



Town of Port Hedland

MINUTES

OF THE

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

HELD ON

WEDNESDAY 26 SEPTEMBER 2007

COMMENCING AT 5.40PM

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

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*Chris Adams
Chief Executive Officer*

OUR COMMITMENT

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

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16.2 CLOSURE222

ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the meeting open at 5:40 pm and acknowledged the traditional owners, the Kariyarra people.

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

Mayor S R Martin
Cr A A Carter
Cr G D Bussell
Cr G J Daccache
Cr J M Gillingham
Cr D R Pike
Cr S F Sear

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

Members of Public	8 (including Emergency Management Officer)
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Members of the Media	1
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2.2 Apologies

Cr A A Gear

2.3 Approved Leave of Absence

Nil

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held Wednesday 22 August 2007.**

Nil.

3.1 Questions from Public at Special Council Meeting held Wednesday 5 September 2007.

Nil.

ITEM 4 PUBLIC TIME**4.1 Public Questions**

5:41 pm Mayor opened Public Question Time.

4.1.1 Mr Eric Thomson

What are the chances of [South Hedland Swans Football Club representatives] having a meeting with the Town of Port Hedland to discuss the possibility of the Club entering into a leasing arrangement or a Memorandum of Understanding with the Swans Football Club, to have a clear understanding of the roles and responsibilities of both parties during the football season?

Chief Executive Officer advised he is more than comfortable to hold a meeting with representatives of the Swans Football Club and Council's recreation staff to address this matter.

4.1.2 Mrs Jan Ford

Can Council arrange for the front entrance doors to be operating when Council and public meetings are held in the Civic Centre, as requested last month?

Chief Executive Officer apologised for not having actioned this request in preparation for tonight's meeting and advised the front doors will be open for the next Ordinary Meeting of Council.

Director Corporate Services advised there were some security matters to be dealt with for this to happen.

5:43 pm Mayor closed Public Question Time.

4.2 Public Statements

5:43 pm Mayor opened Public Statement Time.

Nil.

5:43 pm Mayor closed Public Statement Time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE**5.1 Councillor Des R Pike**

What is the status of the construction of the SES shed?

Director Regulatory and Community Services advised that the construction of the SES shed is completed. The SES is now organising contractors to complete the fitting-out of the shed.

Chief Executive Officer added that it is anticipated the shed will be complete, including fitting out, and fully occupied by the end of October.

5.2 Councillor Grant D Bussell

In relation to pool opening hours, is it too late to review these?

Chief Executive Officer advised that the pool opening hours could be reviewed with the YMCA Inc. In the event of the pool opening hours requiring to be changed, a contract variation would be required to be negotiated with YMCA Inc. The matter will be raised at the Aquatic Centres Advisory Working Group meeting, and a report will be prepared to Council's consideration.

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

The following Members verbally declared to have given due consideration to all matters contained in the Business Paper presented before the meeting:

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

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 22 August 2007.****200708/001 Council Decision/Officer's Recommendation****Moved:** Cr A A Carter**Seconded:** Cr G D Bussell

That the Minutes of the Ordinary Meeting of Council held on Wednesday 22 August 2007 be confirmed as a true and correct record of proceedings.

CARRIED 7/0**7.2 Confirmation of Minutes of Special Meeting of Council held on Wednesday 5 September 2007.****200708/002 Council Decision/Officer's Recommendation****Moved:** Cr A A Carter**Seconded:** Cr S F Sear

That the Minutes of the Special Meeting of Council held on Wednesday 5 September 2007 be confirmed as a true and correct record of proceedings with the following amendments:

- . **Item 6.1.1.3 (page 29) Council Decision 200607/424 (Page 38) Clause ii) a) delete "should", insert "to"; and**
- . **Item 6.1.1.3 (page 29) Council Decision 200607/424 (Page 38) Clause ii) g) insert "classification" for clause to read "a review of "use" categories under general use classification should be undertaken".**

CARRIED 7/0**ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION**

Nil

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**9.1 *Councillor George J Daccache***

Councillor Daccache advised of his attendance to the Local Government Managers Australia Conference 'Western Australian local Government in 2027 – A Symposium on the Future', and advised a report will be distributed to all Councillors.

**ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/
 SUBMISSIONS**

Nil.

ITEM 11 REPORTS OF OFFICERS

11.1 Governance

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

Officer Gaye Stephens
Executive Assistant

Date of Report 27 August 2007

Disclosure of Interest by Officer Nil

Summary

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

Background

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

Officers Comments

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

Statutory Implications

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

“2.7. The role of the council

(1) The council -

(a) directs and controls the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to -

(a) oversee the allocation of the local government's finances and resources; and

(b) determine the local government's policies.”

Policy Implications Nil

Strategic Planning Implications

KRA 6 – Governance
Goal 6 – Systems Development

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

Budget Implications

Nil

Officer's Recommendation

200708/003 Council Decision/Officer's Recommendation

Moved: Cr S F Sear

Seconded: Cr J M Gillingham

That the 'Status of Council Resolutions' Report as presented to the Council's Ordinary Meeting held on 26 September 2007 be received.

CARRIED 7/0

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
Ordinary Meeting held 23 May 2007				
11.2.2.3	Prop. Schem. Amend. to Rezone lot 2115 Stanley Street SH from “Comm.” to “Comm. / Res. R 30”	200607/308 Council Decision That Council i) defer consideration of the potential rezoning of this site until further discussions are held with the proponent regarding potential development density, road layout, open space provision, pedestrian and bicycle access, pundul tree preservation and other planning matters; and ii) invite the proponents of Lot 2115 to the June Council briefing session to discuss their potential rezoning proposals with Council in more detail.	RESPONSIBLE OFFICER: Planning Officer Applicant is considering the options. Report to September Cl. Mtg.	üCOMPLETE
11.3.1.4	Tender 06/43 West End Greening Stg 1A Landscape and Irrigation Works	200607/316 Council Decision That: i) Council Reject all tenders that were submitted for Tender 06/43 West End Greening Stage 1a Landscape and Irrigation Works ii) Officers review the designs and specifications with the aim of amending the scope of works to a level whereby the majority of the project can be delivered for the stipulated budget. iii) Council project manage the implementation of the project using subcontractors to undertake specific elements of the works that are identified in the revised scope of works. Note: Quotations for subcontracted works are to be obtained as per Council's procurement policy. iv) Council give consideration in the 2007/08 budget for a project officer for similar projects in the future.	RESPONSIBLE OFFICER: Director Engineering Services Scope of works revised. Liaising with contractors for quotes. Works being scheduled for October 2007, Works to be completed by early 2008.	
Special Meeting held 30 May 2007				
6.1.1.1	Request for Reconsideration – Prop. Scheme Amend. to Rezone Lots 2116 & 2117 North Circular Rd, SH	200607/332 Council Decision That Agenda Item 6.1.1.1 ‘Request for Reconsideration - Proposed Scheme Amendment to Rezone Lots 2116 and 2117 North Circular Road South Hedland’ pending further information/amended plans being received from developer.	RESPONSIBLE OFFICER: Director Regulatory and Community Services. Awaiting feedback from proponents. Report to October Cl. Mtg	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
6.1.1.2	Proposed Adoption from “Other Public Purposes – Energy” to “Tourism” Zone	200607/333 Council Decision That Council: 1) initiate a Town Planning Scheme Amendment to the <i>Town of Port Hedland Town Planning Scheme No. 5</i> by: ... 2) advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority; 3) advise LandCorp that prior to a Development Application being submitted for Lot 406 Acton Street, Port Hedland, that a Structure Plan and supporting documentation be developed, submitted and supported by the Town and its nominated Urban Design Consultant for the Special Design/Use Area as shown in Attachment 3 of this report; 4) advise the applicant of the historical significance of the Tamarind Tree and the general area that surrounds it. The Tamarind Tree appears on the Municipal Heritage Inventory and Council will require its significance to be recognised as part of any future development; and 5) advise the proponent of the environmental significance of Cemetery Beach area and indicate that any development proposal will require consideration of light sensitive design within the proposal (suitable for the turtle nesting season) , and the inclusion of other environmentally sensitive design principles.	RESPONSIBLE OFFICER: Manager Planning EPA assessment received. Currently being advertised. Report to September/October Council meeting.	September/October 2007
Ordinary Meeting held 27 June 2007				
11.2.2.5	Proposed Closure of a Portion of Catamore Court Road Reserve	200607/340 Council Decision/Officer’s Recommendation That Council: i) requests the Minister for Lands to close the Catamore Court Road Reserve to the extent described in the plans dated 15 May 2007; and ii) advises the applicant that any easements required by service providers at the developers cost.	RESPONSIBLE OFFICER: Planning Officer. Sent to DPI. Awaiting confirmation	üCOMP :
11.2.2.10	Proposed Public Advertising of the DRAFT LUMP	200607/347 Council Decision/Officer’s Recommendation That Council: 1. adopts the Draft Land Use Master Plan as a Draft Local Planning Strategy and consents to its advertising for a period of public comment; 2. adopts the Draft Land Use Master Plan as a Draft Local Planning Strategy, pursuant to Regulation 12A of the Town Planning Amendment Regulations 1999, and requests the Western Australian Planning Commission’s certification, under Regulation 12B(2), to advertise the strategy for public comment.	RESPONSIBLE OFFICER: Manager Planning. Being undertaken	üCOMPLETE
11.3.1.3	Don Rhodes Mining Museum Safety Audit	200607/354 Council Decision/Officer’s Recommendation That Council: i) implements the following upgrade works: a) installation of fencing around all locomotives and plant b) removal/sealing of items identified as dangerous c) installation of cracker dust around museum pieces d) installation of signage e) removal of lead based paints, including repainting of plant; to the expenditure limit set by current carried forward budget of \$29,200; and ii) pursues additional funding of \$150,000 required to carry out above recommended works.	RESPONSIBLE OFFICER: Director Engineering Services. Works scheduled – pending availability of funding. Quotes being sourced	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.1.8	Transient Workforce Accom. – Airport	200607/365 Council Decision/Officer's Recommendation That Council: i) issues an Expression of Interest to the market to determine demand and rental value of the project; ii) engages a consultant to provide complete engineering costing of the project; and iii) receives a feasibility report on the Airport transient workforce accommodation proposal before progressing with the development.	RESPONSIBLE OFFICER: Director Corporate Services. Superseded by Item 6.3.1.2 Special CI Mtg 05.09.07	ü COMPLETED
11.4.1.9	Request for Lease Renewal – Air BP at PHIA	200607/366 Council Decision/Officer's Recommendation That Council: i) approves the disposal of land, being a portion of Port Hedland International Airport currently used by Air BP, by way of lease, by private treaty, as per s3.58(3) of the Local Government Act 1995, with the following terms; ... ii) permits the Town of Port Hedland seal be affixed and Major and Chief Executive Officer be authorised to sign the lease documentation, should no submissions be received by Council after the advertising period in accordance with section 3.58 of the Local Government Act 1995.	RESPONSIBLE OFFICER: Director Corporate Services. Valuation undertaken. Awaiting receipt of report.	
11.4.1.10	Local Laws Review and Amendment	200607/367 Council Decision/Officer's Recommendation That Council: i) commences a formal review of all it's Local Laws as per Section 3.16 of the Local Government Act 1995; ii) commences the process of amending Council's Reserve and Foreshore Local Law by replacing Clause 17 with the following, as per section 3.12 of the Local Government Act 1995: <i>"17. The modified penalty for any offence against this Local Law is \$100 during the period 1st May and 31 August of each year, and \$500 for a first offence, and \$1,000 for a subsequent offence during the period of 1st October of each year and 30 April of each subsequent year."</i> ; and iii) commences the process of adding Part 6, to Council's General Provisions Local Law, being, as per section 3.12 of the local government act 1995: <i>"Part 6 Native Tree Protection 6.1 That no Owenia reticulata (referred to as Pundul or Desert Walnut) Tree within the district will be removed, damaged or destroyed without written authorisation from Council 6.2 A person who commits an offence against this Local Law, with regard to Part 6, shall be liable on conviction, to a maximum penalty of \$1,000 and if the offence is of a continuing nature to a daily penalty not exceeding \$100."</i>	RESPONSIBLE OFFICER: Director Corporate Services. Advertising period complete. No submissions received. Staff mtg next week to discuss WALGA model Local Laws. Staff recommendation to be presented to CI Local Laws WG 3.10.07.	
Ordinary Meeting held 25 July 2007				
11.2.1.2	Amendment to Delegation Register	200607/381 Council Decision That Agenda Item 11.2.1.2 'Amendment to Delegation Register' lay on table, awaiting the provision of a marked up copy being distributed to Councillors by Director Regulatory and Community Services, which highlights each of the delegations of Number 40 showing the proposed changes.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Report to September CI Mtg.	September 2007
11.2.2.5	Proposed LPP No. 9 – Res. Road Reserves	200607/386 Council Decision/Officer's Recommendation That Council: i) adopt Local Planning Policy No. 9 – Residential Road Reserves as a local planning policy pursuant to Part V of the <i>Town of Port Hedland Town Planning Scheme No. 5</i> ; and ii) publish notice of this resolution.	RESPONSIBLE OFFICER: Planning Officer	üCOMP.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
12.1.1	Proposed Caretakers' Dwellings in Industrial Areas	200607/400 Council Decision That Agenda Item 12.1.1 'Proposed Caretakers' Dwellings in Industrial Areas' lay on table on the condition that Council considers this matter at its Ordinary Council Meeting to be held on 22 August 2007.	RESPONSIBLE OFFICER: Planning Officer Included in Aug. Cl. Briefing Session Report to September Cl. Mtg.	üCOMPLETE
Ordinary Meeting held 22 August 2007				
11.2.1.2	Court House Gallery Management	200607/410 Council Decision That Council: i) engage Form Contemporary Craft and Design Inc. to: a) Draw up a 2year operational plan for the arts centre; b) Project manage the change to an incorporated not-for-profit status; c) Advise on the Board of Management for the incorporated body; d) Consult with other parties within the cultural arts precinct about future options for a possible Board of Management; e) Provide professional development and support to Gallery staff; and f) Define and develop the artistic direction of the Gallery exhibitions; and ii) note that the above actions will create and additional operational loss of \$38,750.00 for the Courthouse Arts Centre and Gallery for the 2007/08 financial year.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	üCOMPLETE
11.2.1.3	Community Safety & Crime Prevention Plan 2006-2009	200607/411 Council Decision That Council: i) allocate \$50,000 towards the cost of a senior level State Government employee responsible for coordinating the implementation of the Town of Port Hedland Community Safety Crime Prevention Plan 2006 – 2009; ii) seek a matching Contribution from BHP Billiton for this position; and iii) seek State Government support to have this position filled as a matter of urgency and to request the State Government to secure ongoing funding for this position.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Funds requested from BHPBIO	üCOMPLETE
11.2.2.2	Prop 15 Single Bedroom Dwellings at Lot 111 & 112 (3) Morgans St PH	200607/413 Council Decision That consideration of Agenda Item 11.2.2.2 'Proposed 15 Single Bedroom Dwellings at Lot 111 and 112 (3) Morgans Street Port Hedland' be deferred pending the receipt of architectural drawings for this development.	RESPONSIBLE OFFICER: Planning Officer Report to Special Council Meeting (Sept)	üCOMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.3	Prop 15 Lot Survey Strata Subdivision of Lots 111 & 112 Morgans St PH	200607/414 Council Decision That consideration of Agenda Item 11.2.2.3 ‘ Proposed 15 Lot Survey Strata Subdivision of Lots 111 and 112 Morgans Street Port Hedland’ be deferred pending the receipt of architectural drawings for this development.	RESPONSIBLE OFFICER: Planning Officer Report to Sept. Ord. Cl. Mtg	ü COMPLETE
11.2.2.4	Prop. Street Names for Subdivision at Lots 6176 and 27 Traine Cres & Lot 2609 Cone PL. SH	200607/415 Council Decision That Council advise the Geographic Names Committee that: i) it requests that the following names be assigned to the subdivision of Lots 6176 and 27 Traine Crescent South Hedland in accordance with the attached diagram: a) Pundul Avenue; b) Snappy Gum Way; c) Pepperflower Way; and ii) it requests that the new street servicing the subdivision of Lot 2609 Cone Place being named “Kanji Place” in accordance with the attached diagram.	RESPONSIBLE OFFICER: Planning Officer	ü COMPLETE
11.2.2.5	Prop. Entertainment Venue - Cinema, Ten Pin Bowling & Café at Lot 309 (65) Throssell Rd, SH	200607/416 Council Decision That Planning Consent be granted to P. F. Duggan on behalf of the owners Yerani for the Entertainment Venue – Cinema, ten pin bowling and Café on Lot 309 (65) Throssell Road, South Hedland as outlined in the Application received 13 March 2007 (Application 2007/062) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Manager Planning	ü COMPLETE
11.3.1.2	Community Facilities Grants Program FAA	That Council approves the Town of Port Hedland Seal being affixed to the Financial Assistance Agreement with the Department of Local Government and Regional Development for Community Facilities Grants Program funding of \$25,000 (excluding GST).	RESPONSIBLE OFFICER: Manager Technical Services	ü CFOMP.
Special Meeting held 5 September 2007				
6.1.1.1	Proposed 15 Single Bedroom Dwellings at Lot 111 & 112 (3) Morgans At, PH	200708/420 Council Decision/Officer’s Recommendation That Planning Consent be granted to Westskye Property P/L and River Park Homes P/L for the construction of USE NOT LISTED – SINGLE BEDROOM DWELLINGS x 15 at Lot 111 and 112 Morgans Street Port Hedland as outlined in the Application received 29 May 2007 (Application 2007/124) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	ü COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
6.1.1.2	Proposed 15 Lot Survey Strata Subdivision of Lots 111 & 112 Morgans St, PH	200708/421 Council Decision/Officer's Recommendation That Council advise the Western Australian Planning Commission that, subject to a development application being submitted to and approved for the proposed development, it does not object to the strata subdivision of Lots 111 and 112 Morgans Street Port Hedland.	RESPONSIBLE OFFICER: Planning Officer	ü COMPLETE
6.1.1.3	Proposed Strategic Direction for Wedgefield	200708/424 Council Decision That Council: i) recommend changing the zoning of Wedgefield into a Light Industrial Area through the Land Use Master Plan; and ii) submit the following recommendations to the Land Use Master Plan Steering Committee for consideration for inclusion in the Final Plan with regard to Wedgefield Special Control Area Council believes that: ...	RESPONSIBLE OFFICER: Planning Officer	October 2007
6.1.1.4	Proposed Scheme Amendment to Rezone Lot 2115 Stanley St SH from "Community" to "Comm./Res. R 30"	200708/427 Council Decision That Council: i) advises the applicant that it does not support the proposed Scheme Amendment to Town Planning Scheme 5 that Rezones Lot 2115 Stanley Street, South Hedland from "Community" to "Community and Residential" ii) advises the proponent that Council's preference is for Lot 2115 Stanley Street to be used as a caravan park, and that Council may consider rezoning the site to permit this style of development.	RESPONSIBLE OFFICER: Planning Officer	ü COMPLETE
6.2.1.1	Utah Point Panamax Berth Project : Traffic Impact Assessment	200708/428 Council Decision/Officer's Recommendation That Council advise Main Roads and the Port Hedland Port Authority: i) that while Council is supportive of the development of the proposed Utah Point Panamax Berth, it does not support several of the recommendations proposed in the SKM Traffic Impact Assessment as: ... i) that Council is eager to meet with all key stakeholders in the immediate future to identify all issues, discuss options and identify both short and long term solutions that adequately address this issue for all road users.	RESPONSIBLE OFFICER: Chief Executive Officer MR and PHPA advised. Discussions ongoing with MR and PHPA.	ü COMPLETE
6.3.1.1	Electoral Code of Conduct Policy	That Council adopts the Electoral Code of Conduct as follows, as Council Policy:	RESPONSIBLE OFFICER: Director Corporate Services	ü COMP.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
6.3.1.2	Transient Workforce Accommodation - Port Hedland International Airport	200708/430 Council Decision/Officer's Recommendation That Council: i) reject all Expressions of Interest received regarding the Transient Workforce Accommodation site at the Port Hedland International Airport except for the proposal by Rio Tinto Minerals; and ii) commence immediate negotiations with Rio Tinto Minerals with the goal of providing Lots 4, 5 and 6 (as per the master plan) for the purposes of a 52 man work camp; and iii) receive a development budget from the Director, Corporate Services budget for Lots 4, 5 and 6 at the next Ordinary Meeting of Council; and iv) subject to the development budget being less or equal to total rental offered by Rio Tinto Minerals, consider formalising a lease with Rio Tinto Minerals for Lots 4, 5 and 6.	RESPONSIBLE OFFICER: Director Corporate Services Mtg held with Rio Tinto 6.9.07. DEC processing clearing approval. Amended access Rd request submitted to Main Roads. Amended plan layout received by design consultant.	

