



ORDINARY COUNCIL MEETING

AGENDA

**NOTICE IS HEREBY GIVEN that an
Ordinary Meeting of Council will be held
in the Council Chambers, Welcome Road, Karratha,
on Monday 19 April 2010 at 6.30pm.**

**Collene Longmore
CHIEF EXECUTIVE OFFICER**



No responsibility whatsoever is implied or accepted by the Shire of Roebourne for any act, omission or statement or intimation occurring during Council or Committee Meetings. The Shire of Roebourne 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 or statement or intimation occurring during Council or Committee Meetings.

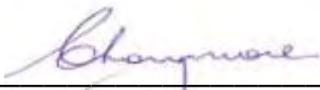
Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee Meeting does so at that persons or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or intimation of approval made by any member or Officer of the Shire of Roebourne during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Roebourne.

The Shire of Roebourne warns that anyone who has any application lodged with the Shire of Roebourne must obtain and should only rely on

WRITTEN CONFIRMATION

of the outcome of the application, and any conditions attaching to the decision made by the Shire of Roebourne in respect of the application.

Signed: 
Ms C Longmore –Chief Executive Officer

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: *An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.*

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

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AGENDA

1 OFFICIAL OPENING

Cr Lockwood acknowledged the traditions of the Ngarluma people, on whose land we are gathered here today.

2 PUBLIC QUESTION TIME

3 RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE

Councillors: Cr Nicole Lockwood [President]
 Cr John Lally [Deputy President]
 Cr Fay Cechner
 Cr Ben Lewis
 Cr Harry Hipworth
 Cr Des Rothe
 Cr Evette Smeathers
 Cr Sharon Vertigan
 Cr Fiona White-Hartig

Staff:	Collene Longmore Ray McDermott Simon Kot Joel Gajic Troy Davis Paul Anderson Bobbie Laine	Chief Executive Officer Exec Manager Corporate Svces Exec Manager Community Svces A/Exec Manager Development Svces Exec Manager Technical Svces Assistant to CEO Minute Secretary
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Apologies:

Absent:

Leave of Absence: Cr Garry Bailey and Cr Jo Pritchard

Members of Public:

Members of Media:

4 PETITIONS/DEPUTATIONS/PRESENTATIONS

Representatives from Transpacific, General Manager Mr John Lilywhite and Mr Daniel Le Provost.

5 CONFIRMATION OF MINUTES AND BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Monday 15 March 2010, be confirmed as a true and correct record of proceedings.

6 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

- 17/03/10 Meeting with Nicole Lockwood and Hamid - Water Corp, Shire offices.
- 18/03/10 Meeting with Nicole Lockwood and Greg Deller – FMG, Shire offices.
Meeting with Nicole Lockwood and Tim Triton – CECK, Shire offices.
CleanSweep Taskforce Meeting, Shire offices.
- 19/03/10 Meeting with Nicole Lockwood and Allan Blake, Bristows.
Meeting with Nicole Lockwood and Susan Ardagh - Aust Institute of Company Directors, Shire offices.
- 22/03/10 Karratha Revitalisation Project - Project Reference Group Meeting
MOU Meeting between Shire and LandCorp, Redgum, 10 William Street.
Wickham Crime and Safety Meeting,
- 23/03/10 Meeting with Nicole Lockwood and Lord Mayor Lisa Scaffidi, Council House, Perth.
Collene Longmore and Cossack Working Group, Albert Facey House, Perth.
- 24/03/10 Meeting with Nicole Lockwood, Collene Longmore and Jenny Fisher - Chevron re: Pilbara to Parliament, Shire offices.
Meeting with Nicole Lockwood, Collene Longmore and Stephen Dhu and Brooke St James - Ngarluma Aboriginal Corporation, Shire offices.
Collene Longmore and National Trust, CEO office
Nicole Lockwood, Collene Longmore and Jenny Fisher - Chevron re: Pilbara to Parliament, Shire offices.
- 25/03/10 Collene Longmore Service Workers Accommodation
Meeting with Collene Longmore Wickham Visioning Workshop
- 26/03/10 Collene Longmore - PICILO Meeting, Kangaroo Hill camp.
Collene Longmore and Adrian Buoy and Rowan Chalmers – Qantas
- 29/03/10 Meeting with Nicole Lockwood, Collene Longmore and DSD re: Anketell, Level 6, 1 Adelaide Tce, East Perth.
Meeting with Nicole Lockwood, Collene Longmore and Wolfgang Jovanich - Burrup Fertilizers, Level 8, 225 St George's Tce, Perth.
PRC Meeting, Seasons Hotel.
- 30/03/10 Civic Reception - Deputy Prime Minister, Shire offices.
- 31/03/10 PDC meeting, Karratha.
- 01/04/10 Meeting with Nicole Lockwood, Simon Kot and Graeme Searle - DG Department of Housing re: Housing issues in Roebourne, Shire offices.
- 06/04/10 Karratha Community Association Meeting, Lotteries House.
- 23/03/10 Collene Longmore and Cossack Working Group, Albert Facey House, Perth.
- 24/03/10 Collene Longmore and National Trust, CEO office
Nicole Lockwood, Collene Longmore and Jenny Fisher - Chevron re: Pilbara to Parliament, Shire offices.
Nicole Lockwood, Collene Longmore and Stephen Dhu and Brooke St James - Ngarluma Aboriginal Corporation, Shire offices.
- 31/03/10 CEDA meeting Brendon Grylls, Perth.

7 CHIEF EXECUTIVE OFFICER & EXECUTIVE SERVICES

7.1 CHIEF EXECUTIVE OFFICER

7.1.1 PILBARA TO PARLIAMENT

File No: CR.6

Responsible Officer: Chief Executive Officer

Author Name: Chief Executive Officer

Disclosure of Interest: Chief Executive Officer is Chairperson of Regional Development Australia, a proposed partner in this event.

REPORT PURPOSE

To seek endorsement to adopt the position of lead agency for *Pilbara to Parliament* on June 15th 2010 in Canberra with principal partner Pilbara Regional Council (PRC) and to seek interest from Councillors to attend the event in Canberra.

Background

Since the New Year the Shire of Roebourne has been working on developing the Pilbara to Federal Parliament concept. The concept was initially raised by Senator Chris Back early last year and during a recent visit by the Senator to Karratha he and his colleagues Senators Cormann and Cash reiterated support for the concept to be realised.

The Shire of Roebourne has pursued the concept and has booked the Mural Hall at Parliament house for the 15th June 2010 and has garnered considerable regional, state and industry support.

The Pilbara Regional Council met on March 29th and members discussed the concept. Town of Port Hedland and the Shire of East Pilbara indicated a desire for the PRC to lead the event but acknowledge there is no staff in place for this to be achieved. Both indicated a desire for the event to be badged as a PRC initiative regardless. The Shire of Ashburton acknowledged the work to date of the Shire of Roebourne and supported the branding of the Shire of Roebourne as the initiators of the event and were comfortable with the PRC as principal partners.

The Shire of Roebourne has rebadged the event to take our logo off the front page and have created a partners and sponsors back page. Our logo is still under an 'initiative of'.

The Event

On June 15th 2010 the Shire of Roebourne, in partnership with the Town of Port Hedland, the Shire of Ashburton and the Shire of East Pilbara through our Pilbara Regional Council and Regional Development Australia – Pilbara will lead a delegation of people from the Pilbara, along with our industry partners to Federal Parliament for a day of debate, culture and discovery of the region that is driving the nation's prosperity.

Pilbara to Parliament is designed to introduce the Pilbara to the nation, to provide context about who we are, what we do and to start a dialogue about the untapped potential of the region. It will give our community the chance to communicate our shared vision for regional growth and prosperity with the nation's decision-makers, highlighting the huge benefits for all Australians in investing in the Pilbara. It will also provide opportunity to

publicly champion/advocate the State Government’s “Pilbara Cities” plan which is actively supported by all local government associations partnering this historic initiative.

Pilbara to Parliament will raise awareness of the huge benefits for all Australians in investing in our region and the risks to our national prosperity if we do not invest in the region. The rapid growth of the Pilbara has placed pressure on our local communities and this in turn is placing pressure on the region’s ability to meet growing demand.

Pilbara to Parliament will allow for a conversation to be had around the benefits of:

- building a significant population base in the Pilbara;
- the opportunities that exist for the nation in diversifying the economy, in investing in defence capabilities, in exploring the region’s capability to become a hub for education and training to address the skills shortage;
- the tourism and cultural opportunities that exist in the Pilbara that remain undiscovered;
- the need for the local indigenous community to turn the region’s riches into real returns for their people – better educational outcomes for their children and improved health and living conditions for all; and
- to highlight the opportunity for the Pilbara to act as a gateway to the international markets.

The *Pilbara to Parliament’s* program of events includes:

Pilbara Insights Forum

Renowned Australian journalist and broadcaster, Geraldine Doogue, will facilitate an insightful, invitation-only panel discussion with six of the country’s brightest minds, including key political figures such as respected social and economic commentators. The forum will encourage an active dialogue between expert panel and select audience members that will prompt conversation about the role of the Pilbara in Australia’s future in terms of population and economic growth.

Exhibition at Mural Hall

An afternoon exhibition in Mural Hall for up to 15 invited exhibitors from industry, business and government. A highlight will be the “artists in residence” program showcasing a group of the region’s best-known Aboriginal artists and an intimate collection of works from across the Pilbara.

Keynote Speakers

A program of keynote speakers will be invited to address topics such as indigenous employment and engagement strategies and the importance of regional economic diversification and downstream processing.

Cocktail Reception

A cocktail reception for 100 invited guests will be held in Mural Hall to close the day’s events.

Conclusion

Council has indicated that it is supportive of the *Pilbara to Parliament* approach to date and has identified funds from Corporate Services to scope the event and progress to this stage of the initiative.

To date sponsorship commitment has been received from Rio Tinto, Woodside Energy, Citic Pacific Mining, Australian Petroleum Production & Exploration Association, Regional Development Australia Pilbara and the Pilbara Regional Council. The Pilbara Development Commission is considering partnership possibilities.

The initiative is strongly supported by regional, state and industry organisations and the momentum to achieve a very strong showing in Canberra to the benefit to the Pilbara region is growing on a daily basis. The initiative was launched at a civic event for the Deputy Prime Minister on March 30th and the feedback from the forum was extremely positive.

Options

Council has the following options available:

1. To adopt the position of lead agency for *Pilbara to Parliament* on June 15th 2010 in Canberra with partner's Pilbara Regional Council and Regional Development Australia Pilbara; or
2. To amend the initiative scope.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

Pilbara to Parliament is being managed as a balanced budget initiative. If Council endorses the *Pilbara to Parliament* concept it will be required to contribute \$30,000 this financial year and a budget amendment will be required. As Council is awaiting advice on partner and sponsor contributions it is recommended that any formal budget amendment to meet these costs would be considered at the May Council meeting.

Voting Requirements

Simple.

RECOMMENDATION

That Council resolves to:

- 1. Endorse participation in and adopt the position of lead agency for *Pilbara to Parliament* on June 15th 2010 in Canberra with partner's Pilbara Regional Council and Regional Development Australia Pilbara;**
- 2. Notify the Chief Executive Officer of councillors ability to attend the event in Canberra on June 15th 2010.**

7.1.2 KARRATHA SERVICE WORKERS ACCOMMODATION MANAGEMENT COMMITTEE.

File No: A31398
Responsible Officer: Chief Executive Officer
Author Name: Chief Executive Officer
Disclosure of Interest: Nil

REPORT PURPOSE

To endorse the appointment of a councillor representative on the Karratha Service Workers Accommodation Management Committee.

To endorse the appointment of the Executive Manager Community Services on the Karratha Service Workers Accommodation Management Committee.

Background

The State government has identified the need to establish a Service Workers Accommodation Precinct in Karratha in response to exceptionally high demands for housing and subsequent high rentals being experienced in Karratha as a result of resource sector growth in the region.

It has been identified that the high demands on the housing sector is forcing lower income earners out of the market causing local commercial and not-for-profit enterprise to contract.

The State, through Landcorp, has awarded an Expression of Interest to National Lifestyle Villages to progress the development of the Karratha Service Workers Accommodation facility of some 100 residential dwellings. The key development objectives to be achieved include:

1. Provide affordable accommodation for Service Workers that will address the shortfall in availability of accommodation for this market through the provision of quality subsidised housing that is not targeted at single transient workforces.
2. Accommodation for Service Workers through the provision of 100 dwellings in a central, highly accessible location in town.
3. Provides accommodation mix of 1, 2 and 3 bedroom homes which may be of modular construction but is not temporary or donga style accommodation.
4. Provide accommodation to a restricted market in such a way that the open market, largely driven by the demands of resource sector growth, does not force pricing up.

The Service Workers Accommodation Project is at the stage of earthworks on-site and development approval for the site is to be finalised by May 2010. The timeframe for completion of this project is early December 2010.

National Lifestyle Village plans to advertise the availability of accommodation and eligibility criteria to organisations in June 2010. The Management and Allocation Policy is in final stages of completion and the draft would be made available to the endorsed Councillor.

The National Lifestyle Village (NLV) will be responsible for providing an on-site manager for the duration of the Service Workers Accommodation Project. NLV will be responsible for the ongoing administration of the Service Workers Accommodation site, including the initial and ongoing accommodation allocation, various management policies and the tenancy agreements on behalf of the State Government. That will include ongoing auditing of compliance to the eligibility criteria.

Allocation of the accommodation will be via application. Both an organisation and an individual may apply but must comply with all aspects of the eligibility criteria.

The assessment of all applications and any significant issues arising from management of the village will be reviewed by the Management Committee. This Committee will have the following membership:

- Pilbara Development Commission (1 board member, 1 staff member)
- Karratha Districts Chamber of Commerce and Industry (1 board member, 1 staff member)
- Shire of Roebourne (1 Councillor, 1 staff member)
- National Lifestyle Villages (1 Director)

The on-site Manager will compile the applications, assess for compliance and report recommendations to the Management Committee for their determination. The on-site manager will provide quarterly reports on pending and approved applications and compliance of the allocations and will also report of matters arising from the residents as appropriate.

OPTIONS

Council has the following options available:

1. To endorse a councillor and administration representative to sit on the Karratha Service Workers Accommodation facility Management Committee; or
2. To not support the request for a Councillor and administration representative on the Karratha Service Workers Accommodation facility Management Committee.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

The financial implication to Council will be the commitment of staff resourcing of approximately four hours per month.

Voting Requirements

Simple.

RECOMMENDATION

That Council resolves to:

- 1. Endorse the appointment of Cr as the Shire of Roebourne’s Council Representative on the Karratha Service Workers Accommodation facility Management Committee.**

- 2. Endorse the appointment of the Executive Manager of Community Services as the Shire of Roebourne’s Administration Representative on the Karratha Service Workers Accommodation facility Management Committee.**

7.1.3 ANNUAL GENERAL MEETING

File No:	FM.3
Attachment(s)	Minutes of Meeting
Responsible Officer:	Chief Executive Officer
Author Name:	Assistant to the CEO
Disclosure of Interest:	Nil

REPORT PURPOSE

For council to consider the Minutes and Decisions of the 2008/2009 Annual General Meeting of Electors in accordance with the provisions of the Local Government Act.

Issues

The Annual General Meeting of Electors relating to the financial year ended June 30 2009 was held on Monday 15 March 2010. A copy of the minutes of the meeting are attached.

Section 5.32 (b) of the Local Government Act 1995 requires the Chief Executive Officer to *“ensure that copies of the minutes are available for inspection by members of the public before the Council meeting at which decisions made at the Electors meeting are first considered.”*

The minutes have been made available for inspection.

The Act also requires the decisions of the Electors meeting to be considered by the Council (Section 5.33) at its next ordinary meeting where practicable. The act states:

- “5.33 (1) All decisions made at an Electors meeting are to be considered at the next ordinary Council meeting or, if that is not practicable,
- (a) At the first ordinary Council meeting after that meeting, or
 - (b) At a special meeting called for that purpose, whichever happens first.
- (2) if at a meeting of the Council a Local Government makes a decision in response to a decision made at an Electors meeting, the reasons for the decision are to be recorded in the minutes of the Council meeting.”

There were no resolutions or decisions adopted at the meeting that required the attention of the council

Options

Council has the following options available:

1. Confirm the minutes and report on the annual electors meeting and note that there were no decisions that required consideration by Council.
2. Amend the minutes and report of the Annual General Meeting.

Policy Implications

There are no relevant Council policy implications pertaining to this matter.

Legislative Implications

Section 5.32 and 5.33 of the Local Government Act 1995 as amended applies.

Financial Implications

There are no financial implications associated with this report.

Conclusion

The Council only needs to note the minutes and the report of the Annual General Meeting as no decisions that require consideration were made.

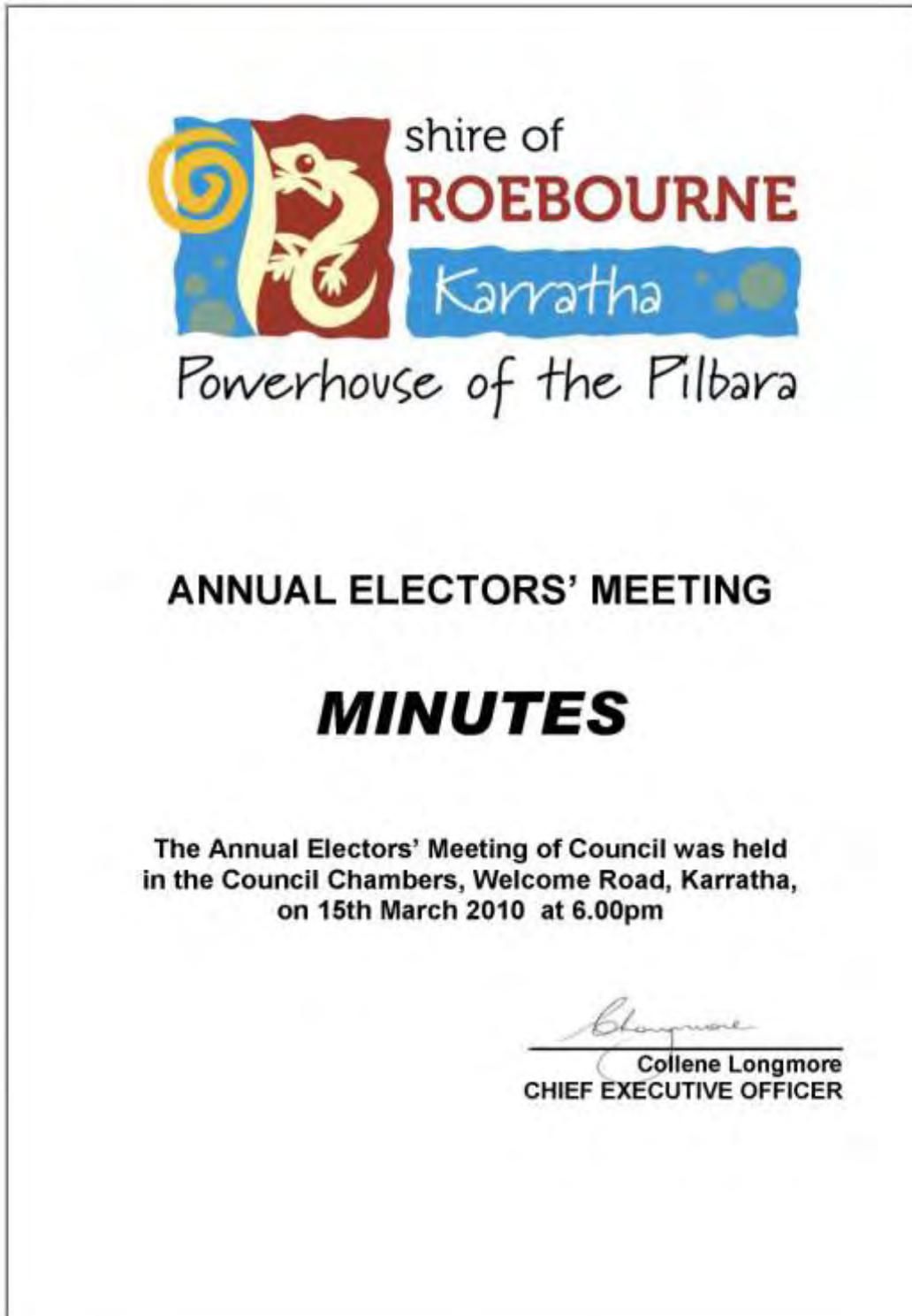
Voting Requirements

Simple.

RECOMMENDATION

The Minutes and Report on the Annual Electors Meeting for the 2008/09 year held on 15 March 2010 be confirmed as a true and correct record of proceeding and it be noted that there were no decisions that required consideration by the council.

7.1.3 ATTACHMENT COPY OF MINUTES OF THE ANNUAL ELECTORS MEETING



DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting; or
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter; or
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councilor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councilor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act, or
 - 6.2 Where the Minister allows the Councilor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: *An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.*

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) in a written notice given to the Chief Executive Officer before the Meeting, or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

ANNUAL ELECTORS MEETING MINUTES

15 MARCH 2010

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ANNUAL ELECTORS' MEETING MINUTES

15 MARCH 2010

1 OFFICIAL OPENING

Cr Lockwood acknowledged the traditions of the Ngarluma people, on whose land we are gathered here today.

2 RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE

- Councillors:** Cr Nicole Lockwood [Shire President]
 Cr John Lally [Deputy Shire President]
 Cr Joanne Pritchard
 Cr Evette Smeathers
- Staff:** Collene Longmore Chief Executive Officer
 Paul Anderson Assistant to the CEO
 Ray McDermott Exec Manager, Corporate Svces
 Simon Kot Exec Manager, Community Svces
 Joel Gajic A/Exec Manager Development Svces
 Sue Heaton Minute Secretary
- Apologies:** Cr Fiona White-Hartig
- Absent:** Cr Garry Bailey
 Cr Fay Cechner
 Cr Ben Lewis
 Cr Harry Hipworth
 Cr Des Rothe
 Cr Sharon Vertigan
 Troy Davis Exec Manager, Technical Svces
- Members of Public:**
Members of Media:

3 CHIEF EXECUTIVE OFFICER & EXECUTIVE SERVICES

3.1 EXECUTIVE

3.1.1 Shire Of Roebourne Annual Report for 2008/09

File No: AA/1/1
Responsible Officer: Chief Executive Officer
Author Name: PA to CEO
Disclosure of Interest: Nil

REPORT PURPOSE

To present the Shire of Roebourne's Annual Report and Audited Financial Report for 2008/09:

BACKGROUND

In accordance with Section 5.27 of the Local Government Act a General Meeting of Electors is to be held once every Financial Year.

ISSUES

Not applicable

OPTIONS

Not applicable

POLICY IMPLICATIONS

There are no relevant Policy implications pertaining to this matter.

LEGISLATIVE IMPLICATIONS

Local Government Act 1995 and subsequent regulations.

FINANCIAL IMPLICATIONS

There are no Financial implications resulting from this report.

CONCLUSION

Not applicable

VOTING REQUIREMENTS

By decision of the meeting

ANNUAL ELECTORS' MEETING MINUTES

15 MARCH 2010

COUNCIL RESOLUTION

That the Shire of Roebourne's 2008/09 Annual Report and Audited Financial Report as presented, be accepted.

Res No	:	15012
MOVED	:	Cr Smeathers
SECONDED	:	Simon Kot

4 OTHER GENERAL BUSINESS

5 CLOSURE

The meeting closed at 6.08pm

7.2 EMERGENCY SERVICES

7.2.1 SHIRE OF ROEBOURNE EVACUATION PLAN

File No:	EO/1/21
Attachment(s)	Shire of Roebourne Evacuation Plan
Responsible Officer:	Emergency Management Officer
Author Name:	Emergency Management Officer
Disclosure of Interest:	Nil

REPORT PURPOSE

The purpose of this report is to seek Council's endorsement of the Shire of Roebourne Evacuation Plan.

Background

The Shire of Roebourne is required under legislation to have an Evacuation Plan as part of the requirements of the *Emergency Management Act 2005* and the *State Emergency Management Policy 4.7 – Community Evacuation*. As the Shire had no such plan in place this document was produced. This plan is a sub plan under the Shire of Roebourne Local Community Emergency Management Arrangements.

Issues

Nil

Options

Council has the following options available:

1. Endorse the Shire of Roebourne Evacuation Plan.
2. Modify the Shire of Roebourne Evacuation Plan.

Policy Implications

There are no relevant Policy implications pertaining to this matter.

Legislative Implications

Under the *Emergency Management Act 2005* and the *State Emergency Management Policy No 4.7 – Community Evacuation*, the Shire of Roebourne is required to have evacuation arrangements in place for the community.

The Shire of Roebourne Evacuation Plan will be open for public viewing.

Financial Implications

There are no financial implications resulting from this report.

Conclusion

The plan was written in conjunction with the Department for Child Protection as the Hazard Management Agency and has been reviewed and is supported by the Local Emergency Management Committee (LEMC), the District Emergency Management Committee (DEMC) and is written in consultation with Fire and Emergency Services Authority (FESA) and prepared in accordance with the *Emergency Management Act 2005*.

Voting Requirements

Simple.

RECOMMENDATION

In accordance with the legislative requirements of the *Emergency Management Act 2005* and the *State Emergency Management Policy No 4.7*, the Shire of Roebourne Evacuation Plan be endorsed and adopted.

ATTACHMENT ITEM 7.2.1 EVACUATION PLAN



EVACUATION PLAN

Produced by the Shire of Roebourne
Local Emergency Management Evacuation Sub Committee
under the provisions of the
Emergency Management Act 2005

Shire of Roebourne Coordination Centre
is located at the Council Administration Building,
Lot 1083 Welcome Road, Karratha.

Tel: (08) 9186 8555
Fax: (08) 9185 1626

AMENDED: *December 2009*

Shire of Roebourne	Evacuation Plan
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Shire of Roebourne

Evacuation Plan

DISTRIBUTION LIST

Name	Company	Copies
Records	Shire of Roebourne	1
Chairperson	Shire of Roebourne LEMC	1
District Emergency Coordinator	WAPOL Pilbara Regional Office	1
Executive Officer	Pilbara DEMC	1
Secretary	SEMC	1
Public Copy	Shire of Roebourne	1
Public Copy	Karratha Library	1
Public Copy	Roebourne Library	1
Public Copy	Wickham Library	1
Public Copy	Dampier Library	1
OIC	Karratha Police Station	1
OIC	Dampier Police Station	1
OIC	Roebourne Police Station	1
OIC	Wickham Police Station	1
Captain	Karratha Fire and Rescue Service	1
Captain	Dampier Fire and Rescue Service	1
Captain	Roebourne Fire and Rescue Service	1
Captain	Wickham Fire and Rescue Service	1
Captain	Point Samson Bush Fire Brigade	1
Local Manager	Karratha SES	1
Local Manager	Roebourne / Wickham SES	1
Chairperson	Karratha St John Ambulance	1
Chairperson	Roebourne St John Ambulance	1
Chairperson	Wickham St John Ambulance	1
Emergency Management Officer	Burrup Fertilisers	1
Emergency Management Officer	CITIC Pacific Mining	1
Security Manager	Corrective Services	1
OIC	Customs	1
Manager	Dampier Port Authority	1
Team Leader / Emergency Management Officer	Dept. for Child Protection	2
Manager	Dept. of Environment & Conservation	1
District Director of Nursing	Dept. of Health	1
Manager	Dept. of Transport	1
Principal	Dept. of Education and Training	1
Supervising Fisheries & Marine Officer	Fisheries Dept.	1
Manager	Gorgon Project	1
Manager	Main Roads WA	1
Property & Facilities Manager	Pilbara TAFE	1
OIC	Pilbara Regiment	1
Team Leader	Red Cross	1
Superintendent Emergency Management & Security	Rio Tinto (Coastal Operations)	1
Operations Manager	Water Corporation	1
District Manager	Horizon Power	1
Team Leader	Telstra	1
Manager	West Kimberley Power Project – LNG	1
Security & Emergency Management Coordinator	Woodside	1

Shire of Roebourne

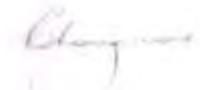
Evacuation Plan

ENDORSEMENT

These arrangements have been prepared and endorsed by the Shire of Roebourne Local Emergency Management Committee (LEMC).

They have been tabled for information and comment with the Pilbara District Emergency Management Committee (DEMC) and at the Shire of Roebourne Council.

Endorsed by



Date: 11 / 12 / 2009

Collene Longmore
Chairperson
Roebourne LEMC

Endorsed by Council:

Resolution Number:

DOCUMENT CONTROL – for office use only

Officer Title: Chief Executive Officer

File No: EO/1/21

Status of Document: Original

Review Date: November 2014

DEFINITIONS

Terminology used in this policy shall have the same meaning as prescribed in section 3 of the *Emergency Management Act 2005* (the Act).

1. **Alternative to Evacuation:** Occasions when it may be safer for people to stay and shelter in place. Depending on hazard, measures such as closing window, isolation of air conditioning systems and listening to the radio and/or TV to receive information can be taken to reduce vulnerability.
2. **CALD:** Culturally and Linguistically Diverse.
3. **Control of Movement:** Restrictions placed on movement of animals, people and vehicles.
4. **DCP:** Department for Child Protection.
5. **Emergency:** An unplanned event that threatens the lives of people, property and the environment.
6. **Evacuation:** The orderly movement of people from a threatened area to a place of safety.
7. **FESA -** Fire and Emergency Services Authority.
8. **Hazard Management Agency (HMA):** That organisation which, because of its legislative responsibility or specialised knowledge, expertise and resources is responsible for ensuring that emergency management activities pertaining to the prevention of, preparedness for, response to and recovery from a specific hazard are undertaken. Such organisations are either designated by legislation or detailed in State level emergency management plans.
9. **Incident Controller (IC):** The person designated by the relevant *Hazard Management Agency*, responsible for the overall management and *control* of an *incident* and the tasking of agencies in accordance with the needs of the situation.
10. **Local Emergency Management Committee (LEMC):** The local government is to establish one or more LEMCs for the local government district, based on local government boundaries. The committee is chaired by a nominee of the local government, and the Local Emergency Coordinator, whose jurisdiction covers the local government area concerned, is a member. The LEMC is established by the local government to ensure that local emergency management arrangements are written and placed into effect for its district [s. 38 of the Act].
11. **Local Emergency Management Arrangements:** Written by the local government, local emergency management arrangements are documented emergency management plans for the local government district. Consistent with State Emergency Management Policies and plans, arrangements are to include information as stipulated in section 41(2) of the Act, accommodating the comprehensive approach to emergency management (Prevention/Mitigation, Preparedness, Response and Recovery) that contribute to the reduction or elimination of hazards and to reducing the susceptibility or increase in the resilience to hazards of the community or the environment in the local government district.
12. **Shelter in Place:** People stay where they are at the time of the emergency. The Hazard Management Agency may determine that, with appropriate measures, people sheltering where they are is a safer alternative to evacuation.
13. **SES:** State Emergency Service.
14. **SJA:** St Johns Ambulance.
15. **SoR:** Shire of Roebourne.
16. **VFRS:** Volunteer Fire and Rescue Service.

State of Goodwork

Evacuation Plan

17. **Welfare Centres:** Established as emergency facilities from which shelter, food, clothing, financial assistance, registration, personal support and all other welfare services can be provided until alternative arrangements can be made. It may be an evaluation centre, accommodation centre or relief/recovery centre.

Shire of Roebourne

Evacuation Plan

INTRODUCTION

A range of hazards regularly pose a risk to communities throughout Western Australia. Evacuation of people from an area affected by a hazard is one of the strategies that may be employed by emergency managers to mitigate the potential loss of, or harm to, life.

Experience has shown that the evacuation of residents is not always the optimum solution to managing the risk. Alternatives to evacuation such as to stay and shelter in place and control or restriction of movement should also be considered where appropriate.

These instructions are recommended for use by emergency services and support personnel of the Shire of Roebourne and have been specifically designed to establish procedural guidelines for dealing with any emergency.

Should an emergency occur, it is imperative that the situation is dealt with swiftly and effectively to ensure injuries, loss of life, and damage, is kept to an absolute minimum.

Life safety must be considered a priority, and for that reason, the evacuations must be planned and organised to ensure that all personnel are moved in an orderly fashion from any danger, or potentially dangerous situation, to a place of safety.

As a result of an emergency, evacuation of affected people may need to be considered. This may involve a complex operation that has the potential to place evacuees at risk during the evacuation. It also has the propensity to de-stabilise a community and involve extensive welfare arrangements. Through careful planning, and a thorough knowledge of these arrangements, risks associated with the evacuation process can be minimized.

The Evacuation Plan is integral for the ongoing care and reception of evacuees and is to be read in conjunction with:

- The Welfare Plan, and
- Any other relevant agency plans.

The Welfare Plan has been developed by the Department for Child Protection, in conjunction with the Shire of Roebourne, using local and regional facilities and organisations.

Shire of Roebourne

Evolution Plan

SECTION 1 AUTHORITY

1.1 Authority to Plan

This plan has been prepared as a sub plan for the Shire of Roebourne's Local Community Emergency Management Arrangements in accordance with, and under the authority of Section 41 (1) of the Emergency Management Act, 2005 (the Act) and State Emergency Management Policy (SEMP) No 4.7.

1.2 Area Covered

The Shire of Roebourne is situated on the Pilbara coast approximately 1,535kms north of Perth and 850kms south of Broome on the North West Coastal Highway and to the west is the Indian Ocean. It is joined by the Town of Port Hedland to the North and Shire of Ashburton to the South.

The Shire has a total area of 1,519,700 ha (15,197 km²) consisting of agricultural and pastoral land, mining leases, Crown land and reserves and the town sites of Karratha, Dampier, Wickham, Point Samson and Roebourne. There is a resident population of approximately 23,000 people with Karratha being the major centre with 5811 dwellings (Rates notices 2009).

The Shire is also a gateway to a number of natural attractions in the region and experiences high levels of tourists on a seasonal basis. The major transport routes in the Shire are the North West Coastal Highway and the private railway lines from Dampier to Tom Price and Wickham to Pannawonica. A sealed road connecting the towns of Karratha and Tom Price is partially completed.

The Shire has one major airport at Karratha. The airport services daily commercial flights to and from Perth and houses a range of fixed wing and rotary aircraft which primarily service the oil, gas and mineral industries in the region. There is one regional hospital located in Karratha.

Emergency Services in the Shire are primarily provided by volunteer personnel. The volunteer services in the Shire are generally well resourced and trained.

These arrangements apply to the Shire of Roebourne, including the town sites of Pt Samson, Roebourne, Wickham, Karratha and Dampier.

Shire of Roebourne

Emergency Plan

SECTION 2 AIMS AND OBJECTIVES OF THE SUB PLAN

2.1 Aim

The aim of this sub plan is to detail the arrangements and responsibilities for the co-ordination of statutory and volunteer services to deal with the evacuation of "at risk" persons in the event of an incident threatening or impacting within the Shire of Roebourne.

2.2 Objectives

- Define responsibilities for the conduct and control of the evacuation.
- Prescribe priorities for evacuation.
- Provide a timely and effective public warning system of the need to evacuate.
- Prescribe evacuation routes.
- Provide and maintain adequate welfare services for the provision of:
 - a) General welfare
 - b) Reception centres
 - c) Short term accommodation
 - d) Personal services including counselling
 - e) Public information
- Secure the evacuation area.
- Provide a safe and controlled return of evacuees to their places of residence.
- Provide assistance in the after incident cleanup.

2.3 Scope

This sub-plan is to be read in conjunction with other Emergency Sub-plans and the Shire of Roebourne Local Community Emergency Management Arrangements. It has application where there is a threat in the Shire of Roebourne, which would cause evacuation procedures to be implemented.

State of Southsime

Evacuation Plan

SECTION 3 EVACUATION

As far as is practicable, community members should be involved in the decision to stay or evacuate when threatened by an emergency. The decision to evacuate will be made by the Hazard Management Agency or an authorised officer when the members of the community at risk do not have the capability to make an informed decision or when it is evident that loss of life or injury is imminent.

3.1 Types of Evacuation

THREE TYPES OF EVACUATION TO CONSIDER

3.1.1 Type A - Isolated Incident

3.1.2 Type B (i) - Voluntary Evacuation

3.1.3 Type B (ii) - Mandatory Evacuation

(The direction to evacuate is at State Government level)

Shire of Roebourne Evacuation Plan
**SECTION 4 ORGANISATIONS RESPONSIBLE FOR THE IMPLEMENTATION OF
 THE SUB-PLAN**

4.1 Evacuation Planning Committee:

CHAIRPERSON:
 Chief Executive Officer or Delegate, Shire of Roebourne.

MEMBERS as required and not limited to:

- Officer in Charge of Police, Karratha
- Officer in Charge of Police, Dampier
- Officer in Charge of Police, Roebourne
- Officer in Charge of Police, Wickham
- Manager, Department for Child Protection
- Fire and Emergency Service Authority
- Manager, Karratha State Emergency Service
- Manager, Roebourne/Wickham State Emergency Service
- Fire and Rescue Service Officer, Karratha
- Fire and Rescue Service Officer, Dampier
- Fire and Rescue Service Officer, Roebourne
- Fire and Rescue Service Officer, Wickham
- St John Ambulance Service Officer, Karratha
- St John Ambulance Service Officer, Dampier
- St John Ambulance Service Officer, Roebourne
- St John Ambulance Service Officer, Wickham
- Executive Manager Community Services, Shire of Roebourne
- Emergency Management Officer, Shire of Roebourne
- Representative, Building Services, Shire of Roebourne
- Representative, Environmental Health Services, Shire of Roebourne
- Director of Nursing or Delegate, Pilbara Multi Purpose Health Services
- Medical Superintendent, Nickol Bay Hospital
- Representative, Water Corporation
- Representative, Horizon Power
- Representative, Telstra

4.2 Management Structure:

THREAT	PRINCIPAL CONTROL AUTHORITY	SUPPORT ORGANISATIONS
Evacuation Type A	Hazard Management Agency	FESA, SES, SJA, VFRS, Medical & Health Group, DCP, WA Police, SoR
Evacuation Type B (i)	Hazard Management Agency	FESA, SES, SJA, VFRS, Medical & Health Group, DCP, WA Police, Horizon Power, Water Corp, SoR
Evacuation Type B (ii)	Hazard Management Agency	FESA, SES, SJA, VFRS, Medical & Health Group, DCP, WA Police, Horizon Power, Water Corp, SoR

Plan of Resources

4.3 Roles and Responsibilities

Evacuation Plan

ALL EVACUATIONS

PRINCIPAL CONTROL AUTHORITY	SUPPORT ORGANISATION	ROLES AND RESPONSIBILITIES
Hazard Management Agency		Evacuation and rescue. Provision of manpower and equipment. Assist with traffic control. Emergency communications. Restoration of public utilities.
	Shire of Roebourne	Provision of equipment. Provision of welfare centres. Restoration of facilities. Manpower as required.
	State Emergency Service	Assist with evacuation / rescue. Assist with traffic control. Emergency communications. Manpower as required.
	Department for Child Protection	Welfare. Duty at welfare centres. Recording of information on welfare forms of evacuees. Registration of Evacuees.
	Fire & Emergency Services Authority (FESA)	Containment of fire / threat of fire. Hazardous chemical management. Equipment and personnel. Rescue. Manpower as required.
	St John Ambulance Service	On site care and transport of casualties to hospital. Transport of infirm aged persons to their evacuation area.
	WA Police	Control of public order and safety. Victim identification. Security of damaged/evacuated premises.
	Health Department of WA (Hospital Services)	Initial casualty treatment. MEDIVAC Teams (only on authorised events). Medical support as required.
	Health Department of WA (Population Health)	Medical and Administration support to Hospital. Community Nursing and Allied Health (Occupational Therapy, Physiotherapy, Social Workers).
	Pibars & Kimberley Care Inc	Domestic Assistance. Social Support. Personal Care. Transport (wheelchair accessible). Home Nursing.
	Horizon Power	Restoration of power supply. Attention to fallen power lines. Attention to hazardous power situations.
	Telstra	Restoration of communication services.
	Water Corporation	Restoration of water and sewage supply. Attention to broken water pipes. Attention to hazardous water situations.
Woodside	Manpower as required.	
Ris Tiro	Manpower as required.	

SECTION 5 AREAS OF OPERATIONS

5.1 Conduct

Decisions relating to evacuation during an emergency rest with the Incident Controller appointed by the Hazard Management Agency. The Incident Controller should be fully cognisant of:

- a. Local Emergency Management Arrangements relevant to the area;
- b. the hazard; and
- c. any legislative provisions.

Alternatives such as shelter in place should be considered, for example, when there has been significant disruption to transport or when there is a risk of being exposed to hazardous materials.

The Hazard Management Agency must liaise with the appropriate Health, Welfare and relevant support organisations, including the Department for Child Protection, during the evacuation process to ensure that appropriate arrangements for the registration and support of the evacuees are in place.

5.2 Communications

It is the responsibility of the Incident Controller to warn the community and to provide timely advice on the likely threat of an emergency.

Where time permits the Hazard Management Agency will consult closely with the affected community in relation for the need to evacuate.

Identification and establishment of communication strategies for the dissemination of warnings is to be undertaken in the planning process and documented in relevant Local Community Emergency Management Arrangements.

Where considered necessary, the Hazard Management Agency may utilise the "Standard Emergency Warning Signal" (SEWS).

5.3 Activation of Emergency Evacuation

The *Emergency Management Act 2005*, Part 4, Division 1, Section 50 (2)(b) dealing with Emergency Situations Declaration states:

"that there is a need to exercise powers under Part 6 (Emergency Powers) to prevent or minimise - loss of life, prejudice to the safety, or harm to the health, of persons or animals; destruction of, or damage to, property; or destruction of, or damage to, any part of the environment".

The Hazard Management Agency Incident Controller on deeming it necessary and appropriate for the safety of persons about to be adversely affected in the emergency area will order evacuation.

5.4 Decision to Evacuation

The Incident Controller must consider the risks associated with the conduct of any evacuation and be aware that, under some circumstances, sheltering in location may provide greater levels of safety for the population.

Considerations towards the progression to evacuate

- a. Assess the situation. Has it the potential to escalate?
- b. Is life at risk or the potential for life to be at risk?
- c. Potential to remain is uncontrollable?

The types of evacuation, and the methods by which it is affected, is dependant on a range of factors; including the nature of the hazard, community needs and expectations, and the available resources and infrastructure.

A community, or any part of that community, may elect to self-evacuate acting on information or advice received through the media or other sources including relevant warning authorities e.g. Bureau of Meteorology (BOM) Flood Warning Centre or on advice from the Incident Controller of the Hazard Management Agency or Local Area Coordinator.

The Hazard Management Agency Incident Controller may advise residents to self-evacuate as a result of information received or as a result of consultation with informed specialists from relevant advisory authorities. This type of evacuation is not reliant upon Emergency Situation Declaration section 50 of "the Act" but is provided as a general precautionary public warning to provide a threatened community with sufficient time to evacuate safely and thus negating the need for a compulsory evacuation at a later time, when the movement of people may be more hazardous.

When the decision to evacuate is made by the IC

- a. Police, Department for Child Protection, State Emergency Service, Fire and Emergency Services Authority are to be notified.
- b. Determine the Emergency Welfare Centre based on the most suitable site in relation to the emergency.
- c. Information is to be made available to GWN television and the ABC radio network on the decision to evacuate.

5.5 Type A Evacuation**ISOLATED INCIDENT**

Only those **'at risk'** in the defined area of the isolated incident need to be evacuated. In most cases, Police or Fire and Emergency Services Authority are responsible for the coordination in conjunction with the Hazard Management Agency.

Area designated by Hazard Management Agency in relation to location of incident.
(Transport Accident, Chemical/Gas Spill, Fire etc)

Shire of Roebourne

5.6 Type II Evacuation

Evacuation Plan

- (i) Voluntary and or (ii) Mandatory

Areas to be affected by an event will be based on information supplied by the appropriate warning system or Authority (Bureau of Meteorology, Agency or Emergency District Co-ordinator). Areas to be evacuated will be designated by risk or relief maps in conjunction with intelligence supplied.

5.7 Warnings

The Hazard Management Agency or Emergency District Co-ordinator may issue warnings based on intelligence gathered. It is essential that communities threatened by hazards receive adequate information to alert them to the existence or threat of an emergency, and direct them to take appropriate precautions.

There are a number of public warning systems available in Western Australia. These include:

- Bureau of Meteorology - Ph. 1300 659 213 - Fax 1902 935 067
Website: www.bom.gov.au
- FESA Public Information Line - Ph. 1300 659 209
Website: www.fesa.wa.gov.au
- Standard Emergency Warning Signal (SEWS)
- ABC Radio
The ABC Radio channel for the Shire of Roebourne is 702 AM.
Website: www.abc.net.au
- Television
GWN, WIN, ABC, SBS
- Shire of Roebourne - Ph. 9186 8555 - Fax 9185 1626
Website: www.roebourne.wa.gov.au

This requires an Incident Controller/Incident Manager to either contact their Local Emergency Coordinator, or FESA Duty Officer who will in turn advise the FESA Communications Centre or the Regional Coordination Centre to activate the alerts. The alerts are disseminated from Perth through the media (mainly ABC Radio which has a signed Memorandum of Understanding with the State Emergency Management Committee) as well as through a recorded message on the Public Information Line and on FESA's web page. Residents may call the Shire of Roebourne for assistance.

Warnings must be issued through a range of communication channels and including, but not limited to media, online and information lines (where available).

Typically there is a three phase approach to warnings:

- a. An **Advice** whereby a community is advised a known hazard may impact on them soon.
- b. A **Watch and Act** whereby a community is advised a known hazard is probably going to impact on them in the immediate future.
- c. An **Emergency Warning** whereby a community is advised a known hazard will impact upon them now. This may be accompanied by SEWS.

Communities will subsequently be advised that the threat to lives and properties has passed, but to remain vigilant. Warnings are issued to help protect lives by keeping the community informed about new and emerging threats to lives and property.

Shire of Roebourne

Evacuation Plan

5.8 Activation of the Sub-Plan

This authority is vested with the Hazard Management Agency Incident Controller after consultation with Local Emergency Co-ordinator & Department for Child Protection or Combat agency and his/her Committee.

5.9 Activation Procedures

Welfare Centres will only be opened when evacuation is mandated. It is unlikely all of the centres listed will be required to be opened for a particular evacuation. Therefore people wishing to use these facilities must listen to the ABC radio station to obtain advice on the welfare centres to be opened.

ABC 702AM radio station in Karratha will issue advices within the Shire of Roebourne.

5.10 Evacuation

For Cyclones, depending on the forecast Storm Tide Height, the state of the tide at the affected coast, **VOLUNTARY EVACUATION** of the more prone areas should be considered 12 hours before winds are expected to increase on the coast to 75kph. Consideration must also be given to rainfall received to ensure that evacuation can be carried out using flood prone roads and bridges.

With all other events, Voluntary Evacuation will be co-ordinated by the Hazard Management Agency.

5.11 Evacuation Routes

The safest routes to the welfare centres must be selected and broadcasted with the evacuation warning. The routes to be used for the areas of Karratha, Dampier, Roebourne, Wickham and Point Samson will be restricted to the main arterial roads. Evacuation of Wickham, Cossack and Point Samson area will be dependant on the flood levels on Roebourne Point Samson Road. If this road is impassable, then evacuations will not occur.

The floodway's on the incoming approach roads to Karratha have been subject to flooding previously. People north of Karratha should be aware that flooding does occur between Karratha and Roebourne on the North West Coastal Highway. People south of Karratha should be aware that flooding does occur between Karratha and Carnarvon on the North West Coastal Highway. People driving from Roebourne, Wickham, Cossack or Point Samson should be aware of this hazard and may need to evacuate early. Wherever possible, people evacuating local affected areas should seek to stay with friends/relatives. Going to the low lying areas would be an uncertain choice as that part of town may also be subject to inundation. The possibility of road washaways on the North West Coastal Highway is also a real risk.

It is emphasised that welfare centres are only for the use of people that are at risk of an event where they reside. Welfare centres have been built to the legislative requirements of the day at the time of construction, therefore, if a cyclone threat does occur (and there is no threat of inundation) people are advised to stay in their homes or move to a friend's home if they feel their building is structurally inadequate. Almost all deaths from cyclones have been caused by flooding (tidal surges) or people moving outside their house during a cyclone.

Cyclones are far reaching and have caused considerable damage and flooding in other towns. Therefore, if people evacuate they must be aware that the risk of very strong winds and river/stream flooding can still occur. Early self-evacuation is most important.

Welfare Centres

People moving to a welfare centre must ensure they take a food/water pack sufficient to last them at least seventy two (72) hours, light bedding and any essential medications. Food will be provided in the welfare centres as soon as it is safe for the catering people to move from their own homes. Remember power and water supplies may not be available. (In most cases auxiliary generators will be on stand-by). Pets will not be allowed at welfare centres.

Evacuation Plan

5.13 Community Welfare Centres

The decision to use any or all of the welfare centres will be made by the Hazard Management Agency Incident Controller in consultation with his/her Committee, Department for Child Protection and the Emergency District Co-ordinator. When the decision to open a welfare centre has been negotiated, the co-ordination of staffing of each of these Centres will be the responsibility of the Department for Child Protection.

REMEMBER THAT ONCE A PERSON ENTERS A WELFARE CENTRE, FULL RESPONSIBILITY FOR THAT PERSON'S WELFARE IS SOLELY THAT OF THE AGENCY, IN THIS CASE, DEPARTMENT FOR CHILD PROTECTION AND ANY ASSISTING AGENCIES.

It should be remembered that some of these Centres are marginal in their use for Storm Tide use. The anticipated height of the storm tide will indicate which Centres should be used.

Should the anticipated event be likely to cause widespread evacuation and/or severe damage and it is apparent that resources available at the local level will be insufficient to handle the emergency, the Hazard Management Agency Incident Controller will apply for assistance from the Emergency District Co-ordinator.

5.13 Public Information

During an emergency, the issue of who is responsible for creating public information and speaking to the media often arises, particularly at a localised incident managed by local resources. WESTPLAN Public Information provides that the Hazard Management Agency is responsible for the provision and management of public information during emergencies.

Once this Sub-Plan has been implemented, **ALL INFORMATION** to the public will be through the Local Co-ordination Centre and bear authorisation by the Hazard Management Agency Incident Controller.

5.14 Protracted Operations

If damage or disruption causes operations to be protracted, the Executive Officer or nominee will follow a policy of daily meetings with senior Agency Staff to work out priorities and tasks until conclusion.

5.15 Costing

Each Agency will keep records of all expenditures for the operation. Local Government assistance will be made available on request to assist in the preparation of any claims, reimbursements etc. Expenditures must bear the proper authorisation.

5.16 Special Attention/Considerations

The aged, infirm, culturally and linguistically diverse, and disabled persons are to be given special consideration. Each Aged/Retirement Village maintains records of occupants and their special needs.

Pilbara & Kimberley Care Inc can supply the particulars of terminally ill and other outpatients under care who require special attention. They also have particulars of persons in the aboriginal communities who may require special attention.

Early consideration must be given to residents of the Karratha Masonic Village. Consideration must be given to evacuate these aged persons if required before transport is impossible. Pilbara & Kimberley Care Inc can provide information regarding these residents.

Special attention is to be given to security, to prevent looting and other unlawful activities. Any suspicion of any such activity is to be reported immediately to the Police.

Assistance at re-establishing evacuees in their residences, when safe to do so, remains a priority, including clean-up assistance for those who require it.

IT IS OF THE UTMOST IMPORTANCE THAT EACH PERSON WHO EVACUATES FROM AN AREA IS RECORDED AND ON RETURN OR OTHERWISE TO THEIR PLACE OF RESIDENCE, BE AGAIN RECORDED SO THAT ALL PERSONS CAN BE ACCOUNTED FOR.

5.17 Return from Evacuation

Responsibility for decisions relating to the return of evacuated residents rests with the Hazard Management Agency. The return of evacuated residents will be conducted in consultation with the affected community and relevant Health and Welfare agencies including the Department for Child Protection and the Department of Health.

The Local Recovery Coordinator, and the Local Recovery Coordinating Committee, if established, provide a vital link to the affected community and therefore should be included in the planning for the return of evacuated residents.

The return phase of evacuation may be executed in stages and should be subject to careful planning.

5.18 Debriefing

After the decision is made to *STAND DOWN* after an emergency, each Agency will conduct their own debrief before the staff are stood down. A general de-brief will be conducted by the Hazard Management Agency within seven (7) days of stand down and it will involve Senior Staff of all participating Agencies.

SECTION 6 WELFARE CENTRES

PLACE	LOCATION	CONTACT / KEY HOLDERS	PRE OR POST EVENT*	TYPE OF EVENTS (Cyclone / Fire / Flood / Tsunami / Earthquake etc)	CAPACITY OF CENTRE	SPECIAL NOTES
KARRATHA						
Pilbara TAFE	Dampier Rd, Millers Well	Nemida Kickett 0427 996 154 John Williamson 0477 212 256	Pre & Post	For all events	1000+	Have access to the new Recreation Centre
St Luke's College	Rosemary Rd, Baynton	Karen McGivern 0411 828 445	Pre & Post	For all events	400	
Karratha Entertainment Centre	Searipple Rd, Bulganta	Centre Manager 0437 001 822 Jenni Brown 0437 283 817	Pre & Post	Not for Pre Cyclone Not for Flooding For all other events	700	Limited disability access
RSL Hall	Dwyer Pl, Millers Well	Jack Lee 0437 919 913 John Ballantyne 0429 105 077	Pre & Post	Not for Pre Cyclone For all other events	120	
DAMPIER						
Rio Tinto Training Centre	The Esplanade, Dampier	Cathy Kelly 0419 924 486	Pre & Post	Not for Pre Cyclone For all other events	200	
Community Hall	High St, Dampier	Cathy Kelly 0419 924 486	Pre & Post	Not for Pre Cyclone For all other events	150	
ROEBOURNE						
Roebourne Prison	Point Samson, Roebourne Rd, Roebourne		Pre & Post	For all events		
Roebourne Community Hall	Scholl St, Roebourne	Jenni Brown 0437 283 817	Pre & Post	Not for Pre Cyclone or flooding For all other events		Currently unavailable due to renovations
WICKHAM						
Wickham School Atrium 1	Tamarind Pl, Wickham	Rob Schulz 0419 922 236 Keye Rundall 0437 809 835	Pre & Post	Not for Pre Cyclone For all other events	200	
Wickham School Atrium 2	Tamarind Pl, Wickham	Rob Schulz 0419 922 236 Keye Rundall 0437 809 835	Pre & Post	Not for Pre Cyclone For all other events	200	

Shire of Bushyport			Emergency Plan			
Community Hall	Carse St, Wickham	Rob Schulz 0419 922 236 Kaye Rundell 0437 809 835	Pre & Post	Not for Pre Impact Cyclone. For all other events	150	
POINT SAMSON						
Point Samson Community Hall	Banker Tce, Point Samson	Kim Head 0427 190 364 Anita Cheeseman 9187 1186	Pre & Post	Not for Pre Cyclone, For all other events	50	

* Note: Pre and Post refer to impact status of an event.

Size of Roebourne

Evolution Plan

SECTION 7 DEMOGRAPHICS

Categories	No. People in Geographical Areas				
	Karratha	Dampier	Roebourne	Wickham	Point Samson
Town Population	11,145	1,271	806	1,723	254
Age 85 years and over	7	0	5	0	0
Age 75 – 84 years	29	0	15	0	3
Age 65 – 74 years	105	21	32	19	13
Age 55 – 64 years	605	120	88	94	46
Age 45 – 54 years	1617	225	107	228	50
Age 35 – 44 years	2213	271	118	305	42
Age 25 – 34 years	2104	200	98	305	29
Age 15 – 24 years	1468	145	136	246	12
Age 0 – 14 years	2997	289	207	526	59
Visitors to Location	2344	724	184	142	203
Residents in homes for the aged (Maximum)	10	0	8	0	0
People with disabilities (Need for assistance)*	68	11	48	11	5
Total Population by Area	13,489	1,995	990	1,865	457

Data from Australian Bureau of Statistics (Census 2006 - latest data - where people were staying on Census night)

* People with a profound or severe disability are defined as needing help or assistance in one or more of the three core activity areas of self-care, mobility and communication because of a disability, long term health condition (lasting six months or more), or old age.

8 CORPORATE SERVICES

8.1 CORPORATE

8.1.1 NAMING OF LINK ROAD - STRICKLAND TO BROADHURST

File No:	RD.57
Attachment(s)	Deposited Plan 62476
Responsible Officer:	Executive Manager Corporate Services
Author Name:	Executive Manager Corporate Services
Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to consider the naming of the unnamed Link Road between Strickland Drive and Broadhurst Road as shown on Deposited Plan 62476 and that Council consider naming the Link Road in honour of former Karratha Senior Constable Don Everett now deceased.

Background

The naming of the road depicted on Deposited Plan 62476 is an outstanding issue that the Geographic Names Committee is requesting resolution of.

Council resolved, Resolution 14941, at its Ordinary Council Meeting 14 December 2009:

“Reserves naming of a future road at Karratha Airport in honour of fallen Police Officer, Donald Everett.”

Issues

There are no current proposals for the construction of new roads at the airport. The renaming of roads is typically discouraged by the Geographic Names Committee and the streets at the Karratha Airport were named after local residents who had a significant impact on the local area.

While WA Police would prefer the naming of a road which is more closely connected with the airport, in principle support has been provided by Police Superintendent John Ballantyne for Council to consider the naming of the Link Road between Strickland Drive and Broadhurst Road, as shown on Deposited Plan 62476, Everett Link.

The proposed name, Everett Link, is consistent with the naming convention of surrounding streets as shown on the attached plan.

Options

Council has the following options available:

1. To support the proposed name and advise the Geographic Names Committee
2. To propose an alternative name and advise the Geographic Names Committee

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

Local Government (Administration) Regulations 1996 clause (10) Revoking or changing decisions made at council or committee meetings — s. 5.25(1)(e) requires one third of councillors for the reconsideration of a Council resolution.

Financial Implications

Costs associated with the supply and installation of street signs would be incurred.

Conclusion

It is recommended that the road name, Everett Link, be supported and referred to the Geographic Names Committee

Voting Requirements

Item 1. One Third

Item 2. Absolute Majority

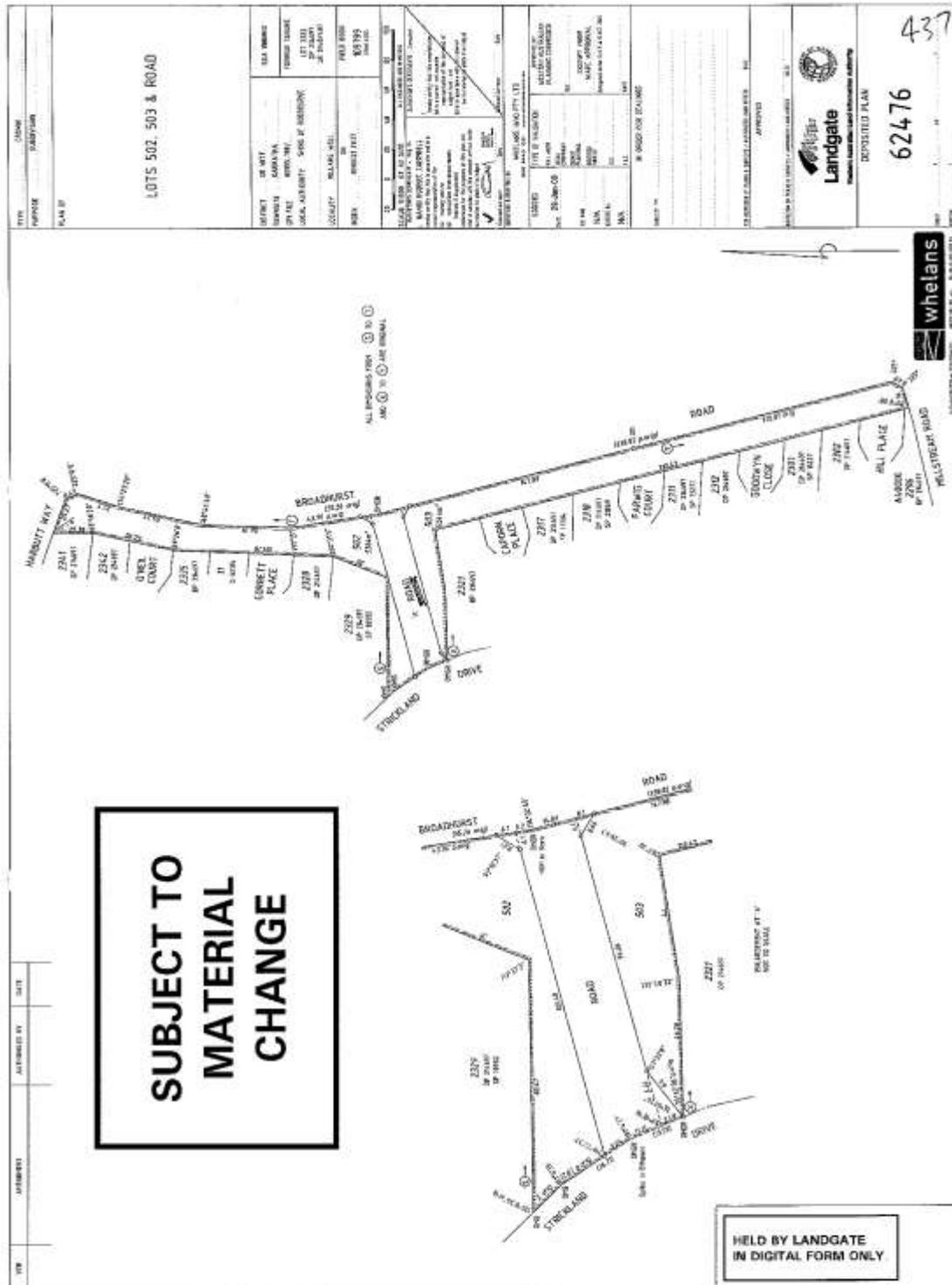
Item 3 Simple

RECOMMENDATION

That Council resolves to

- 1. To consider the rescission of Resolution 14941 from the ordinary Council meeting 14 December 2009 in accordance with Government (Administration) Regulations 1996 clause (10).**
- 2. Rescind resolution 14941 from the ordinary Council Meeting 14 December 2009.**
- 3. Support the naming of the unnamed Link Road between Strickland Drive and Broadhurst Road as depicted on Deposited Plan 62476 as Everett Link and seek its approval from the Geographic Names Committee.**

ATTACHMENT 8.1.1 DEPOSITED PLAN 62476



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8.1.2 LOCAL GOVERNMENT REFORM - REGIONAL COLLABORATIVE GROUP

File No:	GR.20
Attachment(s)	Nil
Responsible Officer:	Executive Manager Corporate Services
Author Name:	Executive Manager Corporate Services
Disclosure of Interest:	Nil

REPORT PURPOSE

To reaffirm Council's position regarding participating in a Regional Collaborative Group (RCG) following regional discussions at the Pilbara Regional Council (PRC) meeting held 29th March 2010.

Background

At its ordinary Council meeting held 15th March 2010 Council resolved in resolution 15020 to:

- "1. Adopt the Pilbara Regional Council as its preferred Regional Collaborative Grouping.*
- 2. Advise the Minister that the Shire of Roebourne is supportive of continued resource sharing initiatives and will work closely with the Pilbara Regional Council to identify and initiate further opportunities.*
- 3. Seek a one (1) month extension from the requested 26th March 2010 deadline in order for the matter of Regional Collaborative Groups to be discussed at the Pilbara Regional Council meeting 29th March 2010 and then reconsidered by Council at its 19 April 2010 Ordinary Council Meeting."*

Issues

No response has been received from the Minister of Local Government Heritage Citizenship and Multicultural Interest in response to Council's request.

Regional Collaborative Group's were discussed at the Pilbara Regional Council Meeting held 29th March 2010. All four of the Pilbara Council's have adopted the Pilbara Regional Council as their preferred Regional Collaborative Grouping and have provided their response's to the Minister.

The matter is now brought back before Council for reaffirmation.

Options

Council has the following options available:

1. To reaffirm Council's preferred position of adopting the PRC as Council's Regional Collaborative Group.
2. To reconsider other options for participation in a Regional Collaborative Group.

Policy Implications

There is significant policy implications dependant upon which option Council chooses to take.

The PRC , if accepted by the Minister to fulfil the role of the proposed RCG's, will continue to develop policies on strategic and community planning and the social and economic development of communities.

The Council can then give consideration to the adoption of policies or otherwise of the policy applicable to its communities.

Legislative Implications

The proposed RCG's have no statutory roles or obligations under the Local Government Act as opposed to the PRC which is established under the provisions of the Local Government Act 1995.

Financial Implications

In his letter dated 2 February 2010, Minister Castrilli has indicated that a funding request has been lodged to assist Local Government reform in the 2010/11 State Budget for the purposes of assisting RCG's with the development of a regional business plan (detailed template to be provided by the Department of Local Government).

Given it is proposed that the RCG for the Pilbara region is to be the PRC, Council would need to agree to continue funding this body. The regional business plan would be undertaken by the PRC and funding is to be sought from Government for the completion of this document.

Conclusion

As part of the Local Government Reform process Council has adopted its preferred collaborative model, which is to continue its membership of the PRC. This is the supported view of the other 3 Pilbara Council's.

The Shire of Roebourne, as an active participant of the PRC, continues to strongly demonstrate its ongoing support for the development of regional initiatives and efficiencies.

Voting Requirements

Simple.

RECOMMENDATION

That Council reaffirms the Pilbara Regional Council as its preferred Regional Collaborative Grouping in accordance with Resolution 15020 of the 15th March 2010 ordinary Council meeting and advise the Minister of Local Government, Heritage, Citizenship and Multicultural Interest accordingly.

8.1.3 AUDIT COMMITTEE - 15 MARCH 2010**File No:****Attachment(s)** **Unconfirmed Audit Committee Minutes 15 March 2010****Responsible Officer:** **Executive Manager Corporate Services****Author Name:** **Executive Manager Corporate Services****Disclosure of Interest:** **Nil**

REPORT PURPOSE

To consider the minutes of the Audit Committee meeting held 15th March 2010 and any business arising out of the minutes.

Background

The Audit Committee presently considers the Shire's audit finding and endorses the audit as part of the Annual Report.

Issues

The attached Audit Committee minutes outline the broader role the audit committee can undertake beyond financial risk to include other organisation risks (i.e. Disaster Recovery Plans).

Options

Council has the following options available:

1. Adopt the unconfirmed audit committee minutes and the recommendations contained within.
2. Adopt the unconfirmed audit committee minutes with amendments to the recommendations contained within the minutes.

Policy Implications

The addition of other organisational risk to the scope of the Audit Committee will lead to the development of policies created to mitigate the level of risk exposure to Council through its operations.

Legislative Implications

Section 5.8 of the Local Government Act 1995, Establishment of Committees - requirement for Absolute Majority.

Financial Implications

In addressing other organisational risks and the development of associated policies future financial cost will be incurred through staff time and implementation of risk mitigation strategies.

Conclusion

The expansion of the terms of reference of the Audit Committee to include Organisational Risk will enhance the operations of Council by formally addressing risk exposure across the organisation.

