being provided.

It is within the capacity of Council's Engineering Service to provide this additional collection service.

Officer's Comment

By providing this service it will greatly enhance the public health and environmental aspects of operating a landfill adjacent to these communities. If domestic putrescible rubbish is collected regularly it will reduce the likelihood of odour vermin & insects negatively affecting the communities.

It will be recommended that Council proceed with a weekly collection service to the Jinparinga and Punju Njamal Communities in partnership with FHCS&IA.

Attachments

Nil

Officer's Recommendation

That Council enter into an agreement with the Australian Government – Department of Families, Housing, Community Services & Indigenous Affairs to supply a rubbish service to the Jinparinga and Punju Njamal on a 50/50 cost sharing basis as soon as practical.

200910/185 Council Decision

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

That Council not enter into an agreement with the Australian Government – Department of Families, Housing, Community Services & Indigenous Affairs to supply a rubbish service to the Jinparinga and Punju Njamal communities as this service should be funded by the Federal Government or other external agencies.

CARRIED 7/0

REASON: Council indicated that it believes the responsibility of these communities lies with the Federal Government and the Town of Port Hedland did not wish to financially support a service / duty Council should not be delivering.

11.1.3.3 Food Act 2008 Implementation (File No: 25/12/0003)

Officer	Michael Cuvalo Coordinator Environmental Health Services
Date of Report	27 November 2009
Disclosure of Interest by Officer	Nil

Summary

The *Food Act 2008* (the Act) and its subsidiary legislation have been gazetted and came into operation on 23 October 2009. This represents a quantum shift in the way that food legislation is structured and managed by Local Government within WA. All existing state food legislation is being repealed and the national framework is being adopted. To enable the Environmental Health Service to implement this legislation. delegations and fees need to be adopted by the Town.

Background

The Town has received written confirmation from the Department of Health (WA) that the new *Food Act 2008* and subsidiary legislation came into operation on 23 October, with a transition phase to allow for Local Governments to adapt to this change prior to 1 January 2010.

Issues

The *Food Act 2008* was passed on the 8 July 2008 by the Western Australian Parliament and implemented on the 23 October 2009. The Act will be the principal piece of legislation regulating the sale of food in Western Australia and provides food safety regulation over the entire food supply chain; a paddock to plate approach. This represents a significant shift in the direction of food regulation and management within WA.

The Act will apply to everyone involved in the sale of food in WA. Sale is defined broadly and includes activities such as:

- the supply of food as a meal to employees at the place of work in accordance with employment arrangements;
- offering of food as a prize or reward;
- the giving away of food for the purposes of advertisement;
- the supply of food under a contract together with accommodation, service or entertainment

The current food safety regulatory framework includes a number of legislative instruments created under the *Health Act 1911*.

These include the *Health (Food Hygiene) Regulations 1993*, the *Health (ANZ Food Standards Code Adoption) Regulations 2001*, the *Health (Meat Hygiene) Regulations 2001* and local government local laws. The Act will replace all of these legislative instruments. This regulatory system was prescriptive and consequently very inflexible. In contrast, the new Act provides for an outcome based approach. In this model of food regulation, food safety outcomes are assessed which provides the food industry the opportunity to be innovative in relation to food safety management. Furthermore, the Act clarifies that the responsibility for food safety rests on the food business.

The Act implements the *Australia New Zealand Food Standards Code* (the Code). This means that all food safety requirements are contained within this national code. The advantage of this approach is that it provides for national consistency; a food business in WA will need to meet the same requirements as a food business operating anywhere else in Australia. Chapter 3 of the Code, known as the *Food Safety Standards*, contains the minimum food handling, hygiene and structural requirements for all food businesses. It is expected that food businesses that comply with the current legislation in terms of food premises fit out and construction will comply with the standard required in the Code.

The Act makes significant changes to the way food safety is managed that the Town needs to be aware of:

Food Safety Programs

Food Safety Programs must be implemented in food businesses that are captured under *Standard 3.3.1 (Food Safety Programs for Food Service to Vulnerable Persons*) of the Code; specifically high-risk food businesses such as hospitals, nursing homes and child care centres. Although not a legal requirement for all food businesses, food safety programs are an effective food safety management tool and assist food businesses to manage their food safety risks. In addition, they are invaluable in ensuring that food businesses are able to demonstrate that all reasonable measures are being taken to produce safe and suitable food.

Notification Requirements

All food businesses must notify the appropriate enforcement agency in writing that they plan to conduct a food business. The information required includes contact details, the nature of the food business and the location of all proposed food premises. The purpose of notification is so that enforcement agencies know of their existence can contact them if required and know the sort of food business in operation. In addition, it enables them to make a decision as to whether the food business needs to apply for registration as a food business.

This will include premises ranging from food manufacturers down to the newsagent and chemist selling bagged confectionary and community groups selling food. (Though community groups will be exempt from fees.)

Registration

Section 109 of the Act specifies that it is an offence to conduct a food business at any premises unless the food business is registered with the relevant enforcement agency in respect of those premises. This enables the enforcement agency to be aware of all food businesses trading within its responsible area and collect information in relation to food handling so that targeted food safety education, surveillance, enforcement and awareness programs can be developed. The Town of Port Hedland is an enforcement agency. Low risk food premises (e.g. Newsagents selling bagged confectionary) are provided with an exemption from registration but are still required to notify the Town. The Towns Environmental Health Service does not propose to charge community groups and not-for-profit organisations any registration fees as is the current practice. This is reflected in the proposed fees.

Enforcement

The Act provides the Town's Environmental Health Service with a number of new enforcement options, designed to assist in managing compliance with the food standards. Depending on the severity of food safety breaches, authorised officers from enforcement agencies may issue or initiate any of the following:

- formal warnings
- improvement notices;
- prohibition orders;
- infringement notices (fines)
- legal action through the Courts (penalties now range from $10,000 to $500,000 and can include imprisonment in extreme cases)

Section 122 of the Act requires that the Town prepare and maintain a list of authorised officers appointed by the Town. Staff employed as Environmental Health Officers are considered to have the appropriate qualifications and experience to be appointed as an authorised officer for the purposes of the Food Act.

The Act differs greatly from the current Health Act 1911 in that premise proprietors can be issued infringement notices (on the spot fines) for minor breaches or non-compliance where deemed necessary. Previously there has been no ability to financially penalise a premises for non compliance unless a magistrate imposed a fine as a result of prosecution action in the Court.

The Act requires certain persons to be delegated for the purposes of serving and withdrawing infringement notices.

The Towns Environmental Health Officer's are the logical persons to be "Delegated Officers" authorised to apply Section 126 (2). Delegated Officers authorised to issue infringements are prohibited from being able to withdraw the infringement notice, therefore the CEO and Director of Community and Regulatory Services should be "Delegated Officers" for the purposes of Section 126 (7) of the Act to withdraw any infringements served. Refer to Delegated Authority Attachment.

The Food Act gives autonomy to Local Government to impose and recover fees under the *Local Government Act 1995 Part 6 Division 5 Subdivision 2* for functions such as notification, registration, assessments, transfers etc. All WA Councils including the Town of Port Hedland will be able to determine their own fee arrangements within the content of the Acts. The fees should reflect the cost incurred in providing the service. This would involve premises assessment, sampling procedure, education/training support, and administration.

All premises will be required to notify the Town that they are preparing or selling food products. The Act requires the Town to prepare and maintain a list of all premises which have notified the Town that they are operating and those which are registered to operate within the District. An initial notification fee will be charged to all premises except those which are exempt by the Act or not-for-profit/community groups. This is one of the means by which the Town can support its community groups.

All premises subject to risk assessment/inspection will be required to register with the Town. The Town's Environmental Health Service Staff will risk-rank these premises to determine the number of assessments which will be carried out, with those premises requiring more frequent assessment being charged a greater amount. Section 140(2) of the Act enables the Town to charge a fee for the carrying out of the assessment, irrespective of whether or not the inspection is asked for or agreed to.

The Town's Environmental Health Service recommends the introduction of an annual Registered Premises Inspection Fee based upon the risk that the food premises poses to the public. Premises which prepare and serve certain types of foods to the public, and especially at risk populations (child cares, nursing homes etc) will receive a higher risk ranking than one which only heats up a pre-packed product before service to the public. The registration of a food premises would remain in force indefinitely, provided that the premises does not close and pays the annual Registered Premises Inspection Fee.

"The proposed fee structure is based on an hourly rate of $88 per officer which includes all staffing costs, administration and vehicle/travel costs. The intent is to charge $200 per food premises assessment, with a re-inspection to assess compliance being supplied free of charge. Where a further re-assessment is required when compliance has not been achieved after the first re-assessment a fee of $88 per hour or part thereof will be charged. There is no intent to conduct assessments of very low risk premises therefore no fee will be levied for these premises. The proposed fee structure is based upon cost recovery only and is consistent with fees at the Shire of Roebourne."

Based on the 93 food premises which the Town's Environmental Health Service is aware of operating within the district, assuming 75% of these are either medium or high risk premises, the anticipated income from charging the annual Registration Fees would be $29,000. Notification of these premises would increase this fee by a further $3,500. Please note that there are many other premises which will be required to notify the Town, however will not be subject to annual registration. This will bring in further fees to the Town.

Consultation

The Town's Environmental Health Service intends to write to each of the food premises that we are aware of, together with hairdressing premises, chemists, video stores and similar business which may sell packaged foods or provide food and drink with their service (but are not currently assessed by the Town). Information will also be included on the Towns website alerting both business and the public of the legislative changes.

Statutory Implications

The Food Act 2008 gives autonomy to Local Government to impose and recover fees under the Local Government Act 1995 Part 6 Division 5 Subdivision 2 for:-

- Notification (s107)
- Registration (s110)
- Any function performed under the Act (s140(1))
- Provision of information or for carrying out of any
- inspection (s140(2))

Section 6.19 of the Local Government Act 1995 requires Council to give local public notice when introducing fees and charges outside the annual budget process. The Notice is to give the intention of introducing the fee and when the fee would become effective.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

If the fees included in this report are adopted, the anticipated income for 2009/10 will be approximately $35,000. As fees are being implemented under Local Government Act 1995 Part 6 Division 5 Subdivision 2, an Absolute Majority decision of Council is required.

Officer's Comment

Nil

Attachments Nil

200910/186 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That Council:

i) Amend the delegated Authority Register to include delegations specific to the introduction and implementation of the Food Act 2008 to reflect the following:-

Delegate To	Authority being delegated	Legislative Power being delegated
CEO	**Prosecute for breach of the Food Act**	**Section 118**
CEO and Director Regulatory Services	**Authority to issue a Prohibition order where a food proprietor has not complied with an improvement notice or the order is required to mitigate a serious danger to Public Health**	**Section 65 (1)**
CEO and Director Regulatory Services	**Officers designated by the Shire for the purposes of withdrawing Infringement Notices for**	**Section 126 (13)**

	breach of the Act. These persons are prohibited by the Act from serving Infringement Notices.	
Manager Environmental Health and Environmental Health Officers	**Designated Officers" listed by the Town for the purposes of serving Infringement Notices for breach of the Act**	**Section 126 (2)**
Manager Environmental Health and Environmental Health Officers	**"Authorised Officers" listed by the Town for the purposes of administering the Act.**	**Section 122 (1)**

ii) Council adopt the new notification and registration system for food premises in accordance with the Food Act 2008, effective from 1 January 2010;

iii) Council adopt and advertise the fees associated with the introduction and implementation of the Food Act 2008, effective 1 January 2010. Proposed fees as below:

FOOD ACT 2008 SCHEDULE OF FEES

NOTIFICATION FEE (inc GST)

High, Medium and low risk premises	$50.00
Exempted Food Premises, not-for-profit and Community groups	No fee

REGISTERED PREMISES ASSESSMENT FEE

Annual risk assessment/inspection fees (inclusive of GST)-

High risk	(2 assmt/yr)	$400
Medium risk	(2 assmt/yr)	$400
Low risk	(1 assmt/yr)	$200
Very low risk		No Fee
2nd & subsequent re-assessment		$88/hr of officer time
Transfer fee		$50

APPLICATION FEE

Construct or establish a food premises (S110(3)) which includes notification fee-

High risk	$275
Medium risk	$275
Low risk	$170

NOTE: As per the Food Act, any fees and charges set by regulation take precedence over Council Fees and Charges.

SUPPLEMENTAL FEES BASED OF FEE FOR SERVICE (AS PER LOCAL GOVERNMENT ACT 1995 PART 6 DIVISION 5 SUBDIVISION 2)

Fee for Service on Demand (inc Section 39 certificate, freezer breakdown, inspection on request) –

1st Hour or part thereof	$176
Every hour thereafter or part thereof	$88

NOTE: Fee for service applies to all Environmental Health service delivery and is not limited to food matters only.

And

iv) Implement a program to inform and educate food premises proprietors and staff about the new Food Act 2008

CARRIED 7/0

11.1.4 Community Services

11.1.4.1 Hedland Youth Zone Tender (File No.: 03/09/0004)

Officer	Julie Broad Manager Community Development
Date of Report	2 December 2009
Disclosure of Interest by Officer	Nil

Summary

To consider calling for tenders for the construction of the Hedland Youth Zone at the J D Hardie Centre in Cottier Drive, South Hedland.

Background

Council went to tender in September 2008 for the design of the Hedland Youth Zone on the site of the J D Hardie Centre in Cottier Drive, South Hedland. This tender was awarded to Holton Connor Architects.

Holton Connor have now completed the detailed design work and documentation required in preparation for tendering the construction of the project.

The project had a budget of $7,700,000, and an interim quantity surveyor cost estimate at June 2009 of $7,959,000. Avenues to secure the additional funding were being pursued.

At its Informal Briefing Session of 11th November 2009 Council considered a progress report on the conversion of the J D Hardie Centre from a Recreation facility to a dedicated Youth Zone. It was agreed to proceed with the project at its current scope of works and secure the additional funding required.

Consultation

Extensive community consultation was undertaken at the beginning of the project, and this work informed the development of the Business Plan and Concept Design Brief presented to Council in 2008.

Since that time, further consultation and information dissemination has occurred through:

- Media Releases
- Email correspondence

- Youth focus groups
  - Hedland Youth Leadership Coalition
  - Hedland Young Leaders Program
- Hard copy displays

In addition, discussion and feedback have been obtained from

- Youth & Recreation Facilities Working Group
- ToPH
  - Chief Executive Officer
  - Director Community & Regulatory Services
  - Youth Coordinator
- Holton Connor Architects
- Hedland Youth Services Action Group
- Hedland Youth Leadership Coalition

Statutory Implications

Nil.

Policy Implications

Nil.

Strategic Planning Implications

Key Results Area 3: Community Development - Council in it's Plan for the Future has identified Youth and Children's' Services as critical to achieving a more vibrant, sustainable community.
Goal 1: Youth & Children – That parents and young people in the Town have access to a range of facilities and services that is comparable to a metropolitan area.
Strategy 2: Convert the J D Hardie Centre into a more Youth – focused facility

Budget Implications

The Youth Zone has a budget of $8,395,000 secured from:

Carry forward from 2008/09	$5,495,000
Comprising contributions from	
Town of Port Hedland	
BHP Billiton	
South Hedland New Living	
Royalties for Regions	2,900,000
TOTAL:	$8,395,000

The Quantity Surveyor interim estimate was $7,959,000 at June 2009 costs. Revised Quantity Surveyor estimates at November 2009, including roofing structural revision to eliminate problematic box guttering, and the air conditioning upgrade, are $9,183,000.

Extensive analysis is underway to identify where cost savings can be realised without compromising the integrity of the Youth Zone project, so that the project can go to tender within budget.

As identified, the capital cost component has been confirmed, however ongoing annual operational losses still need to be considered. In the preliminary business planning stage, the projected operational losses were:

ESTIMATED NET OPERATING COSTS:

1. *Pre-Development (Current operations):*

- Existing sport & recreation activities continue
- Initiate on-site youth programs
- Build relationships with existing youth service agencies
- Work collaboratively with the Hedland Youth Leadership Coalition

NET COST:	Worst	Expected	Best
	$572,176	$458,734	$386,841

2. *During construction of new Multipurpose Recreation Centre (2009 – 2011):*

- Existing sport & recreation activities continue

NET COST:	Worst	Expected	Best
	$670,031	$579,127	$501,260

- Introduce innovative sport, social and community activities that can be transferred to the new sport & recreation centre

NET COST:	Worst	Expected	Best
	$693,558	$666,280	$584,522

- Instigate a new generation of youth programs and services

NET COST:	Worst	Expected	Best
	$801,148	$770,258	$594,410

3. *Following completion of new sport and recreation centre and migration of sport & recreation activities to new site (2012 onwards):*

- Youth programs, activities and events coordinated by Town of Port Hedland youth services staff
- Youth programs and services delivered by on-site service agencies
- External organisations hire facilities to conduct youth programs

NET COST:	Worst	Expected	Best
	$630,283	$604,089	$525,554

For this project to proceed, Council will need an awareness and understanding that operational losses are expected following the redevelopment of the Youth Zone and construction of the Multi-purpose Recreation Centre facility, in terms of operation and management.

Officer's Comment

Detailed architectural, hydraulic, electrical, mechanical and structural design work and documentation is now complete for the construction of the Hedland Youth Zone.

Revised quantity surveyor costings have been received, and costs are estimated at $9,183,000. This amount includes an amount of:

Net Project Cost Subtotal:	$7,388,426
Contingency	554,574
Furniture & Equipment	440,000
Professional Fees & Disbursements	701,130
TOTAL:	$9,084,130

NB: The tender to design the Youth Zone, at a Lump sum tender price of $318,208 was separately funded, thus reducing the contract price to:

	$9,084,130
	- 318,208
TOTAL	$8,765,922

Current budget is $8,395,000, thus the scope of works must be revised for quantity surveyor calculations to match this figure before the project can proceed to tender for the work.

Work in currently underway to identify areas of the design which can be reduced or eliminated in the current proposal, in order to reduce the estimated cost to $8 million.

With the new Multi-purpose Recreation Facility nearing completion, tendering both projects together has the following advantages:

- It may attract a wider field of suitable companies, with high level capability to construct the projects on time, on budget
- It may provide economies of scale to companies in the construction market, allowing more competitive bids to be placed.

Attachments

Nil.

Officer's Recommendation

That Council call for tenders for the construction of the Hedland Youth Zone provided Quantity Surveyor cost estimates are within budget, in conjunction with calling tenders for the proposed Multi-Purpose Recreation Centre.

200910/187 Council Decision / Alternate Recommendation

Moved: Cr S J Coates **Seconded:** Cr J M Gillingham

That Council:

i) call for tenders for the construction of the Hedland Youth Zone, in conjunction with calling tenders for the proposed Multi-Purpose Recreation Centre, and

ii) allocate $319,000 additional funds from the Municipal surplus to this project.

CARRIED 7/0

Reason: Council indicated a desire to see this project proceed and subsequently added additional funds to the project from unallocated surplus to ensure that the full scope of works could be attained.

11.1.4.2 Yandeyarra Bus Service (File No.: 28/01/0007; 30/18/0001)

Officer Julie Broad
Manager Community Services

Date of Report 1 December 2009

Disclosure of Interest by Officer Nil

Summary

To provide an interim report on the trial of a bus service to the community of Yandeyarra, enabling residents to travel to Port and South Hedland for medical appointments, banking, shopping and social purposes.

Background

At its Ordinary Meeting held on 24 June 2009, Council resolved to"

"…i) Proceed with a twelve week trial bus service to Yandeyarra (8 services per week); and

ii) Include the following charges within the schedule of fees and charges in the 09/10 budget.

Adult Fare between Yandeyarra and Port Hedland – one way	*$20*
Child over 5 yrs Fare between Port Hedland and Yandeyarra – one way	*$5*
Patient transport	*As per PATS subsidy*
Freight	*$20 per passenger equivalent by weight or volume*

The trial has been proposed to evaluate if provision of the bus service would alleviate the very low rates of attendance at specialist medical appointments made on behalf of Yandeyarra residents, an issue identified by health professionals in Port Hedland.

The intent of the trial is also to establish if the provision of the bus service is a viable business opportunity, in line with Council's economic development objectives.

The trial of a bus service to the community of Yandeyarra commenced on 31st August 2009.

This is the interim report on progress of the trial.

Consultation

Consultations on the trial have been undertaken with:-

- Jamie Coppin, then Chair, Mugarinya Council
- Sai Lim, Coordinator Yandeyarra community
- Judith Bennett – Yandeyarra Remote Community Nurse
- Ernest Richard – PATS Manager at PH Regional Hospital
- Stephen Comeagain – Regional Manager ICC
- Potential contractors of the bus service
- Director and Manager Engineering Services
- Manager Information Services and Administration Coordinator
- A/Manager Library Services (ticket location)

Statutory Implications

The driver requires the necessary MR Licence, F Licence (to carry paying passengers) and possibly a "working with children licence" if children were permitted to travel without the supervision of adults.

Policy Implications

Nil.

Strategic Planning Implications

While the Plan for the Future addresses issues related to community visitors (and this initiative will reduce camping in South Hedland) and improvement of access to medical services, there are no specific strategic planning implications related to this initiative.

Budget Implications

It was estimated in the proposal to trial this bus service that each trip to or from Yandeyarra would cost approx $260.00 nett, giving an estimate of $12, 480 plus administrative costs for the 12 weeks of the trial. It has subsequently been demonstrated that less trips are needed per week than originally planned..

Extending the trial by an additional 12 weeks with varied weekly trips can be accommodated within the existing budget.

Officer's Comment

On commencement, the Yandeyarra bus trial was initially scheduled to run on Monday, Tuesday and Thursday of each week.

Consultation with the community on the effectiveness of the service has occurred at regular intervals throughout the trial. At the request of the Yandeyarra community, the days were altered to Thursday and Friday of each week, as these days are when income is received by members of the community and shopping can be done.

The community store is currently closed, with major upgrades required to the refrigeration facilities before it can re-open, so food shopping is now a higher priority for Yandeyarra families.

Yandeyarra community management has indicated that the frequency of trips could be increased once Lore Business commences, as the community may increase to approximately 2,000 people over this time.

Yandeyarra members will liaise with Council on the anticipated dates of this activity and this will be considered within budget constraints.

The community has had fluctuations in numbers for cultural reasons, and as a result the bus service has been halted for short periods during the trial, resuming again on the advice of Yandeyarra.

Number of passengers to date:

- Patient Assisted Travel Scheme (PATS): 12
- Agency staff or potential drivers: 4
- Community members are not captured in manifests from Yandeyarra, and are not using the booking system at the Civic Centre or South Hedland Library. Anecdotal observation from Yandeyarra coordinator Sai Lim is that the bus is ¾ full each trip, which would give an approximate total of 360 passengers.
- One special trip was arranged in September to bring women in for mammography screening with the Breast Screen WA bus based at Gemini Medical Centre. 16 women took advantage of this service.

Difficulties have also been experienced in providing Council drivers for the service, due to ill health and staff shortages. An “F” class driver’s licence is required of any driver of a bus which collects fares from passengers, and while current Council staff are obtaining the required licence the trial has been unable to charge for passage. Responses to advertising for casual drivers for the bus service has produced a pool of potential staff who are willing to obtain the “F” licence.

Until the service is running with a roster of drivers, all of whom have the required "F" Licence, fees from passengers cannot legally be collected. Thus it has been difficult to estimate with any accuracy the commercial viability of the bus service.

An issue raised by the management of the Yandeyarra community is that there are currently no EFTPOS facilities at Yandeyarra while the store is closed. This will make it difficult for the residents to have cash to pay for tickets at the Yandeyarra point of departure for the journey.

The price of the tickets, at $20 per adult is also perceived as a barrier to residents using the service, as most are on low incomes. In discussion with management of Yandeyarra, after rent and water charges are pre-deducted from their pensions, $201 per adult remains and $40 for each round trip takes a significant amount from this amount, reducing the amount available for food and other necessities.

A proposal has been developed with Yandeyarra management for the Mugarinya Council to pay Council monthly for the bus service, based on an agreed average occupancy and the number of actual trips, and for community members to travel free of charge.

This monthly charge has been calculated using:

Average of 15 passengers x $40 return fare $600 per trip

2 trips per week $4,800 per 4 weeks

This recommendation is proposed to be put to the newly-elected Mugarinya Council at it's first meeting but due to cultural reasons this meeting is yet to occur.

At its Ordinary Meeting held on 24 June, Council considered the item proposing a trial of the Yandeyarra bus service. In this item,

> *"it was estimated that each trip to or from Yandeyarra would cost approximately $260."*

If the proposal outlined above for the Mugarinya Council to meet the cost of the bus service is accepted, the service would be adequately covering it's running costs with no further impact on the budget.

The ticketing system is in readiness for fee charging to commence. Passenger manifests are being created for each trip, and the process of reconciliation of ticket sales to passengers is established.

With the difficulties in recruiting qualified drivers to allow for fee-for-passenger service, and community utilisation of the bus service restricted at times due to cultural business, effective assessment of the trial has been limited.

It is recommended that the trial be extended into the first quarter of 2010 to allow full assessment of the commercial viability of the bus service and thus promote it's attractiveness to potential commercial operators.

Attachments

Nil.

Officer's Recommendation

That Council extends the trial bus service to Yandeyarra by a further twelve (12) weeks.

200910/188 Council Decision

Moved: Cr A A Carter **Seconded:** Cr J M Gillingham

That Council:

i) Not continue the service after another 6 weeks to Yandeyarra as the service is not being utilised to its expectancy from the information supplied from the 12 week trial statistics.
ii) Lobby State and Federal Governments to provide a suitable bus service that accommodates the needs of outlying aboriginal communities.

CARRIED 4/3

NOTE: Cr G J Daccache requested the votes be recorded.

Record of Vote:

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

REASON: Council indicated that it believed the service was being under utilised by patrons and that responsibility lies within other areas of Government to provide this type of service and also interest has been expressed from the private sector to supply a future service.

11.2 ENGINEERING SERVICES

11.2.1 Director Engineering Services

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

Officer	Russell Dyer Director Engineering Services
Date of Report	2 December 2009
Disclosure of Interest by Officer	Nil

Summary

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

Background

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

Consultation

Engineering Services officers.

Statutory Implications	Nil
Policy Implications	Nil

Strategic Planning Implications

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

Budget Implications

The projects listed in the Engineering Monthly report have been included in Council's 2009/10 budget.

Officer's Comment

Nil.