11.2 REGULATORY AND COMMUNITY SERVICES**11.2.1 Director Regulatory and Community Services****11.2.1.1 Cyclone George Relief Fund (File No.: 09/02/00005)**

Officer Andriena Ciric
Emergency Management
Officer

Date of Report 20 September 2007

Disclosure of Interest by Officer Nil

Summary

To disband Cyclone George Relief Fund Committee established on the 14 March 2007, to facilitate the disbursement of funds to those affected by Severe Tropical Cyclone George.

Background

Subsequent to Cyclone George crossing the coast near Port Hedland, Cyclone George Relief Fund Committee was established in accordance with the following general guidelines:

- The aim of the Cyclone George Relief Fund should be to help individual residents, community groups and the Port Hedland Community to effect repairs to property and to restore normal living conditions as quickly as possible.
- The Town of Port Hedland administers the funding, as this was determined to be the quickest and most efficient manner of operation.
- A formal Committee of Council is established for a short time period to manage the administration of the relief fund.

Funds that are collected should be used for:

- . Providing assistance to individuals and groups impacted by Cyclone George.
- . Repair and restoration of community infrastructure.
- . Tree planting programs.

The Committee met as detailed in the Minutes (attached) and funds were distributed in accordance with the adopted guidelines.

The vast majority of claims were received and processed by 31 July 2007 but a small number of potentially valid claims have trickled in since that time, and will require attention.

The Cyclone George Relief Fund Committee requested that the Chief Executive Officer be given delegated authority to assess and allocate any relief fund applications made after the 31 July 2007 in accordance with the established guidelines by the committee.

Consultation

Members of Cyclone George Relief Fund

Statutory Implications

The following sections of the Local Government Act are most relevant to this matter

“5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.”*

“5.16. Delegation of some powers and duties to certain committees

(1) A local government may delegate to a committee any of its powers and duties other than this power of delegation.*

** Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

(3) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 -

(a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and

(b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.

(4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.”

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Pledges were received from a variety of companies and individuals totalling \$519,394 to assist in individuals and groups to 'get back to normal' after the cyclone.

The following table illustrates the financial transactions/allocations of the Cyclone George Relief Fund Committee:

Item	Expenditure Paid	Outstanding Works/ Payment Req'd	Estimated Total Expenditure
Clean Up Assistance - . Communities . Residents (Port and South	\$40,000	\$10,000 ~\$4,000	\$50,000 ~\$4,000
Tree Planting Program Individual Residents Sporting Clubs Volunteer Emergency Services Child Care Centres Church/Religious Organisations	\$3,607 \$17,926 \$10,000	\$50,000 \$4,767 \$40,000 \$90,000	\$50,000 \$8,374 \$40,000 \$90,000 \$17,926 \$10,000
	\$71,533	\$198,767	\$270,300
Remaining Fund Allocations			
Reserve Fund Commemoration/Public Art Project Thank You Advertisement		\$177,970 \$15,000 \$2,000	\$177,970 \$15,000 \$2,000
Late applications received (yet to be approved) . Individual Residents . Sporting Clubs		\$6,100 \$38,024	\$6,100 \$38,024
Any additional applications yet to be received		\$10,000	\$10,000
		\$249,094	\$249,094
		\$447,861	\$519,394

Officer's Comment

The Cyclone George Relief Fund Committee's proposal to have the Chief Executive Officer given delegated authority to assess and allocate any relief fund applications made after the 31 July 2007 (in accordance with the established guidelines by the committee), is the simplest and most workable mechanism for ensuring the last few claims are dealt with as effectively and quickly as possible.

It will still be subject to advice to Council and appropriate accountability without requiring the assembly of a committee for what now have become a very small number of issues to address.

Officer's Recommendation

200708/004 Council Decision/Officer's Recommendation

Moved: Cr G D Bussell

Seconded: Cr S F Sear

That Council:

- i) **endorse the Chief Executive Officer, on behalf Cyclone George Relief Fund Committee, to be granted delegated authority to make binding decisions on the expenditure of external funding obtained for the Cyclone George Relief Fund received after the 31 July 2007; and**
- ii) **the Cyclone George Relief Committee is to be disbanded; and**
- iii) **create a Reserve Account 'Cyclone Emergency Support' for the purpose of emergency relief support only.**

CARRIED BY ABSOLUTE MAJORITY 7/0

11.2.1.2 All West Australians Reducing Emergencies Grants Scheme (File No.:09-11-0005)

Officer Andriena Ciric
Emergency Management
Officer

Date of Report September 2007

Disclosure of Interest by Officer Nil

Disclosure of Interest by Officer Nil

Summary

Receipt of Funding to the Value of \$29,090 from the Fire & Emergency Services Authority under the policy initiative "All West Australian's Reducing Emergencies"

Background

The Town of Port Hedland Local Emergency Management Committee established under section 38(1) of the Emergency Management Act 2005 identified the need to establish an emergency risk management working group in the meeting held on the 30 November 2006 to commence the emergency risk management process.

An application to the "All West Australian's Reducing Emergencies Grants Scheme funded by Fire & Emergency Services Authority.

On the 7 September, Fire & Emergencies Services announced that the application by the Town of Port Hedland was successful, and provided funding of \$29,090 to undertake and promote community ownership of the emergency management risk management process by involving the community and stakeholders in determining the risks within the community and identifying possible treatment options as required under SEMC Policy.

Consultation

Local Emergency Management Committee.

Statutory Implications

The State Emergency Management Policy No. 2.5 *Emergency Management in Local Government Districts* identifies in paragraph 34 that 'the methodology Local Emergency Management Committees should follow includes undertaking the ERM process and identifying items relevant to the individual local community area for inclusion in the arrangements document'.

Policy Implications Nil

Strategic Planning Implications

Key Result area 3 – Community Development

Goal 6 - Community Safety

2. Adopt a community based emergency risk management process for the Town, and co-ordinate the development of response plans to natural disasters through the Local Emergency Management Committee (LEMC)

Budget Implications

The funding is used to temporarily replace an existing local government staff member to enable them to work on an emergency risk management project. The subsidisation will cover the salary costs of a person to replace the local government staff member.

Officer's Comment

The successful funding requires Council endorsement for inclusion in the budget.

Officer's Recommendation

200708/005 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council endorse funding received through the Local Grants Scheme and:

- i) create a Salaries and Wages Income Account for AWARE Grant Scheme funding received to the value of \$29,040; and**
- ii) create an Salaries and Wages Expenditure Account for AWARE Grant Scheme funding to the value of \$29,040.**

CARRIED BY ABSOLUTE MAJORITY 7/0

11.2.2 Planning Services

11.2.2.1 **Delegated Planning Approvals August 2007 (File No.: 18/07/0002)**

Officer Clare Tocock
Executive Assistant –
Community & Regulatory
Services

Date of Report 14 September 2007

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning Applications considered under Delegated Authority for the month of August 2007.

Background

A list of Planning Consents issued by Council's Planning Services under Delegated Authority for the month of August are attached to this report.

Consultation Nil

Statutory Implications

Town of Port Hedland Delegation Register 2006 outlines the limitations of delegated authority and requires a list of approvals made under it to be provided to Council.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment Nil

Officer's Recommendation**200708/006 Council Decision/Officer's Recommendation**

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That the Schedule of Planning Consents issued by Delegated Authority for the month of August 2007 be received.

CARRIED 7/0

August 2007 Delegated Planning Approvals

Applic No	Date Determined	Description	Applicant	Owner	Address	Lodgement Date	Zoning
2007/022	30 August 2007	2 x Dwellings	Barry Stewart	Kirkland Pty Ltd	20 Robinson Street, Port Hedland WA 6721	02/02/2007	Residential
2007/109	20 August 2007	Second dwelling addition	Pilbara Constructions	BHP Billiton	21 Harper Street, Port Hedland WA 6721	29/08/2006	Residential
2007/106	03 August 2007	Creation of 4 lots	Taylor Burrell Barnett	CROWN	Lot 5933 Dale Street, South Hedland WA 6722	21/05/2007	Residential
2007/163	09 August 2007	SUBDIVISION - (1 lot into 2)	Dan Grogan 0 Makjap	Boral Contracting Pty Ltd	18 Cajarina Road, Wedgefield WA 6724	25/07/2007	Industrial
2007/155	24 August 2007	Shed Addition	Sandra Brennan	Michael James Brennan	2 Brolga Way, South Hedland WA 6722	06/07/2007	Residential
2007/166	23 August 2007	SUBDIVISION - 1 Lot into 8 Lots & Common Property	Whelans (WA) Pty Ltd	Henry Capel Sweetland	15 Morgans Street, Port Hedland WA 6721	02/08/2007	Residential
2007/106	03 August 2007	SUBDIVISION - (Creation of 4 lots)	Taylor Burrell Barnett	CROWN	Lot 5933 Dale Street, South Hedland WA 6722	21/05/2007	Residential

11.2.2.2 Proposed Formalisation of Existing Structures at Part Lot 2 of Lot 126 Great Northern Highway (File No.: 129011G)

Officer Andrew Patterson
Planning Officer

Date of Report 25 July 2007

Disclosure of Interest by Officer Nil

Summary

Council has received an application from the Buckley Family Trust for retrospective planning approval for:

- nine (9) dwellings,
- one (1) office building,
- one (1) covered recreation area,
- one (1) workshop including four (4) sea containers and
- one (1) crib room with attached lean-to.

The subject land comprises 30.058 hectares and is zoned "Rural" in the *Town of Port Hedland Town Planning Scheme No. 5* (TPS 5). This development is defined in TPS 5 as a "Rural Settlement," with this being listed as an "AA" use on the zoning table.

Background

Details of the structures subject to this application are as follows:

- Dwelling 1 – Modified donga with adjacent carport
- Dwelling 2 – three bedroom steel clad structure with attached veranda;
- Dwelling 3 – four bedroom steel clad structure with attached veranda;
- Dwelling 4 – single bedroom transportable dwelling
- Dwelling 5 – 4-bedroom structure comprising three transportable structures arranged in a horseshoe configuration
- Crib Room – 6 m x 3 m steel clad room with adjacent 8.5 m x 5 m patio
- Workshop – 25 m x 10.5 m workshop with four adjacent sea containers, one 4 m x 4 m and one 6 m x 3 m store room
- Covered Recreation Area – comprising a 10 m x 9.5 m patio with bar and barbeque facilities
- Office – comprising a 9 m x 12.5 m transportable structure with attached veranda and adjacent ablution block.

TPS 5, section 6.2.3 requires that all residential development comply with the Residential Design Codes.

Given the nature of this development, and that the R Codes is not a document that lends itself to assessing this relatively singular development, this assessment is limited to the following aspects:

Visual Privacy

As some of these dwellings are located greater than 0.5 metres above ground level, windows and elevated verandas should be set back up to 7.5 metres from a lot boundary or the midpoint between the dwellings, or adequately screened. As the dwellings are all existing, and effectively form a single community with no options to subdivide or sell individual dwellings, the visual privacy requirements for this development are deemed to be met.

Vehicular Access

It is noted that this site is regularly accessed directly from the Great Northern Highway by an access track that crosses through pastoral lease and unallocated Crown land without any apparent approval. An appropriate condition is included requiring the applicant to realign the road access to Madigan Road, which is the only direct access to a gazetted public road, or formalise the existing access with appropriate approvals from the relevant landowners.

All other design elements are deemed to be satisfied under the R Codes Performance Criteria.

Future Implications

Whilst the application is for the retrospective approval of a Rural Settlement it should be noted that the site also contains an existing approved transport depot and that this development is closely associated with this use. The Land Use Master Plan (LUMP) proposes that non-rural residential uses with the area should be controlled and any expansion directed to the appropriately zoned areas. Given this it is recommended that the existing development be approved however an advice noted included to advise the applicant/owner of the LUMP recommendation and to encourage contact with the Town to achieve the desired outcome.

Consultation

Building Services: no objection to the proposal and advised that building licences are required.

Environmental Health Services: no objection.

No external consultation is required or has been conducted for this application.

Statutory Implications

The Town of Port Hedland Town Planning Scheme No. 5 zones the land "Rural" and lists the proposed use as an "AA" use on the zoning table.

Policy Implications Nil

Strategic Planning Implications

KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT

Goal 5 - Town Planning & Building

1. Work closely with the State Government and Resource Companies to ensure that key projects/action identified with the Land use Master Plan are acted upon in a timely manner

Budget Implications

Planning fees of \$575 have been deposited into account 1006326 – Town Planning Fees reflecting a development cost of \$250 000.

Officer's Comment

Given that this development has existed without any appreciable negative impact on the amenity of the surrounding area, can be easily used in conformity with the Rural zoning in consideration of the recommendations of the Land Use Master Plan, and that the use is permitted, subject to Council approval, under TPS 5, it is recommended that retrospective planning approval be granted for this development.

None of the structures is visible from the Great Northern Highway and so visual amenity is not considered a significant issue.

It should be noted that the existing industrial related land uses have been constrained in their development by the imposition of conditions on their size and use potential and that any future applications for the development of this site should take into consideration the recommendation of the Land Use Master Plan.

An advice note has been included to that effect for the applicant/owners attention.