Voting Requirements

Simple

AUDIT COMMITTEE RECOMMENDATION

That Council resolve to:

1. **Adopt the unconfirmed minutes of the Audit Committee meeting 15th March 2010.**
2. **Expand the terms of reference of the Audit and Organisational Risk Committee.**
3. **That Cr..... be appointed to the Audit and Organisational Risk Committee.**
4. **Endorse the commencement of a review of Financial Policies and Procedures, in accordance with Local Government (Financial Management) Regulations 1996 (2) Financial management duties of the CEO, with the initial scope to focus on Accounts Payable, Accounts Receivable, Investments and Rates.**
5. **The funding be included in the Draft 2010/2011 Budget deliberations for the establishment of an organisational Risk Management policy and investigation into areas deemed high risk to the organisation.**

ATTACHMENT ITEM 8.1.3 - UNCONFIRMED AUDIT COMMITTEE MINUTES 15 MARCH 2010

Ordinary Council Meeting – Agenda

19 April 2010

ATTACHMENT ITEM 8.1.3 - UNCONFIRMED AUDIT COMMITTEE MINUTES 15 MARCH 2010



AUDIT COMMITTEE

MINUTES

NOTICE IS HEREBY GIVEN that an Audit Committee Meeting was held in the Executive Meeting Room, Shire Office, Welcome Road, Karratha on Monday, 15 March 2010 at 5.00pm


Ray McDermott
EXECUTIVE MANAGER, CORPORATE SERVICES



Powerhouse of the Pilbara

No responsibility whatsoever is implied or accepted by the Shire of Roebourne for any act, omission or statement or intimation occurring during Council or Committee Meetings. The Shire of Roebourne 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 or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee Meeting does so at that persons or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or intimation of approval made by any member or Officer of the Shire of Roebourne during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Roebourne.

The Shire of Roebourne warns that anyone who has any application lodged with the Shire of Roebourne must obtain and should only rely on

WRITTEN CONFIRMATION

of the outcome of the application, and any conditions attaching to the decision made by the Shire of Roebourne in respect of the application.

Signed: 

Mr R McDermott, Executive Manager Corporate Services

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 17 March 2008)

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter; or
- (d) Participate in, or be present during any discussion or decision making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.69 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councilors when they are considering whether they have a Financial Interest in a matter. I intend to include these notes in each agenda for the time being so that Councilors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councilor or a person closely associated with the Councilor and is capable of being measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councilor is a member of an Association (which is a Body Corporate) with not less than 10 members (i.e. sporting, social, religious etc), and the Councilor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councilor is an ordinary member of the Association, the Councilor has a common (and not a financial) interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (2) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councilor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councilor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(i) of the Local Government Act; or
 - 6.2 Where the Minister allows the Councilor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the Act.

A member who has an interest affecting impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

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MINUTES

1 OFFICIAL OPENING

The Meeting was officially opened at 5.10pm.

2 RECORD OF ATTENDANCES AND APOLOGIES

Committee Members: Cr Nicole Lockwood
 Cr John Lally
 Cr Evette Smeathers (5.15pm)

Staff	Collene Longmore Paul Anderson Ray McDermott Lynette Reeves	Chief Executive Officer Personal Assistant to the CEO Exec Manager, Corporate Services Manager Financial Services
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Apologies:

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RES NO	:	AOR 001/10
MOVED	:	Cr Lockwood
SECONDED	:	Cr Smeathers

That the Minutes of the Audit Committee Meeting held on 15 February 2010, as amended, be confirmed as a true and correct record of proceedings.

CARRIED

FOR	:	Cr Lockwood, Cr Smeathers, Cr Lally
AGAINST	:	NIL

4 ITEMS FOR DISCUSSION

4.1 2008/2009 Annual Report

File No: FM1

Attachments: Response to Independent Audit Report and Management Report findings

Responsible Officer: Ray McDermott
Executive Manager Corporate Services

Author Name: Ray McDermott
Executive Manager Corporate Services

Disclosure of Interest: Nil

REPORT PURPOSE

To present the response to matters raised in the Independent Audit Report and Management Report by UHY Haines Norton.

BACKGROUND

The Audit Committee at its 15 February 2010 meeting, where it accepted the Annual Report with minor variation, requested a report responding to the matters raised in the Independent Audit Report and Management Report and how they are proposed to be addressed.

ISSUES

The requested report responding to the Independent Audit Report and Management Report is provided as an attachment.

In addition, a review of Council's Financial Procedures and Policies will be undertaken prior to 30 June 2010.

OPTIONS

Council has the following options available:

1. Accept the report
2. Send the report back to staff with recommended changes

POLICY IMPLICATIONS

There are no relevant Policy implications pertaining to this matter.

LEGISLATIVE IMPLICATIONS

Part 7 of the Local Government Act 1995 and the Local Government (Audit) Regulations 1996

FINANCIAL IMPLICATIONS

There are no Financial implications resulting from this report.

CONCLUSION

The actions outlined in the report and ongoing process improvements

Audit Committee Meeting – Minutes

19 March 2010

STAFF RECOMMENDATION

The Committee note and endorse:

1. The response to the Independent Audit Report and Management Report findings for 2008/09.
2. The response and actions undertaken in relation to the conduct and management of report for the 2008/09 audit be noted and endorsed.

RECOMMENDATION/ RESOLUTION

RES NO : AOR 002/10
 MOVED : Cr Lockwood
 SECONDED : Cr Lally

That Committee note and endorse:

1. The response to the Independent Audit Report and Management Report findings for 2008/09.
2. The response and actions undertaken in relation to the conduct and management of report for the 2008/09 audit be noted and endorsed.

CARRIED

FOR : Cr Lockwood, Cr Smeathers, Cr Lally
 AGAINST : NIL

Audit Committee Meeting – Minutes

18 March 2010

4.2 Audit Committee – Expansion of Terms of Reference to Audit and Organisational Risk Committee

File No: FM1
 Responsible Officer: Ray McDermott
 Executive Manager Corporate Services
 Author Name: Ray McDermott
 Executive Manager Corporate Services
 Disclosure of Interest: Nil

REPORT PURPOSE

To broaden the terms of reference of the Audit Committee to include Organisational Risk.

BACKGROUND

The Audit Committee presently considers the Shire's audit findings and endorses the audit as part of the Annual Report.

ISSUES

The Audit Committee is able to fulfil a broader role in assessing the risk of Council beyond financial risk. The committee members also discussed the appointment of additional members due to the expansion of scope and propose to recommend an additional councillor appointment to the Committee.

Council has the option of broadening the terms of reference of the Committee to cover areas of Risk (i.e. Disaster Recovery Plans) which inevitable will impact upon Corporate finances.

In anticipation of the expansion of the scope of the Committee it is also recommended to commence the process of risk mitigation through the endorsement of an independent review of the financial policies and procedures of the council commencing with the areas of accounts payable, accounts receivable, investments, and rates.

OPTIONS

- Council has the following options available:
1. Accept the recommendation
 2. Accept the recommendation with changes
 3. Not accept the recommendation

POLICY IMPLICATIONS

There are no relevant Policy implications pertaining to this matter.

LEGISLATIVE IMPLICATIONS

Part 7 of the Local Government Act 1995 and the Local Government (Audit) Regulations 1996
 Local Government (Financial Management) Regulations 1996 (2) Financial management duties of the CEO

FINANCIAL IMPLICATIONS

There is budget funding of \$30,000.00 to facilitate a commencement of this project.

Audit Committee Meeting – Minutes

15 March 2010

CONCLUSION

To enhance the operations of the Council it is imperative that risk across the organisation is addressed formally. Expanding the terms of reference for the Audit Committee represents a logical way of introducing measures to report to the council the measures being undertaken and seek sufficient resources reduce Council's exposure to Risk.

STAFF RECOMMENDATION

The Committee resolves to:

1. Expand the terms of reference of the Audit Committee to include Organisational Risk.
2. That Cr be appointed to the Audit and Organisational Risk Committee.
3. Endorse the commencement of a review of Financial Policies and Procedures, in accordance with Local Government (Financial Management) Regulations 1996 (2) Financial management duties of the CEO, with the initial scope to focus on Accounts Payable, Accounts Receivable, Investments and Rates.

RECOMMENDATION/ RESOLUTION

RES NO : AOR 003/10
 MOVED : Cr Lockwood
 SECONDED : Cr Lally

The Committee resolves to:

1. Expand the terms of reference of the Audit Committee to include Organisational Risk.
2. That Cr be appointed to the Audit and Organisational Risk Committee.
3. Endorse the commencement of a review of Financial Policies and Procedures, in accordance with Local Government (Financial Management) Regulations 1996 (2) Financial management duties of the CEO, with the initial scope to focus on Accounts Payable, Accounts Receivable, Investments and Rates.
4. That funding be included in the Draft 2010/2011 Budget deliberations for the establishment of an organisational Risk Management policy and investigation into areas deemed high risk to the organisation

CARRIED

FOR : Cr Lockwood, Cr Smeathers, Cr Lally
 AGAINST : NIL

5 CLOSURE & DATE OF NEXT MEETING

The Meeting closed at 5.30pm and the date of the next meeting will be advised.

I, the Presiding Member, **Evette Smeathers**, of the Shire of Roebourne, hereby declare on behalf of the Councillors of the Shire of Roebourne that the enclosed Minutes are a true and accurate record of the Audit Committee meeting held on 15 March 2010.

Signed

Date

8.2 FINANCE

8.2.1 LIST OF ACCOUNTS MARCH 2010

Attachment(s)	NIL
Responsible Officer:	Executive Manager Corporate Services
Author Name:	Creditors Officer
Disclosure of Interest:	NIL

REPORT PURPOSE

To advise Council of payments made since the previous Ordinary Council Meeting.

Background

Council has given delegated authority that allows the Chief Executive Officer to approve payments from Council's bank accounts either via cheque or electronic lodgement.

Issues

None.

Options

Council has the following options available:

1. That Voucher numbers 68508, 72289 and 72317 (Cancelled Cheques), 72351 - 72458, EFT5819 – EFT6044, and Payroll Cheques inclusive, totalling \$6,904,907.27 submitted and checked with vouchers, be passed for payment.
2. That Voucher numbers 68508, 72289 and 72317 (Cancelled Cheques), 72351 - 72458, EFT5819 – EFT6044, and Payroll Cheques inclusive, totalling \$6,904,907.27 submitted and checked with vouchers, be passed for payment with amendment.
3. That Voucher numbers 68508, 72289 and 72317 (Cancelled Cheques), 72351 - 72458, EFT5819 – EFT6044, and Payroll Cheques inclusive, totalling \$6,904,907.27 submitted and checked with vouchers, NOT be passed for payment.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

A budget amendment resolved by Absolute Majority will be required.

Conclusion

None.

Voting Requirements

Simple.

RECOMMENDATION

That Voucher numbers 68508, 72289 and 72317 (Cancelled Cheques), 72351 - 72458, EFT5819 – EFT6044, and Payroll Cheques inclusive, totalling \$6,904,907.27 submitted and checked with vouchers, be passed for payment.

Chq/EFT	Date	Name	Description	Amount
EFT5819	26/02/2010	Commander Australia Limited	Commander Service Assurance BCM 21.02.10-20.03.10	172.30
EFT5820	26/02/2010	Traci-Anne Moon	Travel Assistance Trust Withdrawal	320.00
EFT5821	26/02/2010	Philip Morris Limited	TTI - Cigarette stock	940.63
EFT5822	26/02/2010	TNT Express	Freight	614.98
EFT5823	26/02/2010	Centurion Transport Co Pty Ltd	Freight	1601.88
EFT5824	26/02/2010	Pirtek	Hose	224.48
EFT5825	02/03/2010	Colin Wilkinson Developments Pty Ltd	Progress Claim 7 -Construction of Shire Housing	972605.24
EFT5826	04/03/2010	Australian Clearinghouse for Youth Studies	Youth Studies Australia Subscription Renewal	88.00
EFT5827	04/03/2010	Corporate Express Australia Limited	Stationery Supplies	2205.43
EFT5828	04/03/2010	Drake Australia Pty Ltd	TTI Casual Staff	11748.70
EFT5829	04/03/2010	Global Environmental Modelling Systems	Final Report GIS Database	25850.00
EFT5830	04/03/2010	Karratha Florist	TTI Flowers	180.00
EFT5831	04/03/2010	Karratha Amateur Swimming Club	Litter Initiative x 248 Bags Collected	1488.00
EFT5832	04/03/2010	Karratha Tile Centre	RAC - Repairs to Vandalised Pool	810.70
EFT5833	04/03/2010	Staff Reimbursement	Reimbursement for accommodation - 11.02.10	239.00
EFT5834	04/03/2010	Karratha Tavern	TTI Alcohol	7166.10
EFT5835	04/03/2010	Market Creations Pty Ltd	Advertising	1265.00
EFT5836	04/03/2010	Staff Reimbursement	Relocation Payment 2nd Year Anniversary	1000.00
EFT5837	04/03/2010	Signswest, Stick With Us Sign Studio	Information Sign for Airport Carpark	3118.50
EFT5838	04/03/2010	Reliance Petroleum	Diesel	20713.38
EFT5839	04/03/2010	Whelans	GPS Survey of Whelan Park	10928.50
EFT5840	04/03/2010	Watton, Peter	Mitre 10 Reimbursement - Ladder	175.00
EFT5841	04/03/2010	Worksense Safety & Workwear	Safety Clothing	1230.14
EFT5842	04/03/2010	Avdata Australia	AvData Billing Fees ABR Transcription	4236.43
EFT5843	04/03/2010	Australian Property Consultants	Reserve 48796 Gawthorne Drive, Millars Well	825.00
EFT5844	04/03/2010	BOC Limited	RAC - Rental Oxygen Bottles	187.20
EFT5845	04/03/2010	BEST Consultants	Bulgarra Sports Precinct Floodlighting and Electrical Upgrade Consulting Services	5445.88
EFT5846	04/03/2010	Cape Byron Imports	KAC - 5 x Toddler Seats	85.40
EFT5847	04/03/2010	Fire And Emergency Services Authority	ESL Quarter 3 2009/10	259204.44
EFT5848	04/03/2010	Karratha Smash Repairs	Insurance Excess x 3, Replace 2 x Windscreens	1780.00
EFT5849	04/03/2010	Manus Consulting	HR Consultant Services - February 2010, Airmiles & Accommodation	12859.39
EFT5850	04/03/2010	Northwest Copier & Fax Services	Service Call - 05/012010 Printer Model (Konica Minolta C450)	209.00
EFT5851	04/03/2010	Pilbara Aboriginal Church	Litter Collection x 22 Bags	132.00
EFT5852	04/03/2010	Parking Consultants International	Study of Proposed Carparking Charges	5335.00

EFT5853	04/03/2010	Roebourne Dingo Hire	Mulching at Cattrall Park, Removal of Goal Posts Bulgarra Oval	770.00
EFT5854	04/03/2010	UFL Airports Australia Pty Ltd	4 Beam Seating for Karratha Airport	38692.50
EFT5855	04/03/2010	Versatile Building Products	Bucket & Watering Cans	84.60
EFT5856	04/03/2010	WorleyParsons Services	Karratha Effluent Reuse Asset Audit	8927.44
EFT5857	04/03/2010	Staff Reimbursement	Reimbursement of Home Office Expenses 2.11.09-2.02.10	779.13
EFT5858	04/03/2010	Debra Woods	Reimbursement - Woolworths	64.71
EFT5859	05/03/2010	WALGA (Marketforce)	Advertising	19673.08
EFT5860	10/03/2010	Australian Taxation Office	Payroll Deductions	123375.44
EFT5861	10/03/2010	Child Support Agency	Payroll Deductions	290.01
EFT5862	05/03/2010	Dept Of Housing & Works-Douglas Rent,	Payroll Deductions	250.00
EFT5863	05/03/2010	Dept Of Housing & Works-Hughes Rent,	Payroll Deductions	760.00
EFT5864	05/03/2010	Dept Of Housing & Works-hicks Rent,	Payroll Deductions	564.60
EFT5865	05/03/2010	Staff Reimbursement	Reimburse Conference Expenses	158.65
EFT5866	05/03/2010	Staff Reimbursement	Reimburse Conference Expenses	158.65
EFT5867	08/03/2010	Parry's Merchants	TTI, KAC, RAC Kiosk Stock	17459.95
EFT5868	08/03/2010	British American Tobacco Australia Ltd	TTI Cigarettes	3123.43
EFT5869	08/03/2010	Statewide Equipment Hire	Karratha Airport - Hire of Scissor Lift to Change Fluoro Lights	383.42
EFT5870	09/03/2010	Staff Reimbursement	Travel Assistance Trust Withdrawal	1440.00
EFT5871	11/03/2010	British American Tobacco Australia Ltd	TTI Cigarettes	2149.40
EFT5872	11/03/2010	GHD Pty Ltd	Progress Claim - 3 Concept Designs for Karratha Airport	40206.93
EFT5873	11/03/2010	Philip Morris Limited	TTI Cigarettes	1201.00
EFT5874	11/03/2010	OPUS International Consultants Ltd	Karratha Airport - Carpark Concept & Detailed Design	11395.40
EFT5875	11/03/2010	Woolworths (WA) Ltd	TTI Kiosk Stock, Supplies for Concept BBQ, Food for Extraordinary Election 25.02.10, Refreshments for Civic Reception, Dinner for Special Council Meeting 01.03.10	1916.94
EFT5876	12/03/2010		Cancelled EFT	
EFT5877	12/03/2010	Karratha Contracting Pty Ltd	Qtrly Testing & Tagging, Bulgarra Oval Pump Replacement, KAC Replacement Glass Doors, Create New EA Office Space, Forklift Shelter, KEC Rear Entry Works, Shire House Improvements, Roebourne Community Hall Upgrade, Hydraulic Repair & Kitchen Upgrade.	478847.14
EFT5878	16/03/2010	Allied Pickfords-Karratha	Removal Costs - 38 Nelley Way to 54 Sholl St	2574.00
EFT5879	16/03/2010	A.R.B. General Services Pty Ltd	Karratha Airport - Highline Cleaning & Carpet Cleaning	7867.00
EFT5880	16/03/2010	Baker's Temptation	TTI Bread Rolls - February 2010	1834.50
EFT5881	16/03/2010	Chemsearch Australia	Yield Aerosol Penetrating Agent	806.63
EFT5882	16/03/2010	Corrigan, William Edward	Pre-paid Rates refund for assessment A3951 - 14 Harding St Roebourne	1300.00
EFT5883	16/03/2010	Corporate Express Australia Limited	Stationery Supplies, Office Chairs	5463.23
EFT5884	16/03/2010	Transpacific Cleanaway	Karratha Airport & Wickham Library - Supply of Bins & Collection of Waste	1036.18

EFT5885	16/03/2010	James Cutfield	Twilight Tunes at Walkington Amphitheatre 14/03/10	1540.00
EFT5886	16/03/2010	Compe, Paul	Paul Compe Study Assistance 2010	2000.00
EFT5887	16/03/2010	Drake Australia Pty Ltd	TTI Temp Staff	19232.85
EFT5888	16/03/2010	Westralia Airports Corporation Pty Ltd	ASIC Production x 9	450.00
EFT5889	16/03/2010	Forte Airport Management	Karratha Airport BMR Roof Stage 2	13607.53
EFT5890	16/03/2010	GHD Pty Ltd	Water Balance Study for ERSR Project	17945.95
EFT5891	16/03/2010	Harlen, Gai	Reimbursement - 4 x Scale Rulers	107.80
EFT5892	16/03/2010	Hicks, Sharon	January School Holiday Program Refund	191.98
EFT5893	16/03/2010	Independent Valuers Of Western Australia	Karratha Airport Valuations	4950.00
EFT5894	16/03/2010	Karratha Newsagency	TTI Newspapers & Magazines	14083.28
EFT5895	16/03/2010	Karratha Alternative Carriers	Transport Chlorine	792.00
EFT5896	16/03/2010	Karratha Tavern	TTI Alcohol	13207.05
EFT5897	16/03/2010	Leisure Institute Of WA Aquatics (inc)	LIWA Aquatics Membership. Expiry 31.08.10	90.00
EFT5898	16/03/2010	Lockwood, Nicole	Reimbursement - Flight Change Costs & Meeting Room Hire	439.70
EFT5899	16/03/2010	Department Of Sport And Recreation WA	Training Seminar on Open Space Planning	50.00
EFT5900	16/03/2010	New Wave Caterers	Catering - OCM 15.02.10, Council Briefing 25.02.10, Lunch & Morning Tea 02.02.10	1132.00
EFT5901	16/03/2010	Water2Water	Exec. Kitchen Filtered Water Repairs	595.30
EFT5902	16/03/2010	Perth Irrigation Centre	Reticulation Supplies	1003.20
EFT5903	16/03/2010	Poinciana Nursery	Karratha Airport - Mulch Bags	1095.00
EFT5904	16/03/2010	Risk Management Technologies	Chem Alert System License Renewal 09.04.10 - 09.04.11	5472.50
EFT5905	16/03/2010	Signswest, Stick With Us Sign Studio	Self Adhesive Reception Sign	137.50
EFT5906	16/03/2010	Shell Company Of Australia	Diesel	8543.94
EFT5907	16/03/2010	SAI Global Ltd	Australian Standard Internet Download	74.47
EFT5908	16/03/2010	Reliance Petroleum	Petrol	1805.02
EFT5909	16/03/2010	Sealanes	Admin Office Tea Room Supplies	366.29
EFT5910	16/03/2010	Technical Irrigation Imports	Overhaul & Service Controller	121.00
EFT5911	16/03/2010	Travelworld Karratha	Flights	3594.00
EFT5912	16/03/2010	Truck Centre (WA) Pty Ltd	Steering Box, Kit Rocker Cover Gaskets, Filters	4845.65
EFT5913	16/03/2010	URS Australia Pty Ltd	Upgrade of Design for Johns Creek Boat Ramp	1724.31
EFT5914	16/03/2010	Visimax	Postage	49.00
EFT5915	16/03/2010	Whelans	Survey Of Lots 250 & 500 On Dp 65962 At Millars Well, Provide Proposed Road & Lease Lot Drawings for Karratha Country Club	6292.00
EFT5916	16/03/2010	Worksense Safety & Workwear	Safety Clothing	297.44
EFT5917	16/03/2010	Atkins Carlyle Ltd	Safety Gloves	254.38
EFT5918	16/03/2010	Airservices Australia	ERSA Loose Leaf with RDS - 12 Month Amendment Service Only	91.55
EFT5919	16/03/2010	Auslec	General Electrical Hardware supplies - Karratha Airport Maintenance	117.49
EFT5920	16/03/2010	Computelec Pty Ltd	Symantec Backup Exec Server 12.5 Win Per Server	984.56
EFT5921	16/03/2010	Protector Alsafe	Safety Clothing	3616.34

EFT5922	16/03/2010	Applicon Australia Pty Ltd	Office Handsets, Endpoint Electronic Authorisation Licence, MOTWB2857 PTP 58500 Full Integrated - Link Complete	22781.00
EFT5923	16/03/2010	A & P Transport	Chicky Starter Crumbles, Sunflower Seeds	140.00
EFT5924	16/03/2010	SGS Australia Pty Ltd	7 Mile Landfill Septic Effluent Testing, Groundwater Monitoring & Pond Testing, Water Analysis For Washpad at Depot	5839.90
EFT5925	16/03/2010	AEC Systems	AutoCAD Courses	1760.00
EFT5926	16/03/2010	Attorney-General's Department	Auschecks February 2010	1144.00
EFT5927	16/03/2010	Artcraft Pty Ltd	Chlorine Signs	258.50
EFT5928	16/03/2010	Abbott & Co Printers	Sets of Agenda Dividers - 7 Tabs	1500.00
EFT5929	16/03/2010	Austasia Commodities Pty Ltd	4ft Windsock, Stainless Steel Swivel & Freight	577.13
EFT5930	16/03/2010	BP Roebourne	Fuel	444.15
EFT5931	16/03/2010	Beaurepaires	Replace & Repair Tyres, Rim & Tyre Assembly	7871.54
EFT5932	16/03/2010	BC Lock & Key	Padlock Stamping, Lock Repairs, Key Cutting	504.02
EFT5933	16/03/2010	Wickham Service Station	Fuel	360.89
EFT5934	16/03/2010	Bent Logic	KAC - 600 Membership Tags for Centaman	214.50
EFT5935	16/03/2010	BEST Consultants	Stage 1 Investigation - Bulgarra Sports Precinct, Floodlighting & Electrical Upgrade, Airfares and Car Hire	13891.85
EFT5936	16/03/2010	Centurion Transport Co Pty Ltd	Freight	1766.66
EFT5937	16/03/2010	Coates Hire Operations	Plant Hire	38480.32
EFT5938	16/03/2010	Coca-Cola Amatil (Holdings) Ltd	KEC, TTI & RAC Kiosk Stock	16034.65
EFT5939	16/03/2010	Coventrys	2 Way Radio	569.11
EFT5940	16/03/2010	Cape Byron Imports	RAC Kiosk Stock - Aqua Shoes	22.18
EFT5941	16/03/2010	Cable Logic	TTI - Install 4 x Double Data Ports for POS	5445.50
EFT5942	16/03/2010	CCS Strategic Management	Various Emails & Teleconference Nov/Dec 09	5912.50
EFT5943	16/03/2010	Coda Studio Pty Ltd	Bulgarra Community Centre & Baynton West Family Centre Schematic Design Development, Traffic Management Plan	82293.97
EFT5944	16/03/2010	Shontay Louise Cardew	Final payment For Completion of Baynton West Family Centre Document	1000.00
EFT5945	16/03/2010	Dexion	Loop Racks	383.71
EFT5946	16/03/2010	Department Of Environment & Conservation	Controlled Waste Tracking Forms	112.50
EFT5947	16/03/2010	Darwin Airport Shuttle	Bus Charter Darwin - Economic Development Tour	500.00
EFT5948	16/03/2010	E & MJ Rosher Pty Ltd	Hub Assembly, Fuel Filter	945.05
EFT5949	16/03/2010	Emeco International Pty Ltd	Off Hire Cleaning & Repairs of D9R	5827.20
EFT5950	16/03/2010	Ezy-Drive	Guide Post	8800.00
EFT5951	16/03/2010	Farinosi and Sons (Rtl) Pty Ltd	Star Pickets	318.00
EFT5952	16/03/2010	Chubb Fire Safety Ltd	Planned Maintenance on Karratha Airport Fire System, Hydrant Repairs	732.55
EFT5953	16/03/2010	Fire And Emergency Services Authority	Underpayment on ESL 2009/10 Charges on VEN	43.00
EFT5954	16/03/2010	Gas City Pest Control	Termite Spot Treatment On Side of Council Chambers	654.50
EFT5955	16/03/2010	Gemini Medical Services	Pre-Employment Medicals	1171.50
EFT5956	16/03/2010	Home Hardware	Step Ladder, Garden Hose Kit, General Hardware	284.75

EFT5957	16/03/2010	Karratha Cad Centre	A0 Photocopying	360.36
EFT5958	16/03/2010	Karratha Auto Electrics	Airconditioner Repairs	957.00
EFT5959	16/03/2010	Kadmos Group	Cost To Deliver MSIS - Project Review	6600.00
EFT5960	16/03/2010	Kookaburra Tours & Charters Pty Ltd	Airport Transfers - Economic Development Tour	220.00
EFT5961	16/03/2010	Lyons & Peirce	Karratha Airport - Emergency Water Cartage	7623.00
EFT5962	16/03/2010	Loscam Limited	TTI - Hire Of Pallets	15.59
EFT5963	16/03/2010	Staff Reimbursement	Conference Expenses - Coast to Coast Economic Development Tour	479.70
EFT5964	16/03/2010	Macdonald Johnston Engineering	Channel Brush Poly	59.70
EFT5965	16/03/2010	Media Monitors Australia Pty Ltd	Media Monitoring Service	1288.47
EFT5966	16/03/2010	Mike Allen Planning	Provide a Range of Strategic & Statutory Planning Services	11963.25
EFT5967	16/03/2010	Manus Consulting	Week 7 - HR Review Project	1326.61
EFT5968	16/03/2010	MSA Family Trust	Contract Building Surveyor 15-18/02 & 22-25/02	6517.50
EFT5969	16/03/2010	NBS Signmakers	Back Beach Signage	2475.00
EFT5970	16/03/2010	Northwest Copier & Fax Services	Printer Ink	153.02
EFT5971	16/03/2010	Broadcast Australia Pty Ltd	Facilities Leasing Mt Welcome	138.25
EFT5972	16/03/2010	Noone Imagewear	Cancellation Fee For SK11026L	198.00
EFT5973	16/03/2010	Nickol Bay Jewellers	Gift Voucher for Tew Nugent - Length of Service Award	500.00
EFT5974	16/03/2010	Orica Australia Pty Ltd	Chlorine Gas, Cylinder Hire	3086.99
EFT5975	16/03/2010	OPUS International Consultants Ltd	Karratha Airport - Investigation Into Landside Electrical Services	7759.29
EFT5976	16/03/2010	Pilbara Tafe	Walkington Theatre 50% Contribution Operating Costs & Karratha Library Operating Costs - Feb 10, Payroll Officer Course Book	73806.73
EFT5977	16/03/2010	Pilbara Echo	Advertising	484.00
EFT5978	16/03/2010	Perth Petroleum Services	Trailer	15742.10
EFT5979	16/03/2010	P&G Body Builders	Grid Mesh	660.00
EFT5980	16/03/2010	Parking Consultants International	Karratha Airport - Review of Paid Parking Equipment	5280.00
EFT5981	16/03/2010	The Roo Group	Medication & Veterinary Fees	394.65
EFT5982	16/03/2010	Red 11 Pty Ltd	Printer Ink, Printhead, Cleaner	1062.94
EFT5983	16/03/2010	Skipper Truck Parts	Filters	179.89
EFT5984	16/03/2010	Sigma Chemicals	RAC - 5m Grating (Pool Edge)	542.50
EFT5985	18/03/2010		Cancelled EFT	
EFT5986	16/03/2010	Statewide Turf Services	Mowing Services	9883.25
EFT5987	16/03/2010	Total Eden Watering Systems Pty Ltd	2 Station Reticulation Module	6812.21
EFT5988	16/03/2010	Tox Free (Karratha) Pty Ltd	Pick Up & Disposal Of Chemicals	320.10
EFT5989	16/03/2010	UDLA	Redevelopment of Cattral Park	10934.00
EFT5990	16/03/2010	Versatile Building Products	Karratha Airport General Hardware	72.70
EFT5991	16/03/2010	Westrac Equipment Pty Ltd	Cutting Edge	289.53
EFT5992	16/03/2010	Wormald Australia Pty Ltd	Fire Panel Inspections & Report	185.63
EFT5993	16/03/2010	Wurth Australia Pty Ltd	Workshop Consumables	1159.33
EFT5994	16/03/2010	WorleyParsons Services	Asset Audit For ERSR Project	2344.49
EFT5995	18/03/2010	Karratha First National Real Estate	Shire Housing Rent	24011.97
EFT5996	18/03/2010	Karratha City Real Estate	Shire Housing Rent	7014.29

EFT5997	18/03/2010	North West Realty	Shire Housing Rent	17685.46
EFT5998	18/03/2010	Pilbara Real Estate	Shire Housing Rent	25419.64
EFT5999	18/03/2010	LJ Hooker Karratha	Shire Housing Rent	5200.00
EFT6000	18/03/2010	Paintball Eruption	50% Deposit For Paintball For Make A Move Youth Plan 2010	8525.00
EFT6001	19/03/2010		Cancelled EFT	
EFT6002	19/03/2010	Staff Reimbursement	Conference Expense Reimbursement	310.75
EFT6003	19/03/2010	Dept Of Housing & Works-Douglas Rent,	Payroll Deductions	250.00
EFT6004	19/03/2010	Dept Of Housing & Works-Hughes Rent,	Payroll Deductions	760.00
EFT6005	19/03/2010	Dept Of Housing & Works-hicks Rent,	Payroll Deductions	564.60
EFT6006	19/03/2010	Staff Reimbursement	Conference Expense Reimbursement	310.75
EFT6007	19/03/2010	Staff Reimbursement	Conference Expense Reimbursement	200.90
EFT6008	22/03/2010	Seek Limited	Seek. Com. Au Advert - Minute Secretary	220.00
EFT6009	24/03/2010	Australian Taxation Office	Payroll Deductions	129986.80
EFT6010	24/03/2010	Child Support Agency	Payroll Deductions	290.01
EFT6011	29/03/2010	Commonwealth Bank Of Australia	Loan No. 93 Payment - Wickham Transfer Station	82258.98
EFT6012	29/03/2010	Western Australian Treasury Corp	Loan No. 92 Payment - Construct 6 Aged Persons Homes	15446.26
EFT6013	29/03/2010		Cancelled EFT	
EFT6014	29/03/2010	Westpac Corporate Credit Cards	Monthly Credit Card Payment	789.03
EFT6015	29/03/2010	Western Australian Treasury Corp	Loan No. 97 Payment - Hampton Harbour Boat & Sailing Club	6063.82
EFT6016	29/03/2010	Western Australian Treasury Corp	Loan No. 86A Payment - Hampton Harbour Boat & Sailing Club	1683.50
EFT6017	29/03/2010	Western Australian Treasury Corp	Loan No. 94 Payment - New Staff Housing	117515.47
EFT6018	29/03/2010	Western Australian Treasury Corp	Loan No. 98 Payment - Airport Upgrade	637645.46
EFT6019	29/03/2010	Western Australian Treasury Corp	Loan No. 88 Payment - Chamber of Commerce	3429.17
EFT6020	29/03/2010	British American Tobacco Australia Ltd	TTI Cigarettes	3478.15
EFT6021	29/03/2010	Commander Australia Limited	Commander Service Assurance BCM (March)	155.80
EFT6022	29/03/2010	Harvey World Travel	Flights	3141.02
EFT6023	29/03/2010	ISPX	Domain Hosting 16/02/2010 - 15/02/2011, Roebourne.wa.gov.au Hosting 22/03/10 - 21/03/11	330.00
EFT6024	29/03/2010	Karratha Tavern	TTI Alcohol	8369.25
EFT6025	29/03/2010	Les Mills Aerobics Australia	KEC Fitness Licenses	953.17
EFT6026	29/03/2010	Philip Morris Limited	TTI Cigarettes	1090.76
EFT6027	29/03/2010	Parry's Merchants	TTI, KAC & KEC Kiosk Stock	18588.35
EFT6028	29/03/2010		Cancelled EFT	
EFT6029	29/03/2010	TNT Express	Freight	1030.72
EFT6030	29/03/2010	Atom Supply	Fuel Nozzle Handpiece	303.25
EFT6031	29/03/2010	Centurion Transport Co Pty Ltd	Freight	794.15
EFT6032	29/03/2010	Cabcharge Australia Pty Ltd	Cabcharge Vouchers 07.03.10	888.69
EFT6033	29/03/2010	Manus Consulting	HR Review Project Completion	11534.65
EFT6034	29/03/2010	MSA Family Trust	Contract Building Surveyor F.E. 12.03.10	6682.50
EFT6035	29/03/2010	Pilbara Echo	Advertising	911.49

EFT6036	29/03/2010	Red 11 Pty Ltd	40 x HP Computers, 80 x HP Monitors, Freight	65699.04
EFT6037	29/03/2010	Seek Limited	Seek.Com.Au Ad Senior Ranger 16/3/2010	198.00
EFT6038	29/03/2010	Dept. Of Treasury & Finance - Shared Services	Recoveries of Lost Books - Dampier Library	33.00
EFT6039	29/03/2010	Telephone Techniques Training	Telephone Techniques Training	1575.00
EFT6040	29/03/2010	Woolworths (WA) Ltd	TTI & RAC Kiosk Stock, Refreshments for Council Barfridge	2299.98
EFT6041	29/03/2010	Karratha Contracting Pty Ltd	Upgrade Karratha Country Club Electrical Supply, Karratha Airport Signage Installation & Water Main Repairs, 54 Sholl St & 4 McRae Court Refurbishment, Office Upgrade, Fix Dog Pound Water Supply, Replace Brick Lights, A/C Repairs, Building Maintenance	254147.43
EFT6042	30/03/2010	Toll Express	Freight	16.67
EFT6043	30/03/2010	Colin Wilkinson Developments Pty Ltd	Progress Claim 8 - Construction of Shire Housing	1044691.84
EFT6044	30/03/2010	Centurion Transport Co Pty Ltd	Freight	1924.04
68508	22/04/2008	Benjamin Taylor	Cancelled Cheque	-245.45
72289	16/02/2010	St John Of God Pathology	Cancelled Cheque	-93.40
72317	17/02/2010	Wickham Skydivers Club	Cancelled Cheque	-94.00
72351	26/02/2010	Ray White Real Estate	Shire Housing Bond & Rent	16164.29
72352	26/02/2010	Telstra	Shire Telephone / Internet Use	716.86
72353	26/02/2010	Horizon Power	Shire Electricity Use	162971.88
72354	04/03/2010	Australia Post	Renewal of SOR Administration Office & Dampier Library Post Office Boxes	280.50
72355	04/03/2010	Building And Construction Industry Training Fund (BCITF)	BCITF Levy Collected for December 2009	37551.60
72356	04/03/2010	Department of Transport	Transfer Fee for P8808 - Side Loading Refuse Compactor	14.70
72357	04/03/2010	Karratha & Dampier Tee Ball Assocn.	KEC 50% Reimbursement of Light Tokens 2009	78.00
72358	04/03/2010	LINK (Local Information Network Karratha) Inc.	Community & Cultural Grant	1000.00
72359	04/03/2010	Telstra	Shire Alarm Monitoring Lines & Telephone Lines	99.31
72360	04/03/2010	Horizon Power	Shire Electricity Use	9686.16
72361	04/03/2010	West Pilbara Softball Organisation	Refund Inv# 39697 (\$726.00) & 49558 (\$1771.44)	2497.44
72362	04/03/2010	Builders Registration Board of WA	November 2009 BRB Receipts	3070.50
72363	04/03/2010	Byford Settlements	Rates refund for assessment A87982 19 Marniyarra Loop Baynton	495.89
72364	04/03/2010	Karratha Kart Club	Rates refund for assessment A30944 L1048 Anderson Rd, Karratha	43.00
72365	04/03/2010	Live In Balance	Bond Refund - Millars Well Pavilion	100.00
72366	04/03/2010	Misco Investments Pty Ltd	Rates refund for assessment A57984 10 Church Way Baynton	877.03
72367	04/03/2010	Pilbara Community Legal Service	Community & Cultural Grant	4000.00
72368	04/03/2010	PRP Pty Ltd	Bond Refund - Millars Well Pavilion	100.00
72369	04/03/2010	K Mart Karratha	KEC & KAC Stationery	335.79
72370	04/03/2010	Seek Limited	Seek. Com. Au Job Listing - Finance Officer	198.00
72371	04/03/2010	Thomasbuilt Pty Ltd	Refund Building Application Fees B/L 2010050	2226.18
72372	04/03/2010	WA Library Supplies	Fabric Covered Tri Tower with Spinner	1010.00
72373	04/03/2010	Woodside Burrup PTY LTD	Vehicle Crossover Subsidies	20682.75

72374	05/03/2010	Shire Of Roebourne	Payroll Deductions	2506.15
72375	10/03/2010		Cancelled Cheque	
72376	10/03/2010		Cancelled Cheque	
72377	10/03/2010		Cancelled Cheque	
72378	10/03/2010		Cancelled Cheque	
72379	10/03/2010		Cancelled Cheque	
72380	10/03/2010		Cancelled Cheque	
72381	10/03/2010		Cancelled Cheque	
72382	10/03/2010		Cancelled Cheque	
72383	10/03/2010		Cancelled Cheque	
72384	10/03/2010		Cancelled Cheque	
72385	10/03/2010		Cancelled Cheque	
72386	10/03/2010		Cancelled Cheque	
72387	10/03/2010		Cancelled Cheque	
72388	10/03/2010		Cancelled Cheque	
72389	10/03/2010		Cancelled Cheque	
72390	10/03/2010		Cancelled Cheque	
72391	10/03/2010		Cancelled Cheque	
72392	10/03/2010		Cancelled Cheque	
72393	10/03/2010		Cancelled Cheque	
72394	10/03/2010		Cancelled Cheque	
72395	10/03/2010		Cancelled Cheque	
72396	10/03/2010		Cancelled Cheque	
72397	10/03/2010		Cancelled Cheque	
72398	10/03/2010		Cancelled Cheque	
72399	10/03/2010	Australian Super	Superannuation contributions	1050.39
72400	10/03/2010	Asset Super	Superannuation contributions	1193.96
72401	10/03/2010	Colonial First State Firstchoice Super	Superannuation contributions	480.19
72402	10/03/2010		Cancelled Cheque	
72403	10/03/2010	WA Local Govt Superannuation Plan	Superannuation contributions	134437.43
72404	10/03/2010	Australian Services Union (Asu/Meu Div.)	Payroll Deductions	340.20
72405	10/03/2010	AMP Life Limited	Superannuation contributions	846.06
72406	10/03/2010	AXA Australia	Superannuation contributions	480.20
72407	10/03/2010	BT Super For Life	Superannuation contributions	504.32
72408	10/03/2010	First State Super	Superannuation contributions	218.63
72409	10/03/2010	Health Super	Superannuation contributions	710.88
72410	10/03/2010	LG Super	Superannuation contributions	516.57
72411	10/03/2010	LGRCEU	Payroll Deductions	82.00
72412	10/03/2010	MTAA Superannuation Fund	Superannuation contributions	1941.10
72413	10/03/2010	MLC Nominees Pty Ltd	Superannuation contributions	266.58
72414	10/03/2010	Navigator Australia Limited (Aviva Investment Services)	Superannuation contributions	996.04
72415	10/03/2010	Rest Superannuation	Superannuation contributions	2134.40
72416	10/03/2010	Superwrap Personal Super Plan	Superannuation contributions	555.00
72417	10/03/2010	TWUSUPER	Superannuation contributions	493.47

72418	10/03/2010	Westscheme	Superannuation contributions	903.99
72419	16/03/2010	Shire Of Roebourne	Petty Cash Reimbursement	1050.00
72420	16/03/2010	Tennant Australia	Footpath Sweeper	170720.98
72421	16/03/2010	Australia Post	Postage February 2010	1677.94
72422	16/03/2010	All Seasons Karratha	Staff & Consultant Accommodation	1353.60
72423	16/03/2010	Children's Services Support Unit We (Inc)	Garden Refurbishment at Wickham Childcare	2375.00
72424	16/03/2010	MTU Detroit Diesel Australia Pty Ltd	Filter	136.64
72425	16/03/2010	Hathaway's Lubricants	Grease Cartridge	150.00
72426	16/03/2010	Karratha Adventure Sports	KAC - Hire of Oxygen and Scuba Equipment	60.00
72427	16/03/2010	Karratha BMX Club	Sports Funding Grant Scheme	1000.00
72428	16/03/2010	Lil's Retravision Karratha	Fridge, Microwave, Toaster & Multi Oven	1012.00
72429	16/03/2010	Angus And Robertson Karratha	3 Books for Senatorial Visit	224.97
72430	16/03/2010	CD's Confectionery Wholesalers	RAC Kiosk Stock	1560.80
72431	16/03/2010	Dampier Mets Softball Club	Bond Refund	100.00
72432	16/03/2010	Fire And Safety We	Windmate 300	297.00
72433	16/03/2010	Ilha Pty Ltd	Refund of Two Parking Infringements - Ilha Pty Ltd	70.00
72434	16/03/2010	Jas Building Contractors	Refund Overpayment	123.20
72435	16/03/2010	Keyspot Services	Name Badges	1190.00
72436	16/03/2010	McLeods & Co Barristers And Solicitors	Legal Advice - Treated Waste Water, Burrup Fertilisers, Karratha Air Logistics, New Title Application for Shire Housing, Governance Advice	13832.51
72437	16/03/2010	Machin	Unsuccessful Plan Search	90.00
72438	16/03/2010	Polar Aviation Pty Ltd	Refund Overpayment	49.50
72439	16/03/2010	Statewide Bearings	Bearings, Bottle Jack	429.52
72440	16/03/2010	K Mart Karratha	Roebourne Library - Assorted Books, DVD's and Cod's, Admin Building Cleaning Goods	422.61
72441	16/03/2010	Triangle Filtration	Dump Valve Diaphragm, Exchange Rinse Control	1335.18
72442	16/03/2010	Tradelink Plumbing Supplies	Karratha Airport Plumbing Supplies, Clamp Repairs	167.20
72443	16/03/2010	Shire Of Roebourne	ATM Cash Replenishment	74000.00
72444	18/03/2010	Ray White Real Estate	Shire Housing Rent	42447.06
72445	18/03/2010		Cancelled Cheque	
72446	18/03/2010	3 Hutchison Telecommunications Aust.	3 Messaging Service 26/02/10 - 25/03/10	188.21
72447	18/03/2010	Horizon Power	Shire Electricity Use	25736.34
72448	18/03/2010	Water Corporation	Shire Water Use	11765.50
72449	18/03/2010	Benjamin Taylor	Reissue of Stale Chq 68508 Dated 22/04/08 - A/24288 Refund Overpayment Rates	245.45
72450	18/03/2010		Cancelled Cheque	
72451	18/03/2010	Telstra	Shire Telephone / Internet Use	6157.79
72452	18/03/2010	Telstra	Damage to Cable - Roebourne Oval & Roebourne Primary School	3725.96
72453	19/03/2010	Shire Of Roebourne	Payroll Deductions	2700.72
72454	24/03/2010	Shire Of Roebourne	ATM Cash Replenishment	74000.00
72455	29/03/2010	Australia Post	Roebourne Library - Renewal of Post Office Box	50.00
72456	29/03/2010	Telstra	Shire Telephone / Internet Use	7660.39

72457	29/03/2010	Horizon Power	Shire Electricity Use	77624.65
72458	29/03/2010	Water Corporation	Shire Water Use	24507.75
				6,148,983.52

	04/03/2010	Shire of Roebourne	Payroll F/E 03.03.10	364,808.21
	08/03/2010	Staff	Wages	2,617.07
	05/03/2010	Shire of Roebourne	Payroll Deductions	1,891.90
	09/03/2010	Staff	Wages	211.20
	09/03/2010	Staff	Wages	3,066.87
	18/03/2010	Shire of Roebourne	Payroll F/E 17.03.10	372,656.09
	19/03/2010	Staff	Wages	4,926.63
	19/03/2010	Staff	Wages	5,745.78
				755,923.75

Total Payments

6,904,907.27

8.2.2 FINANCIAL STATEMENT FOR PERIOD ENDING 28 FEBRUARY 2010**Attachment(s)** **NIL****Responsible Officer:** **Executive Manager Corporate Services****Author Name:** **Manager Of Finance****Disclosure of Interest:** **Nil**

REPORT PURPOSE

To provide Council with a summary of the financial position as at the specified period.

Background

In accordance with the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996, a Statement of Financial Activity is required to be presented to Council as a minimum requirement.

In accordance with the regulations, a report must be compiled on variances greater than the materiality threshold adopted by Council (10% or \$10,000).

With this report being composed at programme level, only a general comment can be made regarding the variances.

The Act states that a statement of financial activity, and accompanying documents, are to be;

- 1) presented to the Council;
 - (a) at the next ordinary meeting of council following the end of the month to which the statement relates; or
 - (b) if the statement is not prepared in time to present it to the meeting referred to in (a) above, to the next meeting of Council after that meeting; and
- 2) recorded in the minutes of the meeting at which it is presented.

Note that the Budget Amendments resulting from the Budget Review are not included in these statements, as they were adopted by Council on 1 March, 2010.

Options

1. That the Financial reports for the period ending 28 February 2010 be received.
2. That the Financial reports for the period ending 28 February 2010 be received with amendments.
3. That the Financial reports for the period ending 28 February 2010 NOT be received.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

As per section 34 of the Local Government (Financial Management) Regulations 1996.

Financial Implications

There are no financial implications resulting from this report.

Conclusion

None

Voting Requirements

Simple.

RECOMMENDATION

That the Financial reports for the period ending 28 February 2010 be received.

Shire Of Roebourne
Statement Of Financial Activity
for the period 1 July 2009 to 28 February 2010

	Original Budget	Amended Budget	Year to Date Amended Budget	Year To Date Actual	Material Variance >=10%	\$10,000 or more
	\$	\$	\$	\$	%	\$
Rate Setting Statement						
Operating						
Revenues (Sources)						
General Purpose Funding (excluding Rates)	5,309,174	5,309,174	2,192,197	2,697,043	23.03%	-504,846
Governance	122,549	122,549	83,124	247,127	197.30%	-164,003
Law, Order And Public Safety	186,862	186,862	155,943	95,045	-39.05%	60,898
Health	45,166	85,166	43,227	55,955	29.44%	-12,728
Education and Welfare	1,088,849	1,088,849	50,118	43,593	-13.02%	-
Housing	2,032,719	2,903,128	1,644,456	1,678,742	-	-34,286
Community Amenities	6,129,415	6,130,173	4,592,950	6,384,600	39.01%	-1,791,650
Recreation And Culture	4,930,912	4,943,427	1,604,037	1,472,672	-	131,365
Transport	17,433,254	17,433,254	10,201,822	12,329,952	20.86%	-2,128,130
Economic Services	2,089,430	2,089,430	708,053	733,027	-	-24,974
Other Property And Services	97,281	97,381	64,600	(46,749)	-172.37%	111,349
	39,465,611	40,389,393	21,340,527	25,691,007	20.39%	-4,350,480
Expenses (Applications)						
General Purpose Funding	(456,541)	(526,869)	(376,208)	(383,652)	-	-
Governance	(2,077,967)	(2,077,967)	(1,099,146)	(1,065,606)	-	-33,540
Law, Order And Public Safety	(1,339,206)	(1,340,469)	(833,294)	(744,743)	-10.63%	-88,551
Health	(1,118,373)	(1,118,373)	(708,270)	(530,259)	-25.13%	-178,011
Education and Welfare	(320,859)	(320,859)	(199,179)	(147,028)	-26.18%	-52,151
Housing	(713,893)	(723,893)	(412,748)	(441,489)	-	28,741
Community Amenities	(6,776,815)	(6,777,368)	(4,269,907)	(3,524,585)	-17.46%	-745,322
Recreation And Culture	(13,059,034)	(13,199,127)	(8,583,950)	(6,921,504)	-19.37%	-1,662,446
Transport	(14,144,581)	(14,570,588)	(6,325,312)	(5,597,153)	-11.51%	-728,160
Economic Services	(1,180,276)	(1,144,867)	(758,694)	(821,153)	-	62,459
Other Property And Services	570,748	570,268	296,983	(1,030,027)	-446.83%	1,327,010
	(40,616,797)	(41,230,112)	(23,269,725)	(21,207,199)	-	-2,062,526
Capital						
Revenue						
Proceeds From Disposal Of Assets	2,395,200	3,680,950	621,550	334,273	-46.22%	287,277
Tsf From Aerodrome Reserve	3,614,325	4,014,325	0	0	-	-
Tsf From Airconditioning Reserve	117,833	117,833	0	0	-	-
Tsf From MSIS Reserve	160,259	160,259	0	0	-	-
Tsf From Plant Replacement Reserve	1,506,500	1,506,500	0	0	-	-
Tsf From Dampier Drainage Reserve	0	0	0	0	-	-
Tsf From Infrastructure Reserve	4,358,050	4,358,050	0	0	-	-
Tsf From Waste Management Res	2,637,008	2,637,008	0	0	-	-
Tsf From Housing Reserve	5,647,446	5,647,446	0	0	-	-
Tsf From Parks, Ovals & Rec Facilities	0	0	0	0	-	-
Tsf From Information Technology Res	109,273	109,273	0	0	-	-
New Loans Raised	0	0	0	0	-	-
Repayments Of Self Supporting Loans	11,206	11,206	10,076	9,137	-	-
Repayments Of Interest Free Loans To Local Groups	135,536	135,536	133,024	132,499	-	-
	20,692,636	22,378,386	764,650	475,908	-37.76%	288,742

Shire Of Roebourne

Statement Of Financial Activity (con't)

for the period 1 July 2009 to 28 February 2010

	Original Budget	Amended Budget	Year to Date Amended Budget	Year To Date Actual	Material Variance >=10%	\$10,000 or more
	\$	\$	\$	\$	%	\$
Expenses						
Purchase Of Assets - Land	0	(65,395)	(65,395)	(62,282)	-	-
Purchase of Assets - Artwork	(10,000)	(10,000)	0	0	-	-
Purchase Of Assets - Buildings	(14,669,920)	(14,733,840)	(9,898,814)	(6,255,470)	-36.81%	-3,643,344
Purchase Of Assets - Equipment	(460,950)	(456,064)	(454,400)	(56,712)	-87.52%	-397,688
Purchase Of Assets - Furniture & Equip	(593,150)	(622,350)	(497,100)	(406,622)	-18.20%	-90,478
Purchase Of Assets - Plant	(5,603,500)	(5,705,650)	(4,575,500)	(1,732,105)	-62.14%	-2,843,395
Purchase Of Assets - Infrastructure	(14,902,014)	(14,896,277)	(10,125,274)	(2,074,162)	-79.52%	-8,051,112
Loan Principal Repayments	(1,728,120)	(1,728,120)	(1,309,165)	(1,309,034)	-	-
Tsf To Aerodrome Reserve	(576,230)	(576,230)	0	(105,895)	-	105,895
Tsf To Airconditioning Reserve	(5,303)	(5,303)	0	(1,008)	-	-
Tsf To Dampier Drainage Reserve	(1,435)	(1,435)	0	(272)	-	-
Tsf To Plant Replacement Reserve	(880,816)	(880,816)	0	(15,373)	-	15,373
Tsf To Walkington Theatre Reserve	(185)	(185)	0	(36)	-	-
Tsf To Workers Compensation Res	(257,117)	(257,117)	0	(8,969)	-	-
Tsf To Infrastructure Reserve	(4,357,488)	(4,357,488)	0	(64,728)	-	64,728
Tsf To Waste Management Reserve	(364,679)	(364,679)	0	(45,378)	-	45,378
Tsf To Housing Reserve	(254,135)	(1,544,135)	0	(118,682)	-	118,682
Tsf To Parks, Ovals & Rec Facilities	(302)	(302)	0	(64)	-	-
Tsf To Aged Persons Home Reserve	(13,321)	(13,321)	0	(500)	-	-
Tsf To Information Technology	0	0	0	(942)	-	-
Tsf To Junior Sport Reserve	(2,686)	(2,686)	0	(573)	-	-
Tsf To Public Open Space Reserve	(23,819)	(23,819)	0	(4,528)	-	-
Tsf To Mosquito Control Reserve	(572)	(572)	0	(14)	-	-
Tsf To History & Cultural Publications Reserve	(2,131)	(2,131)	0	(405)	-	-
Tsf To Medical Services Assistance Package Reserve	(10,319)	(10,319)	0	(2,845)	-	-
Interest Free Loan Principal	(222,000)	(222,000)	(222,000)	(222,000)	-	-
Income Set Aside As Restricted Funds	(741,000)	(741,000)	0	0	-	-
	(45,681,192)	(47,221,234)	(27,147,648)	(12,488,599)	-54.00%	-14,659,049
Adjustment For Non Cash Items						
Depreciation	6,648,955	6,648,955	0	0		
Amounts Set Aside To Provisions	392,491	392,491	0	0		
Accrued Loan Interest	(22,127)	(22,127)	0	0		
(Profit) / Loss On Disposal Of Assets	(293,106)	(1,163,515)	0	(334,273)		
	6,726,213	5,855,804	0	(334,273)		
Surplus Brought Forward 1 July	3,473,372	3,442,594	3,442,594	3,442,594		
Amount Raised From Rates	16,090,709	16,090,709	15,855,709	16,149,088	-	-293,379
Surplus / (Deficit)	150,552	(294,460)	(9,013,893)	11,728,526		

This statement is to be read in conjunction with the accompanying notes.

Operating revenue is over the year to date budget by \$4,350,480 which represents a variance of 20.39%.

Operating Expenditure is under the year to date budget by \$2,062,526 which represents a variance of 8.86%.

From an end of year position Council has received 59.71% of its annual amended budgeted revenue. In relation to expenditure, Council has expended 47.85% of its annual amended budgeted expenditure.

In accordance with the materiality threshold adopted by Council for the reporting of variances by programme in the Statement of Financial Activity, the following comments are made to provide an explanation of the above variances.

General Purpose Funding

Revenue

Revenue up 23.03% (\$504,846) due to interest on reserves brought to account before budgeted.

Expenditure

Expenditure is showing a variance up of 1.98% (\$7,444) which is below the threshold to report.

Governance

Revenue

Revenue is up 197.30% (\$164,003) which is due to earlier than expected sale of vehicles.

Expenditure

Expenditure is down 3.05% (\$33,540) which is due to audit fees not yet invoiced (\$19,350) and lower than expected Non-Statutory Donations (\$10,583)

Law, Order and Public Safety

Revenue

Revenue is down by 39.05% (\$60,898) which is mainly due to:

- 1) \$37,574 down on FESA contributions for Bushfire & SES units
- 2) \$8,000 Govt Grant from FESA for Fire Breaks not yet received
- 3) \$8,000 reimbursement for removal of cyclone hazards not received

Expenditure is down 10.63% (\$88,551) which is due to:

- 1) \$28,790 down on Cyclone Preparation
- 2) \$18,055 down on Karratha SES Building/Surrounds Mtce
- 3) \$11,463 down on Rangers Employment Costs
- 4) \$11,530 down on Other Control Expenses
- 5) \$9,000 down on cyclone hazard removal costs
- 6) \$8,000 down on town fire breaks funded by FESA

Health

Revenue

Revenue is up 29.44% (\$12,728) which is mainly due to the proceeds of sale of vehicle earlier than expected.

Expenditure

Expenditure is down 25.13% (\$178,011) which is due to:

- 1) \$33,334 MSIS Retention payments lower than expected
- 2) \$42,920 down on MSIS Employment costs
- 3) \$33,144 down on Compliance Auditing & Inspections
- 4) \$24,523 down on Mosquito Management – season drier than usual
- 5) \$15,615 down on Health Services employment costs
- 6) \$9,080 down on Karratha Clinic Building costs
- 7) \$7,891 down on Millars Well Clinic Building costs
- 8) \$6,229 down on Health Office expenses

Education and Welfare*Revenue*

Revenue is showing a variance of down 13.02% (\$6,525) due to lower than expected reimbursement received for Aged Persons Homes (Units 1-5).

Expenditure

Expenditure is showing a variance of down 26.18% (\$52,151) which is due to:

- 1) \$21,859 down on Millars Well Day Care Building
- 2) \$17,020 down on Wickham Day Care Building
- 3) \$11,223 down on Early Learning Community Scholarships
- 4) \$11,256 down on Aged Persons Homes (Units 1-5) contribution
- 5) \$6,329 up on School Maintenance Assistance

Housing*Revenue*

Revenue is showing a variance up of 2.08% (\$34,286) which is due to extra Royalties for Regions received.

Expenditure

Expenditure is up 6.96% (\$28,741) which is due to:

- 1) \$19,091 up on Staff Housing operating costs
- 2) \$8,226 up Sundry Expenses (furnishing transit housing)

Community Amenities*Revenue*

Revenue has a variance up of 39.01% (\$1,791,650) mainly due to:

- 1) \$883,998 up on Liquid Waste disposal fees
- 2) \$840,773 up on Industrial/Commercial Refuse disposal fees
- 3) \$231,234 up on Hazardous Waste Disposal fees
- 4) \$100,000 Grant for Effluent System upgrade not yet received
- 5) \$42,496 down on Town Planning fees – anticipate budgeted amount to be received by end of financial year
- 6) \$16,121 down on Domestic/Industrial/Commercial Refuse collection fees

Expenditure

Expenditure is showing a variance down of 17.46% (\$745,322). The main variances are as follows:

- 1) \$183,528 down on Drainage Mtce – lower costs than expected
- 2) \$178,869 down on Domestic Refuse Collection – vacant positions in this area
- 3) \$129,681 down on Litter Control – reduced staff numbers
- 4) \$120,221 down on Refuse Site-7 Mile – reduced staff numbers
- 5) \$98,332 down on Karratha City of the North expenses (some costs incorrectly allocated – will be adjusted in March)
- 6) \$50,000 down on Local Planning Strategy

- 7) \$43,600 down on Cemetery Maintenance – further works pending
- 8) \$41,211 down on Bin Repairs/Maintenance
- 9) \$12,541 down on Drainage – further works pending
- 10) \$78,439 up on Trade Commercial Refuse costs
- 11) \$24,996 up on Town Planning Employment costs – additional planner employed.
- 12) \$12,500 up on contribution to PRC Waste Management co-ordinator costs – timing difference
- 13) \$11,295 up on Planning Office Expenses

Recreation and Culture

Revenue

Revenue has a variance down of 8.19% (\$131,365). The variance is due to:

- 1) \$169,741 income not yet received from the Education Dept (Roebourne Pool)
- 2) \$135,000 Govt Grant for Roebourne Hall not yet received
- 3) \$53,656 down on Grants & Contributions – Ovals
- 4) \$20,424 down on Karratha Golf Course fees
- 5) \$20,000 down on Grant-Walkington Theatre
- 6) \$16,461 down on Youth Festival income
- 7) \$16,258 down on Grants & Subsidies
- 8) \$12,515 down on Grant-Cossack Archaeological Cyclone Impact Survey
- 9) \$193,431 up on Grants – Karratha Learning & Leisure Precinct – Interest earned
- 10) \$26,680 up on income from KAC – entry, lessons & merchandise
- 11) \$23,047 up on Cossack income
- 12) \$21,131 up on KEC programme income
- 13) \$16,000 up on Special Youth Projects income

Expenditure

Expenditure has a variance of down 19.37% (\$1,662,446). The main variances are as follows:

- 1) \$363,615 down on Parks & Gardens Mtce – due to staff shortages
- 2) \$114,019 down on Consultants-Recreation Facilities Planning & Management
- 3) \$107,241 down on Employment Costs-Community Development, KAC, Local History, RAC, Libraries
- 4) \$97,377 down on Oval Mtce
- 5) \$80,998 down on Effluent Tank Mtce
- 6) \$70,419 down on Open Space/Drainage Reserve Mtce- 30% staff shortage for 3 months
- 7) \$69,219 down on RAC programme expense
- 8) \$56,440 down on Boat Ramp Mtce
- 9) \$49,377 down on Boat Ramp Mtce (orders issued)
- 10) \$45,992 down on Roebourne Aquatic Centre Building Mtce
- 11) \$42,813 down on KEC Programmes
- 12) \$37,192 down on Karratha Aquatic Centre Mtce
- 13) \$33,694 down on Cossack Café Expenses
- 14) \$32,731 down on Dalgety House Building/Surrounds Mtce
- 15) \$31,741 down on Dampier Pavilion Mtce
- 16) \$30,423 down on Karratha Golf Course/Bowling Green Mtce
- 17) \$30,144 down on Transmitter Operating Costs
- 18) \$28,978 down on Cossack Mtce costs
- 19) \$25,826 down on Sports Funding Scheme
- 20) \$24,427 down on Roebourne Recreation Club Building
- 21) \$23,475 down on Wickham Library Mtce
- 22) \$20,929 down on Karratha Library contribution – not yet invoiced
- 23) \$22,037 down on Playground Mtce
- 24) \$20,000 down on Carpark Mtce-Pavilions
- 25) \$18,291 down on Pegs Creek Pavilion Mtce
- 26) \$18,285 down on Community & Cultural Scheme

- 27) \$17,793 down on Hardcourt Mtce
- 28) \$17,729 down on Cossack Art Awards Expenses
- 29) \$17,242 down on Community Bus
- 30) \$16,717 down on KEC Building Mtce
- 31) \$16,389 down on Roebourne Community Centre Building
- 32) \$16,144 down on Sporting Facilities – Lighting
- 33) \$15,000 down on Regional Parks Planning
- 34) \$14,081 down on Wickham Skate Park Mtce
- 35) \$13,142 down on Beach Maintenance
- 36) \$11,490 down on Youth Festival
- 37) \$11,000 down on RAC – Contribution to Building Assets
- 38) \$11,000 down on Cossack Signage
- 39) \$10,501 down on Special Youth Projects
- 40) \$30,667 up on Contribution to Walkington Theatre
- 41) \$13,360 up on KAC Merchandise Purchases (matched by increased income)

Transport

Revenue

Revenue shows a variance of up 20.86% (\$2,128,130). The main variances are as follows:

- 1) \$1,745,854 up on Karratha Airport income (including leases)
- 2) \$545,923 up on Tien Tsin Inne income
- 3) \$95,949 up on Roads to Recovery Grants – timing difference
- 4) \$27,335 up on Airport Reimbursement income
- 5) \$100,000 up on Funding for Footpath Cleaning Program – addressed in Budget Review
- 6) \$203,393 down on Road Project Grants
- 7) \$65,000 down on Grant Income-Roebourne Airport

Expenditure

Expenditure has a variance of down 11.51% (\$728,160). The main variances are as follows:

- 1) \$327,664 down on TTI café expenses-stock costs not yet applied
- 2) \$244,609 down on Other Road & Street Mtce – further works pending
- 3) \$168,556 down on Airport Security
- 4) \$145,544 down on Karratha Terminal Building Mtce
- 5) \$134,623 down on Footpath Mtce
- 6) \$103,905 down on Street Cleaning Mtce
- 7) \$66,664 down on Karratha Drainage Study
- 8) \$44,395 down on Airport office expenses
- 9) \$37,952 down on Reseal Roads
- 10) \$31,800 down on Karratha Airport-Sewerage Ponds Mtce
- 11) \$28,252 down on Flight Display System Mtce
- 12) \$28,419 down on Median Strip Mtce
- 13) \$26,809 down on Airside/Landside Mtce-Karratha Airport
- 14) \$25,388 down on Upgrade Street Lights-not shire
- 15) \$21,770 down on Traffic Signs & Control-Rural & Urban
- 16) \$16,455 down on TTI Building Mtce
- 17) \$12,889 down on Tree Mtce (Town & Street)
- 18) \$424,290 up on TTI Employment costs – contract labour not budgeted (addressed in Budget Review)
- 19) \$74,539 up on Asphalt Overlays
- 20) \$57,044 up on Pastoral Access Road Mtce
- 21) \$53,302 up on Depot Mtce
- 22) \$52,401 up on Sheeting Roads
- 23) \$48,084 up on Consultants for Studies - Airport
- 24) \$27,770 up on Street Lights-Electricity
- 25) \$15,742 up on Street Sign Mtce

Economic Services*Revenue*

Revenue has a variance of up 3.53% (\$24,974). The variance is due to Building Inspection fees increased income (\$4,908) and increased income from Camping Fees at Cleaverville & 40 Mile (\$18,274).

Expenditure

Expenditure has a variance of up 8.23% (\$62,459). The main variances are as follows:

- 1) \$49,341 up on Building Control employment costs-contract building surveyor
- 2) \$23,123 up on Building Office expenses

Other Property and Services*Revenue*

Revenue has a variance down of 172.37% (\$111,349) which is mainly due to accrued income not yet received from insurance claims and diesel fuel rebate.

Expenditure

Expenditure has a variance up of 446.83% (\$1,327,010). This is mainly due to:

- 1) \$730,188 up on employment costs & allocations
- 2) \$533,152 up on plant operating costs & allocations
- 3) \$30,568 up on Administration costs

Capital*Revenue*

Capital Revenue shows a variance down of 37.76% (\$288,742) mainly due to delay in sale of assets.