Attachments

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

200910/189 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

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

CARRIED 7/0

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1108420	**Hawks Clubrooms** Scope: Installation of temporary clubhouse at McGregor Street Reserve	COMPLETE		Complete												
	Diamond 1 Back net Scope: Replacement of back net at Diamond 1 following Cyclone George	COMPLETE		Complete												
1107430	**SHAC Upgrade** Scope: Design, purchase and installation of 7 x shade sails at SHAC	COMPLETE		Complete												
	SHAC Upgrade Scope: Replacement of filters, installation of lockers and change tables.	COMPLETE		Complete												
1106430	**GAC Upgrade** Scope: Replacement of filters and installation of shade structures	COMPLETE		Complete												
1109451	**McGregor Street Oval Upgrade** Scope: Completion of Master Plan for McGregor St Reserve	COUNCIL		Carry Forward Project. Final Master Plan completed and forwarded to stakeholders with all responses provided to Council Oct OCM. Matter laid on the table, with a presentation to the Nov briefing occurring. Final item created for the Dec OCM for decision on continuation, rejection or 'other' to be made												
1111437	**Recreation Reserve Redevelopment** Scope: Upgrade of oval and irrigation at Colin Matheson Oval	COUNCIL / CONTRACTORS		C/F Project. Project 50% completed. Installation of irrigation commenced week of 23rd Nov, with completion date due 18th Dec. Tender for turf awarded at Nov OCM, with turf expected 2nd week of Jan 10. Water connections being investigated.												
1108269	**Multi-Purpose Rec. Centre - Architectural Design** Scope: Completion of Architectural Designs	CONTRACTOR		C/F Project. Final internal schematics being discussed, as well as car parking, building and planning requirements. Architects have indicated that project will complete 6 weeks after final endorsement. Aims are to jointly tender the MPRC with the JD Hardie Centre Upgrade, with tender scheduled for mid Jan 10. Contract Manager to be employed to oversee construction. Business plan to be developed following completion of internal schematics.												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1108420 1108421	**Multi Purpose Recreation Centre - construction** Scope: Construction of MPRC - Stage 1			Project due to commence following completion of architectural designs. Project anticipated to be jointly tendered with the JD Hardie Centre redevelopment. Tender scheduled to be advertised mid Jan 2010.												
1109455	**Colin Matheson Clubrooms** Scope: Design and Construction of Colin Matheson Clubrooms	COUNCIL		C/F Project. D&C tender presented to OCM August, with all tenders rejected due to major changes in scope. Scope altered to exclude commercial kitchen and individual association components - final result expected to be a community based facility. Tender scheduled for advertisement in Jan with construction intended in Sept 10.												
1201440	**Town Cycle Plan: Bicycle Parking** Scope: Year 1 component of the Town Cycle Plan	COUNCIL		C/F Project. Orders for racks placed, with all stakeholders consulted re: locations. Bike sheds to be purchased for certain areas.												
	Town Cycle Plan: On-road Circuits Scope: Year 1 component of the Town Cycle Plan	COUNCIL		5 x circuits identified in both Port and South Hedland. Meeting with Main Roads WA occurred on 28th Oct, with Perth personnel requiring input into these circuits. Some identified roads may be unable to be utilised due to road widths, however advice/recommendations being provided by Main Roads WA. Recommendations being presented to Jan OCM.												
	Town Cycle Plan: Shared Paths Scope: Year 1 component of the Town Cycle Plan	COUNCIL		Shared path completed along Styles Road and Counihan Road. Crawford St being investigated, with quotes being requested.												
	Town Cycle Plan: Port to South Hedland Path Scope: Year 1 component of the Town Cycle Plan	COUNCIL		Contract for design awarded to Porter Engineering, with estimated completion date March 10. Design includes detailed design, site survey, concept plans, QS for construction and recommendations.												
	Town Cycle Plan: Spot Improvements Scope: Year 1 component of the Town Cycle Plan	COUNCIL		For discussion with Main Roads WA in Perth (inc. 'Road Ahead' signage on footpath instead of Give Way signage). BHPB to consider bike edge lane along Anderson when upgrading.												
1107239	**SHAC Design** Scope: Detailed designs for complete upgrade at SHAC	CONTRACTOR		Design component commenced, with final draft received (following staff and community consultation). Presentation to Council required prior to detailed QS and completion of recommendations. Application submitted to CSRFF for forward planning.												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1109454	**McGregor St Reserve Rehab**Scope: Upgrading surfaces of sports fields	COUNCIL		Works to be undertaken over the following 6 months, along with all other rehabilitation works of reserves and parks. All works are being determined based on need. Renovation program to be undertaken of all active areas early in the New Year.												
1104420	**JD Hardie Centre P&E** Scope: Updating of P&E at JDHC	COUNCIL		Plant and Equipment Audit to be undertaken in December 2009, with orders placed in January.												
1109456	**Cricket Net Upgrades** Scope: Upgrade to existing cricket nets in Port and South Hedland	COUNCIL		Artificial Turf received week of 30th Nov. CPDO investigating possible net extensions and maintenance for existing facilities.												
NEW	**Overhead Lighting Plan** Scope: Commencement of recommendations as per OCM endorsement	COUNCIL		Dept Sport and Recreation have advised the $75,000 grant to ToPH has been successful. Scope now being developed for undertaking a detailed design and these works.												
1106413	**GAC P & E** Scope: Purchase of P & E at GAC	COUNCIL		Completing 2008/09 project. Obtaining quotes for pool blanket covers.												
1105236	**GAC Gym Maintenance** Scope: Quarterly audit and review of gym equipment and assets	COUNCIL		Quarterly maintenance on schedule.												
1108264	**Walk it Hedland Project** Scope: Encouraging community members to become physically active	COUNCIL		Project nearing completion. All funds requiring acquittal have been completed, with the remaining funds to be used in Nov 2009 for the PAW Walk, and in March 2010 for the Corporate Challenge.												
Recreation - Other	**Safety at Sporting Reserves** **Hawks Clubrooms** **Overhead Lights** **Aquatic Centre** **Management Committees**	COUNCIL	Ongoing	Sea container removal requested, with storage sheds now available. Facility checks done monthly Historical Society providing recommendations for presentation to OCM Audits received. Priorities placed on reserves with funding to be requested at quarterly review Dangerous Goods Notification developments required. Monthly contract management and maintenance. Establishment of management committees per reserve re: use, maintenance etc												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
	JD Hardie Centre Upgrades			Final upgrades to be completed inc. road widening, fencing relocation and bike rack installation												
	Healthy Lifestyle			Healthy Lifestyle policy being developed to encourage a healthy and active workplace												
	JDHC - General			Term 4 commenced. New supervisor to commence 9th Nov. Events being planned												
	JDHC - Term			Term programs commenced, with funding for each program. 8 programs occurring												
	JDHC - Sports			Sports programs commenced, with new Women's Netball introduced.												
	JDHC - Holiday Program			Program arranged for Jan 2010.												
	Club Development			CDO to commence 16th Nov, with business plan developed.												
	Sports Information			Fortnightly												
	User Fees			New seasons to be invoiced Nov.												
	Boundary Fencing			Caltex and FIC returning information re: 50% reimbursement												
	Australia Day Sports Awards			To be advertised Nov 09, for awards on Aust. Day												
	Volunteer Recognition			Community Event arranged for Dec.												
	Skatepark Fencing			Alternatives being investigated, although fencing fully repaired currently												
	Swans FC			Financial difficulties have lead to payment plan requiring development. Nov OCM												
	PH Tennis Club Wall			Survey being undertaken of wall to determine structural integrity												
	SH Bowls and Tennis Club			Meeting to determine progress of redevelopment due to fire. Project Manager to be determined												
1011410	**Waste Water Re-Use System** Scope: Install flushing system following trial of new system at KSO			Flushing system for Colin Matheson oval programmed in conjunction with reticulation of the Oval, works have commenced with completion due prior to Xmas.												
1009480	**Old Port Hedland Cemetery** Scope: Landscaping and verge treatment along Sutherland street adjacent to Old PH Cemetery	COMPLETE		Complete												
1201487, 1201422 & 1201421 (R4R)	**Street Lighting Upgrades** Scope: 0809 stage 2 - Captains, Dongara, Dulverton, Koolama, Scadden, plus 0910	HORIZON POWER		Horizon Power are progressing the upgrades as scheduled. Quotes have been lower than budget estimates therefore staff are investigating additional upgrades, separate to the proposed underground power project.												
1105410	**Finucane Island Boat Ramp shade** Scope: Installation of 1 shade structure	CONTRACTOR		Complete												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1105410	**Finucane Island Boat Ramp** Scope: parking, solar lighting	CONTRACTOR		Staff are exploring options for solar lighting with budget remaining after reseal cost estimates (scheduled for April). Consideration will be made for location of future toilet.												
1111446	**Playground Shade** Scope: Installation of shade at Daylesford and Marrapikurinya parks	CONTRACTOR		Complete												
1105424	**Port Hedland Boat Ramp** Scope: Asphalt seal to top of ramp	CONTRACTOR		Top of boat ramp area to be resealed with asphalt. Contractors due beginning December.												
1009481	**Cemetery Upgrade** Scope: Main Cemetery, concrete lintels, replace plot markers, fencing, landscaping, to be reviewed	CONTRACTOR		Clean up is progressing to schedule. New fence to rear boundary is complete. Replacement of mesh to existing posts and rails on side fence is 90% complete. Currently investigating watering requirements (pressures, connection locations) for landscaping works.												
1201481 & 1201418 (R4R)	**Walkway/Park Lighting**Scope: Baler car park, Lions park, Koombana Lookout, Greene place and Civic Centre walkway	CONTRACTOR		The Environmental Protection Authority has advised that no further assessment or conditions are required for the installation of 'orange' HPS lights on the footpath between the Civic Centre and All Seasons Hotel (foreshore side). The quote is being reviewed in consideration of the lapsed time prior to issuing a purchase order to Horizon Power.												
1201439 & 1201412 (RFR)	**Public Infrastructure** Scope: Bins, seating, shade, water fountains, etc. Inc shade as per AAWG	CONTRACTOR		Installation of BBQ's has commenced. Scheduled for Marrapikurinya park, Koombana Lookout, Cemetery Beach park, Shay Gap park, SHAC and GAC. Inconsistencies in drink fountain installation quotes are being investigated prior to awarding contract. Fountains to be installed in Shay Gap park, Cemetery Beach park, Sutherland Nodes, Pretty Pool, McGregor oval and Bert Madigan park												
1201450 & 1201415 (R4R)	**Boulevard Tree Planting** Scope: Planting of street trees to Murdoch drive	CONTRACTOR		Additional trees have been ordered to accommodate early planting in future programs. 2009/10 project scheduled to commence April.												
1201475 &	**PH Footpath Construction** Scope: Harper, Butler, Kingsmill, Anderson	CONTRACTOR		Complete.												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1201416 (R4R)																
1201476 & 1201417 (R4R)	**SH Footpath Construction** Scope: Clam, Cone, Dorrigo, Kwinana, Lovell and Mauger	CONTRACTOR		Staff are reviewing budget and program. Likely that additional path can be constructed from Kalarra House to SH Shopping Centre as per request from Community Safety and Crime Prevention working group.												
1111436	**Bore Installations** Scope: Investigation and installation of bores at McGregor street and KSO re-use tanks	CONTRACTOR		Quotes being sourced from suitably qualified drilling contractors to undertake further pump tests to ascertain that the quantity and quality of water initially found at Kevin Scott Oval is sufficient to invest in a production bore												
1201458	**Throssell Street Streetscape** Scope: median planting, street trees, turf, banner poles, garden planting	COUNCIL		Bougainvillea and further tree planting towards Hamilton road to be completed by end November.												
1111448	**Kevin Scott Oval Reservoir Flushing System** Scope: Installation of flushing system to re-use water tanks (Tender 09/01)	CONTRACTOR		Construction of freshwater flushing tank has commenced on site. Works proceeding as scheduled.												
1203440	**Floodwater Pump Upgrade** Scope: Design and installation of new electrical cabinet at West End Flood Pumps	CONTRACTOR		CNF & Associates being asked to submit price and availability of undertaking inspection of floodwater electrical cabinets and cost installation of new cabinets. Scope for requested works being prepared in December												
1201411	**Richardson street Parking** Scope: Design and installation of street parking on Richardson street (kerbing, line marking, tree planting)	COUNCIL/ CONTRACTORS		Construction detailed designs being finalised. Quotes being sourced and contractors finalising schedule for construction. Construction to commence December.												
1111435	**Stairway to the Moon** Scope: Viewing platform construction near Taylor street, dune rehab, interpretive signage, car park	CONTRACTOR		Application has approved for RLCIP funding as per Council resolution from October OCM. Tender development can now commence, to be advertised in the new year. Expect tender to be awarded at February Council meeting.												
1201461	**Town Entry Statement** Scope: Landscaping component at GNH information bay sculpture	COUNCIL/ CONTRATOR		Complete.												
1201435	**Limpet crescent (Black spot)** Scope: RSA, design and cost estimate for construction	DESIGN ONLY 09/10		A road safety audit has been undertaken and is currently being documented and assessed. This will then lead to design recommendations to												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
				progress the project.												
1201486	**Wedgefield Upgrades** Scope: Panga street/Cajarina intersection upgrades, turning lane and reconstruction	DESIGN ONLY 09/10		MRWA undertaking road safety audit on new highway works including Panga/Cajarina intersection in November in conjunction with Council staff. Design works pending outcomes of audit. Upgrade works to consider new land release.												
1201457	**Yandeyarra road** Scope: Resheeting and formation improvements	COUNCIL		Staff with consult with Yandeyarra Community prior to finalising works scope. Scheduled to commence after cyclone season.												
1201473	**Drainage Construction** Scope: Survey, design and cost estimates for 5 year plan of PH LIA drainage improvements	DESIGN ONLY 09/10		Scope of work for Port Hedland LIA Drainage will not be finalised until February 2010. RFQ will be issued to appropriate contractors in Feb 2010												
1201452	**North Circular road West** Scope: Forming and sealing of shoulders - 1m wide each side	COUNCIL/ CONTRATOR		As per budget review - project identified and funded through unallocated R2R funding. Scheduled for April/May when sealing contractors are available for 2nd visit												
1201453	**Hamilton road** Scope: Forming and sealing of shoulders - 1m wide each side (Nth Circular to GNH)	COUNCIL/ CONTRATOR		As per budget review - project identified and funded through unallocated R2R funding. Scheduled for April/May when sealing contractors are available for 2nd visit												
1201new 3	**Murdoch drive** Scope: Forming and sealing of shoulders - 1m wide each side	COUNCIL/ CONTRATOR		As per budget review - project identified and funded through unallocated R2R funding. Scheduled for April/May when sealing contractors are available for 2nd visit												
1201new 1	**North Circular road East** Scope: Form and sealing of shoulders. 2 projects - roundabout to Buttweld, Buttweld to Landfill	COUNCIL/ CONTRATOR		As per budget review - project identified and funded through unallocated Regional Road Group funding. Scheduled for April/May when sealing contractors are available for 2nd visit. LG contribution required which was reallocated from Reseals budget.												
1201new 2	**Athol street RRG** Scope: Asphalt reseal - Thompson to Keesing	CONTRACTOR		Asphalt reseal contractors due to commence program early December.												
1201473	**Drainage Construction**Scope: Spot improvements	COUNCIL		Spot improvements to be assessed during wet season.												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1201401	**Manhilinha drive Reconstruction** Scope: Repair potholes and apply Sam seal	CONTRACTOR		Works scheduled in December when contractors arrive.												
1201478	**Reseals** Scope: To be reviewed	CONTRACTOR		First stage of reseals scheduled for 1 December Both stage 1 projects, asphalt and spray seals will be completed, prior to Xmas.												
1208443	**Light Vehicle Replacement** Scope: PH9639, PH9681, PH10018, PH9083, PH9689, PH9782, PH9383, PH9582, PH9912 plus new staff (director, compliance, youth co-ord)	PURCHASE		Director's vehicles expected first week of December. Other vehicles progressively becoming available as expected. Surplus Council vehicles will be auctioned as they are replaced.												
1201480	**Kerbing Construction** Scope: To be reviewed	CONTRACTOR		Pending availability of contractors.												
1105410	**Finucane Island Boat Ramp** Scope: Completion of ramp reconstruction	COMPLETE		Boat ramp construction works is complete. As constructed survey is complete and has been submitted to DPI for comment prior to acquittal of funding.												
1105421	**Disabled Beach Access** Scope: installation of disabled access to Finucane Island boat ramp shelters/beach	CONTRACTOR		Complete.												
1201438	**West End Greening Stage 2** Scope: Shrub, tree planting and retic - Frewer to Short street	COUNCIL		Green waste at the Landfill to be mulched with the end product being used to complete this project. Currently organising a Work for the Dole training team which will be employed across engineering and parks and will assist in completing this project.												
1105426	**Turtle Interpretive Loop** Scope: Pavilion & nodes from Cemetery beach/GAC/All Seasons loop, interpretive signage	CONTRACTOR		Refer Council report December OCM.												
1111439 & 1111402 (R4R)	**Marquee Park Development** Scope: Development of an iconic park on Cottier drive, South Hedland. Water play, playgrounds, kiosk, cctv, caretaker, landscaping, etc	CONTRACTOR		Detailed design ongoing, expect completion Jan 2010. Tender process Feb to March with works commencing on site April 2010. Anticipate practical completion for construction December 2010. Design works are proceeding on schedule.												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1201483	**Nth Circular Rd East Culverts** Scope: Widen culverts to A.S., install new headwall	CONTRACTOR		Quotes being sourced from contractors for construction of headwalls which will complete project.												
1111446 & 1111403 (R4R)	**Playground Equipment** Scope: To be confirmed	CONTRACTOR		Investigations have been carried out regarding scope. Refer Council report December OCM.												
1201423 & 1201424 (R4R)	**Shade Structures** Scope: permanent shade structures at SH skate park and other locations	CONTRACTOR		Investigations have been carried out regarding scope. Refer Council report December OCM.												
1201437	**Hedditch - Forrest Circle Rd** Scope: Design and construction of road link from Hedditch to Forrest circle	COUNCIL/ CONTRACTOR		Final design drawings have been received and are being reviewed. Surveyors are processing road dedication information prior to Council resolution to dedicate road. Tender will be called in the new year for construction.												
1201413 & 1201414 (R4R)	**Murdoch drive Nodes** Scope: Construction of 2 'nodes' along pathway similar to Sutherland street	COUNCIL/ CONTRACTOR		Survey has been undertaken in Nodes locations. Scope has been developed to obtain quotes from preferred consultants for design. Nodes will be located opposite Banksia street and between Captains way and open drain.												
1201420 (R4R)	**Recycling Project** Scope: Crushing concrete for re-use in footpaths	CAPITAL PURCHASE		Pending further investigations into viability of project, safety of using crushed glass in concrete products and potential opportunity to purchase crushing equipment.												
1201447	**Buttweld road** Scope: Survey and design of road reconstruction	DESIGN ONLY 0910		A road safety audit has been undertaken and is currently being documented and assessed. This will then lead to design recommendations to progress the project.												
1201489	**Hillside-Woodstock road** Scope: Resheeting and formation improvements	COUNCIL		Scheduled after cyclone season.												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1201419	**Parks Upgrades** Scope: Upgrade of existing parks (fencing, planting, seats, retic, etc) as per audit. Includes drainage swale	COUNCIL/ CONTRACTOR		Shay Gap - Works started, tree pruning and removal of dead wood. Ordered new bollards, awaiting arrival then will install. Footpath to ablution block completed. New signs ordered. Basketball hoop and backboard ordered. Streetscapes - Trees ordered, species are Pink Tabebuia, Yellow Tabebuia and Frangipani. Turf renovation program for all parks is organised, and will commence in January/February 2010. All effluent tank watering automatic systems to be upgraded and connected to council Central control System currently being installed.												
1202401	**Depot Flammable Storage Cpbd** Scope: For workshop	Complete		Complete												
1111401	**Replace Effluent Line**Scope: SH Oval main reticulation line to be replaced with poly pipe	CONTRACTOR		Works commenced in September utilising approval Panel contractor. Project will include as constructed plans for distribution on 'Dial Before You Dig' searches, project due to be complete by end of February 2010												
1102415	**Civic Centre Verge Landscaping** Scope: Retaining & native planting of steep embankment	COUNCIL		Plant species have been finalised and ordered, job implemented in the new year.												
1210410	**Terminal Extensions**	COUNCIL/DESIGN		initial Concept designs for extending terminal 50m East and up a level being prepared												
1210403	**Depot Development**	COUNCIL/DESIGN		Concept designs for relocating Wedgefield depot to airport. Airport staff and depot will also need to be relocated to the Airservices workshop and office facility.												
1210402	**Parking/ Hire car development**	COUNCIL		Car park ready to seal, sealing works to commence 1 December.												
1210453	**Northern Apron Extension**	COUNCIL		Apron extension is completed ready for 2 coat seal 1 December, the new fencing and relocation of the gates have been completed.												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1213420	**Café Modifications**	CONTRACTOR		Concept design completed. Funding to be carried forward from prior year. These works now form part of the Cafe tender document. Café tender closed 25th November 2009												
1210407	**Common user Check-in Facilities**	CONTRACTOR		Orders issued to Glidepath for manufacture and installation. Manufacture and delivery date approx 31st December. 23 December to January 8 designated as non-working days due Christmas break												
1210405	**Flight Information Display screens**	CONTRACTOR		Quotes received from the only two system suppliers - Evaluation in progress - Installation to be instituted after the cafe walls have been resited and new conveyor systems installed.												
1210406	**International Carousel**	CONTRACTOR		Orders issued to Glidepath for manufacture and installation in tandem with the common user check-in facilities. Manufacture and delivery date approx 31st December. 23 December to January 8 designated as non-working days due Christmas break.												
1210271	**Solar Lights-Landside**	COUNCIL/CONTRACTOR		External pole fitted battery boxes manufactured and installed. Luminairs being manufactured to fit into existed light head covers with Australian designed lenses to amplify LUX output with no additional heat generation. All goods should be delivered by the end of December.												
1210401	**Taxiway and runway 18/36 Lighting.**	CONTRACTOR		CASA denied approval for solar lighting - However, RADS application allowed for this contingency for reticulated lighting on rwy 18/36 and an upgrade of lighting on Taxiways B1, B2, C, D,E. Dept. of Infrastructure (RADS) notified of progress												
1210440	**Automated Weather information Broadcast**	COUNCIL/CONTRACTOR		AWIB received and radio type required for constant broadcast in transit. May have to install wireless modems in BOM and ARO office due to conflict between Telstra and BOM. Waiting on further consultation between the parties involved												
1210440	**PA & CCTV**	CONTRACTOR/ DESIGN		Existing PA system repaired but is only temporary due to age. Quotes being sourced for new system - Terminal CCTV may well link in with FIDS application - This possibility being investigated with a view to reduced costs.												
1210473	**Electrical Upgrades**	CONTRACTOR		Stage 2 ring road connection. Tender to be arranged												

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

ALL CONTRACT WORK IS TO BE SUPERVISED BY THE MES

Legend - Current Project Phase

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

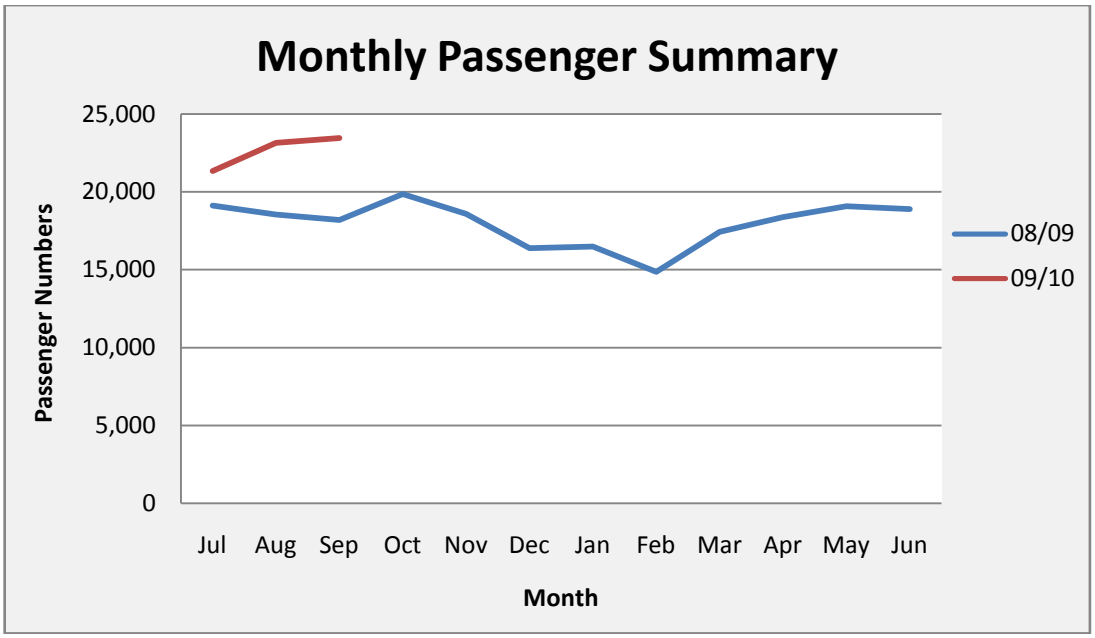
Cyclone Watch/Season

A/c Number	Scope	Construction Responsibility	Current Project Phase	Month Update	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
901424	**Airport Housing**	COUNCIL/DESIGN		Location identified and subdivision plan received. Tender documentation being prepared by Building department												

ATTACHMENT 2 TO AGENDA ITEM 11.2.1.1

Port Hedland International Airport

Monthly Passenger Numbers



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

ATTACHMENT 3 TO AGENDA ITEM 11.2.1.1

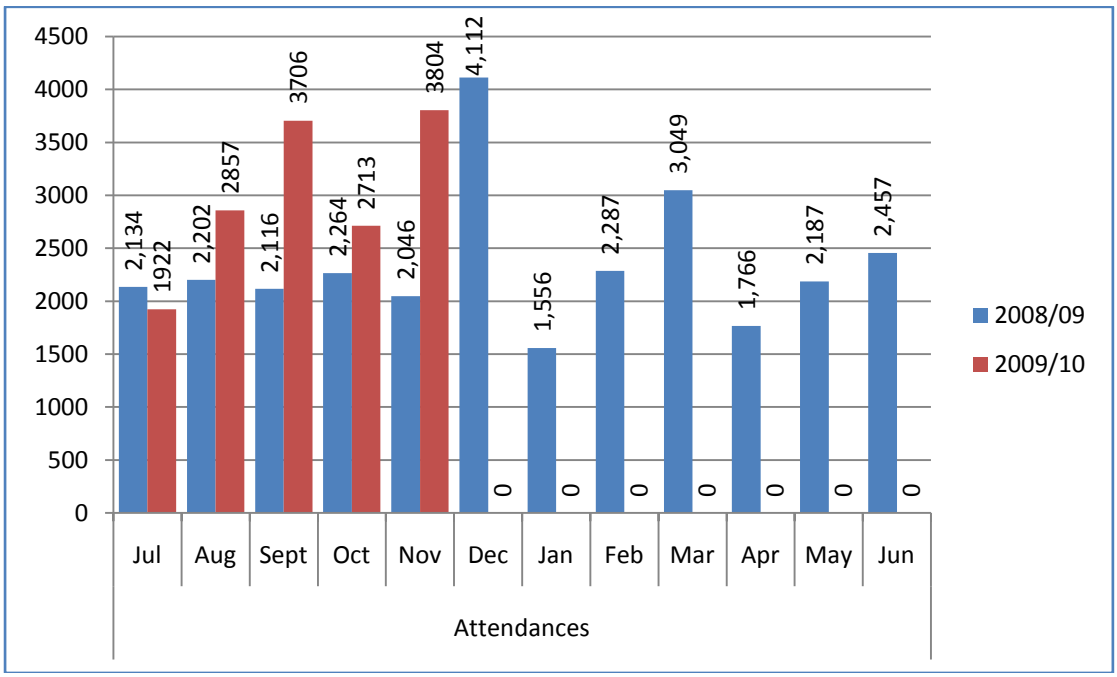
Recreation Services – Other Business Units

Recreation Services

. *JD Hardie Centre*

Attendances

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
2007/08	1721	2228	2544	2273	2046	4087	0	1803	1751	1436	2140	1927	23,956
2008/09	2134	2202	2116	2264	2046	4112	1556	2287	3049	1766	2187	2457	28,176
2009/10	1922	2857	3706	2713	3804	0	0	0	0	0	0	0	15,002



	Jul	Aug	Sep	Oct	Nov
Term Programs					
Kids Club	37	270	300	202	344
Jr Dodgeball	0	191	201	72	159
Little Athletics	0	13	0	0	0
Jr Basketball	0	0	0	0	0
Gr8 Sk8	0	0	0	0	0
Circus Skills	0	0	0	21	24
Gym Fun	5	40	51	48	45
Jr Indoor Soccer	12	34	10	34	68
Jr Indoor AFL	0	0	0	0	0
Jr Indoor Hockey	0	0	0	0	0
Sports Comp.					
Netball Participants	96	317	308	252	341
Volleyball Participants	140	271	194	218	309
Womens Netball	0	0	0	15	73
Teenage Friday night futsal	0	0	0	0	158
Indoor Soccer	42	296	335	205	332
Basketball Participants	28	237	239	22	0
Badminton	10	10	19	0	0
Table Tennis	12	12	19	0	0
Other					
Fitness Classes	105	90	115	64	81
Belly Dancing	0	0	0	0	0
Miscellaneous		310	240	238	350
Birthday Parties (1)	54	0	12	13	54
Facility Hire	884	640	1286	897	1318
Holiday Program	392	0	73	226	0
Dodgeball Competition	0	0	150	0	0
Disco	0	0	0	0	0
Gym Visits (29)	105	126	154	186	148
Total	1922	2857	3706	2713	3804

. *Aquatic Centres*

The monthly reports in full from the YMCA can be obtained by contacting the Manager Recreation Services, however they are currently not available for November 2009, due to the earlier Ordinary Council Meeting.