Officer's Recommendation

That Planning Approval be granted to Margaret Rita Buckley on behalf of ITF The Buckley Family Trust for the retrospective planning approval of a RURAL SETTLEMENT at Lot 2 Forrest Location as outlined in the Application received 8 February 2007 (Application 2007/083) and indicated on the approved plans, subject to the following conditions:

1. This approval is only for: nine (9) dwellings, one (1) office building, one (1) covered recreation area, one (1) workshop and one (1) crib room as identified on the approved plans and does not include any other structures that may be located on the site.
2. The approved dwellings shall only be used by employees engaged on the subject land and not be offered for sale, lease or any other form of tenure to any other party.
3. Prior to the submission of a Building Licence Application;
 - a. written advice is to be submitted to Council demonstrating that the developer/owner has liaised with Main Roads Western Australia (MRWA) with regard to the construction and location of the crossover from Great Northern Highway.
 - b. The submission to and approval of:
 - i. A parking and accessways location plan showing sufficient on-site parking bays and accessways to comply with the requirements of Town Planning Scheme No.5 – Appendix 7 and Appendix 8 in relationship to all approved uses the subject of this approval or already approved for the site;
 - ii) A rubbish collection strategy / management plan shall be submitted to and approved by the Town of Port Hedland prior to the submission of a building licence application. The approved strategy / management plan shall be implemented all to the satisfaction of the Manager Planning.
4. In regard to condition 4 (a), any requirements regarding the crossover design or location requested by the MRWA shall be implemented to their specifications, within 60 days of that advice building and all to the satisfaction of the Manager Planning.
5. In regard to condition 4 (b) (i-ii), all works and/or upgrades associated with the specific condition shall be completed within 60 days of the plan or strategy for that condition being approved by the Town and all to the satisfaction of the Manager Planning.
6. A detailed landscaping plan to be submitted and approved the Manager Planning within 30 days of the date of this approval. The plan to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
7. Landscaping and reticulation to be established in accordance with the approved detailed plans within 60 days of the landscaping plan being approved by the Town and thereafter maintained to the satisfaction Manager Planning.

8. An approved effluent disposal system shall be installed to the specification of Town's Environmental Health Services and to the satisfaction Manager Planning. Be advised that the effluent disposal system may also require the approval of the Western Australian Department of Health.
9. All stormwater shall be retained on-site and disposed of to the specifications of the Engineering Department and to the satisfaction of the Manager Planning.
10. The premises to be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the Manager Planning Services.

FOOTNOTES:

11. Be advised that whilst retrospective approval has been granted for the Rural Settlement, that it is likely that Council will not support any extension to the industrial related uses on the site given the intension of the Draft Land Use Master Plan to encourage such uses to locate to suitably zoned and position land. Should the applicant wish to discuss this matter contact should be made with the Town's Manager Planning Mr. Richard Bairstow on 9173 4494.
12. You are advised that this is a Planning Approval only and the Developer is responsible for complying with all relevant building, health and engineering requirements.
13. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999.
14. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
15. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

200708/007 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr S F Sear

That Planning Approval be granted to Margaret Rita Buckley on behalf of ITF The Buckley Family Trust for the retrospective planning approval of a RURAL SETTLEMENT at Lot 2 Forrest Location as outlined in the Application received 8 February 2007 (Application 2007/083) and indicated on the approved plans, subject to the following conditions:

- 1. This approval is only for: nine (9) dwellings, one (1) office building, one (1) covered recreation area, one (1) workshop and one (1) crib room as identified on the approved plans and does not include any other structures that may be located on the site.**
- 2. The approved dwellings shall only be used by employees engaged on the subject land and not be offered for sale, lease or any other form of tenure to any other party.**
- 3. Prior to the submission of a Building Licence Application;**
 - a. written advice is to be submitted to Council demonstrating that the developer/owner has liaised with Main Roads Western Australia (MRWA) with regard to the construction and location of the crossover from Great Northern Highway.**
 - b. The submission to and approval of:**
 - i. A parking and accessways location plan showing sufficient on-site parking bays and accessways to comply with the requirements of Town Planning Scheme No.5 – Appendix 7 and Appendix 8 in relationship to all approved uses the subject of this approval or already approved for the site;**
 - ii) A rubbish collection strategy / management plan shall be submitted to and approved by the Town of Port Hedland prior to the submission of a building licence application. The approved strategy / management plan shall be implemented**

all to the satisfaction of the Manager Planning.
- 4. In regard to condition 4 (a), any requirements regarding the crossover design or location requested by the MRWA shall be implemented to their specifications, within 60 days of that advice building and all to the satisfaction of the Manager Planning.**

5. In regard to condition 4 (b) (i-ii), all works and/or upgrades associated with the specific condition shall be completed within 60 days of the plan or strategy for that condition being approved by the Town and all to the satisfaction of the Manger Planning.
6. A detailed landscaping plan to be submitted and approved the Manager Planning within 30 days of the date of this approval. The plan to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
7. Landscaping and reticulation to be established in accordance with the approved detailed plans within 60days of the landscaping plan being approved by the Town and thereafter maintained to the satisfaction Manager Planning.
8. An approved effluent disposal system shall be installed to the specification of Town's Environmental Health Services and to the satisfaction Manager Planning. Be advised that the effluent disposal system may also require the approval of the Western Australian Department of Health.
9. All stormwater shall be retained on-site and disposed of to the specifications of the Engineering Department and to the satisfaction of the Manager Planning.
10. The premises to be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the Manager Planning Services.

FOOTNOTES:

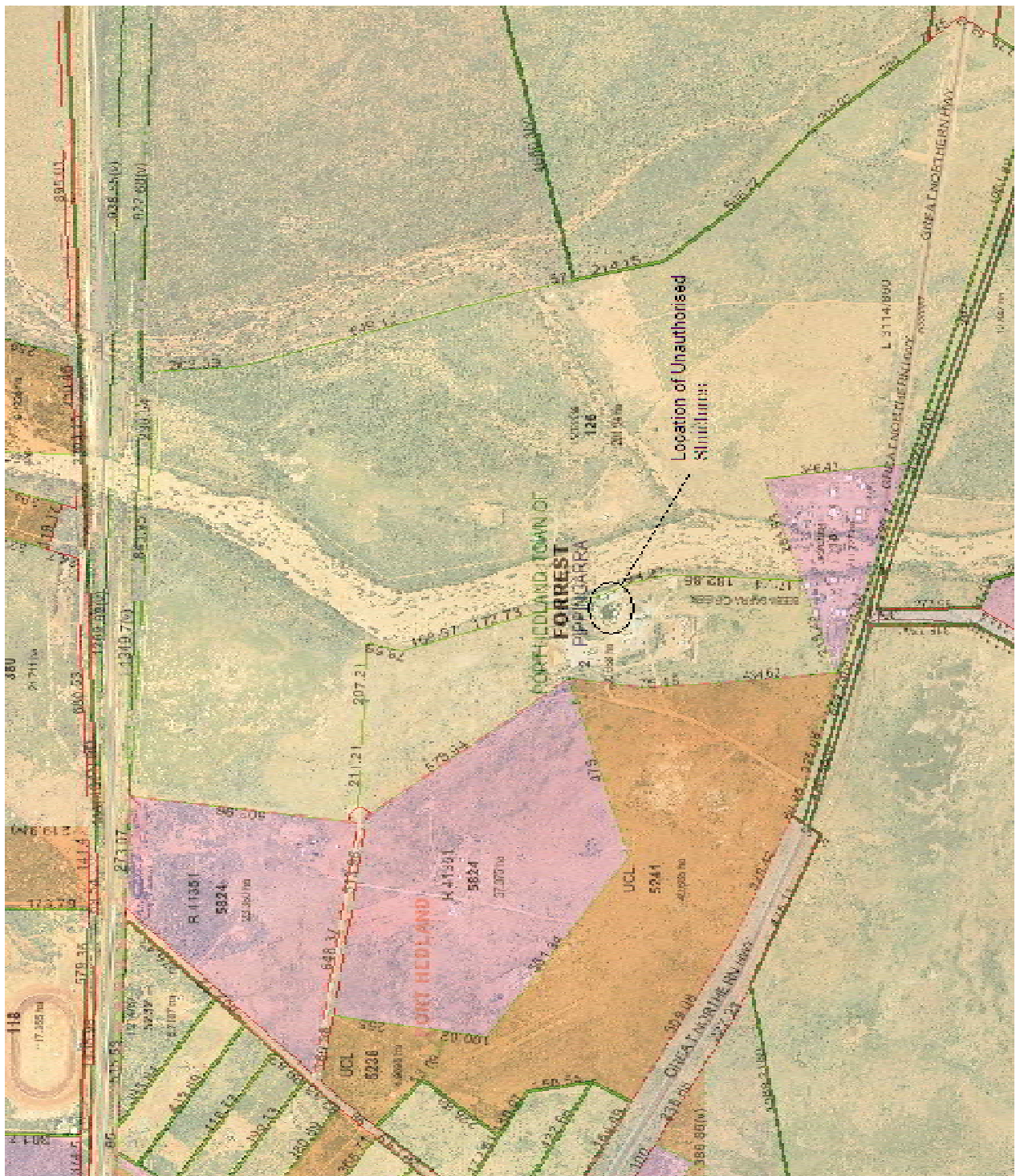
11. Be advised that whilst retrospective approval has been granted for the Rural Settlement, that it is likely that Council will not support any extension to the industrial related uses on the site given the intension of the Draft Land Use Master Plan to encourage such uses to locate to suitably zoned and position land. Should the applicant wish to discuss this matter contact should be made with the Town's Manager Planning Mr. Richard Bairstow on 9173 4494.
12. You are advised that this is a Planning Approval only and the Developer is responsible for complying with all relevant building, health and engineering requirements.
13. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999.

14. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
15. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
- 16 Engineering plans are required to be submitted to Council's Building Services by the developer, to progress a retrospective Building Licence.

CARREID 4/3

REASON: Council Engineering plans for buildings located on Lot 2 Forrest Location to be submitted to Council's Building Services to progress a retrospective Building Licence, and added Clause 16 accordingly.

ATTACHMENT TO AGENDA ITEM 11.2.2.2



11.2.2.3 Proposed Conversion of an Existing Office to a Dwelling at Lot 2 Forrest Location 126 Port Hedland (File No.: 129011G)

Officer	Andrew Patterson Planning Officer
Date of Report	12 September 2007
Disclosure of Interest by Officer	Nil

Summary

Council received a second application for planning approval from the owners of lot 2 Forrest Location, The Buckley Family Trust. This application was to convert an existing office building to residential use.

The existing Storage Area/Depot/Laydown Area has been approved under delegated authority on 8 August 2006.

The subject land comprises 30.058 hectares and is zoned "Rural" in the *Town of Port Hedland Town Planning Scheme No. 5 (TPS 5)*.

This item is referred for Council consideration as Council has previously indicated that it wishes to determine all applications for planning approval in this area.

Background

The applicant is proposing to modify an existing office building to change its use to a dwelling. As part of the proposed works, the applicant also proposes to construct a parasol roof over the building and the attached carport.

The subject building is located adjacent to the existing residential compound that is also the subject of an application for planning approval in this same agenda. It is approximately 28 metres from the approved office, and approximately 25 metres from the workshop that is approved as part of the existing Storage Facility/Depot/Laydown Area.

This structure is not visible from the Great Northern Highway, and is located away from all lot boundaries, and so amenity issues are not considered as part of this assessment.

As noted in the report considering the retrospective approval for the Rural Settlement, the approved Storage Facility/Depot/Laydown Area is limited in its ability to expand beyond current levels through a condition limiting the number of road trains on the land at any time to a maximum of 15. This condition is considered adequate protection to restrict the growth of this use that could allow the land to develop further into an industrial area that is out of character with its Rural Zoning.

Consultation

Building Services: no objection, building licence required.

Environmental Health Services: approved effluent disposal system to be installed; EHS to inspect building to ensure suitability for human habitation.

Statutory Implications

The Town of Port Hedland Town Planning Scheme No. 5 zones the land "Rural" and lists the proposed use as an "AA" use on the zoning table.

Policy Implications

Nil

Strategic Planning Implications**KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT****Goal 5 - Town Planning & Building**

1. Work closely with the State Government and Resource Companies to ensure that key projects/action identified with the Land use Master Plan are acted upon in a timely manner

Budget Implications

Planning fees of \$138 have been deposited into account 1006326 – Town Planning Fees reflecting a development cost of \$60,000.

Officer's Comment

Should Council resolve to support the application for retrospective planning approval for the existing Rural Settlement, as presented in this agenda, it is recommended that this change of use also be approved.

Approving this development is unlikely to allow any intensification of the transport business beyond its current approved state and will have no significant adverse impact on the amenity or enjoyment of either this or adjoining rural land.

Attachments**Officer's Recommendation**

That Planning Approval be granted to Margaret Rita Buckley on behalf of ITF The Buckley Family Trust for the retrospective planning approval of a RURAL SETTLEMENT – conversion from Office to Dwelling at Lot 2 Forrest Location 126 as outlined in the Application received 13 August 2007 (Application 2007/206) and indicated on the approved plans, subject to the following conditions:

1. The proposed DWELLING that is the subject of this report must only be used in association with the RURAL SETTLEMENT and not for any other purpose.
2. Application is to be made for the installation of an approved apparatus for the treatment of effluent to the satisfaction of the Manager of Planning and the specification of the Manager of Environmental Health
3. The dwelling is to be inspected by Council's Environmental Health Services to ascertain its suitability for human habitation prior to occupation.
4. The colours of the proposed office are to blend with those of the existing development or environment to the satisfaction of the Manager Planning.
5. Prior to the submission of a Building Licence Application the submission to and approval of a parking and accessways location plan showing sufficient on-site parking bays and accessways to comply with the requirements of Town Planning Scheme No.5 – Appendix 7 and Appendix 8 in relationship to all approved uses the subject of this approval or already approved for the site all to the satisfaction of the Manager Planning.
6. In regard to condition 3, all works shall be completed within 60 days of the plan being approved by the Town and all to the satisfaction of the Manger Planning.
7. A detailed landscaping plan to be submitted and approved the Manager Planning within 30 days of the date of this approval. The plan to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
8. Landscaping and reticulation to be established in accordance with the approved detailed plans within 60days of the landscaping plan being approved by the Town and thereafter maintained to the satisfaction Manager Planning.

9. All stormwater shall be retained on-site and disposed of to the specifications of the Engineering Department and to the satisfaction of the Manager Planning.
10. The design levels of the proposed office shall be submitted with the building license application, and shall be to the satisfaction of the Manager Planning.

FOOTNOTES:

11. Be advised that approval has only been granted for the conversion of the Office into a dwelling as it is considered to bring the development more in to conformity with the use of a Rural Settlement, and the recommendation of the Draft Land Use Master Plan. It should be noted that it is likely that Council will not support any extension to the industrial related uses on the site given the intension of the Draft Land Use Master Plan to encourage such uses to locate to suitably zoned and position land. Should the applicant wish to discuss this matter contact should be made with the Town's Manager Planning Mr. Richard Bairstow on 9173 4494.
12. The applicant is advised that a building license is required for this development.
13. You are advised that this is a Planning Approval only and the Developer is responsible for complying with all relevant building, health and engineering requirements.
14. The proposed development must not interfere with existing effluent disposal system(s).
15. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
16. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

200708/008 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr S F Sear

That Planning Approval be granted to Margaret Rita Buckley on behalf of ITF The Buckley Family Trust for the retrospective planning approval of a RURAL SETTLEMENT – conversion from Office to Dwelling at Lot 2 Forrest Location 126 as outlined in the Application received 13 August 2007 (Application 2007/206) and indicated on the approved plans, subject to the following conditions:

- 1. The proposed DWELLING that is the subject of this report must only be used in association with the RURAL SETTLEMENT and not for any other purpose.**
- 2. Application is to be made for the installation of an approved apparatus for the treatment of effluent to the satisfaction of the Manager of Planning and the specification of the Manager of Environmental Health**
- 3. The dwelling is to be inspected by Council's Environmental Health Services to ascertain its suitability for human habitation prior to occupation.**
- 4. The colours of the proposed office are to blend with those of the existing development or environment to the satisfaction of the Manager Planning.**
- 5. Prior to the submission of a Building Licence Application the submission to and approval of a parking and accessways location plan showing sufficient on-site parking bays and accessways to comply with the requirements of Town Planning Scheme No.5 – Appendix 7 and Appendix 8 in relationship to all approved uses the subject of this approval or already approved for the site all to the satisfaction of the Manager Planning.**
- 6. In regard to condition 3, all works shall be completed within 60 days of the plan being approved by the Town and all to the satisfaction of the Manger Planning.**
- 7. A detailed landscaping plan to be submitted and approved the Manager Planning within 30 days of the date of this approval. The plan to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.**

8. Landscaping and reticulation to be established in accordance with the approved detailed plans within 60days of the landscaping plan being approved by the Town and thereafter maintained to the satisfaction Manager Planning.
9. All stormwater shall be retained on-site and disposed of to the specifications of the Engineering Department and to the satisfaction of the Manager Planning.
10. The design levels of the proposed office shall be submitted with the building license application, and shall be to the satisfaction of the Manager Planning.