Expenditure

Capital expenditure shows a variance of down 54.00% (\$14,659,049). This is mainly due to expense being down in the following areas:

- 1) \$6,130,581 Karratha Airport – Buildings & Infrastructure
- 2) \$2,217,518 Vehicles & Plant – Plant, Transfer to Reserve & Equipment
- 3) \$2,195,213 Landfill Operations – Plant, Equipment, Infrastructure & Buildings
- 4) \$1,001,597 Beaches, Boat Ramps & Jetties - Infrastructure
- 5) \$1,000,000 Cossack Infrastructure Project
- 6) \$602,091 Depot – Buildings, Infrastructure
- 7) \$476,833 Roads & Streets - Infrastructure
- 8) \$370,115 Town Beautification - Infrastructure
- 9) \$360,289 Effluent Re-Use Scheme - Infrastructure
- 10) \$328,504 Staff Housing – Buildings, Equipment, Land
- 11) \$291,884 Ovals & Hardcourts – Infrastructure
- 12) \$258,500 Playgrounds - Infrastructure
- 13) \$215,129 Corporate Services –Plant, Buildings, Infrastructure & Furniture
- 14) \$184,554 Drainage – Infrastructure
- 15) \$172,759 Parks & Gardens – Infrastructure & Equipment
- 16) \$138,152 Pavilions & Halls – Buildings
- 17) \$103,824 Karratha Aquatic Centre – Buildings, Furniture & Equipment
- 18) \$102,279 Karratha Entertainment Centre – Buildings & Furniture
- 19) \$84,279 Tech Services – Plant & Equipment
- 20) \$65,208 Public Toilets – Buildings
- 21) \$65,000 Roebourne Airport - Infrastructure
- 22) \$50,503 Recreation Projects – Plant, Buildings, Infrastructure
- 23) \$35,000 Other Buildings – Buildings
- 24) \$34,330 Ranger Services – Buildings

- 25) \$18,000 Tien Tsin Inne - Furniture
- 26) \$16,664 Karratha Bowling & Golf – Infrastructure
- 27) \$10,816 Child Health Clinics – Buildings
- 28) \$10,112 Libraries - Buildings
- 29) \$359,875 up Transfers to Reserve of interest earned – brought to account before budgeted.
- 30) \$135,060 up on Staff Housing
- 31) \$107,257 up on Footpaths & Bike Paths - Infrastructure
- 32) \$58,470 up on Waste Collection - Plant
- 33) \$39,176 up on Health – Plant – timing difference

Rates

Variance shown is up 1.85% (\$293,379) due to interim rating.

Shire Of Roebourne
Statement Of Financial Activity
for the period ending 28 February 2010

Note 1. Net Current Assets

	Note	Year To Date Actual \$	Brought Forward 1 July \$
Current Assets			
Cash and Cash Equivalents - Unrestricted	1	7,473,995	1,221,515
Cash and Cash Equivalents – Restricted – Reserves, LSL & R4R	2	56,499,781	58,836,043
Trade and Other Receivables	3	8,649,614	7,059,704
Inventories		1,213,913	728,361
Total Current Assets		73,837,302	67,845,623
Current Liabilities			
Trade and Other Payables		2,780,458	5,536,730
Bank Overdraft		0	0
Short Term Borrowings		419,004	1,728,038
Short Term Provisions		1,781,296	1,781,296
Total Current Liabilities		4,980,758	9,046,064
Net Current Assets		68,856,544	58,799,559
Plus (Minus) Items To Be Excluded			
Take Out Reserve Funds		(35,704,630)	(35,334,417)
Take Out Restricted Cash - LSL & R4R		(23,501,626)	(23,501,626)
Add Back Non Cash Provisions		1,781,296	1,781,296
Take Out Restricted Cash - Roebourne Pool		(23,024)	(23,024)
Add Back Debtors Transferred to Deferred		0	11,441
Add Back Current Borrowings		419,004	1,728,038
Take Out Non Current Receivables		(99,038)	(18,673)
Net Current Asset Position		11,728,526	3,442,594
Note Explanation:			
1) Includes amounts received for:			
- unspent loan monies		942,220	
- PDC Hydrology Grant		40,000	
- Nickol West Skate Park		225,200	
- Wickham Skate Park		56,000	
- Hillcrest Footpaths		14,345	
- Roebourne Enhancement Scheme		111,909	
- Baynton West Family Centre		929,516	
		2,319,190	

Shire Of Roebourne
Statement Of Financial Activity (con't)
for the period ending 28 February 2010

2) Reserves, Long Service Leave and Royalties for Regions (R4R - Leisure & Learning Precinct) are Cash Backed

3) Includes amounts invoiced for:

- BGC Contracting	23,488
- Bristow Helicopters	215,666
- Carr Civil Contracting	99,594
- Martins Mining & Civil	72,160
- Pilbara Iron Services	32,295
Total Sundry Debtors Outstanding (includes above)	5,740,782
Total Rates Debtors Outstanding	2,908,831

Shire Of Roebourne
Balance Sheet
for the period ending 28 February 2010

Note 2: Balance Sheet	2009/10
	\$
Current Assets	
Cash On Hand	84,790
Cash and Cash Equivalents - Unrestricted	7,389,205
Cash and Cash Equivalents - Restricted	56,499,781
Trade and Other Receivables	8,649,614
Inventories	1,213,913
Total Current Assets	<u>73,837,302</u>
Non Current Assets	
Trade and Other Receivables	97,332
Property, Plant And Equipment	130,962,896
Total Non Current Assets	<u>131,060,229</u>
Total Assets	<u>204,897,531</u>
Current Liabilities	
Bank Overdrafts	0
Trade and Other Payables	2,780,458
Short Term Borrowings	419,004
Short Term Provisions	1,781,296
Total Current Liabilities	<u>4,980,758</u>
Non Current Liabilities	
Long Term Borrowings	18,188,610
Long Term Provisions	233,485
Total Non Current Liabilities	<u>18,422,095</u>
Total Liabilities	<u>23,402,853</u>
Net Assets	<u><u>181,494,678</u></u>
Equity	
Accumulated Surplus	134,109,037
Asset Revaluation Reserve	11,681,010
Reserves	35,704,631
Total Equity	<u><u>181,494,678</u></u>

Shire Of Roebourne
Statement Of Financial Activity
for the period ending 28 February 2010

Note 3: Cash and Cash Equivalents

	\$
Municipal Fund Bank	
Cash On Hand	84,790
Westpac on call	2,640,126
Term deposits – Westpac / WATC	4,749,078
	<u>7,473,995</u>
Reserves Fund Bank	
Westpac on call & Term Deposits	35,650,833
Westpac -Maxi Reserve	20,848,949
	<u>56,499,781</u>
Total Cash	<u><u>63,973,776</u></u>

Shire Of Roebourne

Statement Of Financial Activity

by Divisions by Activities

for the period ending 28 February 2010

Note 4

	2009/2010 Budget	2009/2010 Amended	2009/2010 Year To Date Amended Budget	2009/2010 Actual To Date
	\$	\$	\$	\$

Note: Material Variance is Year to Date Amended Budget to Year to Date Actual (=> 10% or => \$10,000)

CORPORATE SERVICES

Net (Cost) Revenue to Council for Rates	15,887,604	15,817,276	15,661,305	16,128,527
Net (Cost) Revenue to Council for General Revenue	(1,578,423)	(982,827)	1,923,006	1,876,897
Net (Cost) Revenue to Council for Corporate Services	(737,929)	(1,334,005)	(1,528,389)	(987,390)
Net (Cost) Revenue to Council for Information Services	(394,919)	(394,919)	(306,510)	(282,492)
Net (Cost) Revenue to Council for Television & Radio Services	(60,475)	(60,475)	(45,460)	(16,123)
Net (Cost) Revenue to Council for Members of Council	(443,612)	(443,612)	(385,742)	(355,958)
Net (Cost) Revenue to Council for Emergency Services	0	0	27,018	(970)
Net (Cost) Revenue to Council for Cossack Infrastructure Project	(720,792)	(720,792)	(1,054,269)	(54,269)

COMMUNITY SERVICES

Net (Cost) Revenue to Council for Cossack Art Awards	(19,480)	(19,480)	(15,898)	(5,484)
Net (Cost) Revenue to Council for Tourism/Visitors Centres	(511,732)	(476,323)	(324,224)	(331,063)
Net (Cost) Revenue to Council for Aged Persons Housing	(56,333)	(56,333)	(38,359)	(20,444)
Net (Cost) Revenue to Council for Youth Development	(59,319)	(59,319)	(24,229)	3,613
Net (Cost) Revenue to Council for Other Culture	(139,769)	(139,769)	(108,716)	(38,037)
Net (Cost) Revenue to Council for Community Development	(736,838)	(736,838)	(513,538)	(448,062)
Net (Cost) Revenue to Council for Walkington Theatre	(197,876)	(197,876)	(140,248)	(190,915)
Net (Cost) Revenue to Council for Community Sponsorship	(289,959)	(289,959)	(140,967)	(89,212)
Net (Cost) Revenue to Council for Daycare Centres	864,497	864,497	(121,496)	(74,170)
Net (Cost) Revenue to Council for Child Health Clinics	(170,613)	(170,613)	(145,437)	(117,993)
Net (Cost) Revenue to Council for Karratha Entertainment Centre	(1,368,793)	(1,368,793)	(975,704)	(808,915)
Net (Cost) Revenue to Council for Karratha Aquatic Centre	(904,158)	(907,158)	(649,699)	(445,923)
Net (Cost) Revenue to Council for Roebourne Aquatic Centre	(357,231)	(360,231)	(235,149)	(259,127)
Net (Cost) Revenue to Council for Libraries	(1,138,203)	(1,172,123)	(808,288)	(752,643)
Net (Cost) Revenue to Council for Cossack Operations	(347,536)	(347,536)	(230,351)	(138,995)
Net (Cost) Revenue to Council for Ovals & Hardcourts	(1,007,582)	(1,014,360)	(963,157)	(565,139)
Net (Cost) Revenue to Council for Karratha Bowling & Golf	(337,552)	(337,552)	(230,996)	(198,861)
Net (Cost) Revenue to Council for Pavilions & Halls	61,615	61,615	(709,141)	(586,004)
Net (Cost) Revenue to Council for Recreation Projects	(1,707,472)	(1,834,472)	(1,273,685)	(1,131,296)
Net (Cost) Revenue to Council for Playgrounds	(33,334)	(733,334)	(280,724)	(187)
Net (Cost) Revenue to Council for Medical Services	0	0	(81,089)	(31,562)
Net (Cost) Revenue to Council for Other Buildings	(208,259)	(208,259)	(139,189)	(29,269)
Net (Cost) Revenue to Council for Karratha Youth Centre	0	0	0	0
Net (Cost) Revenue to Council for Leisure & Learning Precinct	0	0	0	193,431
Net (Cost) Revenue to Council for Economic Development	0	0	0	(697)
Net (Cost) Revenue to Council for Ranger Services	(1,205,959)	(1,207,222)	(819,828)	(732,303)
Net (Cost) Revenue to Council for Camping Grounds	15,590	15,590	29,600	42,967

Shire Of Roebourne

Statement Of Financial Activity (con't)

by Divisions by Activities
for the period ending 28 February 2010

	2009/2010 Budget	2009/2010 Amended	2009/2010 Year To Date Amended Budget	2009/2010 Actual To Date
	\$	\$	\$	\$
DEVELOPMENT SERVICES				
Net (Cost) Revenue to Council for Building Control	1,488,860	1,488,860	304,855	235,404
Net (Cost) Revenue to Council for Health Services	(698,640)	(688,640)	(472,609)	(438,599)
Net (Cost) Revenue to Council for Town Planning	(655,305)	(655,305)	(426,679)	(334,401)
TECHNICAL SERVICES				
Net (Cost) Revenue to Council for Staff Housing	1,011,829	946,434	(4,657,766)	(4,384,103)
Net (Cost) Revenue to Council for Waste Collection	(1,256,552)	(1,372,852)	211,020	335,408
Net (Cost) Revenue to Council for Landfill Operations	1,256,552	1,256,757	(1,751,468)	2,471,774
Net (Cost) Revenue to Council for Public Services Overheads	0	0	(4,968)	284,049
Net (Cost) Revenue to Council for Waste Overheads	0	0	(8,770)	572,560
Net (Cost) Revenue to Council for Depots	(428,884)	(428,884)	(701,405)	(180,129)
Net (Cost) Revenue to Council for Vehicles & Plant	(143,400)	(143,400)	(1,991,882)	(469,612)
Net (Cost) Revenue to Council for Roads & Streets	(3,096,098)	(3,099,143)	(2,561,090)	(2,093,974)
Net (Cost) Revenue to Council for Parks & Gardens	(2,132,718)	(1,432,718)	(980,262)	(446,029)
Net (Cost) Revenue to Council for Drainage	(760,749)	(760,749)	(503,824)	(56,537)
Net (Cost) Revenue to Council for Footpaths & Bike Paths	(1,168,150)	(1,168,150)	(593,969)	(466,603)
Net (Cost) Revenue to Council for Effluent Re-Use Scheme	(487,150)	(493,527)	(682,161)	(340,874)
Net (Cost) Revenue to Council for Cemeteries	(107,390)	(107,390)	(71,838)	(30,533)
Net (Cost) Revenue to Council for Public Toilets	(278,899)	(278,899)	(219,157)	(147,892)
Net (Cost) Revenue to Council for Beaches, Boat Ramps, Jetties	(492,228)	(492,228)	(1,111,022)	(37,927)
Net (Cost) Revenue to Council for Roebourne Enhancement Scheme	0	0	0	0
Net (Cost) Revenue to Council for Town Beautification	(1,453,383)	(1,453,383)	(1,232,123)	(636,394)
Net (Cost) Revenue to Council for Private Works & Reinstatements	2,500	2,500	6,664	(8,369)
Net (Cost) Revenue to Council for Works Overheads	0	0	(79,482)	(87,048)
Net (Cost) Revenue to Council for Parks & Gardens Overheads	0	0	(31,981)	407,133
Net (Cost) Revenue to Council for Karratha Airport	3,674,069	3,669,107	(1,946,901)	5,962,848
Net (Cost) Revenue to Council for Tien Tsin Inne	561,180	543,180	350,203	817,367
Net (Cost) Revenue to Council for Other Airports	(92,072)	(92,072)	(20,690)	(6,966)
Net (Cost) Revenue to Council for Tech Services	(161,350)	(161,350)	(184,678)	(1,945,260)
Net (Cost) Revenue to Council for Tech Services Overheads	0	0	0	(241,293)

8.2.3 WRITE OFF SUNDRY DEBTORS REPORT

File No: AA/6/2
Attachment(s) Nil
Responsible Officer: Executive Manager Corporate Services
Author Name: Debtors Officer
Disclosure of Interest: Nil

REPORT PURPOSE

For Council to consider writing off sundry debts on various Sundry Debtors amounting to \$339.30.

Background

As part of our ongoing review of all debts, the following debts have been found to be unrecoverable.

Issues

Following is a short comment on each of the debts requested for write off:

AMOUNTS TO BE WRITTEN OFF – COUNCIL MEETING APRIL 2010

ID	NAME	INV#	NET	GST	AMOUNT	W/OFF TO :	REASON-(RAISED IN ERROR)
W018	Woodside Eny.Ltd.	50661	\$100.55	\$10.06	\$110.61	404411	Unknown vehicle deposited waste
T120	Truckmart-DMH	50654	\$207.90	\$20.79	\$228.69	404411	Liquidated-no prospect of recovery
			\$308.45	\$30.85	\$339.30		

Council has the following options available.

1. Write off the debts as listed
2. The debts to remain outstanding

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

Local Government Act 1985 s6.12(1)(c) states that “a local government may write off any amount of money”.

Financial Implications

The write off of a debt is effectively an expense to the Council as the money has been shown as income in a previous year therefore it will have a negative effect on the surplus/deficit position.

Conclusion

The items listed for write off are unrecoverable and therefore are now to be considered outstanding.

Voting Requirements

Absolute.

RECOMMENDATION

That Council write off the following debts amounting to \$339.30 that are unrecoverable and amend the Write-off expense accounts listed below.

ID	NAME	INV#	NET	GST	AMOUNT	W/OFF TO :	REASON
W018	Woodside Eny.Ltd.	50661	\$100.55	\$10.06	\$110.61	404411	Unknown vehicle deposited waste
T120	Truckmart-DMH	50654	\$207.90	\$20.79	\$228.69	404411	Liquidated-no prospect of recovery

\$308.45 \$30.85 \$339.30

8.2.4 VARIOUS BUDGET AMENDMENTS AND WRITE OFF OF PLAYGROUND EQUIPMENT

File No: APRIL 2010
Responsible Officer: Executive Manager Corporate Services
Author Name: Manager Financial Services
Disclosure of Interest: Nil

REPORT

For Council to approve of various amendments to the budget, as listed below, and write off various playground equipment assets as listed.

Background

The table below lists the adjustments required.

Acc #	Account Description	Current Budget	Inc/Dec	New Budget Total	Reason
		\$	\$	\$	
314200	Non Statutory Donations	(354,374)	147,187	(207,187)	1) (\$177,187) double up at Budget Review 2) \$30,000 WAFL match-see note below***
644200	Open Space/Drain Reserve Mtce	(718,338)	70,000	(648,338)	1) \$20,000 t/fer to a/c 944200 2) \$50,000 t/fer to a/c 642802
642802	Footpath Sweeping	0	(50,000)	(50,000)	T/fer fr a/c 644200
944200	Major Road Tree Planting	0	(20,000)	(20,000)	Incorrectly adjusted at budget review-t/fer fr a/c 644200
202200	Aware Programme	0	(26,400)	(26,400)	Community Emergency Risk Management Survey
202700	Grant-Aware Programme	0	26,400	26,400	Grant-Community Emergency Risk Management Survey
		Increase to surplus	147,187		

***The North West Football League in conjunction with the Department of Sport and Recreation and Swan Districts Football Club is hosting a WAFL match on Saturday 3rd of July at Windy Ridge Oval in Dampier. To assist with the development of the match day activities and provision of temporary infrastructure for the match, the organising committee have requested from the Shire support through a cash donation to assist with a post match community function and in kind support through the provision of portable toilets and extra bins. It is estimated that the cost of the in kind support is \$15,000. Typically these requests are dealt with through the Annual Community Sponsorship or One-Off Donation process. An opportunity has presented itself whereby a duplication of funds has been allocated to the Non-Statutory Account (account number 314200) and a reallocation of these funds is to occur. It is suggested that a Cash Contribution of \$30,000 be allocated from the Non-Statutory Donation account and be provided to the organising committee as an upfront

contribution to enable the event to proceed, thereby removing any need for future in-kind support for the match.

Various items of playground equipment are being replaced requiring the existing equipment to be written off.

	Opening WDV 1/7/09	Depreciation to 31/3/10	WDV 31/3/10
Ausburn Place Park			
Play Equipment	984.00	108.00	876.00
Play Equipment	7,544.55	387.75	7,156.80
Malster Park			
Playground	10,440.00	1,620.00	8,820.00
Watters Park (Frinderstein Way Park)			
Play Equipment	1,400.00	180.00	1,220.00
Play Equipment	5,635.50	290.25	5,345.25
TOTAL	26,004.05	2,586.00	23,418.05

Issues

The current position is as follows:

Budget Amendments as at 15 March 2010	\$ 62,075
Changes as a result of this item	\$147,187
New Surplus	\$209,262

Options

Council has the following options available:

- 1) to adopt the budget amendments
- 2) not to adopt the budget amendments
- 3) approve the write off of various playground equipment as listed

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

1. As per Local Government Act 1995 sec 6.8 changes to budgets need to be authorised in Advance by resolution.
2. Local Government Act Section 3.58 Disposing of property and Local Government (Functions and General) Regulations 1996 Regulation 30(3) – Disposition of property to which section 3.58 of Act does not apply.
 - (3) A disposition of property other than land is an exempt disposition if —
 - (a) its market value is less than \$20,000; or

- (b) it is disposed of as part of the consideration for other property that the local government is acquiring for a consideration the total value of which is not more, or worth more, than \$50,000.

Financial Implications

The financial implications of this report are that the existing surplus of \$62,075 will be replaced with a surplus of \$209,262.

Conclusion

The budget amendments listed in this report reflect Council's operations for the remainder of the year and therefore can be resolved accordingly.

The playground equipment will be replaced with new equipment.

Voting Requirements

Absolute

RECOMMENDATION

1. That Council adopt the following budget amendments which will result in the current surplus of \$62,075 being replaced with a \$209,262 surplus.

Acc #	Account Description	Current Budget	Inc/Dec	New Budget Total	Reason
		\$	\$	\$	
314200	Non Statutory Donations	(354,374)	147,187	(207,187)	1) (\$177,187) double up at Budget Review 2) \$30,000 WAFL match
644200	Open Space/Drain Reserve Mtce	(718,338)	70,000	(648,338)	1) \$20,000 t/fer to a/c 944200 2) \$50,000 t/fer to a/c 642802
642802	Footpath Sweeping	0	(50,000)	(50,000)	T/fer fr a/c 644200
944200	Major Road Tree Planting	0	(20,000)	(20,000)	Incorrectly adjusted at budget review-t/fer fr a/c 644200
202200	Aware Programme	0	(26,400)	(26,400)	Community Emergency Risk Management Survey
202700	Grant-Aware Programme	0	26,400	26,400	Grant-Community Emergency Risk Management Survey
		Increase to surplus	147,187		

2. That Council approve the disposal of the following playground equipment.

	Opening WDV 1/7/09	Depreciation to 31/3/10	WDV 31/3/10
Ausburn Place Park			
Play Equipment	984.00	108.00	876.00
Play Equipment	7,544.55	387.75	7,156.80
Malster Park			
Playground	10,440.00	1,620.00	8,820.00
Watters Park (Frinderstein Way Park)			
Play Equipment	1,400.00	180.00	1,220.00
Play Equipment	5,635.50	290.25	5,345.25
TOTAL	26,004.05	2,586.00	23,418.05

9 COMMUNITY SERVICES

9.1 COMMUNITY SERVICES

9.1.1 TENDER FOR SHIRE GRAFFITI REMOVAL SERVICE

Attachment(s) Graffiti Removal Contract Draft Scope of Works

Responsible Officer: Executive Manager Community Services

Author Name: Executive Manager Community Services
and Manager Community Facilities

Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council endorsement for the scope of works for a Graffiti Removal Service Contract for Council owned assets to enable progression of a tender for the service contract.

Background

In August 2009, the Shire of Roebourne undertook an inaugural community satisfaction survey to gauge community perceptions on areas of importance. The highest priority area indicated by the community requiring improvement was graffiti and antisocial behavior.

The Shire, in partnership with WA Police (WAPOL), established a taskforce which currently consists of the Shire President and Chief Executive Officer, the District Superintendent of WAPOL and/or Inspector and senior officers from WAPOL Karratha, Executive Manager Community Services and designated staff.

The taskforce, titled the “Cleansweep”, has developed a strategy document that sets out the key initiatives, considerations, actions, responsibilities and resource requirements. Graffiti removal, management and education is a key initiative of the strategy.

At its December 2009 meeting Council adopted a Graffiti Management Policy (CS17). This policy defines the Shire’s role in reducing the incidence and visibility of graffiti and additionally minimising the social, environmental and economic impacts of graffiti within the Shire of Roebourne. This objective is complimentary to the Shire’s desire to create aesthetically attractive and vibrant towns as identified in Councils Strategic Plan 2009 - 2013.

Council Officers and Taskforce members have reviewed various approaches to Graffiti removal and agreed that a specialized contract service would best suit the Shire and its current needs. Prompt graffiti removal is seen as best practice as it diminishes the level of recognition and reward achieved by graffiti vandals and a specialist contract that focuses in this field has the potential to achieve far greater response times than an internal Shire service.

A draft scope of works has now been prepared to outline the intended approach to the service and is attached for Councilor information.

Issues

Scope of Works

The Graffiti Removal scope of works covers graffiti removal for all council assets and any asset that is privately or publically owned that abut or are wholly located on Council land.

The scope calls for one or more experienced contractor/s to provide rapid removal of graffiti to either one or more of each of the Shire's towns and outlines the Contractor's requirement to meet the removal timeframes set within the Shire's approved Graffiti Management Policy. The contract is recommended to be for a two year period.

The key performance indicators in the contract are principally to ensure compliance with the Shire of Roebourne's Graffiti Management Policy, including set timeframes for removal of graffiti depending on the priority. e.g. Priority 1 cases are obscene or offensive cases of graffiti and will be required to be removed within the same working day, 100% of the time of being reported. The Contractor/s will also be required to report on a monthly basis all cases of graffiti including photographic evidence and confirmation of meeting the set removal timeframes.

Cost of the Contract

Council Officers estimate that the value of the contract could be in the order of \$500,000 over a 2 year period. At the March 2010 Special Meeting, Council resolved to submit a submission to the State government seeking reallocation of funds for priority community projects. Included in the submission was the request for funds to provide the rapid graffiti removal contract. Notification of the Shires request to reallocate funds is imminent.

At the time of preparing this report, the Shire is not in a position to call tenders for the service until such time as notification of the Shires submission for funding reallocation has been approved by the State Government. It is therefore recommended that Council consider the scope of works as outlined in the attachment and delegate authority to the Chief Executive Officer to call tenders for the Graffiti Removal Service upon receiving a favourable response from the State government to the reallocation of funds.

Council should also note that if tenders are called and received that a detail evaluation report will be presented for formal Council endorsement that will further refine the anticipated cost of the service for the 2 year contract period.

Strategic implications

Council has identified as a priority the need to address anti social behaviour including graffiti management and education in the 2009 Annual Community Survey.

This initiative is complimentary to the Shire's desire to create aesthetically attractive and vibrant towns as identified in Councils Strategic Plan 2009 - 2013.

Options

Council has the following options available:

Agree to the Graffiti Removal Contract Draft Scope of Works as attached, and

Delegate Authority to the Chief Executive Officer to call tenders for the Graffiti Removal Contract upon notification of the successful reallocation of funds by the State Government to priority community projects including this service.

Or

Agree to the Graffiti Removal Contract Draft Scope of Works as amended, and

Delegate Authority to the Chief Executive Officer to call tenders for the Graffiti Removal Contract upon notification of the successful reallocation of funds by the State Government to priority community projects including this service.

Or

Resolve not to call tenders for the Graffiti Removal Contract.

Policy Implications

Policy number CS17 titled Graffiti Management Policy is relevant to this matter.

Legislative Implications

Section 3.57 of the Local Government Act 1995 and 'Part 4' of Local Government (Functions and General) Regulations 1996 is applicable to this matter.

Financial Implications

At present Council has not allocated any funds to the provision of this contract service however has made a submission seeking reallocation of \$16m from secured Royalties for Regions funding to priority community projects including funds to address anti social behaviour that includes a graffiti removal contract.

Upon notification, and pending the success of this application, Council will need to resolve formal budget amendments to those projects not currently listed in the Shires Budget including funding for this contract. The estimated value of this contract for a 2 year period is \$500,000.

In the mean-time Council Officers estimate it will take 40 Shire Officer hours to prepare the formal tender documentation in readiness for tender.

Conclusion

The Graffiti Removal Contract is identified as one of the high priorities for the "Clean Sweep" taskforce, designed to respond to the communities concerns with anti social behaviour.

At present the Shire has determined that it does not have the internal capacity to deliver the specified works outlined in the contract hence an external contract is recommended.

Voting Requirements

Simple.

RECOMMENDATION

- 1. Agree to the Graffiti Removal Contract Draft Scope of Works as attached.**
- 2. Delegate Authority to the Chief Executive Officer to call tenders for the Graffiti Removal Contract upon notification of the successful reallocation of funds by the State Government to priority community projects including this service.**

ATTACHMENT 9.1.1 GRAFFITI REMOVAL CONTRACT DRAFT SCOPE OF WORKS**SHIRE OF ROEBOURNE
GRAFFITI REMOVAL****1.1 SCOPE OF WORK**

The Shire of Roebourne is seeking tenders from experienced and qualified Contractors to provide Graffiti Removal Services to the Shire of Roebourne. Graffiti removal will be required to be undertaken on (but will not necessarily be limited to):

- Council owned assets including but not limited to (the interior and exterior) of :
 - Office buildings,
 - public halls and facilities,
 - public toilets,
 - aged accommodation,
 - signage,
 - playground equipment,
 - reticulation control boxes,
 - bus shelters,
 - fence lines and walls,
 - street lights,
 - entry statements,
 - walkways and paved areas,
 - walls and lights,
 - parks; and
 - street furniture.
- Public or private service provider assets (Telstra, Water Corporation, Horizon Power, Public Transport Authority, MRWA etc.) that either abut or are wholly located on Council owned land. These include but are not limited to light and power poles, signage, control boxes, fence lines and walls, and bus stop indicator poles.
- Private, industrial or commercial fence lines and walls that abut Council owned land.

The Shire of Roebourne is divided geographically into Towns. Each Town shall be allocated to one or more Contractors for a period of approximately two (2) years commencing from the date of award and expiring 30 June 2012.

The Contract may be extended at the cessation of the initial period for a further period of one (1) year commencing on 1 July 2012 and expiring on 30 June 2013. Such extension of contract is exercisable solely at the discretion of the Principal.

Tenderers are invited to submit an Offer for one or more Towns. A map depicting the Town areas appears in this Request as Schedule 1.

1.2 AUTHORISED REPRESENTATIVES

- 1.2.1 The performance of the services within this Contract must have prior approval of the Principal. Approval of the removal of graffiti may be specific requests, or implied in accordance with the clauses of this specification.
- 1.2.2 It is the Contractor's responsibility to ensure approval for the removal of graffiti is in accordance with this Specification.

- 1.2.3 Any work performed by the Contractor without prior approval of the Principal will be considered unauthorised work outside the scope of the Contract. The Principal shall not be liable or incur any cost to the Contractor for the performance of unauthorised work.

1.3 AUTHORISED PERFORMANCE OF CONTRACT

- 1.3.1 Council officers, Councillors, and members of the public (including residents, rate payers, and business owners and operators) are authorised to generate requests for the removal of graffiti within the Shire of Roebourne. Their authority is limited to the removal of graffiti from those assets listed in the scope of this specification.
- 1.3.2 Only Council officers are authorised to generate and communicate work orders for the application of anti-graffiti coating to assets. The application of these coatings is limited to Council assets unless otherwise directed by Authorised Council officers.

1.4 CHANGES TO SCOPE & AUTHORISED REPRESENTATIVES

- 1.4.1 The Principal reserves the right to change the scope of the Contract and those authorised to generate requests for the removal of graffiti. Budgetary constraints may impact on the Principal's ability to remove graffiti from other than Council assets.

1.5 PROTECTION OF PEOPLE AND PROPERTY

- 1.5.1 The Contractor shall permit occupants to continue in secure possession and occupancy of the premises for the required period of works;
- 1.5.2 The Contractor shall make available safe access for occupants;
- 1.5.3 The Contractor shall arrange for work to minimise nuisance to occupants and ensure their safety; and
- 1.5.4 The Contractor shall protect occupants against weather, dust, dirt, water, fumes, or other nuisance.

1.6 SAFETY AND WORKPLACE LEGISLATION

- 1.6.1 The Contractor shall comply with all Acts and Regulations as they apply to:
- ◊ Occupational Safety and Health;
 - ◊ Industrial Relations;
 - ◊ Disability Services Act (1993) (amended 2004);
 - ◊ Painters Registration Act 1961 part 4.
 - ◊ Human Rights and Equal Opportunity;
 - ◊ Environmental Protection;
 - ◊ Public Interest Disclosure; and

- Records Keeping.
-
- 1.6.2 The Contractor shall also comply with the MRWA Traffic Management for Roadwork's Code of Practice.
- 1.6.3 The Contractor shall induct all employees and sub-contractors into the workplace and the safety of the work to be undertaken. All employees and sub-contractors shall report to the Contractor any damages, loss, and/or personal injury that occurs as the result of the performance of this Contract.
- 1.6.4 The Contractor shall ensure that any task requiring a qualification or licence be allocated only to a person or persons who can clearly identify themselves as having such qualifications or licence to perform the task:
- 1.6.5 The Contractor shall ensure that no plant or equipment that is subject to licence or certificates of competency is operated on site unless the operator has the appropriate endorsements:
- 1.6.6 The Contractor shall ensure that all operating machinery is adequately protected by guards, that comply with Occupational Safety and Health Regulations, and are sound and in place:
- 1.6.7 The Contractor shall identify licences required and retain evidence of licences held by employees and sub-contractors.
- 1.6.8 The Contractor shall identify workplace hazards and ensure employees and sub-contractors identify workplace hazards and contribute to their elimination.
- 1.6.9 The Contractor shall maintain first aid facilities on site in accordance with Occupational Safety and Health Regulation 3.12.
- 1.6.10 The Contractor shall ensure that all scaffolding and ladders will be constructed, maintained, and used in accordance with Occupational Safety and Health Regulations.
- 1.6.11 The Contractor shall ensure that all electrical leads on site shall be tested and tagged quarterly. All portable electrical equipment is to be protected by Residual Current Devices.

1.7 WORK PRIORITIES

The performance of this Contract will be based on pre-determined priorities as detailed below.

1.7.1 Priority 1

Obscene or offensive graffiti, the removal of which is covered by the scope of this Contract, is considered Priority 1.

Obscene or offensive graffiti is defined as graffiti that is racist, sexist, obscene, political, religious, unacceptable to public interest, abusive, intent to create criminal and/or civil offence, instigating to contravene social harmony,

defaming, illegal, or is likely to cause offence to any other member of the community.

Where public safety is undermined or legal instructions unable to be observed.

1.7.2 Priority 2

Removal of graffiti from the following assets is considered Priority 2:

- Shop fronts, awnings, fence lines, walls and signs (private, commercial and industrial) abutting Council owned land (footpaths, parks and reserves, and Council buildings)
- Accessible fence lines and walls in public access ways, rights of way, and lane ways
- Signage in and around Council owned parks and reserves
- Any other Council owned asset not listed as Priority 1 or 2 (including but not limited to control boxes, playground equipment, parks and street furniture and other structures)

1.7.3 Priority 3

Removal of graffiti from the following assets is considered Priority 4:

- Street name signs and poles
- Road traffic signs and poles
- Power and light poles
- Bus stop indicator poles
- Traffic signal control boxes
- Phone boxes
- Mail boxes
- Any other public or service provider assets (Telstra, Alinta Gas, Water Corporation, Horizon Power, Public Transport Authority, MRWA etc) that either abut or are wholly located on Council owned land

1.8 WORK TYPES

1.8.1 Obscene or Sensitive Graffiti

Reported any time and requiring immediate action.

1.8.2 Standard Report

Report between 6:00am and 6:00pm Monday to Friday (excluding public holidays).

1.8.3 Programmed Services

The assets listed as Priority 2 are to be inspected by the Contractor on a monthly basis and all graffiti removed.

1.8.4 Ad-hoc Removal by Contractor

The Contractor is responsible for ensuring graffiti removed under this clause is covered by the scope of the Contract. The Principal accepts no responsibility or liability for the payment of graffiti removed the Contractor that is outside the scope of the Contract.

1.9 RESPONSE TIMES AND KEY PERFORMANCE INDICATORS

The Principal will be seeking two pricing structures for the removal of reported graffiti based on the following options. The Principal will, at its absolute discretion, decide which of the two options to adopt under the terms of any resultant Contract. A working day is considered 24 hours.

1.9.1 Option 1

Minimum response times and key performance indicators for the removal of reported graffiti are as follows:

Timeframe for Removal	Key Performance Indicators		
	Priority 1	Priority 2	Priority 3
All graffiti removed:			
Same working day	100%	-	-
Within one (1) working day	-	80%	80%
Within two (2) working days	-	100%	100%

1.9.2 Option 2

Minimum response times and key performance indicators for the removal of reported graffiti are as follows:

Timeframe for Removal	Key Performance Indicators		
	Priority 1	Priority 2	Priority 3
All graffiti removed:			
Same working day	100%	-	-
Within one (1) working day	-	80%	-
Within two (2) working days	-	100%	80%
Within five (5) working days	-	-	100%

1.10 EVIDENCE OF COMPLIANCE WITH CONTRACT

1.10.1 Provision of Reports

The Contractor is to provide three separate and distinct reports on a monthly basis as follows. The cost of providing these reports is to be borne by the Contractor.

- (a) Report 1 – Reported Graffiti

The first report deals with the graffiti that falls under the scope of the Contract and has been reported to the Contractor by an Authorised Person.

(b) Report 2 – Programmed Services

The second report deals with graffiti removed following the weekly inspection of Priority 2 locations.

(c) Report 3 – Ad-hoc Removal by Contractor

The third report deals with graffiti removed by the Contractor under Clause 1.8.4 of the Contract.

(d) Reports - General

As a minimum each report shall include the following:

- Unique Job ID No (to be allocated by the Contractor and matching Photo & Description & Invoice)
- Date Reported (Date inspected for Priority 2 removals)
- Graffiti General Location
- Graffiti Exact Location
- Street No
- Street Name
- Suburb
- Amount Removed (m2)
- Removal Rate (per m2) (cost per m2)
- Cost of Removal (amount removed by removal rate)
- Graffiti Method (marking pen, paint, or other)
- Graffiti Colours
- Description of Graffiti (Tag if legible)
- Date Removed
- Time Removed
- Invoice No (Matching Photo & Description & Job ID)
- Photo ID No

The Principal may use the information provided above to report graffiti vandalism to the Police. It is imperative the reports are provided in the

format requested with all the relevant and individual fields as listed. The Principal will provide an Excel template to facilitate the provision of this information in the required format.

1.10.2 Provision of Digital Photographs

The Contractor shall provide a digital photograph of every individual incident of graffiti removed under the performance of this Contract. Each photograph is to be cross-referenced on one of the three monthly reports provided by the Contractor and shall include the date the photograph was taken (the date is to be a function of the camera used to take the photograph and not a computer generated overlay). The date shall be in a format that indicates the day, month and year the photo was taken (eg. dd/mm/yy, or dd/mm/yyyy).

1.10.3 Method of Providing Evidence

The reports listed are to be provided in hard copy format. Electronic copies of the report are also to be provided on CD as a Microsoft Excel Spreadsheet.

Photographs are to be provided in electronic format on CD as JPEG images and must be cross matched with reports.

Reports (hard copy and CD) and photographs (CD) shall be provided with the monthly invoice. All individual invoiced items are to be cross matched with a reference number so payment can occur. Payment of services will be delayed until cross matching of graffiti is provided.

1.10.4 PDA Electronic Device

During the term of this Contract, the Principal may provide an electronic device for recording and uploading of reports by use of a PDA device to capture images or damage and to allocate costing and timekeeping for all work carried out at that site. This device will require safekeeping and cleanliness by the Contractor. Costs incurred in the loss, damage or inappropriate use of the device will be charged to the Contractor.

System maintenance is provided by the Principal.

1.10.5 Non-Compliance with Evidentiary Provisions

It is the Contractor's sole responsibility to provide evidence of compliance with the performance of the Contract. The provision of the reports and photographs is integral in measuring the Contractor's performance against the Requirements of the Contract.

Note: For payment, the item invoice number, picture of graffiti area prior to removing and picture after removal are to be cross referenced or the same so payment can be verified and paid as per Contract requirements.

Non-compliance with Clause 1.10 may result in The Principal delaying or withholding payment of the Contractor's accounts.

1.10.6 Non-Compliance with Response Times

The Principal acknowledges that there may be circumstances whereby the Contractor is unable to comply with the Response Times and Key Performance Indicators due to matters beyond their control. These may include inclement weather and/or inappropriate environment conditions. The Contractor is to communicate to the Principal non-conformance with Clause 5.10 immediately the issue arise.

1.11 STANDARDS OF WORK AND SUPPLY NON-COMPLIANCE WITH CONTRACT

- 1.11.1 The Contractor shall ensure all Services rendered shall conform to the Specification and the Standard specified in the Contract.
- 1.11.2 The Contractor shall ensure where no standards specified in the Contract, the Services shall comply with the appropriate and current standard of the Standards Association of Australia and if there is no such standard then the appropriate and current standard of the British Standards Institution or such other standard as the Principal shall consider appropriate.
- 1.11.3 The Contractor shall ensure that if no Standards are applicable, the Services shall be of the highest standard and carried out promptly with all due skill care and diligence.
- 1.11.4 The Contractor shall employ only such persons who are careful, skilled and experienced in their respective professions, trades and callings who hold all necessary licences, permits and authorities requires by law and whose standards of workmanship are entirely suitable for the performance of the Services and the requirements of the Contract.
- 1.11.5 The Contractor shall ensure that works are carried out with due regard to Traffic Management.
- 1.11.6 The Contractor shall utilise environmentally sound processes and chemicals and that the Safe Handling of Hazardous Substances as appearing in Schedule 2 of this Request shall be followed (at minimum).

1.12 PROVISION OF EQUIPMENT

- 1.12.1 The Contractor shall provide all necessary labour, fuel, materials and equipment required in the performance of the Contract. Such costs will be included in the rate as appearing in the Price Schedule as submitted by the Tenderer as part of the Response.

1.13 SITE PROTOCOL

- 1.13.1 On Arrival:

On arrival the tradesperson must identify themselves to the occupiers of the building (if occupied), in a courteous and professional manner and provide an explanation of the works.
- 1.13.2 On Departure:

On completion of the works the tradesperson must notify the occupants of his/her departure in a courteous and professional manner.

1.13.3 Identification:

Each tradesperson shall have a clearly visible badge identifying their name, and the name of the Contractor.

1.13.4 Clean Up

The Contractor shall ensure all works are carried out with minimum disruption to occupants (where applicable).

The Contractor shall ensure all disused materials and/or waste occurring during the performance of the Contract is removed from the Site.

1.14 REMOVAL OF GRAFFITI**1.14.1 Quality**

The required quality of the finished job for the removal of graffiti must be of a high standard. The high standard therefore must be reflected in the removal process. Contractors not wanting to meet these high standards should reconsider before entering the tender process. A sub standard patchy or bleed through affect from painted over graffiti, wrong colour paint outs, unsightly square patches, damage from high pressure spray methods, or graffiti remaining visible is not acceptable.

For example, the quality required for a paint out removal job would be – if a fibro fence has a tag on the top half of one sheet on the fence, the whole sheet is to be painted – not just the tagged area. In time, the visual affect is that the whole fence gradually becomes a painted fence of good appearance and not a fence full of unsightly squares and paint marks.

1.14.2 Methods

The Contractor shall carry out the removal of graffiti using equipment and methods demonstrating best environmental practice in accordance with manufacturer's published recommendations and where relevant governing Material Safety Data Sheets.

Methods for removal of graffiti include but are not limited to the following:

- Chemical cleaning.
- Steam cleaning.
- High pressure water cleaning and wet abrasive blasting.
- Painting out/over graffiti

1.14.3 Compatibility

The Contractor shall ensure the proposed cleaning method will not have an adverse affect on any installed coatings, paint systems, or uncoated substrates.

1.14.4 Quality of high pressure removals

To limit the damage to all surfaces the preferred method is to use graffiti solvents and high pressure water for the removal of graffiti rather than sand blasting. It is recognised that at times there is no alternative other than to use the sand blasting method, but this is to be limited to essential use only.

Limestone walls are not to be sandblasted without approval from the Principal.

1.14.5 Reinstatement

The Contractor shall replace or repair, at no cost to the Principal, any paint systems, anti-graffiti coating system, specialist barrier coating, or polycarbonate sheeting damaged by the removal method used.

1.14.6 Measurement

The Contractor shall measure the area to be cleaned by square metre being the minimum area that will contain a tag or mural. Tags or murals within 500mm of each other shall be grouped for the calculation.

1.14.7 Degree of Cleanliness

The Contractor shall ensure that the graffiti message, tag or configuration is not legible or clearly visible from close proximity to pedestrian movement, and from within 10 metres of vehicular movement.

(a) Coated Surfaces

After removal there shall be no visible shadowing or residual graffiti.

(b) Uncoated Surfaces

Some residual paint staining or shadowing may be allowed to remain after removal at the discretion of the Principal.

1.14.8 Paint Matching

When painting over graffiti, to avoid a patchwork affect, it is the Contractor's responsibility to ensure the paint used matches the colour of the existing surface. On request by the Contractor, the Principal will supply the Contractor details of paints used to assist in this process.

1.14.9 Safety

The Contractor shall ensure that if for any reason at all a safe work area cannot be maintained, work on the application of the coating system shall stop immediately until the site is made safe.

1.15 ASSESSING THE REMOVAL PROCESS

- 1.15.1 For each and every job it is the Contractor's responsibility to assess the removal process prior to commencing the removal. If the Contractor considers that damage may occur to the property being cleaned, the Contractor must contact the Principal's Representative prior to commencing the removal for

advice and permission to proceed. In some cases the removal will be postponed until the Principal's Representative and/or property owner can be present while the graffiti is being removed to authorise the continuation or cessation of the cleaning process.

- 1.15.2 If the cleaning process is stopped due to unacceptable damage being done during the cleaning process the Principal's Representative will negotiate an alternative removal arrangement.
- 1.15.3 Assessment of each job on arrival is an essential part of the removal procedure requirements.
- 1.15.4 Consideration must be given to the Contractor's personal safety, members of the public and property owners.
- 1.15.5 Consideration must be given by the Contractor to the likelihood of damage to property or vehicles in or around the working area and is to request property owners and/or Managers to arrange for the removal of vehicles, materials, etc to gain access to the work area to set up a safe work site.

1.16 METHODS FOR REPORTING GRAFFITI

1.16.1 Reporting Graffiti via Email

The Contractor shall provide an email address to allow the reporting of graffiti via email. Any cost to the Contractor to provide this email address shall be incorporated into the cost of providing the graffiti removing service to the Principal.

1.16.2 Reporting of Graffiti via Phone (Toll Free)

The Contractor shall provide a toll free (1800) service to allow the reporting of graffiti via the phone. Any cost to the Contractor to provide toll free service shall be incorporated into the cost of providing the graffiti removing service to the Principal.

The Contractor shall record the details (name and phone number) of any persons reporting graffiti in case there is a need to contact them to verify details of the report.

9.1.2 ROEBOURNE ADVISORY COMMITTEE MINUTES

Attachment(s)	Minutes of Roebourne Advisory Committee meeting held 24th March 2010
Responsible Officer:	Executive Manager Community Services
Author Name:	Executive Manager Community Services
Disclosure of Interest:	Nil

REPORT PURPOSE

To receive the minutes of the Roebourne Advisory Committee meeting held 24th March 2010 and consider any issues emanating from those minutes.

Background

The inaugural Roebourne Advisory Committee Meeting was held on the 24th March 2010.

The draft minutes of the meeting are provided as an attachment to this report.

Issues

At the inaugural meeting of the Roebourne Advisory Committee, several procedural and information only matters were dealt with including the election of Cr Bailey as Chair of the Committee, a review of the Council endorsed terms of reference for the Committee and determination that meetings will be held on the third Thursday of each Month. Additionally the meeting provided an update on a series of current projects and areas of Council support in and around Roebourne.

As part of the Agenda, the Committee also provided advice on infrastructure, services and programs for consideration in Council's 2010/2011 Budget. At this stage investigations are required in to these items and Council Staff will need time to prepare sufficient detail for Councils Budget deliberations. The items raised for further investigation are included in section 3.6 of the attached minutes. Should Council not agree with any items listed in the minutes it would be prudent for these items to be removed from the list and advice provided to the Roebourne Advisory Committee as to the reasons why.

It was also noted that a series of items were identified that required Shire action or maintenance requests. These items are referred to in section 3.7 of the minutes. As these items are maintenance related, these will be forwarded to the relevant internal Division for response and maintained as an action list for future Advisory Committee meetings.

Options

Council has the following options available:

That Council receive the minutes of the Roebourne Advisory Committee meeting held 24th March 2010; and

That Council note that the items raised by the Roebourne Advisory Committee in section 3.6 of the attached meeting minutes will be further investigated, scoped and costed by Council Officers for consideration in Councils 2010 / 2011 Draft Budget deliberations.

That Council received the minutes and amend the items included in section 3.6 of the minutes.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

The impact of the minutes of the meeting will require the time of Councils Officers from Technical Services and Community Services to investigate various issues and prepare estimates for Councils budget deliberations.

Conclusion

The inaugural meeting of the Roebourne Advisory Council has provided Council with some guidance on the issues that the Roebourne community feel need to be addressed as priority maintenance items and those issues that should be considered in Councils Budget deliberations.

Voting Requirements

Simple.

RECOMMENDATION**That Council**

1. **Receive the minutes of the Roebourne Advisory Committee held 24th March 2010; and**
2. **Notes the items raised by the Roebourne Advisory Committee in section 3.6 of the attached meeting minutes will be further investigated, scoped and costed by Council Officers for consideration in Councils 2010 / 2011 Draft Budget deliberations.**

**9.1.2 ATTACHMENT - MINUTES OF ROEBOURNE ADVISORY COMMITTEE MEETING
HELD 24 MARCH 2010**



**Roebourne Advisory Committee
MEETING**

MINUTES

The Roebourne Advisory Committee Meeting was held
at the Roebourne Hospital, Hampton St South, Roebourne
on 24th March 2010 at 5.10pm

Collene Longmore
CHIEF EXECUTIVE OFFICER

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1 OFFICIAL OPENING

The Roebourne Advisory Committee Meeting held at Roebourne Hospital, Hampton St South, Roebourne, on 24th March 2010 was declared open at 5.10pm.

The meeting was opened by Mr Simon Kot.

2 RECORD OF ATTENDANCES / APOLOGIES

Councillors:

Cr Garry Bailey
Cr Fiona White-Hartig
Cr Joanne Pritchard

Community Representatives:

Ms Marion Cheedy
Ms Josie Alec
Ms Jan Kapetas
Ms Elizabeth Smith
Ms Maureen Whitby

Staff:

Simon Kot Executive Manager Community Services
Kristy-Lee Cooke Community Development Coordinator

Apologies:

Mr. Jack Shaw

3 AGENDA ITEMS DISCUSSED

3.1 Election of Chair

Nominations were called for the Chairperson role.

Cr Gary Bailey nominated and was seconded by Cr Fiona White-Hartig

No further nominations were received.

Cr Gary Bailey was elected unopposed and assumed the role of Chairperson.

3.2 Confirmation of Terms of Reference

The Terms of Reference were reviewed and no further changes recommended.

3.3 Meeting date and times

Meetings will be scheduled on the 3rd Thursday each month commencing at 5pm.

3.4 Setting of date for Roebourne Visioning Session

The committee considered dates, with preference for the 2nd week of May.

Shire of Roebourne to follow up availability of facilitator and coordinate.

Action: Shire of Roebourne staff to investigate availability of Facilitator and venues for Visioning Session.

3.5 Update and Overview of Current Projects

Council officers provided a brief overview of current projects and services in Roebourne.

3.5.1 Infrastructure- Community

Roebourne Community Centre - Air-conditioning, kitchen, roof, and toilet upgrade is near completion.

Roebourne Community Centre – investigation into needs of future redevelopment to occur between April and June.

Shire of Roebourne is supporting Juluwarlu building extension- Juluwarlu is awaiting LotteryWest application to progress.

Council has sought State Government approval to reallocate \$1m to support Yaandina Youth Centre development.

Roebourne Pool Design/Redevelopment. \$1m secured. Planning to commence 2010/2011 Financial Year.

Dalgety House conservation planning. Shire of Roebourne is in discussion with the National Trust to progress planning and associated works.

Shire of Roebourne is considering the use of old Shire of Roebourne office, currently being used by Ngarluma Yindjibarndi Foundation.

3.5.2 Services- Community

Communities for Children have tendered for Mobile Youth Hubs. The Shire of Roebourne is a consortium partner in the Communities for Children initiative. The tender for mobile youth hubs is to provide activities for youth across the Shire of Roebourne.

Council continues to support the Minga Patrol.

Council has provided \$20,000 to Yaandina to support Youth programs.

3.6 Issues for Consideration for Council Budget 2010/2011

Budget Considerations	Action Required	By Whom
Car removal program to be established	Investigations and costing required	
Numbering of streets/houses	Investigations and costing required	
Footpaths to/from school priority- Sherlock, Harding, Crawford suggested	Investigations and costing required	
Banner poles – main street	To be consistent with all Shire towns, costing required	
Kerb maintenance program	Investigations required and costing required if deemed not to be maintenance items.	
Town notice board	Investigations into preferred location and costing required	
Cemetery - Interpretive signage project	Investigation and costing required.	
Basketball court surface replacement	Prepare scope of works and seek cost estimate	
Entry statement	To be consistent with Shire towns. Needs scope of works and cost.	
Indoor court/hall	Investigations required as part of needs analysis for redevelopment of Community centre	
Village Park Enhancement	Shire of Roebourne to follow up with Marnia Mia in regard to progress on park planning and determine level of Shire support of otherwise.	

3.7 Other Issues

Other Issues	Action Required	By Whom
Shire to reconvene Roebourne Youth Coordination Network	Shire of Roebourne to facilitate meeting of youth service providers.	
Use of Prisoners for litter pick.	Commence discussions with Prison and identify sites.	
Standards of main street trees	Inspection required and attention to any maintenance items	
Various derelict houses condition	Inspection required and action needed where applicable.	
Street lighting- condition/maintenance	Investigations and maintenance program required	
Tree verge maintenance on entrance to town	Investigations and maintenance program required	
Signage on North West Coastal Highway approach to Roebourne to direct traffic	Shire to contact Main Roads to progress.	

4 CLOSURE & DATE OF NEXT MEETING

The meeting closed at 6.35pm.

The next Roebourne Advisory Committee meeting is to be held in the Boardroom of the Marnda Mia Offices (45 Roe St, Roebourne) on Tuesday 27th April 2010 at 5.00pm.

9.2 RANGER SERVICES

9.2.1 SHIRE OF ROEBOURNE PARKING AND PARKING FACILITIES LOCAL LAW 2010

File No:	LE.1
Attachment(s)	Parking and Parking Facilities Local Law 2010 Comparison table of modified penalties.
Responsible Officer:	Executive Manager Community Services
Author Name:	Ranger Services Coordinator
Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to adopt the Shire of Roebourne Parking and Parking Facilities Local Law 2010.

Background

At the Ordinary Council Meeting held on 14 December 2009 the draft Parking and Parking Facilities Local Law 2010 was presented at which time it was resolved to release the draft Parking and Parking Facilities Local Law 2010 for public consultation. The local law was subsequently advertised in accordance with section 3.12 of the *Local Government Act 1995* on the 6 January 2010. Copies of the draft local law were also sent to the Department of Local Government.

At the conclusion of the 42 days of public consultation being 18 February 2010, the only submission received was from the Department of Local Government. The Department of Local Government requested that only the formatting be amended to reflect current requirements. This request was considered and amendments have been made to the original document.

Issues

The proposed major changes between the 2003 local law and the 2010 local law are:

- To rationalise the Shire of Roebourne's parking laws;
- Provide a fairer and more consistent approach to parking management within the Shire of Roebourne;
- Increase modified penalties;
- Increase the penalties for parking offences of a dangerous nature to present a greater deterrent for those offences;
- Include clauses in relation to impounding vehicles obstructing public places;
- Seniors and Parents with Prams parking; and
- To facilitate the proposed management of the new technology that is to be installed.

As the Shire continues to grow, parking offences will rise and without significant penalties to reflect the serious nature of dangerous parking, offences will continue. All modified penalties have increased such as parking in a 'No Stopping' area has increased from \$35 to the proposed modified penalty of \$100 and parking on footpaths has increased from \$45 to \$100. (See attached table of offences). In order to act as a deterrent to stop motorists

from contravening the parking local laws, the modified penalties need to reflect the serious nature of illegal parking.

The proposed redevelopment to the Shire's airport could include new technology for paid parking. The current parking law does not have any clauses in relation to offences such as 'damage to a ticket machine' or use of incorrect currency in the ticket machine. These and other possible offences have been identified and included into the new 2010 local law.

Furthermore, provisions are also included in the proposed amendments for the removal and impounding of vehicles obstructing the lawful use of a road or a public place, seniors parking and parking for Parents. The proposed amendments will enable enforcement of these offences.

The Parking and Parking Facilities Local Law 2010 has been finalised and reviewed by Council's Lawyers, McLeods, and the Department of Local Government.

Options

Council has the following options available:

1. Agree to adopt the Parking and Parking Facilities Local Law 2010(as attached) in accordance with Section 3.12 of the Local Government Act 1995 and adopt the modified penalties.

OR

2. Not to proceed with the adoption of the Parking and Parking Facilities Local Law 2010.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

The making of the proposed Shire of Roebourne's Parking and Parking Facilities 2010 has been undertaken in accordance with section 3.12 of the *Local Government Act 1995* and the process after adoption by Council will continue to be undertaken in accordance with Part 3, Division 2 of the *Local Government Act 1995*.

The gazettal process of the Parking and Parking Facilities Local Law 2010 is pursuant to section 3.14 of the *Local Government Act 1995*. Sections 3.5 & 3.12 of the Local Government Act 1995 applies.

Financial Implications

The expenditure is in accordance with the budget.

Staff time in preparation of new local law is 40 hours; legal advice and advertising requirements is \$650.00

Conclusion

The review undertaken of the parking local law identified that the current parking local law does not have provisions to facilitate the management of new technology such as paid parking and related offences. Should Council install paid parking facilities at the airport, the proposed changes to update the parking local law to include clauses and definitions will enable parking offences to be enforced.

Furthermore, provisions have been included in the proposed amendments for the removal and impounding of vehicles obstructing the lawful use of a road or a public place, seniors

parking and parking for Parents with Prams. The proposed amendments will enable enforcement of these offences and provide a more consistent approach to parking management with the Shire of Roebourne.

The proposed major changes between the 2003 local law and the 2010 local law are:

- To rationalise the Shire of Roebourne’s parking laws;
- Provide a fairer and more consistent approach to parking management within the Shire;
- Increase modified penalties;
- Increase the penalties for parking offences of a dangerous nature to present a greater deterrent for those offences;
- Include clauses in relation to impounding vehicles obstructing public places;
- Seniors and Parents with Prams parking; and
- To facilitate the proposed management of the new technology that is to be installed.

Voting Requirements

Absolute.

The Shire President to read aloud the Purpose and Effect.

“Purpose: the purpose of this local law is to review the 2003 Local Law, amend and include new technologies, rationalise the Shire of Roebourne Parking Local Law.

Effect: the effect of this local law is to control the parking within the Shire of Roebourne for the benefit of the community”.

RECOMMENDATION

That Council:

1. **Adopt the proposed Shire of Roebourne Parking and Parking Facilities Local Law 2010 made in accordance with the procedures under section 3.12 of the *Local Government Act 1995* thereby repealing the previous Parking and Parking Facilities Local Law 2003;**
2. **Adopt the proposed modified penalties appended in Schedule 2 in the new local law;**
3. **Authorise the affixing of the Shire’s common seal to the local law, to be witnessed, signed and dated by the Shire President and Chief Executive Officer;**
4. **In accordance to section 3.12 (5) of the Act, give a copy to the Minister and publish the adopted local law in the *Government Gazette*; and**
5. **In accordance to section 3.12(6) of the Act, give public notice with the purpose and effect of the local law summarised in the notice, specify the date on which the local law comes into operation and have copies of the adopted local law available for distribution.**

ATTACHMENT 1 ITEM 9.2.1 PARKING AND PARKING FACILITIES LOCAL LAW 2010

Ordinary Council Meeting – Agenda

19 April 2010

ATTACHMENT 1 ITEM 9.2.1 PARKING AND PARKING FACILITIES LOCAL LAW 2010



LOCAL GOVERNMENT ACT 1995

SHIRE OF ROEBOURNE

PARKING AND PARKING FACILITIES
LOCAL LAW 2010

LOCAL GOVERNMENT ACT 1995
SHIRE OF ROEBOURNE
PARKING AND PARKING FACILITIES LOCAL LAW 2010

ARRANGEMENT

PART 1—PRELIMINARY

- 1.1 Citation
- 1.2 Commencement
- 1.3 Repeal
- 1.4 Application
- 1.5 Interpretation
- 1.6 Classes of vehicles
- 1.7 Powers of the local government
- 1.8 Determination of fees, charges and costs

PART 2—SIGNS

- 2.1 Erection of signs
- 2.2 Compliance with signs
- 2.3 Unauthorised signs and defacing of signs
- 2.4 General provisions about signs
- 2.5 Application of this local law to pre-existing signs and private properties
- 2.6 Part of a thoroughfare to which sign applies

PART 3—PARKING STALLS AND PARKING STATIONS

- 3.1 Determination of parking stalls and parking stations
- 3.2 Vehicles to be within parking stalls on thoroughfares
- 3.3 Parking prohibitions and restrictions

PART 4—PARKING GENERALLY

- 4.1 Restrictions on parking in particular areas
- 4.2 Parking vehicle on a carriageway
- 4.3 When parallel and right-angled parking apply
- 4.4 When angle parking applies
- 4.5 General prohibitions on parking
- 4.6 Authorised person may order vehicle on thoroughfare to be moved
- 4.7 No movement of vehicles to avoid time limitation
- 4.8 No parking of vehicles exposed for sale and in other circumstances
- 4.9 Parking on private land
- 4.10 Parking on reserves
- 4.11 Parking on verges
- 4.12 Suspension of parking limitations for urgent, essential or official duties
- 4.13 Parking in a parking station
- 4.14 Special event parking

PART 5—PARKING AND STOPPING

Division 1—Parking and stopping generally

- 5.1 “No stopping” and “no parking” signs, and yellow edge lines

Division 2—Stopping in zones for particular vehicles

- 5.2 Stopping in a loading zone
- 5.3 Stopping in a taxi or bus zone
- 5.4 Stopping in a mail zone
- 5.5 Other limitations in zones

Division 3—Other places where stopping is restricted

- 5.6 Stopping in a shared zone
- 5.7 Double parking
- 5.8 Stopping near an obstruction
- 5.9 Stopping on a bridge or in a tunnel, etc.
- 5.10 Stopping on crests, curves, etc.
- 5.11 Stopping near a fire hydrant, etc.
- 5.12 Stopping at or near a bus stop
- 5.13 Stopping on a path, median strip, or traffic island
- 5.14 Stopping on a verge
- 5.15 Obstructing access to and from a path, driveway, etc.
- 5.16 Stopping near a public letter box
- 5.17 Stopping on a carriageway—heavy and long vehicles
- 5.18 Stopping on a carriageway with a bicycle parking sign
- 5.19 Stopping on a carriageway with a motor cycle parking sign
- 5.20 Eating areas in parking stalls
- 5.21 Permits in parking facilities
- 5.22 Motor cycle stalls

PART 6—TICKET ISSUING MACHINES AND ZONES

- 6.1 Ticket issuing machines
- 6.2 Fees in ticket machine zones
- 6.3 Display of tickets
- 6.4 Parking limits
- 6.5 Parking position in ticket machine zones

PART 7—RESIDENTIAL PARKING PERMITS

- 7.1 Definitions
- 7.2 Exemption for permit holders
- 7.3 Issue of permits
- 7.4 Discretionary authority
- 7.5 Validity of permit
- 7.6 Revocation of a permit
- 7.7 Removal of a permit from a vehicle
- 7.8 Replacement of permit
- 7.9 Display of residential or visitor’s parking permits

PART 8—MISCELLANEOUS

- 8.1 Authorised persons
- 8.2 Necessary power
- 8.3 Authorised person to be obeyed

- 8.4 Persons may be directed to leave local government property
- 8.5 Marking of tyres
- 8.6 Removal of notices on a vehicle
- 8.7 Special purpose and emergency vehicles
- 8.8 Vehicles not to obstruct a public place or thoroughfare
- 8.9 Damage to parking stations and facilities
- 8.10 Local government may lock parking stations

PART 9—PENALTIES

- 9.1 Offences and penalties
- 9.2 Form of notices

SCHEDULES

- Schedule 1—Parking Region
 - Schedule 2—Prescribed Offences
 - Schedule 3—Notice to Owner of Vehicle Involved in Offence
 - Schedule 4—Infringement Notice
 - Schedule 5—Withdrawal of Infringement Notice
-

*LOCAL GOVERNMENT ACT 1995***SHIRE OF ROEBOURNE
PARKING AND PARKING FACILITIES LOCAL LAW 2010**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Roebourne resolved on the 19 April 2010 to make the following local law.

PART 1 — PRELIMINARY**1.1 Citation**

This local law may be cited as the *Shire of Roebourne Parking and Parking Facilities Local Law 2010*.

1.2 Commencement

This local law comes into operation 14 days after the date of publication in the *Government Gazette*.

1.3 Repeal

The *Shire of Roebourne Parking and Parking Facilities Local Law* published in the *Government Gazette* on 29 August 2003 is repealed.

1.4 Application

- (1) Subject to subclause (2), this local law applies to the parking region.
- (2) (a) The local government may enter into an agreement in writing with the owner or occupier of a parking facility or a parking station that is not owned or occupied by the local government for the application of this local law to the facility or station.
- (b) The agreement referred to in subclause (2)(a) may be made on such terms and conditions as the parties may agree.
- (3) This local law does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this local law will apply to that facility or station.
- (4) The provisions of Parts 3 and 4 do not apply to a bicycle parked at a bicycle rail or bicycle rack.