Darren Armstrong, the new Area Manager for the YMCA has commenced in the position whilst the old Area Manager has filled a temporary position in Broome.

11.2.2 Port Hedland International Airport

11.2.2.1 Electrical Services Specification Port Hedland International Airport Part Two (File No.: 05/09/009)

Officer	Russell Dyer Director Engineering
Date of Report	9 December 2009
Disclosure of Interest by Officer	Nil

Summary

For Council to consider engaging Aurecon (Connell Wagner) to review the work that has been completed against the original Aurecon Scope of Work that was undertaken as Tender 06/49 Electrical Services Upgrade Stage 1 Airport Terminal Area file No: 05/09/009. The intent of this engagement is to provide comment, identify gaps, if any between original work and give recommendations on the way forward for Electrical Services Upgrade Stage 2

Background

After a fire, back in 19th September 2006, Aurecon was engaged by the Town's Airport Manager to carry out an inspection of the airport electrical installation.

A preliminary inspection was conducted followed by a more detailed inspection.

Reports and recommendations for these inspections were issued to the airport manager for review.

A Tender and scope of work was issued to three electrical companies and after a tender revue based on the airport criteria, O Donnell Griffin (ODG) was selected to carry out the work.

At its Ordinary Meeting held on 31 October 2007, Council considered an item on this matter and resolved as follows:

> *"That:*
>
> *i) Tender 06/49 for the electrical services upgrade of the Port Hedland International Airport Terminal Area be awarded to O'Donnell Griffin Pty Ltd for the amount of $475,871 (ex GST) as recommended by Connell Wagner Pty Ltd. …"*

Consultation

Airport Manager
Aurecon (Connell Wagner Pty Ltd)

Statutory Implications

Officers are seeking Council's permission to directly engage Aurecon without inviting public tenders or seeking additional quotes on the basis that the "local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier'. (LG (F&G) Reg 11(2)(f))

Policy Implications

Council's Policy 2/007 Procurement Policy states (in part):

"Where possible, unless by Council resolution, or by requirement of legislation, Officers will follow the following minimum guidelines for inviting quotes prior to purchasing any good or service.

Purchase Value	*Quotes Required (minimum)*
Less than $2,000	*1 Verbal Quote*
$2,000 to $4,999	*1 Written Quotes*
$5,000 to $14,999	*2 Written Quotes*
$15,000 to $49,999	*3 Written Quotes*
$50,000 to $99,999	*3 Detailed Quotes, Authorized by CEO & Mayor*
$100,000 and over	*Tender*

In instances of emergency or where procurement is urgently required, officers with delegated authority may procure the goods/service without seeking quotations on the proviso that:

- *A brief explanation of the emergency/urgency of the situation is provided by the officer prior to payment of the invoice for the service;*
- *The value of works being undertaken in the emergency is within the officer's delegated authority limit;*
- *The value of the works being undertaken is within the limits of the Council's adopted Annual Plan and Budget.*

It is the Officer's responsibility to provide evidence that a reasonable attempt has been made to meet the above guidelines.

If a selection criteria, other than price, is use to determine the successful supplier, the authorizing officer will advise all potential suppliers of the selection criteria prior to receiving quotations.

All documentation received or internally generated, as evidence of meeting the above quoting requirements will be attached to Council's copy of the payment advice and retained as per either Council internal or legislated records requirements for financial documents, whichever is the longest."

Strategic Planning Implications

Key Result Area 1 - Infrastructure
Goal 3 – Airport
Strategy 1. Undertake necessary capital upgrades to airport including redevelopment of the electrical infrastructure.

Budget Implications

Airport Non Operating Expenditure account 1210473 includes an allocation of $343,000 for this project. It is proposed to utilise $25,000 of this allocation to engage Aurecon.

Officer's Comment

Due to the technical nature of the Electrical Service Upgrade Stage 1 both the inspections, recommendations and the Tender documentation were developed by Aurecon (Connell Wagner). Where works have been undertaken by the successful contractor (O Donnell Griffin), a technical review of the works undertaken is yet to be supplied.

As Aurecon (Connell Wagner) have also developed the Electrical Services Specification for Stage 2 upgrades, prior to progressing with this project, it is recommended that the following scope of works be undertaken:

Scope of Works

Off site preparation:

- Review previous documentation to re- familiarise with the original project.
- Review the scope of work that was issued to ODG.
- Organise for local electrical trade's person to be available for site inspection.
- Compile a site inspection program.

On site Audit:

- Mobilise to site
- Meet with the site electrical trades person and go through the scope of work.
- Meet with the Airport manager to organise access to the areas highlighted on the proposed inspection program.

Report Preparation:

- Collate site information and observations.
- Identify gaps, if any, between original upgrade scope of works and what has actually been completed.
- Comment in terms of the quality of the work that has been completed by the electrical contractor.
- Summarise the site visit and give recommendation on the way forward.

Project Fee Estimate excluding GST (as provided by Aurecon)

Step	Activity	Amount
1	Off site preparation	$6,600
2	On site audit	$10,700
3	Report preparation	$7,700
	Total excluding GST	$25,000

Attachments

Nil

200910/190 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That Council engage Aurecon to review Stage 1 scope of works and carry out a site inspection against the original scope at a cost of $25,000 (GST exclusive), due to the technical nature of the work already carried out by Aurecon on the Electrical Services Upgrade Stages 1 and 2.

CARRIED 7/0

11.2.2.2 Polar Aviation Northern Hangar Tender Evaluation (File No.: AIRLSE/09)

Officer	Laura Jackson Airport Landside Development Officer
Date of Report	26 November 2009
Disclosure of Interest by Officer	Nil

Summary

For Council to consider submissions for tender 09/29: Demolition and removal of Airport Hangar

Background

History

At its Ordinary Meeting held on 26 August 2009, Council resolved as follows:

"That Council:

i) approve the disposal of the Northern Hanger, at the Port Hedland International Airport by way of Public Tender in accordance with Section 3.58(2)(b) of the Local Government Act 1995);

ii) approve the Chief Executive Officer (or his delegate) to prepare and advertise a tender to dispose, demolish and remove the Northern Hanger, at the Port Hedland International Airport, within the next 6 months; and

iii) require the tender scope to include a condition that the demolition and removal does not impact on the operations of Polar Aviation, or the construction of the new hanger by Polar Aviation. …"

Polar Aviation is a local business, intending to improve its operation by a significant development at the Port Hedland International Airport. It now has Planning Approval, and effective tenure of the land. To achieve its goal, the existing hanger needs to be removed. The hangar is a Council asset that has deteriorated significantly over time.

Tender Process

Tender 09/29 was advertised seeking proposals for the demolition and removal of the Airport Hangar, closing 27th November 2009.

Council received 15 requests for tender documents. On the 27th of November 2009 Council formally received threes tenders:

- Pilbara Constructions
- Porky's Enterprises
- Goodline

Consultation

Executive Team
Manager Building Services

Statutory Implications

Sections 3.57 and 3.58 of the Local Government Act 1995 states:

"3.57. Tenders for providing goods or services

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

(2) Regulations may make provision about tenders.

3.58. Disposing of property

(1) In this section —

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

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

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

(a) the highest bidder at public auction; or

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

Policy Implications

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

Strategic Planning Implications

Key Result area1 Infrastructure,
Goal 3 Airport
Actively pursue the generation of income from a variety of sources at the airport including through leases, rentals, advertising and any other means.

Budget Implications

Refer to the attached Tender Evaluation.

Officer's Comment

Tender Appraisal

The tenders were evaluated using the following criteria as shown in the tender document:

Price (50%)

Conforming Tenders shall be assessed using a point scoring system with scores being awarded for five (5) assessment criteria. The lowest price Tender (Tlp) shall be awarded a score of 50 for the Price criterion. The second-lowest price Tender (Tslp) shall be awarded a score determined in the following manner:

$$\text{Tslp Score} = \frac{50 - [(\$Tslp - \$Tlp) \times 50]}{\$Tlp}$$

Organisation Capabilities (20%)

Tenderer to provide details of:

- recent experience in at least three projects;
- evidence as to ability, if awarded the Contract, to fulfil the Requirements from your own resources or from resources readily available to you;
- Provide copies of your organisations licences and any memberships and registrations held that are relevant to these Works; especially relating to Demolition and Working at heights.

Key Personnel (10%)

Tenderer to:

- Provide details of your Key Personnel to be utilised in these Works including, the length of service, copies of any licences, registrations or memberships, held relevant to these Works, any relevant qualifications, their intended role in the performance of these Works;
- Provide details of your subcontractors to be utilised in these Works including, the length of service, the nature of association with your organisation, copies of any licences, registrations or memberships, held relevant to these Works and any relevant qualifications, their intended role in the performance of these Works;

Methodology (10%)

Tenderer to demonstrate understanding of Requirements, and address how each of the following will be achieved:

Provide your site management plan inclusive of,

- your waste management details,
- any anticipated traffic management requirements,
- site security,
- storage;

- public safety;
- public liaison;
- any other issues that may arise;

Provide evidence of your ability to comply with all applicable Australian Standard requirements;

Local Content (10%)

Tenderers to provide information on;

- The proportion of the Tenderer's workforce consisting of employees sourced from within the Pilbara Region.

Listing of any goods and services, inclusive of subcontractors, together with their respective values, proposed to be purchased from within the Pilbara Region.

Summary

Goodline are to be awarded the contract based on the evaluation as attached.

Attachments

Tender evaluation

200910/191 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr D W Hooper

That Council:

i) advise Goodline Pty Ltd that they are the successful tenderer for Tender 09/29: Demolition and Removal of Airport Hangar for the tendered price of $141,891 (GST exclusive); and

ii) utilise funds from within Council's Airport Reserve Fund to pay for these works.

CARRIED 7/0

ATTACHMENT TO AGENDA ITEM 11.2.2.2

Price

Step	Description	Goodline	Pilbara Construction	Porkys Enterprises
1	Mobilisation	9,990.00	5,900.00	29,000.00
2	Install temporary fencing on airside	11,060.00	15,470.00	5,000.00
3	Demolition works	88,295.00	204,500.00	50,000.00
4	Removal works	15,990.00	57,300.00	22,000.00
5	Site clean up	16,556.00	9,905.00	10,000.00
6	Demobilisation	-	2,500.00	29,000.00
total		141,891.00	295,575.00	145,000.00
total Inc GST		156,080.10	325,132.50	159,500.00

					Goodline		Pilbara Construction		Porkys enterprises	
Item	Assessment Criteria	Loading Factor	Max Score	Max Loaded Score	Awarded Score	Loaded Score	Awarded Score	Loaded Score	Awarded Score	Loaded Score
1	Price		50	50	50.00	50.00	- 4.16	- 4.16	48.90	48.90
2	Organisation Capabilities	4	5	20	5.00	20.00	5.00	20.00	5.00	20.00
3	Key Personnel	2	5	10	3.00	6.00	5.00	10.00	3.00	6.00
4	Methodology	2	5	10	5.00	10.00	3.00	6.00	4.00	8.00
5	Local content	2	5	10	5.00	10.00	5.00	10.00	2.00	4.00
	Max Loaded Score			100	68.00	96.00	13.84	41.84	62.90	86.90

11.2.2.3 Airport Bar & Café Tender Evaluation (File No.: 30/09/0027)

Officer	Russell Dyer Director of Engineering
Date of Report	26 November 2009
Disclosure of Interest by Officer	Nil

Summary

For Council to consider submissions for tender 09/28: Lease and Operation of the Port Hedland International Airport Bar and Café.

Background

History

At its Ordinary Meeting held in September 2009, Council resolved as follows:

"That Council:

i) Approve the disposal of the Airport Bar and Café by way of Public Tender (as per section 3.58(2)(b) of the Local Government Act 1995); and

ii) Approve the CEO (or his delegate) to prepare and advertise a tender for the operations of the Airport Bar and Café with the following conditions:

a. A set monthly lease value (based on a per m2 rate) plus a percentage of nett revenue;

b. A lease term of 5 years; and

c. The possibility that the café will need to be re-sited once the master-plan of the terminal is complete.

d. A commitment by Council to spending $100,000 on café upgrades in consultation with the successful contractor within six months of the tender being awarded."

The Town of Port Hedland has operated the Airport Bar & Café since 1st January 2008. Prior to this, the café was run under a management contract by the Australian Pearling Company for a period of just under two years.

Tender Process

Tender 09/28 was advertised seeking proposals for the lease and operation of the Airport Bar and Café, closing Wednesday 25 November 2009.

Council received 16 requests for tender documents. On the 25th of November 2009 Council formally received a tender from only one party, Bloomoons Pty Ltd.

The tender was evaluated using the following criteria as stipulated in the tender document.

Return to Council/Price (50%)

Bloomoons Pty Ltd offered $302 per square metre per annum and 0% of nett revenue which equates to $70,668 p.a. While this provides a guaranteed nett return to Council, the rental return tendered is lower than projected.

Development Proposal (20%)

The Tender required contractors to commit to undertaking specified works at the Airport café using $100,000 of funds provided by the Town of Port Hedland. Contarctors were also requested to provide details of any other developments/upgrades that they were proposing to provide at the café.

Bloomoons indicated that the above Council specified upgrades would be undertaken using the Council supplied funds but did not specify any further development at the café. While this proposal is compliant, Council staff were hoping to see a higher level of development being proposed at the facility (ie proponent committing capital funds for upgrades)

Experience (20%)

Bloomoons is an experienced operator. They currently manage the Esplanade Hotel.

Local Content (10%)

Bloomoons committed to using 100% local labour,100% local contractors and sourcing food and Beverage from the best available source (including local suppliers)

Overall the proposal was deemed to be compliant and reasonable but the proposal did not meet the overall expectations for quality of development or financial return to Council.

Consultation

Executive Team
Manager Airport
Manager Economic and Land Development

Statutory Implications

Sections 3.57 and 3.58 of the Local Government Act 1995 states:

"3.57. Tenders for providing goods or services

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

(2) Regulations may make provision about tenders.

3.58. Disposing of property

(1) In this section —

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

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

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

(a) the highest bidder at public auction; or

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

Policy Implications

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

Strategic Planning Implications

Key Result Area1 Infrastructure,
Goal 3 Airport
Actively pursue the generation of income from a variety of sources at the airport including through leases, rentals, advertising and any other means.

Budget Implications

The tenderer offers $302 per square meter and 0% of nett revenue. This equates to $70,668 per annum on the current lease area.

Councils 2009/10 Budget indicates a projected financial year surplus from the café of $124,733.

Officer's Comment

While there was considerable interest in the tender from external parties, Council received only one bid to manage the facility. Discussions with prospective bidders who did not submit indicated that they did not tender for a variety of reasons including:

- Relocation: Notation within the tender that the café location is likely to move within the four year tender period as the Airport Terminal is renovated and expanded. Contractors indicated that they were not willing to invest heavily into capital upgrades associated with developing a quality café product without a certainty regarding the long term future of the facility.

- Timeframe: The lease period proposed was 4 years. Prospective tenderers indicated a desire for a longer lease period to allow a greater amount of time for them to amortise their capital costs.

- Time: Some bidders indicated that due to other work priorities and tenders that were being prepared concurrently, there was insufficient time to submit a competitive tender.

The Town's Airport Terminal is aging and is beginning to struggle to meet passenger expectations. This issue is likely to be exacerbated over the coming years as passenger numbers grow. Council's Airport Working Group has held preliminary discussions on how an airport terminal upgrade and expansion could be undertaken. Preliminary concept designs are currently being developed. It is planned to present these to Council in January 2010. All of the concept designs completed to date have the café being located elsewhere. If Council wants to get private capital investment in café infrastructure, it will be necessary for the long term location of the café to be identified. The Town Airport Working Group is scheduled to discuss this matter in the coming weeks.

Various options for dealing with this current tender process have been listed below for Council's consideration:

Option 1: Accept the tender.

While it is highly likely that the café will be re-sited at some stage, realistically, this is not likely to be complete for at least two years as there is extensive consultation, design work, approvals and funding issues that need to be addressed. In the interim period Council could lease the café in its current location to Bloomoons. (Note: the Lease period proposed in the Tender Documentation was four years)

Option 2: Re-tender the Proposal

Given the financial return proposed by Bloomoons is lower than projected, Council could elect to re-tender the project early in the new year. A retender process may receive more bids, but this is not guaranteed.

Option 3: Continue to operate the Airport Bar & Café

Council could reject all tenders and decide to continue to manage the café 'in-house'. This is the least favoured option as the view of Councils management team is that the operation of an airport bar and café is not a core business of Council. Administratively, the operation of the café causes great difficulties and increased costs in particular with the following:

i) Staff availability to cover all rosters has been a problem with staff having to work additional hours, particularly when there are flight delays;
ii) Council policies and procedures are restrictive to the commercial operations of the café; and
iii) Council's EBA means that the operating costs of the café are higher than would be the case for private operators.

Option 4: Defer consideration of Tender

Given that the Town's Airport Working Group is scheduled to meet in mid-December, Council could defer consideration of this matter until such time that the working group has had greater time to discuss this matter in the context of the overall development plans for the airport terminal. This option is not recommended as staff at the Airport Café are understandably seeking certainty in relation to their employment situation.

Attachments Nil

Officer's Recommendation

That Council:

1) Reject the tender that was submitted for Tender 09/28 Lease and Operation of Airport Bar and Café;

2) Re-advertise the tender for the proposed leasing of the Airport Café for a period of two years.

3) Manage the proposed renovations and upgrades to the Airport café 'in-house'.

OR

That Council:

1) Reject the tender that was submitted for Tender 09/28 Lease and Operation of Airport Bar and Café;

2) Authorise the CEO to enter into lease negotiations with Blooomoons Pty Ltd for the leasing and management of the Airport Bar and Café under the following lease conditions:
   a) Lease term of two (2) years;
   b) Rental of $70,668 per annum, or 1% of total operating revenue, whichever is greater.

3) Manage the proposed renovations and upgrades to the Airport café 'in-house'.

200910/192 Council Decision

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That Council accept the tender that was submitted for Tender 09/28 Lease and Operation of Airport Bar and Café by Bloomoons Pty Ltd;

CARRIED 6/1

NOTE: Cr G J Daccache requested the votes be recorded.

Record of Vote:

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

REASON: Council indicated that it is for the betterment of the Town of Port Hedland to have a successfully proven small business run an efficient service to the community at the airport.

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

Officer	Laura Jackson Airport Landside Development Officer
Date of Report	14 October 2009
Disclosure of Interest by Officer	Nil

Summary

For Council to consider imposing a per passenger fee for airlines utilising the common user check-in facilities.

Background

Council has recently installed common-user check in facilities at the Port Hedland International Airport. Council used Airport Reserves to constrict the new facilities so that a common user arrangement could be second RPT service provider (ie Virgin Blue).

Prior to installation of this equipment, the check in area was leased to Skywest. This lease has now expired.

Currently both Skywest and Virgin Blue are using the common user facilities. Currently neither of these companies are paying for utilizing this space or facilities.

It should be noted that Qantas has exclusive use of their own check-in facilities and pay a set lease fee for this area and office. Their lease is due to expire 30th June 2012.

Council staff have been in discussions with the airlines, other airports and a valuer on the issue of how best to set a fee or charge for the use of the land and facilities. Alternate methods included:

Per passenger charge

This is the most equitable method as it links directly to the use of the counters. It does not penalize for the varying size of aircraft or occupancy levels, or the number of counters being used at one time.

Time Used

This is the least preferred method as it adds an administrative burden whereby logbooks and audits of usage are required. There could be further issues with delayed flights and the charges for the use of counters.

Charge Per Aircraft

The more flights per day then the greater the usage of the counters by airlines, but aircraft differ in size and capacity. It also does not take load factors into consideration and therefore would not provide a fair fee base.

The valuer has indicated that the most equitable method of charging for the space and facilities for the common-user facility is through a per passenger charge rather than a set lease fee. This is due to the airlines differing usage requirements.

Consultation

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

Statutory Implications

"Subdivision 2 —Fees and charges
6.16. Imposition of fees and charges
(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*
** Absolute majority required.*
(2) A fee or charge may be imposed for the following —
(a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled managed or maintained by the local government;
(b) supplying a service or carrying out work at the request of a person;
(c) subject to section 5.94, providing information from local government records;
(d) receiving an application for approval, granting an approval, making an inspection and issuing a licence permit, authorisation or certificate;
(e) supplying goods;
(f) such other service as may be prescribed.
(3) Fees and charges are to be imposed when adopting the annual budget but may be—
(a) imposed during a financial year; and*
(b) amended from time to time during a financial year.*
** Absolute majority required.*

6.17. Setting the level of fees and charges
(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

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

(2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.

(3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
(a) under section 5.96;
(b) under section 6.16(2)(d); or
(c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.

(4) Regulations may—
(a) prohibit the imposition of a fee or charge in prescribed circumstances; or
(b) limit the amount of a fee or charge in prescribed circumstances.

6.19. Local government to give notice of fees and charges
If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of—
(a) its intention to do so; and
(b) the date from which it is proposed the fees or charges will be imposed.

Policy Implications Nil

KRA1- Infrastructure
Goal 3- Airport
Strategy 1: Developing and implementing an Airport Master Plan
Strategy 2: Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising, freight and any other means.

Budget Implications

Currently Skywest and Virgin Blue utilise the common user facilities. The charge would be imposed on outgoing passengers only. Virgin Blue currently runs seven (7) flights a week with approximately 80 pax per flight. (560 pax per week). This is soon to increase to twelve (12) flights per week, but an estimation on the load factor of passengers cannot be determined.

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

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

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

General Ledger Account 12103 New- Common user check-in recovery

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

Officer's Comment

A fee should be implemented for access to terminal facilities and the use of the common user facilities. Currently Skywest and Virgin Blue are provided access to prime terminal space and facilities that are maintained by Council at no cost.

Qantas currently pays a set lease fee for use of the check in counters and office allocated to them. Qantas's lease expires on the 30th June 2012 and it is proposed to renegotiate on a common user charge basis with them at that time.

While a fee is proposed, it is recommended that this fee not be implemented until April 2010 as the Airlines require sufficient time to build the fee into their cost structures.

Attachments Nil

200910/193 Council Decision / Officer's Recommendation

Moved: Cr G J Daccache **Seconded:** Cr M Dziombak

That Council:

i) Approve the following fee be imposed on all airlines utilizing the common user facilities

ii) A per passenger fee of $1.15ex GST be imposed on all departing passengers utilizing the common user facilities.

iii) That the fee be advertised as per s6.19 for two (2) weeks prior to the implementation

CARRIED 7/0

11.2.2.5 Hire Car Development - Allocation of Blocks and Leasing Arrangements (File No.: AIRLSE01, 2, 17 & 18)

Officer	Laura Jackson Airport Landside Development Officer
Date of Report	12 November 2009
Disclosure of Interest by Officer	Nil

Summary

For Council to consider entering into lease arrangements with Avis, Budget, Hertz, Thrifty, McLarens and Europcar in the new hire car development site at the Port Hedland International Airport.

Background

In late 2006, Council resolved to investigate the relocation of the three hire car company lease facilities (Avis, Budget and Hertz) from their current location to an area located near the entrance of the airport.

The purpose of the relocation is to redevelop the area form where their existing yards are located into a secure long-term car-park; and to eliminate the problem of excessive parking of hire car vehicles in the public car parks and overflow areas.

It was originally proposed that four (4) lots of 40x100m blocks be provided for the abovementioned companies as well as a block for Thrifty, as Thrifty already have terminal space but their main operations are based in Wedgefield. Thrifty have now provided an expression of interest for land to relocate their operations from Wedgefield to the Airport.

During the recent developments two additional car hire operators, Europcar and McLarens Hire, have requested land at the Airport. Europcar do not currently have a presence in the Town, however they are affiliated with Virgin Blue. McLarens are currently based at Wedgefield, but have also indicated they wish to relocate their entire operations to the airport. Both companies have also expressed interest in acquiring terminal space once the terminal has been expanded.

Avis, Budget, Hertz and Thrifty also have eight (8) – ten (10) licensed bays each in the short term car-park. The short term car park accommodates around 150 vehicles including these licensed bays. During peak times, there are not enough bays to accommodate for public parking. Hence, as part of the negotiations, it is recommended that these leases be relinquished.

Consultation

Director Engineering Services
Director Corporate Services
Manager Economic Development
Airport Manager
George Proose, Managing Director, Avis
Morgan Suter, WA State Manager, Avis
Russell Chapman, Managing Director, Budget
Robbie Trigwell, Marketing Manager, Budget
Linda Willmot, Hertz
Steven Bedell, Managing Director, Thrifty
Dean Bruins: Branch Manager, McLaren's
Tom Forman: Franchise Manager, Europcar

Statutory Implications

Section 3.58 of the Local Government Act 1995, states (in part):

""3.58. Disposing of property

(1) In this section -
dispose~ includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property~ includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to -
(a) the highest bidder at public auction; or
(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property-
(a) it gives local public notice of the proposed disposition -
(i) describing the property concerned;
(ii) giving details of the proposed disposition; and
(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;…"

Policy Implications Nil

Strategic Planning Implications

KRA1- Infrastructure
Goal 3- Airport
Strategy 1: Developing and implementing an Airport Master Plan
Strategy 2: Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising, freight and any other means.

Budget Implications

General Ledger Account 1210326- Leases and rentals

- Area was valued in July 2009 at $16.50 per square metre
- 16,000sqm available for lease.

	Revenue
Per Month(ex GST)	$22,000
Per Annum(ex GST)	$264,000

Revenue currently received from hire car companies for lease of land and office:

	Revenue
Per Month(ex GST)	$1,623.02
Per Annum(ex GST)	$19,476.24

Net Increase:

	Revenue
Per Month(ex GST)	$20,376.80
Per Annum(ex GST)	$244,523.76

Officer's Comment

The hire car operators (Avis, Budget, Hertz and Thrifty) that it was originally proposed would take up the lots, have indicated that they would take up the full 4,000 square metre blocks, and more if it became available. McLarens have also requested a similar sized block. Whilst Europcar have indicated that 1,000square metres would suffice for their operations.

The developed site is 16,000 square metres and can be allocated as follows:

Option 1

To the six interested parties: 5 x 3,000 square metres, 1 x 1,000 square metres. The reduction in the size of the blocks should still cater for the hire car requirements. The hire car operators require space for offices; wash down bays and the parking of vehicles that are not out on hire. After discussion with the operators, the maximum number of vehicles not on hire at any one time would be 100 vehicles.

Option 2

Alternatively, the land can be provided to the original four (4) parties (Avis, Budget, Hertz and Thrifty) (4 x 4,000square metres). The other two operators can be accommodated in the future with the extension of the site to the East along the drain or to the North.

Attachments

Map indicating allocation of blocks

Officer's Recommendation - Option 1

That Council:

i) authorise the Chief Executive Officer or his delegate to relinquish existing leases with Avis, Budget, Hertz and Thrifty car rental companies; and

ii) authorise the Chief Executive Officer his delegate to enter into negotiations with Avis, Budget, Thrifty, Hertz, McLarens and Europcar into lease agreements by private treaty in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions:

   a) the lease term being for ten years plus ten year option;
   b) the lease rental being based on the current market value and increased annually by CPI; and
   c) the lease being re-valued every five (5) years to market value.

   subject to any submissions being received by Council

Officer's Alternate Recommendation - Option 2

That Council:

i) authorise the Chief Executive Officer or his delegate to relinquish existing leases with Avis, Budget, Hertz and Thrifty car rental companies; and

ii) authorise the Chief Executive Officer or his delegate to enter into negotiations with Avis, Budget, Thrifty and Hertz, into lease agreements by private treaty in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions:

   a) the lease term being for ten years plus ten year option;
   b) the lease rental being based on the current market value and increased annually by CPI;
   c) the lease being re-valued every five (5) years to market value; and

iii) consider extending the development of the hire car area for additional hire car operators.