FOOTNOTES:

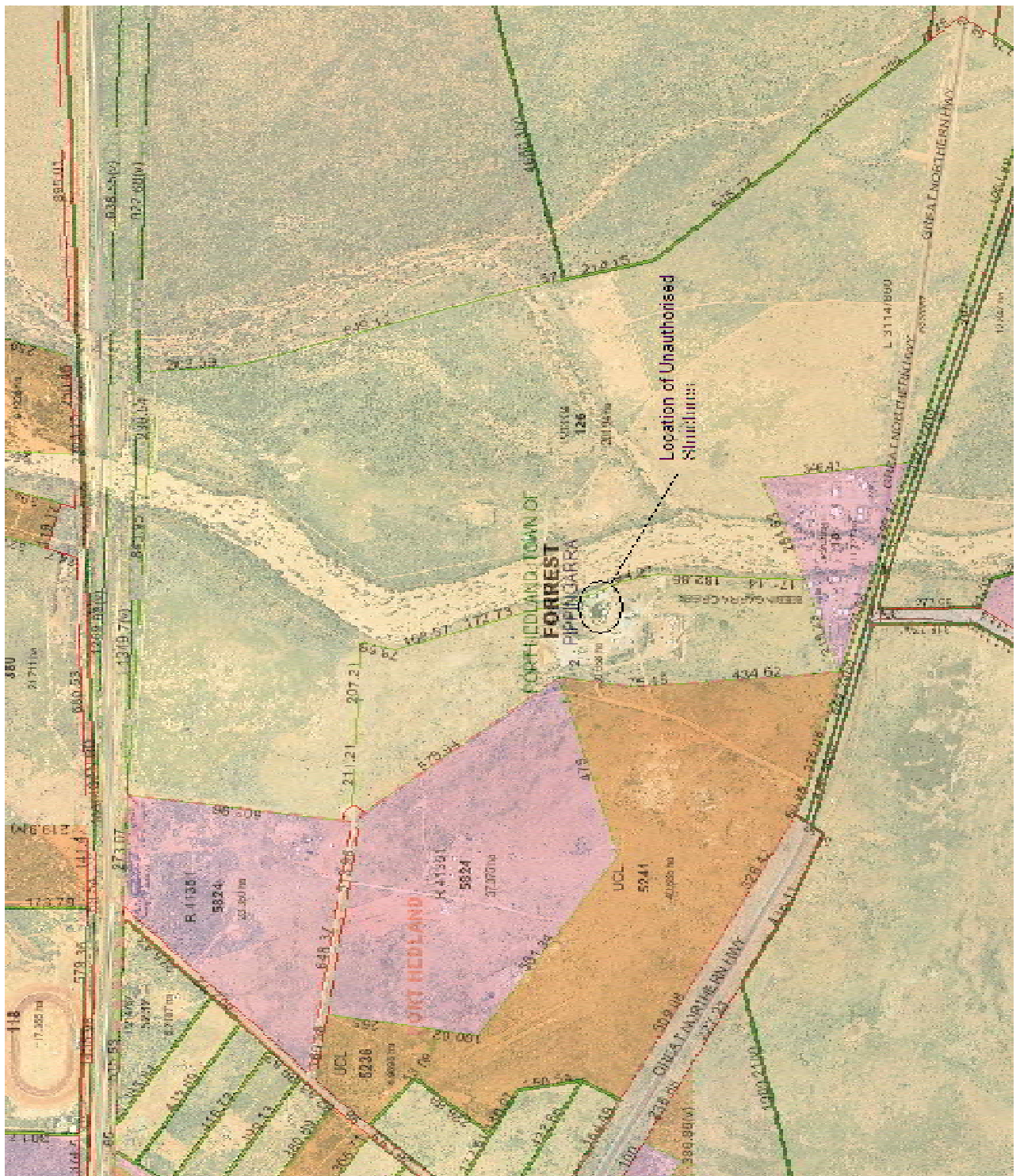
11. Be advised that approval has only been granted for the conversion of the Office into a dwelling as it is considered to bring the development more in to conformity with the use of a Rural Settlement, and the recommendation of the Draft Land Use Master Plan. It should be noted that it is likely that Council will not support any extension to the industrial related uses on the site given the intension of the Draft Land Use Master Plan to encourage such uses to locate to suitably zoned and position land. Should the applicant wish to discuss this matter contact should be made with the Town's Manager Planning Mr. Richard Bairstow on 9173 4494.
12. The applicant is advised that a building license is required for this development.
13. You are advised that this is a Planning Approval only and the Developer is responsible for complying with all relevant building, health and engineering requirements.
14. The proposed development must not interfere with existing effluent disposal system(s).
15. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

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

CARRIED 4/3

REASON: Council Engineering plans for buildings located on Lot 2 Forrest Location to be submitted to Council's Building Services to progress a retrospective Building Licence, and added Clause 16 accordingly.

ATTACHMENT TO AGENDA ITEM 11.2.2.3



11.2.2.4 Proposed Five Grouped Dwellings at Lot 200 (2) Howe Street Port Hedland (File No.: 124550G)

Officer Andrew Patterson
Planning Officer

Date of Report 11 September 2007

Disclosure of Interest by Officer Nil

Summary

Council has received an application for planning approval for five (5) two-storey grouped dwellings at lot 200 (2) Howe Street Port Hedland.

The subject land comprises 1012 m² and is zoned "Residential R 12.5/50 in the *Town of Port Hedland Town Planning Scheme No. 5* (TPS 5). This item is referred for Council consideration, as delegated officers do not have the authority to determine planning applications for more than two grouped dwellings.

Background*R Code Assessment***Boundary Setbacks:**

Unit 1 is proposed with a nil side setback for the single-storey garage. Notwithstanding that this setback complies with Clause 3.3.2 of the Codes, the adjoining neighbour has been advised of this matter and offered no objection.

Balconies:

All proposed balconies show solid walls to each side that would otherwise present overlooking issues. An appropriate condition is included in the Officer's Recommendation to ensure these walls are constructed of appropriate material to maintain visual privacy.

Separation of Units 4 and 5:

The R Codes Acceptable Development (AD) provisions require that grouped dwellings be set back from each other as if there were a boundary between them. As four of these units are proposed as attached pairs, Unit 5 is the only dwelling requiring an internal setback from Unit 4. As these units do not achieve the required setback, this variation is assessed under Performance Criteria (PC). As the setback variation is completely internal, and meets the PC requirements of Clause 3.3.1, the variation is deemed to be satisfied.

Car Parking Bays:

The garage of the proposed grouped dwellings has a width of six (6) metres. Appendix 8 of TPS 5 requires a minimum car bay width of six (6) metres, with an additional 0.6 metres for each constricted side. TPS 5, Clause 6.1 does allow Council to vary any Scheme provision where it is satisfied that:

- ”(a) it would be consistent with the objectives and policies of the Scheme,*
- (b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, inhabitants of the locality or upon the likely future development of the locality, and*
- (c) it would be consistent with the objectives of the Scheme, the precinct objectives set out in clause 5.3, and the Policy Statements adopted in accordance with Part V of the Scheme.”*

Should Council resolve to enforce the TPS 5 standard, this development would require each garage to be a minimum of 6.6 metres, reducing the internal dimensions of the house and increasing the dominance of the garage door to the streetscape.

The R Codes allow for a minimum width of 2.4 metres per bay, with an additional 0.3 metres per constricted side and in this instance would require a minimum width of 5.4 metres.

This proposal could be seen as a compromise between the two standards for the following reasons:

1. Notwithstanding the standards set out in TPS 5 Appendix 8, the development, as proposed, meets the Scheme Objectives as set out in cl. 1.5 (a);
2. the reduced garage width will not have an adverse effect on occupiers or neighbouring residents
3. the variation has no further precinct or policy implications; and
4. increasing the garage width would have an adverse impact on the streetscape, particularly to the Morgans Street, street frontage

On balance however, this variation is not supported as it would be inconsistent with current practices and is not subject to adequate justification.

Retaining Walls:

This development is proposed with retaining walls to approximately 1.9 metres at the northern boundary, with smaller retaining walls at the eastern boundary.

The R Codes provisions require excavation or fill between the building and street to be limited to 0.5 metres. Given the relatively steep slope of the land, the proposed excavation and retaining is considered appropriate, and presents a suitable street frontage. This proposal is deemed to fulfill the performance criteria of Clause 3.6.1.

In addition the Finished Floor Level of Unit 3 has been reduced from 9.8 to 8.75 to reduce the impact of the retaining walls on the adjoining neighbour and to create a better streetscape.

Dust Issues

Given that this development is located within the dust impact zone the standard 70A condition has been imposed.

As Council is aware, the Department of Health have indicated concerns over the intensification of development in this area and expressly discouraged developments that will increase the number or aged, infirm or children living in the area. The draft Land Use Master Plan's stated preference for single bedroom developments was aimed at increasing the likelihood the units would be occupied by single working people or couples, who by definition are less susceptible to dust impacts.

This development proposed development of three (3) bedroom units at a density of R50. While this application is consistent with TPS5, it does not comply with the direction within the Draft Land Use Master Plan and is contrary to the expressed views of the Department of Industry and Resources (DOIR), Department of Environment and Conservation (DEC) and Department of Health (DOH).

Consultation

The landowner of the adjoining lot 199 Morgans Street has been advised of this application in writing and objected to the proposal on the grounds of aesthetics and impacts on breeze and property values. The concern over aesthetics, the only one of these three on which Council can legitimately make a determination was not explained at all, so it is not possible to comment.

Building Services: no objection, however advises that a building licence is required.

Environmental Health Services: no objection and advises that the development is to be connected to deep sewer.

Statutory Implications

The Town of Port Hedland Town Planning Scheme No. 5 zones the land "Residential R 12.5/50"

Policy Implications

9/005 – Crossovers
9/008 – Verge Treatment Policy

Strategic Planning Implications Nil

Budget Implications

The applicant has submitted planning fees of \$2,950 into account 1006326 – Town Planning Fees.

Officer's Comment

As noted in the Background to this report, this application meets all relevant sections of the R Codes and TPS 5.

Howe Street defines the eastern boundary of the "West End Dust Impact Zone" but as Council has previously approved development to maximum potential within this zone, subject to appropriate conditions, the proposal is consistent with recent approvals and by its very nature, two storey development without substantial yards and play areas, does not encourage occupation by aged people and families with children.

The conditions are framed to address concerns over potential health and amenity impacts arising from the proximity to dust sources.

Attachments

1. Aerial photograph
2. Ground Floor
3. Second Floor and Elevations

200708/009 Council Decision/Officer's Recommendation

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

That Planning Consent be granted to Define Creations for the construction of GROUPED DWELLINGS – 5 Grouped Dwellings at Lot 200 (2) Howe Street Port Hedland as outlined in the Application received 5 July 2007 (Application 2007/160) and indicated on the approved plans, subject to the following conditions:

1. **Prior to commencing works, the landowner is to prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:**

- a) The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts;
- b) Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts; and

Should additional information be required in regard part "a" or "b", the prospective landowners should contact the Western Australian Department of Health.

2. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only (PS).
3. Prior to the submission of a Building Licence amended plans being submitted to and approved by the Town incorporating the following amendments:
 - a. All garage width being amended to 6.6m in accordance with the requirements of Town Planning Scheme No. 5 – Appendix 8.
 - b. Finished Floor Levels (FFL) of Unit 3 being amended to 8.75;
 - c. The Howe Street elevation of Unit 2 being upgraded to address Howe Street;
to the satisfaction Manager Planning
4. A detailed landscaping plan to be submitted and approved by the Manager Planning within 30 days of the date of this approval, with this plan including location, species and planting details. Schedule 1 of Council's "Policy 10/001 - Landscaping Policy for Industrial & Commercial Areas" contains a list of "Recommended Low-Maintenance Tree and Shrub Species for General Landscaping" for your reference.
5. Landscaping and reticulation to be established in accordance with the approved detailed plans prior to the development first being occupied and thereafter maintained to the satisfaction Manager Planning.
6. All fencing shall be installed in accordance with the Residential Design Codes and/or the Dividing Fences Act with the exception of secondary street setbacks for Units 2 and 5 which shall provide fencing in accordance with the requirements of primary streets and prior to the occupation of the dwelling(s) all to the satisfaction of the Manager Planning

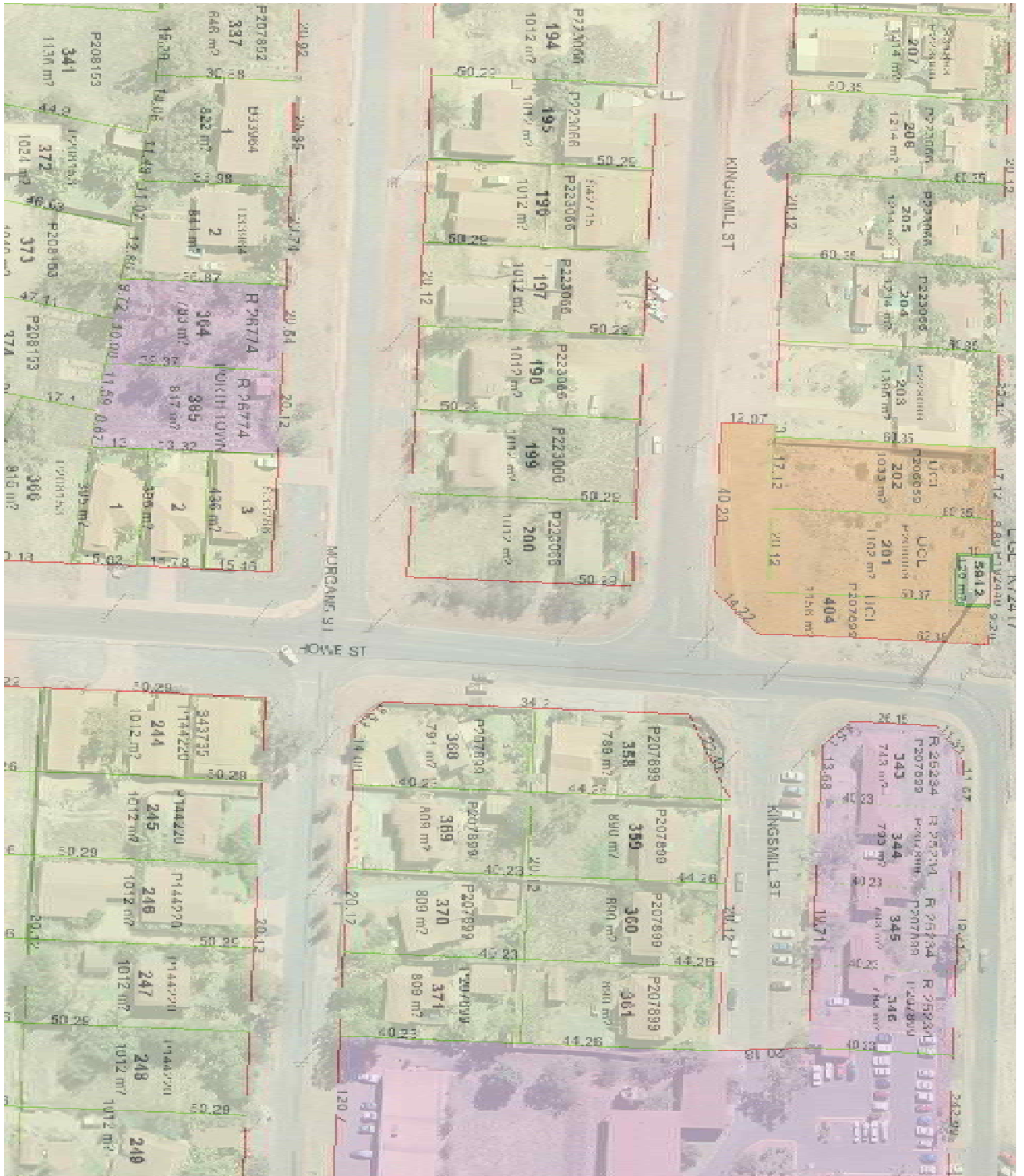
7. All stormwater shall be collected and disposed of to the specification of Council's Engineering Services to the satisfaction of the Manager Planning Services.
8. The crossovers shall be designed and constructed in accordance with Council Policy 9/005 - Crossovers, to the satisfaction of the Manager Planning, prior to occupation of dwellings.
9. Walls on the boundary shall be finished or rendered to match where practicable the colours and materials of the affected property to the satisfaction Manager Planning.