1.5 Interpretation

- (1) In this local law, unless the context requires otherwise —
- “*ACROD sticker*” has the meaning given to it by the *Local Government (Parking for Disabled Persons) Regulations 1988*;
- “*Act*” means the *Local Government Act 1995*;
- “*AS*” means Australian Standards published by the Standards Association of Australia
- “*attended parking station*” means a parking station attended by an officer of the local government and in respect of which fees for the parking of a vehicle are payable immediately prior to the removal of the vehicle from the station;
- “*authorised person*” means a person authorised by the local government under section 9.10 of the Act, to perform any of the functions of an authorised person under this local law;

- "authorised vehicle"** means a vehicle authorised by the local government, Chief Executive Officer, authorised person or by any written law to park on a thoroughfare or parking facility;
- "bicycle"** has the meaning given to it by the Code;
- "bicycle path"** has the meaning given to it by the Code;
- "bus"** has the meaning given to it by the Code;
- "bus embayment"** has the meaning given to it by the Code;
- "bus stop"** has the meaning given to it by the Code;
- "bus zone"** has the meaning given to it by the Code;
- "caravan"** means a vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle, or which is capable of self-propulsion;
- "carriageway"** means a portion of thoroughfare that is improved, designed or ordinarily used for vehicular traffic and includes the shoulders, and areas including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles; and where a thoroughfare has two or more of those portions divided by a median strip, the expression means each of those portions, separately;
- "centre"** in relation to a carriageway, means a line or a series of lines, marks or other indications—
- (a) for a two-way carriageway—placed so as to delineate vehicular traffic travelling in different directions; or
 - (b) in the absence of any such lines, marks or other indications—the middle of the main, travelled portion of the carriageway;
- "CEO"** means the Chief Executive Officer of the local government;
- "children's crossing"** has the meaning given to it by the Code;
- "Code"** means the *Road Traffic Code 2000*;
- "commercial vehicle"** means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;
- "currency"** means any notes and coins which are legal tender pursuant to the *Currency Act 1965* and *Currency Act 1965 (Commonwealth)*;
- "district"** means the district of the local government;
- "driver"** means any person driving or in control of a vehicle;
- "eating area"** means an area in which tables, chairs and other structures are provided for the purpose of the supply of food and beverages to a member of the public or the consumption of food and beverages by a member of the public;
- "edge line"** for a carriageway means a line marked along the carriageway at or near the far left or the far right of the carriageway;
- "emergency vehicle"** has the meaning given to it by the Code;
- "entrance ticket"** means a ticket issued by an entrance ticket machine;
- "entrance ticket machine"** means a machine installed at an entrance to a parking station or parking facility (including attended parking station or parking facility) and from which an entrance ticket is issued to a vehicle upon entering that parking station or parking facility;
- "exit ticket"** means a ticket issued after payment of the fee by a fee collection machine;

- "fee collection machine"** means a machine installed in a parking station or parking facility which upon the insertion of an entrance ticket and payment of the required fee, issues an exit ticket;
- "fire hydrant"** means an upright pipe with a spout, nozzle or other outlet for drawing water from a main or service pipe in case of fire or other emergency;
- "footpath"** has the meaning given to it by the Code;
- "GVM"** (which stands for "gross vehicle mass") has the meaning given to it by the Code;
- "keep clear area"** means a portion of a carriageway that lies—
- (a) between 2 consecutive signs inscribed with the words "Keep Clear" and each with an arrow pointing generally towards the other; or
 - (b) between a sign inscribed with the words "Keep Clear" and which ever of the following that lies in the general direction indicated by an arrow inscribed on the sign —
 - (i) the end of the carriageway; or
 - (ii) an area in which stopping is prohibited; or
 - (iii) the furthest point of "keep clear" markings;
- "keep clear marking"** means the words "keep clear" marked across all or part of a carriageway, with or without continuous lines marked across all or part of the carriageway;
- "kerb"** means any structure, mark, marking or device to delineate or indicate the edge of a carriageway;
- "loading zone"** means a parking stall which is set aside for use by commercial vehicles if there is a sign referable to that stall marked "Loading Zone";
- "local government"** means the Shire of Roebourne;
- "mail zone"** has the meaning given to it by the Code;
- "median strip"** has the meaning given to it by the Code;
- "metered space"** means a section or part of a metered zone that is controlled by a parking meter and that is marked or defined in any way to indicate where a vehicle may be parked on payment of a fee or charge;
- "metered zone"** means any thoroughfare, road or reserve, or part of any thoroughfare, road or reserve, in which parking meters regulate the parking of vehicles;
- "motorcycle"** has the meaning given to it by the Code;
- "motor vehicle"** means a self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle;
- "no parking area"** means a portion of a carriageway to which a "no parking" sign applies or an area to which a "no parking" sign applies;
- "no parking sign"** means a sign with the words "no parking" in red letters on a white background, or the letter "P" within a red annulus and a red diagonal line across it on a white background;
- "no stopping area"** means a portion of a carriageway to which a "no stopping" sign applies or an area to which a "no stopping" sign applies;
- "no stopping sign"** means a sign with the words "no stopping" or "no standing" in red letters on a white background or the letter "S" within a red annulus and a red diagonal line across it on a white background;
- "obstruct"** means to prevent or impede or to make difficult the normal passage of any vehicle, wheelchair, perambulator or pedestrian and "obstruction" shall have a corresponding meaning;
- "occupier"** has the meaning given to it by the Act;

"omnibus" has the meaning given to it in the *Road Traffic Act 1974*;

"owner"—

(a) where used in relation to a vehicle licensed under the *Road Traffic Act 1974*, means the person in whose name the vehicle has been registered under that *Road Traffic Act 1974*;

(b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and

(c) where used in relation to land, has the meaning given to it by the Act;

"parents with prams sign" means a parking bay set aside for the use of people accompanied by a young child or children using a pram at the time to transport the child or children;

"park" in relation to a vehicle, means to permit a vehicle, whether attended or not by any person,

to remain stationary except for the purpose of—

(a) avoiding conflict with other traffic; or

(b) complying with the provisions of any law; or

(c) taking up or setting down persons or goods (maximum of 2 minutes);

"parking area" means a portion of a carriageway to which a "permissive parking" sign applies or an area to which a permissive parking sign applies;

"parking facilities" includes land, buildings, shelters, road reserves, parking areas, metered zones, ticket machine zones, parking bays, parking stations, attended parking stations, parking stalls and other facilities open to the public generally for the parking of vehicles whether or not a fee is charged, and includes any signs, notices and facilities used in connection with the parking of vehicles;

"parking meter" includes the stand on which the meter is erected and a ticket issuing machine;

"parking region" means the area described in Schedule 1;

"parking stall" means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked but does not include a metered space;

"parking station" means any land, or structure provided for the purpose of accommodating vehicles;

"parking ticket" means a ticket which is issued from a ticket issuing machine and which authorises the parking of a vehicle in a parking stall or a parking station or part of a parking station;

"pedestrian crossing" has the meaning given to it by the Code;

"pram" means a wheeled conveyance designed, constructed and used for transporting a young child or children;

"public place" means any place to which the public has access whether or not that place is on private property;

"reserve" means any land—

(a) which belongs to the local government;

(b) of which the local government is the management body under the *Land Administration Act 1997*; or

(c) which is an "otherwise unvested facility" within section 3.53 of the Act;

"Road Traffic Act" means the *Road Traffic Act 1974*;

"Schedule" means a schedule to this local law;

"seniors parking sign" means a parking bay set aside for use by a senior person and identified in accordance with a permit issued by the local government;

- “*shared zone*” has the meaning given to it by the Code;
- “*sign*” includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking or stopping of vehicles;
- “*special event parking*” means any event of occurrence considered by the CEO to be special or likely to attract a substantial number of persons driving vehicles;
- “*special purpose vehicle*” has the meaning given to it by the Code;
- “*stop*” in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law;
- “*symbol*” includes, but is not limited to, any symbol specified by *Australian Standard 1742.11-1999* and any symbol specified from time-to-time by Standards Australia for use in the regulation of parking;
- “*tare weight*” in relation to a vehicle, means the weight of the vehicle without any passengers or load;
- “*taxi*” means a taxi within the meaning of the *Taxi Act 1994* or a taxi-car in section 472 of the *Transport Co-ordination Act 1966*;
- “*taxi zone*” has the meaning given to it by the Code;
- “*ticket issuing machine*” means a machine or device which is installed in a parking facility and which upon the insertion of coins or a token, pass, card, key or device issues a parking ticket;
- “*ticket machine zone*” means a parking facility in which ticket issuing machines are installed but does not include a parking station;
- “*thoroughfare*” has the meaning given to it by the Act;
- “*traffic island*” has the meaning given to it by the Code;
- “*trailer*” means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side car;
- “*unattended*” in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 meters from the closest point of the vehicle;
- “*verge*” means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath.

(2) For the purposes of the application of the definitions “*no parking area*” and “*parking area*” an arrow inscribed on a sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.

(3) A reference to a word or expression inscribed on a sign includes a reference to a symbol depicting the word or expression.

(4) A reference to a parking station, ticket machine zone or metered zone includes a reference to part of the parking station, ticket machine zone or metered zone.

(5) Unless the context otherwise requires, where a term is used but not defined in this local law and—

- (a) it is defined in the Act, it shall have the meaning given to it in the Act; and
- (b) it is defined in the *Road Traffic Act 1974* or in the Code, it shall have the meaning given to it in the *Road Traffic Act 1974* or the Code.

1.6 Classes of vehicles

For the purpose of this local law, vehicles are divided into the following classes—

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

1.7 Powers of the local government

The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.

1.8 Determination of fees, charges and costs

All fees, charges and costs referred to in this local law shall be determined and imposed by the local government from time to time in accordance with sections 6.16 to 6.19 of the Act.

PART 2 — SIGNS**2.1 Erection of signs**

The local government may erect a sign for the purposes of this local law on any land, building or other structure within the parking region.

2.2 Compliance with signs

(1) A person shall comply with the direction on every sign displayed, marked, placed or erected pursuant to this local law.

(2) An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

2.3 Unauthorised signs and defacing of signs

A person shall not without the approval of the local government—

- (a) display, mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property set up or exhibited by the local government under this local law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to, or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

2.4 General provisions about signs

(1) A sign marked, erected, set up, established or displayed on or near a thoroughfare or in a parking station is, in the absence of evidence to the contrary, deemed to be a sign marked, erected, set up, established or displayed under the authority of this local law.

(2) The first 3 letters of any day of the week when used on a sign indicate that day of the week.

(3) For the purpose of this local law, the local government may use (*AS 1742.11-1999*), as a guide for the development or marking of signs, but is not bound to do so and, where it does use it as a guide may vary any of the provisions of (*AS 1742.11-1999*) as it sees fit.

2.5 Application of this local law to pre-existing signs and private properties

(1) A sign that—

- (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law and;
- (b) relates to the parking of vehicles within the parking region, shall be deemed for the purposes of this local law to have been erected by the local government under the authority of this local law.

(2) A sign that was erected on a private property prior to the coming into operation of this local law, and that states or stated to the effect that there was no unauthorised parking and that the local law repealed under subclause 1.3 (the “repealed local law”) applied to the private property, shall be deemed for the purposes of this local law to have been erected under the authority of this local law and to refer to this local law instead of the repealed local law.

(3) An inscription or symbol on a sign referred to in subclause (1) or (2) operates and has effect according to its tenor.

(4) Subject to subclause 0, this local law applies to the parking region.

(5) This local law does not apply to a parking facility or a parking station that is:

- (a) not owned, occupied or operated by the local government; and
- (b) open to the public;

unless the local government and the owner or occupier of that facility or station have agreed in writing that this local law will apply to that facility or station.

(6) The agreement referred to in subclause 0 may be made on such terms and conditions as the parties may agree.

(7) Where a parking facility or a parking station is identified in the Schedule 7, then the facility or station shall be deemed to be a parking station to which this local law applies and it shall not be necessary to prove that it is the subject of an agreement referred to in subclause 0.

2.6 Part of thoroughfare to which sign applies

Where under this local law the parking of vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which—

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

PART 3 — PARKING STALLS AND PARKING STATIONS**3.1 Determination of parking stalls and parking stations**

The local government may by resolution constitute, determine and vary and also indicate by signs—

- (a) parking stalls;
- (b) parking stations;
- (c) permitted time and conditions of parking in parking stalls and parking stations which may vary with the locality;
- (d) permitted classes of vehicles which may park in parking stalls and parking stations;
- (e) permitted classes of persons who may park in specified parking stalls or parking stations; and
- (f) the manner of parking in parking stalls and parking stations.

3.2 Vehicles to be within parking stall on thoroughfare

- (1) Subject to subclauses (2), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare otherwise than—
- (a) parallel to and as close to the kerb as is practicable;
 - (b) wholly within the stall; and
 - (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.
- (2) Subject to subclause (3) where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.
- (3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle.
- (4) A person shall not park a vehicle partly within and partly outside a parking area.

3.3 Parking prohibitions and restrictions

- (1) A person shall not—
- (a) stop or park a vehicle in a parking station so as to obstruct any entrance, exit, carriageway, passage or thoroughfare of the parking station;
 - (b) except with the permission of the local government or an authorised person park a vehicle on any part of a parking station contrary to a sign referable to that part;
 - (c) permit a vehicle to park on any part of a parking station if an authorised person directs the driver of such vehicle to move the vehicle from such part or from the parking station; or
 - (d) park or attempt to park a vehicle in a parking stall in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a stall marked "M/C", if the bicycle is parked in accordance with subclause (2).
- (2) No person shall park any bicycle—
- (a) in a parking stall other than in a stall marked "M/C"; and
 - (b) in such stall other than against the kerb, unless it is parked at a bicycle rail or in a bicycle rack.
- (3) Notwithstanding the provisions of subclause (1)(b) a driver may park a vehicle in a parking stall or station (except in a parking area for people with disabilities) for twice the period of time permitted by the sign, provided that—
- (a) the driver's vehicle displays an ACROD sticker; and
 - (b) person with disabilities to which that ACROD sticker relates is either the driver or a passenger in the vehicle.

PART 4 — PARKING GENERALLY*Division 1 — Parking restrictions***4.1 Restrictions on parking in particular areas**

- (1) Subject to subclause (2), a person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station—
- (a) if by a sign it is set apart for the parking of vehicles of a different class;
 - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
 - (c) during any period when the parking of vehicles is prohibited by a sign.

- (2) In this clause, “*driver*” means a driver where—
- (i) the driver’s vehicle displays an ACROD sticker; and
 - (ii) a disabled person to which the ACROD sticker relates is either the driver of the vehicle or a passenger in the vehicle.
- (a) A driver may park a vehicle in a thoroughfare or part of a thoroughfare or part of a parking station, except in a thoroughfare or part of a thoroughfare or part of a parking station to which a disabled parking sign relates, for twice the period of time permitted by a sign referable to the thoroughfare or the part of the thoroughfare or the part of the parking station.
- (3) A person shall not park a vehicle—
- (a) in a no parking area;
 - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this local law;
 - (c) in a stall marked “M/C” unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.
- (4) A person shall not park a motorcycle without a sidecar or a trailer, or a bicycle in a parking stall unless the stall is marked “M/C”.
- (5) A person shall not, without the prior permission of the local government or an authorised person park a vehicle in an area designated by a sign stating “Authorised Vehicles Only”.
- (6) a person must not stop or park a vehicle in or on any part of a parking area, carriageway or thoroughfare signed or marked “keep clear” area.

4.2 Parking vehicle on a carriageway

- (1) A person parking a vehicle on a carriageway shall park it—
- (a) so the vehicle is parallel with and as close as practicable to the boundary of the carriageway;
 - (b) so the vehicle is headed in the direction of the movement of traffic on the side of the carriageway on which the vehicle is parked or stopped;
 - (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
 - (d) so that the front and the rear of the vehicle respectively is not less than 1 metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law; and
 - (e) so that it does not obstruct any vehicle on the carriageway, unless otherwise indicated on a parking regulation sign or markings on the roadway.
- (2) In this clause, “continuous dividing line” means —
- (a) a single continuous dividing line only;
 - (b) a single continuous dividing line to the left or right of a broken dividing line; or
 - (c) two parallel continuous dividing lines.
- (3) The driver of any vehicle standing on any carriageway in any park or reserve shall place and keep the same close to and parallel with the road edge, kerb or footpath on the left of such vehicle, except where channels or other obstructions prevent this from being done;
- (4) Subclause (3) shall not apply to a vehicle parked in an area where the parking bays have been marked other than parallel to the road edge.

4.3 When parallel and right-angled parking apply

Where a traffic sign associated with a parking area is not inscribed with the words “angle parking” (or with an equivalent symbol depicting this purpose), then unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles have to park in a different position, where the parking area is—

- (a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area shall park it as near as practicable to and parallel with that boundary; and
- (b) at or near the centre of the carriageway, a person parking a vehicle in that parking area shall park it at approximately right angles to the centre of the carriageway.

4.4 When angle parking applies

(1) This clause does not apply to—

- (a) a passenger vehicle or a commercial vehicle with a mass including any load, of over three tonnes; or
- (b) a person parking either a motor cycle without a trailer or a bicycle.

(2) Where a sign associated with a parking area is inscribed with the words “angle parking” (or with an equivalent symbol depicting this purpose), a person parking a vehicle in the area shall park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

4.5 General prohibitions on parking

(1) This clause does not apply to a vehicle parked in a parking stall.

(2) Subclauses (3)(c), (e) and (g) do not apply to a vehicle which parks in a bus embayment.

(3) Subject to any law relating to intersections with traffic control signals a person shall not park a vehicle so that any portion of the vehicle is—

- (a) between any other stationary vehicles and the centre of the carriageway;
- (b) on or adjacent to a median strip;
- (c) obstructing a right of way, private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;
- (d) alongside or opposite any excavation, works, boarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
- (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
- (f) on any footpath or pedestrian crossing or where there is no constructive footpath;
- (g) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line;
- (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
- (i) within 1 metre of a fire hydrant or fire plug or of any sign or mark indicating the existence of a fire hydrant or fire plug;
- (j) within 3 metres of a public letter box, unless the vehicle is being used for the purposes of collecting postal articles from the letter box; or

- (k) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked, unless a sign indicates otherwise.
- (4) A person shall not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of—
- (a) a sign inscribed with the words “Bus Stop” or “Hail Bus Here” (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers; or
 - (b) a children’s crossing or pedestrian crossing.
- (5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of—
- (a) a sign inscribed with the words “Bus Stop” or “Hail Bus Here” (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers;
 - (b) a children’s crossing or pedestrian crossing.
- (6) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

4.6 Authorised person may order vehicle on thoroughfare to be moved

The driver of a vehicle shall not park that vehicle on any part of a thoroughfare in contravention of this local law after an authorised person has directed the driver to move it.

4.7 No movement of vehicles to avoid time limitation

- (1) Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time allowed for parking in the parking facility.
- (2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not move a vehicle along that thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from the thoroughfare for at least two hours.
- (3) Where parking in a thoroughfare is restricted as to time and a vehicle has been parked in that thoroughfare a person shall not park that vehicle again in that thoroughfare unless there is between the place where the vehicle had been parked and the place where the vehicle is subsequently parked another thoroughfare that meets or intersects that thoroughfare.

4.8 No parking of vehicles exposed for sale and in other circumstances

A person shall not park a vehicle on any portion of a thoroughfare—

- (a) for the purpose of exposing it for sale;
- (b) if that vehicle is not licensed under the *Road Traffic Act 1974*;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

4.9 Parking on private land

In this clause a reference to “land” does not include land—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*;

- (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;
- (d) which is the subject of an agreement referred to in clause 1.5(2); or
- (e) which is identified in Schedule 7.

(2) A person shall not park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is parked.

(3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person shall not park a vehicle on the land otherwise than in accordance with the consent.

4.10 Parking on reserves

No person other than an employee or approved contractor of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

4.11 Stopping or parking on a verge

(1) A person shall not—

- (a) stop or park a vehicle; or
- (b) stop or park a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or
- (c) stop or park a vehicle during any period when the parking of vehicles on that verge is prohibited by a sign adjacent and referable to that verge; so that any portion of it is on a verge.

(2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to park the vehicle so that any portion of it is on the verge.

(3) Subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a footpath.

4.12 Suspension of parking limitations for urgent, essential or official duties

(1) Where by a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an Authorised Person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.

(2) Where permission is granted under subclause 0, the local government, the CEO or an Authorised Person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

4.13 Disabled persons parking

(1) A driver shall not stop in a parking area for people with disabilities unless—

- (a) the driver's vehicle displays an ACROD sticker; and
- (b) either the driver or a passenger in that vehicle is a person with disabilities.

(2) In this clause, a "parking area for people with disabilities" is a length or area of a road—

- (a) to which a “permissive parking” sign displaying people with disabilities symbol applies;
- (b) to which a “people with disabilities parking” sign applies;
- (c) indicated by a road marking (a “people with disabilities road marking”) that consists of, or includes, a people with disabilities symbol; or
- (d) set aside within a parking region as a “parking bay for use of a disabled person” under the *Local Government (Parking for Disabled Persons) regulations 1988*.

Division 2 —Parking in parking stations

4.14 Display of tickets

(1) Subject to subclause (2) a person shall not stop or park a vehicle in any part of a parking station equipped with a ticket issuing machine or a parking facility during any permitted period unless—

- (a) an unexpired parking ticket or unexpired parking tickets applicable to that part of the parking station and issued on that day; and
- (b) the date and time of issue or expiry of the ticket, as the case may be, and the number of the ticket, if any, printed thereon; are displayed inside the vehicle and clearly visible to and able to be read by an authorised person from outside the vehicle at all times while the vehicle remains stopped or parked in that part of the parking station.
- (b) For the purposes of subclause (1), a parking ticket issued in respect of any parking station or any part of a parking station which has been set aside under this local law shall be applicable only to that parking station or that part of that parking station, as the case may be;
- (c) A reference in this clause to—
 - (i) *“permitted period”* means the period stated on the ticket issuing machines in the parking station during which the parking of vehicle is permitted upon the purchase of a parking ticket;
 - (ii) *“unexpired parking ticket”* means a parking ticket on which—
 - (A) a date and expiry time is printed and that time has not expired; or
 - (B) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired.

(2) Use of parking tickets—

A person shall not—

- (a) deface, alter, add to, erase, obliterate or otherwise interfere with a parking ticket or any information, printing or imprint thereon;
 - (b) park a vehicle in a parking station or parking facility if there is displayed in that vehicle so as to be visible from outside the vehicle a parking ticket which has been defaced, altered, added to, erased, obliterated or otherwise interfered with; or
 - (c) produce to an authorised person or the local government to accept payment of parking fees, a parking ticket which is, or any information, printing or imprint on which is defaced, altered, added to, erased, obliterated or otherwise interfered with.
- (3) Fees for motor cycles in parking stations—
- (a) a fee payable for the parking of a motor cycle and the period of application of the fee in a parking station may be determined and imposed by the local government;
 - (b) the local government shall not be obliged to accept payment of any fee referred to in this clause;

(4) Parking positions for motor cycles—

A person shall not stop or park a motor cycle in a parking station equipped with a ticket issuing machine unless—

- (a) wholly within a parking stall marked with the symbol “M/C” or otherwise designated as being set aside for the parking of motor cycles;
- (b) that person has paid to the local government the fee; and
- (c) during the period for which the fee is applicable.

(5) Set aside parking stations for multiple occupants—

The local government in respect of any period or time may by the use of signs set aside any parking station or any part of a parking station and prohibit entry thereto by vehicles other than vehicles carrying at least one other person in addition to the driver.

(6) Parking restrictions for vehicles with multiple occupants—

- (a) the local government may determine and impose a fee payable for the parking of a vehicle in any parking station or part of a parking station at any time or for specified times.
- (b) a person shall not stop or park a vehicle in any parking station or part of a parking station which has been set aside under this local law at the times or within such period specified pursuant to this local law unless the vehicle is carrying at least one other person.
- (c) a person shall not enter any parking station or part of a parking station which has been set aside under this local law at the times or within such period specified pursuant to this local law unless that person is the driver of or passenger in a vehicle carrying at least one other person.

4.14 Vehicle not be removed until fee paid

A person shall not remove a vehicle which has been parked in a parking station until there has been paid the appropriate fee for the period for which the vehicle has been parked.

4.15 Entitlement to receipt

A person paying a fee at a parking station is to be entitled to receive a receipt on demand showing the period of parking covered by such payment.

*Division 4 — Special event parking***4.16 Special event parking**

(1) The local government may by the use of signs, set aside for any period specified on the signs, any parking station, parking facility or other land owned or controlled by the local government for the parking of vehicles by persons attending a special event.

(2) A person shall not park or stop a vehicle in a parking station, parking facility or land owned or controlled by the local government set aside under subclause (1) during the period for which it is set aside unless a ticket purchased on entry to that parking station, parking facility or land with respect to the special event is clearly visible to and readable by an authorised person from outside a vehicle.

(3) A fee payable for special event parking may be determined and imposed by the local government.

(4) For the purpose of this clause a “*special event*” means any event or occurrence considered by the local government to be special and likely to attract a substantial number of persons driving vehicles.

(5) During the period referred to in subclause (1) the provisions of clause 6.5 shall not apply to the parking station, parking facility or other land.

PART 5 — PARKING AND STOPPING GENERALLY

Division 1 — Parking and stopping generally

5.1 No stopping and no parking signs, and yellow edge lines

(1) No stopping —

A driver shall not stop on a length of carriageway, or in an area, to which a 'no stopping' sign applies.

(2) No parking —

A driver shall not stop on a length of carriageway or in an area to which a 'no parking' sign applies, unless the driver is—

- (a) dropping off, or picking up, passengers or goods;
- (b) does not leave the vehicle unattended; and
- (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

(3) No stopping on a carriageway with yellow edge lines —

- (a) a driver shall not stop at the side of a carriageway marked with a continuous yellow edge line.

Division 2 — Stopping in zones for particular vehicles

5.2 Stopping in a loading zone

A person shall not stop a vehicle in a loading zone unless it is —

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
- (b) a motor vehicle taking up or setting down passengers, but, in any event, shall not remain in that loading zone;
- (d) for longer than a time indicated on the "loading zone" sign; or
- (e) longer than 30 minutes (if no time is indicated on the sign).

5.3 Stopping in a taxi zone or a bus zone

(1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.

(2) A driver shall not stop in a bus zone unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the "bus zone" sign applying to the bus zone.

5.4 Stopping in a mail zone

A person shall not stop a vehicle in a mail zone.

5.5 Other limitations in zones

A person shall not stop a vehicle in a zone to which a sign applies if stopping the vehicle would be contrary to any limitation in respect to classes of persons or vehicles, or specific activities allowed, as indicated by additional words on a sign that applies to the zone.

Division 3 — Other places where stopping is restricted

5.6 Stopping in a shared zone

A driver shall not stop in a shared zone unless —

- (a) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these local laws;
- (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under these local laws;
- (c) the driver is dropping off, or picking up, passengers or goods; or

(d) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

5.7 Double parking

(1) A driver shall not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.

(2) This clause does not apply to —

- (a) a driver stopped in traffic; or
- (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with these local laws.

5.8 Stopping near an obstruction

A driver shall not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

5.9 Stopping on a bridge or in a tunnel, etc.

(1) A driver shall not stop a vehicle on a bridge, causeway, ramp or similar structure unless —

- (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
- (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these local laws.

(2) A driver shall not stop a vehicle in a tunnel or underpass unless —

- (a) the carriageway is at least as wide in the tunnel or underpass as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
- (b) the driver of a motor vehicle stops at a bus stop, or in a bus zone or parking area marked on the carriageway, for the purpose of setting down or taking up passengers.

5.10 Stopping on crests, curves, etc.

(1) Subject to subclause (2), a driver shall not stop a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.

(2) A driver may stop on a crest or curve on a carriageway that is not in a built-up area if the driver stops at a place on the carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these local laws.

5.11 Stopping near a fire hydrant etc

(1) A driver shall not stop a vehicle so that any portion of the vehicle is within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless —

- (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
- (b) the driver is driving a taxi, and the driver stops in a taxi zone and does not leave the taxi unattended.

(2) In this clause a driver leaves the vehicle “unattended” if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.

5.12 Stopping at or near a bus stop

(1) A driver shall not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10 metres of the departure side of a bus stop, unless —

- (a) the vehicle is a public bus stopped to take up or set down passengers; or
- (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these local laws.

(2) In this clause —

- (a) distances are measured in the direction in which the driver is driving; and
- (b) a trailer attached to a public bus is deemed to be a part of the public bus.

5.13 Stopping on a path, median strip, or traffic island

The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, traffic island or median strip, unless the driver stops in an area, to which a parking control sign applies and the driver is permitted to stop at that place by the sign.

5.14 Obstructing access to and from a path, driveway, etc.

(1) A driver shall not stop a vehicle so that any portion of the vehicle is in front of a path, in a position that obstructs access by vehicles or pedestrians to or from that path, unless —

- (a) the driver is dropping off, or picking up, passengers; or
- (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under these local laws.

(2) A driver shall not stop a vehicle on or across a driveway or other way of access for vehicles travelling to or from adjacent land, unless —

- (a) the driver is dropping off, or picking up, passengers; or
- (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under these local laws.

5.15 Stopping near a letter box

A driver shall not stop a vehicle so that any portion of the vehicle is within 3 metres of a public letter box, unless the driver —

- (a) is dropping off, or picking up, passengers or mail; or
- (b) stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these local laws.

5.16 Stopping on a carriageway – heavy and long vehicles

Subject to any clause to the contrary or sign referable to the carriageway, a person shall not park a vehicle or any combination of vehicles that together with any projection on, or load carried by the vehicle or combination of vehicles is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes —

- (a) on a carriageway in a built-up area for any period exceeding 1 hour, unless engaged in the picking up or setting down of goods; or
- (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway or in a truck bay or other area set aside for the parking of such vehicles.

5.17 Stopping on a carriageway with a bicycle parking sign

The driver of a vehicle (other than a bicycle) shall not stop on a length of carriageway to which a “bicycle parking” sign applies, unless the driver is dropping off, or picking up, passengers.

5.18 Stopping on a carriageway with motor cycle parking sign

The driver of a vehicle shall not stop on a part of carriageway, or in an area to which a “motor cycle parking” sign applies, or an area marked “M/C” unless —

- (a) the vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

5.19 Eating areas in parking stalls

A person shall not stop or park a vehicle in a parking stall which has been authorised in writing by the local government, to be set up or conducted as an eating area and which is designated by signs as such at that time.

5.20 Permits in parking facilities

(1) The local government or authorised person may, whether upon payment of a fee or not, issue a written temporary parking permission which allows a specific vehicle to park—

- (a) in a specified kerbside area;
- (b) in a car park which is controlled by a sign, in contravention of the restriction specified on that sign; or
- (c) in any other place under the control of the local government.

(2) A permit issued under subclause (1) may—

- (a) authorise the stopping or parking of the vehicle continuously for a specified period or periods between specified times or from time-to-time during a specified period; and
- (b) be revoked or suspended at any time by the local government or an authorised person before the expiration of any time or period specified in the permit without responsibility for any liability or loss or claim.

(3) A person shall not stop or park a vehicle in respect of which a permit has been issued pursuant to subclause (2)—

- (a) except at the times or during the period specified in the permit;
- (b) or any purpose other than the purpose for which the permit was issued; or
- (c) at any time after the cancellation, withdrawal or suspension of the permit.

(4) Nothing in this clause mitigates the limitations or condition imposed by any other clause or by any local law relating to a person’s right of appeal against the local government revoking or suspending a permit.

5.21 Motor cycle stalls

(1) A person shall not stop or park a vehicle other than a bicycle or a motor cycle to which no side car or side-box is attached in a parking stall—

- (a) marked with the symbol “M/C”; or
- (b) in which the parking of bicycles or motor cycles is permitted by a sign referable to that parking stall.

(2) A person shall not stop or park a bicycle or motor cycle in a parking stall marked with the symbol “M/C”—

- (a) for longer than the maximum period permitted for parking in that parking stall by a sign referable to that parking stall or metered space;

- (b) if there is no sign referable to that parking stall than for longer than the maximum period during which a vehicle may stop or be parked as specified on any sign referable to any parking stall adjacent thereto; or
- (c) otherwise than wholly within the stall.

5.22 Stopping in a parking area for seniors

The driver of a vehicle shall not stop or park a vehicle on a thoroughfare or parking station or other area that has been set aside for seniors parking unless —

- (a) the driver’s vehicle displays an “seniors permit”; and
- (b) either the driver or the passenger of that vehicle is a person to whom the “seniors permit” has been issued to.

5.23 Stopping in a parking area for parents with pram

A driver shall not stop or park a vehicle on a thoroughfare or parking station or other area that has been set aside for parents with pram unless —

- (a) the driver’s vehicle displays a “parents with pram” permit; and
- (b) either the driver or the passenger of that vehicle is a person to whom the “parents with pram” permit has been issued to.

PART 6 — TICKET ISSUING MACHINES AND ZONES

6.1 Ticket issuing machines

(1) Damage to ticket issuing machines—

A person shall not or attempt to remove, damage, deface, misuse or interfere with any ticket issuing machine.

(2) Signs on ticket issuing machines—

A person shall not, without the permission of the local government, affix any board, sign, placard, notice, cover or other thing to or paint, mark or write upon any ticket issuing machine.

(3) Use of coins in ticket issuing machines—

A person shall not insert or cause to be inserted or attempt to insert into a coin slot of a ticket issuing machine any thing other than a coin appropriate to that slot.

(4) Operating ticket issuing machines—

A person shall not operate or attempt to operate a ticket issuing machine except in accordance with the operating instructions appearing on the ticket issuing machine.

6.2 Fees in ticket machine zones

(1) Fees for stopping and parking of vehicles in a ticket machine zone may be determined and imposed by the local government.

(2) A person must not stop or park a vehicle in a ticket machine zone unless the appropriate fee as indicated by a sign on the ticket issuing machine referable to the zone is inserted into the ticket issuing machine.

(3) The payment of the fee referred to in subclause (1) in accordance with subclause (2) entitles a person to stop or park a vehicle in a ticket machine zone for the period shown on the parking ticket, but does not authorise the stopping or parking of the vehicle in a parking space, or part of the zone during any time when stopping or parking in that zone is prohibited—

- (a) under this local law;
- (b) by the sign on the ticket issuing machine referable to the zone; or
- (c) by a sign referable to that space.

6.3 Display of tickets

(1) A person shall not stop or park a vehicle in a ticket machine zone during any permitted period unless—

(a) an unexpired ticket issued by a ticket issuing machine in that ticket machine zone; and

(b) the date and time of issue or expiry, as the case may be, and the number, if any, of the ticket printed on the ticket, are displayed inside the vehicle and are clearly visible to and able to be read by an authorised person from outside the vehicle at all times while the vehicle remains stopped or parked in the zone.

(2) A reference in this clause to—

(a) “*permitted period*” means the period stated on the ticket issuing machines in the ticket machine zone during which the parking of vehicle is permitted upon the purchase of a parking ticket;

(b) “*unexpired parking ticket*” means a parking ticket on which—

(i) a date and expiry time is printed and that time has not expired;

(ii) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired.

(3) For the purpose of this clause, where more than one parking ticket is displayed bearing the same date and time of issue, the period for each ticket referred to in subclause (2)(b) shall be aggregated and the tickets shall be deemed not to have expired until the expiry of the aggregate of those periods.

6.4 Parking limits

(1) A person shall not stop or park a vehicle in a ticket machine zone during any permitted period for longer than the maximum period.

(2) A reference in this clause to—

(a) “*maximum period*” means the maximum period stated on the ticket issuing machines in the zone during which the continuous parking of a vehicle in the zone is permitted;

(b) “*permitted period*” has the meaning given to it in clause 6.3(2)(a).

6.5 Parking position in ticket machine zones

A person shall not stop or park a vehicle in a ticket machine zone—

(1) on any part of which there are parking stalls set out parallel to a kerb otherwise than—

(a) parallel to that kerb;

(b) as close to the kerb as practicable;

(c) wholly within a parking stall;

(d) headed in the direction of the movement of traffic on the part of the carriageway on which the parking stall is situated; or

(2) on any part of which there are parking stalls not set out parallel to a kerb otherwise than wholly within a parking stall.

PART 7 — MISCELLANEOUS**7.1 Authorised persons**

No offence under this local law is committed by an authorised person while carrying out his or her duties as an authorised person.

7.2 Necessary power

An authorised person has all necessary powers for the purpose of performing or observing all of the functions conferred on him or her under the Act and this local law.

8.3 Authorised person to be obeyed

A person who is given a direction by an authorised person or a member of the WA Police Service under this local law or in relation to a contravention of this local law shall comply with that direction.

8.4 Name, address and date of birth to be given on demand

(1) An authorised person or a member of the police force which finds a person committing, or who on reasonable grounds suspects a person having committed a breach of the provisions of these local laws, may demand from that person their name, place of abode and date of birth.

(2) If a person without lawful excuse refuses to state his or her name, place of abode and date of birth or who states a false name, place of abode and date of birth, commits an offence.

8.5 Persons may be directed to leave local government property

An authorised person may direct a person to leave local government property or a local government building where the authorised person reasonably suspects that the person has contravened a provision of this local law.

8.6 Hindrance of authorised person

A person shall not in any way obstruct or hinder an authorised person in the execution of his or her duties.

8.7 Marking of tyres

(1) For the purposes of ascertaining whether or not a parked vehicle has been or may be parked in contravention of any provision of this local law an authorised person may mark the tyres of a vehicle parked in a parking area or parking facility —

- (a) with chalk or any other non-indelible substance; or
- (b) record the position of the vehicle; or
- (c) take a valve stem reading of the vehicle; or
- (d) record the vehicle details, vehicle registration number and photograph the vehicle.

(2) A person shall not remove or interfere with any such mark referred to in subclause (1) so that the purpose of affixing such a mark is defeated or may be defeated.

8.8 Removal of notices on vehicle

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, shall not remove from the vehicle any notice put on the vehicle by an authorised person.

8.9 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this local law, the driver of—

- (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop or park the vehicle in any place, at any time; and
- (b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so, or where he or she honestly and reasonably believes

that it is expedient and safe to do so, stop or park the vehicle at any place, at any time.

8.10 Vehicles not to obstruct a public place or thoroughfare

- (1) A person shall not leave a vehicle or any part of a vehicle in a public place so that it obstructs the use of any part of that public place or thoroughfare without the permission of the local government or unless authorised under any written law.
- (2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours, unless the vehicle is causing or may cause a danger to the public or is jeopardising or may jeopardise the safety of a person.

8.11 Signs must be complied with

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

8.12 General provisions about signs

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.
- (2) The first three letters of any day of the week when used on a sign indicate that day of the week.

8.13 Damage to parking stations and facilities

A person shall not, and shall not attempt to remove, damage, deface, misuse or interfere with any part of a parking station or parking facility.

8.15 Interfere with or damage Council property

- (1) A person shall not interfere with, damage, or obstruct the operation of any electronic parking meter or instrument in any parking station or parking facility.
- (2) A person shall not interfere with, damage or obstruct the operation of any display panels or parking meters or instruments operated by the Shire of Roebourne.

8.16 Causing or attempting to cause damage to Council property

A person shall not cause or attempt to cause damage to the property of the local government in any way.

PART 9 — REMOVAL AND IMPOUNDING OF VEHICLES

9.1 Obstruction of public places

For the purposes of regulation 29 of the Local Government (Functions and General) Regulations 1996 any vehicle which is parked or stopped in any public place in contravention of these local laws —

- (a) for any period exceeding 24 hours without the written consent of an authorised person; or
- (b) or as to cause an undue obstruction, is abandoned, unregistered or disused, is deemed to be obstructing the lawful use of that public place.

9.2 Impounding of vehicles

(1) An authorised person may remove and impound any vehicle obstructing the lawful use of a road or public place in accordance with Part 3, Division 3, Subdivision 4 of the *Local Government Act 1995*.

(2) Where an authorised person finds a vehicle causing an obstruction that authorised person may use such force as is necessary to enter the vehicle for the purpose of so removing it.

9.3 Register of impounded vehicles

The Local Government shall keep and maintain a register of impounded vehicles containing details of the time and date on which each vehicle was removed and impounded, a description of the vehicle, and a description of the place from which it was removed.

9.4 Return of impounded vehicles pending prosecution

Where the Local Government impounds a vehicle pursuant to clause 8.2 of these local laws and institutes a prosecution against the alleged offender for an offence against this local laws in accordance with section 3.42(a) of the *Local Government Act 1995*, the owner of the vehicle may collect the vehicle on payment to the local government of its expenses of removing and impounding the vehicle.

9.5 Notice to collect impounded vehicle

A notice under section 3.42(b) or section 3.44 of the *Local Government Act 1995* to the owner of a vehicle which is removed and impounded to collect the vehicle shall be in or to the effect of Schedule 2 — Form 4.

PART 10 — PENALTIES**10.1 Offences and penalties**

(1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

(2) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

(3) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty no less than \$500.00 and not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500.00 for each day or part of a day during which the offence has continued.

10.2 Form of notices

For the purposes of this local law the form of the —

(a) notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 3;

(b) infringement notice referred to in section 9.17 of the Act is that of the Form 2 in Schedule 4;

(c) notice referred to in 9.20 of the Act is that of Form 3 in Schedule 5; and

(d) notice referred to in 3.42 of the Act is that of Form 4 in Schedule 6.

SCHEDULE 1 — PARKING REGION

[]

The parking region is the whole of the district, but excludes the following portions of the district —

- (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
 - (b) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
 - (c) any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road is carried out subject to the control and direction of the Commissioner of Main Roads or has been delegated by the Commissioner to the local government.
-

SCHEDULE 2 — PRESCRIBED OFFENCES

[cl. 9.2(1)]

Item No.	Clause No.	Description of Offence	Modified Penalty \$
1	2.3(a),(b) or (c)	Unauthorised signs and defacing signs	200
2	3.2(1)(b)	Failure to park wholly within parking stall	80
3	3.2(4)	Failure to park wholly within parking area	80
4	3.3(1)(a)	Causing obstruction in parking station	80
5	3.3(1)(b)	Parking contrary to sign in parking station	80
6	3.3(1)(c)	Parking contrary to directions of authorised person	100
7	3.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	80
8	4.1(1)(a)	Parking by vehicles of a different class	80
9	4.1(1)(b)	Parking by persons of a different class	80
10	4.1(1)(c)	Parking during a prohibited period	80
11	4.1(3)(b)	Parking contrary to signs or limitations	80
12	4.1(3)(c)	Parking vehicle in motor cycle only area	80
13	4.1(4)	Parking motor cycle in stall not marked "M/C"	80
14	4.1(5)	Parking without permission in an area designated for "Authorised Vehicles Only"	100
15	4.2(1)(a)	Failure to park with and adjacent to the boundary of carriageway	100
16	4.2(1)(b)	Parking contrary to direction of traffic on carriageway	100
17	4.2(1)(c)	Causing obstruction	100
18	4.3(b)	Failure to park at approximate right angle	80
19	4.4(2)	Failure to park at an appropriate angle	80
20	4.5(3)(a)	Double parking	100
21	4.5(3)(b)	Parking on or adjacent to a median strip	100
22	4.5(3)(c)	Denying access to private drive or right of way	100
23	5.5(3)(d)	Parking beside excavation or obstruction so as to obstruct traffic	100
24	4.5(3)(e)	Parking within 10 metres of traffic island	100
25	4.5(3)(f)	Parking on footpath/pedestrian crossing	100
26	4.5(3)(g)	Parking contrary to continuous line markings	100
27	4.5(3)(h)	Parking on intersection	100
28	4.5(3)(i)	Parking within 1 metre of fire hydrant or fire plug	100
29	4.5(3)(j)	Parking within 3 metres of public letter box	100
30	4.5(3)(k)	Parking within 10 metres of intersection	100
31	4.5(4)(a)or(b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	100
32	4.5(5)(a)or(b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	100
33	4.6	Parking contrary to direction of authorised person	100
34	4.7(1),(2)or(3)	Moving vehicle to avoid time limitation	100
35	4.8(b)	Parking unlicensed vehicle in thoroughfare	100
36	4.9(2)	Parking or stopping on private property	100
37	4.10	Driving or parking on reserve	100

[cl. 9.2(1)]

Item No.	Clause No.	Description of offence	Modified Penalty \$
38	4.11	Stopping or parking on a verge	100
39	4.13	Stopping or parking in a disabled parking bay	500
40	5.1(1)	Stopping contrary to a "no stopping" sign	100
41	5.1(2)	Parking contrary to a "no parking" sign	100
42	5.1(3)	Stopping within continuous yellow lines	100
43	5.2	Stopping unlawfully in a loading zone	100
44	5.3	Stopping unlawfully in a taxi zone or bus zone	80
45	5.4	Stopping unlawfully in a mail zone	80
46	5.8	Stopping near an obstruction	100
47	5.9	Stopping on a bridge or tunnel	100
48	5.10	Stopping on crests/curves etc	100
49	5.11	Stopping near fire hydrant	100
50	5.12	Stopping near bus stop	100
51	5.13	Stopping on path, median strip or traffic island	100
52	5.14	Obstructing path, a driveway etc	100
53	5.15	Stopping near letter box	80
54	5.22	Stopping in seniors parking area	120
55	5.23	Stopping in parents with prams parking area	100
56	6.1(1)	Damage to ticket issuing machine	500
57	6.1(2)	Signs on ticket issuing machine	500
58	6.1(3)	Use of coin in ticket issuing machine	500
59	6.1(4)	Misuse of ticket issuing machine	500
60	8.6	Hindrance of authorised person	200
61	8.8	Removal of notices from vehicle	100
62	8.10	Leaving vehicle so as to obstruct a public place	100
63	8.15(1) or (2)	Interfere or damage a display panel or transmitting device	500
64	8.16	Causing damage to local government property	500
65		All other offences not specified	80
66			

SCHEDULE 3 — FORM 1

[cl. 9.13]

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date / /

To: (1)

of: (2)

It is alleged that on / / at (3).....

at (4) your vehicle —

make: ;

model:

registration:

was involved in the commission of the following offence:.....

.....

contrary to clause of the **Shire of Roebourne Parking and Parking Facilities Local Law 2010**.

You are required under section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless —

- (a) within 28 days after being served with this notice—
 - (i) you inform the Chief Executive Officer or another authorised officer of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; and
 - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed; or
- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

(5)

(6)

Insert —

- (1) Name of owner or “the owner”.
- (2) Address of owner (not required if owner not named).
- (3) Time of alleged offence.
- (4) Location of alleged offence.
- (5) Signature of authorised person.
- (6) Name and title of authorised person giving notice.

SCHEDULE 4 — FORM 2

[cl. 9.17]

INFRINGEMENT NOTICE

Serial No
Date / /
To:(1)
of:(2).....

It is alleged that on / / at (3).....
at (4).....
in respect of vehicle —

make: ;
model: ;
registration: ;
you committed the following offence -

contrary to clause of the **Shire of Roebourne Parking and Parking
Facilities Local Law 2010.**

The modified penalty for the offence is \$
If you do not wish to have a complaint of the alleged offence heard and determined by
a court, the amount of the modified penalty may be paid to an authorized person at (5)
..... within a period of 28 days after the giving of this notice.

If you take no action this infringement notice may be registered with the Fines
Enforcement Registry after which your driver's licence or any vehicle licence held by
you may be suspended.

If the matter is registered with the Registry additional costs will also be payable.
If the above address is not your current address, or if you change your address, it is
important that you advise us immediately. Failure to do so may result in your driver's
licence or any vehicle licence you hold being suspended without your knowledge.

(6)
(7).....

Insert —

- (1) Name of alleged offender or "the owner"
- (2) Address of alleged offender
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorized person
- (7) Name and title of authorized person giving notice

SCHEDULE 5 — FORM 3

[cl. 9.20]

WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No

Date / /

To: (1).....

of: (2).....

Infringement Notice No. Dated / /

in respect of vehicle —

make: ;

model: ;

registration: ;

for the alleged offence of.....

.....

.....

has been withdrawn.

The modified penalty of \$

has been paid and a refund is enclosed.

has not been paid and should not be paid.

delete as appropriate.

(3)

(4).....

Insert —

(1) Name of alleged offender to whom infringement notice was given or 'the owner'.

(2) Address of alleged offender.

(3) Signature of authorised person.

(4) Name and title of authorised person giving notice.

SCHEDULE 6 — FORM 4

[cl. 3.42]

NOTICE OF REMOVAL AND IMPOUNDING OF VEHICLE

Serial No.....
 Date/...../.....
 To (name of owner of vehicle).....
 of (address of owner of vehicle).....
 make:.....;
 model:.....;
 registration:.....
 On (date)...../...../.....(time).....am/pm, at (place)
 your vehicle was involved in a contravention of
 the Shire of Roebourne local laws Relating to Parking and was removed and
 impounded under section 3.39 of the *Local Government Act 1995*.

Your vehicle may be collected from (place)
 between the hours of am/pm
 and am/pm, Monday to Friday by satisfying the Chief Executive
 Officer of the Shire that you are the owner of the vehicle or a person entitled to
 possession of the vehicle.

- (1) If your vehicle is not collected within two (2) months after the date of this notice
 the Shire may either —
- (a) under section 3.47 of the *Local Government Act 1995* sell the vehicle and credit
 the money received from that sale to the Shire's trust fund except to the extent
 required to meet the Shire's costs of custody of the vehicle after the period of
 two months and the expenses incurred by the Shire in selling the vehicle; or
 - (b) under section 3.46 of the *Local Government Act 1995* refuse to allow the
 vehicle to be collected until the Shire's costs of custody of the vehicle after the
 period of two months have been paid to the Shire.

(2) If you have been convicted of an offence against the Shire of Roebourne local laws
 Relating to Parking as a result of the above contravention then section 3.48 of the
Local Government Act 1995 also allows the Shire to recover from you its expenses
 incurred in removing and impounding the vehicle and any outstanding expenses for
 the custody of the vehicle.

.....
 Signature of authorised person

 Name and title of authorised person

SCHEDULE 7 — DEEMED PARKING STATIONS

Parking Station	Location
Number 1, Airport	Lot 15, Bayly Avenue, Gap Ridge
Number 2, Centro	Lot 50, Welcome Road, Karratha
Number 3, TAFE	Lot 2598, Dampier Road, Stove Hill
Number 4, TAFE	Lot 2899, Dampier Road, Stove Hill

Dated [insert date]

The Common Seal of the Shire of Roebourne was affixed by authority of a resolution of the Council in the presence of—

 N LOCKWOOD, Shire President

 C LONGMORE, Chief Executive Officer

ATTACHMENT 2 ITEM 9.3.2 COMPARISON TABLE OF MODIFIED PENALTIES.

Description of Offence	2003 Modified Penalty \$	2010 Modified Penalty \$
Unauthorised signs and defacing signs	New	200
Failure to park wholly within parking stall	35	80
Failure to park wholly within parking area	35	80
Causing obstruction in parking station	45	80
Parking contrary to sign in parking station	45	80
Parking contrary to directions of authorised person	45	100
Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	35	80
Parking by vehicles of a different class	35	80
Parking by persons of a different class	40	80
Parking during a prohibited period	40	80
Parking contrary to signs or limitations	35	80
Parking vehicle in motor cycle only area	35	80
Parking motor cycle in stall not marked "M/C"	35	80
Parking without permission in an area designated for "Authorised Vehicles Only"	40	100
Failure to park with and adjacent to the boundary of carriageway	35	100
Parking contrary to direction of traffic on carriageway	40	100
Causing obstruction	45	100
Failure to park at approximate right angle	35	80
Failure to park at an appropriate angle	35	80
Double parking	40	100
Parking on or adjacent to a median strip	35	100
Denying access to private drive or right of way	40	100
Parking beside excavation or obstruction so as to obstruct traffic	45	100
Parking within 10 metres of traffic island	40	100
Parking on footpath/pedestrian crossing	45	100
Parking contrary to continuous line markings	40	100
Parking on intersection	40	100
Parking within 1 metre of fire hydrant or fire plug	45	100
Parking within 3 metres of public letter box	40	100
Parking within 10 metres of intersection	40	100
Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	45	100
Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	45	100
Parking contrary to direction of authorised person	45	100
Moving vehicle to avoid time limitation	35	100
Parking unlicensed vehicle in thoroughfare	35	100
Parking or stopping on private property	35	100
Driving or parking on reserve	35	100

Description of offence	2003 Modified Penalty \$	2010 Modified Penalty \$
Stopping or parking on a verge	35	100
Stopping or parking in a disabled parking bay	120	500
Stopping contrary to a "no stopping" sign	35	100
Parking contrary to a "no parking" sign	35	100
Stopping within continuous yellow lines	35	100
Stopping unlawfully in a loading zone	35	100
Stopping unlawfully in a taxi zone or bus zone	35	80
Stopping unlawfully in a mail zone	35	80
Stopping near an obstruction	40	100
Stopping on a bridge or tunnel	35	100
Stopping on crests/curves etc	50	100
Stopping near fire hydrant	50	100
Stopping near bus stop	40	100
Stopping on path, median strip or traffic island	35	100
Obstructing path, a driveway etc	35	100
Stopping near letter box	35	80
Stopping in seniors parking area	New	120
Stopping in parents with prams parking area	New	100
Damage to ticket issuing machine	New	500
Signs on ticket issuing machine	New	500
Use of coin in ticket issuing machine	New	500
Misuse of ticket issuing machine	New	500
Hindrance of authorised person	New	200
Removal of notices from vehicle	30	100
Leaving vehicle so as to obstruct a public place	New	100
Interfere or damage a display panel or transmitting device	New	500
Causing damage to local government property	New	500
All other offences not specified	30	80

10. TECHNICAL SERVICES

10.1 AIRPORT

10.1.1 RFT KAP04-09/10 PROVISION OF SECURITY SERVICES - KARRATHA AIRPORT

File No:	KAP04-09/10
Attachment(s)	Confidential evaluation report
Responsible Officer:	Executive Manager Technical Services
Author Name:	Acting Airport Manager
Disclosure of Interest:	Nil

REPORT PURPOSE

The purpose of this report is for Council to consider entering into a contract for the provision of security services at Karratha Airport.

Background

Council currently provides the Tien Tsin Inne (TTI) café and bar facility within the Karratha Airport Terminal. The Manager of the TTI is the nominated licensee. All of the staff are required to and receive appropriate training in the form of duty manager or responsible service of alcohol certification.

The Karratha Airport has recently recorded significant passenger growth through the airport the bar is a popular place for people to spend time prior to departing on flights.

Staff concerns have been raised due to a lack of security presence within the terminal, particularly during the peak times of 1200-1900 hours where the majority of sales are recorded from the bar.

An interim security service arrangement was implemented in October 2009 pending formal requests for tender to provide security services to assist airport management prevent and control incidents pertaining to drinking, littering, anti-social behaviour and unauthorised kerbside vehicle parking. The customer friendly security presence at the airport has seen a reduction in the need for policing.

Issues

The Shire of Roebourne has a duty of care to the staff working within the bar, to ensure that they are working in a safe environment. From 1700-1900 hours key airport staff have often left the building, leaving 4 female staff working in the bar alone, serving customers. It should also be noted that Shire staff are not trained in providing security services.

MSS Security currently staff the screening point and checked baggage X-Ray machine, but they are contracted directly to Qantas and their jurisdiction does not extend to other terminal functions.

Like any licensed establishment, there is an obligation for the protection of staff and other patrons. WA Police response times to an incident within the terminal are approximately 15 minutes, dependent on other operational priorities.

The main issues staff currently face during peak times are outlined below:

- Public drinking at front of the terminal, outside of the licensed area.
 - Patrons bringing in own alcohol to licensed area.
 - General antisocial behaviour.
 - Abusive patrons.
- The prime recourse for staff is to refuse service, which happens frequently and is recorded within the TTI log book. Unfortunately, this method is usually met unfavourably by the affected patron and can lead to further disturbance.

It is also proposed that this security service will cover the front of house parking control during peak periods, providing relief to the Ranger Services team.

Eight (8) tenders were received of which five (5) were assessed as capable of undertaking the work.

Webset Security ranked highest in all qualitative assessment categories and were also the lowest priced compliant offer. Webset Security's experience is very relevant to guarding and public interface duties sought by the airport.

Second ranked on price, MSS Security intended to establish the contracted services under the aviation security management division. Whereas this presents cost savings, the nature of the security services provided for passenger security screening are very different to those required under this contract, namely security guarding, traffic management and infringement notice, oversight of money transfers and dealing with anti-social behaviour.

Options

Council has the following options available:

1. Accept the tender from Webset Security to provide security services at Karratha Airport for a period of two years at the fixed rate price, discounted by a further 2%.
2. Do not accept any tender.
3. Select an alternative tender.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

Tenders were called in accordance with the requirements of section 3.57 of the local Government Act and associated Local Government (Functions and General) Regulations.

Financial Implications

A budget amendment for 2009/10 has been accepted by Absolute Majority at the February 2010 Council meeting. An allocation for security service provision has been put forward in the 2010/11 budget.

Conclusion

The growing nature of the Karratha Airport and the busy operation of the Council operated Tien Tsin Inne has seen an increase in anti social behaviour which has presented the Shire

of Roebourne with an increased risk to staff and patrons of the Airport. Provision of a security service will assist in reduction of this risk, and the protection of staff and patrons.

Voting Requirements

Absolute.

RECOMMENDATION

The recommendation submitted by the Executive Manager Technical Services in the confidential evaluation report for Tender KAP04-09/10 Provision of Security Services-Karratha Airport be considered.

10.1.2 REASSIGNMENT OF LEASE OF LOTS 32 & 33 - KARRATHA AIRPORT

File No:	TT.62/TT.75
Attachment(s)	Letter from Jayrow Helicopters and CHC Helicopters
Responsible Officer:	Executive Manager Technical Services
Author Name:	Acting Airport Manager
Disclosure of Interest:	Nil

REPORT PURPOSE

The purpose of this report is for Council to consider a request received by Jayrow Helicopters Pty Ltd and CHC Helicopters for the lease of Lots 32 and 33 at Karratha Airport to be reassigned from Jayrow Helicopters to CHC Helicopters (Australia).

Background

Correspondence has been received from Mr Ian McBeath from Jayrow Helicopters Pty Ltd on the 1st April 2010 requesting that Council consider a request to reassign the lease held by Jayrow on Lots 32 & 33 at Karratha Airport over to CHC Helicopters in accordance with Clause 9 of the lease.

Jayrow Helicopters are currently in breach of the conditions of their lease as they have failed to complete construction of their hangar facility by 1 January 2010 as was stipulated in the lease. Jayrow have been in discussion with CHC Helicopters who, upon successful completion of their due diligence process will enter into a collaborative agreement with Jayrow whereby CHC Helicopters will take ownership of the partially completed hangar and, pending Council's approval, the lease on Lots 32 & 33.

CHC Helicopters are the largest commercial helicopter operator in the world located in over 30 countries with 95 bases of operation worldwide and are seeking to build up their business in Karratha. Their primary business is offshore oil and gas helicopter transportation, search and rescue, emergency medical services and repair and overhaul for civilian and military helicopter fleets.

Mr Kevin Ball from CHC Helicopters has provided correspondence on 1 April 2010, requesting that Lots 32 & 33 be reassigned to them and that they enter into a lease agreement with the Shire of Roebourne.

Issues

As Jayrow are in breach of the conditions of the lease, reassignment of the lease to another party is in the best interests of Council. Clause 9 of the lease allows for reassignment without Council having to undergo the normal requirements of the disposal of property under Section 3.58 of the Local Government Act (1995). Jayrow have advised that they take full responsibility for and will pay Council any outstanding monies due for the Lease Agreement on the day of reassignment to CHC Helicopters, as per legal advice from Woodhouse Legal.

Clause 9 ASSIGNMENT AND SUBLETTING

Assignment and subletting

- (1) Subject to clause 9.2 the Lessee must not without the consent of the Lessor assign, sublet, transfer or part with possession of the whole or any part of the Leased Land or the benefit of this Lease or any estate or interest in the Leased Land or this Lease.
- (2) The provisions of sections 80 and 82 of the Property Law Act 1969 do not apply to this Lease.

Conditions applying to assignment and sub-letting

The Lessor will not unreasonably withhold consent under clause 9.1(1) to an assignment or sublease of the whole of the Leased Land if:

- (a) the Lessee proves to the satisfaction of the Lessor that the proposed sublessee or assignee is a respectable, responsible and solvent person capable of adequately carrying on the business permitted to be carried on in the Leased Land and capable of complying with all the Lessee's Covenants;
- (b) in the case of a proposed sublease the Lessee proves to the satisfaction of the Lessor that the proposed sublease is at a rent which is not more than the Rent payable under this Lease and on terms and conditions which are not more favourable to the proposed sublessee than the Lessee's Covenants;
- (c) all Rent and other money (including interest) then due and payable by the Lessee under this Lease have been paid;
- (d) there is not at either or both of the time the consent is sought and at the date any sublease or assignment is to take effect any subsisting breach of any of the Lessee's Covenants;
- (e) the Lessee has procured the execution by the Lessee and the proposed assignee or sub-lessee and any guarantors referred to in paragraph (g) of a deed of assignment of this Lease or a sublease (as the case may be) to which the Lessor is a party and which is in a form prepared by the Lessor's solicitors and has delivered that deed or sublease to the Lessor;
- (f) the Lessee pays to the Lessor all costs and expenses including legal costs, administrative costs, stamp duty and other disbursements incurred or to be incurred by the Lessor in respect of:
 - (i) the deed of assignment or the sublease; and
 - (ii) any enquiries and investigations which are made by or on behalf of the Lessor as to the respectability solvency and suitability of any proposed assignee or sublessee; and
- (g) where any proposed sublessee or assignee is a Corporation its directors and principal shareholders at their expense execute and complete a deed of guarantee and indemnity in a form approved by the Lessor's solicitors in favour of the Lessor in respect of:

- (i) in the case of an assignment the payment by the proposed assignee of all Rent and other money and interest which becomes due from and including the assignment date and the observance and performance by the proposed assignee of all of the Lessee's Covenants which are due to be observed and performed from and including the assignment date; and
- (ii) in the case of a sublease the payment by the proposed sublessee of all rent and other money and interest which becomes due under the sublease and the observance and performance by the proposed sublessee of all of the terms covenants and conditions which are due to be observed and performed by the proposed sublessee.

Change of shareholding

An assignment of this Lease requiring the consent of the Lessor in the terms of clause 9.2 will be deemed to occur when:

- (a) any change in the principal shareholders of any corporate Lessee (which is not a public listed company) occurs which has the effect of altering the effective control of the Lessee; or
- (b) the Lessee has executed this Lease as the trustee of a trust and any change in the persons beneficially entitled (or who may become beneficially entitled) to the trust assets occurs or in the case of a unit trust any units are transferred or any units (in addition to those issued at the Commencement Date) are issued.

Lessee's liabilities to continue

- (1) The covenants and agreements on the part of any assignee or sublessee expressed or implied in any deed of assignment or sublease and in favour of the Lessor are supplementary to those contained in this Lease and do not in any way relieve the Lessee from the Lessee's Covenants.
- (2) Despite any assignment by the Lessee of the benefit of this Lease the Lessee will remain liable to observe and perform all of the Lessee's Covenants throughout the balance of the Term.

Costs payable in any event

The Lessee must pay to the Lessor on demand all costs and expenses incurred by the Lessor in relation to clauses 9.2 and 9.3 even if:

the Lessor refuses to consent to the proposed assignment or proposed lease; and

the proposed assignment or proposed sublease is not completed for any reason (other than the default of the Lessor).

No mortgage or charge

The Lessee must not without the consent of the Lessor mortgage, charge or otherwise encumber the interest of the Lessee under this Lease.

CHC Helicopters is seeking to take over the existing lease and partially constructed hangar on Lots 32 & 33 suitable for helicopter storage and aviation business support at the current terms. As a helicopter operator, CHC's business is in line with Council's intention to confine rotary wing operations to the western end of the aerodrome. CHC Helicopters has reached an agreement with the company constructing the hangar. The builder has advised that the estimated completion of the hangar would be within 16 weeks from site access. An agreed extended date of construction completion will be included as the current lease calls for construction by 1 January 2010. CHC shall also provide a copy of the sublease to Council for review by our legal representation prior to final approval.

If Council opt not to reassign the lease, Council will terminate the lease and take possession of the lots with a partially completed hangar. The normal process for disposal of property would have to be followed resulting in a loss of income to Council over that time.

Options

Council has the following options:

1. a) Reassign the lease for Lots 32 & 33 to CHC Helicopters (Australia);
- b) Include within the lease a clause that construction of the hangar must be completed by a date to be confirmed;
- c) Jayrow to be released from all responsibilities of the current lease upon reassignment and once all outstanding monies are received.
- d) Upon reassignment, approve CHC Helicopters (Australia) to enter into a sublease agreement with Jayrow Helicopters once review of the sublease by our legal representation has been undertaken

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

The proposed lease will be required to comply with the Local Government Act (1995), Section 3.58 Disposal of Property and Section and 6.12 Power to defer, grant discounts, waive or write off debts.

Financial Implications

Financial implications to the Shire could be incurred should Jayrow remain as the lessee. A decision not to reassign the lease may result in a loss of income while Council works through the process of advertising for disposal of the property.

Conclusion

The proposal outlined above will release Jayrow Helicopters from the breach of conditions as well as securing a long term lease on Lots 32 & 33 and seeing construction of the hangar completed within an agreed timeframe.

As Jayrow is in breach of the conditions of the Lease for Lots 32 & 33 it would appear reasonable that Council approve the following arrangements:

1. a) Reassign the lease for Lots 32 & 33 to CHC Helicopters (Australia);
- b) Include within the lease a clause that construction of the hangar must be completed by a date to be confirmed;
- c) Jayrow to be released from all responsibilities of the current lease upon reassignment and once all outstanding monies are received.
- d) Upon reassignment, approve CHC Helicopters (Australia) to enter into a sublease agreement with Jayrow Helicopters once review of the sublease by our legal representation has been undertaken

Voting Requirements

Absolute Majority.

RECOMMENDATION

That upon the receipt of all outstanding monies, that Council approves Jayrow Helicopters Pty Ltd be released from all responsibilities of the current lease;

AND

That Council approves the reassignment of the lease for Lots 32 & 33 from Jayrow Helicopters Pty Ltd to CHC Helicopters (Australia);

AND

That Council approves CHC Helicopters (Australia) to enter into a sublease agreement with Jayrow Helicopters Pty Ltd once review of the sublease by our legal representation has been undertaken.

ATTACHMENT 1 ITEM 10.1.2 LETTER FROM JAYROW HELICOPTERS



1 April, 2010

Mr Allan Wright
Acting Airport Manager – Karratha Airport
PO Box 219
Karratha
WA 6714

Dear Sir

Subject: Request to Shire of Roebourne to Reassign our Lease of Land on Karratha Airport.

Jayrow has entered into a Lease Agreement with Shire of Roebourne for land described as Lots 32 & 33 at Karratha Airport. The Lease Agreement is dated 18 May, 2009. Jayrow Helicopters has commenced construction of a hangar facility approved by council on the said leased land however, we are in breach of the conditions of the Lease in that this construction was not completed by 1 January, 2010.

In order to rectify this Breach, Jayrow Helicopters wishes to apply to Council to have the said Lease reassigned in accordance with Clause 9 of the Lease, to CHC Helicopters (Australia). If Council views this request favourably and having the Lease reassigned, CHC Helicopters and Jayrow Helicopters have entered into a collaborative agreement whereby CHC Helicopters will take ownership, and complete construction of the hangar in a timely manner. It will then be requested that Council approve of an arrangement whereby CHC Helicopters will Sublease an area of the hangar and office facilities to Jayrow for a predetermined period.

Please be advised that Jayrow takes full responsibility for and will pay Council any outstanding monies due for the Lease Agreement of Lots 32 & 33 on the day of reassignment to CHC Helicopters.

Jayrow looks forward to Councils favourable consideration of this request.

Yours sincerely



Ian McBeath
General Manager
Jayrow Helicopters

Jayrow Helicopters Pty Ltd Chifley Business Park Level 2, 3 Joseph Avenue, Mentone Vic 3194
T.0385511500 F. 0385511599 E. enquire@jayrow.com.au

ATTACHMENT 2 ITEM 10.1.2 LETTER FROM CHC HELICOPTERS

Ordinary Council Meeting – Agenda

19 April 2010

ATTACHMENT 2 ITEM 10.1.2 LETTER FROM CHC HELICOPTERS

[On CHC Helicopters Australia Letterhead]

6 April 2010

Shire of Roebourne
PO Box 239
Karratha, Western Australia 6714

Attention: Mr. Allan Wright
Acting Airport Manager - Karratha Airport

Re: Lease of Lots 32 and 33, Karasek Road, Karratha Airport dated May 18, 2009 between Shire of Roebourne, as Lessor, and Jayrow Helicopters Pty. Ltd., as Lessee, (the "Lease")

Dear Mr. Wright:

As you may know, CHC Helicopters Australia is a member of the CHC Helicopter Group of Companies. CHC has been in business for more than sixty years and currently works in more than 35 countries, operating one of the largest and most modern fleet of civilian helicopters servicing the off-shore oil and gas and search and rescue markets. CHC Helicopters (Australia) has been in business in Australia for more than 35 years and is one of the largest operators of medium and heavy helicopters in the country.