200910/194 Council Decision / Officer's Recommendation - Option 1

Moved: Cr A A Carter **Seconded:** Cr D W Hooper

That Council:

i) authorise the Chief Executive Officer or his delegate to relinquish existing leases with Avis, Budget, Hertz and Thrifty car rental companies; and

ii) authorise the Chief Executive Officer his delegate to enter into negotiations with Avis, Budget, Thrifty, Hertz, McLarens and Europcar into lease agreements by private treaty in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions:

a) the lease term being for ten years plus ten year option;
b) the lease rental being based on the current market value and increased annually by CPI; and
c) the lease being re-valued every five (5) years to market value.

subject to any submissions being received by Council

CARRIED 7/0

ATTACHMENT TO AGENDA ITEM 11.2.2.4

11.2.3 Infrastructure Development

11.2.3.1 Playground Equipment and Shade Structures – Scope of Works Approval (File No.: 21/03/0001 & 21/05/….)

Officer Helen Taylor
Project Officer

Date of Report 24 November 2009

Disclosure of Interest by Officer Nil

Summary

This item seeks approval for the scope of works for the Playground Equipment project and the Shade Structures project.

Background

Council has upgraded facilities at playgrounds and reserves significantly over the past 3 years. Some of these upgrades include playground equipment and shade at Colin Matheson oval, Kevin Scott oval, Cemetery Beach park, Pretty Pool park, Shay Gap park, Daylesford park and South Hedland Aquatic Centre. In 2008 skate parks were completed in Port and South Hedland with no budget allocation for shade.

In early 2009 a request was received from a resident for the installation of playground equipment to suit 2-13 year old children at Marie Marland Reserve. This was presented during the 2009/10 budget process and additional funds were allocated to the general playground equipment upgrade account.

Council has allocated $275,000 for playground equipment and $500,000 for shade structures within the 2009/10 budget without a clearly defined scope. The purpose of this item is to formalise this scope.

Consultation

- Councils Engineering department
- Councils Recreation department
- Baseball Association
- Softball Association
- YMCA

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 2 – Community Pride
Goal 3 – Townscape
Strategy 3 – Provide additional shade through the installation of trees and formal shade structures in strategic locations.

Key Result Area 1 – Infrastructure
Goal 2 – Parks and Gardens
Strategy 1 – Work in partnership with other stakeholders to implement the Towns Park Improvement Program, with a specific focus on the development of new and/or upgraded park infrastructure in South Hedland.

Key Result Area 1 - Infrastructure
Goal 1 – Roads, Footpaths and Drainage
Strategy 1 – Ensure that Councils core community infrastructure assets are being managed appropriately through the Implementation of the following Council Five-Year programs:

- Footpath development program
- Resealing program
- Kerb development/replacement program
- Drainage upgrade program
- Playground upgrade program

Budget Implications

Shade Structures - $500,000

General Ledger Accounts: 1201423 - $100,000 and 1201424 - $400,000

It is anticipated that approximately $470,000 of this budget will be allocated to providing shade at South Hedland Skate Park, with the remaining $30,000 used to install shade sails over the proposed playground equipment at Gratwick Aquatic Centre.

Playground Equipment - $275,000

General Ledger Accounts: 1111403 - $175,000 and 1111446 - $100,000

The following expenditure breakdown is proposed, assuming the approval of the recommended scope of works:

- Marie Marland Reserve (equipment and shade): $175,000
- Gratwick Aquatic Centre: $40,000
- Port Hedland Skate Park: $60,000

Officer's Comment

In consideration of the recent extensive upgrades to playground equipment and shade structures, and the request for playground equipment at Marie Marland Reserve, the following locations were identified to explore their playground and shade installation potential:

Playground Equipment Installation:

- Marie Marland Reserve
- Gratwick Aquatic Centre (GAC)
- Port Hedland Skate Park
- Daylesford Park

Shade Structure Installation:

- South Hedland Skate Park
- Gratwick Aquatic Centre (GAC)
- Daylesford Park

In consultation with the relevant sporting associations, staff have inspected each site for suitability, a summary of which is below:

Marie Marland Reserve

The sports ground is used all year round for baseball, softball and rugby and has no facilities for children to play on. The closest playground equipment is located adjacent to Kevin Scott Oval nearby, however this is too far away from Marie Marland reserve to allow parental supervision, ensuring the safety of the children. It is apparent that the installation of playground equipment and shade at this location would be a benefit to all sporting associations who use the oval. At the time of consultation the rugby association was not available however staff will endeavour to liaise with them as the project progresses.

Gratwick Aquatic Centre

Located next to the Civic Centre, GAC is open all year round and accommodates the amateur swimming club, waterpolo training, swimming lessons and general pool users. There is currently no playground equipment available. The installation of equipment to suit toddlers, plus shade sails, in the area adjacent to the toddlers pool would be considered appropriate.

Port Hedland Skate Park

The construction of the skate park in 2008 has seen a high increase of people utilizing this area. It would be beneficial to the community to provide a variety of facilities to encourage different types of fitness and play. The yet to be adopted McGregor street Oval Masterplan will not have an impact on the proposed location of the playground equipment.

Daylesford Park

In 2007 playground equipment was installed to suit a variety of ages. A toilet and 2 new gazebos were installed in 2009. Many people use this playground and additional equipment would be warranted however the remaining space available is unlikely to accommodate any significant upgrades. The existing gazebos and perimeter trees provide ample shade for the area.

South Hedland Skate Park

The skate park was constructed in 2008 and is very popular especially after school and on school holidays. A comment made repeatedly in Council's community survey has indicated that the provision of shade over this area should be a high priority. The design and functionality of the skate park would make a permanent shade structure very expensive hence a large proportion of the budget allocation has been proposed for this area. Consideration must also be made to ensure that the lights are still efficient at night time.

Attachments Nil

200910/195 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr J M Gillingham

That Council:

i) Approves the scope for playground installations at the following locations:
- **a) Marie Marland Reserve**
- **b) Gratwick Aquatic Centre**
- **c) Port Hedland Skate Park**

ii) Approves the scope for shade installations at the following locations:
- **a) South Hedland Skate Park**
- **b) Gratwick Aquatic Centre playground**
- **c) Marie Marland Reserve playground**

CARRIED 7/0

6.25 pm Councillor S J Coates declared an impartiality interest in Agenda Item 11.2.4.1 'South Hedland bowling and Tennis Club progress' as he is a member of the Club. Councillor Coates advised that as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Coates declared that he will consider this matter on its merits and vote accordingly. Councillor Coates did not leave the room.

11.2.4 Recreation Services

11.2.4.1 South Hedland Bowling and Tennis Club Progress (File No.: ...)

Officer	Bec Pianta Manager Recreation Services
Date of Report	18 November 2009
Disclosure of Interest by Officer	Nil

Summary

This report provides a formal update on the South Hedland Bowling and Tennis Club (SHB&TC) redevelopment, and aims to determine responsibility for Project Management and expenditure for this project.

Background

The SHB&TC redevelopment in its entirety includes the completion of the detailed designs and all for construction drawings, and the construction of a new clubhouse and upgrade to surrounding facilities.

The project has therefore been broken into four distinct phases:

1. *Headworks*
   - Ground level preparation
   - Sewer line connections
   - Transformer installation

2. *Clubhouse Development*
   - Foundations
   - Installation of cabling etc
   - Footings
   - Structure construction
   - Furnishings and Finishings

3 *Surrounds Upgrade*
   - Fencing
   - Tennis Court upgrade
   - Bowling green upgrade
   - Garden

4. *Caretaker's Cottage*
   - Construction of caretakers dwelling

At this stage, the project is not yet ready for construction; detailed designs have not been completed and sufficient funds have not been obtained. An initial estimate has based the construction of the new clubhouse at $2,950,000.

Consultation

The South Hedland Bowling and Tennis Club have met with the Manager Building and Manager Recreation Services on a number of occasions to gain assistance with direction and completion of the concept / detailed design stage. Other Town of Port Hedland staff involved has included the Chief Executive Officer and Director Engineering Services.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 3: Community Development
Goal 2: Sports and Leisure
Strategy 1: Progressively implement the recommendations of the Sports Facility Audit with a particular focus on… the development of additional quality facilities at Colin Matheson Oval, McGregor Street Reserve and the South Hedland Bowling & Tennis club.

Budget Implications

Should Council endorse the Officer's recommendation, there will be nil expenditure at this stage, however in-kind support will be provided. Prior to the commencement of the construction stage, Council in-kind support will be required to Project Manage the construction of the facility.

Officer's Comment

The eventual redevelopment of the SHB&TC was initially identified in the Recreation Facilities Audit completed in August 2006, and has since been included in the Hedland's Future Today document. Recognition of the importance of this project has therefore been identified with Council in the past, and continuing support is necessary to allow this project to come to fruition.

The Town of Port Hedland has therefore been working with the South Hedland Bowling and Tennis Club committee, and has provided direction for completion of the design stage, as well as undertaken various grant applications to allow for this project to occur. Whilst an initial estimate has placed the construction at $2,950,000, detailed quantative survey is not yet possible, as the 'for 'construction drawings (detailed designs) have not yet been completed.

Whilst the progression of this project is heading in the right direction, it is not yet considered the appropriate time to hand the project to Council (if that is the intention), as it is not yet ready for the construction phase of the project to commence. It is recommended however that the project management of the construction be undertaken by the Town of Port Hedland to allow use of the expert staff within the Council, and a facility to be developed that meets all requirements from a regulatory perspective. Should Council resolve to take over the completion of the design stage, it may create a precedent for other club's to forward projects that are not yet complete.

As there are no funds yet obtained for the construction phase of this project, it is also recommended that the Town of Port Hedland and the South Hedland Bowling and Tennis Club work to obtain sufficient funds.

Attachments

Redevelopment Plans

Officer's Recommendation

That Council advises the South Hedland Bowling and Tennis Club that:

a) the Town of Port Hedland continues to provide in-kind support to the South Hedland Bowling and Tennis Club regarding the development of their new Club Room facility;

b) the Town of Port Hedland will work with the South Hedland Bowling and Tennis Club to obtain funds for the construction phase of the project from various funding sources; and,

c) at the commencement of the construction phase of the South Hedland Bowling and Tennis Club, the Town of Port Hedland will undertake related project management for this portion of the project.

200910/196 Council Decision

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

That Council advises the South Hedland Bowling and Tennis Club that:

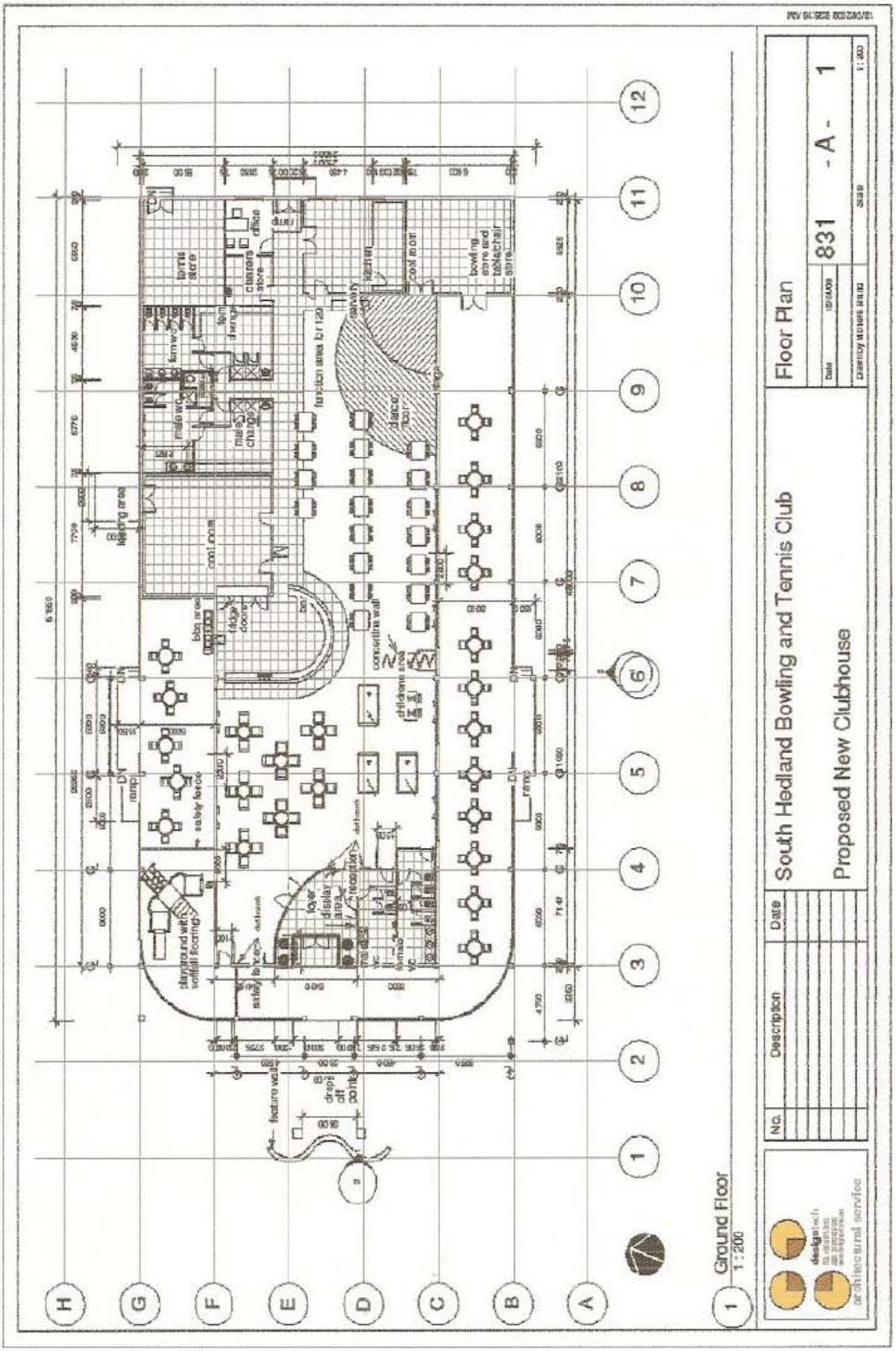
a) the Town of Port Hedland continues to provide in-kind support to the South Hedland Bowling and Tennis Club regarding the development of their new Club Room facility;

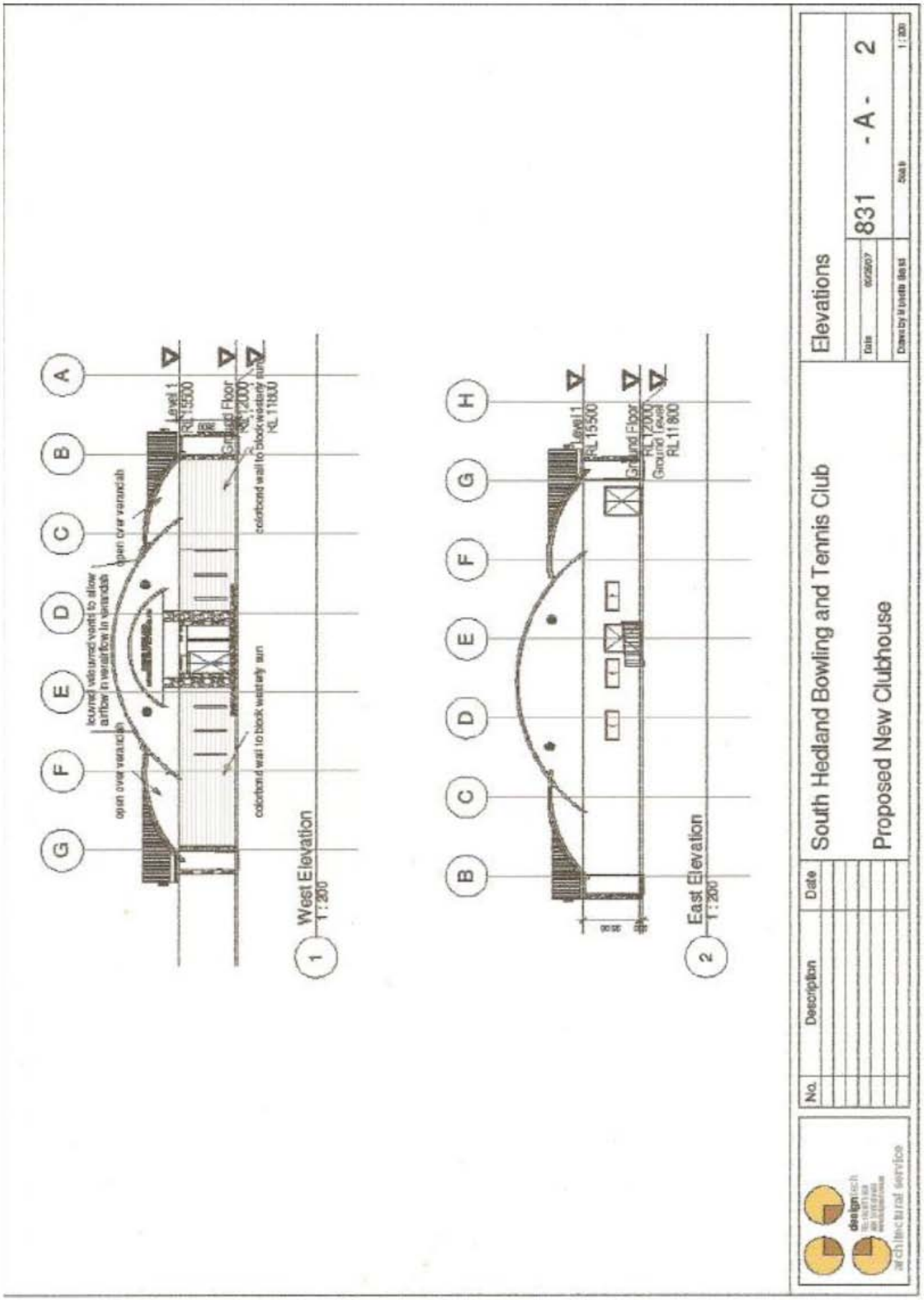
b) the Town of Port Hedland will work with the South Hedland Bowling and Tennis Club to obtain funds for the construction phase of the project from various funding sources; and,

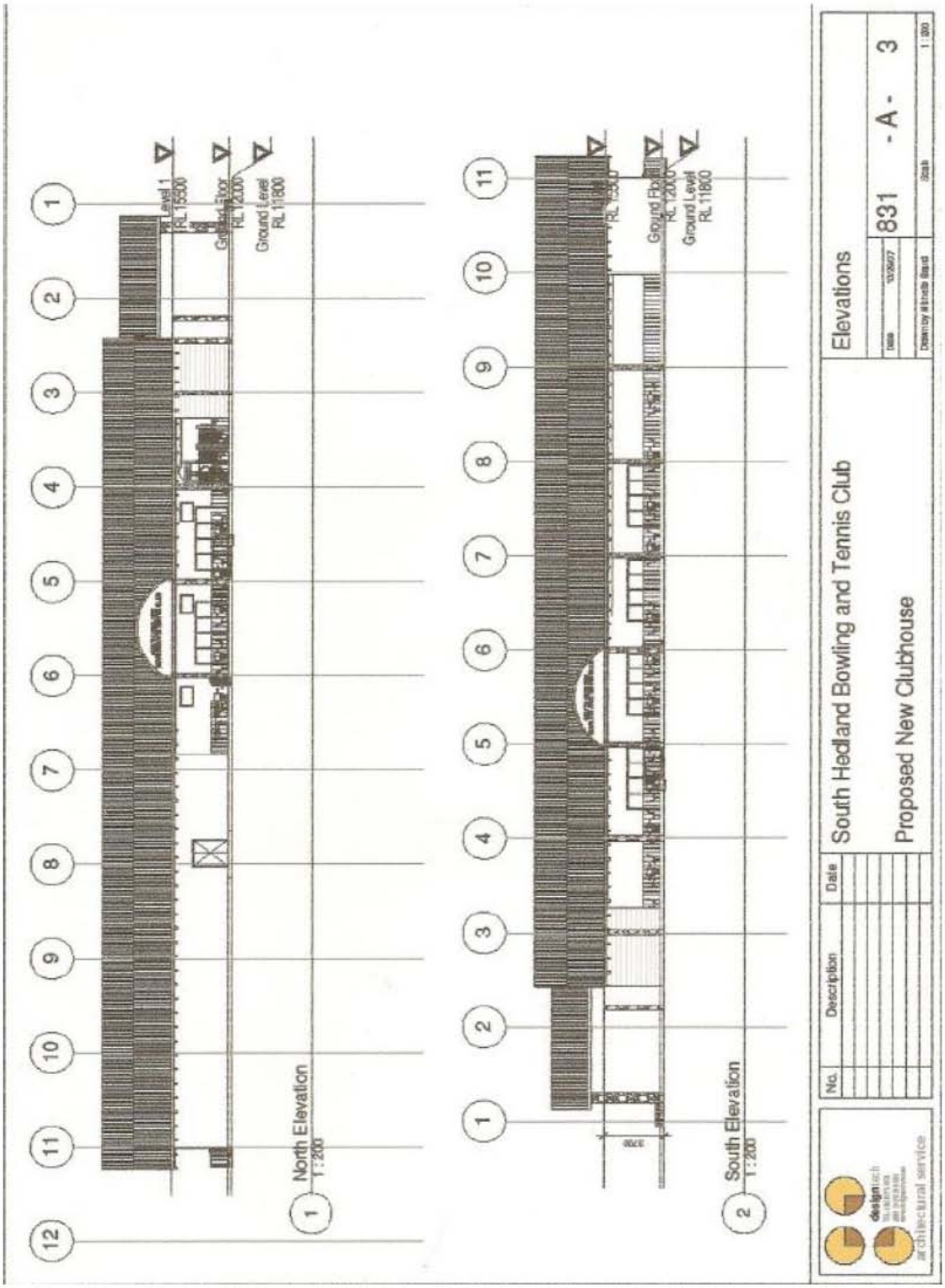
c) The Town of Port Hedland will assist the South Hedland Bowling and Tennis Club by project managing the development.

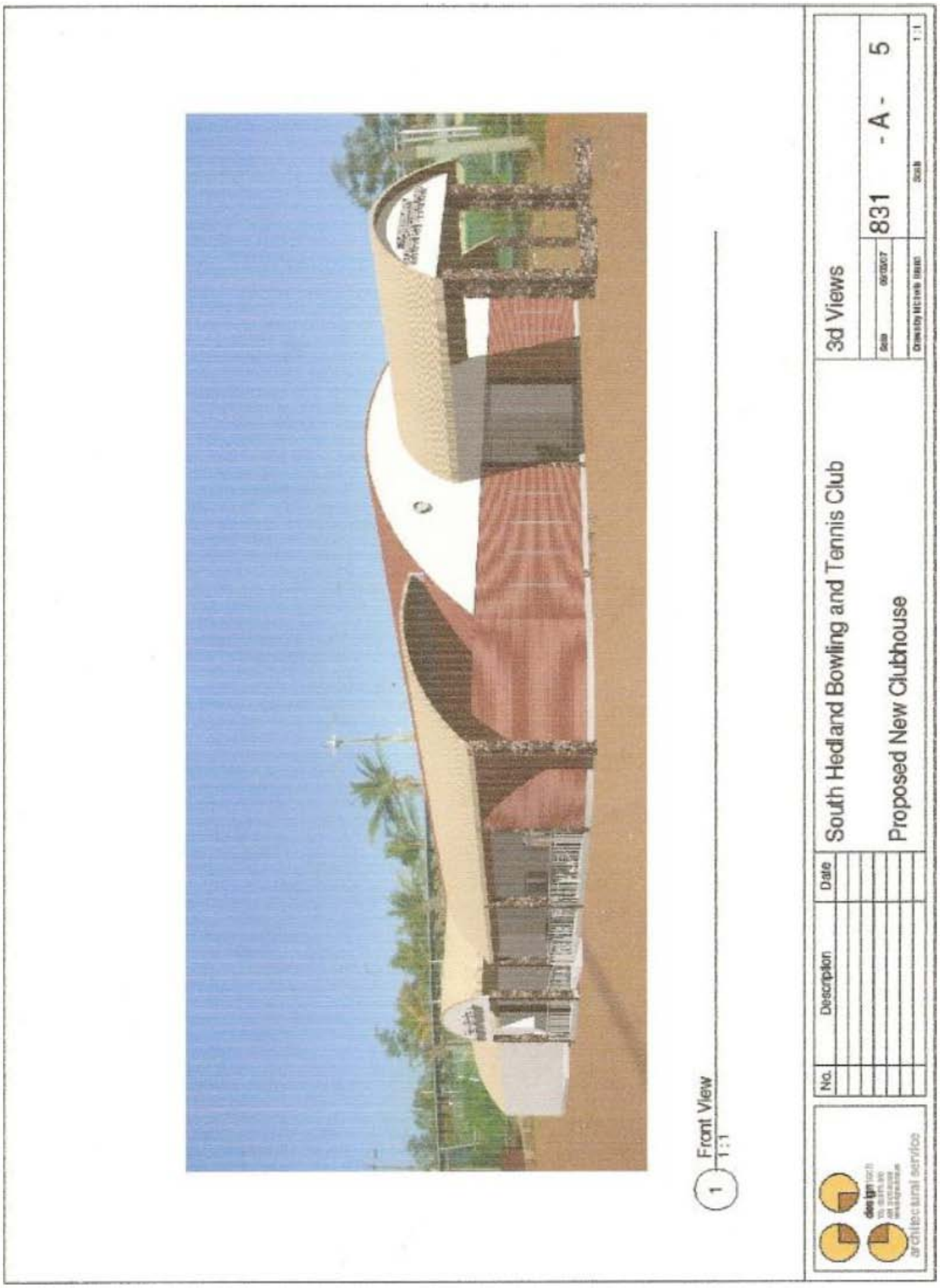
CARRIED 7/0

ATTACHMENTS TO AGENDA ITEM 11.2.4.1

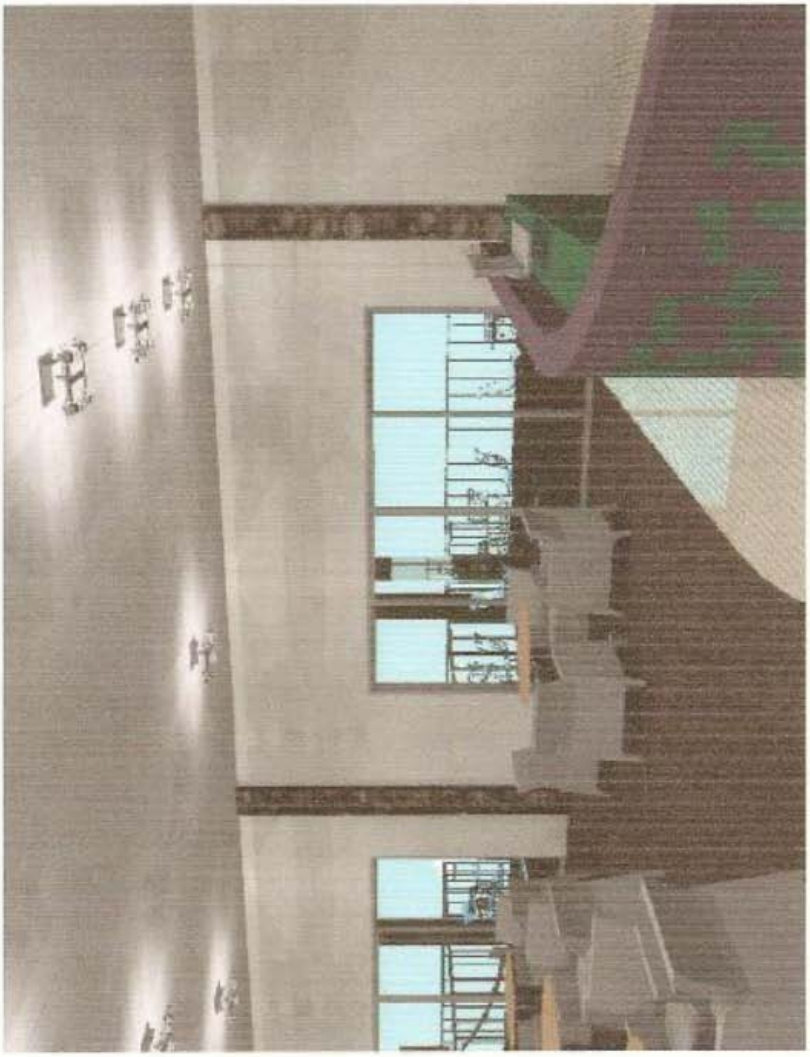



A
B
C
D
E
F
G
H
Level 1
RL 15500
Ground Floor
RL 12000
Ground Level
RL 11800
open over verandah
louvred veranda vents to allow airflow in verandah
colorbond wall to block westerly sun
1
West Elevation
1 : 200
2
East Elevation
1 : 200
Elevations
Date
831
- A -
2
Drawn by
1 : 200
South Hedland Bowling and Tennis Club
Proposed New Clubhouse
No.
Description
Date
architectural service


Level 1
RL 15500
Ground Floor
RL 12000
Ground Level
RL 11800
North Elevation
1 : 200
RL 15300
Ground Floor
RL 12000
Ground Level
RL 11800
South Elevation
1 : 200
No.
Description
Date
South Hedland Bowling and Tennis Club
Proposed New Clubhouse
Elevations
831
- A -
3
1 : 200
architectural service


1
Front View
1:1
No.
Description
Date
South Hedland Bowling and Tennis Club
Proposed New Clubhouse
3d Views
Date
831
- A -
5
Drawn by Michelle Wallace
Scale
1:1
architectural service

3D View 4
1:1
No.
Description
Date
South Hedland Bowling and Tennis Club
Proposed New Clubhouse
3D View
Date
831
- A -
6
Drawing Number
Scale
1:1
architectural service



1 3D View 7
1:1

No.	Description	Date

South Hedland Bowling and Tennis Club

Proposed New Clubhouse

3D View

Date 04.15.09 | 831 - A - 9

Drawn by Nicholas Baird | Scale 1:1

designlab
architectural service

11.2.4.2 Overhead Lighting at Sporting Reserves (File No.: ...)

Officer Bec Pianta
Manager Recreation Services

Date of Report 16 November 2009

Disclosure of Interest by Officer Nil

Summary

This report provides details as to the outcome of the lighting audit undertaken at each sporting and recreation reserve owned or managed by the Town of Port Hedland, and provides recommendations to meet the non-compliancy issues.