FOOTNOTES:

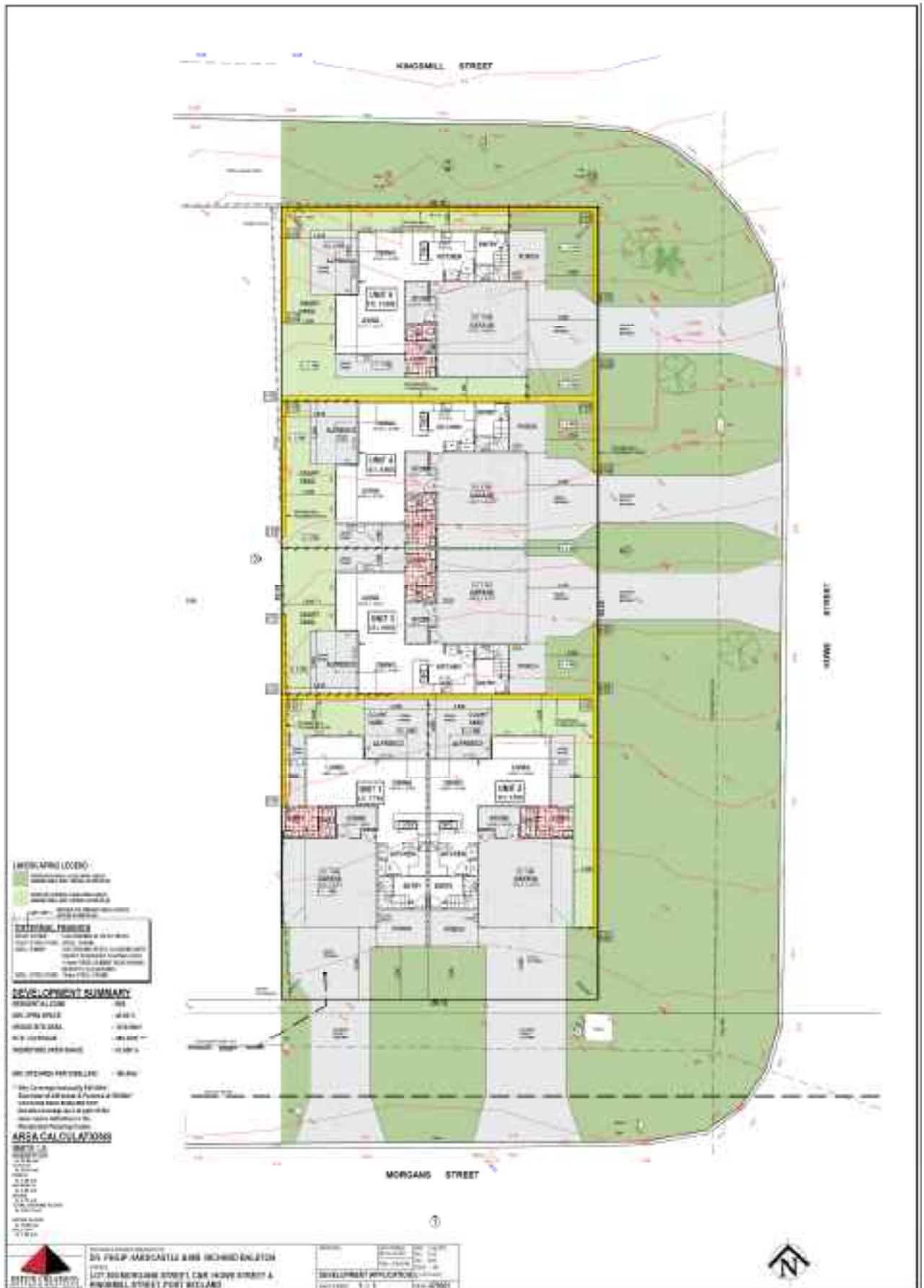
10. You are advised that this is a Planning Approval only and the Developer is responsible for complying with all relevant building, health and engineering requirements.
11. In regard to conditions 3 (b) & (c) and 6 these variations to the submitted plans are required to improve the streetscape, provide better opportunities for passive surveillance and to reduce the impact of retaining on the adjoining properties.
12. This approval should not be construed that the Town will support a survey strata or green title subdivision application for this lot.
13. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
14. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

CARRIED 7/0

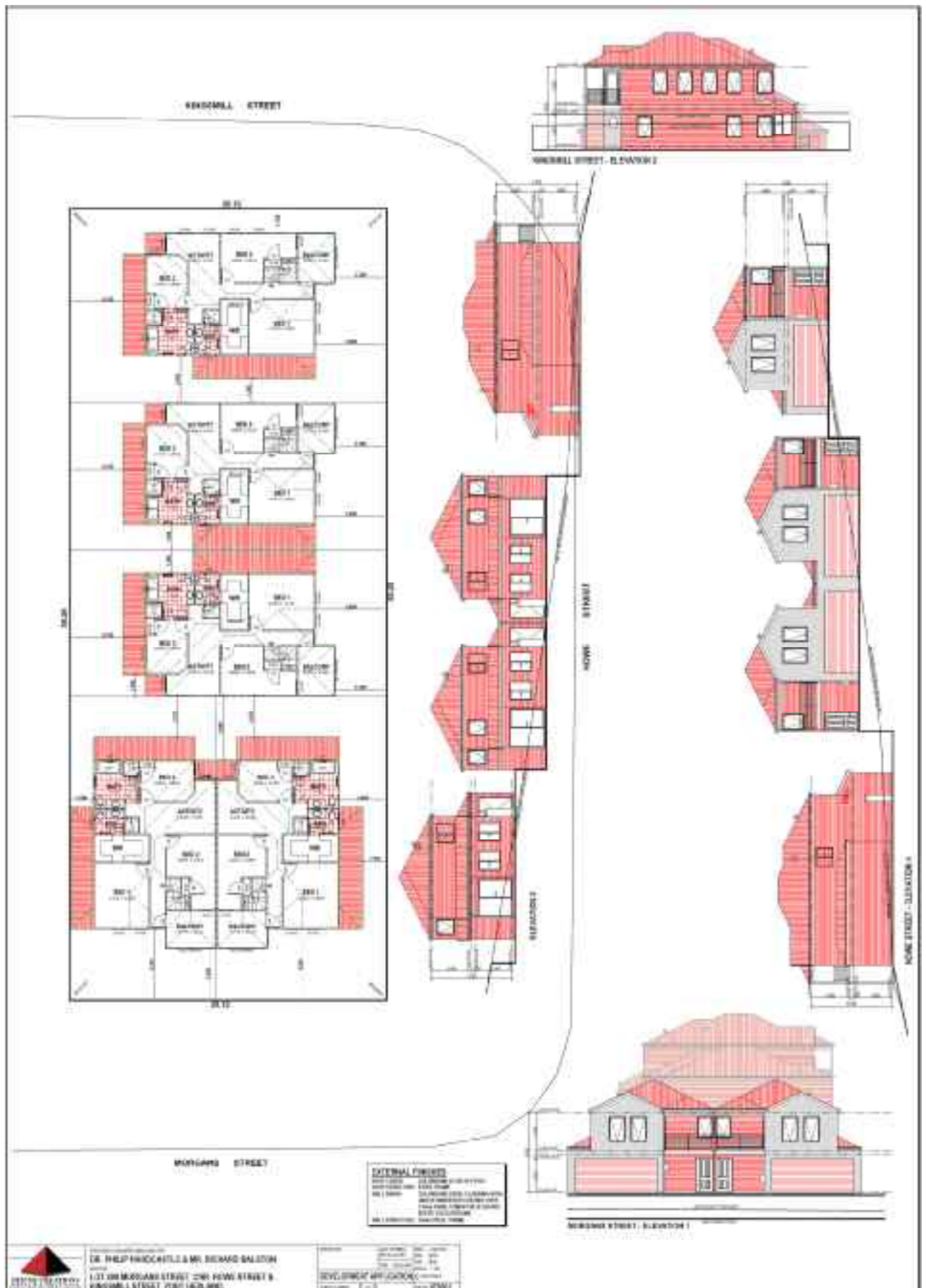
ATTACHMENT 1 TO AGENDA ITEM 11.2.2.4



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.4



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.4



11.2.2.5 Endorsement of Officer's Power of Entry Onto Land as per Section 9.1(c) of Town Planning Scheme No. 5 (File No.:.....-....)

Officer	Marion Carter Planning Assistant Regulatory Services
Date of Report	14 September 2007
Disclosure of Interest by Officer	Nil

Summary

Report requests Council for authorisation for Regulatory and Community Services Officers, as delegated, to enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

Background

Council officers employed to perform functions related to compliance with TPS 5, are not specifically authorised, at present, to enter buildings or land to ascertain compliance with the scheme requirements. The scheme allows for this authorisation, which is typical for local government in W.A and was presumably Council's intent at the time TPS 5 was adopted.

Under normal circumstances this is not an issue as Council officers don't have the need, the training or capacity to use force to enter properties, however if a person verbally accepts a Council officer onto his or her property and then subsequently denies doing so, future legal action can be complicated as officers may be required to establish an authority to be on the land gathering evidence. They may also be required to defend against accusations of trespassing.

This authorisation is a commonly used mechanism to improve the effectiveness of Council staff in gathering evidence in planning matters and does not afford a right to act unreasonably or infringe the rights of property owners. Neither does it exceed the powers of entry afforded to other Council officers under a range of building control and environmental health statutes.

Consultation Nil

Statutory Implications

Section 9.1(c) of Town Planning Scheme No. 5 states:

"9.1 POWERS OF THE SCHEME

- (c) *An officer of the Council, authorised by Council for the purpose, may at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.”*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer’s Comment

This report is to complete the statutory requirement under TPS5 for specific authorization before authorised officers are able to exercise a right to enter properties for planning purposes and it is recommended that Council resolve to support the recommendation.

Officer’s Recommendation

That Council authorise the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 for the following officers:

- . Chief Executive Officer – Mr Chris Adams
- . Director Regulatory & Community Services – Mr Terry Sargent
- . Manager Planning Services - Mr Richard Bairstow
- . Planning Officer – Mr Andrew Patterson
- . Planning Assistant - Ms Marion Carter
- . Administration Officer, Planning – Mrs Dylan Stainton-Owen
- . Manager Building Services – Mr Andy Taylor
- . Building Surveyor – Mr Paul Bennett
- . Building Maintenance Officer – Mr Gary Ward

200708/... Council Decision

Moved: Cr A A Carter

Seconded:

That Council do not authorise the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5

MOTION LAPSED FOR WANT OF SECONDER

200708/010 Council Decision

Moved: Cr G J Daccache

Seconded: Cr G D Bussell

That Council authorise the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 for the following officers:

- . **Chief Executive Officer – Mr Chris Adams**
- . **Director Regulatory & Community Services – Mr Terry Sargent**
- . **Manager Planning Services - Mr Richard Bairstow**
- . **Planning Officer – Mr Andrew Patterson**
- . **Planning Assistant - Ms Marion Carter**
- . **Administration Officer, Planning – Mrs Dylan Stainton-Owen**
- . **Manager Building Services – Mr Andy Taylor**
- . **Building Surveyor – Mr Paul Bennett**
- . **Building Maintenance Officer – Mr Gary Ward**

subject to the following conditions:

- a) **that entry be required for reasonable purpose and be carried out at a reasonable time;**
- b) **notice of one (1) week be given to the property owner prior to entry;**
- c) **this authorisation shall not be executed without prior approval of Council’s Chief Executive Officer or Directors; and**
- d) **the authorisation for the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 be reviewed annually by Council.**

CARRIED 5/2

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

Record of Vote:

FOR	AGAINST
Cr S R Martin	C A A Carter
Cr G D Bussell	Cr D R Pike
Cr G J Daccache	
Cr J M Gillingham	
Cr S F Sear	

REASON: Council authorise the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 for designated Council officers, subject to:

- . *entry being required for a reasonable purpose and to be carried out at a reasonable time, with one (1) weeks notice of intent to enter being given to the property owner prior to entry;*
- . *prior approval of Council's Chief Executive Officer or Directors must be obtained prior to entry; and*
- . *Council will annually review its authorisation of right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No.5.*

**11.2.2.6 Reconsideration - New Living Project Subdivision
Application Lot 2943 Demarchi Road, South Hedland
(File No.: 18/14/004)**

Officer Richard Bairstow
Manager Planning

Date of Report 3 September 2007

Disclosure of Interest by Officer Nil

Summary

At its Ordinary Meeting on 25 July 2007, Council reconsidered two residential subdivision referrals from the Western Australian Planning Commission (WAPC). At this meeting, Council conditionally supported the subdivision application for Lot 3868 (20) Rutherford Street, South Hedland, and deferred The application for Lot 2943 Demarchi Road, South Hedland – Application No. 2007/102 (See Attachment No. 1) pending further discussions about issues associated with the Land Use Master Plan and the provision of open space being resolved.

This report is presented to Council to outline the outcomes of these discussions, and for Council to determine the application in light of this additional information.

Background

The New Living Project is well known to Council, with several major presentations made to both Councilors and Staff regarding the overall project objectives, redevelopment, and development opportunities.

The issue of open space provisions, and its relationship with the Land Use Master Plan, has been resolved by refinements to both the New Living Project proposal (See Attachment No. 2) and the Land Use Master Plan Concept (See Attachment No. 3).

Given the compatibility that has been developed between the two designs, addressing the concerns previously raised, the proposed subdivision can now be supported, subject to those conditions detailed within the recommendation.

Statutory Implications

The Western Australian Planning Commission (WAPC) is required under Part 10 – Subdivision and Development Control, Clause 142 – Objections and recommendations of the Planning Development Act 2005 (P&D2005) to refer for comment any applications for subdivision.

The Town is required to provide these comments within 42 days of receiving the application.

However, as 4 of the 7 applications propose the subdivision of land zoned Urban Development, Clause 5.2 – Development Plans of Town Planning Scheme No. 5 (TPS5) - is relevant, particularly Sub-Clause 5.2.1, which states:

“Council may prepare, or require the preparation of, a Development Plan prior to considering subdivision or development proposals for: b) Urban Development Zone.”

Policy Implications

9/007 – Roadside, verge and reserve parking policy

9/008 – Verge treatment policy

12/002 - Off site car parking policy

Draft Policy – Road reserve and pavement width policy

Strategic Planning Implications

Key Result Area 4 – Economic Development

Goal Number 4 – Land Development Projects

Strategy 2 – “Work with the South Hedland New Living Project to ensure that sustainable development lots consistent with the principles of Council are made available within South Hedland within a timely manner.”

Key Result Area 2 – Community Pride

Goal Number 3 – Townscape

Strategy 1 – “Work closely with the Department of Housing and Works to implement the South Hedland New Living project.”

Key Result Area 1 – Infrastructure

Goal Number 2 – Parks and Gardens

Strategy 1 – “In conjunction with the South Hedland New Living Project and the Land Use Master Plan, develop a Park Improvement Program that identifies which parks should be more intensively developed and which parks could potentially be surplus to community requirements.”

Budget Implications

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

Officer’s Comment

As previously advised, the assessment process has identified five (5) strategic design areas that should be suitably addressed by the applicant prior to the commencement of subdivision works.

These areas are:

- Road reserve and pavement width standards;
- Design Guidelines for the treatment, development and upgrading of drainage reserves as linear open space;
- Design Guidelines for lots abutting public reserves to ensure that the development addresses and provides passive surveillance of the public reserve;
- Design Guidelines for corner lots to ensure that the development addresses and provides passive surveillance of the primary and secondary streets;
- Develop Design Guidelines for the proposed Local Centre that are supported by suitable professional justification demonstrating the proposed development's location, lot size, tenancy mix, design criteria and zoning is sustainable, and reflects best practice in these areas.

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

The application has been assessed and the recommendation reflects that assessment. The recommendation for Lot 2943 Demarchi Road, South Hedland has been structured to allow Council to support the application and ensure that the applicant addresses all of the relevant issues prior to commencement of works.

Attachments

Attachment No. 1 – Location Plan
Attachment No. 2 - New Living Project Openspace Proposal
Attachment No. 3 - Land Use Master Plan Openspace Concept
Attachment No. 4 – Subdivision Plan

Officer's Recommendation

That Council:

1. under Clause 5.2.1 of Town Planning Scheme No. 5 resolves not to require the preparation of a Development Plan subject to the applicant complying with the resolution and conditions outlined in part 2 of this recommendation; and
2. supports the subdivision application for creation of 109 lots on Lot 2943 Demarchi Road, South Hedland, subject to the following conditions and footnotes:
 - a. Prior to the commencement of works:

- i. The subdivision design being amended and approved by the Town of Port Hedland in accordance with the changes indicated in red on the supported plans (See Attachment No. 8) including but not limited to:
 - aa. compliance with the Policy on Road Reserve and Pavement Widths;
 - bb. The realignment of the internal road to run parallel with Banksia Street and lots being redesigned to front Banksia Street;
 - cc. Road widths being amended in accordance with those shown on the supported plan;
 - dd. The deletion of the Public Open Space and its replacement with a grouped dwelling site;
 - ee. Plans and supporting documentation are to be provided to the specification of the Town's Director Engineering for the proposed methods of restricting vehicle access from the new road to Murdoch Drive;
 - ff. The realignment of lots and develop a cap system facing Murdoch Drive which only allows access to those lots facing Murdoch Drive access as per the attached plan; and
 - gg. Upgrade plans in accordance with the to be developed "Design Guidelines for the treatment, development and upgrading of drainage reserves as linear open space" of drainage reserve that abuts the site shall be submitted to and approved by the town to create a passive linear open space;
- ii. Develop Design Guidelines to cover lots 106 and 105 and the grouped dwelling site that is to replace the POS site, which abut the existing drain and ensure that these lots address both the street and proposed drain/linear POS and provide passive surveillance of the proposed drain/linear POS and be submitted to and approved by the Town;
- iii. Develop Design Guidelines for all corner lots to ensure that these lots are developed with the dwelling/s addressing both the primary and secondary street and be submitted to and approved by the Town;
- iv. Design Guidelines for the treatment, development and upgrading of drainage reserves as linear open space;

- v. Develop Design Guidelines for the proposed Local Centre that is supported by suitable professional justification demonstrating that the proposed developments location, lot size, tenancy mix, design criteria and zoning is sustainable and reflects best practice in these areas; and

all to the satisfaction of the Manager Planning;

- b. The approved plans/documentation relating to conditions "a" being implemented to the satisfaction of the Manager Planning.
- c. Those lots not fronting an existing road being provided with frontage to a constructed subdivisional road connected by a constructed subdivisional road(s) to the local road system and such subdivisional road(s) being constructed and drained at the subdivider's cost. As an alternative, the Western Australian Planning Commission is prepared to accept the subdivider paying to the Local Government the cost of such works as estimated by the Local Government subject to the Local Government giving an assurance to the Commission that the works will be completed within a reasonable period acceptable to the Commission.
- d. Subdivisional roads to be constructed and dedicated to the boundary of the application area.
- e. A drainage management plan being prepared and implemented as part of the subdivisional works.
- f. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.