Further to our recent telephone discussions about our expansion plans in Karratha, CHC Helicopters (Australia) is holding discussions with Jayrow and both parties are undertaking a due diligence process with the intention that CHC will receive an assignment of the Lease. The company, Lloyd Helicopters (Pty) Ltd. (trading as CHC Helicopters Australia), with the support of Jayrow, wishes to apply to the Shire of Roebourne for an assignment of this Lease to itself (or one of its subsidiaries). As the formal request for this assignment must come from the existing Lessee, we understand Jayrow's letter of application will be submitted to you contemporaneously. Please note that our request to this assignment remains subject to the satisfactory completion of our on-going negotiations with both the Lessee and the building contractor and our due diligence on the property. Currently we anticipate that the due diligence process will be completed in April 2010.

As a condition of approving such assignment, CHC would undertake to: (1) bring the Lease into good-standing by paying all outstanding rent (or as part of the assignment process causing the current Lessee to do the same); and (2) takeover development of the existing unfinished hangar structure on the property and use all reasonable efforts to complete the structure in a timely manner. In the event that the proposed assignment is approved by the Shire, CHC Helicopters Australia would agree to relinquish any rights it

may have to lease adjacent lot numbers 35 and 36 at Karratha Airport. For good order, we would also require an estoppel certificate at the time of executing the assignment to confirm that the Lease is not in default. Finally, following an assignment of the Lease we would like to discuss with the Shire our request for some modest amendments to the existing terms of the Lease, including: (1) options to renew the term of Lease for up to an additional 25 years at then-current rates based on two ten-year and one five-year extension periods; and (2) amendment to the clause which mandates that we totally dismantle the hangar at the end of the Lease, to something less onerous but which is subject to the Lessor's approval.

Subject to CHC and Jayrow satisfactorily completing due diligence and reaching agreement, it is CHC's intention to grant Jayrow a sublease for no more than 50% of the hangar space and associated area. CHC seeks the Shire's approval (in principle) for a sublease and will provide the Shire with a plan (delineating the subleased area) and any other relevant documentation when we have finished our due diligence and negotiations with Jayrow.

We would be delighted to provide you with any further information or answer any questions you may have in connection with our application.

We look forward to hearing favourably from you.

Yours truly,

CHC Helicopters Australia

Kevin Ball
Chief Financial Officer

cc: Tina Brattle, Chairman, Jayrow Helicopters Pty Ltd, Mentone, Vic.
Ian McRush, Managing Director, Jayrow Helicopters Pty Ltd, Mentone Vic.
Christine Baisel, President, CHC Global Operations, Vancouver, B.C.
Stuart Edgar, Oil & Gas General Manager, CHC Helicopters (Australia), Perth, WA

10.1.3 TENDER KAP05-09/10- KARRATHA AIRPORT CAR PARK EXPANSION

File No:

Attachment(s) **Confidential Evaluation Report**

Responsible Officer: **Executive Manager Technical Services**

Author Name: **Manager Technical Services**

Disclosure of Interest: **Nil**

REPORT PURPOSE

Report and attachment to be provided at Briefing Session

10.1.4 TENDER KAP06-09/10- LEASING OF LOT M1 (PART) AT KARRATHA AIRPORT

File No:

Attachment(s) **Confidential Evaluation Report**

Responsible Officer: **Troy Davis**
Executive Manager Technical Services

Author Name: **Allan Wright**
Acting Airport Manager

Disclosure of Interest: **Nil**

REPORT PURPOSE

Report and attachment to be provided at Briefing Session

10.1.5 AIRNORTH - REQUEST FOR FINANCIAL SUPPORT FOR OPERATIONS INTO KARRATHA AIRPORT

File No:

Attachment(s) **Airnorth Application Letter**

Responsible Officer: **Executive Manager Technical Services**

Author Name: **Acting Airport Manager**

Disclosure of Interest: **Nil**

REPORT PURPOSE

The purpose of this report is to consider a recent application, received 19 March 2010, from Airnorth, requesting financial support in the introduction of E170 Jet services into Karratha from Darwin via Broome and Port Hedland.

Background

Airnorth is a major aviation operator in Northern Australia. The company operates 156 scheduled departures weekly, servicing 12 destinations including Maningrida, Milingimbi, Elcho Island, Gove [Nhulunbuy], Groote Eylandt and McArthur River in the Northern Territory, Kununurra, Broome and Perth in Western Australia, Mount Isa and the Gold Coast in Queensland and Dili in Timor-Leste.

Airnorth carries in excess of 250,000 passengers annually and employs more than 180 staff in Darwin.

In addition to scheduled departures, Airnorth operates contract and ad-hoc charter services for a wide variety of companies undertaking mining, defence and government activity.

Airnorth has corporate alliance with Qantas Airways which includes the hosting of all flights in the Amadeus global distribution system, inclusion in the Qantas Frequent Flyer program, electronic ticketing and baggage checks as well as joint marketing activities.

Airnorth is in the final stages of approving an expansion of their E170 jet services into the Pilbara region and propose to commence twice weekly operations from mid May. The service will operate from Darwin – Broome – Karratha – Port Hedland – Broome – Darwin.

As these are new sectors to the market, Airnorth seek support in the form of a 12 month dispensation from landing fees and passenger facilitation charges (in the form of marketing support) at Karratha Airport.

Issues

It is reasonable to consider that the commencement of new sectors into the market take time to build before becoming self sustaining.

Airnorth's request is for a 12 month dispensation from landing fees at Karratha Airport for the bi-weekly service. Should additional services be provided within the additional 12 month period, dispensation for these services is also sought.

Airnorth further seek marketing support in an amount equivalent to 50% of the passenger facilitation charge for both arriving and departing passengers. This would not need to be prefaced by dollar for dollar spending.

Subsidising a twice weekly E170 at 80% load factor assumed would amount to Council forgoing approximately \$166,400 in income over a 12-month period for landings and equivalent to approximately \$67,600 in passenger charges (therefore 50% is \$33,800) in marketing support. These figures would increase if additional services operated within the initial 12 month period.

Previously, Council has only approved a dispensation on landing fee charges for Christmas Island Aviation in 2002.

Airnorth will be utilising Qantas check-in counters through their corporate alliance so there will be no impact on counter allocations during the period of check-in redevelopment to commence in April 2010.

Options

Council has the following options available:

1. Offer Airnorth a 12 months dispensation on landing fees only.
2. Offer Airnorth marketing support equivalent to 50% of passenger charges over a 12 month period only.
3. Offer Airnorth a 12 month dispensation on landing fees and marketing support to 50% of passenger charges over a 12 month period.
4. Offer Airnorth a percentage of the request for dispensation, to be determined by Council.
5. Not approve any financial support to Airnorth.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

Will be required to comply with the Local Government Act (1995), 6.12 Power to defer, grant discounts, waive or write off debts.

Financial Implications

Based on 80% load factors, the cost of providing dispensation on landing fees would amount to approximately \$166,400. A 50% dispensation to passenger charges would amount to approximately \$33,800.

Neither of these income streams were budgeted in 2009/10 nor have they been included in the 2010/2011 draft budget therefore there is no requirement to amend the budget.

Conclusion

Attracting additional operators and service routes is paramount to any airport business's survival and future development. The ability to offer alternative destinations to Karratha residents is also of benefit and enhances Karratha Airport as a major regional hub within Western Australia. Provision of 12-month dispensation on associated landing and passenger fees could provide long-term benefits to the airport.

While Airnorth have also requested similar dispensation on additional flights, it may be prudent for Council to reserve its right to consider this request as the flights are proposed and based on the status of the currently proposed schedule.

Voting Requirements

Absolute Majority

RECOMMENDATION

That Council:

- 1. Approves a twelve month dispensation on landing fee charges at Karratha Airport to Airnorth for the scheduled bi-weekly service.**
- 2. Approves 50% dispensation on passenger servicing charges for a twelve month period, as marketing support for the scheduled bi-weekly service.**

ATTACHMENT ITEM 10.1.5 LETTER FROM AIRNORTH

ATTACHMENT ITEM 10.1.5 LETTER FROM AIRNORTH



Allan Wright
Acting Airport Manager
Karratha Airport
PO Box 219
Karratha WA 6714

15 March 2010

Dear Allan

I am very happy to advise that Airnorth is in the final stages of approving an expansion to our current network of E170 Jet services into the Pilbara region.

The new route will involve the extension of Airnorth services, from Darwin, via Broome to Port Hedland and Karratha. The services are planned to launch from mid May, twice per week, each Tuesday and Friday. Please find below the provisional planned schedule (subject to any regulatory or slot approvals).

Table with flight schedules for Tuesday and Friday, including flight numbers (TL354, TL352, TL355, TL353) and destinations (DRW, BME, KTA, PHE).

As this service will introduce new sectors that are not currently serviced by another airline it is our expectation that the markets will take a period of time to build. In the interest of maintaining consistency of services throughout the year Airnorth is seeking dispensation and support from The Shire of Roebourne for a period of 12 months.

The support we are seeking will help to facilitate the above services, not only in the initial six months of operation to November 2010, but also throughout the wet season period continuing through to May 2011 at which time it is envisaged that these services will become self sustaining.

- 1. Landing Fees – We are seeking a 12 month dispensation from landing fees at Karratha Airport for the bi-weekly service. If the community and market conditions require, or can sustain additional frequency of services within the initial 12 months, then we would also be seeking dispensation on any additional services introduced for a period of 12 months from commencement.



2. **Passenger Facilitation Charges** (excluding any safety & security taxes/components) - We are seeking marketing support, which would not need to be prefaced by dollar for dollar spending, in an amount equivalent to 50% of QR head taxes, for both arriving and departing passengers, for a period of 12 months.

We are currently looking at launching to the media on approximately the 22nd March 2010. I understand that the frequency of council meetings may be a constraining factor so please feel free to call and discuss not only this but any other comments or suggestions in relation to the above proposals.

I look forward to working with you and the community of Karratha.

Regards



Simone Saunders

11. DEVELOPMENT SERVICES

11.1 PLANNING SERVICES

11.1.1 TAXI SERVICE DEPOT LOT 1779 (2) TRUSLOVE WAY, PEGS CREEK

File No:	1795D
Attachment(s)	site plan, written submission, letters of support, four [4] letters of objection
Responsible Officer:	Acting Executive Manager Development Services
Author Name:	Planning Officer
Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to determine an application for planning approval for a 'taxi service depot' (the application) at Lot 1779 [HN 2] Truslove Way, Pegs Creek. The application has been referred to Council for determination as the use is not deemed to be consistent with the objectives and purposes of the residential zone and letters of objection have been received and; therefore; in accordance with the Shire's Delegated Authority Register cannot be determined by officers.

Background

Applicant: Attard Australia Pty Ltd (Margaret and Ray Attard)
Owner: Attard Australia Pty Ltd
Suburb: Pegs Creek
Zoning: Residential R20

The application was submitted for a 'Home Occupation'. Given the scale staffing and nature of the operation the use is considered not to be in accordance with the definition of a home occupation contained within the Shire of Roebourne No 8 Town Planning Scheme (TPS8) and is; therefore, considered an unspecified use. There is no building works proposed as part of this application although a transportable outbuilding was approved in 19 January 2008 and was acknowledged on 20 February 2007 as being used unlawfully. The taxi service depot has been operating from the site since early 2007 without planning approval.

The application was supported with a written submission, an Apparatus Licence from the Australian Communications and Media Authority, photographs, and three [3] letters of non objection from adjoining land owners.

In accordance with clause 4.3 of TPS8 the application was advertised for a 14-day period to landowners and occupiers in Truslove Way. Site visits were also carried out with particular regard to the parking and movement of vehicles, appearance of the site and noise.



Aerial Photography taken in 2008, the transportable outbuilding used as an office is located to the right of the dwelling near the property boundary abutting Galbraith Road.

Issues

Defining the Development

Although the applicant applied for a home occupation, it was determined that the use was not in accordance with the definition.

A home occupation is defined as:

“A business or activity carried out within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that:

- a. *Entails the conducts of a business, office and/or workshop and does not entail the retail sale or display of goods of any nature.*
- b. *Does not cause injury to or prejudicially affect the amenity of the neighbourhood.*
- c. *Does not detract from the residential appearance of the dwelling house or domestic outbuilding.*
- d. *Does not entail employment of any person (not a member of the occupier’s household).*
- e. *Does not occupy an area greater than 20sqm.*
- f. *Does not display a sign exceeding 0.2sqm in area.*

- g. *In the opinion of the Council is compatible with principal uses to which the land in the zone in which it is located may be put.*
- h. *Will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling and will not result in a substantial increase in the amount of traffic in the vicinity.”*

The taxi service depot does not meet the above definition as it is not being carried out by a person resident in the dwelling and all criteria, with the exception of *‘not entailing the retail sale or display of goods of any nature’*, are not deemed to have been satisfied.

As a taxi service depot is not listed in the Zoning Table contained in TPS8, nor does it fit into any other definition including a ‘depot’, the use must be considered unspecified for the purposes of advertising and independently described.

Public Submissions

Four [4] submissions were received objecting to the taxi service depot during the consultation period. The objections have been summarised under the following categories:

Appropriateness

The compatibility of the taxi service depot with residences has been questioned. The commercial nature of the use is considered to be in conflict with the residential zone. One submission also highlighted that the use is in breach of local planning policy DP 4 ‘Home Occupation’, in particular noting that at times a truck of around 6-8 tonne capacity is parked on the verge of the property in excess of the two [2] tonne tare weight permitted. Several of the objections also commented that there is adequately zoned commercial or industrial land in Karratha where a taxi service depot should be located.

Residential Amenity

All of the objections noted the adverse affect on the residential amenity of the locality was a concern. The amenity and character of the neighbourhood was considered to be compromised not only because of vehicles parked on the site and road verges but also due to repairs and servicing, vehicle washing, and the *‘used car yard appearance of the property’*. One submission also requested that the property not be rezoned due to the incompatibility of the use with the adjoining residential area.

Traffic and Parking

Due to the nature of the use and its operation, an increase in volume and type of traffic was an issue which was raised in all submissions. There is a lack of sufficient on site and off site parking for the number of vehicles which access the site. Safety was also raised in so far as there are a large number of vehicles which are parked on and around the property often close to the corner, in the middle of the road, and occasionally blocking access to the street.

Safety

The increase in traffic was considered to affect the safety of the street. More specifically, the operations pose a safety risk to both traffic and pedestrians due to high volume of vehicle movements and reversing of vehicles such as mini buses with trailers attached which are unable to attain visual sightlines for oncoming traffic or pedestrians due to vehicles parked alongside. One objector stated '*I have, on a number of occasions times had to brake suddenly to avoid collision with reversing vehicles exiting this property as the driver has been oblivious to my presence and continued to reverse, trailer attached into the road*'. It was also observed that if a more suitably zoned piece of land was utilised safe and legal parking could be provided.

Noise and Disturbance

Several submissions reflected on the noise and disruption that is caused by taxi vehicles, staff and maintenance being carried out at the residence. This is relevant not only for people adhering to a standard working day but also those who are involved in shift work. One submission claimed that the workers are often rude, loud and disruptive and that they also tend to stop their vehicles in the middle of the road to carry on conversation.

Land Values

The reduction in land value of surrounding properties was also raised within several submissions.

In addition to the submissions received during advertising, three [3] letters of non objection were also received. However, it must be mentioned that these non objections were tick box forms with no additional comments provided.

Consideration of Residential Amenity

In addition to the grounds stipulated in the letters of objection, Council must also consider the provisions of the TPS8 which prescribes that where a particular use is not specifically mentioned in the zoning table the objectives and purposes of the particular zone are to be considered. TPS8 also requires Council, in considering an application for planning approval, to have regard to the requirements of orderly and proper planning and the preservation of the amenity of the locality.

Although the TPS8 does not provide for an objective or purposes of the residential zone that is typically to provide a safe and attractive residential neighbourhood, the Karratha Objectives include the desire to:

“Enhance the high level of residential amenity within Karratha in both existing suburbs and the residential expansion areas.”

Ultimately, the taxi service depot is contrary to these objectives and is unsuitable within a residential zone.

Options

Council has the following option available:

1. To refuse the application for a taxi service depot at 2 Truslove Way, Pegs Creek on the grounds that the use is not consistent with the objectives and purposes of the Residential zone and is; therefore, not permitted in accordance with TPS8.

2. To approve the application for a taxi service depot at 2 Truslove Way, Pegs Creek on the grounds that the use is consistent with the objectives and purposes of the Residential zone.

Policy Implications

A taxi service depot definition should be included as part of the omnibus scheme amendment likely to be exhibited shortly and, depending on the determination of Council, will either become an 'SA' or 'X' use in the Zoning Table for a Residential zone.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

There are no financial implications resulting from this report.

Conclusion

The nature and scale of the development does not meet the requirements for a home occupation and, as it cannot reasonably be included in the definition of one of the development categories, must be dealt with as an unspecified use.

The assessment and advertising processes which were carried out determined that there are a number of negative impacts on surrounding residences, particular those on Truslove Way. Several common themes in the submissions were identified as issues which are a result of what can only be categorised as a commercial use currently operating in a Residential zone.

Council is requested to refuse the application for a taxi service depot on the basis that it is not a compatible use when considering the objectives and purposes of the Residential zone. Furthermore, it is having a detrimental affect on the amenity of the surrounding residences and is not in accordance with the requirements of orderly and proper planning.

Voting Requirements

Simple.

RECOMMENDATION

That Council resolve to –

1. **Refuse development application 1672D for a Taxi Service Depot at Lot 1779 [HN 2] Truslove Way, Pegs Creek on the following grounds:**
 - i. **That the use is inconsistent with the objectives and purposes of the Residential zone.**
 - ii. **That the use is not in accordance with the requirements of orderly and proper planning and the preservation of the amenity of the locality.**
2. **Issue a written direction to the property owner under section 214(2) of the *Planning and Development Act 2005* to cease the taxi service depot use within sixty (60) days from the date of the direction.**

**ATTACHEMENT 1 ITEM 11.1.1 TAXI SERVICE DEPOT LOT 1779 (2) TRUSLOVE WAY,
PEGS CREEK**





ATTACHEMENT 2 ITEM 11.1.1 SITE PLAN

ATTACHEMENT 2 ITEM 11.1.1 SITE PLAN



ATTACHEMENT 3 ITEM 11.1.1 WRITTEN SUBMISSION

Ordinary Council Meeting – Agenda

19 April 2010

ATTACHEMENT 3 ITEM 11.1.1 WRITTEN SUBMISSION

Your ref: EGM/14(070306)JGD/T

13 December 2007

Shire Roebourne
PO Box 219 Karratha
Western Australia 6714

Margaret Attard
2 Truslove Way
Karratha WA 6714
Ph: 043 934 4435

Dear Ms Thomas

HOME OCCUPATION 2 TRUSLOVE WAY KARRATHA

Attard Australia Pty Ltd proposes to run their taxi and transit service base from 2 Truslove Way. At present we have a transportable office located on the premises where we are conducting the base operations and office work. The vehicles used to conduct the business are also housed on the premises. We envisage that there will be minimal impact on the noise level and traffic in the local vicinity.

As a rule our business commences at 7am Monday to Saturday and 8am on Sunday and concludes around 7pm each evening. On occasions especially Thursday evenings and occasionally Friday and Saturday evenings we may have one or two vehicles returning to the premises as late as 9pm. Security lights will come on for drivers to walk from the driveway to the office to lock up their keys but are situated in such a way that they are focused onto the pathway and not out into the yard. As there would be only one perhaps two vehicles returning outside of 7pm it would not have a significant impact on the noise level or greatly increase the volume of local traffic movement.

Vehicles are driven by self employed business owners, who once they have pick up a taxi remain on the road throughout the day until they have completed their days work. Generally they do not return to the base during the day but there are occasions where this is unavoidable and we do try to keep this to a minimum.

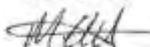
Signage indicating the nature of the business carried out on the premises consists of a 40cm X 60cm metal plaque attached to the front of the house. There are no other advertising materials displayed on the premises.

The transportable Office located on the premises is in the process of completing the approval process for a Non Approved Building. I have been dealing with Mr Steve Jones at the Shire of Roebourne, whom I am sure would be able to answer any questions you may have in regards to the building.

There will be no substantial increase to vehicular traffic in the area and all vehicles are able to be parked on site behind the building line. The business operation has a minimal impact on the residential appearance of the house and photos have been included that shows this.

Should you require any further information regarding the Home Occupation application please do not hesitate to contact us.

Yours faithfully



Margaret Attard

RECEIVED
14 DEC 2007

Donna Thomas
Development Compliance Officer
Shire of Roebourne

03-05-2007

Home Occupation Application
2 Truslove Way
Karratha 6714

Regarding the building at 2 Truslove Way Karratha.

The building is to be used as a office for our business namely Premier Taxis
Karratha.

There will NOT be an increase in traffic within the street and there will not
be a procession of clients coming to or from our office. We do not sell
anything from the premises.

The vehicles will be working in the manner that they are licensed to do so
within the Shire of Roebourne.

Currently all vehicles are housed at 2 Truslove Way within the boundary of
our premises and are unobtrusive to any passing traffic or pedestrian
movement passed the premises.

You are free to inspect the premises at any time just call us to make sure
someone is at the office or the house.

Yours Faithfully



Ray Attard

RECEIVED
14 DEC 2007

ATTACHEMENT 4 ITEM 11.1.1 LETTERS OF SUPPORT

Ordinary Council Meeting – Agenda

19 April 2010

ATTACHEMENT 4 ITEM 11.1.1 LETTERS OF SUPPORT



SHIRE OF ROEBOURNE

Adjoining property owner comment on proposed variation to the Residential Design Codes

ADJOINING PROPERTY OWNER DETAILS:

NAME: MELISSA TRAWINSKI
LOT NO: 1778 HOUSE/STREET NO: 4
STREET NAME: TRUSLOVE WAY
SUBURB: PEES CREEK KARRATHA WA POSTCODE: 6714

LOCATION OF PROPOSED DEVELOPMENT:

NAME: ATTHAO AUSTRALIA PTY LTD
LOT NO: 1779 HOUSE/STREET NO: 2
STREET NAME: TRUSLOVE WAY
SUBURB: PEES CREEK KARRATHA WA POSTCODE: 6714

DETAILS OF VARIATION TO WHICH COUNCIL DISCRETION IS REQUIRED AND COMMENT SOUGHT: (Refer to attached letter for details)

OWNERS COMMENTS

Object/Do not object

.....
.....

Signed: M. Trawinski Date: 13/12/09 Phone: 91 855 776

Print Name: MELISSA TRAWINSKI

Signed: _____ Date: _____ Phone: _____

Print Name: _____

NOTE: The Council in determining the application for a variation under the Residential Design Codes will take into account the comments of adjoining owners. The Council is not obliged to support the view of adjoining owners.

RECEIVED
14 DEC 2009

July 06



SHIRE OF ROEBOURNE

Adjoining property owner comment on proposed variation to the Residential Design Codes

ADJOINING PROPERTY OWNER DETAILS:

NAME: Ms MARCELLE BEEFTINK
LOT NO: 1780 HOUSE/STREET NO: 33
STREET NAME TRUSLOVE WAY
SUBURB PEGS CREEK KARRATHA WA POSTCODE 6714

LOCATION OF PROPOSED DEVELOPMENT:

NAME ATTARD AUSTRALIA PTY LTD
LOT NO: 1779 HOUSE/STREET NO: 2
STREET NAME TRUSLOVE
SUBURB PEGS CREEK KARRATHA WA POSTCODE 6714

DETAILS OF VARIATION TO WHICH COUNCIL DISCRETION IS REQUIRED AND COMMENT SOUGHT: (Refer to attached letter for details)

OWNERS COMMENTS

Object Do not object

Signed: [Signature] Date: 13-12-07 Phone: 9185 2198
Print Name: Marcelle Beeftink

Signed: Date: Phone:
Print Name:

NOTE: The Council in determining the application for a variation under the Residential Design Codes will take into account the comments of adjoining owners. The Council is not obliged to support the view of adjoining owners.

RECEIVED 14 DEC 2007

July 06



SHIRE OF ROEBOURNE

Adjoining property owner comment on proposed variation to the Residential Design Codes

ADJOINING PROPERTY OWNER DETAILS:

NAME: DARYL HIND
LOT NO: 1763 HOUSE/STREET NO: 16
STREET NAME: TRUSLOVE WAY
SUBURB: PEGS CREEK KARRATHA WA POSTCODE 6714

LOCATION OF PROPOSED DEVELOPMENT:

NAME: METRO AUSTRALIA PTY LTD
LOT NO: 1779 HOUSE/STREET NO: 2
STREET NAME: TRUSLOVE WAY
SUBURB: PEGS CREEK KARRATHA WA POSTCODE 6714

DETAILS OF VARIATION TO WHICH COUNCIL DISCRETION IS REQUIRED AND COMMENT SOUGHT (Refer to attached letter for details)

OWNERS COMMENTS

Object (Do not object)

Signed: Date: Phone:

Print Name: DARYL HIND

Signed: [Signature] Date: 14/12/07 Phone: 0437412 987

Print Name:

NOTE: The Council in determining the application for a variation under the Residential Design Codes will take into account the comments of adjoining owners. The Council is not obliged to support the view of adjoining owners.

RECEIVED 14 DEC 2007

July 06

ATTACHEMENT 5 ITEM 11.1.1 LETTERS OF OBJECTION

Ordinary Council Meeting – Agenda

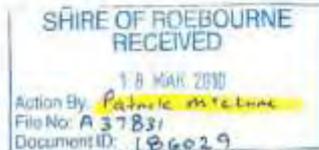
19 April 2010

ATTACHEMENT 5 ITEM 11.1.1 LETTERS OF OBJECTION

Ms S Waters
12 Truslove Way
Pega Creek
6714

05/03/2010

Chief Executive Officer
Shire of Roebourne
PO box 218
Karratha



ATTENTION: Charlotte Coghlan

Dear Sir/Madam,

RE: Response to Application for planning approval 17960

I am writing to object to the application for planning approval for a taxi service depot at the property 2 Truslove Way, Pega Creek. The positioning of this service depot will negatively affect the current residents on this street, including myself.

At this current time, a large number of taxi vehicles are parked on and around this property. Often, these vehicles park illegally close to the corner, in the middle of the road, and on occasion completely block off the streets access. Both myself and my partner have been in dangerous situations when turning onto Truslove Way, finding vehicles parked haphazardly on the road and nature strip. I believe if this application is approved, this problem will intensify.

The occupants, or workers, of the taxi company, are often loud, rude and disruptive, and will often stop their vehicles in the middle of the road to carry on a conversation. I have two young children, and live only doors down to the proposed property, and feel that increasing the traffic of this street, especially when I feel these drivers are not paying enough attention, is increasing the danger to my children. There are many families with young children on this street, and I am confident they would also feel the same.

I believe that a taxi service station would be better off in a less residential area, where there are less young children, and in a place where safe and legal parking could be found for all of the taxi vehicles.

Thankyou for your time, and I ask if I could please be notified of the pending decision.

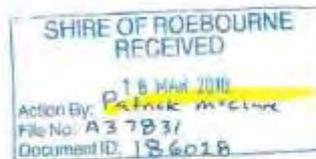
Yours sincerely,

Shannon Waters



Government of Western Australia
Department of Housing

Chief Executive Officer
Shire of Roebourne
PO Box 219
KARRATHA WA 6714



cc: Colleen Longman

Dear Sir/Madam

APPLICATION FOR PLANNING APPROVAL 1795D

The land affected by the application is : 2 TRUSLOVE WAY PEGS CREEK 6714
The application is for: TAXI SERVICE DEPOT
The applicant is: RAY ATTARD

The Department of Housing owns a property adjoining the above subject property at 33 Truslove Way which is used to house government employees.

The Department hereby lodges an objection to the applicant being granted a license to operate a taxi depot at 2 Truslove Way Pegs Creek for the following reasons:

- Government employees are often employed to perform their work duties as part of a rostered shift which involves working odd hours of the day. With taxi vehicles arriving and departing throughout the day and night this would encroach on our tenant's peaceful enjoyment at the residence;
- It would be detrimental to the residential streetscape as there may be a vast number of vehicles housed at the premises which will defile the beauty of the district;
- The taxi depot would increase noise pollution in the area;
- The operation of a taxi depot could potentially reduce the value of the surrounding properties.

We request that the Shire of Roebourne consider our objection when making the decision to grant a license to operate a taxi depot from 2 Truslove Way Pegs Creek.

Advice on the Shire's decision in this matter would be appreciated.

Yours sincerely

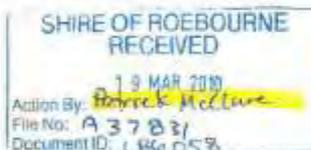
Matt Meyers
Manager Business Operations
Department of Housing
Programs Directorate
Community and Government Regional Officers' Housing

15 March 2010

101 Nicholson Road Union Park Western Australia 6008
Private Bag 22 East Perth Western Australia 6002
Telephone (08) 9294 6000 Facsimile (08) 9286 6005
www.housing.wa.gov.au

Evan Mullenger
11 Truslove Way
KARRATHA W.A. 6714
17 March 2010

The Chief Executive Officer
Shire of Roebourne
P O Box 219
KARRATHA W.A. 6714



cc collene layman

Dear Sir/Madam,

Re: Application For Planning Approval 1795D
Proposed Taxi Service Depot at 2 Truslove Way, Pags Creek, Karratha

Premier Taxis have been operating from this address for a number of years, and in my opinion, are in breach of a large percentage of the conditions outlined in the Shire of Roebourne document, DP4 Home Occupations, a copy of which is attached with some of the breaches highlighted in yellow.

It is my opinion that the proposed "Taxi Service Depot" is neither a residential classification, nor a Home Occupation classification, and therefore has no place in a residential area.

The operations of Premier Taxis, at 2 Truslove Way Karratha, pose a serious safety risk to vehicular traffic and pedestrians alike. Apart from the high volume of vehicle movements on and off the property, the reversing off the property of mini-buses with trailers attached, creates a very real safety hazard, as the driver is unable to see oncoming traffic or pedestrians due to other vehicles parked alongside the reversing vehicle and the position of the driver, well away from the road verge.

I have, on a number of occasions, had to brake suddenly, to avoid a collision with reversing vehicles exiting this property, the driver of which has been oblivious of my presence and continues to reverse, trailer attached, into the road.

Sooner or later there will be a collision, or worse still, a child run over by a driver unable to see what is behind his reversing vehicles.

Apart from the safety issues created by this business's operations, the "amenity and character of this residential area" is compromised by the vehicle repairs and servicing, vehicle washing and used car yard appearance of the property.

A flatbed truck, of possibly 6 to 8 tonne capacity, which is part of this company's operations, is also parked on the verge of the property, which is contrary to the "Home Occupations" guidelines, as it exceeds 2 tonnes in tare weight.

This business is a full scale commercial operation and has no place in a residential area. I believe there is adequate available commercial and industrial property in Karratha, to accommodate this type of operation, and any application for a "Home Occupation", or a rezoning of the property at 2 Truslove Way to encompass the use "Taxi Service Depot", should be rejected.

I request that my objection be formally registered, and that the Shire of Roebourne take appropriate action to resolve this issue and restore the area to a safe residential neighbourhood.

I solicit and await your response on this matter.

Yours faithfully

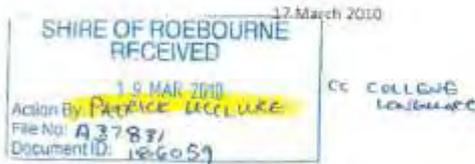


Evan Mullenger
Occupier, 11 Truslove Way, Karratha

Yaltara Holdings Pty Ltd

P O Box 354
KARRATHA W A 6714

The Chief Executive Officer
Shire of Roebourne
P O Box 219
KARRATHA W A 6714



Dear Sir/Madam,

**Re: Application For Planning Approval 1795D
Proposed Taxi Service Depot at 2 Truslove Way, Pogs Creek, Karratha**

As the owner of the property situated at 11 Truslove Way Karratha, we strongly oppose the planning application for a "proposed" Taxi Service Depot at 2 Truslove Way, Karratha, which in fact, has been operational at that address for a number of years.

Such an operation is in conflict with the residential zoning of this location, and indeed, in breach of the majority of the Shire of Roebourne planning regulations, as outlined in the Shire's Document No. DP4, relating to Home Occupations, copy attached with perceived breaches highlighted in yellow.

This Taxi Service Depot cannot be considered a "Home Occupation", as it breaches the Shire's own definition of same and can only be classed as a commercial/industrial operation, which has no place in a residential area.

Any rezoning of this property, at 2 Truslove Way Karratha, for the proposed usage, is strongly opposed.

The increased volume and type of traffic, associated with this business would, and does, create a significant safety risk for residents of the area. The premises at 2 Truslove Way Karratha, does not have sufficient on site and out of site parking for the number of vehicles using this facility.

The Amenity and Character of this residential neighbourhood has been, and would continue to be, compromised by this Commercial/Industrial operation. As such these operations would have a detrimental effect on property values in the area.

The town of Karratha has considerable commercial and industrial areas, where such an operation as a "Taxi Service Depot", should be located.

Please register our objection to this proposal, as the property owner of 11 Truslove Way, Karratha, and advise the outcome of the Shire's decision on this Planning Application, and what action will be taken to curtail the operations already using this residential property.

Yours faithfully



Evan Mullenger
Director
Yaltara Holdings Pty Ltd.

11.1.2 LOTS 3 & 4 CHERRATTA ROAD, KARRATHA INDUSTRIAL ESTATE -

File No:	P2150
Attachment(s)	Selected Plans
Responsible Officer:	A/ Executive Manager Development Services
Author Name:	Planning Officer
Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to determine an application for a 98-room Transient Workforce Accommodation facility at Lots 3 and 4 Cherratta Road, Karratha Industrial Estate.

Background

Locality: Karratha Industrial Estate
Applicant: Michael Hicks
Owner: Maurice Anthony Whittles
Zoning: Transient Workforce Accommodation

Planning Application (P2150) was lodged on 21 October 2009 and the full fee receipted on 2 April 2010, a formal request for additional information was drafted on 27 January and amended plans subsequently lodged on the 3rd and 31st March. It is noted that prior to the receipt of full fees and the drafting of the further information request the assessing officer and Acting Executive Manager was involved in ongoing discussions with the proponent.

IssuesCompliance with the Shire of Roebourne Town Planning Scheme No. 8 (TPS 8)

The relevant Karratha Precinct Objectives include:

“Facilitate the continued growth of Karratha as the regional centre of the West Pilbara, in accordance with the Karratha Townsite Structure Plan (as amended).

Develop Karratha as the tourist entry for the West Pilbara built upon and taking into account the levels of commercial travellers associated with resource developments.

Encourage residential development that will accommodate a greater range of lifestyles and needs to reflect the broadening population base.

Retain the Karratha Industrial Estate as the regional service industry centre whilst improving its presentation as part of the entry statement to Karratha.”

The proposed development is not considered to compromise any of the above objectives. It is; however, noted that the current strategic planning policy with particular regard to the location, layout and provision of amenities, and community benefit obtained from such facilities will shortly be reviewed.

In accordance with clause 4.1.1 of the Shire of Roebourne Town Planning Scheme No. 8 (TPS8) the planning approval of Council is required for all development including building, works, changes in use and new uses on zoned and reserved land within the scheme.

The site currently is being used to store shipping containers, transportable accommodation units, and motor vehicles a road train is also located within the abutting drainage reserve. It is considered that the land is being used as a storage facility/depot/lay down area as referred to and defined in the Scheme. Planning approval has not been given and cannot be granted for this prohibited use. Should approval not be granted for a Transient Workforce Accommodation Facility at this time, enforcement action should be taken.

Amalgamation of Lots

As the development is contained on two separate titles, an amalgamation of the land prior to the issue of a building licence is required. Amalgamation is subject to the approval of the Western Australian Planning Commission.

Compliance with Local Planning Policy DP10 'Transient Workforce Accommodation'

Local Planning Policy DP10 has the objective of ensuring a high level of amenity for transient workers and residents, during and after the construction of the transient workforce accommodation facility. The northern and western boundaries are not considered to provide an appropriate landscaped buffer to the abutting properties. The applicant has stated, *"we request retention of the proposed dimensions to the northern (and western boundaries) as we feel we have demonstrated our ability to sufficiently screen sites to provide adequate privacy and aesthetic appeal."* Whilst, it is acknowledged that the applicant may have provided sufficient and often high quality landscaping for other accommodation facilities, it is recommended that Council consider this development on its merits. Consideration should be given to whether the landscaping provided on site will be maintained in perpetuity, particularly should another service provider operate the site. Should Council consider that a landscaping buffer of 1.5 metres for common boundaries is excessive, further advice is sought as to what is considered an appropriate width so as to reflect this in the forthcoming policy review.

Local Planning Policy DP 10 has the objective of providing a functional living environment. A minimum of 49 car parking bays in addition to bays for over-sized vehicles and buses are required in accordance with Local Planning Policy DP 10. The applicant has provided 53 parking bays, seven [7] of which are for over-sized vehicles including a 'long vehicle' bay which severely compromises the extent of landscaping, two [2] for the parking of motorcycles, and one [1] universally assessable bay. Given the likelihood of the over-sized parking bays being used to park boats, caravans and trailers, there is some risk that tenants will park within the abutting road reserves. It is noted; however, that the proposed bus parking bay and sound management of the use of over-sized parking bays in accordance with the submitted Tenancy Agreement can mitigate this risk. Should Council consider that it is not appropriate to allow over-sized parking bays to be counted in the overall number of car parking bays, or that a minimum percentage of over-sized parking bays be required, this direction is sought so as to reflect this in the forthcoming policy review.

Local Planning Policy DP 10 requires that buildings be setback a minimum 7.5 metres from the front property boundary. This set back distance typically allows for substantial landscaping and to reduce the impact of building bulk on the streetscape. The proposed development relies on the accommodation units being set back between 4.913 metres and six [6] metres. Given the lack of landscaping and two-storey configuration of the

accommodation units which present a featureless wall to the street, the prescribed 7.5 metre set back should be adhered to.

Earthworks and Stormwater Drainage

The applicant has not provided sufficient plans demonstrating the extent of earthworks and the design and layout of the stormwater drainage and disposal system to be assessed. Should Council approve the application prior to the commencement of any approved works it is recommended that a detailed earthworks and stormwater drainage plan be provided and endorsed. It is noted that it is not ideal to issue such conditional approvals as there is the risk that the design and layout of the development will need to change to facilitate retention and stabilisation of soil or the retention and disposal of stormwater, in addition to requiring additional human resources to process the submission and endorsement of plans post determination.

Traffic Management

Local Planning Policy DP 10 has the objective of providing a safe and functional living environment. It is noted that the design and layout of the parking and manoeuvring areas is not compliant with DP10 or the applicable Australian Standards.

(i) **Dimensions of Bays**

The standard parking bays will need to be widened by 200 mm which will result in the loss of at least two [2] parking bays in addition to landscaping and over-sized parking bays being replaced with standard bays. Should no landscaping or over-sized bays be lost, five [5] parking bays will be lost.

The universally accessible (disabled) parking bay does not accord to Australian Standard AS2890.6, it is also unclear whether the abutting pedestrian walkway is at grade with this bay.

The motorcycle bays are peculiarly long and not designated by directional signage; therefore, they are likely to be accessed by a car.

(ii) **Access to Bays**

The 'long vehicle' parking bay, included as part of the revised submission, is dimensioned to be used by 12.5 metre long heavy rigid vehicles (HRV's). HRV's are unable to exit the site from this bay at present.

(iii) **Roadway Width**

The circulation roadway at the northern roadway adjacent to Blocks H and I, will need to be widened to 3500mm in accordance with Australian Standard AS2890.2 as it will be used by HRV's and not solely standard vehicles.

(iv) **Protection of Motorcycle Bays**

Exposed parking bays are required to be separated from trafficable areas through the use of physical controls (kerbing or other protective devices). The northernmost motorcycle bay requires such protection.

On-street Bus Parking Bay

The applicant has provided a bus parking bay within the road reserve. The design, levels, pedestrian connectivity and impact on the roadside drainage system is unable to be ascertained due to a lack of detail. It is also unclear why an 8.6 metre by 7.5 metre concrete pad and pick up area has been provided adjacent to the bus bay. The applicant will be required to construct, maintain and indemnify the Shire against insurance claims pertaining to the on-bus parking bay and, if required, remove it at no cost to Council. It is the practice of Planning Services in such cases to require a Section 70A Notification under the *Land Administration Act* to be placed on title advising future owners of these

requirements. It is noted that the Shire reserves the right to remove the on-street bus parking bay at its discretion.

Emergency Management Plan

Local Planning Policy DP 10 has the objective of ensuring all workers are able to be safely sheltered during a cyclone and that best practice emergency management procedures are employed.

An emergency management plan has been submitted; however, is considered to lack the prescribed detail. It is recommended that the applicant provide an amended emergency management plan.

Service of Alcohol

Local Planning Policy DP 10 has the objective of controlling the service of alcohol so as not to adversely impact on residents or the community. The Shire of Roebourne also supports the responsible service of alcohol and, in accordance with the Roebourne Liquor Accord 2007, the provision of a safe, healthy and exciting environment inside and outside licensed premises. It is recommended that the applicant provide a Liquor Management Plan.

Tenancy Agreement

There are some minor issues regarding the clarification and omission of information contained in the tenancy agreement. These issues are relatively minor and can be resolved as conditions of a planning approval.

Delegated Authority Register

Officers do not have the delegated authority to determine development applications for Transient Workforce Accommodation facilities within 20km of gazetted townships.

Options

Council has the following options available:

1. To defer determination of P2150 until such time as further information and clarification has been provided by the applicant and is able to be assessed by Planning and Technical Services and a further report can be considered at a forthcoming Ordinary Council Meeting.
2. To refuse P2150 on the grounds that the development does not comply with the provisions of Local Planning Policy DP10 with particular regard to the setback of buildings to Cherratta Road, lack of peripheral landscaping and insufficient detail pertaining to earthworks and drainage retention and disposal, does not comply with Australian Standards pertaining to off-street parking, and other grounds to be determined by Council.
3. To approve the application P2150 subject to planning conditions as outlined by this report and determined by delegated officers.

Policy Implications

Policy number DP 10 titled Transient Workforce Accommodation is relevant to this matter.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

Administration and advertising costs will be recovered in accordance with the Planning and Development (Fees) Regulations. **Conclusion**

It is the view of Planning Services that that as there is insufficient detailed information to undertake a complete assessment of the proposal and that that any determination at this stage would be premature. The layout of the development will need to be substantially altered to achieve compliance with local planning policy and Australian Standards pertaining to off-street car parking. Given the proponent has expressly requested that the application be determined at the April Ordinary Council Meeting the alternative to deferring the determination should be to refuse the application.

Whilst the number of car parking/over-sized vehicle bays is considered appropriate, there is likely to be an unacceptable number of bays lost due to incorrect sizing, and the potential for further bays to be lost should minimum front building set back distances be applied and perimeter landscaping be widened.

The circulation roadway must be widened to a minimum 3.5 metres and further turning templates be provided or the manoeuvring areas redesigned to demonstrate safe egress from the 'long vehicle' parking bay in accordance with the Australian Standard AS2890.2.

An earthworks and stormwater drainage plan must be lodged to the specification and satisfaction of the Shire of Roebourne's Technical Service Department. Further detail must also be provided with specific engineering design for works within the King Way road reserve so as not to compromise road side drainage and ensure a segregated pedestrian path is provided from the bus parking bay to the facility.

Landscaping should also be increased to a minimum 1.5 metre buffer between adjoining land uses.

It is recommended that Council defer a decision on planning application P2150 until such time as sufficient detail is provided as outlined in this report.

Voting Requirements

Simple.

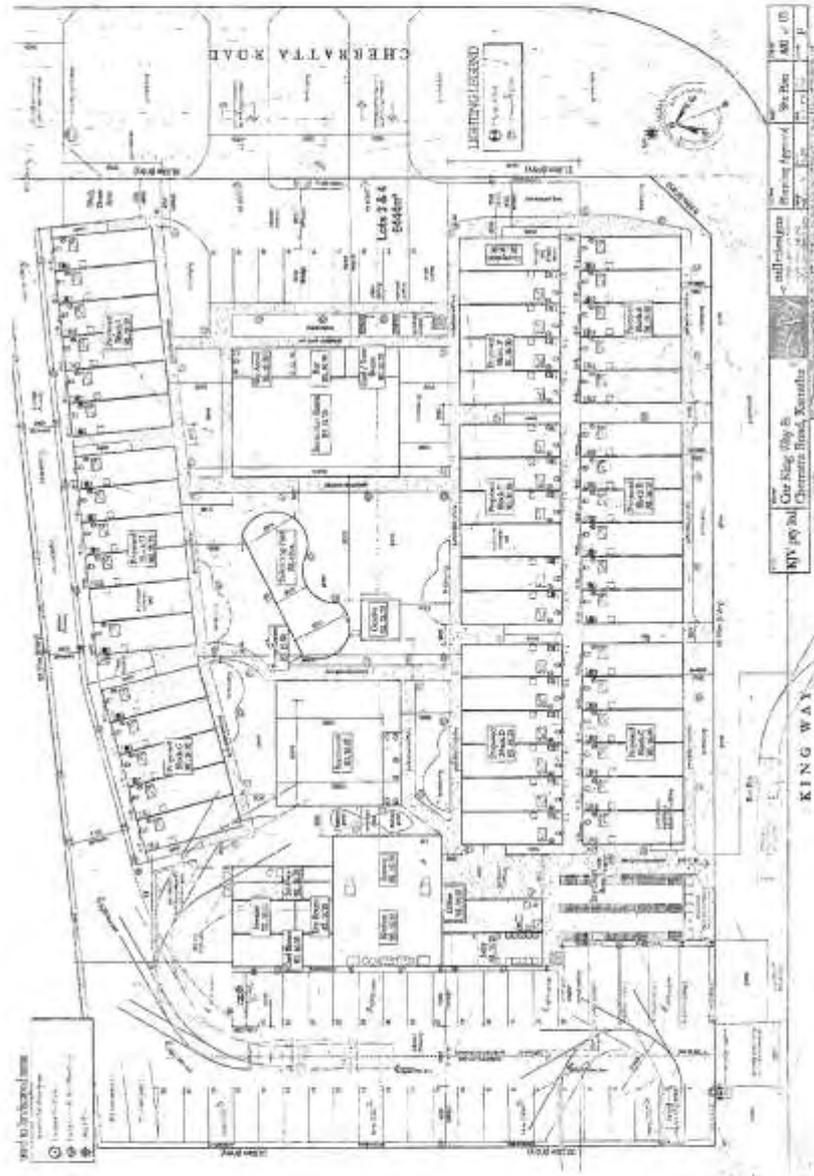
RECOMMENDATION

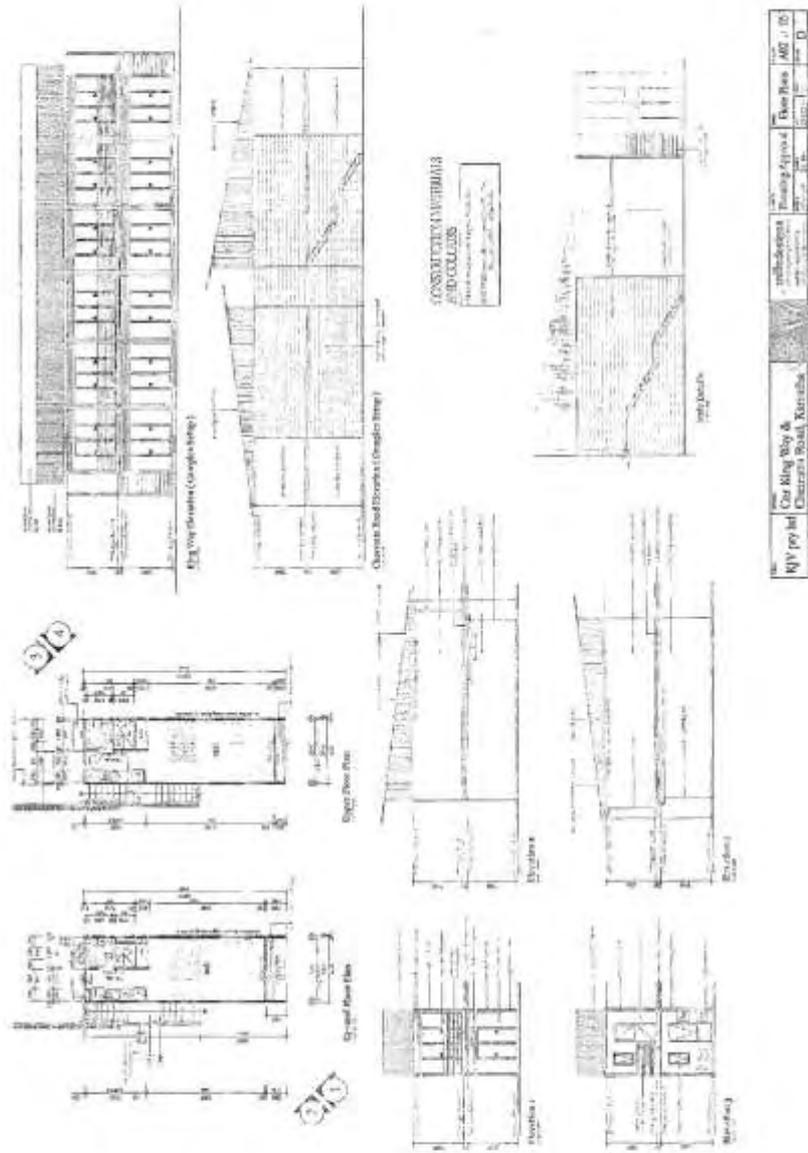
That Council –

- 1. Defers determination of P2150 until such time as further information and clarification has been provided by the applicant and is able to be assessed by Planning and Technical Services and a further report can be considered at a forthcoming Ordinary Council Meeting.**
- 2. Supports the applicant being further advised that the development must demonstrate compliance with Local Planning Policy DP10 and Australian Standards AS2890.1 and AS2890.2 with particular regard to perimeter landscaping, bay dimensions and building setback distances to King Way.**
- 3. Directs the initiation of enforcement action to bring the use of the site in conformity with the Shire of Roebourne No. 8 Town Planning Scheme and to remove unauthorised development in accordance with Part 13 of the *Planning and Development Act 2005*.**

ATTACHMENT ITEM 11.1.2 SELECTED PLANS

ATTACHMENT ITEM 11.1.2 SELECTED PLANS





11.1.3 INITIATION OF PROPOSED SHIRE OF ROEBOURNE TOWN PLANNING SCHEME NO. 8 AMENDMENT 19

File No: LP.69

Attachment(s) Draft Scheme Amendment Report

Responsible Officer: A/Executive Manager Development Services

Author Name: A/Manager Planning Services

Disclosure of Interest: Nil

REPORT PURPOSE

For the Council to consider a request to initiate an amendment to the *Shire of Roebourne Town Planning Scheme No. 8 (TPS8)* to add a portion of Reserve 42726 (part lot 258 on Deposited Plan 188814) to Appendix 6 – Additional Uses table of TPS8 with the nominated use being 'Industry – Noxious (restricted)'. The development proposal, if approved, would result in the creation of a noxious industry (liquid waste facility, solid waste depot and chemical and/ or oil recycling and incidental uses being waste transfer facility and transient workforce accommodation).

Background

Amendment No. 19 has been lodged to create an opportunity to develop an industrial liquid waste treatment facility and a waste transfer station. The proponent, Transpacific Cleanaway Pty Ltd (TPC) has entered into an agreement with the 'landowner' Ngarluma Aboriginal Corporation (Ngarluma) to lease the subject site for 25 years with an option to extend the lease for a further 10 years. The site is a 10.0ha parcel of land located approximately 11km south west of the Karratha city centre, adjacent to and on the eastern side of the Hamersley Iron rail corridor.



The proposed development will provide waste management services to major industries in the locality including offshore oil and gas industries. It will compete with the nearby facility operated by Tox Free Solutions Limited and ensure competitive pricing for these services in the West Pilbara.

Under the *Shire of Roebourne Town Planning Scheme No. 8 (TPS 8)*, the proposed land use is classified as Industry - Noxious, which is a use that is not permitted under the 'Infrastructure' reservation which currently applies to this land. Proposed Amendment No. 19 is; therefore, required to provide the Additional Use of Industry – Noxious (restricted) for the site in Appendix 6 – Additional Uses of TPS8.

The remote location of the Site and the similarity of the proposed use to that being undertaken on Lot 126 (the Tox Free Solutions Pty Ltd site) suggests that the proposed use is likely to be able to operate in an environmentally sustainable and responsible manner, subject to conditions which are likely to be imposed by the Environmental Protection Authority and licensing conditions of the Department of Environment and Conservation.

Issues

Grouping of Land Uses

The location of the proposed facility is deemed appropriate given its isolation from urban areas and sensitive land uses, its proximity to an approved industrial waste treatment and transfer facility (the Tox Free site), and frontage a major transport route (Warlu Road) providing direct access to North West Coastal Highway.

Environmental Management

If approved, environmental management of the proposed development is required to be undertaken in accordance with licensing and registration requirements of the Department of Environment and Conservation, and other legislative requirements i.e. the *Explosives and Dangerous Goods Act 1961*.

Under the *Environmental Protection Regulations 1987*, the proposed uses on the site are deemed to be 'Prescribed Premises' and the ultimate production design capacity will fall within the parameters requiring both registration and licensing.

Indigenous Heritage

The proponent has agreed with Ngarluma that it will undertake a comprehensive Indigenous Heritage Survey. Should archaeological or ethnographic pieces be evident, TPC will undertake the required management practices as required by the *Aboriginal Heritage Act 1972*.

Options

Council has the following options available:

1. To initiate proposed Amendment No. 19 to TPS to add the additional use of Industry – Noxious (restricted) to Appendix 6 of TPS8.
2. Not to initiate proposed Amendment No. 19 to TPS to add the additional use of Industry – Noxious (restricted) to Appendix 6 of TPS8.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

Administration and advertising costs will be recovered in accordance with the *Planning and Development Regulations 2009*.

Conclusion

Any issues regarding the proposed amendment and subsequent development of the site will be determined during the public advertising period and referral to relevant statutory authorities and other agencies. The Council is not obliged to ultimately support a final adoption of the amendment or any future application for development approval under TPS8 unless it is determined that the use is appropriate in its location and compliant with relevant planning and environmental controls.

The proposed amendment is supported in principle by Planning Services and; therefore, it is recommended that the Council initiate the amendment and request the Chief Executive Officer to refer it to the Environment Protection Authority.

Voting Requirements

Simple.

RECOMMENDATION**That Council –**

1. Initiate the proposed *Shire of Roebourne Town Planning Scheme No. 8 Amendment 19* to add a portion of Reserve 42726 (part lot 258 on Deposited Plan 188814) to Appendix 6 – Additional Uses table of TPS8 with the nominated use being ‘Industry – Noxious (restricted)’ pursuant to Part 5 of the *Planning and Development Act 2005*.
2. Subject to the advice from the Environmental Protection Authority that under s.48A of the *Environmental Protection Act 1986* the Amendment is not subject to formal environment assessment, instructs that the Chief Executive Officer advertises the Amendment in accordance with the requirements of the *Town Planning Regulations 1967* for a period of 42 days.

ATTACHMENT ITEM 11.1.3 DRAFT SCHEME AMENDMENT REPORT

Ordinary Council Meeting – Agenda

19 April 2010

ATTACHMENT ITEM 11.1.3 DRAFT SCHEME AMENDMENT REPORT

Shire of Roebourne
Town Planning Scheme No. 8
Amendment No. 19

Shire of Roebourne
Town Planning Scheme No. 8
Amendment No. 19

To include an Additional Use of
Industry - Noxious (restricted)

on

Portion of Reserve No. 42726
(and being Part of Lot 258
on Deposited Plan 188814)

**PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME
Shire of Roebourne
TOWN PLANNING SCHEME No. 8**

RESOLVED THAT Council in pursuance of Section 75 of the Planning and Development Act 2005 (as amended), amend the above Town Planning Scheme by:

- i) adding to Appendix No. 6 – Additional Uses, under the headings the following:

Additional Use Entry No.	Description of Land	Base Zoning	Additional Uses	Special Conditions
A4	Portion of Reserve No. 42726 (and being Part of Lot 258 on Deposited Plan 188814)	Infrastructure Reservation	Industry-Hazardous (restricted)	<ul style="list-style-type: none"> a) The use of the site to be restricted to the following additional uses as defined in Schedule 1 of the Environmental Protection Regulations 1987 (as amended): <ul style="list-style-type: none"> i. '61 - liquid waste facility'; and ii. '62 - solid waste depot'; iii. '39 chemical or oil recycling'; b) The following incidental uses are also applicable: <ul style="list-style-type: none"> i. waste transfer facility; and ii. transient workforce accommodation. c) The transient workforce accommodation shall: <ul style="list-style-type: none"> i. provide for a maximum of eight employees of the waste transfer facility; ii. be located to maximise the distance from the waste transfer facility; and iii. also require the approval of the Health Department of WA.

and; ii) Adding the Additional Use symbol to the Scheme Map on Portion of Reserve No. 42726 (and being part of Lot 258 on Deposited Plan 188814).

Dated this day of, 2010

.....
Chief Executive Officer

File No:.....
Part of Agenda:.....

MINISTER FOR PLANNING AND INFRASTRUCTURE

PROPOSAL TO AMEND A SCHEME

-
1. LOCAL AUTHORITY: Shire of Roebourne
 2. DESCRIPTION OF LOCAL PLANNING SCHEME: Town Planning Scheme No. 8
 3. TYPE OF SCHEME: District Zoning Scheme
 4. SERIAL No. OF AMENDMENT: Amendment No. 19
 5. PROPOSAL: To include an Additional Use of Industry - Noxious (restricted) on Portion of Reserve No. 42726 (and being Part of Lot 258 on Deposited Plan 188814).
-
-

SCHEME AMENDMENT REPORT

**REPORT ON SCHEME AMENDMENT No. 19
TOWN PLANNING SCHEME No. 8
Shire of Roebourne**

MINISTER'S REF: _____
COUNCIL'S REF: _____

CONSULTANTS REF: C1713amend1

Landowner: Ngarluma Aboriginal Corporation Inc.
Property Description: Portion of Reserve No. 42726
(and being Part of Lot 258
on Deposited Plan 188814)
Certificate of Title:
Area: 10.0 hectares
Local Authority: Shire of Roebourne
Date: March 2010
Proposal: To include an Additional Use of Industry – Noxious
(restricted) on Portion of Reserve No. 42726 (and
being Part of Lot 258 on Deposited Plan 188814).



Amendment No. 19 to Shire of Roebourne TPS 8

File: C1713amend1.docx

1.0 INTRODUCTION

Amendment No. 19 is to allow for an Additional Use of Industry Noxious (restricted) on Portion of Reserve No. 42726 (and being Part of Lot 258 on Deposited Plan 188814) (the Site). This is to be developed with a liquid waste treatment facility and a waste transfer station. The Proponent - Transpacific Cleanaway Pty Ltd (TPC) has entered into an agreement with the Ngarluma Aboriginal Corporation (Ngarluma) to lease the site for 25 years with an option to extend the lease for a further 10 years. (Refer to Annexure 1 - Lease Agreement with Ngarluma.) The Site is a 10.0ha parcel of land located approximately 11km south west of the Karratha town centre, adjacent to and on the eastern side of the Dampier to Paraburdoo Railway Line. (Refer to Figure 1 - Location Plan.)

The proposed development will provide waste management services to major industries in the locality including offshore oil and gas industries. It will provide a much needed service which is required to compete with a similar, nearby facility (Tox Free Solutions Limited (Tox Free)) to ensure competitive pricing for these services in the region.

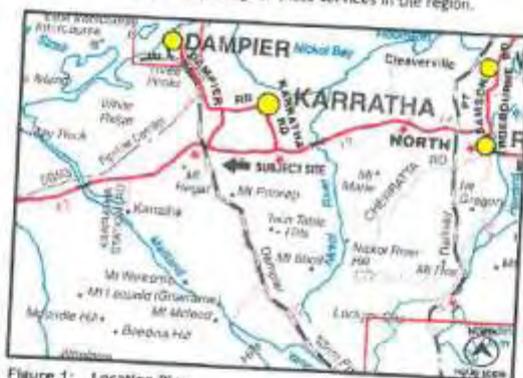


Figure 1: Location Plan source: Landgate

Under the Shire of Roebourne Town Planning Scheme No. 8, (TPS 8) the proposed land uses are classified as Noxious Industry, which is a use that is not permitted under the 'infrastructure' reservation which applies to this land. Amendment No. 19 is therefore

required to provide the Additional Use of Industry - Noxious (restricted) for the site in TPS 8.

The remote location of the Site and the similarity of the proposed uses to those being undertaken on Lot 126 (the Tox Free site) suggests that the proposed uses are likely to be able to operate in an environmentally sustainable and responsible manner, subject to conditions which are likely to be imposed by the Environmental Protection Authority (EPA).

2.0 LOCATION AND SITE PARTICULARS

The site is identified as a 10.0ha site, which is bounded to the west by the Dampier to Paraburdoo Railway Line and to the south by DeWitt Loc. 149 (which is leased by the State Government to BHP but which is not been utilised at the present time.)

The site is bounded to the east by Warlu Road (which extends generally north/south through Lot 258.)

To the north of Lot 258 is Reserve No: R131113, which comprises 52.0ha and is reserved for gravel extraction. This reserve is vested with Main Roads WA.

It is evident that water services are located within the Railway Reserve, to the west of the site.

An inspection of the site concludes that it is relatively flat and characterised by low shrubbery. It is isolated from any developments - particularly residential development and there is no existing land uses within the locality which could potentially be a source of land use conflict with the proposed use of Industry - Noxious (restricted). (Refer to Annexure 2 - Site Photographic Plate.)

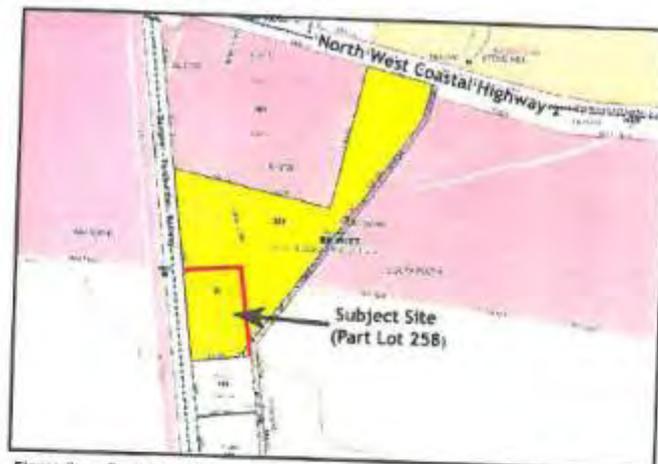


Figure 2: Contextual Plan

source: landgate

Amendment No. 19 to Shire of Roeburne TPS &

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Page 3

3.0 TOWN PLANNING DETAILS

3.1 Shire of Roebourne Town Planning Scheme No. 8

The Site is reserved for 'Infrastructure' under TPS 8. The intention of the Infrastructure Reserve is that it be used and developed for infrastructure projects, such as cables, pipelines, roads railways, conveyors and pumps for the purposes of delivering water, sewage, electricity, gas drainage, communications, raw materials or other goods and services between the mines and the towns of Karratha and Dampier.

The proposed facilities are designated Prescribed Premises under the Environmental Protection Regulations 1987 and will require licensing by the Authority. The uses which are proposed on this site, are not permitted in the Scheme's Local Reserve - Infrastructure. Accordingly, this Amendment will provide the Additional Use of Industry - Noxious (restricted) at the Site, whilst maintaining the underlying Infrastructure reservation.

3.2 Karratha Area Development Strategy

The Karratha Area Development Strategy (KADS) provides the strategic planning framework to guide future land-use and water development, and which coordinates infrastructure provision and urban expansion for the next 25 years in the Karratha locality. The KADS provides a 'Composite Land use and Water Use Proposals' Plan, which identifies the Site with a 'Pastoral' designation.

The designation of landholdings surrounding the Site includes Pastoral for De Witt Loc 264 and 149, Stock Route for the DeGrey - Mullewa Stock Route, Conservation/Recreation for Reserve R31113 and a common designation for R42726. A 'Service Corridor' designation is identified for the adjacent Dampier to Paraburdoo Railway Line.

Land approximately one (1) kilometre north of the Site is designated 'Special Rural Area 1.' This is considered to be the only potential 'sensitive land use' nearby. The Shire of Roebourne has advised that planning for the proposed Special Rural 1 Area has not yet commenced and is a long term proposition.

There is a proposed power station with a public utility designation located about 2.5km north west of the Site. The Site would therefore be within the generic 2km - 5km (depending upon the generation capacity of the power station) buffer of the proposed gas power station as prescribed in the Environmental Protection Authority's (EPA) prescribed

buffer zone for such uses in its document titled 'Guidance for Assessment of Environmental Factors - Separation distance between Industry and Sensitive Land uses No. 3' June 2005 (EPA Guidelines).

The proposed development is considered to be compatible with future land use planning under the KAPS. The proposed Special Rural Area 1 is sufficiently remote from the site and the establishment of compatible uses within industry buffers is supported in the EPA Guidelines, discussed above.

3.3 Draft State Industrial Buffer Policy, Statement Planning Policy 4.1, Western Australian Planning Commission July 2004 (SSP No. 4.1)

Draft SPP 4.1 indicates that in the determining applications for development of land for industrial uses and infrastructure, local governments should give consideration to policy measures set out in Sections 3, 4 and 5 of SPP 4.1. We provide some brief comment on the relevant Policy measures and discussion of implications to the proposed development.

3.3.1 Avoid land use conflict

This policy measure requires containment of emissions on site and where not feasible, new industry should be located where appropriate buffer areas can be provided between the proposed industry and the sensitive land uses.

As discussed, the only potential sensitive land use is the proposed Special Rural 1 Area identified under the KAPS, which is one (1) kilometre from the site.

3.3.2 Technical Definition of Buffers

This policy measure indicates the need for a technical definition of buffers for industry and infrastructure to determine impacts. Where proposals satisfy the recommended buffer distances in the EPA Guidelines for industrial/residential buffer areas proposals are deemed to comply with SP No. 4.1.

The recommended separation distance in the EPA Guidelines for Waste Depots is 200 metres and for liquid waste treatment facilities the separation distance is judged on a case-by-case basis. It is noted that the proposed development is to treat predominantly liquid waste containing oils. The one (1) kilometre separation distance to the nearest potential sensitive use (Special Rural 1 Area), is considered more than adequate, bearing in mind that such a buffer distance is recommended for heavier industries known to have emissions i.e. smelters, refineries and similar industries. It is also noted at this time, that no development has actually occurred on this Special Rural zone.

4.0 Proposed Development

4.1 Overview

TPC's current activities in the Karratha area, through its facility at King Bay Road on Burrup Peninsula, involve the collection of solid waste and recyclables as well as liquid wastes (such as oily water, grease trap and bilge water) from commercial and industrial clients.

TPC's proposed Warlu Road Waste Management and Recovery Facility will replace the King Bay Rd operation and service a variety of solid and liquid waste management needs of the Pilbara region's expanding petroleum and mining industries. It will ultimately include a waste oil treatment system based around a forced feed evaporation (FFE) process, and it will also ultimately provide a recyclable materials recovery facility (MRF) to service Karratha's residential, commercial and light industrial areas. (Refer to Schematic Concept Diagram describing proposed activities on site at Annexure 3.)