Background

In July 2009 the Town of Port Hedland recreation staff received an audit detailing the current lighting status and for each sporting reserve, including:

- Colin Matheson Oval
- Kevin Scott Oval
- McGregor Street Sporting Reserve
- Faye Gladstone Netball Courts
- Marie Marland Reserve
- Gratwick Aquatic Centre (main pool body)
- South Hedland Aquatic Centre (main pool body)
- JD Hardie Centre (both internal stadium and external courts)

For each of the reserves, a short term recommendation was provided, as well as a long term maintenance recommendation. Every reserve as at July 2009 was non-conforming in at least one area.

Consultation

The reports have been reviewed by the Recreation Services team, and the recommendations provided in this report have been discussed with the Chief Executive Officer, Director Engineering Services and the Department of Sport and Recreation.

In November 2009 the Sports and Recreation Officer and the Club and Project Development Officer discussed overhead lighting at other Local Government Authorities, and their replacement programs and charges.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 3: Community Development
Goal 2: Sports and Leisure
Strategy 1: Progressively implement the recommendations of the Sports Facility Audit with a particular focus on… the development of additional quality facilities…

Budget Implications

Should Council endorse the Officer's Recommendation, the approximate funds that will be required are $108,000. Council does not currently have funds allocated for this purpose in its 2009/10 budget.

Officer's Comment

As identified within the audit, all reserves fail conformance with either their LUX levels or conformity levels. This relates specifically to the particular sport played on the particular reserve.

Recommendations have already been implemented at some locations; others require funding to proceed. The breakdown of recommendations/actions/status has been attached to this report.

Options

As all overhead lighting at each sporting reserve is non-compliant in one form or another, Council must determine both short-term and medium-term solutions for each reserve, to ensure integrity and safety of users and bystanders. Marie Marland Reserve has met most of the required recommendations to date, primarily due to the issues raised with the replacement of the baseball back net. Colin Matheson Oval has also had all medium-term recommendations undertaken as part of the reserve redevelopment.

Overhead lighting is a required asset for sporting reserves where non-daylight operation is required. With the extreme temperatures experienced in Port Hedland, it is reasonable for the community to demand access to facilities that provide non-daylight access, in a manner that meets all Australian Standards. However, the upkeep and maintenance of these overhead lights is costly, and currently, the trust accounts for light maintenance and repairs do not come close to the estimated costs per annum for this upkeep.

As it has now been identified that there are non-compliances in the Town of Port Hedland's overhead light assets, a decision must be made as to the future of the overhead lights, and the actions from here.

It has also been identified that Council is making a considerable loss on these assets; Broome Shire Council charges approximately $110 per hour for their overhead lighting use whilst the Town of

Port Hedland charges $35.20 per hour for a similar lighting arrangement and LUX level.

200910/197 Council Decision / Officers Recommendation

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

That Council:

i) note the finding from the recent Lighting Audit that was completed at all sports grounds;

ii) consider allocations funds to rectify issues during its quarterly budget review process; and

iii) consider allocation of further funds in 2010/11 budget to further address the issue.

CARRIED 7/0

ATTACHMENT TO AGENDA ITEM 11.2.4.2

Colin Matheson Oval (Port Hedland)

Conclusions:

- We conclude that the current level of play at Colin Matheson Oval is as follows:-
  - Football Amateur Level - Club Competition & Match Practice.
- While the general operation of the floodlighting system appears to be in good order, the cleanliness of the floodlights requires attention. 12% of the floodlights were inoperative on the night of the audit when the High Level setting was selected. Although unconfirmed, there is a high probability that this is due to lamp failure.
- The overall lighting performance, as measured on the night of the audit, is non-complying for Football to Club Competition & Match Practice. This is due to poor uniformity of light across the PPA. Assuming the 8 failed lamps were functioning, we predict the uniformity could improve so as to meet the recommended minimum uniformity.
- Assuming that all existing lamps are replaced with brand new lamps, and the floodlight optical surfaces are cleaned, it is not unreasonable to expect an additional 30% increase in light output. If desired, this could bring the average light level to compliance with Semi-professional – Competition level.

Recommendation

Instigate a 2-year (24 months) maintenance schedule for the sports lighting system at this facility so as to:-

- Provide a record of maintenance in accordance with “Maintenance Manual/Log Book”
- Allow for the 2-yearly supply, labour and equipment hire to:-
  - energise and note the 6 best existing operating lamps prior to replacement
  - purchase and replace all 66 lamps
  - store and retain the 6 lamps for spot replacement as required during the 2 years
  - carry out maintenance work in accordance with “Servicing the Lighting System”

Status

Recommendation undertaken as part of the Colin Matheson Oval Upgrade. Total Cost: $43,822. Expected to be a bi-annual expenditure, although total cost from now expected to be less, and in the range of $32,000.

Kevin Scott Oval (South Hedland)

Conclusions:

- We conclude that the current level of play at Kevin Scott Oval is as follows:-
  - Football Amateur Level - Club Competition & Match Practice.
  - Recreational Level – Touch & Tag
- Overall, the general condition and cleanliness of the floodlighting system appears to be in reasonably good order. Notwithstanding, 40% of the floodlights were inoperative on the night of the audit when the High Level setting was selected. Although unconfirmed, there is a high probability that this is due to lamp failure. The overall lighting performance, as measured on the night of the audit, is suitable for Touch & Tag Recreational Level, and Football to Club Competition & Match Practice Level. Assuming all lamps were functioning, we predict that the average light level would increase to ~140 lux, and uniformity would also improve. This is still below the next level of play being Semi-professional – Competition, which requires 200 lux. Assuming that all existing lamps are replaced with brand new lamps, and the floodlight optical surfaces are cleaned, it is not unreasonable to expect an additional 50% increase in light output. If desired, this may bring the average light level to compliance with Semi professional – Competition level

Recommendation

Instigate an annual (12 month) maintenance schedule for the sports lighting system at this facility so as to:-

- Provide a record of maintenance in accordance with "Maintenance Manual/Log Book"
- Allow for the annual supply, labour and equipment hire to:-
  - energise and note the 10 best existing operating lamps prior to replacement
  - purchase and replace all 60 lamps
  - store and retain the 10 lamps for spot replacement as required during the year
  - carry out maintenance work in accordance with "Servicing the Lighting System"

Status

Sports lighting current as per audit. Recommend undertaking annual maintenance schedule as per recommendation above. Estimated cost: $45,000. Expected to be an annual expenditure, although total cost from now expected to be less, and in the range of $32,000. It is recommended that this replacement occur as part of the construction and redevelopment of the new oval (2010/11).

McGregor Street Sporting Reserve (Hockey/Soccer/Rugby Oval)

Executive Summary

The key findings and recommendations contained in this report:

- The performance of the existing floodlights at McGregor Street Reserve is inadequate for Amateur Rugby League Competition Level and Match Practice.
- Reinstating the 2 non-operational floodlights (lamps) will not provide compliance.
- Consider undertaking a risk assessment to determine if match play should continue at night if the intention is to play Amateur Rugby League Competition Level and Match Practice
- Implementing a 1-year re-lamping and maintenance schedule may allow the current system to deliver satisfactory lighting performance, however retaining and maintaining the existing system should only be viewed as a viable short-term proposition.
- Existing floodlight columns appear to be showing signs of corrosion and should be checked for stability.
- Existing floodlights are aged, inefficient, and should be replaced.
- Minor remedial work to the Main Switch Board is required in order keep it secured from unauthorised access.
- We recommend that funds be set aside to facilitate the design, selection and replacement of the sports lighting system at McGregor Street Reserve.

Recommendations – operational

Instigate a 1-year (12 months) maintenance schedule for the current sports lighting system at this facility so as to:-

- Provide a record of maintenance in accordance with "Maintenance Manual/Log Book"
- Allow for the 1-yearly supply, labour and equipment hire to:-
  - purchase and replace all 16 lamps.
  - store and retain 1 additional lamp for spot replacement as required during the remaining year, if required.
  - carry out maintenance work in accordance with "Servicing the Lighting System"

Recommendations – capital

Set aside funds to facilitate the design, selection and replacement of the sports lighting system at McGregor Street Reserve giving consideration to:-

- a structural assessment report on the state of the floodlight columns
- the poor condition and performance of the existing floodlights
- the unavailability of spare parts and replacement floodlights of the same brands

Status

No maintenance has been undertaken at this reserve due to the unknown status of the potential redevelopment. Should the redevelopment not occur, it is recommended that the capital recommendations be undertaken immediately to determine new overhead light requirements. It is recommended that in the short term, the operational recommendations are undertaken. Estimated short term cost: $15,000. Estimated capital cost $180,000.

Faye Gladstone Netball Courts

Conclusions

- We conclude that the current level of play at the Faye Gladstone Netball Courts is as follows:
- Training & Competition Level (with few spectators)
- Although the average light level may appear satisfactory, the overall lighting performance, as measured on the night of the audit, is non-complying for "Training & Competition Level (with few spectators)". This is due to poor uniformity of light across the PPA in the case of all 6 courts. In addition to the above, there are also two key maintenance issues relating to Courts #1, #2 and #3 which directly affect performance:-
  - 4 floodlights each have a broken and crazed front glass cover. This should account for the relatively low average light levels recorded at Courts #1 & #2.
  - 1 floodlight was inoperative on the night of the audit. Although unconfirmed, there is a high probability that this is due to lamp failure. This would account for the relatively low average light level recorded at Court #3.
- Unfortunately, assuming the above maintenance issues were resolved, without other interventions we predict the uniformity would still not improve to the point of meeting the recommended ratio of 0.5 min/ave. If Netball is to continue to be played at Training & Competition Level (with few spectators), the Town of Port Hedland should consider undertaking a risk assessment to determine whether night play should continue despite the uniformity on the PPA not meeting lighting requirements for Training & Competition Level (with few spectators).
- Assuming that all 12 lamps are replaced with brand new lamps, and glass covers are replaced, it is not unreasonable to expect that the average light level would meet the requirement for the next level of play "Competition (with large spectator galleries)", being 200 lux. However, without a major intervention we would expect the lighting to remain noncompliant with the uniformity falling well short of meeting the recommended ratio of 0.66 min/ave.

Recommendations

Instigate a 3-year (36 months) maintenance schedule for the sports lighting system at this facility so as to:

- Provide a record of maintenance in accordance with "Maintenance Manual/Log Book"
- Allow for the 3-yearly supply, labour and equipment hire to:-
  - energise and note the best 2 existing operating lamps prior to replacement
  - purchase and replace all 12 lamps, while storing the 2 lamps for spot replacement as required during the 3 years
  - carry out maintenance work in accordance with "Servicing the Lighting System"

Status

Sports lighting is current as per audit. Recommend undertaking maintenance schedule as per recommendation above. Estimated cost: $22,000. Expected to be a 3-year expenditure, although total cost from now expected to be less.

Marie Marland Reserve (Diamond 1)

Conclusions

- We conclude that the current level of play at Marie Marland Reserve is as follows:-
  - Rugby League – Training Level
  - Softball and Baseball - Club Competition and Bat/Ball Training Level
- The current performance of the floodlighting system is more than adequate for Rugby League Training. However, the overall lighting performance, as measured on the night of the audit, is non-complying for Softball and Baseball "Club Competition and Bat/Ball Training". This is due to a low average light level on both the Infield and Outfield, and poor uniformity of light across the Outfield. The Town of Port Hedland should consider undertaking a risk assessment to determine if Softball/Baseball should continue despite the Outfield lux level/uniformity of 133/0.37 and the Infield lux level of 206 not meeting lighting requirements for Softball and Baseball Club Competition and Bat/Ball Training.
- 8 of the total floodlights (16%) were inoperative on the night of the audit when the High Level setting was selected. Although unconfirmed, there is a high probability that this is due to lamp failure.
- Assuming the 3 failed floodlights (on column #8) serving the Infield were functioning, we predict the resultant increase in the average light level would be sufficient to meet the recommended minimum of 250 lux.

- Assuming the remaining 5 failed floodlights serving the Outfield were functioning, we suggest the resultant improvement in uniformity may be sufficient to meet the recommended minimum ratio of 0.5 min/ave; however this would depend on the aiming positions of the floodlights.
- If all 50 lamps are replaced with brand new lamps, and the floodlight optical surfaces are cleaned, it is reasonable to expect a significant increase in light levels across the total PPA, however due to no records of current lamp aging being made available an accurate increase cannot be made at this time.

Recommendations

Instigate a 2-year (24 months) maintenance schedule for the sports lighting system at this facility so as to:-

- Provide a record of maintenance in accordance with "Maintenance Manual/Log Book"
- Allow for the 2-yearly supply, labour and equipment hire to:-
  - energise and note the 10 best existing operating lamps prior to replacement
  - purchase and replace all 50 lamps.
  - store and retain the 10 lamps for:
    - spot replacement as required during the 2 years.
    - carry out maintenance work in accordance with "Servicing the Lighting System"
- address 'Operational Issues'

Status

All lamps were replaced as part of the Baseball Backnet Replacement, to meet demand for compliance with Lux Levels. It is recommended that this maintenance schedule be continued on a bi-annual basis as recommended. Estimated cost: $25,000.

Gratwick Aquatic Centre

The overhead lights at GAC do not meet requirements for non-daylight operations at the centre, when all shade sails are installed. As per the recommendations within the audit, the preferred option is to install indirect lights within shaded areas (using existing structures) to ensure uniformity and low glare. The Department of Sport and Recreation has advised that the Town of Port Hedland has recently been successful in obtaining $75,000 from the Small Grants Scheme for the upgrade of these lights. It is anticipated that these upgrades will occur prior to the end of the 2009/10 financial year, providing Council funds are made available.

South Hedland Aquatic Centre

The overhead lights at SHAC do not meet requirements for non-daylight operations at the centre, when all shade sails are installed. As per the recommendations within the audit, the preferred option is to install indirect lights within shaded areas (using existing structures) to ensure uniformity and low glare. As the SHAC is in the process of obtaining designs for the redevelopment of the entire facility, Council previously resolved to provide a temporary solution for this peak season. These lights have been installed, but a complete upgrade will be required next financial year.

JD Hardie Centre – external courts

Conclusions:

- We conclude that the current level of play at the 3 Outdoor Courts is as follows:-
  - Recreation, or Training & Competition Level (with few spectators)
- Both the quantity and quality of lighting performance at the Outdoor Courts is poor in comparison to the recommended Australian Standard for "Recreational, Training & Competition Level (few spectators)". This is due to:-
  - the existing floodlights being beyond their useful life
  - an inadequate amount of floodlights
  - an inadequate number of columns
- Court #2 & #3 are adequately served by 4 x 15m high columns and an upgrade of floodlighting to these courts appears to be a relatively straightforward proposition.
- Court #1 is served by 2 poles from one side only, resulting in light intersecting the court surface from one direction only. This configuration creates unwanted shadows and is considered to be poor sports lighting practice.
- If Netball or Basketball is to be played at Recreation, or Training & Competition Level (with few spectators), the Town of Port Hedland should consider undertaking a risk assessment to determine whether night play should continue despite the lux level/uniformity not meeting lighting requirements for Recreation, or Training & Competition Level (with few spectators).

Recommendations:

- Install a matching pair of additional 15m high columns located adjacent to the Cottier Rd side of Court #1.
- Replace all existing floodlights with an additional quantity of new selected floodlights designed to deliver 100 lux (Eave) and 0.5 uniformity (min/ave), and other light technical parameters as outlined in AS2560.2.4 – 1986.
- Measure & verify (audit) light-technical performance
- Implement a lamp replacement and maintenance program

Status :

No recommendations have been undertaken to date with regards to the external courts at the JD Hardie Centre.

JD Hardie Centre – internal stadium hall

Conclusions:

- We conclude that the current level of play within the Sports Hall is as follows:-
  - Recreation & Training Level (for most sports)
- The quantity and quality of lighting serving the area within the Netball/Basketball PPA of the Indoor Court is adequate for "Recreation & Training Level only for most sports". The exceptions are table tennis, fencing, boxing, wrestling and martial arts, all of which require higher light levels than the system is capable of achieving in its present form.
- Achieving compliance with the recommended light-technical parameters for "Recreation & Training Level for Indoor Hockey, being the largest PPA, will require a degree of reconfiguration (relocation and addition) of the existing lighting system.
- If hockey, table tennis, fencing, boxing, wrestling and martial arts are to be played at Recreation, or Training Level, the Town of Port Hedland should consider undertaking a risk assessment to determine whether night play should continue despite the lux level/uniformity not meeting lighting requirements for Recreation, or Training Level.
- The current lighting installation is considered inadequate for "Competition Level" of any of the regular indoor sports, all of which require higher lighting levels than the system is capable of achieving in its present form.
- If a permanent lighting system is required to deliver appropriate lighting levels for "Competition Level" appropriate for most sports, being 500 lux (Eave) and 0.7 uniformity (min/ave), the present system either needs to be substantially supplemented or replaced.
- Providing remedial advice of this nature currently falls outside the scope of this Report, however LightPlan is in a position to provide design advice at an appropriate time in the future, if and when required.

Recommendations:

Instigate a 1-year (12 months) maintenance schedule for the sports lighting system at this facility so as to:

- Provide a record of maintenance in accordance with "Maintenance Manual/Log Book"
- Allow for the 1-yearly supply, labour and equipment hire to:-
  - energise and note the best 4 existing operating lamps prior to replacement

  - purchase and replace all 23 lamps, while storing the 4 lamps for spot replacement as required during the next year
- carry out maintenance work in accordance with “Servicing the Lighting System”

Status:

No recommendations have been undertaken to date with regards to the internal stadium hall at the JD Hardie Centre with the exception of the replacement of blown lamps.

11.2.4.3 Multi-Purpose Recreation Centre Update (File No.: 26/14/0006)

Officer	Bec Pianta Manager Recreation Services
Date of Report	2 December 2009
Disclosure of Interest by Officer	Nil

Summary

This report provides a detailed summary of the Multi-Purpose Recreation Centre status, and proposed timeframes for the commencement of construction.

Background

At the Ordinary Council Meeting on 28 May 2008, Council resolved to contract Ashton Raggatt and McDougall (ARM) as the principal architects for the creation of the South Hedland Sporting Precinct, including the design of the Multi-Purpose Recreation Centre.

Following the third field trip by ARM, the master plan of the South Hedland Sporting Precinct was presented to Council at its Ordinary Council Meeting on 10 December 2008, where it was resolved that Council:

"..i) endorses the master plan concept design for the South Hedland Sporting Precinct, with the following modification:

a) function centre to be located at the front oval within the precinct area;

ii) informs Ashton Raggatt and McDougall (ARM) of this endorsement, and allows the continuation of this project; and,

iii) Re-advise the Architects that Council is seeking a focus on good solar passive design and renewable energy provisions within the building. "

Following the endorsement of the Master Plan from Council, ARM and Town of Port Hedland staff undertook intense discussions and conferences with regards to functionality, operations and aesthetics of the centre.

To ensure community support and understanding of the project, a period of community consultation was undertaken, to allow for feedback, concerns, issues and questions to be raised.

At its Ordinary Council Meeting on 27 May 2009, the final internal schematics were presented following this period of community consultation, where it was resolved that Council:

"…i) Endorses the internal schematics of the Multi-Purpose Recreation Centre;

ii) reviews the proposed location of the function centre within the proximity of the rear ovals at a later date in conjunction with further community consultation;

iii) Undertakes a business plan for the management and operation of the Multi-Purpose Recreation Centre; and

iv) Advises the community of the outcome.

v) continues to liaise with the Port Hedland Gymnastics Association regarding facility components that are necessary within the Multi-Purpose Recreation Centre: to ensure an appropriate level of access and use of the facility by that group."

As per the above resolution, all points excluding point ii) have been undertaken, and now a final resolution of Council is required prior to the calling of tenders for construction.

Point ii) is planned for January to March 2010, as a business plan was unable to be developed with final inclusions unknown. The project is now at a stage where these have been finalised, and it is programmed for this to occur over the following three (3) months.

Consultation

Previously, the designs were distributed to all Town of Port Hedland staff for their comments, as well as the Youth and Recreation Facilities Working Group.

Community consultation was also undertaken in the following manner:

- Newspaper advertisement
- Media Releases
- Email correspondence
- Community forum
- Hard copy displays

In the period since the last presentation to Council, the following staff have been involved in the final design:

- Manager Recreation Services
- Sports and Recreation Officer
- JD Hardie Centre Supervisor

- Manager Planning Services
- Manager Building Services
- Director Engineering Services
- Director Regulatory and Community Services
- Planning Officer
- Manager Infrastructure Development

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 3: Community Development
Goal 2: Sports and Leisure
Strategy 1: Progressively implement the recommendations of the Sports Facility Audit with a particular focus on the development of a multi-purpose sports facility at Kevin Scott Reserve…

Budget Implications

The most recent interim QS estimate places the total construction cost at $37.5 million (excluding GST), approximately 6% over the Town of Port Hedland's confirmed budget of $35.3 million. This figure excludes consultancy fees, however includes a 4% design contingency. As this QS exceeds the current budget, further savings have been identified, and will be included within the final QS report. The architects have confirmed that the final QS estimate will meet the Town of Port Hedland's budget.

Proposed capital income sources for this project include:

Income Source	Amount	Status
BHP Billiton Iron Ore	$ 11,500,000	Confirmed
Royalties for Regions	$ 10,500,000	Confirmed
Town of Port Hedland	$ 8,000,000	Council Loan. To be repaid using funds from Port Haven
Auzcorp (Area B)	$ 2,500,000	Confirmed
Auzcorp (Mia Mia)	$ 1,750,000	Confirmed
Reallocation from Royalties for Regions	$ 600,000	Confirmed
Interest from Royalties for Regions	$ 750,000	Confirmed (actual amount estimated)
TOTAL	$ 35,600,000	

As identified, the capital cost component has been confirmed, however ongoing annual operational losses still need to be considered. In the preliminary business planning stage, the projected operational losses were:

Year 1

	Worst	Expected	Best
Projected Income	$805,850	$175,620	$1,534,525
Projected Expense	$1,789,134	$1,789,134	$1,789,134
Net Result	- $983,284	- $613,514	- $254,609

Three-year

	Year 1	Year 2	Year 3
Projected Income	$175,620	$1,234,901	$1,420,718
Projected Expense	$1,789,134	$1,868,965	$1,996,964
Net Result	- $613,514	- $634,064	- $576,246

Although these figures were developed early in the development stage, these finances were based upon the scope that has lead to the development of the current building design. It is the intention to create an updated business plan based on the finalised designs, which will occur from January to March 2010.

For this project to proceed, Council will need an awareness and understanding that operational losses are expected following the completion of this facility, in terms of operation and management.

The projected operational losses have been 'fed into' Council's Five Year Financial Plan. This Plan demonstrates that Council can afford to incur this loss on an annual basis.

Officer's Comment

The final Multipurpose Recreation Centre designs have been considered by various staff within the Town of Port Hedland to ensure maximum operational and practical use, as well as function, aesthetics and purpose. These designs have been based on community consultation and required amenities, and aim to service the broader community.

Final designs (minor amendments not yet made) can be seen in attachment 1 and 2, and demonstrates that the facility has met all community needs and desires where practicable and possible.

As it is the intention to advertise for tender in January 2010, it is imperative that certain timeframes are adhered to. ARM have indicated that they will be able to forward for construction drawings 6 weeks after the final comments from Council. It is anticipated that the following timeframes will be dedicated to the project to allow for the construction tender of both the JD Hardie Centre and the Multi-Purpose Recreation Centre to be called concurrently:

Action	Due Date
Final comments to ARM	3rd December 2009
Detailed designs received	14th January 2010
Tender called (JDHC and MPRC)	16th January – 17th March 2010 (8 weeks)
Business plan completed (MPRC)	11th Jan – 12th March 2010
Project Manager engagement	11th Jan – 12th March 2010
Tender presented to Council	24th March 2010
Contract commences	25th March 2010

The completion of the tender for construction will be undertaken prior to the receipt of the for construction drawings, allowing for the tender to be called immediately upon the receipt of these final designs. Discussions with the CEO has indicated that should there be concerns or issues with either building licences or planning approvals, resolutions can occur during the 2-month tender period, allowing for construction planning to commence immediately following the awarding of the contract.

As the total capital funding required (based on the Town of Port Hedland budget) has been confirmed and Council has endorsed all schematic plans, it is recommended that Council resolve to call for tenders should the final QS be under $35.6 million, when the for construction drawings are received.