FOOTNOTES

- a. Be advised that a Scheme Amendment will be required to deal with the Density Codes issues associated with lots which are currently coded contrary to those in the Scheme
3. directs the Chief Executive Officer or his nominated officer to advise the Western Planning Commission of its decisions in regard to the application for subdivision, which is the subject of this report.

200708/011 Council Decision/Officer's Alternate Recommendation**Moved:** Cr A A Carter**Seconded:** Cr G J Daccache**That Council:**

1. under Clause 5.2.1 of Town Planning Scheme No. 5 resolves not to require the preparation of a Development Plan subject to the applicant complying with the resolution and conditions outlined in part 2 of this recommendation; and
2. supports the subdivision application for creation of 109 lots on Lot 2943 Demarchi Road, South Hedland, subject to the following conditions and footnotes:
 - a. Prior to the commencement of works:
 - i. The subdivision design being amended and approved by the Town of Port Hedland in accordance with the changes indicated in red on the supported plans (See Attachment No. 8) including but not limited to:
 - aa. compliance with the Policy on Road Reserve and Pavement Widths;
 - bb. The realignment of the internal road to run parallel with Banksia Street and lots being redesigned to front Banksia Street;
 - cc. Road widths being amended in accordance with those shown on the supported plan;
 - dd. Plans and supporting documentation are to be provided to the specification of the Town's Director Engineering for the proposed methods of restricting vehicle access from the new road to Murdoch Drive;
 - ee. The realignment of lots and develop a cap system facing Murdoch Drive which only allows access to those lots facing Murdoch Drive access as per the attached plan; and
 - ff. Upgrade plans in accordance with the to be developed "Design Guidelines for the treatment, development and upgrading of drainage reserves as linear open space" of drainage reserve that abuts the site shall be submitted to and approved by the town to create a passive linear open space;

- ii. **Develop Design Guidelines to cover lots 106 and 105, corner lots and lots facing Public Open Space (POS) or which abut the existing drain ensuring that these lots address both the street and proposed drain/linear POS to provide passive surveillance of the proposed drain/linear POS (to be submitted to and approved by the Town);**
- iii. **Develop Design Guidelines for all corner lots to ensure that these lots are developed with the dwelling/s addressing both the primary and secondary street and be submitted to and approved by the Town;**
- iv. **Design Guidelines for the treatment, development and upgrading of drainage reserves as linear open space;**
- v. **Develop Design Guidelines for the proposed Local Centre that is supported by suitable professional justification demonstrating that the proposed developments location, lot size, tenancy mix, design criteria and zoning is sustainable and reflects best practice in these areas; and**

all to the satisfaction of the Manager Planning;

- b. **The approved plans/documentation relating to conditions “a” being implemented to the satisfaction of the Manager Planning.**
- c. **Those lots not fronting an existing road being provided with frontage to a constructed subdivisional road connected by a constructed subdivisional road(s) to the local road system and such subdivisional road(s) being constructed and drained at the subdivider's cost. As an alternative, the Western Australian Planning Commission is prepared to accept the subdivider paying to the Local Government the cost of such works as estimated by the Local Government subject to the Local Government giving an assurance to the Commission that the works will be completed within a reasonable period acceptable to the Commission.**
- d. **Subdivisional roads to be constructed and dedicated to the boundary of the application area.**
- e. **A drainage management plan being prepared and implemented as part of the subdivisional works.**

- f. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.

FOOTNOTES

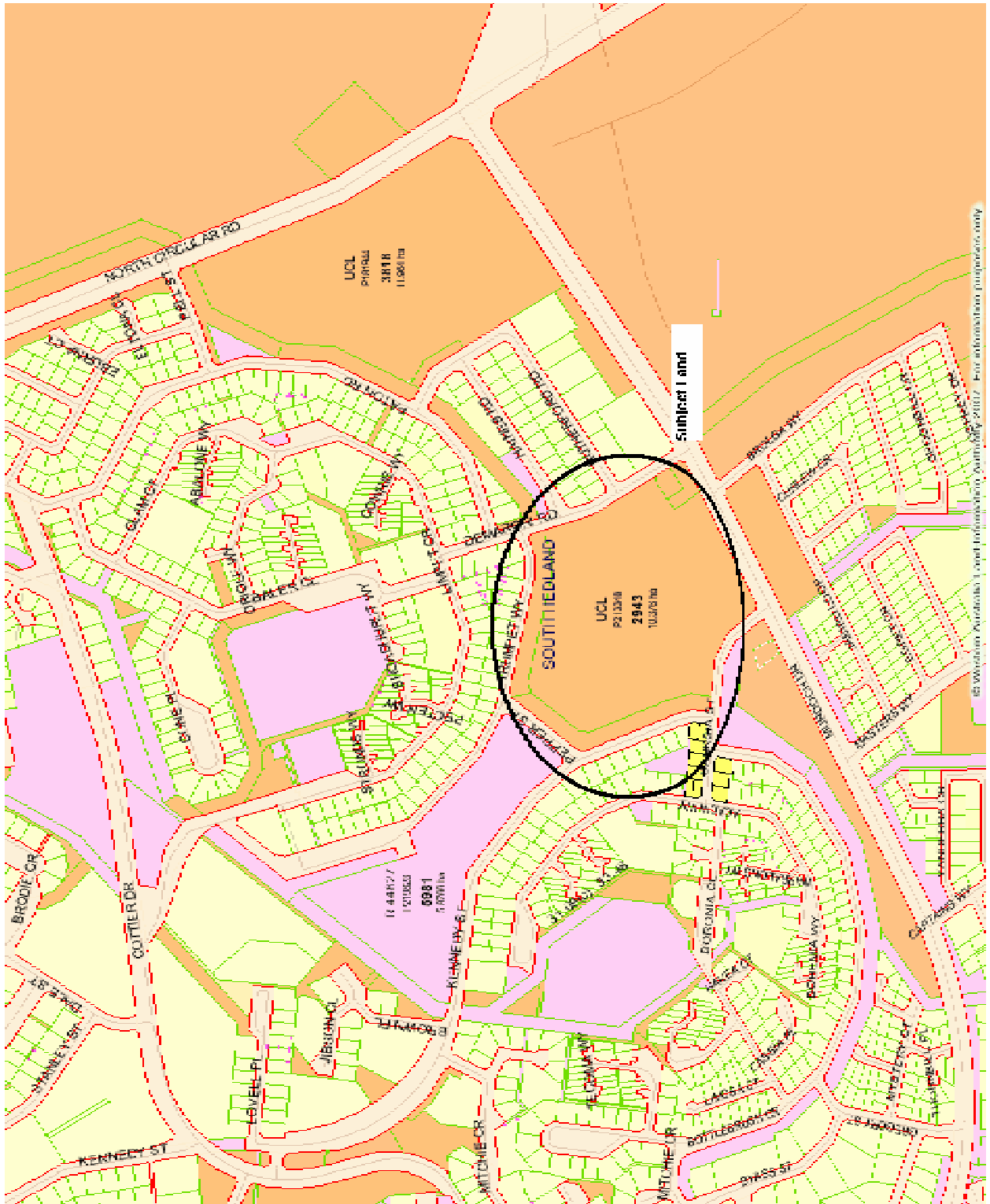
- a. Be advised that a Scheme Amendment will be required to deal with the Density Codes issues associated with lots which are currently coded contrary to those in the Scheme
3. directs the Chief Executive Officer or his nominated officer to advise the Western Planning Commission of its decisions in regard to the application for subdivision, which is the subject of this report.

CARRIED 6/1

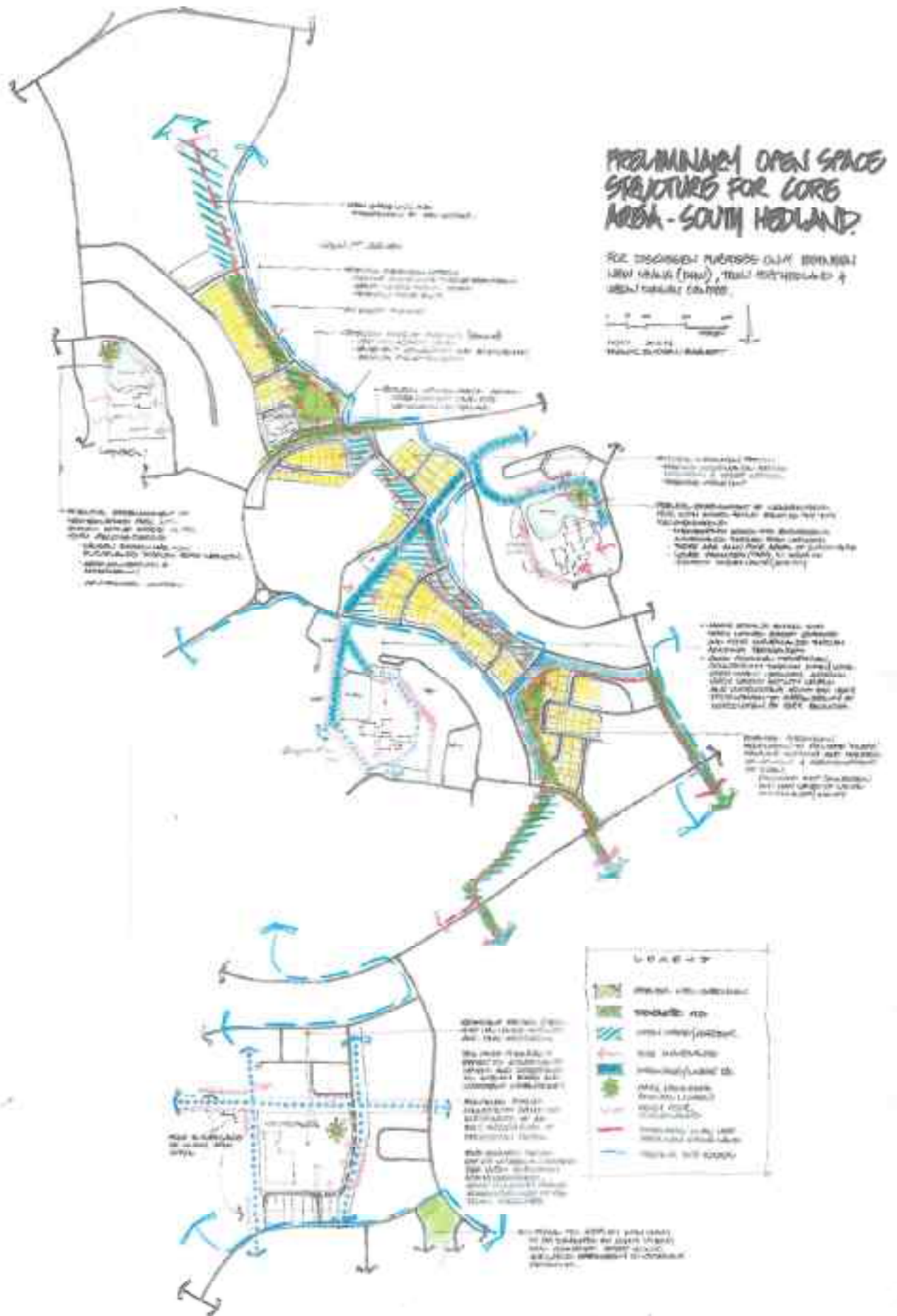
REASON: Council clarified requirements for corner lots and lots facing Public Open Space, by deleting Clause dd); and amending Clause ii.) to read as follows:

- “ii. Develop Design Guidelines to cover lots 106 and 105, corner lots and lots facing Public Open Space (POS) or which abut the existing drain ensuring that these lots address both the street and proposed drain/linear POS to provide passive surveillance of the proposed drain/linear POS (to be submitted to and approved by the Town);”*

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.6



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.6



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.6



ATTACHMENT 4 TO AGENDA ITEM 11.2.2.6



Proposed Subdivision Plan
LOT 26-48 DE MARCHI ROAD, SOUTH HEDLAND

**11.2.2.7 Proposed Extension to the “Place of Animal Care”
Development on Lot 3828 (14) Hedditch Street, South
Hedland (File No.: 122750G)**

Officer Richard Bairstow
Manager Planning

Date of Report 3 September 07

Disclosure of Interest by Officer Nil

Summary

An application has been submitted for an extension to a non-conforming use – “Place of Animal Care” located at Lot 3828 (14) Hedditch Street, South Hedland (See Attachment No. 1). Such an extension requires a Council’s determination in accordance with the requirements of Town’s Notice of Delegation.

The application proposes the existing facility (See Attachment No. 2) to be extended in accordance with Attachment No. 3.

Background

Council has previously considered two applications for proposed extensions to the facility in 1998. The previous applications, which were approved by Council, have not been acted upon. This was confirmed by a recent site visit.

Under Town Planning Scheme No 5 (TPS5), the use of a “Place of Animal Care” is “a development that is not permitted by the Scheme” within a Mixed Business Zone. Council considered this matter at its Ordinary Meeting on the 23 September 1998 as Item 10.1.1 and Council resolved as part four of the resolution that:

“That Proposed Town Planning Scheme No. 5 be modified to incorporate a “Place of Animal Care” as an “SA” use in the “Mixed Business” Zone.

The resolution was carried 8/0, however it would appear that the amendment to the Scheme has never been carried out. Therefore the current application needs to be determined in accordance with Part 8 Non-Conforming Uses of TPS5.

Consultation

No consultation was carried out as the application has been assessed as not having any likely impacts on its adjoining properties.

The applicant was, however, requested to provide justification for the proposed extension and the following is a summary of that submission:

- Extension is required as the current workload is more than the current clinic can handle efficiently;
- The last upgrades to the facility were 12 to 15 years ago and it is time for a change;
- The clinic has a shared treatment /surgery area and to have these areas separated provides for a better sterile surgical environment;
- Existing X-Ray facilities are cramped and also ultra sound facilities also need to be included;
- Existing office, waiting rooms, hospitalisation facilities are small and cramped and need expansion; and
- The current facility has no staff room and current staffing conditions make its provision necessary.

The applicant's justification is considered sufficient to warrant the extension of the facility, however the development still needs to comply with the relevant statutory requirements. These issues are discussed within the Officers comment section.

Statutory Implications

As already noted, the Council has previously resolved to change the use classification of a "Place of Animal Care" from a "~" use to an "SA" use under TPS5.

To achieve this a Scheme Amendment is required which includes formal advertising (42 days) and endorsement by WAPC/Minister for Lands. Rather than initiate an amendment for this one small change to the Scheme it is planned to incorporate this modification to an omnibus amendment, which will fix up a range of other minor changes to the Scheme.

While the rezoning process has yet to be followed through, the current application is required to be determined in accordance with Part 8, Clause 8.2 of TPS5 as, currently, the Notice of Delegation doesn't provide delegation to Administration Staff to deal with such matters. Part 8, Clause 8.2 states as follows:

"8.2 EXTENSION OF NON-CONFORMING USE

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

Policy Implications

The application has no Policy implications.

Strategic Planning Implications

The application has no Strategic Plan implications

Budget Implications

An application fee of \$690.00 was paid in to the Town Planning Fees Account (1006326) on the 13 July 2007.

Officer's Comment

According to Council's records, the applicant has submitted two previous applications for proposed extensions to the existing development. Both applications were approved, however, neither has been developed. The current application is similar to the previous applications. The application has been assessed and the following comments are provided.

Assessment

Town Planning has assessed the application and the following issues of non-compliance or interest are noted:
Carparking

The application is deficient in the provision of on-site carparking, with only potentially 3 of the required 12 bays being provided on-site. The applicant advised in a telephone conversation that they wished to investigate the opportunity of having the outstanding bays being accommodated within the road reserve or adjoining recreation reserve under a cash-in-lieu arrangement, as provided for in Clause 6.13.3 of TPS5. Whilst a further negotiation between Council and the owner is required it is not considered an irresolvable issue, and conditions can be imposed to deal with the issue.

Suitable conditions have been included within the recommendation to adequately deal with the carparking issue.

Setbacks

The proposal provides a nil setback to the rear boundary, which is permissible within a "Mixed Business Zone"

The application is recommended subject to those conditions detailed within the recommendation.