At the 'Start Up' stage, there will be two land use activities requiring licensing of the facility under the Environmental Protection Regulations (1987) and therefore designated as Noxious Industry under Town Planning Scheme No 8. They are a Liquid Waste Facility (Prescribed Premises Category 61) and a Solid Waste Depot (Prescribed Premises Category 62).

Over the 'longer term', the Solid Waste component of the facility will include a Materials Recovery Facility (MRF) in a fully enclosed shed, which will enable the separation and bailing of aluminum, paper, plastics and other recoverable materials.

Also over the longer term, the treatment of oily water will be expanded to include a waste oil refining process for recovered waste oil. This process (forced feed evaporation) heats waste oil to evaporate the remaining associated water to produce a dehydrated fuel oil product suitable as a diesel replacement for blasting and other uses. As this process involves refining licensing of the facility is required for the additional land use activity of 'Chemical or oil recycling' (Prescribed Premises Category 39).

4.2 Liquid Waste Facility

Oily water is the main liquid waste produced by industry in the Karratha area. After receipt and unloading of tankers, the treatment of oily water entails the separation of the oil, water and solids.

The liquid waste facility will be based around an oily water separation plant involving a gravity vertical separation and decanting process. The area containing the separation plant, as well the associated above-ground tanks for the storage and treatment of recovered products, will be sealed and concrete bunded. The bunded area will also include a hazardous goods storage area which will be developed and managed to meet the required regulations.

Recovered water from the separation plant will be further treated by flocculation, pH control and filtering processes prior to either reuse for dust suppression or truck wash purposes, or discharge to lined evaporation ponds.

Recovered solids (sludge) will be mixed with sand and cement on a hardstand area and then allowed to cure to a 'fixed state' before being assessed against appropriate criteria for disposal to a Class II landfill facility (Seven Mile). If unable to meet such criteria it would be sent to Oil Energy Corporation in Port Hedland for remediation by incineration.

Up until such time as when the proposed additional treatment process (forced feed evaporation) is in place, the recovered oil will be transported off-site for further processing in Kalgoorlie.

4.3 Solid Waste Depot

The operation of a solid waste depot or waste transfer station involves the consolidation of individual containers of material for transport off-site to licensed recycling / reuse or disposal facilities. This enables the repackaging of materials to ensure safe transport labeling in accordance with Controlled Waste and Dangerous Goods requirements, and also ensures that transport costs are viable.

Typical solids materials produced from the oil, gas and mining industries that require consolidation and repackaging include substances such as grease, drill cuttings, oil filters, rags, absorbents, contaminated soils and other hydrocarbon based materials.

Typical solids materials produced from residential, commercial and light industrial areas includes packaging materials, such as cardboard, glass, and plastics, as well as construction and demolition wastes such as iron, steel and timber products, concrete, and brick rubble.

The solid waste depot will comprise a construction and demolition recovery deck, an enclosed 'sorting area' where reusable materials can be recovered, and a bailing / storage

area. A hardstand area will also be developed as a bin storage area. All storage of dangerous goods will be undertaken in accordance with Dangerous Goods legislation.

4.4 General Site Infrastructure

The following general site infrastructure will be developed on site:

- An administration building;
- A weighbridge at the gated entrance / departure point;
- A truck maintenance and bin repair workshop;
- An extensive hardstand truck parking area;
- A truck/ bin wash down pad;
- Bitumised trafficable and lay down areas;
- Ground water monitoring bores
- Emergency response equipment to DEC and FESA requirements
- Eight (8) transient staff accommodation units

The site will be graded and contoured to capture storm water on-site. All process, wash areas and storage areas are to be concrete bunded with any potentially contaminated water treated on-site. Potable water and electricity are to be provided to the site and it will be comprehensively fenced, gated and lit for security purposes.

4.5 Business Operational Criteria

With the commissioning of the Warlu Road facility, the existing TPC facility off King Bay Road on Burrup Peninsula will be closed down. The company currently operates its existing site with nine (9) administration staff on-site and is anticipated that this would grow to 12 staff at the Warlu Road facility.

There are currently four machinery operators on-site at King Bay Rd and this would be increased to eight (8) at the new site. There are currently no maintenance workers on-site at King Bay Rd but the new site would employ four maintenance workers. The company currently engages 19 drivers for materials collection, and this would be increased to 30 drivers.

Four (4) of the current staff operate on a 'fly in/fly out' roster and the company's objective is to accommodate up to eight (8) 'fly in/fly out' staff in on-site accommodation units.

In addition to the increased staffing levels, the company will operate the Warlu Road Site with a larger fleet of vehicles. The current fleet is comprised of seven (7) 'lift on' vehicles, four (4) front lift vehicles, one (1) side/rear lift vehicle, three (3) vacuum tankers, two (2) liquid tankers, five (5) utilities and two (2) flat deck vehicles. Although no additional flat deck vehicles are likely to be required, it is anticipated that the fleet will grow to include ten (10) 'lift on' vehicles, six (6) front lift vehicles, five (5) side/rear lift vehicles, five (5) vacuum tankers, three (3) liquid tankers, and eight (8) utilities for the Warlu Rd facility.

With these increases in vehicle numbers, the company anticipates that total truck movements will increase from about 60 per day (as they currently are) to about 100 truck movements per day along Warlu Road.

The company also anticipates that the amount of material required to be processed, will require it to operate from 5:00am through until about 8:00pm, seven (7) days a week.

5.0 DEVELOPMENTAL ISSUES AND JUSTIFICATION

5.1 Environmental Management

Subject to the anticipated determination by the EPA that environmental assessment under Part IV of the Act is not required, environmental management of the proposed development will be undertaken in accordance with licensing and registration requirements of the Department of Environment and Conservation, and other legislative requirements i.e. the *Explosives and Dangerous Goods Act 1961*. (An environmental assessment as discussed, is anticipated not to be required based on the comparable facility which currently operates on Lot 126 Warlu Road, approximately 250m to the south of the subject site.) Under the *Environmental Protection Regulations 1987*, the proposed uses on the site are deemed to be 'Prescribed Premises' and the ultimate production design capacity will fall within the parameters requiring both registration and licensing. TPC will comply with the conditions of licensing and registration and will also implement its own Occupational Health and Safety Plan for workers and visitors to the site.

5.2 Services

The proposed development is capable of being serviced with water, power and telephone from existing services located within the adjacent railway and road reserves. The water service will primarily be used for truck wash and staff amenities, and not be used for any treatment purposes, which will be reliant on the oily wastewater from industry. Domestic wastewater will be disposed of via septic systems. There will be no disposal of wastewater from the treatment process into the septic system.

5.3 Core Consultative Committee

The Core Consultative Committee on Waste (the Committee) is an advisory body established by the Minister for the Environment to provide advice and promote open discussion about waste management in the State.

An initiative of the Committee was an exhibition of potential sites for hazardous/industrial waste treatment precincts for the Regions including the Pilbara Region. Nominated sites for the Pilbara Region included the Boundaries Industrial Estate and three State Government nominated sites. During the public consultation period we are aware that Tox Free nominated De Witt Loc 126 for inclusion as a hazardous/industrial waste treatment precinct. The summary of submissions noted that the Tox Free site adjacent to Warlu Road had already obtained many of the environmental and heritage clearances, and is

already disturbed. Tox-Free had requested that their site (De Witt Loc 126) should be considered by the Committee in preference to the exhibited site.

5.4 Indigenous Heritage

TPC has agreed with Ngarluma, that it will undertake a comprehensive Indigenous Heritage Survey of the site to determine whether any artefacts or other pieces of cultural and archaeological significance to the local indigenous community, are in evidence. If any such archaeological or ethnographic pieces are in evidence, then TPC will undertake the required management of these resources as required by the relevant legislation.

6.0 CONCLUSION

In conclusion, there are sound Town Planning and environmental grounds to amend TPS 8, to allow for the uses of waste management and recycling at this site. TPC has entered into agreement with the Ngarluma Aboriginal Corporation to lease the Site for these specific uses and will commence development and the uses as described herein, once Amendment No. 19 is finalised and other relevant approvals (in particular, the Environmental Works Approval and associated licensing) are in place.

The site is isolated from existing, and proposed sensitive land uses that may be situated in the locality. Developmental issues including indigenous heritage, will be addressed and environmental management is going to be the subject of a comprehensive environmental review and assessment, through the licensing requirements of the Department of Environment and Conservation. Utility services are available in the adjoining railway reserve and the site enjoys excellent vehicular access. Traffic generation from the proposed facility will be commensurate with the planned capacity and design of Warlu Road.

Accordingly, the approval of the Hon. Minister for Planning to Amendment No. 19 to enable the proposed (primarily industrial) waste management and recycling facility, to be developed, is respectfully sought.

ANNEXURES



ANNEXURE 1
*Lease Agreement with Ngarluma
Aboriginal Corporation Inc.*



*This Executed Lease Agreement is to be
provided shortly.*

ANNEXURE 2
Site Photographic Plate

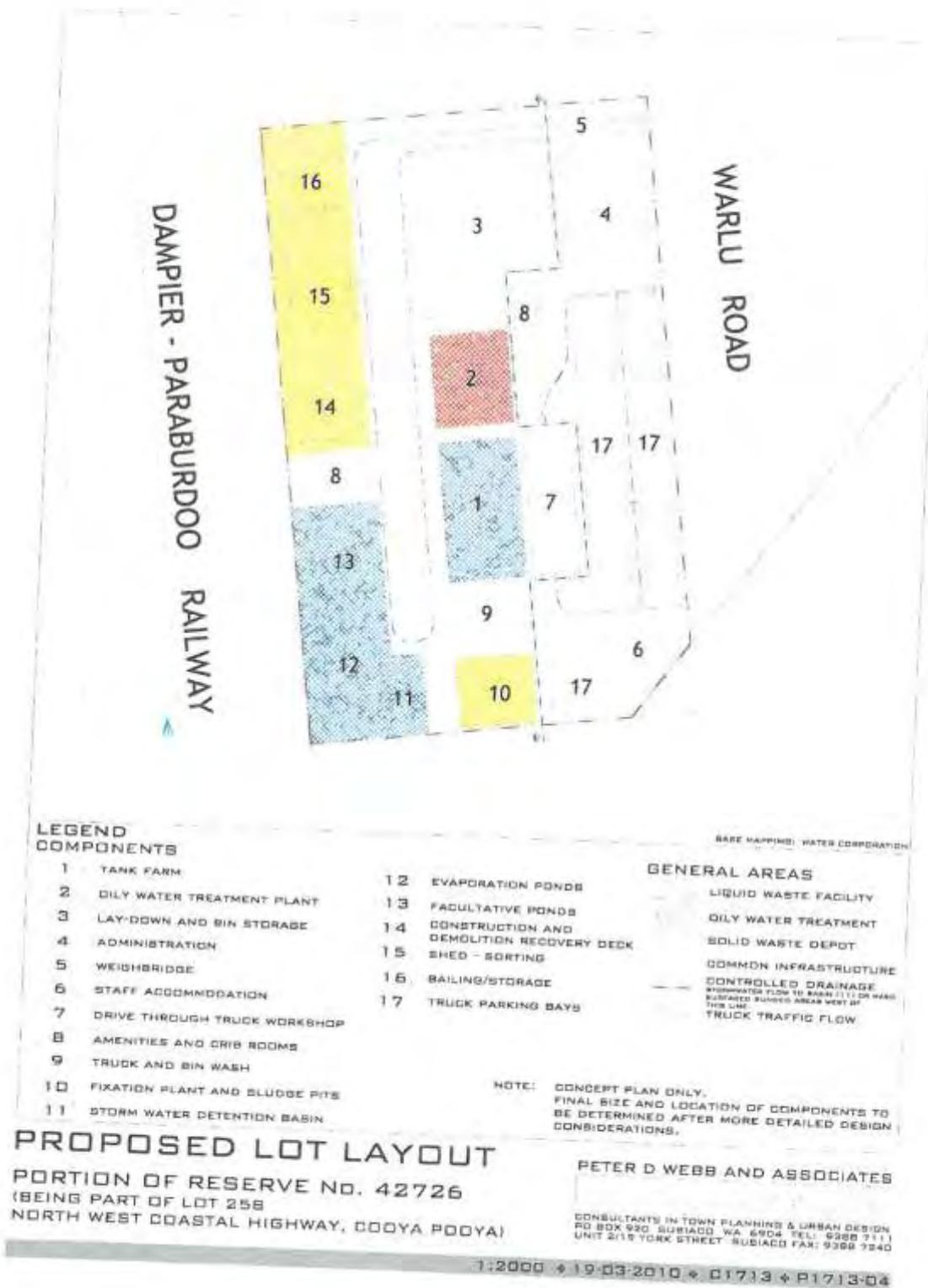


Photo Montage of Subject Site



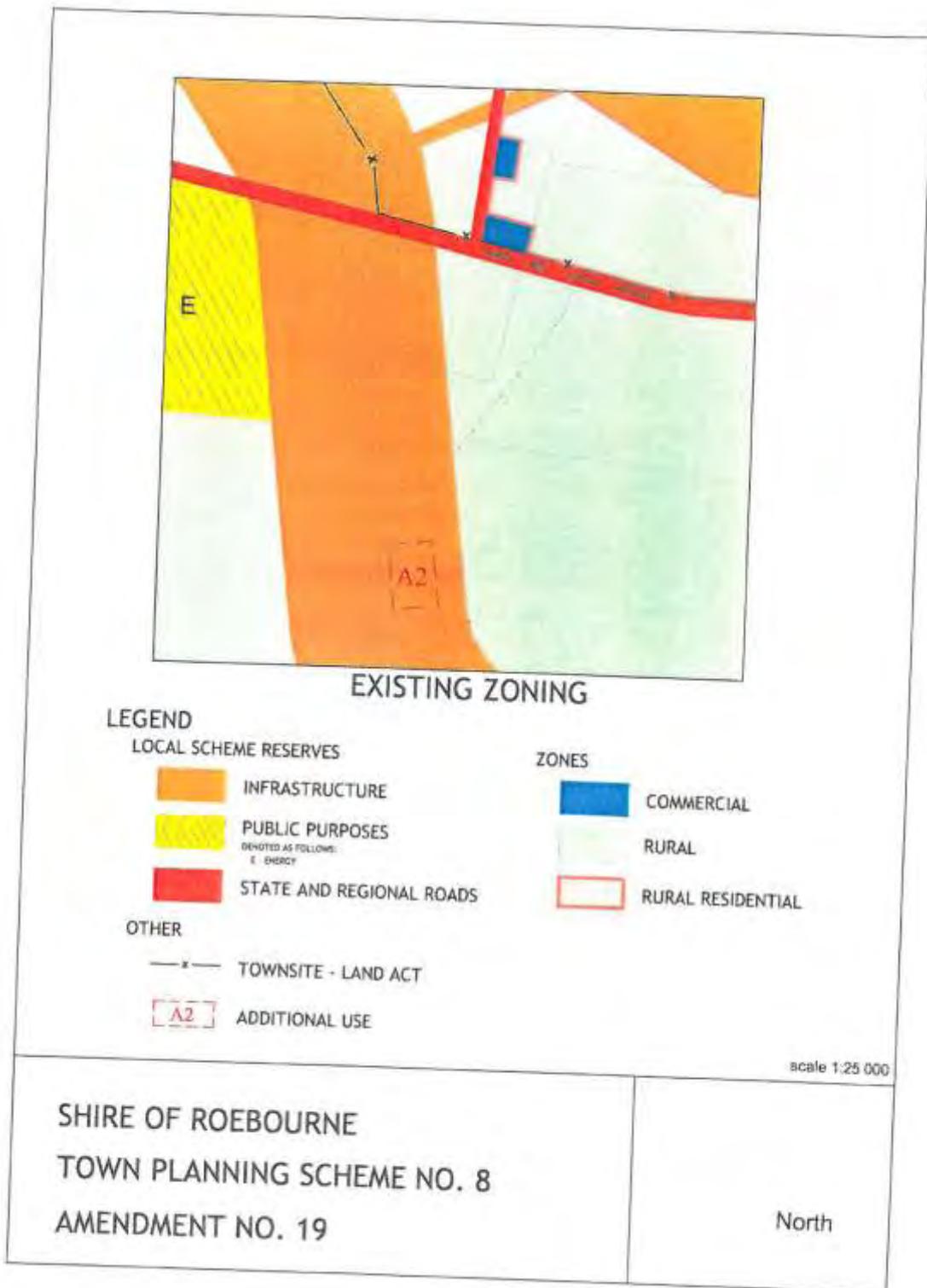
ANNEXURE 3
*Schematic Conceptual Diagram of
Proposed Uses*

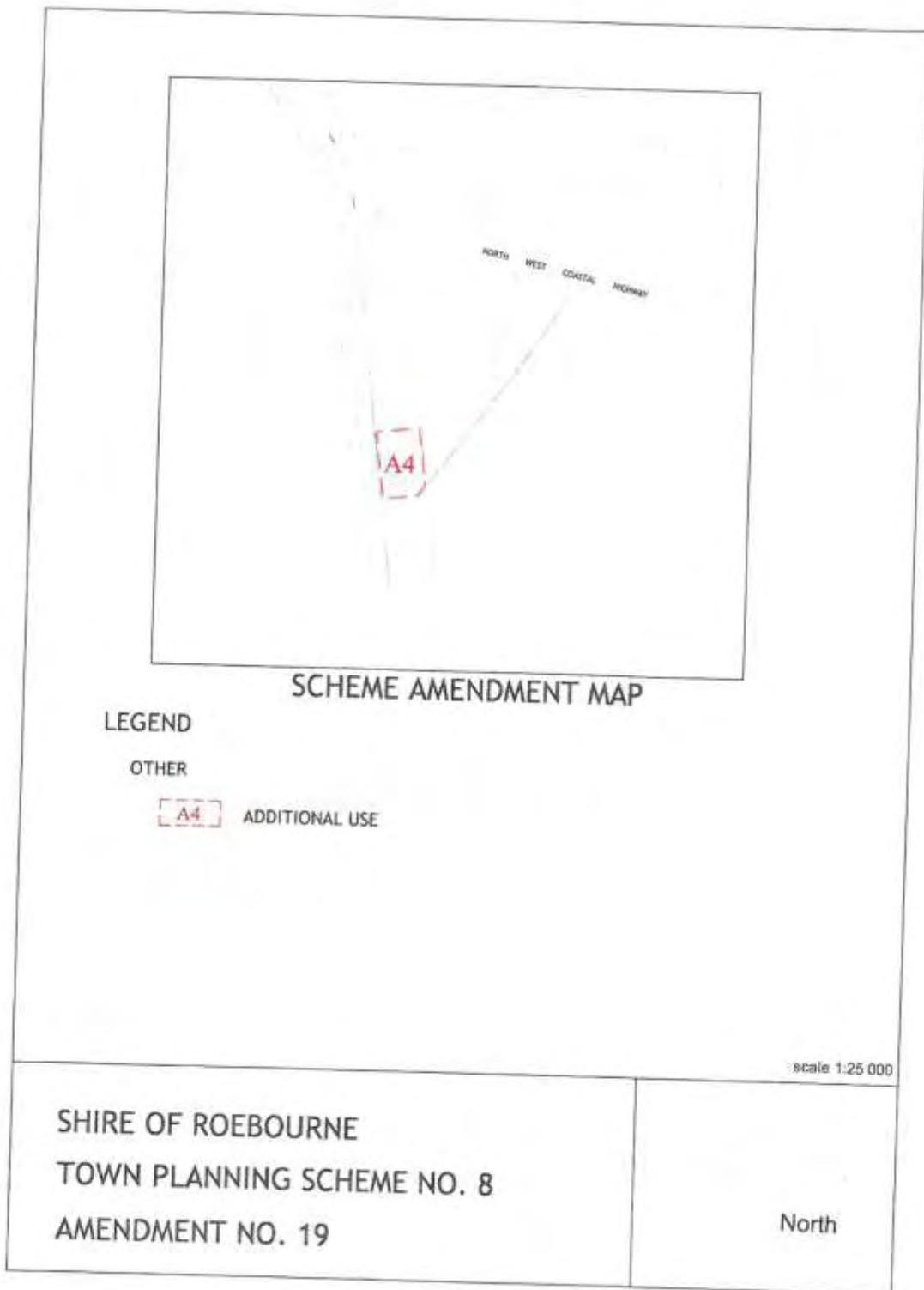




SCHEME AMENDMENT MAPS







SCHEME AMENDMENT DOCUMENTS



**PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME
Shire of Roebourne
TOWN PLANNING SCHEME No. 8**

RESOLVED THAT Council in pursuance of Section 75 of the Planning and Development Act 2005 (as amended), amend the above Town Planning Scheme by:

- i) adding to Appendix No. 6 - Additional Uses, under the headings the following:

Additional Use Entry No.	Description of Land	Base Zoning	Additional Uses	Special Conditions
A4	Portion of Reserve No. 42726 (and being Part of Lot 258 on Deposited Plan 188814).	Infrastructure Reservation	Industry-Noxious (restricted)	a) The use of the site to be restricted to the following additional uses as defined in Schedule 1 of the <i>Environmental Protection Regulations 1987 (as amended)</i> : i. '61 - liquid waste facility'; and ii. '62 - solid waste depot'; iii. '39 chemical or oil recycling.' b) The following incidental uses are also applicable: i. waste transfer facility; and ii. transient workforce accommodation. c) The transient workforce accommodation shall: i. provide for a maximum of eight employees of the waste transfer facility; ii. be located to maximise the distance from the waste transfer facility; and iii. also require the approval of the Health Department of WA.

- and; ii) Adding the Additional Use symbol to the Scheme Map on Portion of Reserve No. 42726 (and being part of Lot 258 on Deposited Plan 188814).

Dated this day of 2010

.....
Chief Executive Officer

ADOPTION

Adopted by resolution of the Council of the Shire of Roebourne at the Meeting of the Council held on the day of 20.....

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER



FINAL APPROVAL

ADOPTED for Final Approval by resolution of the Shire of Roebourne at the Meeting of the Council held on the day of20..... and the Common Seal of the Shire of Roebourne was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

.....
**DELEGATED UNDER S. 16 OF
THE PD ACT 2005**

Date

Final Approval granted

.....
MINISTER FOR PLANNING

Date



**11.1.4 REDEVELOPMENT OF CARAVAN PARK - LOT 1060 MOOLIGUNN ROAD,
KARRATHA INDUSTRIAL ESTATE**

File No:	P2184
Attachment(s)	Selected Plans
Responsible Officer:	A/Executive Manager Development Services
Author Name:	Planning Officer
Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to determine an application to replace twenty [20] caravan sites with 86 transient workforce accommodation rooms and seven [7] two-bedroom holiday accommodation units at lot 1060 Mooligunn Road, Karratha Industrial Estate.

Background

Locality: Karratha Industrial Estate
Applicant: Tony Paduano, TPG Town Planning and Design
Owner: Westate (Karratha #1) Pty Ltd
Zoning: Transient Workforce Accommodation

Planning Application P2184 was received on the 10 December 2009 and payment for the application was receipted on the 22 December 2009. Council requested further information in respect to the receipted plans and management details on the 25 February 2010 and further amended plans and management details were received on the 19 March 2010.

Issues

Compliance with the Shire of Roebourne Town Planning Scheme No. 8 (TPS 8)

The relevant Karratha Precinct Objectives include to:

“Facilitate the continued growth of Karratha as the regional centre of the West Pilbara, in accordance with the Karratha Townsite Structure Plan (as amended).

Develop Karratha as the tourist entry for the West Pilbara built upon and taking into account the levels of commercial travellers associated with resource developments.

Encourage residential development that will accommodate a greater range of lifestyles and needs to reflect the broadening population base.

Retain the Karratha Industrial Estate as the regional service industry centre whilst improving its presentation as part of the entry statement to Karratha.”

The proposed development is not considered to compromise any of the above objectives. It is; however, noted that the current strategic planning policy with particular regard to the location, layout and provision of amenities, and community benefit obtained from such facilities will shortly be reviewed.

Compliance with the Local Planning Policy DP 10 'Transient Workforce Accommodation'

A rubbish bin compound is proposed 1.5 metres from the front property boundary, within the prescribed 7.5 metre front setback distance. The reduced setback is not considered to have a significant impact on the streetscape amenity of the area given the width of the road reserve and ability to provide vegetative screening.

Although the proponent has included parcels of land that are not suitable for active or passive recreation due to their width, or do not form part of such allocation being part of the perimeter landscaping, sufficient open space has been provided which incorporate landscaping, barbecues and sheltered seating.

There is a need to provide further detail pertaining to:

- (i) Traffic management (modification to the flow of traffic and the location of directional signage and holding bars);
- (ii) The layout of external lighting;
- (iii) The provision of an additional universally accessible parking bay with an unobstructed path of travel to both a ground floor transient workforce accommodation unit and to the emergency shelter;
- (iv) An unobstructed path of travel from the proposed universally accessible parking bay to the shop;
- (v) Finished design levels for the parking and manoeuvring areas including the on-street parking area;
- (vi) Typical dimensions of parking bays (so as to be not less than 2700 mm in width and for the universally accessible parking bays to accord to Australian Standard AS2890.6); and
- (vii) The location and dimensions of concrete wheelie bin collection stands/areas.

The above additional information is not considered too substantive so as not to form part of a conditional of approval.

Compliance with the *Caravan Parks and Camping Grounds Regulations*

The *Caravan Parks and Camping Grounds Regulations 1997* (the Regulations) prescribes the necessary infrastructure and provides for an assessment criteria. As the site is proposed to incorporate two approved uses (a caravan park and transient workforce accommodation facility), an assessment must be undertaken against the Regulations for the 2.249ha portion of the site being a caravan park.

The proposed development is generally deemed to satisfy the Regulations with the exception of the requirement to allocate 10% of the site for communal open space, two thirds of which being in a single location. The applicant misinterpreted clause 18(2) of Schedule 7 of the Regulations and did not make an allowance for that portion of the site nominated as facility roads. As such the allocation of communal open space calculates to approximately 5.45% of the caravan park. Subject to the provision of covered seating and/or other elements to 'activate' the space, approximately 380m² of further land area could increase this allocation to approximately 5.56%.

Subject to Ministerial approval there is the ability under the Regulations to reduce the allocation of communal open space. As was the case with Aspen Parks' Balmoral Road Caravan Park redevelopment, the Shire supported a request to the Minister for a reduction in the allocation of communal open space to eight [8] percent.

Given the additional recreational amenity proposed (swimming pool, gymnasium and activity room), support of a reduction in communal open space to eight [8] percent in this case is also considered appropriate. It is envisaged that a number of caravan sites would need to be deleted and a slight modification be made to the internal road network in order to achieve eight [8] percent communal open space.

Health Issues

The Shire of Roebourne's Environmental Health Department is aware that there are health related issues at the site. Although these issues are not specifically related to the proposed development application, the applicant and owner have been informed of such issues which may affect future further development of the site.

Delegated Authority Register

Officers do not have the delegated authority to determine development applications for Transient Workforce Accommodation facilities within 20km of gazetted townships.

Options

Council has the following options available:

1. To approve the application for transient workforce accommodation subject to planning conditions as stipulated in this report and those determined by the Manager of Planning Services.
2. To refuse the application for transient workforce accommodation on the ground that the development does not comply with the communal open space allocation as prescribed by the *Caravan Parks and Camping Grounds Regulations 1997* and/or other grounds to be determined by Council.

Policy Implications

Policy number DP 10 titled Transient Workforce Accommodation is relevant to this matter.

Legislative Implications

The *Caravan Parks and Camping Grounds Regulations 1997* are relevant to this matter.

Financial Implications

Administration costs will be recovered in accordance with the *Planning and Development (Fees) Regulations*.

Conclusion

The proposed development complies with the Shire of Roebourne Town Planning Scheme No. 8 and the policy provisions of local planning policy DP – 10 Transient Workforce Accommodation, and is generally compliant with the *Caravan Parks and Camping Grounds Regulations*. It is; therefore recommended that Council approve the proposed development (P2184) to replace twenty [20] caravan sites with 86 transient workforce accommodation rooms and seven [7] two-bedroom holiday accommodation units at lot 1060 Mooligunn Road, Karratha Industrial Estate subject to planning conditions as stipulated in this report and those determined by the Manager of Planning Services.

Voting Requirements

Simple.

RECOMMENDATION

That Council –

Approves planning application P2184 to replace twenty [20] caravan sites with 86 transient workforce accommodation rooms and seven [7] two-bedroom holiday accommodation units at lot 1060 Mooligunn Road, Karratha Industrial Estate subject to the following:

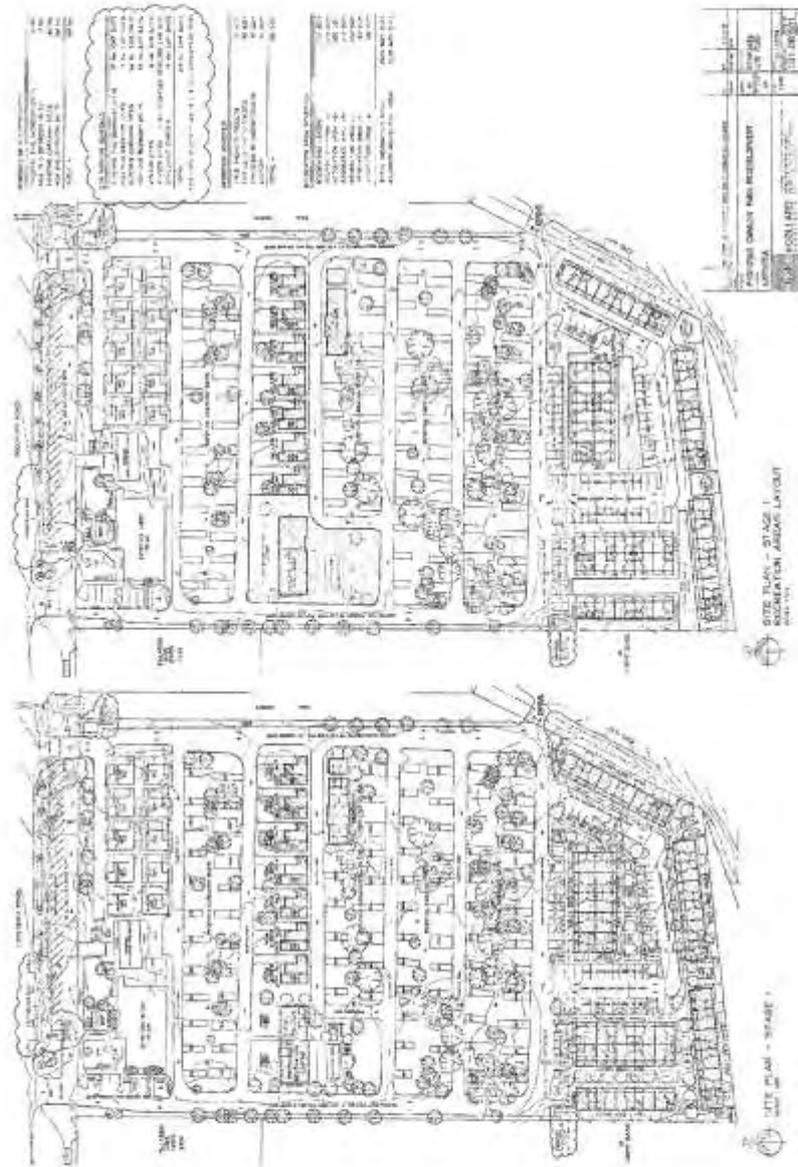
- 1. The area of communal open space for the caravan park site to be increased to a minimum of eight [8] percent or 1,800m² (whichever is the lesser) and be suitably ‘activated’ by the provision of infrastructure including, but not limited to, landscaping, covered seating and barbecues.**
- 2. Prior to the issue of a Building Licence four [4] copies of an amended site plan generally in accordance with drawing number S01 revision A must be submitted to and endorsed by Planning Services. The amended plan must have regard to:**
 - (i) Modification to the flow of traffic with particular regard to prohibiting vehicles exiting the site onto the road reserve within the ‘entry only’ crossover to Mooligunn Road and the location of directional signage and holding bars;**
 - (ii) The layout and design of external lighting so as to ensure parking and manoeuvring areas are lit in accordance with Australian Standard AS1158;**
 - (iii) The provision of an additional universally accessible parking bay in close proximity to a ground floor transient workforce accommodation unit with an unobstructed path of travel to the accommodation unit and to the emergency shelter;**
 - (iv) Demonstration of an unobstructed path of travel from the proposed universally accessible parking bay to the shop (including pram ramps if required);**
 - (v) The finished design levels at regular intervals for the parking and manoeuvring areas including the on-street parking area so as to achieve a minimum 0.5% longitudinal fall;**
 - (vi) Typical dimensions of standard parking bays (being not less than 2700 mm in width and 5500 mm in length);**
 - (vii) The dimensions for the universally accessible parking bays so as to generally accord with Australian Standard AS2890.6 (2400 mm in width in addition to a 2400 mm wide ‘shared area’ and 5500 mm in length); and**
 - (vii) The location and dimensions of concrete mobile garbage bin collection stands/areas so as to accommodate all mobile garbage bins stored on the site.**

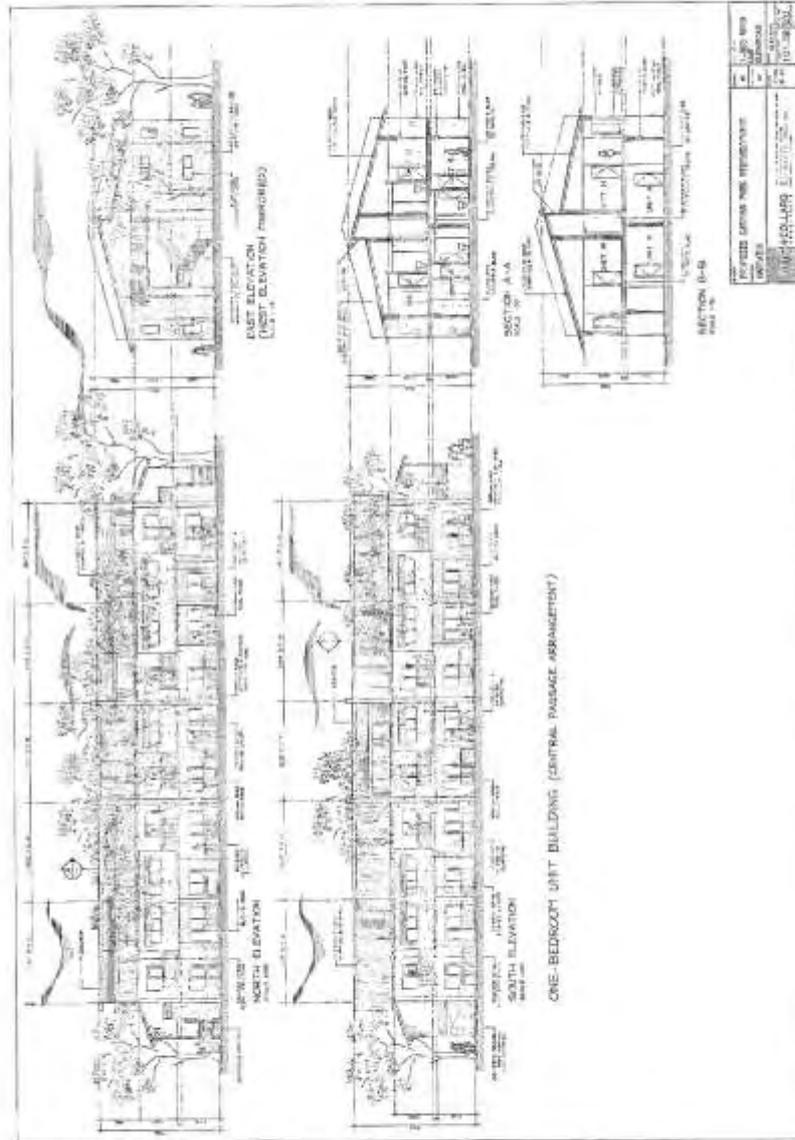
Please note that all bins must be able to be secured either within the rubbish bin compound(s) and/or alternative approved location during cyclonic events to the satisfaction of Planning Services.

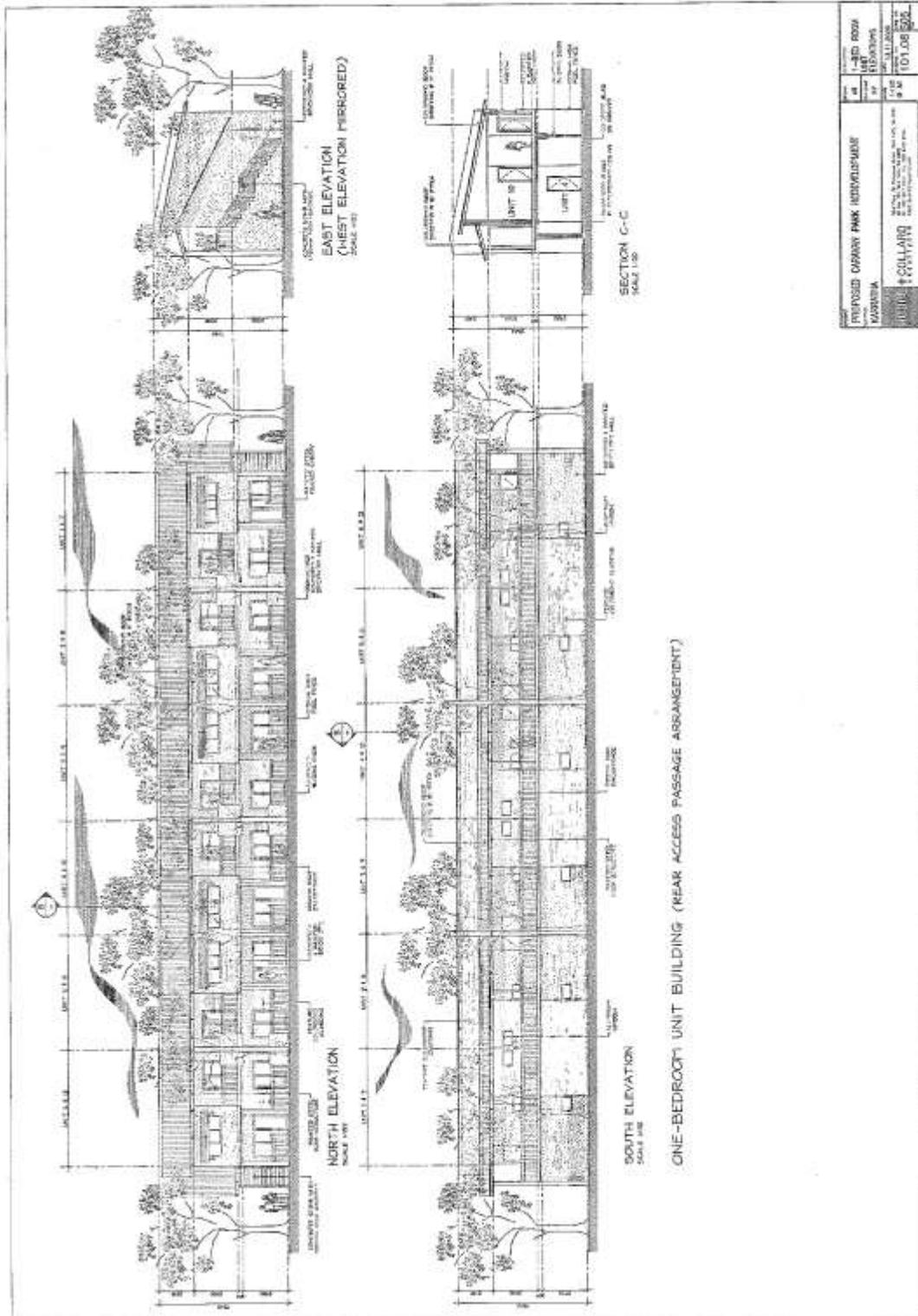
- 3. Other ‘standard’ conditions as typically applied under delegated authority.**

ATTACHMENT 11.1.4 PLANS

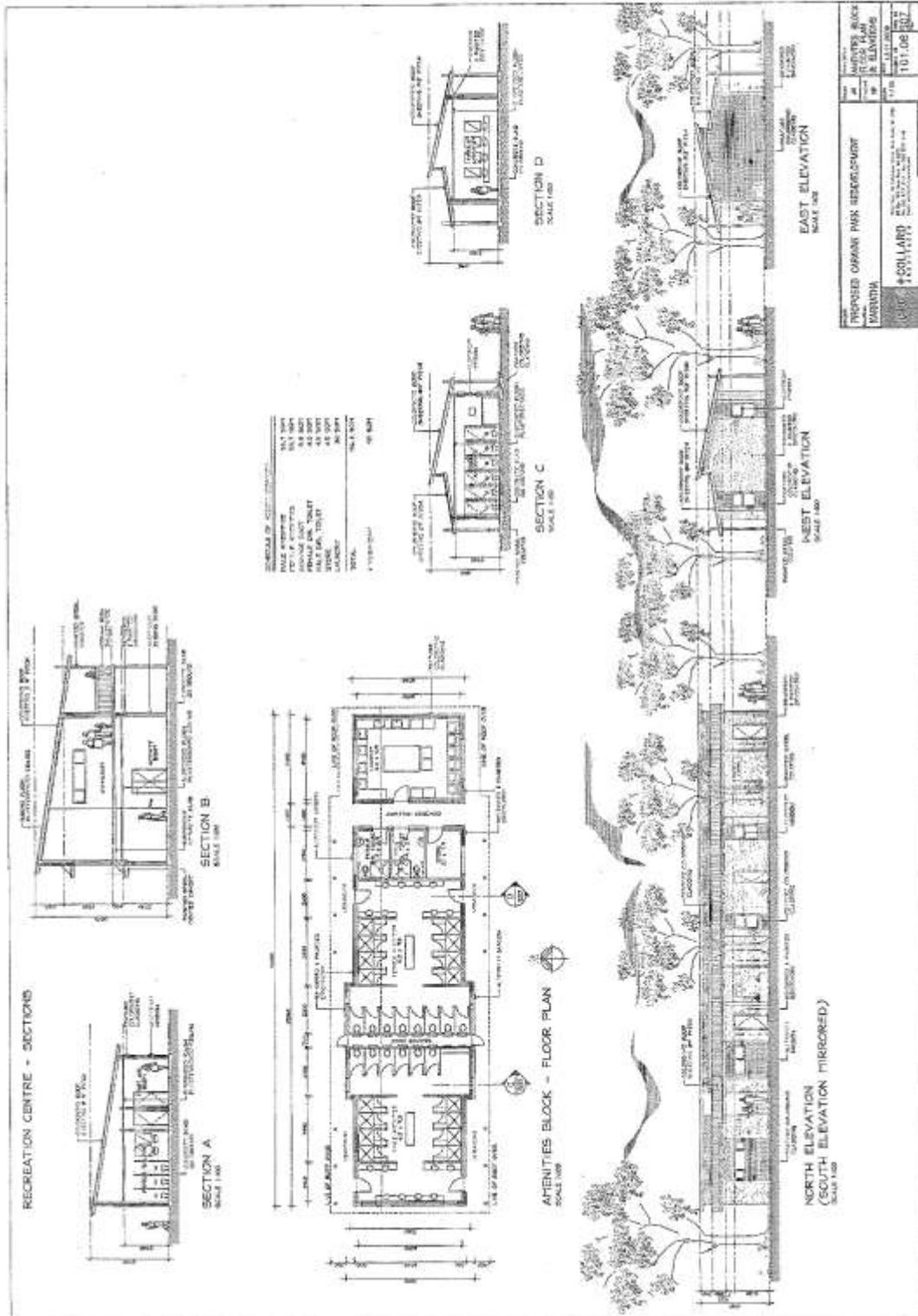
ATTACHMENT 11.1.4 PLANS







PROPOSED OAKWAY PARK INDIVIDUALS		NO. 1	1-BED ROOM
LAWRENCE		NO. 2	1-BED ROOM
		NO. 3	1-BED ROOM
		NO. 4	1-BED ROOM
		NO. 5	1-BED ROOM
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		NO. 99	1-BED ROOM
		NO. 100	1-BED ROOM



11.1.5 NGARLUMA ABORIGINAL SUSTAINABLE HOUSING (NASH) ESTATE DEVELOPMENT PLAN

File No: LP.54

Attachment(s) Draft Development Plan

Responsible Officer: A/Executive Manager Development Services

Author Name: A/Manager Planning Services

Disclosure of Interest: Nil

REPORT PURPOSE

For Council to make determination for a Development Plan (the Plan) that seeks to guide the subdivision and future development of approximately 56ha of land located at the intersection of Point Samson - Roebourne Road and the North West Coastal Highway, Roebourne.

Background

In 2007, the Minister for Housing established a steering committee comprising representatives from the Ngarluma Aboriginal Corporation (NAC) to help address the provision of housing in Roebourne. The steering committee investigated options for the development of a new neighbourhood, electing to support the subject site which was supported by both the NAC and Shire of Roebourne. Negotiations with the State Government were then pursued to achieve the 'option to acquire' the land.

To date, the subject land has NAC endorsement for urban development and has State Government support to ultimately transfer the site from Crown land to freehold status in favour of the Ngarluma Aboriginal Corporation.

Development Plan Proposal

Location: Point Samson - Roebourne Road and North West Coastal Highway, Roebourne

Land Description: Roebourne Town lot 567, (Reserve 33643), Roebourne Town lot 689 (Reserve 33250) and Unallocated Crown Land

TPS8 Classification: Rural zone and Parks, Recreation and Drainage Reserve

A summary of the land uses proposed by the Plan is as follows:

- (i) 240 x Residential R20 lots;
- (ii) 35 x Residential R30 lots;
- (iii) 19 x Residential R5 lots;
- (iv) 3 x Residential R40 grouped housing lots totalling 1.4ha and yielding approximately 50 dwelling units;
- (v) 1 x 1ha Residential R30/R60 grouped housing site potentially yielding 50 dwellings in the form of one or more of units, apartments, retirement living, a nursing home or worker's accommodation;

- (vi) An expansion the existing Jager Street Mixed Business zone yielding approximately 18 lots;
- (vii) 1 x 2.5ha commercial site intended to cater for a mix of uses including commercial, short stay accommodation and permanent residential as well as possibly educational, welfare and community purposes;
- (viii) A total of 13.75ha of public open space distributed across 3 different areas; and
- (ix) A road, drainage and infrastructure network as required.

Shire of Roebourne Town Planning Scheme No. 8 (TPS8)

Council has previously considered TPS8 Scheme Amendment No.15 (the Amendment) to rezone and reclassify the subject land from Rural zone and Parks, Recreation and Drainage reserve to an Urban Development zone to facilitate the future urban development of the area. At the March 2010 Ordinary Council Meeting it was resolved:

That Council –

1. *Acknowledge the submissions received from the Department of Water, the Water Corporation, the Department of Indigenous Affairs, the Department for Regional Development and Lands - Lands Division, Telstra and the anonymous submission.*
2. *Finally adopt the Shire of Roebourne Town Planning Scheme No. 8 Amendment No. 15 to reclassify approximately 56ha of land at the intersection of Point Samson Roebourne Road and North West Coastal Highway comprising Unallocated Crown Land, Reserve 33250 and Reserve 33643 from ‘Parks, Recreation and Drainage’ reserve and ‘Rural’ zone to ‘Urban Development’ zone. (Res. No. 14986)*

All documents and a formal request have been forwarded to the Western Australian Planning Commission for the Minister for Planning to approve the Amendment.

Advertising

Planning Services exhibited the Plan for a period of twenty-eight [28] in accordance with the provisions of TPS8 on 20 January 2010. Exhibition included the publication of two [2] public notices in the *Pilbara News*. The submission period concluded on 17 February 2010. The Plan was also referred to eight key agencies and internally distributed to Technical and Community Services for assessment and to seek comment.

The following written submissions were received from four of the eight referral agencies:

Agency	Summary of Response Received
Water Corporation	Supports the Development Plan subject to the required funding for major amplification of Water and Wastewater infrastructure being available.
Department of Water	No objections subject to: The proponent preparing a Local Water Management Strategy in conjunction with the Development Plan. A commitment from the proponent that an Urban Water Management Plan be prepared at subdivision stage. The proponent committing to sustainable irrigation strategies with respect to irrigation of POS. The proponent liaising with the Water Corporation to secure water supply for this and future developments.
Department of Indigenous Affairs	Acknowledges that the Development Plan states that “no further heritage assessment has been requested or is required”. Notes the Ngarluma Aboriginal Corporation holds

	native title for the development area. DIA reminds the proponent its obligations to comply with the provisions of the Aboriginal Heritage.
Telstra	No objection subject to a major network extension will be required as present network will be inadequate to feed the new development. The owner/developer will have to submit an application as early as possible for shared trench arrangements and required services.
Horizon Power	No response received.
Main Roads WA	No response received.
Department of Environment and Conservation	No response received.
Department of Regional Development and Lands – Lands Division	No response received.

It should be noted that advertising of the Plan occurred immediately following the completion of advertising of the associated proposed Amendment. During the Amendment advertising period, submissions were received from Department of Water, the Water Corporation, the Department of Indigenous Affairs, the Department for Regional Development and Lands - Lands Division, Telstra and from an anonymous Roebourne resident.

Issues

Road Layout and Design and Stormwater Drainage Infrastructure Design

All issues relating to road design and layout and stormwater disposal design have been addressed through ongoing consultation with the proponent following the receipt of advice from Technical Services. The proponent should be aware that the submission of plans demonstrating detailed road design and layout and drainage plans, including stormwater volume calculations, will form part of any subsequent subdivision clearance. The proponent should also be advised that pedestrian paths will be required throughout the development on at least one side of all roads except where a dual use path is provided.

Possible Impacts on the Roebourne Town Site

Notwithstanding an anticipated influx of additional residents, the existing 'Main Street' (Roe Street) will be subject to further economic pressure from competition resultant from the development of a new commercial precinct, thus restricting future expansion or renewal. This scenario should not be a determining factor for Council not to adopt the Plan. A new commercial centre will provide improved trading opportunities and for local residents to shop locally without having to travel to Karratha or Wickham. The Roebourne Cultural Complex proposed by the Foundation is also envisaged to assist the renewal of Roe Street.

Local Water Management Strategy

The proponent has advised that it has engaged a consultant to prepare a Local Water Management Strategy (the Strategy) and that it shall be completed prior to, and form part of the future subdivision clearance. The Strategy is envisaged to include options for grey water reuse which is essential in order for the expansive principle area of public open space centred on the oval to be maintained in a cost-effective manner.

Scheme Water Supply and Wastewater Disposal Infrastructure

Although central to the future sustainable development of the land, the supply of water and provision of waste treatment infrastructure are matters that fall outside of the authority of the Shire of Roebourne. As such the supply of water and provision of waste treatment infrastructure should not prohibit approval of the Plan. It is recommended that the proponent continue to negotiate with the Water Corporation regarding the existing and future water supply to the town site and necessary upgrades to the Roebourne Waste Water Treatment Facility.

Pedestrian Safety

It is proposed that as part of any future subdivision approval, the applicant be required to submit a detailed design for the controlled pedestrian crossing. A reduction to the current 60km/h speed limit on the highway should also be investigated by Main Roads WA at the subdivision stage, and that the establishment of suitable traffic and pedestrian control mechanisms form a Local Government condition for subdivision approval.

Management of Public Open Space

The provision of 10% public open space is a requirement for residential subdivisions under the *Planning and Development Act 2005*. The developer is responsible for developing the land with suitable infrastructure such as reticulation and play equipment. At the completion of the subdivision, the reserved land is ceded to the Crown and generally managed and maintained by the Local Government Authority.

Although the oval reserve (Crown Reserve 33643) is currently vested in the Shire of Roebourne for recreation purposes, through the subdivision process boundaries will be realigned, the reserve management order be extinguished, and a new order subsequently prepared. The proponent should be advised that it is responsible for upgrading and developing areas of public open space (reticulation, electrical transformer, play equipment, landscaping etc.) and maintaining such areas for at least 2 years after the approval by the WAPC of any Deposited Plan applicable over the land. Detailed infrastructure plans shall be submitted to the Shire for endorsement prior to clearance of the future subdivision.

Provision of Community Facilities

There is an opportunity to redevelop the buildings located in the north eastern corner of the oval for community purposes. The Shire owns the buildings but presently leases them to the Roebourne Recreation Council Inc. Once the estate is completed the resident population will require sufficient facilities including, but not limited to; long day child care, out of school care and/or play group(s).

To ensure this site is safeguarded in perpetuity for community purposes, it is recommended that the Plan be amended to designate land in the north eastern corner of the oval reserve as a 'Community Purposes' reserve.

Built Form

It is recommended that Design Guidelines be prepared by the proponent guiding residential development to ensure that the residential built form is sympathetic to the housing needs of residents and prevailing climatic conditions. The preparation and implementation (possible caveat on title or requirement under contract of sale) of Design Guidelines shall form part of the future subdivision clearance. Detailed Area Plans 'DAP's' should also be required for grouped dwelling sites as per current practice.

Public Information Bay

The Plan demonstrates future residential development over a portion of the Roebourne Information Bay. The proponent should be advised that the relocation and upgrade of the information bay to the satisfaction of the Shire's Community and Technical Services Departments shall be a requirement of subdivision approval.

Options

Council has the following options available:

1. To adopt the Plan without modification and request the WAPC also adopt the Plan.
2. To adopt the Plan and request the WAPC also adopt the Plan subject to:
 - i. The Development Plan being amended to demonstrate:
 - a. The north eastern corner of the public open space reserve (oval) being reserved for 'Community Purposes'; and
 - b. Dual Use paths being provided around the full extent of the principle public open space reserve (oval).
 - ii. The proponent being advised that prior to any future subdivision clearance, the following plans and information is required to be submitted to, and endorsed by the Shire's Technical and Planning Services Departments:
 - a. Detailed design of all roads and intersections and proposed traffic and pedestrian control devices and directional signage;
 - b. Detailed design of the stormwater disposal system including peak flow calculations; and
 - c. Design Guidelines for residential development and Detailed Area Plans for grouped dwelling sites.
 - iii. The landowner being advised that prior to the ceding of the public open space reservations to the Crown (the Shire as an agent of the Crown) it is responsible for all costs associated with the upgrade and maintenance of the facilities including, but not limited to, reticulation, landscaping, recreation facilities (active play equipment), power supply infrastructure (electrical transformer at oval) and the relocation/redevelopment of the information bay.
 - iv. The landowner being advised that a Development Application must be sought and obtained to use areas of public open space for 'Public Recreation' that shall, as a minimum, detail reticulated landscaping and infrastructure (recreation equipment, external lighting, shade structures, pedestrian paths, car parking etc.).
3. To refuse to adopt the Development Plan.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

At the conclusion of assessment of the Plan, in accordance with the *Planning and Development Regulations 2009* Part 7 – Local Government planning charges, it is estimated that the applicant will be liable for payment to the Shire of approximately \$1250 total fees and charges.

Conclusion

The proponent has advised that the Plan is a legitimate attempt to address the housing, social and employment issues facing Roebourne with the vision being to create new opportunities for Roebourne and to demonstrate leadership by the community. It is supported by the Department of Housing and the Federal Government and funding shall assist in ensuring immediate opportunities for appropriate housing within the early stages of the development.

It is considered that the development will provide a significant opportunity for the revitalisation of Roebourne through the creation of local jobs and the provision of local trades and services. The provision of new housing and community, recreational and commercial facilities will also assist in rejuvenating the town site.

It is; therefore, recommended that the Council adopt the Plan subject to the conditions detailed in the officer's recommendation.

Voting Requirements

Simple.

RECOMMENDATION

That Council –

Adopt the Development Plan prepared over land described as Roebourne Town lot 567, (Reserve 33643), Roebourne Town lot 689 (Reserve 33250) and Unallocated Crown Land subject to:

- i. The Development Plan being amended to demonstrate:**
 - a. The north eastern corner of the public open space reserve (oval) being reserved for ‘Community Purposes’; and**
 - b. Dual Use paths being provided around the full extent of the principle public open space reserve (oval).**

- ii. The proponent being advised that prior to any future subdivision clearance, the following plans and information is required to be submitted to, and endorsed by the Shire’s Technical and Planning Services Departments:**
 - a Detailed design of all roads and intersections and proposed traffic and pedestrian paths and control devices and directional signage;**
 - b. Detailed design of the stormwater disposal system including peak flow calculations; and**
 - c. Design Guidelines for residential development and Detailed Area Plans for grouped dwelling sites.**

- iii. The landowner being advised that prior to the ceding of the public open space reservations to the Crown (the Shire as an agent of the Crown) it is responsible for all costs associated with the upgrade and maintenance of the facilities including, but not limited to, reticulation, landscaping, recreation facilities (active play equipment), power supply infrastructure (electrical transformer at oval) and the relocation/ redevelopment of the information bay.**

- iv. The landowner being advised that a Development Application must be sought and obtained to use areas of public open space for ‘Public Recreation’ that shall, as a minimum, detail reticulated landscaping and infrastructure (recreation equipment, external lighting, shade structures, pedestrian paths, car parking etc.).**

11.1.6 PROPOSED SHORT-STAY SERVICED APARTMENTS DEVELOPMENT - LOT 1090 KARRATHA ROAD, STOVE HILL (FORMER DRIVE IN SITE)

File No:	P2171, A31160
Attachment(s)	Development plans, Tourism WA submission, application form, City-wide Growth Strategy
Responsible Officer:	A/Executive Manager Development Services
Author Name:	A/Manager Planning Services
Disclosure of Interest:	Nil

REPORT PURPOSE

For the Council to consider and make determination on an application for planning approval (P2171) that proposes the development of 98 single bedroom and 5 two bedroom (dual key) short-stay self contained serviced apartments, a managers residence, store, swimming pool and ancillary structures and amenities at lot 1090 Karratha Road, Stove Hill (former drive-in cinema site).

Background

Planning application P2171 was received on 26 November 2009. A detailed summary of the application is as follows:

1. 98 single bedroom self contained serviced apartments.
2. 5 two bedroom (dual key) self contained serviced apartments.
3. Swimming pool.
4. Two bedroom manager's residence.
5. Store (shop), office and reception area.
6. Barbecue areas and gazebos.
7. 132 parking bays including a universally accessible (disabled) and oversized bays.
8. Fish cleaning station.
9. Landscaped gardens.

Under the *Shire of Roebourne Town Planning Scheme No. 8 (TPS8)*, lot 1090 is zoned 'Tourism'. The site comprises 2.2662ha and is bound by Karratha Road to the west, and Unallocated Crown Land reserved for 'Conservation, Recreation and Natural Landscapes'.

On 4 April 2008 planning approval PA1764 was granted for the site for the development of 148 self contained serviced apartments comprising single, two bedroom and two bedroom dual key apartments, a managers residence, shop, reception area, swimming pool, gymnasium and ancillary amenities and structures. This approval has now expired.

In accordance with Tourism Western Australia (Tourism WA) policy and reiterated through the endorsed management statement, planning approval PA1764 applied a stay restriction of 3 months in a 12 month period to all apartments in the facility. However, after a request from the applicant and given recognition to the extreme shortage of accommodation in Karratha at the time, Planning Services waived the stay restriction condition for a period of 5 years.

The Western Australian Planning Commission (WAPC) has given the direction to refer all applications for planning approval in Tourism zones to Tourism WA (Planning Bulletin 83/2009 June 2009). This is in recognition that Tourism WA is the principal tourism authority in Western Australia. Following referral of P2171 to Tourism WA a submission was subsequently received on 17 March 2010 (attached).

The recommendations forming part of this report are provided subsequent to an assessment of the application against the following development controls:

1. *The Shire of Roebourne Town Planning Scheme No. 8* (including the proposed 'Omnibus' Amendment No. 18).
2. Local planning policy DP13 – Tourism Zone Development Requirements (including draft amended DP13 – Tourism Zone and Short-Stay Development Requirements).
3. Western Australian Planning Commission Planning Bulletin 83/2009 June 2009.
4. *Tourism WA Minimum Standards for Management Agreements Strata Titled Tourist Accommodation*.
5. *Tourism WA Strata Titled Tourist Accommodation Developments Attributes for Success*.

Issues

Karratha City of the North Strategic Plan

The currently exhibited City-wide Growth Strategy (Strategy) which provides for the future strategic development of land within the Karratha town site identifies the former drive-in cinema site and land to its west as 'Institutional'. Tourism uses, adventure tour buses and short stay accommodation compatible with the Stove Hill power station are the stated preferred land uses. The development of short-stay serviced apartments with suitable noise attenuation materials and design response is considered consistent with this Strategy. It is noted that permanent residential occupation (dwellings) are not presently supported by the exhibited Strategy.

Length of Stay Restrictions

As detailed above; it is a requirement of the WAPC to refer all applications for planning approval to Tourism WA for comment and advice. Tourism WA guidelines stipulate that a stay restriction shall apply to all units within strata titled tourist developments that are regarded as being strategically located. Sites zoned Tourism which are located in areas without strategic tourism benefit, a stay restriction shall apply to at least 75% of all accommodation units. Lot 1090 Karratha Road is a non-strategic tourist site.

With the endorsement of the WAPC Tourism WA has imposed the practice of requiring stay restrictions in order to protect the integrity of tourist developments from being strata subdivided, sold off and permanently occupied at the expense of both genuine tourists seeking short stay accommodation and local industries benefitting from tourism. Contrary to some perceptions, Karratha is a destination visited by tourists not only from overseas and interstate but from surrounding regional towns for example, families visiting Karratha to attend regional sporting carnivals, fishing competitions or other festivals. Advice received from the Karratha Visitors Centre is that legitimate vacant short-stay tourist accommodation is difficult to book for clients due to most accommodation in Karratha being occupied by transient workers.

The previous application for planning approval (PA1764) was referred to Tourism WA which provided comment on 27 November 2007 (attached). As stated, Tourism WA has

also provided comment regarding this application. On both occasions the agency has recommended that stay restrictions apply. Should Council approve the application without applying a stay restriction; there is precedent to suggest that the WAPC will impose the restrictions through future strata subdivision approval regardless and in accordance with Tourism WA policy.

Notwithstanding the recommendations from Tourism WA, at the March 2010 Ordinary Council Meeting, it was resolved by the Council to endorse for advertising the TPS8 'Omnibus' Amendment No. 18 and amended local planning policy DP13 – Tourism Zone and Short-Stay Development Requirements.

The TPS8 Omnibus amendment proposes the inclusion of the following definitions:

“Short stay accommodation - premises used for accommodation that may be occupied by the same person(s) for a maximum period of three months within any twelve month period, and are not subject to a residential tenancy agreements (residential leases).

Tourist resort - one or more commercial accommodation units together with a wide range of recreational and/or cultural facilities in a resort style setting. It may also include associated facilities such as a restaurant, bar or functions room whether or not licensed under the Liquor Licensing Act 1988, which may be used by the occupants of the premises but, which are also available for use by non occupant members of the public.”

The applicant has applied for short-stay accommodation (see attached application form). Although the applicant has stated that development will be high quality including the provision of extensive landscaping in a “resort style setting”, the development cannot reasonably be described as a tourist resort due to a lack of onsite facilities and recreational amenity. A stay restriction in accordance with the Scheme definition for short-stay accommodation should then apply.

The draft local planning policy DP13 – Tourism Zone and Short-Stay Development Requirements contains the following provision:

“A maximum 25% of the total number of accommodation units for non-strategic tourist sites may be approved for permanent residential occupation.”

The applicant has argued that the development is not commercially viable if stay restrictions apply to the greatest majority of apartments as financial institutions are reluctant to lend to borrowers investing in properties where length of stay restrictions apply. There are no provisions contained with TPS8, the Shire's local planning policies, WAPC planning bulletins or development control policies or Tourism WA guidelines that an authority should make a determination of a development proposal based on its perceived commercial viability or the developer's financial circumstances. It is strongly recommended that the Council discount any argument based on profitability.

The applicant has requested the Council to waive stay restrictions for all apartments. Following negotiation, the applicant was prepared to apply stay restrictions to 20 of the 108 (total rooms). This concession is not deemed adequate by Planning Services, nor is it consistent with Tourism WA guidelines and the understood terms of WAPC strata subdivision approval for non-strategic sites.

In accordance with Tourism WA policy and the supported policy position of the Council, it is recommended that the Council apply a three [3] in twelve [12] month stay restriction to 75% of all apartments including the two bedroom (dual key) apartments (81 rooms in total). Given the precedence that has been set by the conditions of planning approval PA1764,

the stay restriction is encouraged to be waived for five [5] years from the commencement of occupation for any apartment.

Furthermore, the Council should apply the stay restriction, thus preventing the permanent residential occupation of the development on the following additional grounds:

1. The site is relatively isolated and there are no existing pedestrian or cycle links providing permanent residents access to services within the City Centre or public open space in close proximity. Permanent residents would have a reasonable expectation for the Council to provide improved access to or greater amenity.
2. Given the current demographic of Karratha, the likelihood that apartments will be permanently occupied by transient workers is high and the facility may well practically operate as a transient workforce camp without the prescribed level of recreational amenity that would otherwise be required by local planning policy.
3. Permanent residential development is inappropriate on the site due to its close proximity to the Karratha Industrial Estate and the Atco power station on Stove Hill Road. Short-stay visitor have the option of finding alternative accommodation should noise impact on their stay, whereas permanent residents would have an expectation that the Shire monitor noise and control any such perceived nuisance.

On-Site Management

PA1764 included the endorsement of a detailed management statement (*Annexure “E” Management Statement for “The Ranges – Karratha”*) that set out specific provisions including those relating to servicing, stay restrictions, the roles and responsibilities of the on-site manager, and letting arrangements. Planning Services is yet to receive a management statement for this revised proposal. It is recommended the applicant provide to Planning Services for approval a management statement prepared generally in accordance the document titled *Annexure “E” Management Statement for “The Ranges – Karratha”*.

Design of Internal Roads

The internal road network requires modification in order to allow sufficient area for vehicles, particularly large service and emergency vehicles, to safely manoeuvre. The following amendments to the design of the internal road network are recommended:

1. A modified intersection at the entrance to the site to enable traffic to safely access and exit the site reducing the risk that stacking distances will back up traffic and affect Karratha Road.
2. A modified road system circulating around the oversize vehicle parking bays that allows two-way traffic flow in all directions.
3. Cul-de-sac ‘T’ or ‘Y’ heads or dedicated turning bays at the western termination of internal roads sufficiently designed to allow a minimum 12.5m long heavy rigid vehicle enough to turn (minimum 12.5m radius including swept paths).

Car Parking

The application provides for 132 parking bays comprising 118 standard, eight [8] oversized (trailer, boat, caravan) and six [6] disabled parking bays.

The current local planning policy DP13 applies the following parking requirements:

Number of Bedrooms	Number of Parking Bays per Unit/Apartment
One [1]	1.33

Two [2]	1.75
Three [3]	2.0
Four [4]	2.25

There is a deficit of 8 bays when assessed against the current policy provisions. However, the draft amended DP13 applies the following parking requirements in recognition that short-stay accommodation facility (including serviced apartments) will not generate additional parking demand that a tourist resort would:

Number of Bedrooms	Number of Parking Bays per Unit/Apartment
One [1]	1.25
Two [2]	1.5
Three [3]	1.75
Four [4]	2.0

Based on 98 single bedroom apartments and five [5] two bedroom (dual key) 130 bays are required. The provision of on site parking is deemed to reasonably satisfy the draft policy requirements. It is recommended that two [2] bays be nominated for the exclusive use of the manager’s residence, a service vehicle bay be nominated (minimum 6.4m long for cleaners, landscape gardeners and maintenance contractors etc.), in addition to a bus parking/ drop bay located in close proximity to the reception area (minimum 15m long by 3.5m wide to accommodate a 14.5m long coach bus).