Attachments

1. Ground Floor, Multi Purpose Recreation Centre
2. Level 1, Multi Purpose Recreation Centre

200910/198 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr S J Coates

That Council:

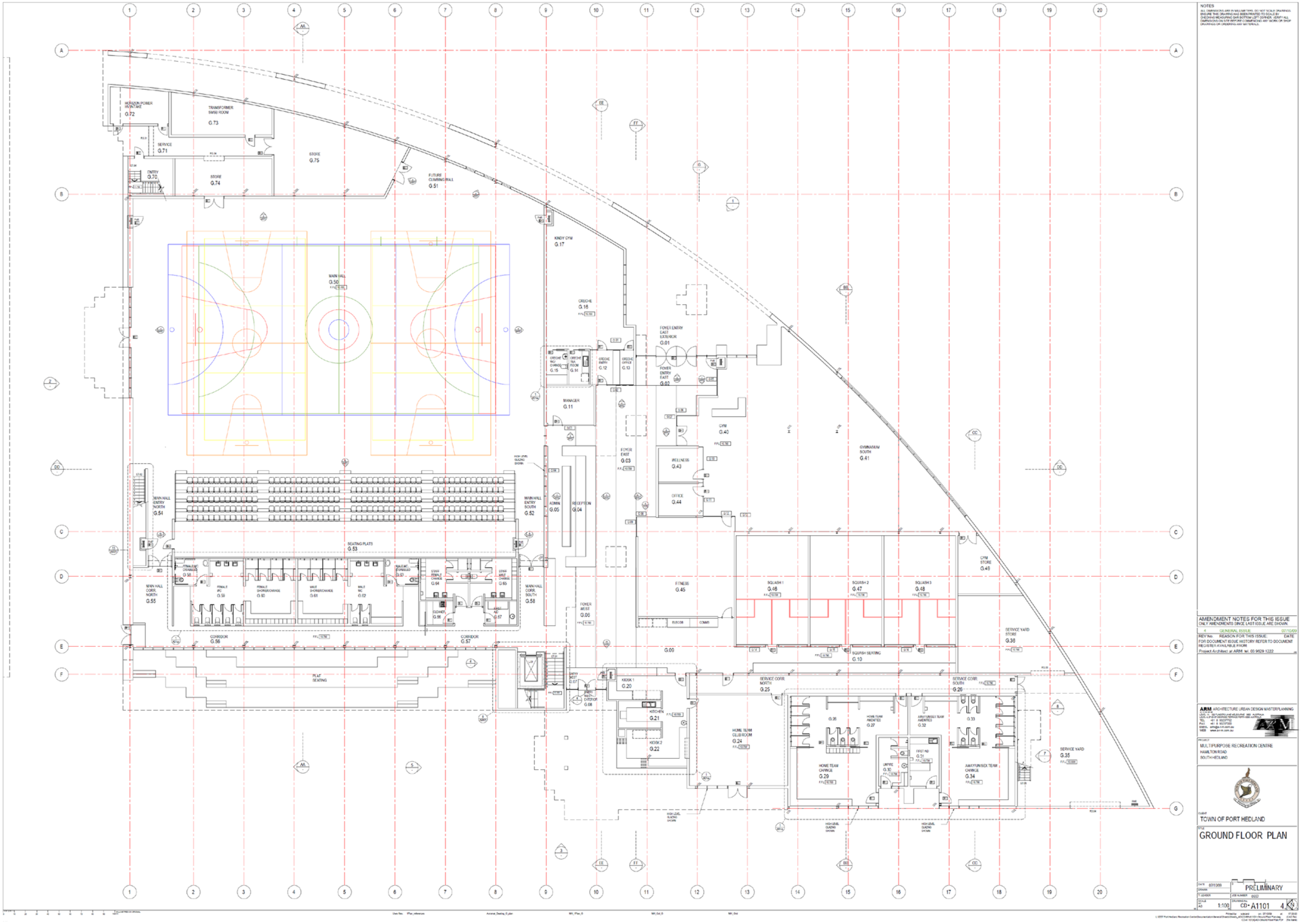
a) approve the calling for tenders for the Multipurpose Recreation Centre project, subject to the final quantitative survey estimate for the construction of the Centre being below the Town of Port Hedland's budget of $35.6 million;

b) jointly tender for the construction of the Multi Purpose Recreation Centre and the JD Hardie Youth Precinct, with the capacity to separate portions if necessary; and

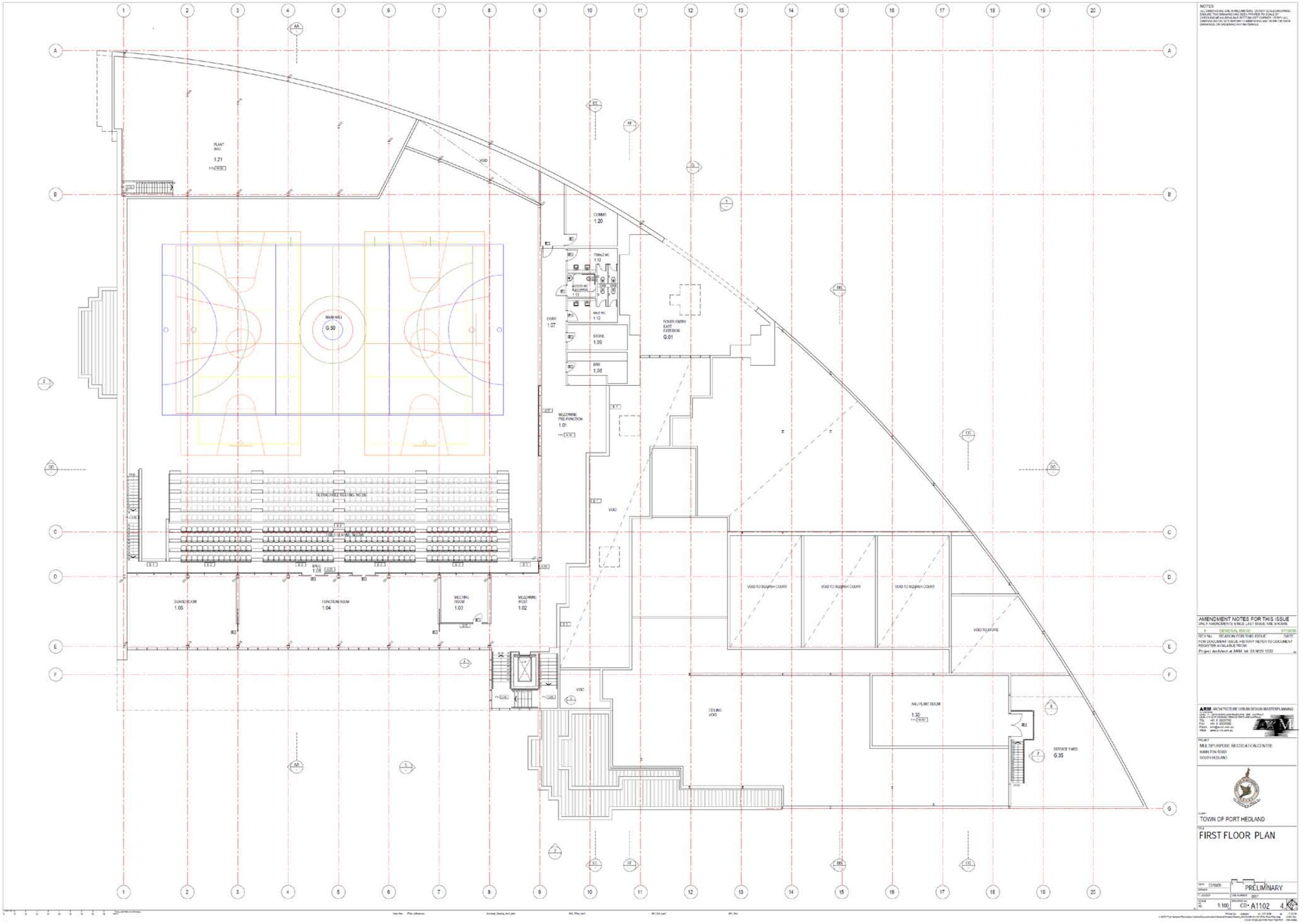
c) advise Ashton Raggatt McDougall that for construction designs must be received by the 14th January 2010.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.4.3



ATTACHMENT 2 TO AGENDA ITEM 11.2.4.3



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

Officer	Bec Pianta Manager Recreation Services
Date of Report	13 November 2009
Disclosure of Interest by Officer	Nil

Summary

The final McGregor Street Reserve Master Plan has been developed, following community and Council consultation. For this project to be completed (the Master Planning phase), Council notation is required. This item was laid on the table at the October meeting pending further discussion with Council. The Master Plan can be viewed in attachment 1.

Background

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

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

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

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

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

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

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

> *"Council do not progress the McGregor Street Reserve Development Project until complete soil analysis is undertaken, and those results are available to Council.*
>
> *REASON: Council resolved to undertaken a complete soil analysis on the site, prior to committing to progress the McGregor Street Reserve Development Project any further."*

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

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

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

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

At this meeting, it was resolved that Council:

"…i) notes the Geotechnical Report on the McGregor Street Reserve, from SGS Australia Pty Ltd, dated 9 March 2009;

ii) provides a copy of the Geotechnical Report dated 9 March 2009 to ROSS Planning for inclusion in the McGregor Street Reserve Master Plan;

iii) recommence the finalisation of the McGregor Street Reserve Master Plan; and

iv) consider the completed McGregor Street Reserve Master Plan at a future meeting of Council and stakeholders."

As per the resolution above, the Master Plan was finalised, and forwarded to all stakeholders for consideration. Their comments, along with the Officer's Recommendation was presented at the Ordinary Council Meeting on the 28th October 2009, where it was resolved that the item be laid on the table to allow for further consideration by new Councillors.

The Master Plan, together with the objectives of the project, timelines and Council outcomes were presented at the Informal Council Briefing on 11 November, to allow all Councillors the opportunity to gain further understanding of the project.

During this discussion, the longer term development proposals pertaining to potential relocation of the Port Hedland Waste Water Treatment Plant and the proposed Athol Street Development may impact on the future use and development of McGregor Street. While mooted in the Land Use Master Planning process, these proposals are gaining momentum and now need to be seriously considered in conjunction with this Master Plan.

Consultation

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

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

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

- Newspaper advertisements
- Shopping centre displays
- Email correspondence
- Community forums
- Radio advertisements (with live coverage)
- Radio interview
- Media Releases

- Hard copy displays at the:
  - Civic Centre
  - JD Hardie Centre
  - South Hedland Library
  - Port Hedland Library
- Dedicated Turf Club Meeting

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 3: Community Development
Goal 2: Sports and Leisure
Strategy 1: Progressively implement the recommendations of the Sports Facility Audit with a particular focus on… the development of additional quality facilities…

Budget Implications

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

Officer's Comment

This project was awarded to ROSS Planning in November 2007, with a proposed completion date of March 2008. Due to many unforeseen hurdles, this project has yet to conclude, and the contract with ROSS Planning remains incomplete.

Direction for this project is essential, so that staff and community groups understand the short and longer term plan for the facilities on McGregor Street. Currently, the McGregor Street Master Plan is 2/3 complete. Since the final Master Plan has been received, it has been forwarded to all stakeholders of the McGregor Street Reserve, asking whether their group supported the proposed Master Plan. The following responses were received:

Group	Support	Additional Comments
Port Hedland Canine Club	Yes	Require additional parking
Port Hedland Scouts	Yes	Require additional space
Port Hedland Cricket Association	Yes	
SHOATA / Equestrian	Yes	Require area for use
Port Hedland Turf Club	No	
Port Hedland Junior Cricket Assoc.	Yes	
BMX Club	Yes	May not relocate at all

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

No comments were received from Port Hedland Junior Soccer Association or the Hawks Rugby League Club, however all have been involved in the process to date, and have previously provided comments and positive feedback. Both of these associations have expressed their interest in the redevelopment of the reserves in the first instance, and secondly, access to and use of a high quality clubroom facility.

Community consultation has occurred extensively throughout this project, with the Port Hedland Turf Club being the primary objector to the proposed Master Plan, on the grounds that they do not want to move Risk identification has taken place based on community feedback, and whilst many of the items may have mitigation or resolution opportunities, it is apparent that the historical and sentimental value of the Turf Club to its members is a very real issue. The comments received from the Turf Club during this round of consultation are as follows:

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

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

Presently, the sports grounds on McGregor Street are in dire need of leveling, redeveloping and resurfacing. This has been delayed due to the unknown status of this project; redeveloping the entire reserve means that undertaking sports ground surface repairs would be redundant at this time. Should this proposed redevelopment not occur, essential sports ground repairs and replacement infrastructure would be required.

The existing change room facility at the McGregor Street Sporting Reserve will soon require replacement. The septic is becoming aged and unreliable, and Council has approved a temporary clubroom facility for establishment at the reserve. The temporary nature of this facility will enable replacement with a multi-use pavilion should the project continue. It is likely that if the draft Master Plan is not endorsed and implemented, considerable funds will be required to upgrade the existing facilities and amenities to a standard agreed to in the Recreation Facilities Audit (and as part of the Strategic Plan).

Given the extensive community consultation and considerable amount of work that has gone into this Master Plan, there is a very strong desire to complete the project. Having said that, a number of other potential developments on land that is adjacent to the McGregor St Reserve have gained momentum over the past six months, including the completion of the Port Hedland Land Rationalisation Plan in October 2009. These developments include the possible relocation of the sewerage treatment ponds to another area and the development of the 'Athol St land' and Telstra site. If these developments come to fruition, there is potentially a significant impact on the suitability of the proposed Master Plan.

Council therefore has three (3) options:
1. Discontinue the project;
2. Endorse the McGregor Street Reserve Redevelopment Master Plan making alterations to allow for consideration of the Land Rationalisation Plan; or
3. Conclude the project, noting the current proposal and feeding into the overall development plan for the site.

Attachments

Proposed Master Plan – McGregor Street Sporting Reserves

200910/199 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr J M Gillingham

That Council:

a) note the McGregor Street Reserve Redevelopment Master Plan as developed to date;

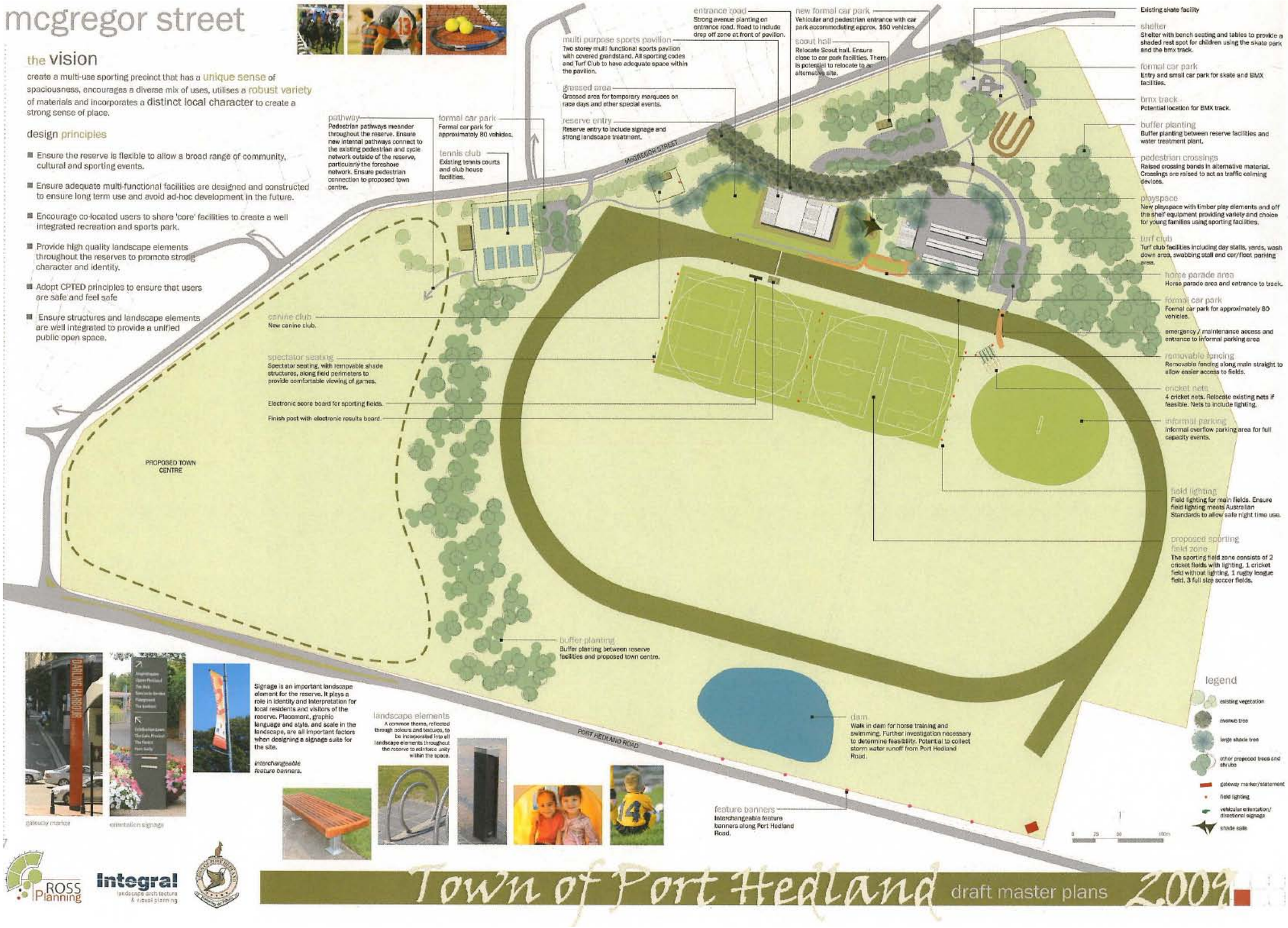
b) advise ROSS Planning that the project is now considered complete, and a final invoice is to be sent for work undertaken to date;

c) advise all stakeholders that the Master Plan Concept has been noted, and will be fed into the overall development plan for the area; and

d) continue to maintain and repair McGregor Street Reserve where necessary to allow use for community and recreation purposes.

CARRIED 7/0

ATTACHMENT TO AGENDA ITEM 11.2.4.4



11.3 GOVERNANCE AND ADMINISTRATION

11.3.1 Corporate Services

11.3.1.1 Financial Reports to Council for Period Ended 31 October 2009 (File Nos: FIN-008, FIN-014 and RAT-009)

Officer	Lee Crombie Senior Finance Officer
Date of Report	4 December 2009
Disclosure of Interest by Officer	Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town to 31 October 2009, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2008/09.

Background

1. Financial Statements

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

- Statements of Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 October 2009;
- Review of Transaction Activity.

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

2. Utility and Fuel Costs

Presented in graph form (see attached), is the 2009/10 monthly water, power and fuel costs compared with 2008/09.

3. Schedule of Accounts Paid

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 9 December 2009 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value $	Pages		Fund No.	Fund Name	Description
From	To		From	To			
CHQ19158	CHQ19212	167,211.81	1	8	1	Municipal Fund	
EFT27100	EFT27433	3,019,483.50	8	72	1	Municipal Fund	
PAY061009	PAY061009	275,555.30	72	72	1	Municipal Fund	
PAY091009	PAY091009	1,200.74	72	72	1	Municipal Fund	
PAY201009	PAY201009	282,140.85	72	72	1	Municipal Fund	
PAY251009	PAY251009	367.58	72	72	1	Municipal Fund	
BOQ271009	BOQ271009	891.10	72	72	1	Municipal Fund	Finance Equipment
	Municipal Total	3,747,043.27					
3001718	3001737	74,144.88	72	74	3	Trust Fund	
	Trust Total	74,144.88					
	Sub-Total	3,821,188.15					
LESS: one-off pays		-					
	Total	3,821,188.15					

Consultation Nil

Statutory Implications

Financial Statements

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

"34. Financial activity statement report - s. 6.4

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

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

(b) budget estimates to the end of the month to which the statement relates;

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

(e) the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing:

(a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;

(b) an explanation of each of the material variances referred to in subregulation (1)(d); and

(c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity may be shown:

(a) according to nature and type classification;

(b) by program; or

(c) by business unit.

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:

(a) presented to the council:

(i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or

(ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;

and

(b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

In this regulation:

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

"restricted assets" has the same meaning as in AAS 27.

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

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

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

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

(c) write off any amount of money,

which is owed to the local government.

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

Policy Implications

2/003 Financial Statements – Copies for Councillors

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

- Monthly
  Bank Reconciliation of the Municipal, Reserve and Trust Fund
  and 90 day outstanding Sundry Debtors Report
  List of Accounts paid under Delegated Authority
  Register of Investments
  Rate Summary Trial Balance
  Reserve Account Balances

- Quarterly
  Quarterly Budget Review
  Report on all Budgeted Grants of $50,000 or more.

  Irregular Financial reports will be presented to Council on request.

  Strategic Planning Implications

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

Budget Implications

At the Special Meeting held on 29 July 2009, Council resolved to adopt item 6.1.1.1 '2009/2010 Budget Adoption' en block, which included Recommendation 12 as follows:

"Recommendation 12

That Council adopts the following percentage or dollar value for determining and reporting material variances as follows:
1. 10% of the Function amended budget; or
2. $100,000 of the Function amended budget
whichever is the lesser, for the following categories of revenue and expenditure:
a. Operating Revenue
b. Operating Expenditure
c. Non-Operating Revenue
d. Non-Operating Expenditure"

Officer's Comment

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

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

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

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

Attachments

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

200910/200 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That Council accept:

i) the:
   a) Statements of Financial Activity (represented by Schedules 2 to 14);
   b) Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 October 2009; and
   c) Review of Transaction Activity,
   as attached and/or presented be received;

ii) graphic representation of the Town's energy, water and fuel use as attached be received; and

iii) the list of Accounts paid during October 2009 under Delegated Authority, as presented and/or attached be received.

CARRIED 7/0

11.3.1.2 First Quarterly Budget Review (File No.: -)

Officer	Matthew Scott Director Corporate Services
Date of Report	4 December 2009
Disclosure of Interest by Officer	Nil

Summary

For the Council to review the results of the first quarter budget review for the 2009-10 financial year.

Background

In every organisation there are many factors, both internal and external that can have an effect on program expenditure anticipated throughout the year, after the original budget is adopted. Part of ensuring that an organisation has effective financial management practices in place is for regular budget reviews to occur, and reports to be provided to Council on any modifications that may be required.

While management are required to monitor their particular programs frequently in order to ensure their departmental targets are being achieved, it is also important that senior management regularly review the income and expenditure in order to assess the achievement of the overall financial targets of Council.

The first budget review has been conducted with the financial data being used as at the end of September 2009. Due to delays in finalising the 2008/09 Accounts and the Audit process, finalising the 1st review has taken longer than expected. This being said, this review does contain the 2008/09 final cash surplus result and adjustment to Carry Forward budgets, effectively being uncompleted works from 2008/09.

The following table is a summary of the overall adjustments required to the budget thus far:

	Original Budget	Adjustments*	Carryover from 2008-09	Revised Budget
Operating Expenditure	28,636,671	161,400	123,835	28,921,906
Operating Revenue	(64,669,257)	229,645	20,200,000	(44,239,611)
Non-Operating Expenditure	93,510,115	4,659,299	(17,072,128)	81,097,285
Non-Operating Revenue	(47,896,252)	(2,250,297)	(1,895,381)	(52,041,930)
Net (Surplus) / Deficit	9,581,277	2,800,047	1,356,326	13,737,650
Add Back Non Cash Items	(5,142,130)	Nil	Nil	(5,142,130)
Surplus Carried Forward from 2008-09	(4,439,147)	(3,926,147)	(1,356,326)	(9,721,620)
(Surplus) / Deficit	Nil	(1,126,100)	Nil	(1,126,100)

** Adjustments in previously resolved adjustments by Council and "accounting" adjustments, which have no effect on the Surplus Position.*

Consultation

This Budget review was been prepared by the Director, Corporate Services, after meeting with each manager, where all revenue and expenditure accounts within that manager's responsibility was reviewed in detail.

Statutory Implications

Local Government Act 1995 states (in part):

> *"6.8. Expenditure from municipal fund not included in annual budget*
>
> *(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure -*
>
> *(a) is incurred in a financial year before the adoption of the annual budget by the local government;*
>
> *(b) is authorised in advance by resolution*; or*

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

** Absolute majority required.*

(1a) In subsection (1) -

-additional purpose~ means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government -

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

Strategic Planning Implications Nil

Budget Implications

The proposed amendments will create a budgeted cash surplus of $1,126,100 that will require allocating in future months.

Officer's Comment

The Annual Budget is developed based on number of assumptions that can and regularly change during the course of the financial year. To account for these fluctuations, the budget requires to be amended on a regular basis. The Council has developed a quarterly review process to monitor actual and potential variations, resulting in budget adjustments listed for the committee to review. This also creates an opportunity for Council to redirect funds to areas of greatest need or to utilise savings generated during the year for the benefit of ratepayers and residents.

Attached is a detail summary of the proposed Budget Amendments, which have been summarised in the following categories:

- Carry Forward (uncompleted works from 08/09);
- Council adjustments (amendments already approved by Council);
- Accounting adjustments (movements of budget between accounts, not affect of Cash Surplus); and
- Other Adjustments (requested by staff, with detailed explanations).

Carry Forward

As Council will note, there is a significant increase in the Cash Surplus for 08/09 ($5,282,471 Increase to $9,721,620).

A summary of how this additional surplus has occurred is attached for detailed review, however in summary it consists of:

Additional uncompleted capital works (cfwds)	$2.8 m
Reduced transfers to Reserves	$0.5m
Operational Savings	$0.5 m
Increase of the 07/08 Cash surplus	$0.5 m
2009/10 Grants received in 2008/09	$0.7 m
Additional Disposal Income (29/6/09 tenders)	$0.2 m
Total	**$5.2 m**

The 2008/09 accounts are currently being audited, with final signoff mid December. This being said, it is evident that the $2.8 million of capital works need to be cfwd into 09/10. Once the 08/09 Audit is complete, a detailed analysis of the Cash result will be prepared for Council.

Council Adjustments

These are adjustments which have already been resolved by Council during the 2009/10 Financial Year. Currently they total $102,090.

Accounting Adjustments

These are adjustments to simply move existing budgets within the chart of accounts and have no effect on the Cash surplus position. A total of $456,768 has been moved between various accounts to better identify current budget allocations.

Other Adjustments

These are adjustments requested by staff or corrections to original budget. Detailed explanations have been provided to Councillors for the basis of these requests. The net adjustment is $2,697,957, which includes additional reserve transfers to the both airport and tip reserves dues to significant increase income projections for these services.

The proposed adjustments create a net cash Surplus of $1,126,100. It is recommended that Council not allocate these funds at this stage. In January 2010, the 2nd budget review will occur, which will be based on 6 months worth of actual data. Generally this is a much more detailed reviewed, as part of the lead up to the 10/11 Budget Process. The proposed cash surplus will provide a reason “buffer” for Council until the 2nd Budget Review.

Attachments

Business Unit Level Schedule of Adjustments
Detailed General Ledger listing of Adjustment
Comparison of 2009 Forecast and Actual Result

Officer's Recommendation

That Council amend the 2009/10 Budget as per the attached list, resulting in new cash surplus of $1,126,100.

200910/201 Council Decision / Alternate Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That Council:

1) amends the 2009/10 Budget as per the attached list, resulting in new cash surplus of $1,126,100; and

2) allocates the resulting budget surplus to following projects:

   a) $75,000 – Gratwick Aquatic Centre Lighting Upgrade; and
   b) $470,000 – Watering Systems Upgrades at McGregor Street Reserve and South Hedland Sporting fields: and
   c) $319,000 – JD Hardie Centre Upgrades; and
   d) $262,100 – Remains Unallocated, subject to 2nd Budget review.

CARRIED 7/0

Reason: Council allocated some of the identified surplus to specific projects that require additional funds to ensure that the full scope of works is actioned.