Attachments

Attachment No. 1 – Location Plan
Attachment No. 2 – Site Plan – Existing
Attachment No. 3 – Site Plan - Proposed

200708/12 Council Decision/Officer's Recommendation**Moved:** Cr G D Bussell**Seconded:** Cr J M Gillingham

That Council GRANTS Planning Consent to the Morrell Enterprises for the proposed PLACE OF ANIMAL CARE – renovation and additions to the existing clinic on Lot 3828 (14) Hedditch Street, South Hedland as outlined in the Application received 13 July 2007 (Application 2007/167) and indicated on the approved plans, subject to the following conditions:

- 1. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.**
- 2. Prior to the submission of a Building Licence, 3 copies of amended plans and/or additional information being submitted to, and approved by, the Town, incorporating the following amendments:**
 - a. An acoustic consultant's report demonstrating that the proposed development is capable of containing all noise emissions in accordance with the Environmental Protection Act 1996.**
 - b. Provision and location of service areas, bins and storage areas which shall be screened from view from streets and public areas by an enclosure in the style and material of the building;**
 - c. A minimum of 12 carparking bays on-site (see Footnote 2);**
 - d. One (1) disabled carparking bay located convenient to the retail building entrance, and with a minimum width of 3.8 metres, to be provided;**
 - e. Carparking being designed in compliance with the requirements of Town Planning Scheme No. 5, Clause 6.13 and Appendixes 7 and 8. Such areas are to be constructed, drained, marked, and, thereafter, maintained to the satisfaction of the Manager Development & Health Services prior to the development first being occupied;**
 - f. any carparking, landscaping or paths within the road reserve on Hedditch Street; and**
 - g. An overall signage panel strategy;**

to the satisfaction Manager Planning.

- 3. All fencing shall be installed in accordance with the Dividing Fences Act all to the satisfaction of the Manager Planning.**
- 4. A detailed landscaping plan (including common areas and road reserves) to be submitted, and approved by, the Manager Planning prior to the commencement of works. The plan to include location, species and planting details, with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping, included in Council Policy 10/001.**
- 5. Landscaping and reticulation to be established in accordance with the approved detailed plans, prior to the development first being occupied, and thereafter maintained to the satisfaction Manager Planning.**
- 6. All stormwater shall be collected and disposed of in a manner acceptable to the Director of Engineering Services and to the satisfaction of the Manager Planning.**
- 7. A Rubbish Collection Strategy/Management Plan shall be submitted to, and approved by, the Town prior to the commencement of works. The strategy / plan shall consider service vehicle manoeuvring on the internal roads of the development. Any alterations to the approved plans required as a result of the strategy/plan shall be incorporated into the building licence plans. The approved strategy/plan shall be implemented to the satisfaction of the Manager Planning.**
- 8. Any roof mounted or freestanding plant or equipment, such as air conditioning units, to be located, and/or screened, so as not to be visible from beyond the boundaries of the development site to the satisfaction of the Manager Planning.**
- 9. The driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, prior to the occupation of the dwelling(s).**
- 10. Carparking areas (including those referred to in conditions 2 (c) to (f) and accessways are to be constructed, drained, marked, and thereafter maintained to the satisfaction of the Manager Planning prior to the development first being occupied;**

12. Retaining walls are to be provided where the angle of natural repose of the soil cannot be maintained. Drawn details signed by a practicing Structural engineer, must be submitted for approval. When retaining walls in excess of 0.5 metres in height abut common boundaries, the Town must be provided with written approval of the affected landowners (where applicable).
13. The proposed development shall be connected to reticulated mains sewer.
14. All dust and sand to be contained on site, with the use of suitable dust suppression techniques, to the specification of the Manager Environment Health, and satisfaction of the Manager Planning.
15. The submission of a construction management plan with the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
 - a. The delivery of materials and equipment to the site;
 - b. The storage of materials and equipment on the site;
 - c. The parking arrangements for the contractors and subcontractors;
 - d. Impact on traffic movement;
 - e. Operation times, including delivery of materials;
 - f. Other matters likely to impact on the surrounding residents;
 - g. Building waste management control; and
 - h. Point of contact personnel for control of enquiries and any complaints;all to the satisfaction of the Manager Planning

FOOTNOTES:

1. Be advised that this is a Planning Approval only, and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. In regard to condition 2 (c), the Town is prepared to accept the provision of a portion carparking spaces within the adjoining road reserves. Provided that all costs associated with their construction (including the pedestrian path and verge landscaping) and maintenance are at the applicant's expense and to the specifications of the Town.
3. You are advised that drawings submitted for Building License are to be properly drawn and signed by a practising structural engineer.
4. In relation to Conditions 9 and 10, please contact the Town's Technical Officer – 9173 9350 for further details.

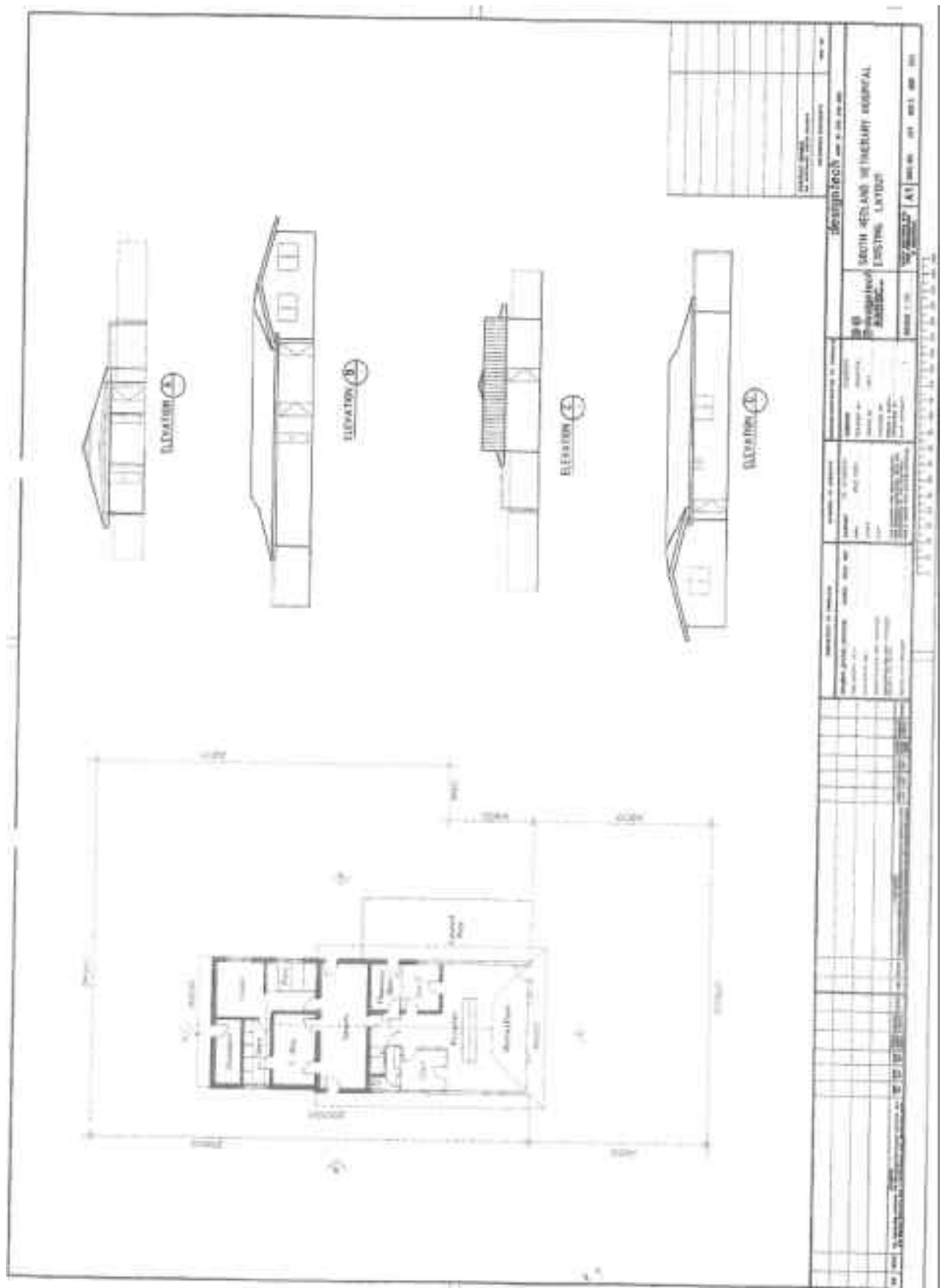
5. The existing site levels and finished floor levels of all proposed development, including levels at the top of the kerb at the crossover, are to be shown on the building license submission.
6. You are advised that plans submitted for a Building Licence must show the full width of the verge and any street furniture, traffic islands, statutory services, road gullies, and crossovers, on the opposite side of the road.
7. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges, and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
8. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 7/0

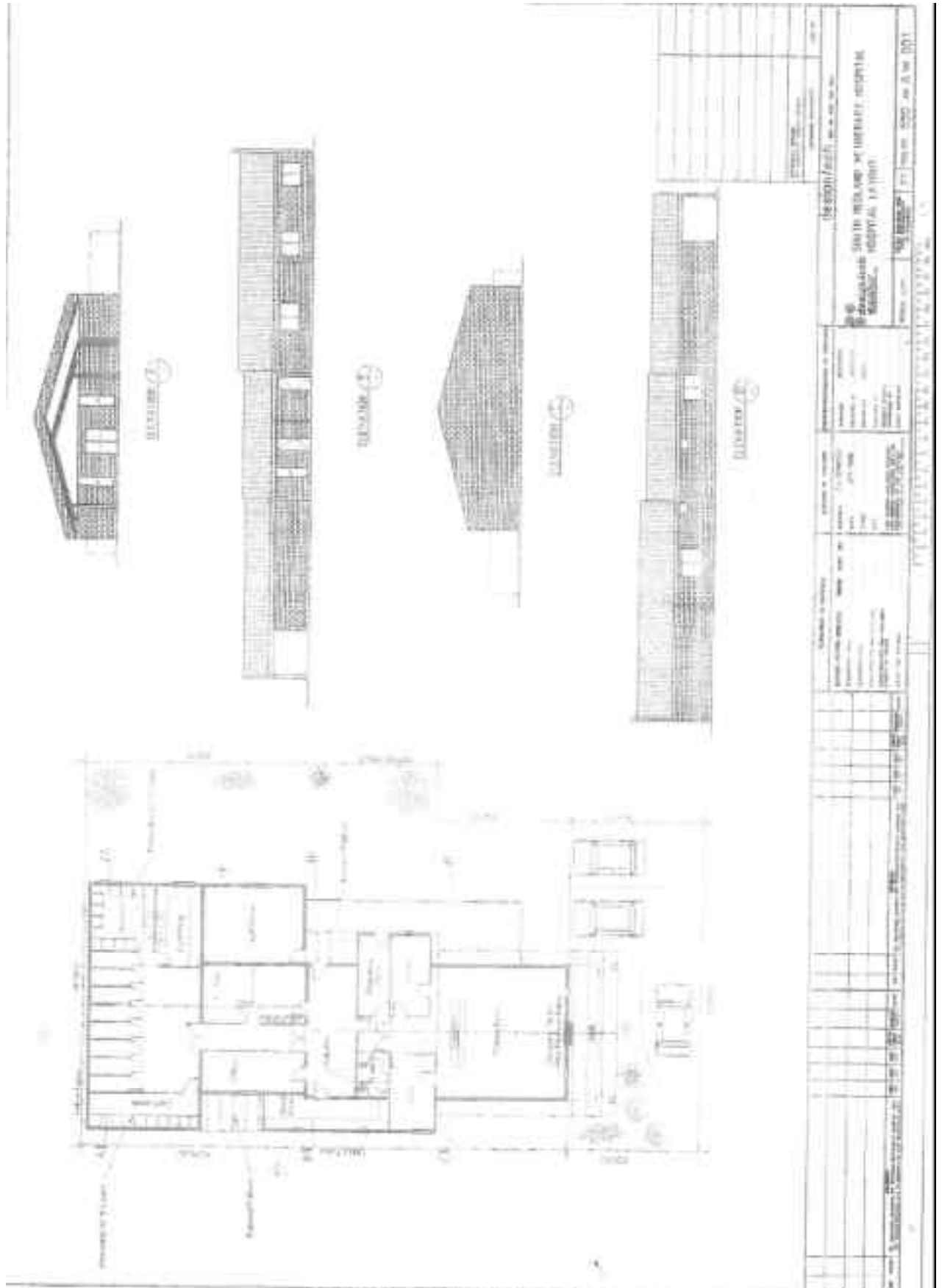
ATTACHMENT 1 TO AGENDA ITEM 11.2.2.7



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.7



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.7



11.2.2.8 Proposed Eight (8) Single Bedroom Dwellings at Lot 105 Morgans Street Port Hedland (File No.: 403190G)

Officer	Marion Carter Planning Assistant
Date of Report	17 September 2007
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from Whelans Town Planners, on behalf of Henry Sweetland to construct eight (8) single bedroom dwellings at lot 105 Morgans Street Port Hedland.

Background

This land comprises a total of 1012 m² and is zoned "Residential R 12.5/50" in the Town of Port Hedland Town Planning Scheme No. 5 (TPS 5).

Council's Manager Planning Services has determined that as this development is proposed as single bedroom dwellings as defined by the Residential Design Codes of Western Australia, that they are not defined as grouped dwellings and are therefore treated as "use not listed – single bedroom dwellings."

Section 3.2.6 of the Town of Port Hedland Town Planning Scheme No. 5 states:

"If the development of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be included in the definition of one of the development categories the Council may determine:

- (a) that the development or use is not consistent with the objectives and purpose of the particular zone or precinct and is, therefore, not permitted, or*
- (b) by absolute majority that the proposed development may be consistent with the purposes and objectives of the zone.*

The applicant is in the process of gaining approval to survey strata the lot with the Western Australian Planning Commission into 8 lots plus common property to accommodate the development. The decision on the strata application was deferred subject to this development approval being endorsed by Council.

R Codes Assessment

This application complies with all “Acceptable Development” provisions of the Residential Design Codes with the exception of the following items:

Setbacks:

The R-Codes prescribe street setbacks of 4 metres from a public street, 1 metre from a secondary street and 2.5 metres from a communal street. The development on proposed lots 4, 5 & 6 comply with the setback requirements however development fronting Kingsmill and Morgans Streets is setback 2.65m and 2.2m respectively which is below the requirement. The performance criteria states that buildings should be setback an appropriate distance to ensure they:

- Contribute to the desired streetscape;
- Provide adequate privacy and open space for dwellings; and
- Allow safety clearance for easement for essential service corridors.

. Justification for the Variation

The reduced setback is necessary to achieve appropriate floor area for the units. The units will have a small front yard that may be landscaped and fenced to provide privacy. There is not uniform development on either side of the subject lot so the setbacks will not be discordant with existing development and the verges are so wide in this area that a reduced setback can be provided without detrimentally impacting upon streetscape.

Carports can be located forward of the street setback line as long as they do not exceed 50% of the frontage of the lot. (3/2/3 A3.4) The carports are located forward of the setback line in this case, however they do not exceed 50% of any lot frontage.

The carport posts represent no impediment to sightlines, safety or streetscapes given the significant verges on both streets and the absence of any pedestrian footpaths. If they were solid garage walls to the front boundaries then we would appreciate any concerns raised. Our view is ratified by the R Codes which allow carports anywhere within the front street setback area and therefore by implication, right up to the front boundary. Carports would be setback 1.5 metres if it meant other design components would not be compromised but in this case, the modification would seriously prejudice the current design: specifically the open space /outdoor living area provision and the floor areas of the units. These are the two

most fundamental aspects of the design that dictate the amenity of the development for the inhabitants.

. Officer's Comment

Council previously considered and approved a 15 x Group Dwelling at 111-112 Morgans Street in August 2007. That application granted reduced setbacks to accommodate the Development.

The carports are set at nil setback to street frontages. Due to the very wide verge area (10m) and the fact that the carports are open sided the requested variation can be accepted with appropriate conditions imposed to ensure that no fencing within the 1.5 by 1.5 visual truncation either side of each carport is constructed, that the carport remain open on all sides and no garage doors are permitted.

Further investigation by Council is warranted to investigate the opportunities and methods to reduce verge widths within the Town of Port Hedland where these verge widths are considered to be excessive.

Side Setbacks

Development is to be setback from side and rear boundaries depending upon wall height and length in accordance with the table on page 112 of the R-Codes. The development complies with the minimum in all cases.

Six of the proposed units are development with a common wall or a nil setback on one side boundary and four (lots 2,3,4 & 5) of the units has a nil setback on two boundaries. Development up to more than one side boundary is generally not acceptable development but can be considered where it:

- Makes effective use of space;
- Enhances privacy;
- Enhances the amenity of the development; and
- Does not have any adverse effect on the amenity of adjoining property.

. Justification for the Variation

The use of nil boundary setbacks with this density of development is crucial to achieve adequate floor area and make the most effective use of space. The area of non-compliance is where the storerooms on Lots, 2,3,4 & 5 abut at the rear boundary of those lots.

Because the walls about a wall of the same dimension and height and will be simultaneously constructed, there will be no adverse affect of any kind on adjoining property, nor do these wall have any impact upon streetscape.

. Officer's Comment

The variation is considered to be minimal and will not adversely affect adjoining property or streetscape and is therefore assessed as suitable in meeting this criterion.