Entry Statement

The Council has indicated the desire for an attractive entry statement to be provided in the south east corner of the site that would not advertise the facility, but would also provide Karratha with an appealing northern entry statement to the town site. The applicant has submitted plans that depict a 2000mm high rendered masonry and pool fence corner wall with some graphical signage. It is the opinion of Planning Services that the proposed entry statement is inadequate and it is recommended that the Council continue negotiations with the applicant regarding its design including the use of materials, graphics, colours and landscaping.

Options

Council has the following options available:

1. Approve application P2171 as submitted.
2. Approve application P2171 subject to any combination of the following conditions and additional requirements.
 - i. Application of a stay restriction to 75% of apartments waived for the first five [5] years.
 - ii. Submission of a Management Statement to the satisfaction of Planning Services.
 - iii. Submission of an amended site plan to the satisfaction of Planning Services having regard to an amended internal road design and designation of parking bays.
 - iv. Submission of detailed stormwater drainage plans to the satisfaction of Planning and Technical Services.
 - v. Submission of elevation plans for all buildings and structures where required by, and to the satisfaction of Planning Services.

- vi. Submission of plans detailing a revised entry statement to the satisfaction of the Council and Planning Services
3. Refuse the application on the grounds that the proposal is non compliant with Tourism WA guidelines, draft local planning policy DP13, and the draft Omnibus amendment to TPS8.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

In accordance with the Shire of Roebourne Fees and Charges Schedule 2009/ 2010, the applicant made payment of a \$22,100 application fee based on a stated development cost of \$14,000,000.

Conclusion

From early 2007 (when the property was on the market) Planning Services have advised potential purchasers that development of the site for permanent residential accommodation was not supported due to its zoning, separation from services and facilities provided in the City Centre and close proximity to the Karratha Industrial Estate. Should the Council support the lion's share of accommodation units not having a stay restriction, it is essentially endorsing a grouped dwelling development that is non complaint with the *Residential Design Codes of Western Australia*. Furthermore, the development would also would disregard the professional advice and recommendations provided by Tourism WA based on state accepted guidelines.

As the site is the only completely undeveloped parcel in Karratha zoned Tourism, it should be protected from the potential predominant occupation by transient workers or exclusive use by major resource companies. There is an opportunity for the Council to approve a medium quality short-stay serviced apartment development that may assist in partially satisfying the accommodation needs of genuine tourists, and may further support Karratha and its environs as a tourist destination.

It is recommended that the application be approved subject to a stay restriction of three [3] months in twelve [12] months being applicable to at least 75% of all accommodation units.

Voting Requirements

Simple.

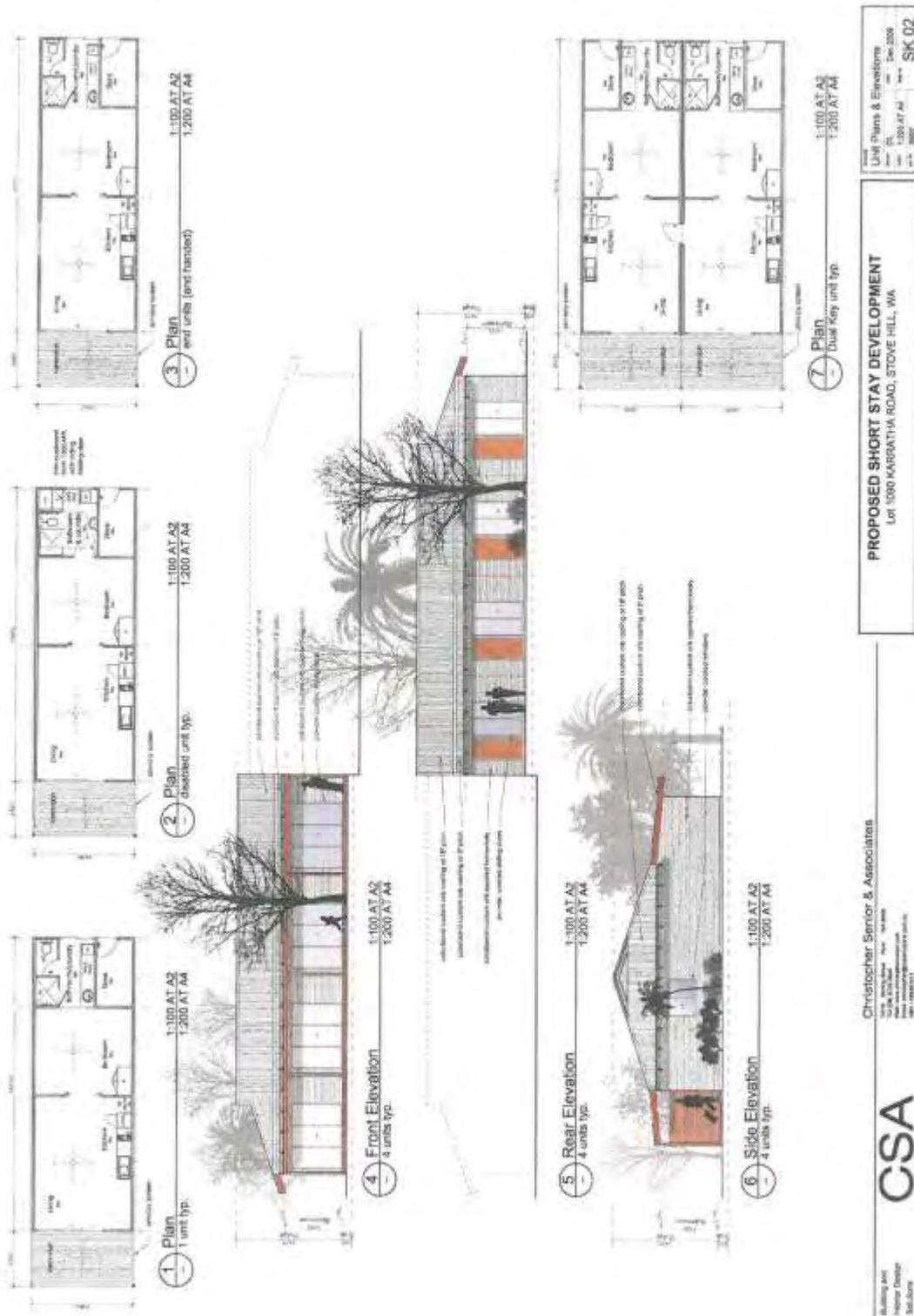
RECOMMENDATION

That the Council –

Approve planning application P2171 for the development of 98 single bedroom and five [5] two bedroom (dual key) self contained serviced apartments, a managers residence, store, swimming pool and ancillary structures and amenities at lot 1090 Karratha Road, Stove Hill subject to:

1. After a period of five [5] years from the date of any apartment being occupied for the first time, no individual shall occupy any of 81 nominated apartments (this includes all two bedroom apartments) on the site for a period longer than three [3] consecutive (or cumulative) months in any twelve [12] month period.
Note: Planning Services will advise the Western Australian Planning Commission of this condition when responding to any future strata subdivision referral.
2. Submission to Planning Services for approval a Management Statement prepared generally in accordance with the previously endorsed document titled *Annexure “E” Management Statement for “The Ranges – Karratha”* especially having regard to, but not limited to the following:
 - i. Notification of stay restrictions.
 - ii. The site shall be singly managed and singularly serviced.
 - iii. As a minimum all apartments shall be serviced including the provision of linen at least once per week and at the completion of any period of occupation.
 - iv. The facility manager and/ or future strata manager shall maintain a register of occupancy of all apartments within the development. The register shall be made available for inspection at any time by the Shire of Roebourne.
 - v. Details of the provision of management services.
3. Submission to Planning Services for approval an amended site plan demonstrating:
 - i. Denotation of which 81 apartments (including all two bedroom apartments) that the stay restriction applies to.
 - ii. A modified intersection at the entrance of the site to enable traffic to safely access and exit the site without potential stacking distances backing up onto Karratha Road (round-a-bout recommended).
 - iii. A modified road system circulating around the oversize vehicle parking bays allowing two way traffic flow in all directions.
 - iv. Cul-de-sac heads or turning bays at the western termination of internal roads sufficiently designed to allow a minimum 12.5m long rigid vehicle enough area to turn around (minimum 12.5m radius including swept paths).
Note: Turning templates may be required to demonstrate sufficient turning area.
 - v. A minimum fifteen [15] metre long and 3.5 metre wide bus parking/ drop off bay located in close proximity to the reception area.
Note: Turning templates may be required to demonstrate sufficient turning area.

- vi. A nominated service vehicle parking bay in close proximity to the store (minimum 6.4m long).
 - vii. Two [2] standard vehicle parking bays nominated for the exclusive use of the manager.
4. Submission to and endorsement by Planning Services of a detailed stormwater disposal plan designed to accommodate a minimum 10 ARI rainfall event and demonstrating the following:
 - i. Existing and finished design levels to a minimum 0.5% longitudinal fall to approved points of stormwater outfall.
 - ii. The location and design of erosion control devices at approved points of stormwater outfall.
Note: The written consent of the Department of Regional Development and Lands is required in order to permit the discharge of stormwater onto Unallocated Crown Land.
5. Submission to Planning Services of turning templates demonstrating sufficient area to safely manoeuvre a 12.5m long heavy rigid vehicle accessing the refuse area and to negotiate the bends at either end of the oversize vehicle parking bays (minimum 12.5m radius including swept paths).
6. Submission to and endorsement by Planning Services of elevation plans of the following buildings and structures:
 - i. Carports.
 - ii. First aid room and store adjacent the swimming pool area.
 - iii. Store rooms.
 - iv. Gazebos.
7. Submission to and endorsement by Planning Services for plans demonstrating an attractive and enhanced entrance statement in the south eastern corner of the site. The entrance statement shall be designed to include a combination of signage, a feature wall(s) and landscaping all to the satisfaction of Planning Services.
8. Other conditions as typically applied by officers under delegated authority.





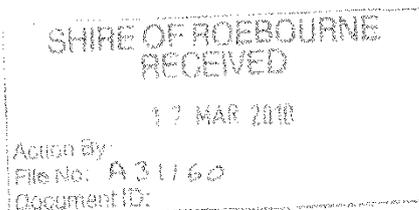
ATTACHMENT 2 ITEM 11.1.6 LETTER FROM TOURISM WA



Our Ref: D10/02264
 Tourism WA File #PD/0749
 Your Ref: P2171

2 Mill Street
 PERTH WA 6000
 GPO Box X2261
 PERTH WA 8847
 Telephone +61 8 9262 1700
 Facsimile +61 8 9262 1702
 info@westernaustralia.com
 westernaustralia.com

Patrick McClure
 A/Manager, Planning Services
 Shire of Roebourne
 PO Box 219
 KARRATHA WA 6714



Dear Patrick

Development Application - Lot 1090 Karratha Road, Stove Hill

Thank you for your email correspondence to Vaughan Davies on 25 February 2010, referring the development application for the subject property to Tourism Western Australia (Tourism WA) for comment.

The application proposes the development of 108 single bedroom serviced apartments, with a managers residence and limited common facilities. The subject lot is the former drive-in site and is currently zoned 'tourist' under the Shire of Roebourne Town Planning Scheme.

Tourism WA has previously provided comments in relation to the development of this site. Please find attached correspondence to the Shire dated 27 November 2007. I have also included Tourism WA's submission on the strata application to the Department of Planning dated 5 November 2008.

You have specifically requested Tourism WA's comment on the request of the applicant for the removal of the 3 month in 12 use restriction, and whether the development meets the minimum standards for resort style tourist accommodation.

Use Restriction

The 3 months in 12 maximum occupation is used to define short stay use. It is Tourism WA's view that a length of stay restriction can assist the local government with ensuring compliance with an approval, by providing a measurable definition of what constitutes short stay use. Whilst it is acknowledged this condition is not always enforced, should it not be imposed and approval is given for short stay accommodation, the local government will need to otherwise define short stay use, particularly if it is necessary to monitor compliance with an approval. A condition such as 'the units shall not be permanently lived in' may not be as easy to administer.

Tourism WA has in the past commented that the subject site does not have high tourism value given its distance from any townsites or attractions. It is however of concern that removal of this restriction on a tourist zoned site, despite it not being a desirable location, may create a precedent for other higher value tourism sites. Therefore based on the current state policy relating to development of tourism zoned land, it is considered that if the proposed development is to be approved for short stay purposes, there should be a 3 month restriction on length of stay imposed.



ATTACHMENT 4 ITEM 11.1.6 APPLICATION



**TOWN PLANNING SCHEME NO 8
APPLICATION FOR
DEVELOPMENT APPROVAL**

PROPERTY DETAILS:
 Lot No (s): 1090 Strata Plan No (if applicable) -
 House/Street No (s) - Street Name: KARRATHA ROAD STOVE HILL
 Does a restrictive covenant or easement affect the property? yes no unsure
 Note: If yes or you are unsure, a current copy of the title (with plan) must be provided.

OWNER DETAILS:
 Note: Applications will not be processed without the landowner(s) signature(s).
 Note: A copy of endorsed plans will only be provided to the Applicant.
 Contact Name(s) ANGUS MURRAY
 Company: GREENVALLEY ASSET P/L
 Postal Address: PO Box 726
Claremont WA Post Code 6910
 Telephone (w): (08) 9383 2066 (home) - (fax) (08) 9286 3501
 Mobile: 0418 938 102 E-mail: angus@prd.com.au
 Signature: [Signature] - Director Date: 12/10/2009
 Signature: _____ Date: 1/1/20

APPLICANT DETAILS: (To be completed only if the applicant is NOT the owner)
 Contact Name(s) ANGUS MURRAY
 Company: GREENVALLEY ASSET P/L
 Postal Address PO Box 726
Claremont WA Post Code 6910
 Telephone (w): (08) 9383 2066 (h) - (fax) (08) 9286 3501
 Mobile: 0418 938 102 E-mail: angus@prd.com.au
 Signature: [Signature] Date: 12/11/2009
 Note: A copy of relevant plans may be provided to affected parties if your application is advertised.

PLANNING INFORMATION:
 Existing Land/Building Use Vacant (Former drive in cinema site)
 Proposed Development & Use of Land Short stay accommodation
 Cost of Development: \$ 14,000,000 Date of Completion: 1/1/TBA
 Note: Your Application will NOT be processed until the fee is paid.

PLANNING APPLICATION FEES [office use only]
 Application Fee \$ 22,100
 Planning Officer pm Date Received 26/11/2009 Application Ref No. P 2171
 Assessment Number A 31160 RN 174466 Received By Kim

ase note: A search of plans held by Council that can often assist in preparing your application can be undertaken subject to lodgement of an application form and \$60 fee. This form and information sheets and policies for specific zones and types of development is available on the Shire's website www.roebourne.wa.gov.au

PTO

**11.1.7 INITIATION OF PROPOSED SHIRE OF ROEBOURNE TOWN PLANNING
SCHEME NO. 8 AMENDMENT 11**

File No:	TS/2/4/11
Attachment(s) concept	Draft Scheme Amendment Report, indicative subdivision
Responsible Officer:	A/Executive Manager Development Services
Author Name:	Planning Officer
Disclosure of Interest:	Nil

REPORT PURPOSE

The purpose of this report is for Council to consider initiating Amendment No. 11 to the Shire of Roebourne Town Planning Scheme No.8 (TPS8).

Background

Locality:	Nickol
Applicant:	TPG Town Planning and Design
Owner:	State of WA
Vesting:	Department of Education
TPS Reservation:	Public Purposes (Education)

The 11.06ha site aside for the Tambrey Primary School was originally set aside for a future district high school. A subsequent assessment of the site determined that a future district high school was not required, and that 5.7ha was sufficient for the primary school and proposed early learning/day care centre and future community uses.

At its meeting of 17 December 2007 Council resolved to:

“Initiate an amendment to the Shire of Roebourne Town Planning Scheme No. 8 in accordance with the provisions of the Planning and Development Act 2005, to rezone portion of Reserve 40378 as is surplus to the needs of the Department of Education and Training from “Public Purposes, Other Public Purposes – Education” to “Urban Development”, subject to the final definition of the area and dimensions of the land being determined in liaison with the Department of Education and Training.”

The land on the northern portion of the site contains the Tambrey Primary School and land being developed for an early learning/day care centre. The TPS8 amendment documentation defines the area of land surplus to the needs of the Department of Education; thereby, addressing the condition of the December 2007 resolution.

Issues

Suitability of the Proposed Zone

The proposed 'Urban Development' zone will facilitate the continued growth of Karratha and Tambrey Estate and will achieve the following Karratha Objectives contained in TPS8:

1. *“Enhance the high level of residential amenity within Karratha in both existing suburbs and the residential expansion areas; and*
2. *Encourage residential development that will accommodate a greater range of lifestyles and needs to reflect the broadening population base.”*

The proposed amendment will also assist in reducing the imbalance between residential property supply and demand, with the potential of lessening the cost of housing. The applicant has stated that the Department of Education is fully supportive of the amendment and have confirmed that the disposal of approximately 5.7ha vacant portion of the Tambrey Primary School site will adequately meet the needs of the Tambrey area and any future expansion of the Tambrey Primary School.

Options

Council has the following options available:

1. To support the initiation of amendment 11 to TPS8 to reclassify approximately 5.36ha from 'Education' to 'Urban Development'.
2. To not support the initiation of amendment 11 to TPS8 to reclassify approximately 5.36ha from 'Education' to 'Urban Development'.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

Part 5 of the *Planning and Development Act 2005* enables Local Authorities to amend the Town Planning Scheme and sets out the process to be followed.

Should Council support the initiation of the proposed amendment for the purposes of public advertising, the proposed amendment is required to be referred to the Environmental Protection Authority (EPA) to decide whether or not a formal review is required. Should the EPA decide that an environmental review is not required, upon the Shire's receipt of written confirmation of this from the EPA, the Shire advertises the proposed amendment for 42 days.

Upon closure of the advertising period, Council considers all submissions received during the advertising period and would resolve to either grant final approval to the amendment with or without modifications, or refuse the amendment. The decision is then forwarded to the Western Australian Planning Commission, who makes a recommendation to the Minister for Planning. The Minister can either grant final approval to the amendment, with or without modifications or refuse the amendment.

Financial Implications

Administration and advertising costs will be recovered in accordance with the *Planning and Development Regulations 2009*.

Conclusion

The proposed reclassification of approximately 5.36ha of the site from 'Education' to 'Urban Development' is considered appropriate as the preparation and submission of a Development Plan is prescribed by TPS8 to facilitate development. This will ensure that future subdivision and redevelopment of the site occurs in a co-ordinated and integrated manner. The proposed amendment is consistent with the objectives defined in the TPS8 and may assist to lessen the cost of housing in Karratha.

It is recommended that the Council initiates the proposed amendment to the TPS8.

Voting Requirements

Simple.

RECOMMENDATION

That Council –

- 1. Initiates the proposed Shire of Roebourne Town Planning Scheme No. 8 amendment No 11 to reclassify a portion of Reserve 40378, Tambrey Drive, Nickol from 'Public Purposes – Education' to 'Urban Development' pursuant to Part 5 of the *Planning and Development Act 2005*.**
- 2. Subject to the advice from the Environmental Protection Authority that under s.48A of the *Environmental Protection Act 1986* the Amendment is not subject to formal environment assessment, direct the Chief Executive Officer to advertise the Amendment in accordance with the requirements of the *Town Planning Regulations 1967* for a period of 42 days.**

ATTACHMENT 1 - 11.1.7 TOWN PLANNING SCHEME NO 8 AMENDMENT 11



SHIRE OF ROEBOURNE
TOWN PLANNING SCHEME NO. 8
MUNICIPAL DISTRICT SCHEME
AMENDMENT NO. 11

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MINISTER FOR PLANNING**PROPOSAL TO AMEND A TOWN PLANNING SCHEME**

1. LOCAL AUTHORITY SHIRE OF ROEBOURNE
2. DESCRIPTION OF SCHEME TOWN PLANNING SCHEME NO. 8
3. TYPE OF SCHEME MUNICIPAL DISTRICT SCHEME
4. SERIAL NO. OF AMENDMENT AMENDMENT NO. 11
5. PROPOSAL
 - a. Rezoning a portion of Reserve 40378, being Lot 4225 on Deposited Plan 216828, Tambrey Drive, Nickol from 'Public Purposes – Education' reserve to 'Urban Development' zone; and
 - b. Amending the Scheme Map accordingly.

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MINISTER FOR PLANNING

RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME

SHIRE OF ROEBOURNE

TOWN PLANNING SCHEME NO. 8

MUNICIPAL DISTRICT SCHEME

AMENDMENT NO. 11

RESOLVED that the Council in pursuance of Section 75 of the Planning and Development Act 2005, amend the above Town Planning Scheme by:

- a. Rezoning a portion of Reserve 40378, being Lot 4225 on Deposited Plan 216828, Tambrey Drive, Nickol from 'Public Purposes – Education' reserve to 'Urban Development' zone; and
- b. Amending the Scheme Map accordingly.

Dated this _____ of _____ 20 ____

CHIEF EXECUTIVE OFFICER

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1.0 INTRODUCTION

1.1 Introduction and Proposal

This report has been prepared on behalf of the Department of Education and LandCorp in support of an amendment to the Shire of Roebourne Town Planning Scheme No. 8 by rezoning land surplus to education requirements at the Tambrey Primary School site to facilitate future residential development.

Reserve 40378, being Lot 4225 on Deposited Plan 216828, located at the corner of Tambrey Drive and Balmoral Road, Nickol comprises the Tambrey Primary School and a day care centre has recently been approved on the site. The site is currently reserved for "Public Purposes – Education". It is proposed to rezone a surplus portion of the site to the "Urban Development" zone to facilitate future residential development on the southern portion of the site which is vacant.

At its meeting of 17 December 2007 (Item No. 12.1.3) the Council of the Shire of Roebourne resolved to:

Initiate an amendment to the Shire of Roebourne Town Planning Scheme No. 8 in accordance with the provisions of the Planning and Development Act 2005, to rezone that portion of Reserve 40378 as is surplus to the needs of the Department of Education and Training from "Public Purposes, Other Public Purposes – Education" to "Urban Development", subject to the final definition of the area and dimensions of the land being determined in liaison with the Department of Education and Training."

This report seeks to enact the above resolution by defining the dimensions and area of Reserve 40378 that is surplus to education requirements to facilitate future residential development and to enable the Shire of Roebourne to forward the amendment to the Environmental Protection Authority for the consent to undertake public advertising.

In accordance with the Shire of Roebourne Town Planning Scheme No. 8, a Development Plan is required to guide the subsequent planning and subdivision within the "Urban Development" zone, such planning would include addressing the provision of public open space, appropriate land use allocations and suitable access arrangements. As such, it is proposed that the "Urban Development" zone is the most appropriate zone for facilitating urban uses in a flexible manner whilst ensuring, within an established statutory framework, that further planning is to occur prior to any subdivision or development of the land.

1.2 Preamble

In November 2009, the State Government launched its Blueprint for the Pilbara Cities seeking to transform the region by creating modern, diverse and sustainable centres that are supported by all the services and facilities enjoyed by other Australian cities. Facilities and services such as modern hospitals; primary, secondary and tertiary educational facilities; diverse entertainment opportunities; shopping and retail precincts; affordable living opportunities; employment; and indigenous enterprises. This Blueprint specifically

included the revitalisation of Karratha where it is envisaged that the population will increase to 50,000 people in the medium term.

"When the Pilbara was developed in the 1960s, the governments and the industry of the day tried to replicate Perth's suburbs - three-bedroom, one bathroom, backyard, Hills hoist," Mr Barnett said.

"While this is often considered the ideal model, we want to offer choice to people in these areas like high-rise apartments with air-conditioning, pools, green lawns and parks, similar to the development that has taken place in Darwin."

"The Pilbara is the economic powerhouse of Australia and is on the verge of another period of accelerated economic growth."

Whilst it is the large resource projects that are the reason for the towns existence and recent focus, the long term jobs generated by these projects is not sufficient to sustain a city of 50,000 people, and this is even more so if there is a continued focussed on a fly in – fly out ('fif') workforce. In order to change this then, amongst other initiatives, a greater focus needs to be provided on providing additional housing and living opportunities to increase housing affordability and Karratha's permanent residential population.

1.3 Historical Site Context

Reserve 40378, prior to being developed for the Tambrey Primary School in October 1989, was considered by the Department of Education

for a future district high school, catering for students from Kindergarten through to Year 10. It was on this basis that the 11.0605 hectare site was established. However, further educational needs assessments in the Karratha area revealed that a district high school on this site would not be required and that only a primary school in the Tambrey area would be required, hence the development of the Tambrey Primary School which only required a portion of the 11.0605 hectare site.

In 2007 it was determined that the existing Karratha Primary School would be rebuilt on its existing site and new facilities would be constructed for students in Years 11 and 12 in the Learning and Leisure Precinct on the nearby Pilbara TAFE (Karratha Campus) site. The funding to rebuild the Karratha Primary School is reliant upon the excision and disposal of the vacant portion of the Tambrey Primary School site.

In this regard the Department of Education are fully supportive of the scheme amendment and have confirmed that the disposal of the approximately 5.7 hectare vacant portion of the Tambrey Primary School site for future residential development will not adversely affect the ongoing provision of education in the area. It has also confirmed that the remaining portion of the Tambrey Primary School site will adequately meet the educational needs of the Tambrey area and any future expansion of the Tambrey Primary School.

REFER TO APPENDIX A – DEPARTMENT OF EDUCATION CORRESPONDENCE

2.0 LAND DETAILS

2.1 Property Location and Tenure Details

Reserve 40378, being Lot 4225 on Deposited Plan 216828, located at the corner of Tambrey Drive and Balmoral Road (subject site) is located within the suburb of Nickol, approximately 5.5 kilometres to the west of the Karratha town centre. The subject site maintains frontages to Tambrey Drive to the north of approximately 230 metres, Balmoral Road to the west of approximately 376 metres and Bowerbird Drive to the south of approximately 281 metres. The site maintains an area of 11.0605 hectares.

REFER TO FIGURE 1 – LOCATION PLAN

The Certificate of Title particulars are as follows:

CERTIFICATE OF TITLE VOLUME/FOLIO	LOT NO.	DEPOSITED PLAN NO.	STREET ADDRESS	LEGAL AREA
LR3141/559	4225	216828	LOT 4225 TAMBREY DRIVE, NICKOL	11.0605 HECTARES

The reserve particulars are as follows:

RESERVE NO.	CLASS	PRIMARY INTEREST HOLDER	RESPONSIBLE AGENCY	LAND USE
40378	C	MINISTER FOR EDUCATION	EDUCATION DEPARTMENT OF WA	SCHOOL SITE

The tenure of the site is Crown Land.

REFER TO APPENDIX B – CERTIFICATE OF TITLE

REFER TO FIGURE 2 – SITE PLAN

2.2 Land Use

The subject site comprises a total land area of 11.0605 hectares. Of this, the northern half of approximately 5.7 hectares is utilised for the Tambrey Primary School or is awaiting the development of an early learning centre and associated car parking that has been approved for the site. The remaining southern half of approximately 5.3605 hectares is undeveloped with degraded scrub vegetation and is not required for educational purposes.

2.3 Local Context

Surrounding the subject site the local area has generally been developed for single residential dwellings at a density of 20 – 30 dwellings per hectare. Immediately to the east of the site, Reserve 41148 comprises the Tambrey Oval with Lot 4227 further east comprising the Tambrey Tavern and Function Centre. Reserve 48995, south of the playing fields, comprises a children's playground surrounded by a significant grassed area.

REFER TO FIGURE 3 – AERIAL PHOTOGRAPH

The proposed Learning and Leisure Precinct is located on Dampier Drive and is less than 2km east of the site.

FIGURE 1 – LOCATION PLAN

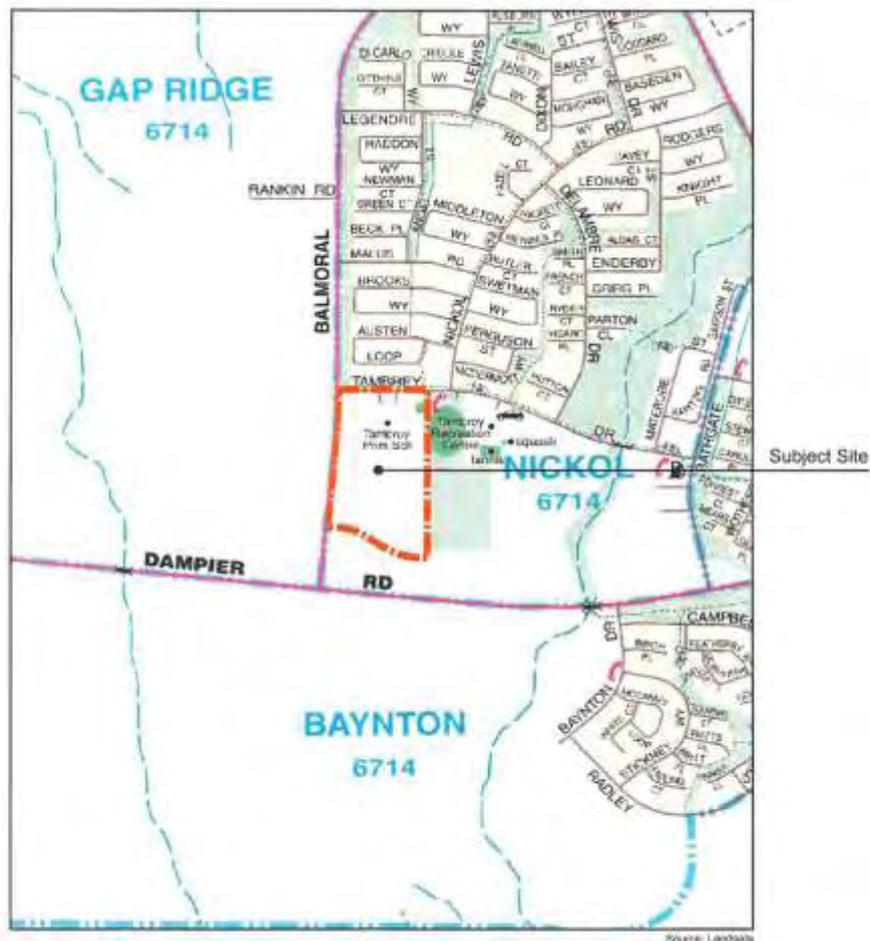


FIGURE 2 - SITE PLAN

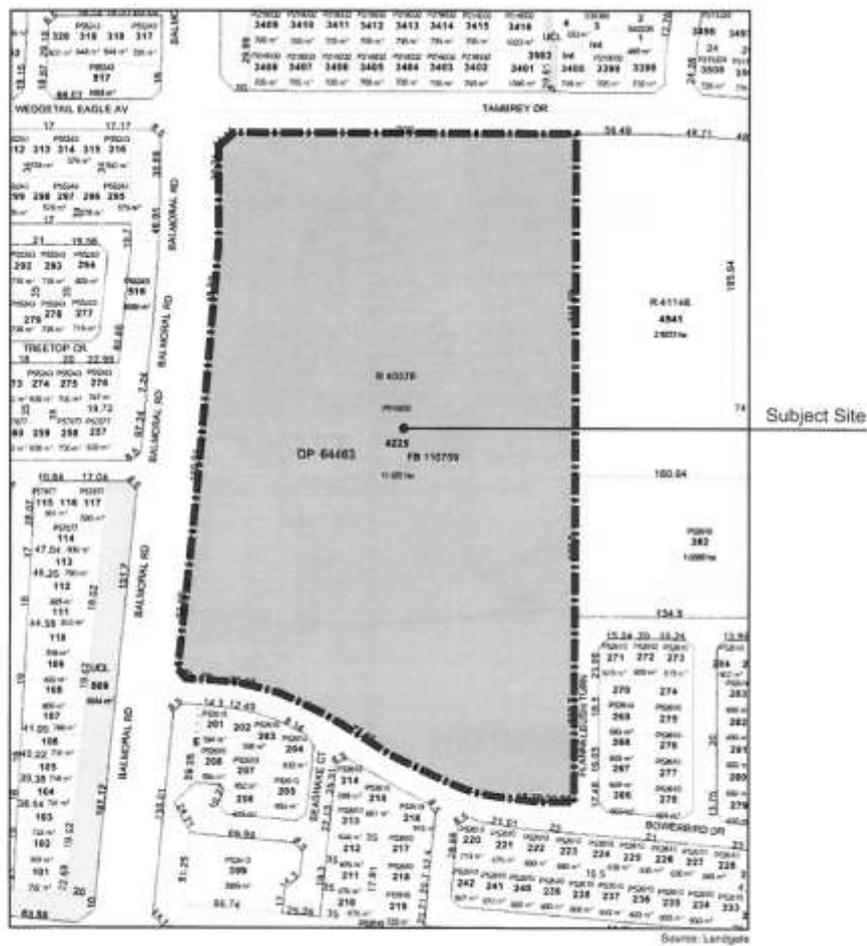


FIGURE 3 - AERIAL PHOTOGRAPH



3.0 STATUTORY PLANNING FRAMEWORK

3.1 Shire of Roebourne Town Planning Scheme No. 8

The Shire of Roebourne Town Planning Scheme No. 8 (TPS 8) was gazetted on 22 August 2000 and provides the statutory basis for the planning for all land within the Shire of Roebourne, including Karratha.

Under TPS 8 the subject site is reserved for 'Public Purposes – Education'. With regard to the development and use of reservations Clause 2.2 states as follows:

A person shall not carry out any development on, other than the erection of a boundary fence defined or accepted by Council, or change the use of a reservation without first applying for and obtaining the written approval of the Council.

Clause 2.3 states:

Where an application for planning consent is made with respect to land within a reservation, the Council shall have regard to the ultimate purpose intended for the reservation and Council shall confer with the organisations it considers relevant to that purpose and the proposed use or development.

It is proposed to rezone the southern 5.3605 hectare portion of the subject site to the "Urban Development" zone to facilitate the future residential development of this portion of the site. Clause 3.2.3 of TPS 8 states that development may only be permitted within the "Urban Development" zone where:

- (a) *A Development Plan has been adopted for the subject land and the development is in accordance with the plan; or*
- (b) *Council has resolved that a Development Plan is not required.*

4.0 PROPOSED SCHEME AMENDMENT

A copy of the proposed scheme amendment map is included at APPENDIX C.

4.1 Existing Reserve

The subject site is currently reserved for "Public Purposes – Education", reflective of the use of the northern half of the site for the Tambrey Primary School and a portion awaiting the development of an early learning centre and associated car parking. The southern half of the site is undeveloped and is surplus to education needs.

4.2 Proposed Zone

It is proposed to rezone the undeveloped southern half of the site, approximately 5.3605 hectare to the "Urban Development" zone to facilitate the future residential development of this portion of the site, including areas of public open space.

The provisions of TPS 8 applicable to the "Urban Development" zone, including the requirement for a Development Plan to be adopted shall then apply and provide a certainty of control and opportunity for future residential development not afforded to the site given its existing reservation.

4.3 Rationale and Planning Justification

The proposed "Urban Development" zone will facilitate achieving the objectives of the Karratha 'precinct' as per clause 5.8 of TPS 8 in that it represents the continued growth of Karratha and Tambrey and will:

- (ix) *Enhance the high level of residential amenity within Karratha in both existing suburbs and the residential expansion areas.*
- (x) *Encourage residential development that will accommodate a greater range of lifestyles and needs to reflect the broadening population base.*

At the strategic level the Shire of Roebourne *Karratha 2020 Vision and Community Plan (2009)* notes the high cost of housing and the situation of employee accommodation being provided by certain employment sectors but not by others. The result being that there is an established need for additional housing in Karratha to address the high cost of housing.

The Western Australian Planning Commission (WAPC) *Karratha Area Development Strategy (1998)* recognises the need to develop additional housing stock to accommodate the projected increase in population. The Strategy identifies a number of residential cells both north and south of the Karratha Hills, however the subject site is identified as a school and not for residential development. It is noted however that this Strategy is over ten years old, was prepared when an earlier Shire town planning scheme was in operation and has been superseded by subsequent strategic planning documents.

The more recent WAPC *Pilbara Framework: Regional Profile (2009)* document specifically identifies the vacant portion of the subject site (noted as KA35) as an intended residential 'development hotspot' and notes:

TPS 8 stipulates the following use class considered within the "Urban Development" zone:

Aged or Dependent Persons Dwelling	AA	Caretaker's Dwelling	IP
Grouped Dwelling	AA	Home Occupation	AA
Multiple Dwelling	SA	Residential Building	AA
Single House	P	Transient Workforce Accommodation	AA
Industry – Cottage	AA	Industry – Extractive	AA
Infrastructure	P	Display Home Centre	AA
Motor Vehicle and/or Marine Service Station	SA	Office	AA
Restaurant	AA	Shop	SA
Take-away Food Outlet	AA	Carpark	IP
Child Care Service	SA	Community Use	AA
Consulting Rooms	AA	Educational Establishment	AA
Emergency Services	AA	Funeral Parlour	AA
Medical Centre	SA	Nursing Home	AA
Place of Animal Care	AA	Place of Public Meeting, Assembly or Worship	AA
Public Mall	AA	Public Utility	AA
Private Recreation	AA	Public Recreation	AA

Where:

- P means the development is permitted by TPS 8.
- AA means the development is not permitted unless the Council has granted planning approval.
- SA means the development is not permitted unless the Council has granted planning approval after giving notice in accordance with Clause 4.3 (advertising).
- IP means the development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council.

- Land surplus to Department of Education and Training requirements.
- Requires local scheme amendment and further planning.

REFER TO APPENDIX D – EXTRACT OF WAPC PILBARA FRAMEWORK: REGIONAL PROFILE – KARRATHA DEVELOPMENT HOTSPOTS

The previous release of the *Pilbara Framework: Regional Profile (2008)* document also identified the site as a residential 'development hotspot' and noted that a scheme amendment would be required to realise the development of the vacant portion of the site for residential.

Furthermore the Shire's *Open Space Strategy (2008)* notes that the existing suburb of Nickol is provided with approximately 19.6% open space, significantly more than the traditional 10% standard. The Strategy also identifies a number of 'candidate' sites for future public open space, none of which are in close proximity to the subject site given the existence of the Tambrey Oval immediate to the east. On this basis it is demonstrated that the site has not been considered for future public open space and is therefore appropriate for future residential development, as facilitated by the proposed rezoning to "Urban Development".

Preliminary investigations confirm that there are no environmental or servicing constraints which would prevent the use of the land for residential development as intended. Furthermore, any constraints or issues identified can be addressed as part of the Development Plan process that is required in order to develop land zoned "Urban Development".

4.4 Consistency with Surrounding Land Uses

The proposal is consistent with the "Urban Development" zone which is generally the most predominant zone surrounding the subject site. West of Balmoral Road, immediately south and east of the site is land zoned for "Urban Development", in addition to land south of Dampier Road. This "Urban Development" zoned land is being developed for single residential dwellings, consistent with the area north of Tambrey Drive which is generally zoned "Residential R20" and which represents an established residential area comprising single dwellings with pockets of grouped dwellings at the R30 density coding. The Open Space Strategy identifies that of the existing dwellings in the suburb of Nickol, approximately 87.4% of these are detached houses, with the remaining 12.6% being attached houses. The proposed rezoning will allow for additional dwelling stock to be developed in Nickol, consistent with the existing development.

The proposed rezoning will not adversely affect the operation of the district level Balmoral Road, with any future access to be addressed as part of the Development Plan process, as outlined above.

4.5 Implementation

As is widely noted, there is need for additional housing in Karratha. The proposed scheme amendment will assist in addressing this issue, providing appropriately zoned land to facilitate future residential development, subject to the preparation and adoption of a Development Plan for the site. It is considered imperative that the proposed scheme amendment be progressed in a timely manner to achieve this objective as well as to provide pre-committed funding for the rebuilding of the Karratha Primary School.

Additional traffic, engineering and urban design inputs shall form part of the Development Plan process.

5.0 SUMMARY AND CONCLUSION

This report has been prepared on behalf of the Department of Education and LandCorp in support of an amendment to the Shire of Roebourne Town Planning Scheme No. 8 by rezoning land surplus to education requirements at the Tambrey Primary School site from the "Public Purposes – Education" reserve to the "Urban Development" zone to facilitate future residential development.

The proposed amendment seeks to address the shortage of accommodation in Karratha by rezoning surplus education land so that it is zoned appropriately for residential development. The proposal represents the implementation of strategic planning exercises, as recommended in the *Pilbara Framework; Regional Profile* document and achieves the pre-committed funding for the rebuilding of the Karratha Primary School as noted in the enclosed correspondence from the Department of Education.

Furthermore, the proposed amendment seeks to implement the resolution of the Council of the Shire of Roebourne from 17 December 2007 where it was determined that the southern portion of the Reserve 40378, being surplus to education needs, should be rezoned to the "Urban Development" zone.

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APPENDIX A - DEPARTMENT OF EDUCATION CORRESPONDENCE

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Government of **Western Australia**
 Department of **Education and Training**

Your ref
 Our ref
 Enquiries

Ms Collene Longmore
 Chief Executive Officer
 Shire of Roebourne
 Welcome Road
 KARRATHA WA 6714

Dear Ms Longmore

TAMBREY PRIMARY SCHOOL – SURPLUS LAND

I refer to the proposed scheme amendment request to the Shire of Roebourne to rezone the surplus land at the Tambrey Primary School site so that it may be zoned for residential development.

Prior to the establishment of the Tambrey Primary School site, being Reserve 40378, in February 1988, the Department of Education considered that a future district high school catering for students in Kindergarten to Year 10 may be required in this part of Karratha. On this basis, a school site of 11.06 hectares was established.

Subsequently, Tambrey Primary School was constructed and opened for the first time in October 1989.

However, further assessments of the need for educational facilities in Karratha over the ensuing years revealed that a district high school would not be required. ie only a primary school would be required in the Tambrey area.

Following a Local Area Education Planning process involving significant community consultation in 2006 and 2007, it was decided to rebuild a new Karratha Primary School on its existing site and to construct new facilities for students in Years 11 and 12 on the Pilbara TAFE (Karratha Campus) site.

The appropriation of funding (\$26 million) to rebuild Karratha Primary School was part of a decision taken by the Government's Expenditure Review Committee at its meeting on 23 May 2007 to fund a \$97.5 million package of work to construct six new replacement schools and to upgrade three schools. The funding plan for this package of work included the proceeds from the excision and disposal of portion of the Tambrey Primary School site.

The use of this surplus land for residential development or other non-education purposes will not adversely affect the on-going provision of early childhood and primary education in the area. Moreover, the remaining 5.7 hectare primary school site will adequately meet the educational needs of the Tambrey suburb.

Accordingly, the Department of Education fully supports the proposed scheme amendment.

Yours sincerely

M. Parr
 MAL PARR
 DIRECTOR
 STRATEGIC ASSET PLANNING

8 February 2010

151 Royal Street, East Perth Western Australia 6004

APPENDIX B – CERTIFICATE OF TITLE

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REGISTER NUMBER	
4225/DP216828	
DUPLICATE SECTION	DATE/DUPLICATES ISSUED
N/A	N/A

**RECORD OF QUALIFIED CERTIFICATE
OF
CROWN LAND TITLE**

VOLUME **LR3141** FOLIO **559**

UNDER THE TRANSFER OF LAND ACT 1893
AND THE LAND ADMINISTRATION ACT 1997

NO DUPLICATE CREATED

The undermentioned land is Crown land in the name of the STATE of WESTERN AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

JG Roberts
REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 4225 ON DEPOSITED PLAN 216828

**STATUS ORDER AND PRIMARY INTEREST HOLDER:
(FIRST SCHEDULE)**

STATUS ORDER/INTEREST: RESERVE UNDER MANAGEMENT ORDER

PRIMARY INTEREST HOLDER: MINISTER FOR EDUCATION

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)**

- 1. RESERVE 40378 FOR THE PURPOSE OF SCHOOL SITE
MANAGEMENT ORDER. CONTAINS CONDITIONS TO BE OBSERVED.

- Warning: (1) A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.
(2) The land and interests etc. shown herein may be affected by interests etc. that can be, but are not, shown on the register.
(3) The interests etc. shown herein may have a different priority than shown.

-----END OF CERTIFICATE OF CROWN LAND TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

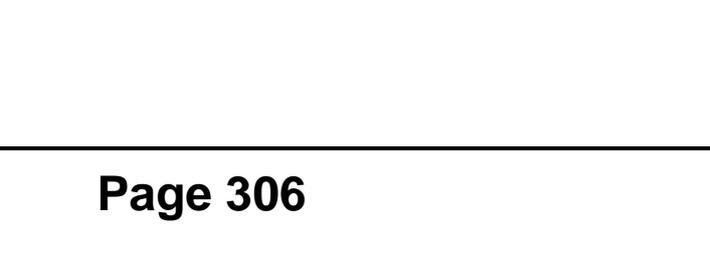
SKETCH OF LAND: DP216828 [SHEET 1].
PREVIOUS TITLE: THIS TITLE.
PROPERTY STREET ADDRESS: LOT 4225 TAMBREY DR, NICKOL.
LOCAL GOVERNMENT AREA: SHIRE OF ROEBOURNE.

NOTE 1: K072987 CORRESPONDENCE FILE 03081-1987-01RO
NOTE 2: K962889 DEPOSITED PLAN 64463 LODGED.

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Feb 9 11:54:44 2010 JOB 33818478

APPENDIX C – PROPOSED SCHEME AMENDMENT MAP

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<p>ADOPTION</p> <p>ADOPTED BY RESOLUTION OF THE SHIRE OF ROEBUCKINE AT THE ORDINARY MEETING OF THE COUNCIL HELD ON THE _____ DAY OF _____ 20____</p> <p>CHIEF EXECUTIVE OFFICER _____</p>	<p>EXISTING ZONING</p> 	<p>FINAL APPROVAL</p> <p>1. ADOPTED FOR FINAL APPROVAL OF THE SHIRE OF ROEBUCKINE AT THE ORDINARY MEETING OF COUNCIL HELD ON THE _____ DAY OF _____ 20____</p> <p>THE COMMON SEAL OF THE SHIRE OF ROEBUCKINE WAS HERETO AFFIXED BY AUTHORITY OF A RESOLUTION OF THE COUNCIL, IN THE PRESENCE OF _____</p> <p>CHIEF EXECUTIVE OFFICER _____</p> <p>2. RECOMMENDED / SUBMITTED FOR FINAL APPROVAL BY THE WESTERN AUSTRALIAN PLANNING COMMISSION</p> <p>DECLORATED UNDER S 79 OF THE 1987 ACT 2009 _____ DATE _____</p> <p>3. FINAL APPROVAL GRANTED _____ DATE _____</p> <p>MINISTER FOR PLANNING _____ DATE _____</p>
<p>ADOPTION</p> <p>ADOPTED BY RESOLUTION OF THE SHIRE OF ROEBUCKINE AT THE ORDINARY MEETING OF THE COUNCIL HELD ON THE _____ DAY OF _____ 20____</p> <p>CHIEF EXECUTIVE OFFICER _____</p>	<p>EXISTING ZONING</p> 	<p>FINAL APPROVAL</p> <p>1. ADOPTED FOR FINAL APPROVAL OF THE SHIRE OF ROEBUCKINE AT THE ORDINARY MEETING OF COUNCIL HELD ON THE _____ DAY OF _____ 20____</p> <p>THE COMMON SEAL OF THE SHIRE OF ROEBUCKINE WAS HERETO AFFIXED BY AUTHORITY OF A RESOLUTION OF THE COUNCIL, IN THE PRESENCE OF _____</p> <p>CHIEF EXECUTIVE OFFICER _____</p> <p>2. RECOMMENDED / SUBMITTED FOR FINAL APPROVAL BY THE WESTERN AUSTRALIAN PLANNING COMMISSION</p> <p>DECLORATED UNDER S 79 OF THE 1987 ACT 2009 _____ DATE _____</p> <p>3. FINAL APPROVAL GRANTED _____ DATE _____</p> <p>MINISTER FOR PLANNING _____ DATE _____</p>
<p>ADOPTION</p> <p>ADOPTED BY RESOLUTION OF THE SHIRE OF ROEBUCKINE AT THE ORDINARY MEETING OF THE COUNCIL HELD ON THE _____ DAY OF _____ 20____</p> <p>CHIEF EXECUTIVE OFFICER _____</p>	<p>EXISTING ZONING</p> 	<p>FINAL APPROVAL</p> <p>1. ADOPTED FOR FINAL APPROVAL OF THE SHIRE OF ROEBUCKINE AT THE ORDINARY MEETING OF COUNCIL HELD ON THE _____ DAY OF _____ 20____</p> <p>THE COMMON SEAL OF THE SHIRE OF ROEBUCKINE WAS HERETO AFFIXED BY AUTHORITY OF A RESOLUTION OF THE COUNCIL, IN THE PRESENCE OF _____</p> <p>CHIEF EXECUTIVE OFFICER _____</p> <p>2. RECOMMENDED / SUBMITTED FOR FINAL APPROVAL BY THE WESTERN AUSTRALIAN PLANNING COMMISSION</p> <p>DECLORATED UNDER S 79 OF THE 1987 ACT 2009 _____ DATE _____</p> <p>3. FINAL APPROVAL GRANTED _____ DATE _____</p> <p>MINISTER FOR PLANNING _____ DATE _____</p>

APPENDIX D – EXTRACT OF WAPC PILBARA FRAMEWORK: REGIONAL
PROFILE DOCUMENT – KARRATHA DEVELOPMENT HOTSPOTS

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11.1.8 REQUEST TO EXCISE PORTION OF SHIRE RECREATION AND DRAINAGE RESERVE TO FACILITATE MULTIPLE STOREY MIXED USE DEVELOPMENT

File No: A46579

Attachment(s) Applicant written submission; Applicant written description of proposed development; Site plan of proposed mixed use development; Elevation plan of proposed mixed use development

Responsible Officer: A/Executive Manager Development Services

Author Name: A/Manager Planning Services

Disclosure of Interest: Nil

REPORT PURPOSE

For the Council to consider, and make determination on a request received from Scribe Design Group on behalf of Kununurra Properties Pty Ltd for the Council to request the Department of Regional Development and Lands – Pilbara Lands Division to excise a portion of Crown Reserve 36458 currently vested in the Shire of Roebourne for the purposes of 'Parks and Recreation' and transfer to the proponent in order to assist the future development of a multiple storey mixed-use development.

Background

The proponent proposes the development of an eight storey mixed use development at lot 2638 Balmoral Road (Jasmine Restaurant site measuring 2885m²). In order for the development to meet the car parking requirements of the *Shire of Roebourne Town Planning Scheme No. 8* (TPS8) and the provisions of local planning policy DP9 'Town Centre Development Requirements' such as site coverage and plot ratio, the proponent requires 4629m² of the adjoining drainage reserve (extent indicated in red below).



Crown Reserve 36458 is vested to the Shire for the purposes of 'Parks and Recreation'. The land is reserved under TPS8 'Parks, Recreation and Drainage'. The drainage and recreation reserve contains a major primary drain designed to dispose of stormwater from a significant catchment area. The land surrounding the drainage channel acts as a floodway in addition to providing a buffer between residential neighbourhoods and the City centre.

The proponent has submitted a request for the Council to request the Department of Regional Development and Lands – Pilbara Lands Division to support the excision of the portion of Crown Reserve and subsequent transfer to freehold and sale to the developer.

Process

In order for the portion of land to be formally excised from the Crown Reserve and transferred to freehold, the following process should be adhered to:

1. The Council resolves to support the excision of drainage reserve to the proponent only after the following information and advice is received:
 - i. Confirmation that the land has not been identified by the adopted Karratha City of the North Strategic Plan as serving any other function (i.e. public open space and/or drainage).
 - ii. The proponent submitting a report prepared by a suitably qualified hydrological engineer demonstrating that the development of the land will not impact on the function of the drain, or the subject and surrounding land be inundated during peak rainfall events.
 - iii. Technical and Community Services advising that the land is surplus for drainage purposes and that it holds no current or future recreational value.
2. The Council shall make a formal request to the Department of Regional Development and Lands – Pilbara Lands Division (DRDL) for the portion land to be excised.
3. The Minister for Lands (under delegation by DRDL officers) agrees to the transfer of land to free hold and administers the subdivision process and sale.
4. The proponent applies to the Council to initiate an amendment to the *Shire of Roebourne Town Planning Scheme No. 8* (TPS8) to reclassify the portion of drainage

and recreation reserve from 'Parks, Recreation and Drainage' to 'Town Centre' (or proposed 'City Centre' zone).

The proponent should be advised that until such time as the Council has resolved to support the relinquishment of the portion of drainage reserve, and the land is reclassified through an amendment to the TPS8 maps, the submission of a planning application that proposes the development over any part of the drainage reserve would be counter productive, as the development of Crown Reserves should only be undertaken in accordance with the 'Purpose' of the reservation. In the case of Reserve 36458, 'Parks and Recreation'.

Issues

Possible Disturbance to Drainage Function

The proponent has stated that the existing drainage channel and surrounding 'flood plain' may not be the optimum or safest solution for either public safety or potential damage to the asset (during peak rainfall events). Indeed the existing open grassed channel may not be the best method for disposing of stormwater; however, the existing channel and flood plain buffer to surrounding private land does serve an integral drainage function. Until such time that a comprehensive hydrological assessment of the entire catchment that the drain serves has been undertaken, the Council would remain uninformed as to the extent of land required to adequately dispose of stormwater during peak events.

The request to relinquish the drainage and recreation was referred to the Shire's Karratha drainage consultant at GHD who responded:

"With respect to this site I would not recommend for Council to relinquish the portion reserve based upon a significant flooding risk, particularly during cyclonic events. Whilst the project and lot design is quite advanced and detailed it is basically impossible to recommend releasing this site based upon the current information. A complete hydrological study would be required prior to any further recommendations or assessment being made.

The site is located adjacent to a major "primary" drain within the Karratha townsite. There is a drainage corridor on either side of the drain that provides nearby lots and buildings with an additional "buffer" and protection from potential floodwaters. Most "primary" drains within Karratha townsite have been designed with these "buffer" corridors as means of protecting lots and buildings from the risks of flooding. Developing these corridors would be highly undesirable and I do not recommend or endorse such practices.

Should the Council endorse or accept the proposed excision and the developed property or other property becomes damaged or affected by floodwaters then it could potentially be liable for such damages. You should treat such proposals from developers with immense caution."

If support is granted to the development of the drainage and recreation reserve including the maintenance of the drainage channel by constructing a culvert beneath a car park, the engineered design of the channel must be undertaken to ensure that no surrounding properties will be placed at greater risk through flooding. The Shire of Roebourne is the responsible authority for the disposal of urban stormwater. Should the Council support the excising of the portion drainage reserve and approve subsequent development and surrounding properties or persons be damaged through flooding, the Shire may liable for damages.

Karratha City of the North City Centre Master Plan

Extensive work has been undertaken by various professional consultants on behalf of the Shire in preparing the current Karratha City of the North Strategic Plan and the City Centre Master Plan. At the March 2010 Special Council Meeting, the Council resolved to endorse the draft Karratha City Centre Master Plan for public comment. Through endorsing the Master Plan for advertising, it is considered that at this stage the Council supports its content. On the basis of what submissions are received by the completion of advertising, the Plan may be amended.

Currently the City Centre Master Plan clearly identifies the subject land as 'Open Space'. The request to relinquish the drainage and recreation reserve was referred to the Shire's strategic planning consultant at TPG who responded the following:

*"The simple answer to that question is that the identified future use is **open space**. This is consistent with:*

- 1 *The KOSS [Karratha Open Space Strategy] where this is identified as open space.*
- 2 *The Town centre design/ landscape vision where this is identified as open space as frame to the city and link from hill to bay*

Is important also as

- 1 *The neighbouring sites are shown as hotel uses with some commercial uses and should benefit from the amenity of upgraded POS.*

May also be important for

- 1 *Additional storm water when Balmoral is realigned slight west and the existing drain reserve east of Balmoral sold off potentially with reduced drainage capacity."*

Given the current drainage function of the reserve, the potential for the redevelopment of the land in the future for the purposes of providing a green belt buffer from the residential component of Pegs Creek to the City Centre.

Displacement of Public Open Space

The Council has supported the intensification of residential development within the City Centre through its resolution to seek public comment on both the TPS8 'Omnibus' Amendment No. 18 and the draft local planning policy DP1 – Karratha City Centre Development Requirements. With respect to residential development in the City Centre, Amendment No. 18 proposes to remove the R40 density cap in order to facilitate high density (high rise) development. The subject site is located in the Accommodation Precinct (P4) proposed by the amendment. It is evident that there is currently a significant shortage of public open space within the City Centre; however, an intensification of urban development (especially residential occupation of land) will require sufficient open space in order to ensure the attractiveness and liveability of the City Centre.

Potential Use of Proposed Carpark by the Shire as Paid Public Parking

The proponent has suggested that there may be an opportunity for the Shire to retain the subject portion of drainage and recreation reserve but still allow the development of the carpark. The proponent identifies that there is currently a shortage of parking in the City Centre which will only be exacerbated into the future as development intensifies. The intent would be for the Council to charge the public for parking during day time periods when the restaurant and reception centre are unlikely to generate high volumes of cars. The

developer would be responsible for its construction and potentially for ongoing maintenance.

Although cash-in-lieu is identified by the TPS8 as a means by which developers that cannot provide sufficient on-site parking can contribute to a fund to development public parking, paid public parking is not a matter that is addressed by TPS8 or by local planning policy. This option should be considered by the Council when making determination of this request.

Options

Council has the following options available:

1. To not support the request to relinquish a portion of Reserve 36458 for the purposes of developing a car park on the grounds that given the strategic direction to intensify residential development in the City Centre, the optimal use of the land is for public open space.
2. To support the excision of the portion of Reserve 36458 and forward a request to the Department of Regional Development and Lands consider the proposal and commence negotiation with the proponent for its purchase subject to the proponent undertaking a comprehensive hydrological study of the drainage catchment to determine that the proposed design of the car park culvert will satisfactorily dispose of stormwater and that there is no likelihood of flooding of surrounding properties.
3. To support the excision of the portion of Reserve 36458 and forward a request to the Department of Regional Development and Lands to consider the proposal and commence negotiation with the proponent for its purchase.

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

The financial implications are unclear at this stage as the Department of Regional Development and Lands are under no obligation to compensate the Shire for relinquishing vesting of the reserve, and it cannot be determined what (if any) additional community infrastructure contribution may be obtained from the development of lot 2638 Balmoral Road.

Conclusion

It is recommended that areas of land within and on the periphery of the City Centre that are currently reserved for parks, recreation and drainage purposes be retained by the Shire should the Council and community value the sustainable future development of Karratha, let alone as a city of 50,000. Preservation of existing open space in these locations may ensure that Karratha evolves into an attractive, liveable city comparable to that experienced in other regional centres in Western Australia. The Council should be mindful that responding to developers seeking to acquire areas of public open space that have not been identified as surplus to the community's requirements may well compromise the strategic direction that is evolving through the Karratha City of the North strategic project.

Notwithstanding being inconsistent with the strategic direction of the Shire, there is no hydrological information available to categorically support the development of a culvert to channel stormwater under a car park. Should a portion of Crown Reserve 36458 be transferred to freehold and development be approved that arguably contributes to the damage of surrounding properties or loss of life, as the responsible authority for the disposal of urban stormwater in Karratha, the Shire may be liable for damages.

It is recommended that the Council not support the request for the excision of a portion of Crown Reserve 36458 for the purposes of facilitating the development of a car park.

Voting Requirements

Simple.

RECOMMENDATION

That Council –

Not support the request received from Scribe Design Group on behalf of Kununurra Properties Pty Ltd for the Shire to request the Department of Regional Development and Lands – Pilbara Lands Division excise a portion of Crown Reserve 36458 to facilitate the development of a high rise mixed use development on the following grounds:

- 1. The land has been identified on the Karratha City Centre Master Plan as being retained as public open space.**
- 2. The Council has provided in principle support for the strategic direction to intensify residential and mixed-use development in the future Karratha ‘City Centre’ zone. Furthermore, there lies the very real possibility that insufficient public open space will remain available for active and passive recreational use and the opportunity lost to create green and aesthetically pleasing open spaces.**
- 3. It has not been categorically determined by a suitably qualified hydrological engineer that the current extent of the drainage channel and ‘flood plain’ are adequate to dispose of the existing and future stormwater runoff generated by the catchment.**
- 4. The Shire may be liable for claims for the loss or damage to property caused by flooding if the design of the culvert is unable to channel high volumes of stormwater during peak rainfall events.**
- 5. A precedent will be set for other landowners and developers to also seek land located within parks, recreation and drainage reserves.**

ATTACHMENT 1 ITEM 11.1.8 APPLICANT WRITTEN SUBMISSION



30th March 2010

Our Ref: 08010451 – 102330_SoR Drainage Channel Use
Your Ref:

Patrick McClure
Acting Manager Planning Services
SHIRE OF ROEBOURNE
Lot 1083 Welcome Road
KARRATHA WA 6714

**RE: USE AND DEVELOPMENT OF DRAINAGE CHANNEL ADJACENT
LOT 2638 BALMORAL ROAD, PEGS CREEK**

Dear Patrick,

Further to our telephone conversation and subsequent emails on the 24th March 2010, please find attached information as requested.

As nominated previously in our correspondence and discussions the development proposal for the abovementioned project has been undertaken with specific reference to the following documents:

- Shire of Roebourne – Town Planning Scheme No.8.
- DP9 – Town Centre Zone Development Requirements
- Karratha Open Space Strategy (Draft) [KOSS]

In addition, with the release of recent master planning documents for the town centre of Karratha, we have reviewed these documents with special attention given to the possible impact and implications these plans and visions might have on the proposed development. The documents reviewed included:

- Karratha Revitalisation Project
- Karratha City of the North
- Final Strategic Plan 2009-2013
- Karratha 2020 Vision (Report)
- Karratha 2020 Masterplans (including Karratha 2050 Long Term Vision Concept Plan)

We acknowledge that these visions for Karratha have wide ranging implications and scope for the future development and growth of Karratha as it moves from the development pattern of a Resource Town to a Regional Town/Centre. The issues identified within these documents are significant in terms of their social and economic implications.

We are also encouraged by the fact that a review of all these documents suggests that what is being proposed for the abovementioned site in terms of its form and function is not outside the master plan visions for the town and will effectively form a 'book end' for the Accommodation Precinct as nominated within Karratha Revitalisation Project document.

Although this letter is not the correct forum to comment about the proposed master plans and visions contained within these documents, there are a number of factors that we have identified that we believe are pertinent to the proposal for the abovementioned site. These issues are as follows:

1. Upgrade of Drainage Channel – nominated uses include Landscaping, Public Art, Parklands, walking trail
2. Car Parking
3. East/West Road Linkages
4. Re-alignment of Balmoral Road
5. Entertainment Precinct

We will address each of these points as follows:

1. Upgrade of Drainage Channel

As stated earlier the proposed development for the abovementioned project was undertaken with specific reference to the draft Karratha Open Space Strategy document that was released for public comment in late 2009. A response to the document was submitted by Scribe Design Group and following preliminary discussions with the Shire of Roebourne's Planning Department the design was progressed based on the recommendations and suggestions nominated within the document and its focus on utilising land that is currently unsightly, costly to maintain and forming barriers within the town. To this end it was identified that the Drainage Channel to the north of the site in question could be utilised to provide public car parking and recreation facilities, both of which were identified as lacking within the town centre. Due to its location this could service not only the proposed development but also the wider community.

It was upon presentation of the proposed development to the council that we became aware of the Karratha Revitalisation Project and the new Master Plan for the Town Centre that extends to the adjoining residential precincts of Bulgarra to the East and Pegs Creek to the West. The Revitalisation Project extended and captured areas not identified under the Karratha 2020 Report and associated Masterplans developed in 2008.

We have therefore focussed our attention on the master plans and precincts indicated in the Karratha Revitalisation Project documents although we note similarities and discrepancies between the two plans.

As stated in the Final Strategic Plan 2009-2013 the Karratha Revitalisation Project has been developed with "specialists in every imaginable field" however there are certain images and statements that seem to have been made that do not correspond to the specific climatic conditions that we are aware exist in Karratha. This seems particularly relevant in respect to the Drainage Channel and the proposed treatment model shown in the Karratha 2020 Report. The proposed model is undeniably aesthetically superior to the existing situation however we are concerned that the integration of the drainage channel with parkland and recreation may not be the optimum or safest solution for either public safety or potential damage to the asset given some of the storm water concerns already raised by various people.

As with the solutions raised within the master plan documents and that of our proposal we understand that the design of any changes to the drainage channel will need to be engineered by a suitably qualified civil engineer to ensure that the system will cope with all storm water scenarios and rainfall intensities generated from standard storm patterns and cyclones. Due to the processes involved in the utilisation of the drainage channel for the purposes proposed we have not engaged a civil engineer at this time to undertake a comprehensive analysis of the storm water system/network the drainage channel forms. We understand that a complete engineering and design solution will need to be undertaken by suitably qualified engineers and approved by the council to ensure the proposal complies with their engineering department requirements and strategic planning for the area. We trust the council understands the time and money that this process would take and the implications that has on individuals and council staff member's time and workload. Until there is a clear direction or agreement for the use of the drainage channel we do not feel it is beneficial to anyone to waste individuals/organisations time and money pursuing abortive work.

We are also mindful, given the conclusions and frequent references within the KOSS of costs incurred by council for the establishment and maintenance of park and recreation areas. We would like council to also be mindful that the nominated car park land use that we are proposing is not mutually exclusive of parkland areas and our design incorporates a park/recreation area within the parking area that is intended to reduce the aesthetic impact of the car park as well as providing informal recreation opportunities for residents or patrons of the development. There are numerous models both here and around the world where green-belts or parkland within a city incorporates parking and vehicle corridors. The most notable for Western Australian is Riverside Drive where recreation and parkland are broken with car parking and traffic linkages which effectively enhances its functionality by providing car parking for uses of the recreation areas outside of general working hours.

2. Car Parking

We understand that the proposal for car parking over the drainage channel needs to be evaluated closely by the council and the implications an approval may have on future developments be worked through thoroughly. Currently the drainage channels that divide Karratha are described as worthless, unused, poorly maintained portions of land that are an eye-sore and barriers that divide the township and can turn a 20 second trip into a 5 minute journey. We would like council to acknowledge that there is a definite shortage of public car parking available within the town of Karratha and this is impacting on the development and investment of new buildings and business within the town. The structured and planned provision of public car parking on the fringe of the town site could assist in minimising congestion within the town centre and encourage development west of the town centre.

We are surprised to note that generally the master plans contained within the abovementioned documents show a distinct lack of public car parking facilities. Given the current strain on existing car parking in and around the town centre we can foresee that the proposed higher density commercial and residential precincts will place additional strain on the car parking requirements and potentially make it impossible to park within the town centre. Given the proposed densities of developments indicated within the master plans and the intended increase in population of Karratha to form a township of 50,000 we estimate that there could conservatively be an additional 15-20,000 cars within the town. Given the current car parking requirements for retail and office space this will require a substantial increase in available public parking within the town centre that we feel may not be able to be catered for by traditional parking models or the land available to developments. Especially as there is already a shortage.