ATTACHMENT 1 TO AGENDA ITEM 11.3.1.2

Schedule	Business Unit	Original Budget	Carryover	Council	Accounting	Adjustment	Proposed Budget	Change
3	Rates	(14,819,895)	-	-	-	-	(14,819,895)	-
4	Members	1,255,309	-	-	-	20,000	1,275,309	20,000
4	Financial Services	130,961	13,403	-	-	-	144,364	13,403
4	Corporate Support	(106,600)	137,767	-	-	69,500	100,667	207,267
4	Corporate Management	90,000	6,000	-	-	-	96,000	6,000
5	Fire Prevention	90,846	5,281	-	-	14,000	110,127	19,281
5	Animal Control	605,012	-	-	-	-	605,012	-
5	Other Public Safety	464,066	23,198	-	-	-	487,264	23,198
5	Parking	100	-	-	-	-	100	-
5	SES/FESA	47,668	-	-	-	4,000	51,668	4,000
7	Maternal Infant Health	23,200	-	-	-	-	23,200	-
7	Health Inspections & Admin	332,985	-	-	-	-	332,985	-
7	Pest Control	14,690	-	-	-	-	14,690	-
7	Aboriginal Environmental Health	3,987	-	-	-	-	3,987	-
8	Len Taplin Day Care	107,200	-	-	-	-	107,200	-
8	Rose Nowers Day Care	3,130	-	-	-	-	3,130	-
8	Pilbara Family Day Care	(83)	2,000	-	-	3,000	4,917	5,000

8	Retirement Village	11,822	-	-	-	-	11,822	-
8	Mirtanya Maya Hostel	49,416	-	-	-	-	49,416	-
8	Aged Care	134,646	-	-	-	3,600	138,246	3,600
8	Other Welfare	8,070	49,875	-	-	-	57,945	49,875
8	Community Services & Development	427,016	2,425	-	-	-	429,442	2,425
9	Staff Housing	663,567	44,045	-	-	-	707,612	44,045
10	Waste Collection Classic	(1,143,892)	-	-	-	1,143,892	(0)	1,143,892
10	Waste Management Business Unit	670,280	-	-	-	-	670,280	-
10	Landfill Business Unit	(0)	-	-	-	(670,280)	(670,280)	(670,280)
10	Sanitation Other	0	-	-	-	-	0	-
10	Town Planning & Regional Development	361,935	-	-	-	(80,000)	281,935	(80,000)
10	Other Community Amenities	219,469	-	-	-	-	219,469	-
10	Cemeteries	154,182	9,061	-	-	-	163,243	9,061
10	Public Conveniences	284,431	19,628	-	-	-	304,059	19,628
10	Waste Management & Recycling	473,613	793,773	-	-	-	1,267,386	793,773
11	Community & Event Services	501,185	15,977	-	-	-	517,162	15,977
11	Courthouse/Community Arts	527,067	-	-	-	28,000	555,067	28,000
11	Port Hedland Civic Centre	814,738	192,782	-	-	-	1,007,519	192,782
11	Port Hedland Youth and Family Centre	68,403	-	-	-	-	68,403	-

11	JD Hardie Centre	456,894	79,445	-	-	-	536,339	79,445
11	Swimming Areas/Beaches	2,374,310	18,837	19,190	-	381,300	2,793,637	419,327
11	Recreation Administration	1,398,465	232,166	-	-	27,500	1,658,131	259,666
11	Sportsgrounds	456,330	(31,384)	-	-	203,500	628,446	172,116
11	Port & South Sports Grounds - P&G	3,308,403	(162,528)	67,900	-	-	3,213,775	(94,628)
11	Library Services	723,004	50,000	-	-	7,600	780,604	57,600
11	Matt Dann Cultural Services	366,250	11,009	-	-	1,000	378,259	12,009
11	Television/Radio Broadcasting	12,953	-	-	-	-	12,953	-
12	Infrastructure Construction	3,886,391	(73,810)	-	-	378,241	4,190,822	304,431
12	Engineering Management	308,390	-	-	-	1,500	309,890	1,500
12	Infrastructure Mtce - Technical Service	2,602,150	-	-	-	-	2,602,150	-
12	Cyclone Recovery	-	-	-	-	-	-	-
12	Infrastructure Maintenance - Engineering	2,470,347	-	-	-	-	2,470,347	-
12	Infrastructure Mtce Road Verge	292,231	-	-	-	15,000	307,231	15,000
12	Plant Purchases	1,032,182	(82,623)	15,000	-	15,000	979,559	(52,623)
12	Airport	(1,804,999)	(314,555)	(857,050)	-	1,176,604	(1,800,000)	4,999
12	Airport Café	(124,733)	100,000	-	-	-	(24,733)	100,000
13	Tourism & Area Promotion	(704,182)	214,555	857,050	-	-	367,423	1,071,605
13	Building Control	(238,595)	-	-	-	(45,000)	(283,595)	(45,000)

13	Economic Development	343,103	-	-	-	-	343,103	-
14	Private Works	45,000	-	-	-	-	45,000	-
14	Public Works Overheads - Engineering	(124,440)	-	-	-	-	(124,440)	-
14	Plant Operating Costs	(60,000)	-	-	-	-	(60,000)	-
14	Gross Salaries & Wages	(3,700)	-	-	-	-	(3,700)	-
14	Other Unclassified	97,000	-	-	-	-	97,000	-
	Sub-Total	**9,581,277**	**1,356,326**	**102,090**	**-**	**2,697,957**	**13,737,651**	4,156,374
	Add Back Non Cash Items	(5,142,130)	-	-	-	-	(5,142,130)	-
	Surplus Carried Forward from 2007-08	(4,439,147)	(1,356,326)			(3,926,147)	(9,721,620)	(5,282,473)
	Cash (Surplus) / Deficit	**0**	**-**	**102,090**	**-**	**(1,228,189)**	**(1,126,099)**	**(1,126,099)**

ATTACHMENT 2 TO AGENDA ITEM 11.3.1.2

Account Number	Account Description	Original Budget	Carryover from 2008-09	Council	Accounting	Adjustments	Amended Budget incl. Carryover	Rationale
OPERATING EXPENDITURE								
401275	Public Relations	$50,000				$20,000	$70,000	Additional Expenditure required for Port Hedland promotion (Twin Cities etc)
404287	Advertising	$35,000				$20,000	$55,000	Original Budget did not include advertising costs for new staff Approved by Council
405249	Computer Software Licences	$200,000				$18,000	$218,000	Additional Synergy Soft Licences
405250	Computer Support	$18,500				$3,000	$21,500	minor adjustment for Additional Software
505218	Emergency Management	$1,000				$4,000	$5,000	Local Emergency Management Exercise
805281	Accommodation	$3,120				$3,000	$6,120	Additional Accommodation cost experienced by PFDC Co-ordinator
809236	Water Corp & ESL Charges	$0				$3,600	$3,600	Water Rates for HACC not included in Budget
810201	Salaries	$10,000				$10,000	$20,000	OCP Grant not expected
811255	Alliance Small Grants	$0	$12,547				$12,547	
812237	Water Corporation Charges	$0				$28,000	$28,000	Water for Surrounding Park not Budget For
1004280	Monitoring & Licencing	$13,500				$6,500	$20,000	Additional Monitoring required
1004281	Management & Business Plans	$0				$20,000	$20,000	Development of overall tip business plan
1105235	SHAC Maintenance	$6,000				$11,000	$17,000	
1105283	Town Boat Ramp Maintenance	$6,000				$18,000	$24,000	Additional maintenance required on Port Boat ramp (Silting) partially funded by PHPA
1107239	SHAC Audit and Design	$100,000				-$38,700	$61,300	No further work required
1108201	Salaries	$260,622				-$15,000	$245,622	
1108264	Walk it Hedland	$9,700	$3,053			$0	$12,753	
1108269	Recreation Facility Design	$701,100	$108,235				$809,335	
1108275	Skate Park Mtce	$25,000				$5,000	$30,000	ongoing damaged fence repairs
1110239	Light Maintenance	$15,000				$9,000	$24,000	Additional Light Audit prior to Baseball season
1117282	Children's Activities	$6,000				$5,000	$11,000	Additional Library activities

1118220	Staff Training	$1,493				$1,000	$2,493	Additional specialised training required due to staff turnover
1204278	water services operation costs	$0				$15,000	$15,000	Water for new verges & Streetscaping not budgeted
1211263	Landscaping/Gardening	$5,000				$15,000	$20,000	Additional landscaping required to maintain Airport
TOTAL OPERATING EXPENDITURE			**$123,835**	**$0**	**$0**	**$161,400**		
OPERATING REVENUE								
810342	Grant - OCP 'Robin Hood'	-$20,000				-$10,000	-$30,000	OCP Grant not expected
1002323	Classic Col. Fee/Rate	-$1,049,970				-$7,500	-$1,057,470	Adjustment to balance Budget to actual income
1003323	Premium Collect Fees	-$306,749				-$6,500	-$313,249	Adjustment to balance Budget to actual income
1004329	Hazardous Waste-Asbestos	-$150,000				-$150,000	-$300,000	Achieved Original Budget in first 3 months - More Asbestos buildings to be demolished
1006326	Town Planning Fees	-$270,000				-$30,000	-$300,000	Additional Planning Fees Expected
1006342	Outsource Planning, Legal and Fine Revenue	-$50,000				-$50,000	-$100,000	BHP Contribution to Fast track outstanding Planning needs
1105340	PHPA Contributions	-$3,000				-$9,000	-$12,000	PHPA contribution to additional Boat ramp Maintenance
1105357	Grant - State Government Turtle Project	-$800,000				$400,000	-$400,000	$400k funding received in 08/09
1111342	Grant- Stairway to Moon	-$50,000		-$147,000			-$197,000	
1111343	Regional and Local Community	-$194,500				$194,500	$0	Grant received in 08/09
1117353	Children's Book Week Grant	-$2,600				$2,600	$0	09/10 Grant received in 08/09
1201380	Regional and Local Community	-$156,000				$89,545	-$66,455	Grant funds budgeted in 09/10 received in 08/09
1210352	Other Sundry Income	-$2,500				-$2,000	-$4,500	Purchase of Fuel by Airport Users
1302324	Licences - Building	-$750,000				-$50,000	-$800,000	Additional construction expected
1302341	Building Fees	-$25,000				$5,000	-$20,000	Reduced "issues & orders" being requested by Customers
1303358	Grant - Royalties for Regions	-$20,690,000	$20,200,000				-$490,000	
TOTAL OPERATING REVENUE			**$20,200,000**	**-$147,000**	**$0**	**$376,645**		

Non-Operating Expenditure								
402422	Furniture And Equipment	$44,200	$13,403				$57,603	
404410	Civic Centre Aircon	$210,900	$104,294				$315,194	
404411	Council Chambers Upgrade	$70,000	$10,120				$80,120	
405422	Computer Hardware	$49,000	$99,367			$28,500	$176,867	Airport fit out $20k, Additional Ram $2k, KVN Switch $4k, Telephones $2.5k
405423	Computer Software	$0	$38,400				$38,400	
406450	Building Improvements	$140,000	$78,368				$218,368	
406451	Records facility	$90,000	$6,000				$96,000	
501410	Fire Hydrants SHRE	$0	$5,281				$5,281	
501425	Plant & Equipment	$86,000				$14,000	$100,000	Additional equipment for Fire Unit required
503496	Community Safety- CCTV - R4R	$500,000	$23,198				$523,198	
805425	Minor Equipment	$5,000	$2,000				$7,000	
810412	Port Hedland Youth & family Centre Upgrade	$0	$49,875				$49,875	
811420	Furniture and Equipment	$3,000	$3,430				$6,430	
813421	Community notice boards	$0	$2,425				$2,425	
901415	Staff Housing Refurbishments	$228,400	$14,997				$243,397	
901423	Morgan St Development	$2,500,000	$17,020				$2,517,020	
901424	Airport housing development	$1,470,000	$12,028				$1,482,028	
1002499	T/F To Waste Collection Res	$19,950				$1,157,892	$1,177,842	Correction of Budget to bring net cost to $0
1004410	Tip Infrastructure	$290,000	$67,267				$357,267	
1004499	T/F To Landfill Site Dev Res	$514,752				$150,000	$664,752	Net Adjustment savings transferred to Tip Reserve
1009480	SH Cemetery Upgrade Works	$10,000	$5,769				$15,769	
1009481	PDC Cemetery Upgrade Grant	$120,000	$3,292				$123,292	
1010310	Upgrade Ablution Block	$7,200	$19,628				$26,828	
1011410	Waste Water Reuse Scheme	$1,000,000	$793,773				$1,793,773	
1104411	Facility Upgrade	$4,650,000	$845,106				$5,495,106	
1104413	Facility Upgrade - RFR	$2,600,000			$300,000		$2,900,000	
1105410	Finucane Island Boat Ramp	$105,000	-$63,073				$41,927	

1105420	Spoil Bank Master plan	$150,000	$45,676		$100,000		$295,676	
1105422	Foreshore Parks Upgrade	$135,112	$5,000				$140,112	
1105425	Foreshore Protection	$0	$35,090				$35,090	
1105489	T/F to Reserve- Spoilbank development	$18,600			-$100,000		-$81,400	
1106413	Plant & Equipment - Gratwick Pool	$40,000	$15,804				$55,804	
1106430	GAC upgrades	$10,600	$2,040				$12,640	
1107430	SHAC Upgrade	$89,500	-$43,426				$46,074	
1107432	Pools electrical upgrade	$0	$12,123				$12,123	
1108416	Sports Facility Upgrade Program	$0				$7,500	$7,500	
1108417	Banners in the Port (PHES)	$0	$5,000				$5,000	
1108420	Recreation Facility Upgrade	$8,800,000	$68,663			$30,000	$8,898,663	Basketball Backnet more expensive than expected
1109455	Colin Matheson Clubrooms	$1,731,730	$1,454				$1,733,184	
1111433	Kevin Scott Oval Upgrades	$0	$8,166				$8,166	
1111435	Stairway to moon development	$212,955	$9,602	$166,190			$388,747	
1111436	bore installations	$115,000	-$1,353				$113,647	
1111437	Reserve developments	$895,137	-$6,440				$888,697	
1111439	Marquee Park Development	$4,850,000	$356,363				$5,206,363	
1111446	Playground Equipment	$100,000	$21,109				$121,109	
1111448	Irrigation Tank Upgrades	$194,500	$40,000	$67,900			$302,400	
1118421	Furniture & Equipment	$0	$15,172				$15,172	
1118423	Minor Equipment	$6,000	-$4,164				$1,836	
1201437	Hedditch street	$380,000	-$3,171				$376,829	
1201441	Footpath Railings	$0	$3,231				$3,231	
1201443	McGregor Street RRG	$0	$39,474				$39,474	
1201444	Shota Rd MRWA	$0	$85,377			-$59,304	$26,073	
1201449	Murdoch Drive/North Circular Road BS	$0				$140,000	$140,000	Roads to Recovery Expenditure not included in Budget
1201450	Boulevard Tree Planting	$829,000	$91,057				$920,057	
1201451	Finucane Island / Boat Ramp Road	$0				$60,000	$60,000	Roads to Recovery Expenditure not included in Budget

1201453	Hamilton Road RRG	$0				$100,000	$100,000	Roads to Recovery Expenditure not included in Budget
1201455	Anderson Street RRG	$0	$41,768		-$41,768		$0	
1201457	Yandeyarra Road	$200,000	$45,196				$245,196	
1201458	Throssell Street Streetscape	$360,000	-$62,815				$297,185	
1201461	Town Entry Statement	$75,000	-$120,893				-$45,893	
1201464	Anderson Street Upgrade	$0	$40,623				$40,623	
1201467	Throssell Street - BS	$0	-$145,453		$16,468		-$128,985	
1201473	Drainage Construction	$373,350	-$74,458				$298,892	
1201475	Port Hedland Footpath Const	$375,000	-$6,684				$368,316	
1201476	South Hedland Footpath Const	$500,000	$13,893				$513,893	
1201481	Walkway Lighting	$403,071	$1,633				$404,704	
1201483	Nth Circular Rd East Culverts RRG	$0	$10,484				$10,484	
1201486	Wedgefield Upgrades	$395,000	-$19,232				$375,768	
1201487	Street Lighting Upgrades	$655,447	-$123,836				$531,611	
1201488	R2R Program	$0				$48,000	$48,000	Roads to Recovery Expenditure not included in Budget
1201489	Hillside/ Woodstock Road - RRG	$90,000	$14,159		$25,300		$129,459	
1201490	Sutherland Street Upgrade (PHES)	$0			$15,000		$15,000	
1202400	Depot Security System	$5,000				$1,500	$6,500	New Security System due to recent breakins
1208440	Heavy Vehicles & Plant	$400,000	-$76,761				$323,238	
1208441	P&G - Minor Plant & Equipment	$0				$15,000	$15,000	Additional Whipper snippers required for Parks Crew
1208443	Light Vehicle Replacement	$535,000	-$2,087	$15,000		$0	$547,913	Additional costs for BBQ trailer
1208444	P & G Plant and Equipment	$136,000	-$3,774				$132,226	
1210407	Common User Check In Facilities	$0		$50,467			$50,467	
1210410	Terminal Extensions	$100,000	$10,762				$110,762	
1210424	Computer Hardware-Relocation of ENG	$0	$3,197				$3,197	
1210451	Building Upgrades	$0	$3,517				$3,517	
1210461	Airport Electrical + Civil Drawings	$0		$15,000			$15,000	

1210466	Airport Landside Lighting	$0	$58,529				$58,529	
1210473	Electrical Upgrades	$343,000	$228,964				$571,964	
1210474	Airport Aircon Upgrade	$0	$5,770				$5,770	
1210477	Grading of Drains	$0	$17,000				$17,000	
1210478	Extension of Main Runway	$0		$316,000			$316,000	
1210498	T/F To AP Capital Reserve	$1,554,553				$1,163,604	$2,718,157	
1213420	Furniture & Equipment	$0	$100,000				$100,000	
1301413	Caravan park extension	$14,000	$6,000				$20,000	
1301414	Town Entry Statement	$110,000	-$13,067				$96,933	
1301499	T/F to Community Facilities Reserve	$0	$221,622	$857,050			$1,078,672	
1303496	T/F to Reserve - Royalties for Regions	$20,690,000	-$20,200,000				$490,000	
TOTAL NON OPERATING EXPENDITURE			**-$17,072,128**	**$1,487,607**	**$315,000**	**$2,856,692**		
Non Operating Revenue								
1004388	T/F from Landfill Site Reserve	-$217,273	-$67,267			-$696,780	-$981,320	Net Adjustment savings transferred to Tip Reserve
1104396	T/F from Royalties for Regions Reserve	-$2,600,000			-$300,000		-$2,900,000	
1104398	T/F from BHP Reserve	-$3,050,000	-$765,661				-$3,815,661	
1108398	T/F from BHP Reserve	-$6,201,100	$47,215				-$6,153,885	
1109390	T/F from BHP Reserve	-$1,307,730	-$41,004				-$1,348,734	
1111390	T/F from BHP Reserve	-$2,100,137	-$572,207				-$2,672,344	
1116399	T/F from BHP reserve	-$50,000	$50,000				$0	
1201397	T/F from BHP Reserve	-$1,625,000	$95,836		-$15,000		-$1,544,164	
1210398	T/F From Ap Capital Works Res	-$1,385,000	-$642,293	-$1,238,517			-$3,265,810	
Surplus BF	Surplus BF	-$4,439,147	-$1,356,326			-$3,926,147	-$9,721,620	balance of 08/09 CFWD Surplus
TOTAL NON OPERATING REVENUE			**-$3,251,708**	**-$1,238,517**	**-$315,000**	**-$4,622,927**		
TOTAL ADJUSTMENTS			**$0**	**$102,090**	**-$0**	**-$1,228,189**	**-$1,126,100**	**New Cash Surplus**

ATTACHMENT 3 TO AGENDA ITEM 11.3.1.2

	Forecast	Actual	Variance		
	2009	2009	2009	Explanation	
	$	$	$		
REVENUES					
Governance	114,480	1,488,642	(1,374,162)	CLGF $1.4m	
General Purpose Funding	14,237,876	14,293,134	(55,258)		
Law, Order, Public Safety	462,919	744,232	(281,313)	Recognition of SS Loan for SES Shed	
Health	39,950	38,035	1,915		
Education and Welfare	1,082,541	993,556	88,985		
Housing	156,000	176,889	(20,889)		
Community Amenities	3,839,993	3,617,899	222,094		
Recreation and Culture	1,150,525	1,450,940	(300,415)	Several Grants received in 08/09 for 09/10	
Transport	8,925,493	9,379,005	(453,512)	Several Grants received in 08/09 for 09/11	
Economic Services	12,827,402	32,854,215	(20,026,813)	R2R $20.2m received 30/6/09	
Other Property and Services	503,645	422,201	81,444		
	43,340,824	65,458,748	(22,117,924)		
EXPENSES					
Governance	(1,037,981)	(1,079,159)	41,178		
General Purpose Funding	(399,206)	(529,835)	130,629		
Law, Order, Public Safety	(681,266)	(731,890)	50,624		
Health	(371,626)	(403,890)	32,264		
Education and Welfare	(1,297,595)	(1,404,664)	107,069		
Housing	(492,018)	(471,263)	(20,755)		
Community Amenities	(3,882,443)	(4,142,543)	260,100		
Recreation & Culture	(8,529,601)	(8,109,536)	(420,065)	JD Hardie / Multi Rec Design unspent (CFWD to 09/10)	
Transport	(7,279,607)	(7,415,642)	136,035		
Economic Services	(665,734)	(710,997)	45,263		
Other Property and Services	(449,450)	(500,642)	51,192		
	(25,086,527)	(25,500,061)	413,534		
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	27,300	114,528	(87,228)		
Movement in Accrued Salaries and Wages	0	(275,261)	275,261	Effectively reversed 1/7/09	
Movement in Employee Benefit Provisions	0	349,636	(349,636)	Increase in overall employee provisions	
Depreciation and Amortisation on Assets	4,412,185	4,177,831	234,354		
Capital Expenditure and Revenue					
Purchase Land and Buildings	(6,080,014)	(4,536,729)	(1,543,285)	Under Spend - CFWD	
Purchase Infrastructure Assets - Roads & Other	(5,781,215)	(5,416,174)	(365,041)	Under Spend - CFWD	
Purchase Infrastructure Assets - Parks	(2,986,396)	(2,951,787)	(34,609)	Under Spend - CFWD	
Purchase Plant and Equipment	(2,238,650)	(1,808,650)	(430,000)	Under Spend - CFWD	
Purchase Furniture and Equipment	(924,918)	(678,747)	(246,171)	Under Spend - CFWD	
Proceeds from Disposal of Assets	153,500	338,300	(184,800)	Greater than expected	
Repayment of Debentures	(763,960)	(622,112)	(141,849)	Housing Loan	

Repayment of Debentures	0	0	0		
Proceeds from New Debentures	2,150,000	1,500,000	650,000	Loans for Airport Housing not raised	
Advances to Community Groups	0	(420,000)	420,000	SES Shed Loan	
Self-Supporting Loan Principal Income	107,946	103,641	4,305		
Work in Progress	28,890	0	28,890		
Transfer from Trust	0	0	0		
Transfers to Reserves (Restricted Assets)	(15,375,629)	(32,174,643)	16,799,014	R2R $20.2m	
Transfers from Reserves (Restricted Assets)	8,729,294	6,862,669	1,866,625	Under Spend	
Estimated Surplus/(Deficit) July 1 B/Fwd	4,726,519	5,200,430	(473,911)	Auditing Adjustment	
Estimated Surplus/(Deficit) June 30 C/Fwd	**4,439,149**	**9,721,620**	**(5,282,471)**		**18,665,639**

11.3.2 Governance

11.3.2.1 Reticulation Upgrade (File No.: ...)

Officer	Chris Adams Chief Executive Officer
Date of Report	4 December 2009
Disclosure of Interest by Officer	Nil

Summary

Report seeks Council consideration of a proposal to finalise the financial arrangements pertaining an oval reticulation project that was undertaken by Water Corporation in conjunction with the Town in 2006.

Background

In 2005 the Department of Health raised concerns with the Town and Water Corporation regarding the quality of recycled effluent that was being used to water Council's sports fields. In particular the method of irrigation (water cannons) was unsuitable and needed to be changed.

After discussions with various stakeholders Council agreed to fund a reticulation upgrade of the McGregor St and the playing fields in South Hedland. These works were to be funded by the Town and Water Corporation on a 50/50 basis and involved:

- Changing the watering system from overhead water cannons to underground reticulation.
- Upgrading chlorination systems
- Upgrading pumping systems

The works were undertaken throughout 2006 and the system has been operational for several years.

The estimated Total Value of the works was $1.3M but the project was delivered for slightly under $1.2M. Council's contribution was to be $650,000 but is now approximately $600,000. At the time of agreeing to proceed with the project the Town obtained agreement from the Water Corporation that it could make its $650,000 in five annual installments of $130,000 via a loan agreement with the Water Corporation. Additionally the Town successfully obtained access to a $325,000 grant from the Pilbara Development Commission for the project.

While the project works were completed several years ago, to date the Town has not made any financial contributions due to outstanding issues with the proposed water supply agreement, negotiations regarding the proposed loan agreement with Water Corporation never being finalised and Council not been advised of the total cost of the project by Water Corporation. This long outstanding issue has recently 'come to a head' with the Water Corporation providing a final version of the loan (complete with project costings) and the PDC advising that urgent acquittal of the $325,000 grant is required.

Consultation

Water Corporation
Pilbara Development Commission

Statutory Implications

Part 6, Subdivision 3 of the Local Government Act specifies provisions in relation to borrowings by local governments. The provisions require LGA's to make any decision to loan funds via an absolute majority decision of Council.

In this particular instance, as a component of adopting its budget, the Town has agreed take out a loan for $650,000 and has included a repayment of $130,000 within the budget document.

Policy Implications

Nil

Strategic Planning Implications

The undertaken of the reticulation upgrade was a component of previous strategic plans of the Council but has subsequently been removed as the project has been completed (bar the financial acquittals)

Budget Implications

The original intent was to loan $650,000 from the Water Corporation and repay this amount (interest free) over a five year period. Given that the project cost was $1.2M, Council's 50% is now only $600,000.

While loaning the funds from Water Corporation on an interest free basis was a sound financial arrangement, an issue has arisen with the acquittal of the PDC grant funds. For the Town to acquit the PDC grant funds (now $300,000) the Town needs to demonstrate that it has spent $600,000. The Town's proposed arrangement with Water Corporation had us paying this amount over five (5) years. Understandably, the PDC is not willing to wait this long for the Town to acquit the grant funds.

To overcome this issue the following solution is proposed:

- Council loans $470,000 from State Treasury (as per standard Town Borrowing practices)
- Council makes payment to Water Corporation for 50% of the total project costs (approx $600,000) with these funds being derived from the loan funds and the $130,000 loan repayment that is within the Town's 2009/10 budget.
- Council make further repayment on the loan (approx $300,000) upon receipt of the PDC grant funds.
- Council repays the outstanding balance of the loan amount (approximately $170,000) over the coming financial year/s.

Officer's Comment

If Council can not demonstrate that it has made payments of $600000 towards this project it is likely that the PDC's contribution towards this project ($300,000) will be unavailable effectively meaning that Council's financial contribution to the project doubles. The solution outlined in the Budget section of this report overcomes this issue.

The only downside of the proposed solution is that the State Treasury loan is interest bearing, whereas the proposed loan with Water Corporation is interest free. While there will be some additional costs to Council in the form of loan interest, these costs are insignificant when compared to the $300,000 PDC grant funds that will lost if Council cannot acquit the grant.

Attachments Nil

Officer's Recommendation

That:

i) Council agrees to take a loan $470,000 from State Treasury for the upgrade of the watering systems at McGregor St Reserve and South Hedland Sporting fields rather than the $600,000 loan that is included in the 2009/10 budget.

ii) The Term of the loan referred in item 1 above be three (3) years.

iii) Council use the PDC grant funds for this project (Approx $300,000), to make a further loan payment for this project in 2009/10.

iv) Council agrees to repaying the Water Corporation 50% of the project costs for the upgrade of watering systems at McGregor St Reserve and South Hedland Sporting in accordance with previous agreements.

200910/202 Council Decision / Alternate Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That Council agrees to pay Water Corporation 50% of the costs incurred to upgrade the reticulation, chlorination and pumping systems for the waste water re-use system (being approximately $600,000) using $130,000 that has been budgeted for this purpose in the 2009/10 Budget and $470,000 that has been identified in the September 2009 Budget review

CARRIED 7/0

Reason: Council preferred to use existing resources to repay this debt rather than taking out a loan.

6.37pm Councillor K A Howlett declared a financial interest in Agenda Item 11.3.2.2 'Town of Port Hedland Litter Initiatives' as she is a member of Care for Hedland Environment Association and contributes financially to the program. Councillor Howlett left the room.

Deputy Mayor A A Carter assumed the Chair.

11.3.2.2 Town of Port Hedland Litter Initiatives (File No.: ...)

Officer	Chris Adams Chief Executive Officer
Date of Report	17 November 2009
Disclosure of Interest by Officer	Nil

Summary

At its Ordinary Meeting held in October, Council requested that a report be prepared on how to more effectively operate its own litter reimbursement program. This report outlines Council's current litter initiatives and recommends a plan for Council's litter collection activities for the future.

Background

At its September meeting Council considered a report on the Cash for Trash initiative that was operated by the Care for Hedland Environmental Association. At this meeting Council resolved:

"That:

i) Council will not support cash for trash past the end of July (the time authorised by resolution of Council);

ii) the officers assessed cost of project from October 2009 to June 2010 of $120,000 be used to employ an additional litter crew to supplement Council crews engaged in cleaning roads, footpaths and public areas;

iii) Council lobby State Government to introduce a container deposit scheme similar to that operating in South Australia;

iv) Council continues to pursue options for the potential introduction of a kerbside recycling service through a sub regional model; and

v) Council considers a report at its November meeting regarding enhancement and improvement of its own litter reimbursement program."

This report is in response to Item v) of the Council Resolution. The report was not presented to November meeting as insurance issues were yet to be confirmed from the Town's insurers.

Current Status

The Town of Port Hedland currently undertakes numerous initiatives to keep the Town clean. These initiatives include;

- Street sweeping
- Litter collection crews
- Footpath sweeping
- Community clean up events

- Litter enforcement programs and infringements
- Supporting community litter reduction initiatives (such as Keep Australian Beautiful and previously the Cash For Trash Pilot Program initiative)

In addition to the above, for at least the last six (6) years the Town has offered sponsorships/contributions to incorporated community groups who collect rubbish on behalf of the Town of Port Hedland. There is no specific Council policy or delegation regarding this but the matter has previously been discussed and approved by Council. The contribution to community groups was $3 per bag for several years but was increased to $5 per bag in 2008.

The Town of Port Hedland operated program has had sporadic periods of success when promotions have been undertaken and/or individuals within specific organisations have seen benefit in the program and 'championed' the cause for the program. While the program has had periods of success, the level of involvement from members of the community and/or community groups in collecting street litter has never been greater than over the period when the program was promoted as 'Cash for Trash' by the Care for Hedland Environmental Association.

The litter and aluminium can components of the Care for Hedland's Cash for Trash Program was largely the Town's pre-existing program under a different banner. During the Cash for Trash Program, the Care for Hedland Environmental Association got volunteers to collect rubbish and paid the volunteers cash directly from their own funds. The Association (being an incorporated body) sought reimbursement for the bags of litter, and bags of cans, from the Town of Port Hedland in accordance with the Council's resolution and previous practice.

While the program was successful, there were some issues that occurred including:

- Accountability: There have been some issues with verifying the quantum of litter collected with the payments that have been made by Care for Hedland to volunteers. The Town has only paid for bags that have been appropriately accounted for/verified. This is less than the Care for Hedland Association advises that they have paid out to volunteers. The payment of verified bags is consistent with the previous practices undertaken by the Town and is good accounting practice.

- Litter Source: Anecdotal evidence suggests that components of the litter and aluminium can collection, for which the Town paid for through the Cash for Trash scheme came from domestic or commercial premises – not from the street as is the aim of the program.

From comments made at the previous Council meeting by Councillors, it would seem that this was a major contributing factor behind the Town resolving not to financially support Care for Hedland's Cash for Trash initiative into the future.

- Mixed Messages – The payment of additional cash for bottles and aluminium cans confused the purpose/aim of the program from a Town of Port Hedland perspective. While the Town's aim was to improve street cleanliness, the community perception was that this was a recycling program. While the Town has indicated a desire to pursue recycling, the Town's street litter collection efforts were not meant to be the vehicle to achieve this.

Care for Hedland has advised that it is proposing to continue to operate the Cash for Trash Program in a modified format with the new program focusing solely on glass bottles and aluminium cans.

Consultation

Care for Hedland Environmental Association has written to Council advising of the continuation of the Cash for Trash program. The letter seeks Council's support in the form of:

- Use of road reserves and parks by the Association as collection points.
- Storage space at the South Hedland land fill facility.
- Assistance to source funding to establish a sustainable glass recycling or re-use system in Port Hedland.
- Assistance with promotion of the revised Cash for Trash scheme.
- Payment for verified litter and aluminium cans that were collected during August and September 2009 as a component of the Association's previous Cash for Trash initiative.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

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

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

Key Result Area 2 – Community Pride
Goal 1 – Litter: That the Town of Port Hedland is seen by residents and visitors as a clean and tidy place.
Strategies:

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

Budget Implications

The Town spends well in excess of $1Million on litter collection initiatives with the following items being budgeted in the 2009/10 financial year:

Item	$
Waste Management & Recycling	100,000
Street Cleaning	275,000
Footpath Sweeping	100,000
Litter Collection Crews	460,000
Cyclone and Whitegoods Collections	180,000
TOTAL	$1,115,000

In addition to the above, a portion of the Town's Ranger Service time is spend on litter matters and the Town's Community Services staff also spend some time and resources coordinating litter initiatives. Capital resources are also used to upgrade litter equipment and install additional bins.

The financial support requested by Care for Hedland for the revised Cash for Trash Scheme is minimal with the vast majority of items being in-kind.

The Associated has requested payment for verified bags of litter and cans that were collected in August and September through the previous scheme. Council has previously committed its support for the program up until the end of July 2009 only. At this stage it is not clear exactly how much is being claimed by the Association for the August and September period.

Officer's Comment

The Town has worked hard on addressing litter within the community and has invested a considerable amount of funds to address the matter. This investment has yielded results with the Town being noticeably cleaner than it previously was, and the Town winning several regional and statewide awards for initiatives that it has undertaken.

While improvements have undoubtedly been made, the Town is still not clean. The Town's community survey results reveal that litter and street appearance remain a significant source of concern for Town residents.

For the Town to become a truly tidy town, a multi-faceted approach is required. This must include:

1. Education;
2. Enforcement;
3. Community assistance and community programs; AND
4. Town commitment and financial resources to address the issues.

While the Town has rightly committed significant resources to enforcement and its own litter collection efforts, it will never be truly successful in maintaining a clean and tidy environment if the expectation is that Council is solely responsible for picking up rubbish within the community.

Ideally the Town would not have to pay community groups and individuals to undertake this task, but recent history demonstrates that this method is successful in generating community action on the issue.

Given its October decision, it is clear that Council wants to continue to operate a system whereby the community is encouraged to collect rubbish from the Town's streets. While this is clear, it is also evident that the Council wants to ensure a higher level of accountability and transparency in relation to the program to ensure that ratepayers' funds are being appropriated properly.

Attachments

Letter from Care for Hedland Environmental Association Inc., dated 30 November 2009.

Officer's Recommendation

That Council:

i) continues to support the cleaning of the Town through the following initiatives:

   1. Continuing to sweep footpaths throughout the Town with the aim of sweeping each footpath at least once per month.

   2. Continuing to employ a litter collection crew (minimum of six (6) full time employed staff) to collect litter throughout the Town of Port Hedland during both weekdays and weekends.

   3. Continuing to operate a street sweeping service for a minimum of 38 hours per week.

   4. Installing additional bins throughout the Town in accordance with pre-approved budget allocations.

5. Taking a greater role in litter enforcement by operating 'blitzes' on specific litter related issues if/when they arise (i.e. litter blowing off commercial vehicles, building site rubbish, etc.).

6. Supporting and being an active member of the Port Hedland Tidy Towns Committee.

7. Supporting the Care for Hedland Environmental Association's Clean Up efforts by:
   - Providing free access to the Council's road reserves and parks as locations for collection points for the revised Cash for Trash Program.
   - Allocating space at the South Hedland Landfill facility for the storage of glass that is collected through the association proposed glass collection program.
   - Assisting the Association in its attempts to access funding to operate a sustainable glass recycling/re-use initiative within the Town of Port Hedland *
   - Promoting the association's proposed glass bottle and aluminium can collection program.

8. Continuing to offer $5 per bag of street litter that is collected by incorporated associations who wish to raise funds for their group. To access these funds groups must:
   - Pre-register with the Town, identifying which area/s they intend on cleaning.
   - Use only bags supplied by the Town of Port Hedland.
   - Be able to verify the total number of bags that have been collected with Council staff.
   - Demonstrate that the association has appropriate Public Liability insurance and personal injury insurance coverage.

9. Coordinating a 'Community Cleanup Campaign' that operates in the following manner:
   - Volunteers register their involvement in Town clean up days that are held four (4) times per year.
   - Registration points to be located at various locations throughout the Town. Registration points are to be manned by Council staff.
   - Volunteers collect bags from registration points and indicate which area/s of Town that they intend on cleaning. Bags are marked/coded to link the bag with the registered volunteer.
   - At close of each of the four 'Clean Up Days' community members return to registration place to advise how many bags of rubbish they have collected and where the full bags of rubbish are.

- Council staff collect bags from locations and verify that collected bags equals the claimed amounts from the individual volunteers.
- Volunteers are forwarded a cheque within seven (7) days of the collection that equates to $5 per bag of street litter that is collected.

and

ii) considers making payment to the Care for Hedland Environmental Association for verified litter and aluminium can bags that were collected in August and September 2009 as a component of the previous Cash for Trash Pilot Program once further detail is provided by the Association on the quantum of payment requested.

200910/203 Council Decision

Moved: Cr J M Gillingham **Seconded:** Cr M Dziombak

That Council lay Agenda Item 11.3.2.2 'Town of Port Hedland Litter Initiatives' on the table for further consideration.

CARRIED 4/2

NOTE: Cr G J Daccache requested the votes be recorded.

Record of Vote:

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

REASON: Council believed it could not make a decision to approve payment to Care for Hedland Environmental Association without viewing further information of a business plan and monetary value needed to be paid for the period between August and September 2009 for collections received through Cash for Trash scheme.

6.39pm Mayor K A Howlett re-entered the room assumed the Chair, Deputy Mayor A A Carter advised Mayor K A Howlett of Council's decision.

ATTACHMENT TO AGENDA ITEM 11.3.2.2

Care For Hedland Environmental Association Inc.
A.B.N. 11 873 448 055
Registered Association Number A1011932D

PO Box 436,
Port Hedland, Western Australia, 6721

Town of Port Hedland
Chief Executive Officer
Attn: Chris Adams
PO Box 41,
Port Hedland,
Western Australia, 6721.

Dear Chris,

Continuation Of Cash For Trash Program 2009/2010 & Ongoing Town of Port Hedland Support

The Care For Hedland Environmental Association (now on referred to solely as the Association) is pleased to inform the Town of Port Hedland that it will be re-launching the Cash For Trash Program with a modified format focussing on glass and recycling.

The Association is re-commencing the Cash For Trash Program on Saturday 12th December 2009 (9am-11am at the following collection points: Port Hedland Shopping Centre, Centenary Park, Shay Gap Park, Daylesford Park and South Hedland Landfill), with a modified format, focussing solely on glass bottles and the recycling of aluminium cans. The modified Cash For Trash Program will not require any Town of Port Hedland financial support for the payment of cans or litter. This will be entirely covered through outside sponsorship and support.

If possible, the Association would be keen to gain the following support from the Town of Port Hedland:

- Permitting the use of the above mentioned roadside verges (Anderson St), public park areas and the entrance to the South Hedland Landfill on the advertised Cash For Trash collection days (Saturday 12th December 2009 and 2010 dates to be set in January) for the collection of glass bottles and aluminium cans from the Hedland community.
- Allocating space at the South Hedland Landfill facility for the storage of glass that is collected through the Association proposed glass bottle collection program.
- Assisting the Association in its attempts to access funding to operate a sustainable glass recycling/re-use initiative within the Town of Port Hedland (financial if deemed appropriate and funding application form assistance).
- Promoting the Association's proposed glass bottle and aluminium can collection Cash For Trash Program.
- Paying for verified litter and aluminium can bag collections that were undertaken in August and September 2009 in good faith by the Association.

The Association wishes the Town of Port Hedland all the very best in its future endeavours in litter collection and the tackling of litter in public areas. The Association would be happy to help or provide advice if requested.

If you have any queries regarding the re-launching of the Cash For Trash Program and the ongoing support sought from the Town of Port Hedland, please do not hesitate to contact myself on 0411 044 482 or email cleanuphedland2009@hotmail.com

Yours Faithfully,

Helen Richards
Spokesperson – Cash For Trash Program
Care For Hedland Environmental Association Inc
(mob) 0411 044 482

30 November 2009

11.3.2.3 Request to Review Delegation Register – Delegation Number 6 (Donations) (File No.: ...)

Officer Gaye Stephens
Executive Assistant

Date of Report 4 December 2009

Disclosure of Interest by Officer Nil

Summary

This report seeks an increase in the maximum value of Delegation Number 6 (Donations), from $500 to $1,000.

Background

In accordance with Section 5.42 of the Local Government Act 1995, Council is able to delegate some powers and duties to the Chief Executive Officer.

Delegation Number 6 (Donations) currently enables the Chief Executive Officer to determine requests for donations of monies up to the value of $500 when a group or individual can demonstrate:

1. Significant direct benefit to the local community.

2. The group is a community group or non profit making organisation or running a non profit activity.

3. The group's financial status is such as to justify a donation from Council.

4. Special circumstances or needs exist in the opinion of the Chief Executive Officer to warrant a donation, e.g. support of needy groups and individuals who bring credit to the municipality by achieving state or national representation or awards, which sees them requiring financial assistance for travelling, accommodation or other incidental expenses.

Statutory Implications

Section 5.42 of the Local Government Act 1995 states that Council may delegate some powers and duties to the Chief Executive Officer, as follows:

> "***5.42. Delegation of some powers and duties to CEO***
> *(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.*
> * Absolute majority required.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

[Section 5.42 amended by No. 1 of 1998 s. 13.] ."

Policy Implications Nil

Strategic Planning Implications

KEY RESULT AREA 6 – Governance
Goal 6 – Systems Development
That the Town's internal operating systems are structured in a manner that assists in providing timely accurate information to the community.

Budget Implications

Expenditure for the purpose of donations to a group or individual made under Delegation No 6 (Donations) is made from General Ledger Account 401275 'Public Relations'

Officers Comments

From time to time, the Chief Executive Officer determines requests received for a donation of monies from community groups, non profit organisations, sporting groups, schools and individuals. Currently the Chief Executive Officer is able to make a donation up to the value of $500, in accordance with Delegation Number 6 (Donations).

Council has two (2) options it may consider:

a) increasing its Delegated Authority for Delegation Number 6 (Donations) to a greater amount; or
b) not increase its Delegated Authority for Delegation Number 6 (Donations).

It is recommended that the value of delegated authority be increased to $1,000, in accordance with Delegation Number 6 (Donations) and Section 5.42 as follows:

Attachments Nil

200910/204 Council Decision / Officer's Recommendation

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

That Council increases the value of Delegation Number 6 (Donations) from $500 to $1,000, and amends the Delegation Register as follows:

DELEGATION NUMBER 6 (Donations)
DELEGATION SUBJECT Donations
DELEGATE Chief Executive Officer

The Chief Executive Officer is delegated authority to determine requests for donation of monies up to the value of $1,000 when a group or individual can demonstrate:

1. **Significant direct benefit to the local community.**

2. **The group is a community group or non profit making organisation or running a non profit activity.**

3. **The group's financial status is such as to justify a donation from Council.**

4. **Special circumstances or needs exist in the opinion of the Chief Executive Officer to warrant a donation, e.g. support of needy groups and individuals who bring credit to the municipality by achieving state or national representation or awards, which sees them requiring financial assistance for travelling, accommodation or other incidental expenses.**

The aggregate of any donations made by the Chief Executive Officer under this delegated authority shall not exceed the amount provided for the purpose on the Council's Budget each year without formal approval from Council."

in accordance with Section 5.42 of the Local Government Act 1995.

CARRIED 7/0

11.3.2.4 Vehicle Number Plates : Registration Number 1PH (File No.: …)

Officer Gaye Stephens
Executive Assistant

Date of Report 4 December 2009

Disclosure of Interest by Officer Nil

Summary

This report seeks Council's preferred use of Vehicle Registration Plates 1PH.

Background

At its Ordinary Meeting held on 23 September 2009, Council resolved as follows:

> *"That Council:*
> - *Advises Ms Pam Gangell-Harding that the Town is willing to purchase the Town of Port Hedland Centenary (1897-1997) vehicle number plate 01 - PH for the price of $15000 (inc GST).*
> - *Allocate funds for this purchase as a component of the October Budget review."*

Officers Comments

Council's preference for which vehicle or location to affix the Centenary Registration Plates is now sought, to enable administration of payment of the registration plates and associated transfer of registration documentation.

At its Ordinary Meeting in September, Council was advised:

> *"It is reasonably common for the No 1 plates of each municipality to be owned by the Local Government Authority. Usual practice is for the number plates to appear on either the Chief Executive Officer's vehicle or the Mayor's vehicle"*

Additionally, council may determine for the Registration Number plates to be affixed to its Community Bus, or to be displayed in a suitably secured location such as Council Chambers.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Recommendation

That Council approves the Registration Transfer of Centenary Number Plates 1PH, for the plates to be affixed to the Mayor's vehicle.

OR

That Council approves the Registration Transfer of Centenary Number Plates 1PH, for the plates to be affixed to the Chief Executive Officer's Council supplied vehicle.

OR

That Council approves the Registration Transfer of Centenary Number Plates 1PH, for the plates to be affixed to Town's Community Bus.

OR

That Council approves the Registration Transfer of Centenary Number Plates 1PH, for the plates to be displayed in Council Chambers a collector's piece.

200910/205 Council Decision

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That Council approves the Registration Transfer of Centenary Number Plates 1PH, for the plates to be affixed to the Chief Executive Officer's Council supplied vehicle.

CARRIED 6/1

NOTE: Cr G J Daccache requested the votes be recorded.

Record of Vote:

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

REASON: Council believed the plates would be safe considering their value and put to their intended use on the Chief Executive Officer's Council owned supplied vehicle.

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

12.1.1 Tender 09/26 Construction of Turtle Interpretive Loop (File No.: 08/02/0009)

Officer Jenella Voitkevich
Manager Infrastructure Development

Date of Report 25 November 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 09/26 Construction of Turtle Interpretive Loop to enable Council to award the Tender.

Background

The Turtle Interpretive Loop is a $1 million project that has been funded by the State Government and administered by the Pilbara Development Commission (PDC).

The scope of this project as approved at the Ordinary Council Meeting held on 25 February 2009 includes:

- Creation of a Turtle Interpretive Loop connecting Cemetery Beach Park with the Crawford Street beach access and the Civic Centre Gardens
- Installation of four interpretive nodes at different intervals with the major node at Cemetery Beach Park being an interpretive facility marking the start of the loop
- Installation of a major node to provide a defined access point to the beach and meeting area for turtle volunteers
- Installation of interpretive signage about the flat back turtle and dune flora and fauna along the Sutherland Street section and a turtle logo to identify the loop

A dual use path along the foreshore from the Civic Centre to the All Seasons Hotel was completed in 2007 as stage 1 of this project.

The project design and specifications were presented to Council at its Ordinary Meeting on 24 June 2009, with Council resolving that:

> *"…i) approves the Turtle Interpretive Loop 'Major Node/Pavilion' to be constructed using a framed design including aluminium and stainless steel components; and*
> *ii) approves the Turtle Interpretive Loop project to proceed to the Tender stage."*

Consultation

Council's Engineering staff
Epcad Pty Ltd
Pilbara Development Commission

Statutory Implications

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

> *"3.57. Tenders for providing goods or services*
> *(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
> *(2) Regulations may make provision about tenders."*

Policy Implications

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

Strategic Planning Implications

Key Result Area 4 – Economic Development
Goal 1 – Tourism: That the Town's profile as a tourism destination is lifted and visitor nights in the town have significantly increased.
Strategy 5: Implement both the Turtle Boardwalk project and the Stairway to the Moon project and work with stakeholders to identify other tourism product development initiatives.

Budget Implications

Nil. Account 1105426 has been allocated a budget of $792,500 for this project. This is the balance of the original $1,000,000 from the project.

Any portion of this budget not spent on the completed project will be returned to the funding providers.

Officer's Comment

Tender 09/26 closed at 2.30pm on Wednesday 18th November 2009. Tenders were opened and recorded by Councillor Carter and Council staff members.

Tender packages were sent to 27 companies and submissions were received from 8 companies as listed below:

- Landscape Elements
- Aarde Constructions
- Pilbara Constructions
- Australian Civils
- Environmental Industries
- Landscape Development
- Tim Davies Landscaping
- Downer EDI Works

Table 1 below indicates the lump sum price submitted by the above tenderers.

Table 1:

Tenderer	Lump Sum Price (excluding GST)
Landscape Elements	$833,344.20
Aarde Constructions	$739,750.00
Pilbara Constructions	$812,181.00
Australian Civils	$1,192,114.00
Australian Civils (alternative)	$882,814.00
Environmental Industries	$576,505.00
Landscape Development	$833,236.13
Tim Davies Landscaping	$675,599.98
Downer EDI Works	$796,416.00

The alternative tender submitted by Australian Civils proposed that the viewing platform and decking substructure be constructed in hot dip galvanized steel instead of aluminium. This tender will not be considered within the assessment process as Council has already resolved to construct these with aluminium and stainless steel components (refer June OCM resolution above).

Table 2 below indicates the evaluation criteria as described in the tender documentation:

Table 2:

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

The lowest price Tender (Tlp) shall be awarded a score of 50 for the Price criterion. The remaining priced Tenders (Tslp) shall be awarded a score determined in the following manner:

$$\text{Tslp Score} = 50 - \left[\frac{(\$Tslp - \$Tlp)}{\$Tlp} \times 50\right]$$

Each non-price criterion is awarded a score from 0 to 5. However, to reflect a particular criterion's relative importance, a "loading factor" is applied to each criterion's score to generate a "loaded score" for that criterion. Loaded scores are then summed to give a total score to a maximum of 100.

Each non-price criterion shall be scored out of 5 in increments of 0.5 as described below:

- A score of 4-5 shall be awarded where the Tenderer's credentials are judged to exceed the minimum requirements for that criterion
- A score of 3.5 shall be awarded where the Tenderer's credentials are judged to satisfy the minimum requirements for that criterion
- A score of 0-3 shall be awarded where the Tenderer's credentials are judged inadequate to meet the minimum requirements for that criterion

The comparison of each of the assessment criteria for the tender submissions received is as follows and is summarized in Table 3 below:

Table 3:

Contractor/ Assessment Criteria	Price	Experience		Resources		Understand WUC		Local Industry Development		Total Score
	Score	Score	Loaded	Score	Loaded	Score	Loaded	Score	Loaded	
Landscape Elements	**27.5**	3.5	**14**	3	**6**	3.5	**7**	0	**0**	**54.5**
Aarde Constructions	**36**	3.5	**14**	4	**8**	4	**8**	3	**6**	**72**
Pilbara Constructions	**29.5**	4	**16**	4	**8**	4	**8**	5	**10**	**71.5**
Australian Civils	**0**	3	**12**	4	**8**	3.5	**7**	4	**8**	**35**
Environmental Industries	**50**	4.5	**18**	4	**8**	3.5	**7**	5	**10**	**93**
Landscape Development	**27.5**	3.5	**14**	4	**8**	3.5	**7**	3	**6**	**62.5**
Tim Davies Landscaping	**41.5**	2.5	**10**	4	**8**	2.5	**5**	5	**10**	**74.5**
Downer EDI Works	**31**	3	**12**	4	**8**	3.5	**7**	3	**6**	**64**

Price

Environmental Industries has advised of some exclusions to their submitted price. No allowance has been made for power, water and amenities. The main construction site at Cemetery Beach park has these facilities available and any requirements at other sites would be minimal. They have also advised that although they have allowed for a traffic management plan, implementation of said plan has not been included. Pedestrian management is certainly a requirement of this contract, however would generally involve signage at a relatively low cost.

All tenderers have advised that no allowance has been made for hard digging or rock excavation.

The prices submitted for site establishment and preliminaries varies significantly between the tenderers due to the different requirements in accommodation, flights and equipment mobilization.

The majority of prices submitted for each element of the contract are comparable with a few exceptions particularly in the Australian Civils submission.

Experience

Environmental Industries received the highest score in this criterion as they demonstrated their experience on projects of a similar nature in Port Hedland (Captain Bert Madigan park decking which is constructed of the same product). Pilbara Constructions also received a high score due to their experience within Port Hedland in the construction industry. All other companies demonstrated suitable experience; however Australian Civils and Downer EDI Works were marked down as they demonstrated experience mainly in the civil industry, not necessarily in projects of this nature. Although Tim Davies Landscaping is a reputable company in Port Hedland their tender submission did not provide any examples of previous experience or supporting documentation, which is reflected in the score.

Resources

All tenderers except Landscape Elements advised that they had a suitable amount of resources, subcontractors and supervisory staff to undertake the works. Landscape Elements did not submit the required tender forms demonstrating their project resource plan. Although some of this information was provided within the tender package, not enough information was provided to enable assessment consistent with other tenders.

Understanding of Works Under Contract

The experience demonstrated by the tenderers is reflected in their score for this criterion. The majority of prices submitted for each section were relatively comparable, with a few exceptions perhaps demonstrating mobilization costs, use of unique materials or varying suppliers or contractors. This has not been judged to impact on the general understanding of the works.

Tim Davies Landscaping has received a low score as they did not provide supporting documentation demonstrating their experience, therefore making it difficult to assess their knowledge of the required works.

Local Industry Development

Pilbara Constructions, Environmental Industries and Tim Davies Landscaping have advised that all works will be undertaken by local contractors using local materials where applicable. Australian Civils also has a large proportion of their workforce based in Port Hedland. The other tenderers have advised of a combination of local and Perth based contractors.

Landscape Elements did not provide their tender schedule detailing local industry development.

Summary

Environmental Industries have received the highest score in accordance with the selected criteria as assessed by Town of Port Hedland, Pilbara Development Commission and Epcad Pty Ltd. They also submitted the lowest price, however have incorrectly calculated the total which should be $573,085 plus gst.

Environmental Industries has a proven track record in successful implementation of works of this type within Port Hedland, therefore they are recommended as the accepted tenderer.

Attachments Nil

200910/206 Council Decision / Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That Council award Tender 09/26 Construction of Turtle Interpretive Loop to Environmental Industries for the revised calculated lump sum price of $573,085 plus GST.

CARRIED 7/0

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

ITEM 14 CONFIDENTIAL ITEMS

14.1 Confidential Item - Appointment of Director Community Services (File No.: ...)

200809/207 Council Decision

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

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 Agenda Item 14.1.1 'Confidential Item: Appointment of Director Community Services.'

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 ...*
> *(a) a matter affecting an employee or employees; …"*
> *(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; …*
> *(h) such other matters as may be prescribed."*

6.47 pm Mayor advised that the meeting be closed to the Public. There were no Members of the public present.

200910/208 Council Decision / Officers Recommendation

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That Council:

i) endorse the appointment of Mr Paul Martin as the Director Community Development; and

ii) Mr Martin be offered a salary of $120,000 per annum and a total package of $194,340.00 per annum including superannuation, housing, private vehicle usage, uniform allowance and an annual bonus (subject to meeting KPI's).

CARRIED 7/0

200809/209 Council Decision

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

That the meeting be opened to the Public.

CARRIED 7/0

6.49 pm Mayor advised that the meeting be opened to the Public. There were no members of the Public in attendance and Mayor advised of Council's decision.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

200910/210 Council Decision

Moved: Cr A A Carter **Seconded:** Cr J M Gillingham

That the following Applications for Leave of Absence:

i) Councillor G J Daccache from 30 December 2009 to 20 January 2009, inclusive;
ii) Councillor D W Hooper from 2 January 2009 to 21 Janauary 2009, inclusive;

be approved.

CARRIED 7/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 27 January 2010, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 6.50pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 27 January 2009.

CONFIRMATION:

_____
MAYOR

_____
DATE