Given the parking requirements nominated under Appendix 4 of the TPS we have calculated that 201 of the 309 required bays are provided to serve the restaurants and Reception Centre. Given the general working hours of the various businesses and industries within the town we believe that this will result in the majority of car bays on the drainage channel being available for the wider community to utilise throughout the day when businesses within the town centre are open. Therefore alleviating some of the pressure on current parking. We would argue that the reception centre will not be utilised all day everyday and therefore the 81 bays we need to provide for that use alone will be generally available for use by the wider community.

The question of costs and maintenance associated with any land use proposed within the town centre is also one that we believe is not fully addressed within any of the proposed documents or master plans. Although there are several references to the capital costs associated with the proposed revitalisation of Karratha there is minimal reference to the ongoing maintenance and services costs associated with the new master plans and the impact this will have on the Council. This is especially critical given that the items identified in the documents as immediate needs will all have an ongoing cost implication to the Shire. The KOSS is the only document that highlighted the ongoing costs incurred by the Shire to maintain its assets and therefore recommended a rationalisation of these cost and an examination of reducing them.

We believe the Council should be looking at solutions within the scope of the Master plan's for generating an ongoing income from its assets. As we have mentioned in previous correspondence we feel there is an opportunity for the council to generate an income through the charging of fees for parking in car parking facilities associated with the drainage channel. We have been mindful in the design of the car parking and the development that priority be given to ensuring the car parking required for residents and owners of units within the development have parking on site within the car stacker and the parking for the patrons or short term parking be located on the drainage channel. As this parking would be for patron's or visitors we feel there is scope for charging users a nominal fee.

As noted in our planning application letter, "Under item 6.12.3 of TPS 8 and the reference to the alternative of a cash-in-lieu payment for car parking, this payment is identified as being 'set aside by council for the provision of public car parking areas'. We are suggesting that this alternative be employed for the development of the car parking area adjacent the proposed development however instead of a cash-in-lieu payment being made to the Council and then the Council arranging the construction/development of the public car parking area the developer of the adjoining lot arrange and undertake the development of the car park and recreation areas directly, to the approval of the Council, as part of the development."

We would also like to reiterate that although the development of the drainage channel for car parking would directly benefit our clients development, we believe that it would be in the councils interest to retain ownership of the area of land in question with the 'improvement' of the land at the developers cost. We believe that if the Council retained ownership there is greater scope and opportunity in the management of the asset and the ability

for the Council to show that it is providing services for the community. This area of parking could also be extended or increased with the realignment of Balmoral Road to service the additional future commercial and residential developments North of Warambie Road.

3. East/West Road Linkages

The inclusion of East/West traffic links indicated in all the master plan's proposed within the documents, we believe, would form greater barriers and disruption to the usability of the drainage channel as a recreation or parkland area given the speed of traffic through these areas and the volumes that could be anticipated. The construction of culverts under the road would be similar to those proposed for the car parking areas of our design and would equally need to be engineered to prevent these linkages from directing storm water into the residential areas or town centre if blocked or overflow.

The East/West road linkages also offer the possibility of removing traffic from the city centre and encouraging pedestrian traffic into the town centre through the connection of these linkages with car parking on the fringe of the town. A series of smaller car parks (which could form a revenue stream for the council and also assist in the application of fines for parking offences) on the edge of the drainage channel with access from the new linkages could incorporate low speed vehicle traffic with the landscaped green-belt of the redeveloped drainage channel. This would also encourage/allow access to both sides of sites between the drainage channel and Balmoral road which could act as a buffer or transition zone between the residential zone of Pegs Creek and that of the proposed accommodation precinct. We are mindful that the development of a well maintained green-belt down the existing drainage channel may become a security issue for buildings and facilities backing onto the belt. From past experience these green-belts or parkland strips provide a ready means of access and escape for people undertaking anti-social behaviour. Having access from only one side generally results in buildings having their backs to the parkland with low height fences to allow residents easy access. It also allows easy access from the parkland areas to the residential/commercial buildings.

Although an east/west linkage has been identified as an important element the speed of vehicles along Warambie Road has been identified as a point of concern and therefore traffic flow and speed through the town centre along this new linkage will need to be examined closely.

Encouraging people to park on the fringe of the town and walk may be a reasonable solution to congestion and other problems.

4. Realignment of Balmoral Road

The realignment of Balmoral Road and the provision of an East/West bypass road to the North of the town site, we believe, will be both beneficial to the town and to the proposed development. The realignment will provide a greater buffer between Balmoral Road and the existing residential area of Pegs Creek as well as allowing the extensions of the landscaped green-belt between the proposed car park and the residences. The continuation of the green-belt between the town and the suburb will reduce the impact from the proposed changes in density proposed in the revitalisation master plan.

5. Entertainment Precinct

One area of the development that we believe needs to be highlighted is the identification of a specific need within the community and the provision of Restaurants within the development. Although the City Centre Master plan identifies an Entertainment Precinct we understand that there is an immediate need for new restaurant and entertainment areas now. At the very beginning of the project the client identified the need for family oriented eating and meeting places that would cater to families within the community and offer them a place where they can go relax and dine together. The drainage channel was identified as a place not only for car parking but also for informal recreation where children could come and play on undercover equipment. It is hoped this would encourage families to spend some quality family time together on Sunday afternoon or a day off where they can come and play and share a meal together. We are aware that with the hours people work that offering an alternative to spending time with the family away from the home is important. It is also important to provide residents within the development a means of recreating without having to get in the car and head to a park.

The provision of separate and focussed entertainment areas within the master planning would also allow greater diversity for residents and entertainment options. We are mindful of the situation in Northbridge where people are concerned about going there with their family and are looking to suburban restaurants and precincts to dine. We are not suggesting that the entertainment precinct indicated on the master plans will be affected by the same

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forces and circumstance as Northbridge we are just aware of the current demographics of Karratha and the needs of men or women working away from home on their own in the town is quite different to that of families or couples and as such alternative options could be beneficial to the towns dynamics.

6. Environment

Something that is often overlooked in Master planning proposals is the impact of higher densities and redevelopment on climatic conditions and the micro-climate within the area being re-planned. We see the unique opportunities for this site to be developed as a landmark building for the town. Its location offers unimpeded views North and West across the ocean and across to the Dampier Peninsula. These two vistas capture the essence of Karratha, combining the opportunities granted through its industry and the lifestyle granted by its connection with the ocean. The design has been undertaken to maximise its exposure to the amazing views and prevailing breezes whilst minimising its exposure to the setting westerly sun and the heat load this imparts on the building through the use of solar awnings and deep balconies.

In summary, we do not believe that the provision or utilisation of the drainage channel has been proposed to solely benefit the proposed development on Lot 2638 Balmoral Road. By removing the Reception Centre and reducing some of the restaurant dining area we understand that all the car parking requirements for the development could be contained on site within the proposed car stacker. We genuinely believe that there is a tangible benefit to the wider community and the Council to approve the development of car parking and recreation facilities on the Drainage Channel land. These are:

- Development, utilisation and beautification of an unutilised area of land ie the Drainage Channel
- Reduction in Shire maintenance costs
- Provision of much needed public car parking for the community on the edge of the town centre
- Potential Revenue generator for the Council
- Buffer zone between town centre land uses and residential zone
- Better Pedestrian linkages from Pegs Creek to Town Centre reducing car reliance
- Car parking and green-belt areas are not mutually exclusive.
- Informal recreation space for families
- Entry statement at the entry to the town centre
- Iconic, landmark building that will generate development within the Town.

If you require additional information or clarification of any items raised please do not hesitate in contacting the undersigned on 9417 1388 or at smarkham@scribe.net.au.

Yours faithfully
Scribe Design Group



Steven Markham
Architect (WA Reg 1878)

Enc.
Cc: *Kununurra Properties Pty Ltd*

DESIGN • DOCUMENTATION • SERVICES

ATTACHMENT 2 ITEM 11.1.8 APPLICANT WRITTEN SUBMISSION OF PROPOSED DEVELOPMENT



08th April 2010

Our Ref: 0801/0451 – 103406_SoR Project Description
Your Ref:

Patrick McClure
Acting Manager Planning Services
SHIRE OF ROEBOURNE
Lot 1083 Welcome Road
KARRATHA WA 6714

**RE: LOT 2638 BALMORAL ROAD, PEGS CREEK
PROJECT DESCRIPTION**

Dear Patrick,

Further to your email, please find attached information as requested.

The proposed mixed-use development located on Lot 2638 Balmoral Road, Pegs Creek has been undertaken and designed in response to the growing demand from numerous sources including, state and local government, business owners and members of the community for higher quality services and facilities that cater to families and people living within Karratha with the view of developing a greater sense of community and providing services and facilities that will keep people within the town.

We are also mindful of the fact that, although not a specific focus for the project, there is often a need for others within the community to see that private people or companies are willing to invest heavily within a town in order to then generate and bolster a confidence within a town to encourage further development. We are aware that this should not be a major factor in council decision to approve or deny the Development Approval for the proposal however we do believe that it needs to be considered.

The proposed development will provide the following facilities and services. Areas have been indicated for the associated uses with additional area calculations indicated on floor plans for each level.

Ground Floor

- 4 restaurant areas (581.9m²), with outdoor dining/alfresco areas directly associated with these tenancies facing Balmoral Road – (the restaurant types have been suggested but no formal discussions/action has been taken):
 - Restaurant 1 – 2 storey restaurant/bar incorporating micro brewery
 - Restaurant 2 – Cafe or Mexican restaurant
 - Restaurant 3 – Italian Restaurant
 - Restaurant 4 – Dome

As stated in our previous correspondence, the total floor area indicated for Restaurants is 1192.3m². From previous experience the dining area associated with a restaurant space is conservatively around 60% of the total restaurant area with the other 40% required for kitchen, preparation, storage and service areas. We have therefore used the figure of 715.38m², being 60% of the total area, to calculate the required parking.

- 5 Commercial Tenancies (290.4m² comprising 3 off 57.6m², 2 off 58.8m²) – These tenancies are seen as being for professional services ie Accountants, Solicitors, Consultants, Medical Specialists (we are aware additional parking would be required for specialist services), smaller government agencies etc. The intention is to lease/sell these commercial spaces with the apartments directly over on the First floor to attract companies and ensure they have accommodation for their workers.
- Coolroom Storage / amenities – We have identified the need for additional coolroom storage areas to cater for various food handling practices and acknowledgement of the difficulty food service providers have with storage of both fresh and waste produce.

First Floor

- 3 restaurant areas (600.4m²) with outdoor dining/alfresco areas directly associated with these tenancies facing Balmoral Road situated on balconies (the restaurant types have been suggested but no formal discussions/action has been taken):
 - Restaurant 1 – Upper floor of restaurant/bar
 - Restaurant 5 – Thai restaurant
 - Restaurant 6 – Seafood / Steakhouse, or Wine Bar/Restaurant
- 5 Apartments (247.5m² comprising 3 off 49.1m², 2 off 50.1m²). As stated above the intention is to lease/sell these apartments with the commercial spaces directly under on the Ground floor to attract companies and ensure they have accommodation for their workers
- Coolroom Storage / amenities / Plant – The first floor incorporates plant and exhaust systems for extraction of air from food cooking areas associated with the restaurants kitchen spaces. Coolrooms shall have a similar usage as for ground floor.

Second Floor

- 3 Offices – Commercial Tenancies
- Conference Room including store room, Audio/visual control room, Office for conference organiser manager or delegate use ie printer, fax photocopier. The Conference room will have a movable wall system incorporated to allow the space to be broken into 3 rooms to enable a single conference area, a smaller conference area with spaces for workshops/seminars. The space could also be utilised for functions or weddings with various options for seating or table arrangements.
- Kitchen / Amenities – These spaces have been included to service the Conference room and provide tea making and small meal preparation areas for delegates/patrons. The intention would be for meals etc to be serviced by restaurants within the development.
- 5 Apartments (247.5m² comprising 3 off 49.1m², 2 off 50.1m²). These apartments are envisaged as being for restaurant staff/workers accommodation and would be offered or included as part of the leasing agreements with the restaurants to attract suitable managers, chefs to the premises.
- 2 Single Bedroom Apartments – Staff/worker accommodation

Third Floor

- 19 Serviced Apartments (nom 31.7m² each) includes 1 fully disable compliant room. These apartment are not intended as workers accommodation they have been included in response to requests and feedback of local businesses requiring a slightly higher quality accommodation for professionals, executives, consultants etc who are required to be in the town for 1-3months periods at a time.
- 1 Office/Managers Apartment – 70.3m²
- Laundry, lounge area, library, computer room (with printer and fax etc) and amenities – for guests and visitors to allow them to recreate and relax outside their rooms.

Fourth, Fifth and Sixth Floors

- 4 off 4 bedroom, 2 bathroom apartments per level – (168m², 166m², 166m², 184m²) – High quality apartments offering a unique and exclusive view of Karratha and the ocean for sale to families or individuals looking for something a little bit special. Apartments on the fourth Floor will have in addition access to large outdoor balcony areas.
- 9 Single Bedroom Dwellings – offered for private sale either for companies or individuals/couples looking for a unique low maintenance living option. These units will offer accommodation similar to that found within Perth.
- 4 Store room – as there is no garage associated with the development store rooms have been provided for each of the apartments to store items too bulky or not required in the house

Seventh Floor

- 4 off 4 bedroom, 2 bathroom penthouse apartments - (168m², 166m², 166m², 184m²) - Higher quality apartments offering a unique and exclusive view of Karratha and the ocean for sale to families or individuals looking for something extra special.
- Pool, Function, Library, Gymnasium – for the exclusive use of residents/owners of apartments.
- 2 Single Bedroom Dwellings – offered for private sale
- 4 off 2 Bedroom, 2 Bathroom penthouse apartments (90m² each) - Higher quality apartments offering a unique and exclusive view of Karratha and the hills to cater for

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The hope is the development attracts and maximises the number of owner occupiers within the development and reduces the tendency for speculators to buy and rent the units out.

If you require additional information or clarification of any items raised please do not hesitate in contacting the undersigned on 9417 1388 or at smarkham@scribe.net.au.

Yours faithfully
Scribe Design Group

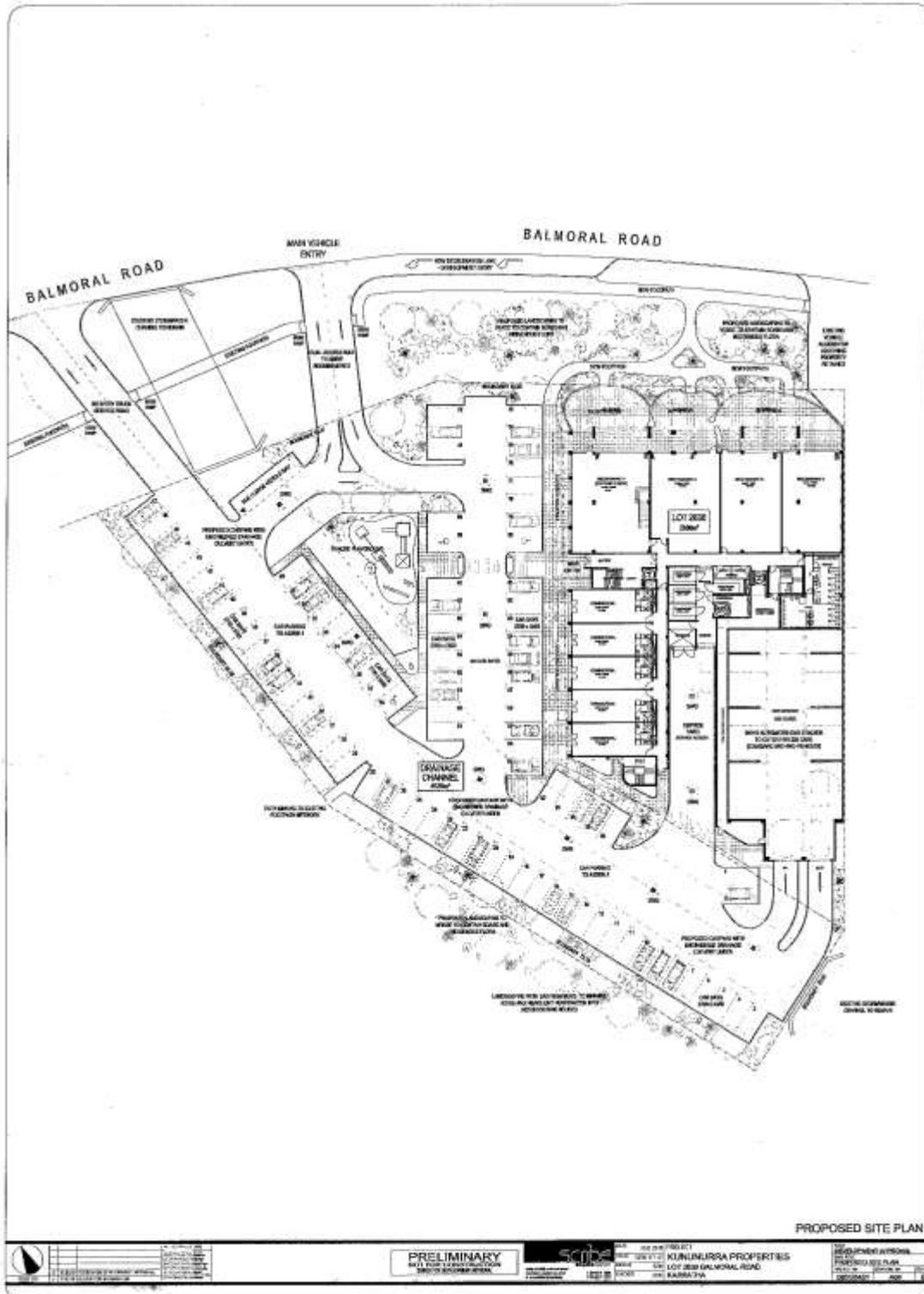


Steven Markham
Architect (WA Reg 1878)

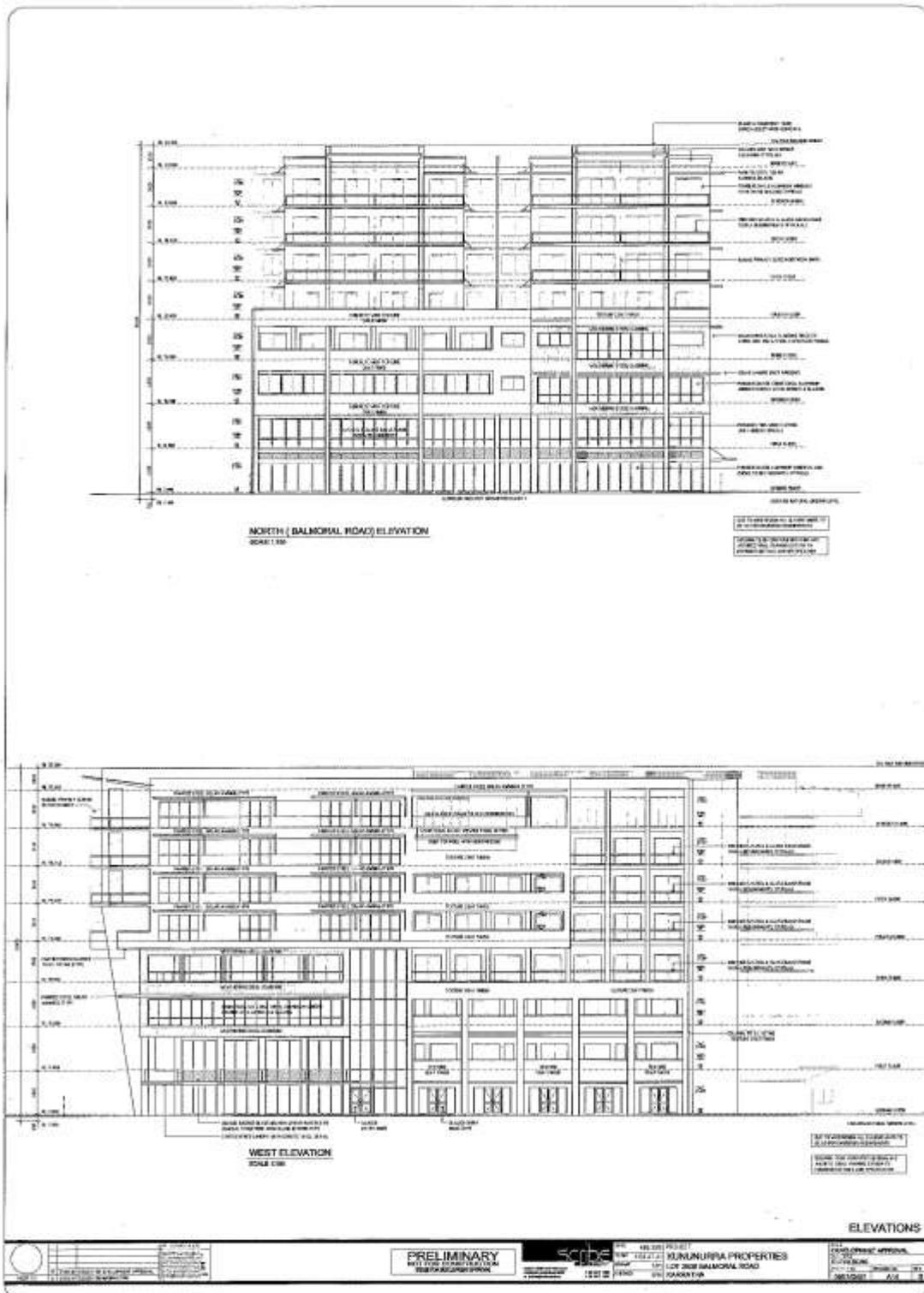
Enc.
Co: *Kununurra Properties Pty Ltd*

DESIGN • DOCUMENTATION • INTERIORS

ATTACHMENT 3 ITEM 11.1.8 PROPOSED SITE PLAN



ATTACHMENT 4 ITEM 11.1.8 ELEVATION PLAN



11.1.9 STATE ADMINISTRATIVE TRIBUNAL MEDIATION - SEA CONTAINER WITHIN FRONT SETBACK - LOT 2231 (2) STANBRIDGE WAY, MILLARS WELL

File No:	A42575
Attachment(s)	NIL
Responsible Officer:	A/Executive Manager Development Services
Author Name:	A/Manager Planning Services
Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to make determination on the outcome of the State Administrative Tribunal (SAT) mediation hearing regarding an application for review of condition 1 of planning approval 2040D (SAT Matter number DR 468 2009 Evans v Shire of Roebourne) for the development of a shipping container at lot 2231 (2) Stanbridge Way, Millars Well.

Background

Planning approval 2040D for the development of a shipping container at lot 2231 (2) Stanbridge Way, Millars Well was granted on 23 October 2009 after the following was resolved at the October 2009 Ordinary Council Meeting;

That Council approve planning application PA2040 for a sea container at Lot 2231, 2 Stanbridge Way, Millars Well subject to:

- 1. The sea container being located behind the front building line (not within the primary street frontage).*
- 2. The shipping container being screened from public view to the satisfaction of Planning Services.*
- 3. The shipping container being setback from the secondary street and/or any common property boundary in accordance with the acceptable development provisions contained within the Residential Design Codes of Western Australia and/or local planning policy DP7 'Residential Frontage'.*
- 4. Other standard planning conditions as determined by the Manager of Planning Services.*
(Res No. 14862)

On 11 December 2009 notification of a Directions Hearing was received from the State Administrative Tribunal (the SAT) was received advising that the property owner, Ms Leonie Evans, had applied for a review of the planning approval, specifically condition 1 that states:

Prior to this approval having force or effect four [4] copies of a revised site plan generally in accordance with the site plan submitted for the October Ordinary Council Meeting must be submitted to Planning Services for endorsement. The revised site plan must have regard to the following:

- (i) The location of the sea container being behind the front building line (not within the primary street frontage).*
 - (ii) The sea container being suitably screening from public view to the satisfaction of Planning Services.*
-

Note: Should additional fencing or other measures to screen the shipping container be employed, such measures must be sufficiently documented on the revised site plan and, if necessary, elevations must be submitted.

- (ii) *The sea container being setback a minimum 1500 mm from the secondary street and a minimum 1000 mm from any common property boundary in accordance with the acceptable development provisions contained within the Residential Design Codes of Western Australia and/or local planning policy DP7 'Residential Frontage'.*

Once endorsed the revised site plan shall form part of this approval.

The Directions hearing was held on 18 December 2009 by teleconference attended by the Ms Leonie Evans and Mr Damien Milk, the Acting Manager Planning Services and the SAT Member. No agreement was reached between the parties as to whether the shipping container should be permitted to remain in its present (unauthorised) location or whether compliance with condition 1 requiring the relocation of structure behind the dwelling building line should be enforced.



It was determined by the SAT member that an on-site mediation was the best opportunity for both parties to reach a compromise. Orders were received listing the Mediation Hearing date for 12 March 2010.

The Mediation Hearing at 2 Stanbridge Way was attended by Ms Evans and Mr Milk, the Shire President, Councillor Cechner, the Chief Executive Officer, the Acting Manager Planning Services and the SAT Member. After a tour of the property and locality, the two parties were separated in order to discuss a possible compromise.

Following discussion it was agreed by the Shire representatives that the shipping container could remain in its current location forward of the building line no later than 1 November 2010 (commencement of cyclone season). After such time the shipping container is required to be relocated in accordance with condition 1 of planning approval 2040D, or removed from the property. This concession was granted in order for Ms Evans to find an alternative storage solution. It should be noted that the recommendation of the Acting Manager Planning Services was that the Council should uphold its prior decision requiring

the relocation of the shipping container to behind the dwelling building line, or for its removal from the site.

Issues

Precedence

Should the Council determine to allow the shipping container to temporarily remain in its current location for any period of time, there lies the possibility that other landowners and occupiers of properties within the Residential zone may apply to the Shire for planning approval to temporarily locate shipping containers within the front setback area. This could amplify issues of diminished streetscape amenity, and generate an additional burden on the Shire's compliance resources through officers having to take enforcement action should the property owner decide to retain the shipping container after the development approval has expired.

Local Planning Policy

With reference to shipping containers, the Shire local planning policy DP7 – Residential Frontage states:

Outbuildings, sea containers and ground-mounted satellite dishes are discouraged within the primary street setback area unless it can be clearly demonstrated that no alternative location exists, and that the proposed development will not have an adverse impact on the streetscape.

The Council has previously resolved not to support the development of the shipping container at 2 Stanbridge Way forward of the building line (resolution number 14641, May 2009) and for it to be relocated behind the dwelling building line and adequately screened (resolution number 14862, October 2009). It is noted that the current draft Omnibus Scheme Amendment includes the following additional Karratha Objective:

Prohibit the use of shipping containers for storage purposes in residential areas unless located behind the primary street setback area.

The Council is advised that the agreement reached at the Mediation Hearing does not bind it to allow the shipping container to remain located in its current position forward of the building line for any period of time. The Council has the opportunity to uphold its former resolution requiring the structure to be located behind the dwelling building line. If this option is taken, the SAT has advised that the matter will be determined by the Member after a further Mediation Hearing listed for 29 April 2010.

Options

Council has the following three options available:

- 1(i). Uphold the resolution number 14862 made at the October 2009 Ordinary Council Meeting requiring the shipping container to be located behind the front building line, screened and sufficiently setback from side boundaries.
- 1(ii). In addition, issue a Written Direction to the property owner under section 214(3) of the *Planning and Development Act 2005* giving 60 days for the shipping container to be relocated in accordance with planning approval 2040D or removed from the property.

- 2(i). Rescind resolution number 14862 made at the October 2009 Ordinary Council Meeting.
- 2(ii). Request the CEO amend planning approval 2040D to delete condition 1 requiring the shipping container to be relocated behind the front building line and adding the condition that the shipping container may remain located on the property until 1 November 2010.

- 3(i). Rescind resolution number 14862 made at the October 2009 Ordinary Council Meeting.
- 3(ii). Request the CEO amend planning approval 2040D to delete condition 1 and specify an alternate time from for the shipping container to remain in its current location not being greater than 60 days from the date of the amended planning approval decision.

Policy Implications

There are no policy implications pertaining to this matter; however, it is noted that local planning policy DP7 'Residential Frontage' is presently being reviewed and will have regard to the proposed additional Karratha Objective relating to the location of shipping containers.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

There are no financial implications resulting from this report.

Conclusion

Although the location of the shipping container within the front setback and adjacent the intersection of Higham Street and Stanbridge Way is undesirable due to the resultant reduction in streetscape amenity, granting temporary approval is a compromise that will enable the property owner to seek an alternative storage arrangement.

Planning Services does not recommend that any such determination to this effect be considered as a precedent and will continue to strengthen policy prohibiting shipping containers forward of the building line within residential areas unless otherwise directed.

Voting Requirements

Item 1. One Third

Item 2. Absolute Majority

Item 3 Simple

RECOMMENDATION

That Council:

1. To consider the rescission of Resolution 14862 from the ordinary Council meeting 14 December 2009 in accordance with Government (Administration) Regulations 1996 clause (10).
2. Rescind resolution 14862 from the ordinary Council Meeting 14 December 2009.
3. Request the Chief Executive Officer amend planning approval 2040D for the development of a shipping container at lot 2231 (2) Stanbridge Way, Millars Well by:
 - i. Deleting condition 1 that states:

Prior to this approval having force or effect four [4] copies of a revised site plan generally in accordance with the site plan submitted for the October Ordinary Council Meeting must be submitted to Planning Services for endorsement. The revised site plan must have regard to the following:

- (i) *The location of the sea container being behind the front building line (not within the primary street frontage).*
- (ii) *The sea container being suitably screening from public view to the satisfaction of Planning Services.*

Note: Should additional fencing or other measures to screen the sea container be employed, such measures must be sufficiently documented on the revised site plan and, if necessary, elevations must be submitted.

- (ii) *The sea container being setback a minimum 1500 mm from the secondary street and a minimum 1000 mm from any common property boundary in accordance with the acceptable development provisions contained within the Residential Design Codes of Western Australia and/or local planning policy DP7 'Residential Frontage'.*

Once endorsed the revised site plan shall form part of this approval.

- ii. Amending condition 6 that states:

This decision to approve will expire should;

- (i) *A building licence for the approved development not be received by the Shire of Roebourne within three [3] months of the date of this decision [23 January 2010];*
or
- (ii) *The sea container not be relocated in accordance with the endorsed site plan within six [6] months of the date of this decision [23 April 2010].*

Note: As Council has previously issued a Written Direction under Section 214(3) of the Planning and Development Act 2005 to remove the unauthorised sea container, failure to accord with the conditions of this approval may result in enforcement action being undertaken without further notice.

To read:

“Condition 6 Prior to 1 November 2010 the shipping container shall be removed from the property.

Or

Prior to 1 November 2010:

- (i) The location of the shipping container being behind the front building line (not within the primary street frontage).**
- (ii) The shipping container being suitably screened from public view to the satisfaction of Planning Services.**

Note: Should additional fencing or other measures to screen the shipping container be employed, such measures must be sufficiently documented on the revised site plan and, if necessary, elevations must be submitted.

- (iii) The shipping container being setback a minimum 1500 mm from the secondary street and a minimum 1000 mm from any common property boundary in accordance with the acceptable development provisions contained within the Residential Design Codes of Western Australia and/or local planning policy DP7 'Residential Frontage'.**

Note: Three (3) copies of a revised site plan demonstrating the revised location of the shipping container shall be submitted to and endorsed by Planning Services. Once endorsed, the revised site plan shall form part of this consent.

12 ITEMS FOR INFORMATION ONLY

12.1 CEO & EXECUTIVE SERVICES

12.1.1 INFORMATION ONLY ITEMS - APRIL 2010

Responsible Officer: Chief Executive Officer

Author Name: Personal Assistant to Chief Executive Officer

Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council of the information items for April 2010

Background

None

Issues

None

Options

None

Policy Implications

There are no relevant policy implications pertaining to this matter.

Legislative Implications

There are no relevant legislative implications pertaining to this matter.

Financial Implications

There are no financial implications resulting from this report.

Conclusion

None

Voting Requirements

Simple.

RECOMMENDATION

That Council note the following information items:

- ◆ 12.1.2 Shire President's Mail
 - ◆ 12.1.3 Register of Documents Stamped with the Shire's Common Seal
 - ◆ 12.1.4 Councillor Representatives on Organisations
 - ◆ 12.1.5 Tabled Correspondence
 - ◆ 12.2.1 Budget Amendments for period ending 15 March 2010
 - ◆ 12.2.2 Non-Statutory Donations for period ending 31 March 2010
 - ◆ 12.3.1 K2020 Projects Public Art
 - ◆ 12.4.1 Building Statistics for month of March 21010
 - ◆ 12.4.2 Planning Decisions Issued 3 March - 6 April 2010
-

12.1.2 SHIRE PRESIDENT'S MAIL 4/3/10 to 8/4/10**Responsible Officer:** Chief Executive Officer**Author Name:** Personal Assistant to Chief Executive Officer**Disclosure of Interest:** Nil**REPORT**

Incoming correspondence for the Shire President

Date	From	Subject Details
4/3/10	Rio Tinto	RIO TINTO INVITE PRESIDENT NICKOL LOCKWOOD TO 2009 APPRENTICE AND TRAINEE GRADUATION AND AWARDS
10/3/10	Fitzgerald Strategies	FITZGERALD STRATEGIES SEEK TO MEET WITH SHIRE PRESIDENT AND CEO TO MAKE A BRIEF PRESENTATION TO GAUGE INTEREST - WESTERN AUSTRALIAN COUNTRY SHIRE COUNCILS REPRESENTATION
10/3/10	WALGA	NFO PAGE - REGIONAL TRANSITION GROUPS "RTG RESPONSES ARE DUE TO BE LODGED WITH THE MINISTER BY 26TH MARCH. LOCAL GOVERNMENTS HAVE ASKED WALGA FOR ADVICE ON WHETHER THEY SHOULD PARTICIPATE. RTGS ARE DESIGNED TO ACHIEVE LOCAL GOVERNMENT AMALGAMATIONS.
16/3/10	Minister for Energy Training Advise	MINISTER FOR ENERGY TRAINING ADVISE UNABLE TO ASSIST WITH FUNDING RE PILBARA TAFE CRECHE OCCASIONAL CARE FACILITIES / SERVICE AND ADDITIONAL FUNDING
17/3/10	PRD Nationwide	DETAILED PLANS FOR POOL AREA AND ENTRY STATEMENTS AS REQUESTED - LOT 1090 KARRATHA ROAD
18/3/10	The Hon Anthony Albanese MP	THE HON ANTHONY ALBANESE MP SEEKS TO ENCOURAGE COUNCILS TO PARTICIPATE IN NATIONAL WALK SAFELY TO SCHOOL DAY ON FRIDAY 7 MAY 2010
19/3/10	WALGA	WALGA CLIMATE CHANGE MANAGEMENT TOOLKIT LAUNCH - PLEASE PASS THIS INVITATION ON TO MAYORS AND PRESIDENTS, CEOS AND SENIOR LOCAL GOVERNMENT OFFICERS.
22/3/10	SENATOR CHRISTOPHER BACK	SENATOR CHRISTOPHER BACK WISH TO ACKNOWLEDGED A WONDERFUL TRIP TO KARRATHA AND WILL LEND SUPPORT AT THE PILBARA TO PARLIAMENT PROGRAMME
23/3/10	Aust Local Govt Assoc	2010 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - CALL FOR MOTIONS. WILL BE HELD AT THE NATIONAL CONVENTION CENTRE IN CANBERRA 14-17 JUNE. MOTIONS MUST BE RECEIVED BY 5PM 30 APRIL 2010.
23/3/10	Peter Long	PETER LONG COMPLAINT RE RESEALING OF

		BROOKS WAY IN NICKOL
25/3/10	Department Of Infrastructure Transport Regional Development And Local Government	AUSTRALIAN COUNCIL OF LOCAL GOVERNMENT - THIRD MEETING 17/18 JUNE 2010
26/3/10	National Heart Foundation	NATIONAL HEART FOUNDATION INVITE LOCAL GOVERNMENT TO PARTICIPATE IN HEART FOUNDATION GO RED FOR A WOMEN DAY 11 JUNE 2010
26/3/10	Horton	GREYHOUNDS AUSTRALIA SEEKS COUNCILS TO USE ITS INFLUENCE TO LOBBY THE STATE GOVERNMENT TO ASSIST WITH FUNDING
26/3/10	Gold Coast City Council	Mayor of Gold Coast - GOLD COAST PRINCIPLES FOR INTERGOVERNMENTAL CLIMATE CHANGE COLLABORATION
26/3/10	Murdoch University	WOULD COUNCLIKE LIKEMURDOCH UNIVERSITY TO PROVIDE A BRIEFING TO COUNCIL ON DEVELOPMENTS IN ALGAL BIOFUELS AND WHAT THESE ARE LIKELY TO MEAN FOR THE REGION IN THE NEXT 5-10 YEARS
26/3/10	Brigitte	GREYHOUND AUSTRALIA - SEEKS COUNCILS INFLUENCE TO LOBBY THE STATE GOVERNMENT TO ASSIST
29/3/10	WALGA	RSVP REMINDER - WALGA CLIMATE CHANGE MANAGEMENT TOOLKIT LAUNCH - PLEASE RSVP BY TUESDAY 6TH APRIL
30/3/10	North West Expo	INVITATION FOR NICOLE LOCKWOOD TO ATTEND THE NORTH WEST EXPO 30 APRIL 2010.
31/3/10	Dept of Indigenous Affairs	ROEBOURNE ABORIGINAL REFERENCE GROUP SEEK TO INVITE COUNCILOR GARRY BAILEY TO NEXT MEETING 6 APRIL 2010.
1/4/10	Port Hedland Courthouse Gallery	INVITATION FOR PRESIDENT NICOLE LOCKWOOD TO ATTEND OPENING OF HOME AWAY FROM HOME 23 APRIL 2010 6 PM
6/4/10	Sino iron Project - Cape Preston	CITIC PACIFIC MINING PLEASED TO PROVIDE PLATINUM SPONSORSHIP FOR PILBARA TO PARLIAMENT

12.1.3 Register of Documents Stamped with the Shire of Roebourne Common Seal**Responsible Officer: Chief Executive Officer****Author Name: Personal Assistant to Chief Executive Officer****Disclosure of Interest: Nil**

REPORT PURPOSE

To advise Councillors of documents, as listed below, that have been stamped with the Common Seal of the Shire of Roebourne since the last Council Meeting.

DATE	DOCUMENT
15/3/10	Navigational Aid Lease Airservices and SoR at Karratha Airport.
29/3/10	Minister of Works Lease.

12.1.4 COUNCILLOR REPRESENTATIVES ON ORGANISATIONS

Responsible Officer: Chief Executive Officer

Author Name: Personal Assistant to Chief Executive Officer

Disclosure of Interest: Nil

REPORT

Below is the listing of Councillor Portfolios and Representatives on Organisations within the Shire of Roebourne, both internal and external groups.

External Committees:

EXTERNAL COMMITTEE	DIVISION & STAFF MEMBER [if applic]	COUNCILLOR
Nor West Jockey Club Committee	Community Services	Cr Fiona White-Hartig
Pilbara Regional Council (PRC)	Chief Executive Officer	Cr Lockwood & Cr Hipworth, Crs White-Hartig and Smeathers as proxies
Pilbara Regional Road Group	CEO & Technical Services	Cr Lockwood & Cr Hipworth
Resource Industry Advisory Group	Chief Executive Officer, Community Services, Development Services & Technical Services	Cr Lally, Cr White-Hartig & Cr Hipworth
Visitor Centre(s) Committees	Community Services	Cr Hipworth & Cr Bailey
Walkington Theatre Management Committee	Community Services	Cr Cechner & Cr Smeathers as proxy
West Pilbara Communities for Children Consortium	Community Services	Cr Vertigan & Cr Smeathers as proxy

Internal Portfolio's:

INTERNAL PORTFOLIO'S	COUNCILLOR
Community Services	Cr Lewis, Cr Smeathers, Cr Vertigan & Cr Pritchard
Corporate Services	Cr Lally & Cr Lockwood
Development Services	Cr Bailey, Cr Cechner Cr Hipworth & Cr White-Hartig
Technical Services	Cr Hipworth & Cr Lally

12.1.5 TABLED CORRESPONDENCE**Responsible Officer: Chief Executive Officer****Author Name: PA to CEO****Disclosure of Interest: Nil****REPORT**

Tabled correspondence for Councillors information:

Date	From	Subject Details
04/03/2010	KARRATHA COMMUNITY ASSOCIATION	KARRATHA COMMUNITY ASSOCIATION COMMENTS AND SUGGESTIONS RE CATTRALL PARK UPGRADE
05/03/2010	MINISTER FOR SPORT AND RECREATION , RACING AND GAMING	MINISTER FOR SPORT AND RECREATION ADVISES OUTCOME - APPLICATION FOR COMMUNITY SPORTING AND RECREATION FACILITIES (CSRFF) BACK NETS AND DUGOUTS BULGARRA NOT APPROVED - UPGRADE TO ROEBOURNE AQUATIC CENTRE APPROVED - \$1,000,000.00
05/03/2010	STATE LAND SERVICES	STATE LAND SERVICES ASKS NOW IF COUNCIL ARE IN A POSITION TO COMMENT RE DE WITT LOCATION 22 LEASE H403033 - GRANT OF NEW LEASE - RECREATIONAL GAME FISHING NORTH WEST GAME FISHING CLUB - ROSEMARY ISLAND
05/03/2010	BARRY HAASE (FEDERAL MEMBER OF PARLIAMENT)	BARRY HAASE MP SEEKS FUTHER INFORMATION ON HOSTING A LUNCHEON ROEBOURNE SHIRE'S VISIT TO CANBERRA ON 23 JUNE
10/03/2010	WESTERN AUSTRALIAN LOCAL GOVERNMENT (WALGA)	INFO PAGE - REGIONAL TRANSITION GROUPS RTG RESPONSES ARE DUE TO BE LODGED WITH THE MINISTER BY 26TH MARCH. LOCAL GOVERNMENTS HAVE ASKED WALGA FOR ADVICE ON WHETHER THEY SHOULD PARTICIPATE. RTGS ARE DESIGNED TO ACHIEVE LOCAL GOVERNMENT AMALGAMATIONS."
16/03/2010	BARRY HAASE MHR	BARRY HAASE SEEKS FOR COUNCIL INPUT RE RE REGIONAL SKILLS RELOCATION (SKILLS SHORTAGE)
16/03/2010	NATIONAL RESOURCES SECTOR EMPLOYMENT TASKFORCE	NATIONAL RESOURCES SECTOR EMPLOYMENT TASKFORCE - INVITATION FROM THE HON GARY GRAY MP TO ATTEND THE NATIONAL RESOURCES SECTOR EMPLOYMENT TASKFORCE CONSULTATION MEETING IN KARRATHA ON WEDNESDAY 31 MARCH 2010.
06/04/2010	SINO IRON PROJECT (CAPE PRESTON) - CITIC PACIFIC MINING	CITIC PACIFIC MINING PLEASED TO PROVIDE PLATINUM SPONSORSHIP FOR PILBARA TO PARLIAMENT

12.2. CORPORATE SERVICES**12.2.1 BUDGET AMENDMENTS FOR THE PERIOD ENDING 15 MARCH 2010**

File No: APRIL 2010

Responsible Officer: Executive Manager Corporate Services

Author Name: Expenditure Accountant

Disclosure of Interest: Nil

REPORT

To provide Council with a report on adopted amendments to the original budget and the anticipated effect of those amendments on the surplus/deficit position at the end of the year.

Shire Of Roebourne**Budget Amendments****For The Period Ending 15 March 2010**

Date Of Meeting	Res Number	Account Number	Description	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	New Surplus /(Deficit)
				\$	\$	\$
			Original Budget Closing Estimate			150,552
			Adjustment of Opening Surplus/(Deficit) after Audit			(30,778)
20-Jul-09	14698	340403	Write Off-St Luke's College-project terms revised	117,000		2,774
		420411	Write Off-Christopher Read-disputed charge	3,045		(271)
17-Aug-09	14751	334411	Write Off-Karratha Country Club-disputed calculation methodology	1,858		(2,129)
21-Sep-09	14794	400501	Deposit on 1 triplex block-Baynton West	5,000		(7,129)
	14801	302201	Reduction in contribution to Karratha Visitor Centre	(35,409)		28,280
	14810	332705	Grant-Cossack Archaeological Cyclone Impact Survey		12,515	40,795
		332205	Cossack Archaeological Cyclone Impact Survey	12,515		28,280
19-Oct-09	14846	100200	Write Off Rates-A74669-Eradu Pty Ltd	228		28,052
	14847	380010	Micro-chipping day	1,263		26,789
		400501	Purchase Land-Underboring & surveying	60,395		(33,606)
		334039	Pt Samson Skate Park-carried over from 08/09	2,650		(36,256)
	14857	460200	Airport Security	400,000		(436,256)
	14870	402504	Side Loader Rubbish Truck	12,150		(448,406)
	14870	402504	Purchase 2nd hand Truck	90,000		(538,406)
	14870	402905	Proceeds of sale of Rubbish Truck		(14,150)	(552,556)

Shire Of Roebourne
Budget Amendments (con't)
For The Period Ending 15 March 2010

Date Of Meeting	Res Number	Account Number	Description	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	New Surplus /(Deficit)
16-Nov-09	14873	100200	Write Off Rates-A1370-F Plath	23,402		(575,958)
	14873	100200	Write Off Rates-A1371-J & J O'Meehan	22,708		(598,666)
	14873	100200	Write Off Rates-A1372-J & J O'Meehan	22,879		(621,545)
	14889	510721	Health-new notification & registration system		40,000	(581,545)
	14892	951000	Sentinel Chicken Coop	30,000		(611,545)
14-Dec-09	14909	102556	Transfer to Infrastructure Reserve	(595,596)		(15,949)
	14909	110010	Office Expenses-Corporate Services	595,596		(611,545)
	14910	334411	Write Off-W Pilbara Softball	2,270		(613,815)
		460411	Write Off-Helicopters (NZ)	22,962		(636,777)
		404411	Write Off-Karratha Caravan Hire	256		(637,033)
		404411	Write Off-Al's Burgers & Kebabs	297		(637,330)
		110411	Write Off-Antoinette Councillor	418		(637,748)
		340403	Write Off-Public Transport Authority	10,000		(647,748)
		110411	Write Off-Aust Maritime Safety	62		(647,810)
	14911	100200	Write Off-A31063-Sulcon	607		(648,417)
		100200	Write Off - A54568-Gold Developments	106		(648,523)
		100200	Write Off-A78757-Woodside Burrup Pty Ltd	398		(648,921)
	14912	328506	Purchase windsock-RAC	3,000		(651,921)
		326506	Purchase windsock-KAC	3,000		(654,921)
		520505	Transfer to 520503-purchase plotter	(23,000)		(631,921)
		520503	Transfer from 520505-purchase plotter	23,000		(654,921)
		332040	Transfer to 332503-purchase fridges	(6,200)		(648,721)
		332503	Transfer from 332040-purchase fridges	6,200		(654,921)
		432506	Transfer to 432505-BA Set	(11,737)		(643,184)
		432505	Transfer from 432506-BA Set	11,737		(654,921)
		432505	Replacement pump-Bulgarra EWS	6,377		(661,298)
		424505	Drop side tool box for Retic ute	0		(661,298)
		460503	Transfer to 462503	(18,000)		(643,298)
		462503	Transfer from 460503-TV, Stove, Bain Marie for TTI	18,000		(661,298)
		330502	Roebourne Library-demolish old, install new toilet c/f from 2008/09	33,920		(695,218)
		404719	Rebate-used oil collection		758	(694,460)
		460851	Transfer from Aerodrome Reserve		400,000	(294,460)
	14921	942400	Transfer to 934203-Shade Structures	(700,000)		405,540
		934203	Transfer from 942400-Shade Structures	700,000		(294,460)
15-Feb-10	14983	400905	Sale of 944 Harding & 38 Nelley		1,300,000	1,005,540
		400010	Cost of sale of 944 Harding & 38 Nelley	10,000		995,540
		400559	Transfer to Housing Reserve	1,290,000		(294,460)
1-Mar-10	14996	Various	Budget Review	(356,535)		62,075
			Totals	1,796,822	1,739,123	
			Current Budget Position is a surplus of		62,075	

12.2.2 NON STATUTORY DONATIONS FOR PERIOD ENDING 31 MARCH 2010

File No: APRIL 2010
Responsible Officer: Executive Manager Corporate Services
Author Name: Expenditure Accountant
Disclosure of Interest: Nil

REPORT

To provide Council with a summary of Non Statutory Donations made during the specified period.

**Shire Of Roebourne
 Non Statutory Donations
 For The Period Ending 31 March 2010**

	Original Budget \$	Amended Budget \$	Actual \$
St Vincent de Paul - waste collection reimbursement	7,463	7,463	2,962.93
Hampton Harbour Boat & Sailing Club	5,000	5,000	5,000.00
Roebourne Sobering-Up Shelter	5,000	5,000	
Salvation Army-Red Shield Appeal	3,000	3,000	
St John Ambulance Sub Centre Roebourne	9,000	9,000	5,583.68
Lions Club of Karratha	8,000	8,000	
West Pilbara Volunteer Search Rescue	2,000	2,000	
Nor West Jockey Club	4,000	4,000	4,000.00
Karratha Emergency Relief Assoc	2,000	2,000	
Youthcare West Pilbara	2,000	2,000	
Wickham Youth Group	5,000	5,000	5,000.00
Karratha Districts Chamber of Commerce & Industry	2,500	2,500	2,500.00
Lotteries House Insurance	4,600	4,600	4,600.00
Karratha Baptist Church Create & Connect Craft Group	16,891	16,891	
3rd Karratha Scout Group	5,000	5,000	
Karratha Community House	29,800	29,800	
Juluwarlu Aboriginal Corporation	18,100	18,100	
Link Inc	5,833	5,833	5,833.00
Yaandina Family Centre	20,000	20,000	
FeNaCLNG Fireworks display	6,000	6,000	
FeNaCLNG Children's activities	15,000	15,000	
Ministers Association	1,000	1,000	
Budget Review Amendment (to be reversed)		177,187	
	177,187.00	354,374.00	35,479.61

12.3. COMMUNITY SERVICES**12..3.1 K2020 PROJECTS PUBLIC ART**

File No:	CM.24
Attachment(s)	K2020 Projects Public Art Consultancy Brief
Responsible Officer:	Executive Manager Community Services
Author Name:	Project Manager K2020
Disclosure of Interest:	Nil

REPORT PURPOSE

To advise Council of the current status of the Public Art component of the Baynton West Family Centre and the Bulgarra Community Centre.

Background

At its meeting held on the 14th December 2009, Council resolved vide Resolution 14918

That Council:

- 1 *ENDORSES the appointment of artist for the Public Art components of the Baynton West Family Centre and the Bulgarra Community Centre through a public submission process.*
- 2 *NOMINATES the selection panel for the assessment of submissions for the appointment of artists for the Baynton West Family Centre and the Bulgarra Community Centre as the Shire President (or nominee), the Chief Executive Officer, the Executive Manager Community Services and the Manager Community Facilities to be supported with technical input from the Project Architect and the Project Manager K2020.*
- 3 *NOTES the selection panel will bring forward recommendations for the appointment of artists for the Baynton West Family Centre and the Bulgarra Community Centre to the April 2010 meeting of Council.*
- 4 *NOTES the process for the appointment of artists for the Baynton West Family Centre and the Bulgarra Community Centre will be managed by the Project Manager K2020 and FURTHER NOTES the administrative costs will be charged to the relevant project allocations.*
- 5 *ENDORSES the general criteria for the appointment of artists for public art component of the Baynton West Family Centre and the Bulgarra Community Centre will be as follows:*
 - a. *The appointment of artists resident in the Shire of Roebourne will have a clear and stated preference.*
 - b. *There will be separate appointment for the Baynton and Bulgarra components.*
 - c. *The budget allocations will be on the basis of “fully installed and commissioned” art i.e. all design, construction, transport, installation and artist’s commission and expenses.*

- d. *The “art” will have to comply with all relevant statutory and regulatory conditions.*
- e. *The Project Architect will be involved in the selection of the artists and provide appropriate technical advice on the location and installation of the pieces.*
- f. *The artists having to meet construction and installation timelines consistent with the overall projects established timelines.*

Subsequent to the decision of Council in December, discussions were held with Landcorp with the proposition having been put forward that the Baynton West Family Centre and Bulgarra Community Centre Public Art components be absorbed into the Baynton West subdivision public art project being coordinated by Landcorp.

The outcome of these discussions was that agreement could be reached on the Shires involvement and timetabling issues.

In view of the time that had elapsed, it was decided to seek professional external assistance to coordinate the project.

A detailed Consultancy Brief was prepared and is submitted as ATTACHMENT 1. The Scope of Services to be undertaken by the Consultant was enunciated as follows:

- Preparation of a Project Plan which will outline the methodology to be undertaken, key performance dates and indicative consultation programme
- Undertake all necessary consultation with nominated stakeholder groups
- Liaison with the Project Architect in all phases of the project
- Prepare a Public Art Design Report which will address the following issues:
 - Recommended form of public art for each facility
 - Artist commissioning process
 - Limit of cost estimates
 - Timetable (to be coordinated with Project Architect)
- Implement the commissioning and installation process in liaison with the Project Architect and the Project Manager
- Certify progress payments to the artist
- Provide Practical Completion Certificate

The Project Budget was established as \$165,000 which includes all fees, charges, out of pockets, travel, transport and accommodation costs, and the commissioning and installation of the approved Public Art.

Issues

In discussions with Landcorp it was ascertained that they had appointed FORM to coordinate the broader public art project in Baynton West. There are several synergies between the two projects and benefits to be gained by Council in engaging FORM including;

- Managing the project from strategy, curation, design, fabrication and installation;
- Establish the conditions for public art to enrich the public environment, encourage local creativity and to reflect Karratha’s sense of identity and Indigenous cultural heritage.

- Utilising FORM's strong and established relationship with Roebourne Art Group (RAG) by leveraging the artistic development and cultural maintenance program FORM is taking the artists through over the next 18 months;
- Ensuring that RAG, despite having limited experience with public art projects, are engaged in an authentic and meaningful way during the project by an appropriately qualified professional artist or group of artists;
- Operating as a conduit between RAG/artists and the Shire of Roebourne/CODA;
- Working closely with CODA to ensure that public art enhances the quality of the facilities and to maximise the opportunities of integrating the artwork with the base building during the Design Development phase;
- Applying six years of experience in developing the cultural and creative capacity of town centres and Aboriginal communities across the Pilbara, bringing to the project an intimate understanding of the unique set of challenges and opportunities presented with working in the region; and
- Ensuring a regular, on-the-ground presence during the project's development, delivery and beyond.

The lump sum fee proposal from FORM was in the sum of \$16,500 (+GST) which is inclusive of all fees and charges, travel and accommodation costs and incidentals.

ATTACHMENT 12.3.1 K2020 PROJECTS PUBLIC ART CONSULTANCY BRIEF



SCOPE OF SERVICES

CONSULTANCY

K2020 PUBLIC ART PROJECT

K2020 PUBLIC ART PROJECT

Project Objectives

To develop a strategy for the commissioning and installation of the Public Art component of the Baynton West Family Centre and Bulgarra Community Centre projects.

Background

The Shire has adopted the Karratha 2020 Vision and Community Plan (K2020) which establishes the principles underpinning the future planning and development of the Shire and towns within it.

K2020 identifies some key community facility projects that have been prioritised by Council for immediate development. Among them are the Baynton West Family Centre to be located in the new western section of Baynton and the Bulgarra Community Centre located on Bulgarra Oval. The outcome will be two new facilities at the extreme ends of the town which are designed to meet present and emerging needs.

Present Status

The Shire has appointed CODA Studio Pty Ltd as Project Architect for both facilities and Davis Langdon as the Project Cost Manager.

The status is that Council has endorsed the Schematic Design drawings and associated Schematic Design reports and the projects are now advancing to the Design Development phase. The current timetable calls for Council endorsement of the final plans and specifications in June of 2010, with tenders to be called in July, construction contract to be let in August/September and construction to commence in September/October 2010.

Council resolved that the commissioning of Public Art for both projects is to be carried in accordance with its Public Art policy.

Baynton West Family Centre

K2020 has identified that there is very high unmet need for child care facilities in Karratha.

In developing the project objective for the Baynton West Family Centre it was agreed with the user groups and groups that would be expressed as being:

"To develop a contemporary, innovative family centre providing a "one stop" facility for parent/child care and development"

This principal has guided the design development at all times and is manifest in the adopted design. A key element in the design process has been to construct an innovative "go to" facility that successfully addresses the climatic conditions and provides a "have" for children and their carers.

In outline terms the Centre provides the following integrated functional modules:

- | | |
|------------|--|
| Playgroup | Two playgroup areas, each have a capacity for 20 children. |
| Child Care | A full Day Care centre providing for 50 children. |

K2020 PUBLIC ART PROJECT

Family Services	A module providing infant health clinics, counselling clinics, specialist's medical suite, office accommodation for small "Not For Profit" groups.
Community Centre	Reception Area, 2 Committee Rooms, 2 workshops both with the flexibility to be joined for larger user groups.

The user groups also identified a need for a social networking or meeting place for new and longer term parents alike. The introduction of a small cafe/kiosk will provide an amenity and atmosphere conducive to networking and informal casual meetings. It and the central courtyard will provide the "social" hub of the Centre.

Bulgarra Community Centre

The Bulgarra Oval Master Plan Report and K2020 identified that a community centre was needed in Bulgarra to meet unmet need. It was to comprise of a Community Hall, Community Meeting Room and associated amenities. The existing changerooms were to be upgraded as part of the project and additional lighting and power installed on the oval to cater for future FeNaCLng Festival's.

Subsequently, Council resolved to enhance the Centre by adding an Occasional Child care Centre and a Playgroup.

The endorsed Schematic Design meets all of the objectives established by Council with the additional benefit of indoor/outdoor facilities which integrate into the adjoining playing fields. The concept has met with wide community approval.

Community Involvement

The Shire is anxious, where applicable, to promote artists within our local community (whole of Shire). Whilst the Shire recognises that we have a talented base of artists in many artistic formats, it also cognisant of the fact that they may not have the skills or experience to actively undertake a Public Art commission.

Public Art

The Shire, as Client, does not want to impose design caveats on the public art other than that it must celebrate our community, the contribution that family and volunteers make to our town and enhance the quality of overall facilities. However, the Client is more in favour of a more physical representation of Public Art than images or paintings.

In order to achieve this outcome, there must be a meaningful liaison with the CODA Studio Pty Ltd to identify the type of "art" to be focussed on which will produce the best outcome for each structure.

Consultation will also take place with our key stakeholder user groups to determine their preferences and the underlying reasons for them.

For the purpose of a definition of "Public Art" the following has been sourced from the artsource website:

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PUBLIC ART

In WA, art in public places can be defined as anything designed or created with the assistance of an artist and located in a public place. This is more generally known as 'public art'. The term has come to include both traditional sculpture outside a gallery environment and functional objects such as artist-designed seating, lamp posts and paving.

Public art can be found in streets, the forecourts of public buildings, in shopping centres, beach fronts or any space that is accessible to people.

Public art can be very sophisticated in its ideas and fabrication or it may be utterly simple in its form and content. The common elements of art in public places are that they are accessible to the public and that an artist has been involved in the design, or design and fabrication.

Project Budget

The sums of \$75,000 have been allocated for the Bulgarra Community Centre project and \$90,000 for the Baynton West Family Centre project.

These sums are inclusive of all fees, charges, out of pockets, travel, transport and accommodation costs, and the commissioning and installation of the approved Public Art.

Scope of Services

The Shire wishes to engage FORM to coordinate the Public Art component of these projects which will comprise:

- Preparation of a Project Plan which will outline the methodology to be undertaken, key performance dates and indicative consultation programme
- Undertake all necessary consultation with nominated stakeholder groups
- Liaison with the Project Architect in all phases of the project
- Prepare a Public Art Design Report which will address the following issues:
 - Recommended form of public art for each facility
 - Artist commissioning process
 - Limit of cost estimates
 - Timetable (to be coordinated with Project Architect)
- Implement the commissioning and installation process in liaison with the Project Architect and the Project Manager
- Certify progress payments to the artist
- Provide Practical Completion Certificate.

Project Management

The Shire of Roebourne representative will be the Project Manager K2020 who is authorised to issue instructions of behalf of the Shire. Contact details are Mr Geof Whyte Phone 9186 8555, email geof.whyte@roebourne.wa.gov.au

The Public Art Report will have to be endorsed by the K2020 Project Reference Group prior to be approved by the Council

K2020 PUBLIC ART PROJECT

Fee Proposal

You are invited to submit a fixed lump sum fee proposal which will include all fees, charges, out of pockets, travel, accommodation and any other associated costs and be exclusive of GST.

The commissioning of the artists for the Public Art will be on the recommendation of the consultant directly to the Shire of Roebourne who will be responsible for the payment of the artist's fee and charges upon the recommendation of the Consultant.

12.4 DEVELOPMENT SERVICES

12.4.1 BUILDING STATISTICS FOR THE MONTH OF MARCH 2010

File No: GR.27
Responsible Officer: Manager Building Services
Author Name: Development Services Officer
Disclosure of Interest: Nil

REPORT

To advise Council of the following Building Statistics

BUILDING LICENCES APPROVED	NO. SOLE OCCUPANCY UNITS	MARCH 2009	NO. SOLE OCCUPANCY UNITS	MARCH 2010
NEW RESIDENCES		22		26
GROUP DWELLINGS		1	3	1
TRANSIENT WORKFORCE ACCOMMODATION		0		0
COMMERCIAL/ INDUSTRIAL DEVELOPMENTS		4		2
MISCELLANEOUS ADDITIONS (INC. AND OUTBUILDINGS)		25		39
SWIMMING POOLS/SPAS		10		12
TOTAL		62		80
VALUE		\$22,469,501		\$14,910,865

BUILDING LICENCES APPROVED (CUMULATIVE)	NO. SOLE OCCUPANCY UNITS	1 JULY 2008 TO 31 MARCH 2009	NO. SOLE OCCUPANCY UNITS	1 JULY 2009 TO 31 MARCH 2010
NEW RESIDENCES		225		170
GROUP DWELLINGS	16	3	10	4
TRANSIENT WORKFORCE ACCOMMODATION	2232	10	610	9
COMMERCIAL/ INDUSTRIAL DEVELOPMENTS		66		63
MISCELLANEOUS ADDITIONS (INC. AND OUTBUILDINGS)		339		325
SWIMMING POOLS/SPAS		83		91
TOTAL		726		662
VALUE		\$372,548,087		\$259,368,885

12.4.2 PLANNING DECISIONS ISSUED - 3 MARCH TO 6 APRIL 2010

File No: TA/1/1
Responsible Officer: A/Manager Planning Services
Author Name: Planning Assistant
Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council of the following planning and WAPC subdivision decisions issued for the above period.

APPL. #	DECISION	OWNER	APPLICANT	ADDRESS	APPLICATION TYPE	DEVELOPMENT
2098	APPROVED DELEGATE	PASTORAL MANAGEMENT PTY LTD	PASTORAL MANAGEMENT PTY LTD	NORTH WEST COASTAL HIGHWAY, MARDIE	DEVELOPMENT	1954 PERSON TRANSIENT WORKFORCE ACCOMMODATION FACILITY
2149	APPROVED DELEGATE	SITE ACCOMMODATION PTY LTD	MASTERPLAN CONSULTANTS WA PTY LTD	LOT 1072 CHERRATTA ROAD KARRATHA INDUSTRIAL ESTATE	DEVELOPMENT	TRANSIENT WORKFORCE ACCOMMODATION FACILITY [11 FOUR-PERSON ACCOMMODATION UNITS, 2 TWO-PERSON ACCOMMODATION UNITS, DINING FACILITY/CYCLONE SHELTER AND ANCILLARY BUILDING AND WORKS
2163	APPROVED WAPC	STATE OF WA	LANDCORP C/- URBIS	LOT 507 AND PT LOT 300 DAMPIER HWY, GAP RIDGE	SUBDIVISION/ AMALGAMATION	ONE HUNDRED AND FIFTEEN [115] LOT SUBDIVISION [GAP RIDGE INDUSTRIAL ESTATE]
2170	APPROVED DELEGATE	REX O'LEARY (KBC PTY LTD)	PETER COX (CONCRETE LOGISTICS)	LOT 1015 COOLAWANYAH ROAD KARRATHA INDUSTRIAL ESTATE	DEVELOPMENT	CONCRETE BATCHING PLANT, CARETAKERS DWELLING AND ANCILLARY WORKS ASSOCIATED WITH A NOXIOUS INDUSTRY [CONCRETE BATCHING PLANT]
2203	APPROVED DELEGATE	PETER WILLIAM SEERS	PETER WILLIAM SEERS	LOT 3492 [7] MCDERMOTT WAY NICKOL	R-CODE VARIATION	OUTBUILDING WITH FLOOR AREA [92SQM] GREATER THAN 10% OF SITE AREA
2209	APPROVED DELEGATE	BRETT JOHN NEWLAND	BRETT JOHN NEWLAND	LOT 968 [968] HARDING WAY BULGARRA	R-CODE VARIATION	OUTBUILDING WITH REDUCED SIDE SETBACK [1000MM] AND WALL HEIGHT 3000MM
2210	APPROVED DELEGATE	WESTCOAST OUTBACK SAFARIS PTY LTD	WEST COAST OUTBACK SAFARIS PTY LTD	LOT 12 COOLAWANYAH ROAD KARRATHA INDUSTRIAL ESTATE	DEVELOPMENT	STORAGE SHED AND ANCILLARY WORKS
2213	APPROVED DELEGATE	JOSEPH ANDREW NEWMAN	JOSEPH ANDREW NEWMAN	LOT 287 [6] TREETOP CRESCENT NICKOL	R-CODE VARIATION	OUTBUILDING WITH REDUCED SIDE SETBACK [500MM] AND WALL HEIGHT 2900MM

2219	APPROVED DELEGATE	CORNE SNELLENBURG	CORNE SNELLENBURG	LOT12 [97] MARNIYARRA LOOP BAYNTON	R-CODE VARIATION	OUTBUILDING WITH REDUCED REAR BOUNDARY SETBACK [0MM]
2223	APPROVED DELEGATE	JEFFREY JOHN MOIR	JEFFREY JOHN MOIR	LOT 33 [20] BRUSHTAIL STREET BAYNTON	R-CODE VARIATION	SINGLE HOUSE WITH REDUCED FRONT SETBACK [4415MM]
2229	APPROVED DELEGATE	(GRV PROPERTIES) WOODSIDE ENERGY LTD	STEPHEN PETER GATES	LOT 2285 [2] BURNSIDE CLOSE MILLARS WELL	R-CODE VARIATION	OUTBUILDING WITH REDUCED SECONDARY STREET SETBACK [1000MM]
P2230	APPROVED DELEGATE	STATE OF WA	NATIONAL LIFESTYLE VILLAGES	LOT 1121 WARAMBIE ROAD PEGS CREEK	DEVELOPMENT	BULK EARTHWORKS AND INFRASTRUCTURE WORKS TO FACILITATE THE DEVELOPMENT OF SERVICE WORKERS PARK HOME VILLAGE

Note – Determinations of Subdivision/Amalgamation applications made by the Western Australian Planning Commission

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

15 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

16 CLOSURE & DATE OF NEXT MEETING

Monday 17 May 2010 at 6.30pm