Open Space

Land coded R50 requires 45% open space per lot and 16m² of outdoor living area which is at least two thirds uncovered, behind the front setback area, directly accessible from the dwelling and with a minimum dimension of 4m². With the exception of Lot 6, each lot is deficient in total Open Space provided but meets the outdoor living area requirements. The relevant performance criteria states that there should be sufficient open space around buildings to:

- Complement the building;
- To allow attractive streetscapes; and
- To suit the future needs of the residents.

. Justification for the Variation

The Morgans Street elevation is shown on drawing Slko6 (attachment 4). From the street, the common driveway could be construed as open space and this elevation generally give the appearance of a single house. Similarly the Kingsmill Street elevation is not considered unattractive being that there are setbacks between the development on Lots 1 & 2 and between the units and the side boundaries.

Large areas of open space around a dwelling are more applicable to single residences that house families with young children otherwise most open space is underutilised and uncared for. It is likely that occupants of the units will be young singles who require on an outdoor living area to entertain and do not need or want to maintain large areas of unusable private open space.

. Officer's Comment

The variation is assessed as suitable in meeting this criteria.

Landscaping

No landscaping has been proposed for this development and an appropriate condition is included in the Officers Recommendation requiring the developer to submit and implement acceptable landscaping.

Access and Car Parking

Single bedroom dwellings are required to be provided with 1 car parking space only (3.5.1 A1 ii pg 66). Each unit has a single, covered car bay.

Additional spaces for visitors are to be provided at the rate of one space for each four dwellings, or part thereof, in excess of four dwellings, serviced by common access. As only three of the units are serviced by common access visitor's spaces are not required.

. Justification for the Variation

The development represents a scenario where visitors' car parking is not required to be provided given that only three lots are accessed via a common property driveway. Notwithstanding, it is feasible that occupants of the units will have visitors from time to time and some explanation is required as to where they will park given the units statutorily require only one car bay. Lots 1 - 3 inc and Lots 7 & 8 have crossovers to Kingsmill and Morgans Streets respectively that are some 10 metres long. It is logical that visitors would simply park on these driveways. Lot 6 has additional space within the lot, in front of the dwelling to accompany a visitor's car and this area could be landscaped accordingly. Lots 4 and 5 technically do not have additional area on the lot and therefore the only logical place for vehicles to park would be on the road reserve or on the verge as is common practice in the immediate locality.

In regards to the size of car parking bays, we are happy to comply with the Scheme although the car parking bays have been designed to accord with the R-Codes which, in turn, reflect the Australian Standard. It is difficult to imagine why the Scheme would require a greater standard than the Australian Standard and the rationale for the difference.

. Officer's Comment

Extra car parking is not required under the Code for this development as only 3 of the units share a communal driveway. Although units are single bedroom dwellings, up to 2 persons may inhabit each unit and therefore it would be desirable that extra bays were provided both for residents and visitors. This requirement would alleviate ad-hoc use of verge areas for parking.

The proponents have provided justification and explanation addressing the parking concerns. A condition requiring Unit 6 to have a 1 x landscaped car bay incorporated on the lot has been included to address this issue. Extra parking requirements as assessed are therefore deemed acceptable for this development.

Carbay widths have been shown as 2.5m in width, it is required under Town Planning Scheme No. 5 Appendix 8 that bays are to be 3.6m wide. This requirement is designed to accommodate the larger 4wd vehicles that are predominant in the region. A condition has been included to address this issue.

Site Works

This section of the R Codes is complex but is primarily concerned with three issues:

- The impact of site works on the amenity of adjoining properties;
- The visual impact of the site from the street; and
- The retention as far as possible of the natural contours of the site.

To achieve these objectives, the Codes disallow excessive filling or excavation and require that retained areas be setback from boundaries.

Justification for the Variation

The proposed development follows the contours of the site because it steps down the site, proposing three tiers of development. It is necessary however to partially fill the site to obtain a building height that is level with Kingsmill Street. This is beneficial for two reasons:

- It will allow development to address the street and provide a streetscape; and
- It will allow Units 1-5 access to the sea breeze.

The retaining required will be marginally greater than already exists with the most significant area of new retaining being at the rear of lots 7 & 8. This should not impact upon Lot 106 to the west because it is vacant.

Retaining on the southern two thirds of the eastern boundary may have affect on the adjoining lot, however it is predominantly adjacent to driveway and car parking areas and therefore should not adversely affect the neighbour's amenity.

. Officer's Comment

The owner of the land has sought comments from nearby landowners and has received no objections to the proposed development as shown on the drawings.

It is considered that the proposed fill and retaining of the land is excessive to bring the lot to the level of Kingsmill Street, it is therefore recommended that the FFL's be reduced by an average of 0.47m. This reduced FFL allows for the maximum allowable grade of the driveways into the units facing Kingsmill Street of 1:20. A condition has been imposed to address this issue.

Privacy

Where there is the potential to overlook the habitable rooms and outdoor living areas of an adjoining residential property, the R-Codes prescribe greater setback distances to minimise any impact. The performance criteria for this element states that there is a lesser need to prevent overlooking of extensive back gardens (3.8.1 P1 pg 81).

. Justification for the Variation

Development on the proposed lot will be single storey and boundary fences will prevent overlooking into adjoining property. This is not considered an issue with the proposed development.

. Officer's Comment

Due to the 1.80m height of the fencing the variation is assessed as suitable in meeting this criteria. A Condition will be imposed ensuring that fencing is provided on top of retaining walls to a height of 1.8m from the highest side of the lots.

Incidental Development

Storage Areas:

The R-Codes require that an enclosed, lockable storage area, of design and material complimentary to the dwelling with a minimum area of 4m² be provided for each dwelling (3.10.3 A3.13 pg 90).

. Justification for the Variation

The proposal could be considered to comply with the requirement although two of the stores are 3.9m² in size.

. Officer's Comment

The variation is considered to be minimal and will not adversely affect the development and is therefore assessed as suitable in meeting this criterion.

Rubbish Bin Areas:

There is no statutory requirement to house bins in a communal area. The proposed development plans indicate space on each lot for bin location. The occupants of proposed units 4,5 & 6 will be required to take bins to the verge adjacent to Unit 7 on collection day.

. Officer's Comment

Variation assessed as suitable in meeting this criterion.

Dust Impact Issues

This development site is inside the area identified by a recent dust impact study by the Health Department as being potentially impacted by dust from nearby port facilities. This study indicates, "Seniors, children and people with heart or lung disease appear to be at greatest risk." When considering previous similar applications for planning approval, Council has approved residential development at the higher of the split coding where those dwellings are designed in such a way as to not encourage habitation by identified at-risk groups.

Single bedroom dwellings have been identified specifically as a dwelling type that will not attract elderly persons, or families with children, and generally attracts shorter-term occupancies.

It should be noted that the Department of Industry and Resources (DOIR), Department of Environment and Conservation (DEC) and Department of Health (DOH) have all made formal comment to the Draft Land Use Master Plan (LUMP) that states that population density in the West End should be reduced. Currently this development site has a single dwelling. The proposal to construct eight (8) single bedroom units is likely to increase population numbers in the 'West end'. While this may be the case, it is highly unlikely that older people or children will be living in these units. These groups of people have been identified as the highest risk groups from dust impact.

The Draft LUMP addresses this issue by recommending that developments in this area be restricted to R12/R30 with R30 developments being single bedroom units. While single bedroom units are proposed in this instance, this development density is R50.

In accordance with Council's previous dealing with similar issues, a condition is included in the Officer's Recommendation requiring the applicant to cause a notification to be made on the Title pursuant to section 70 A of the Transfer of Land Act 1893 notifying future landowners of potential dust-related health impacts.

Consultation

Building Services have not objected to the proposal and advised that a Building Licence is required for this development.

Engineering Services have identified concerns over the following:

- Crossovers need to be constructed to Council Policy.
- Stormwater to be retained on site.

The proposed conditions in the Officer's Recommendation will adequately address these concerns.

Health Services have identified the following concerns:

- Adequate bin storage being provided.
- Demonstrated ability for laundries to house a washing machine and wash trough of not less than 36 litres capacity.
- Development to connect to reticulated sewer.

Nearby landowners have been advised of this proposed development in writing, with no objections being received.

Statutory Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Planning application fees of \$1,510 have been deposited into account 1006326 – Town Planning Fees, reflecting a development cost of \$700,000. This development cost seems very low for a development of this nature. Officers will investigate this matter.

Officer's Comment

This application for planning approval seeks to develop the land with the maximum number of dwellings through the use of the density bonus provided by the R Codes for single bedroom dwellings.

This application meets most of the Acceptable Development or Performance Criteria of the Codes; and it is recommended that the application be approved. However, Council also should consider this application in the context of the recent health impact studies and preliminary recommendations by the Department of Health.

It is considered that the development of single bedroom dwellings, with a floor space of not more than 60 m² sufficiently addresses the potential health implications as these dwellings are unlikely to be habited by more than two persons who are unlikely to be elderly or children. Given the nature of the town, it is also considered unlikely that these dwellings would be inhabited by any individual for an extended length of time.

The proposed development is in accordance with current strategic planning for Port Hedland which identifies a 'major potential for in-fill development, achieving higher densities and a wider variety of unit and tenure types within already developed areas' (TOPH Land Use Master Plan Draft).

Attachments

Attachment 1 Aerial View of the Site

Attachment 2 Proposed Site Plan

Attachment 3 Proposed Floor Plan

Attachment 4 Proposed Elevations

200708/13 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Planning Consent be granted Whelans (WA) Pty Ltd for the construction USE NOT LISTED – SINGLE BEDROOM DWELLINGS x 8 at Lot 105 Morgans Street Port Hedland as outlined in the Application received 29 August 2007 (Application 2007/220) and indicated on the approved plans, subject to the following conditions:

GENERAL

- 1. The approved use is for SINGLE BEDROOM DWELLINGS that are defined in the Residential Design Codes of Western Australia as "Dwellings that provide limited accommodation, suitable for one or two persons, with a maximum plot ratio floor area of 60sqm."**
- 2. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only (PS).**
- 3. Prior to the submission of a Building Licence amended plans being submitted to and approved by the Town incorporating the following amendments as marked in red on the approved plan:**
 - a. A landscaped car bay being provided on proposed Lot 6 to accommodate visitors' parking;**

- b. Finished Floor Levels (FFL) of proposed Units 1, 2 & 3 facing Kingsmill Street being amended as shown on the approved plan; and
 - c. The widths of all carports increased to 3.6m in accordance with the requirements of Town Planning Scheme No. 5 – Appendix 8
- 4. Carports facing Kingsmill & Morgans Streets:
 - a. Shall have no fencing within the 1.5m by 1.5m visual truncation either side of each carport;
 - b. Shall remain open on all sides; and
 - c. Are not permitted to have garage doors.
- 5. Prior to commencing site works, the landowner is to prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town of Port Hedland, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:
 - a. The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts;
 - b. Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts.

Should additional information be required with regard to this notification, the prospective landowners should contact the Western Australian Department of Health.

- 6. Prior to commencing site works, the applicant is to submit an endorsed diagram of survey to the Town of Port Hedland describing the survey strata subdivision of Lot 105 Morgans Street Port Hedland.
- 7. All fencing shall be installed in accordance with the Residential Design Codes and/or the Dividing Fences Act and other than as varied by a condition of this approval prior to the occupation of the dwelling(s) all to the satisfaction of the Manager Planning.
- 8. Boundary fences are to be constructed on the top of the proposed retaining walls and lot boundaries to a height of 1.8m from the highest side to the satisfaction Manager Planning.

9. A detailed landscaping plan (including common areas) to be submitted and approved by the Manager Planning within 30 days of this approval, with this plan including location, species and planting details. Schedule 1 of Council's "Policy 10/001 - Landscaping Policy for Industrial & Commercial Areas" contains a list of "Recommended Low-Maintenance Tree and Shrub Species for General Landscaping" is attached for your reference.
10. Landscaping and reticulation to be established in accordance with the approved detailed plans prior to the development first being occupied and thereafter maintained to the satisfaction Manager Planning.
11. All stormwater shall be retained onsite and disposed of to the specification of Council's Engineering Services to the satisfaction of the Manager Planning Services.
12. The crossover shall be designed and constructed in accordance with Council Policy 9/005 - Crossovers, to the satisfaction of the Manager Planning, prior to occupation of dwellings.
13. The development to be connected to the Water Corporation deep sewerage service (EHS)
14. The submission of a construction management plan at the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
 - a. The delivery of materials and equipment to the site;
 - b. The storage of materials and equipment on the site;
 - c. The parking arrangements for the contractors and subcontractors;
 - d. Impact on traffic movement;
 - e. Operation times including delivery of materials; and
 - f. Other matters likely to impact on the surrounding residents.

to the satisfaction of the Manager Planning.

ADVICE TO DEVELOPER

1. In relation to Conditions 11 and 12, the developer is advised to contact the Town's Engineering Technical Officer on 9173 9350 for further details.
2. This approval should not be construed that the Town will support a survey strata or green title subdivision application for this lot.

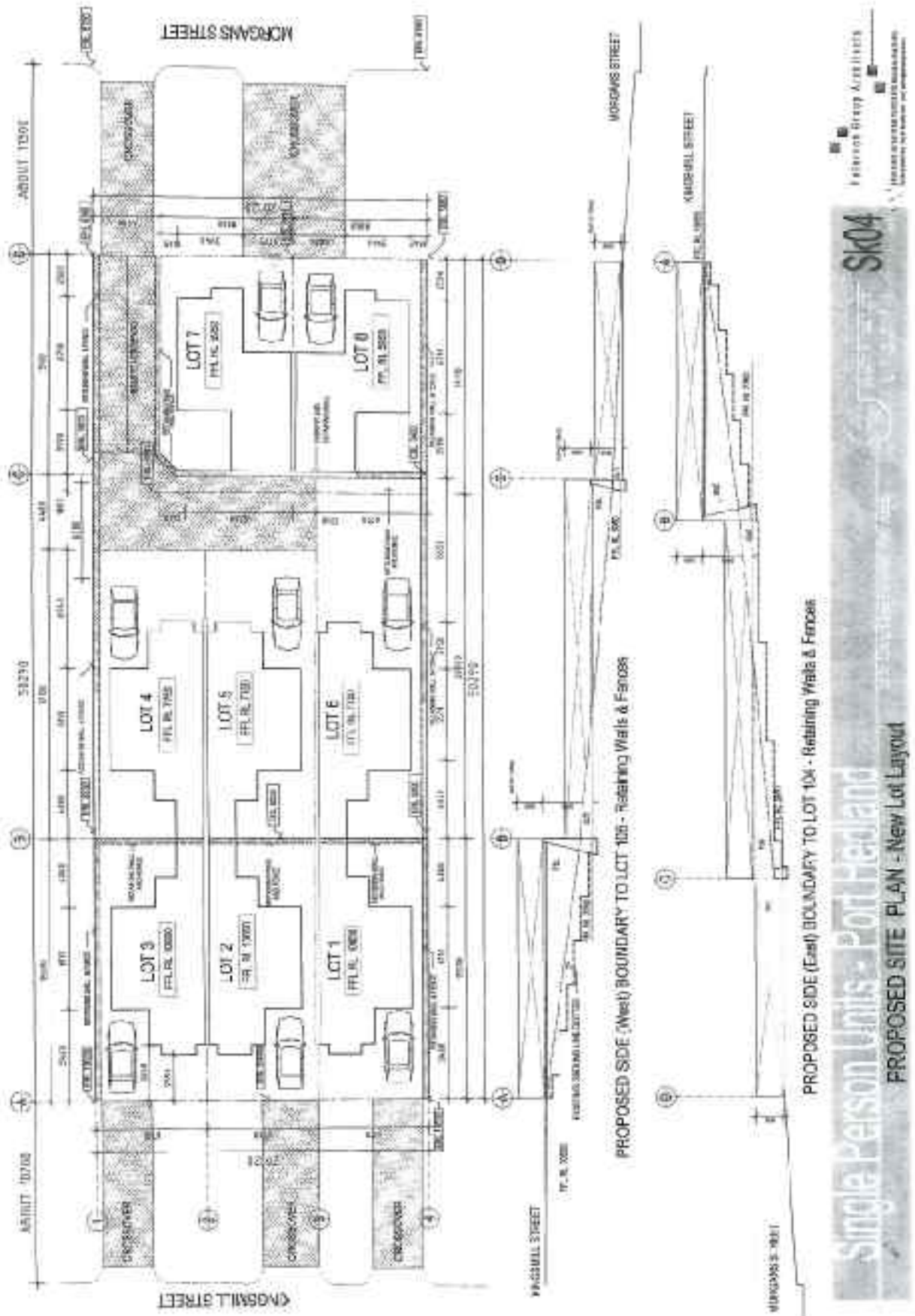
3. All bathrooms and laundries are to be flumed to external air.
4. All laundries are to be provided with appropriate outlets and area for washing machine and a wash trough with a capacity of not less than 36 litres.
5. Insitu septic tanks and/or leach drains to be decommissioned in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974 (EHS).
6. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
7. The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity (EHS).
8. You are advised that this is a Planning Approval only and the Developer is responsible for complying with all relevant building, health and engineering requirements.
9. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
10. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

CARRIED BY ABSOLUTE MAJORITY 6/1

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.8



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.8

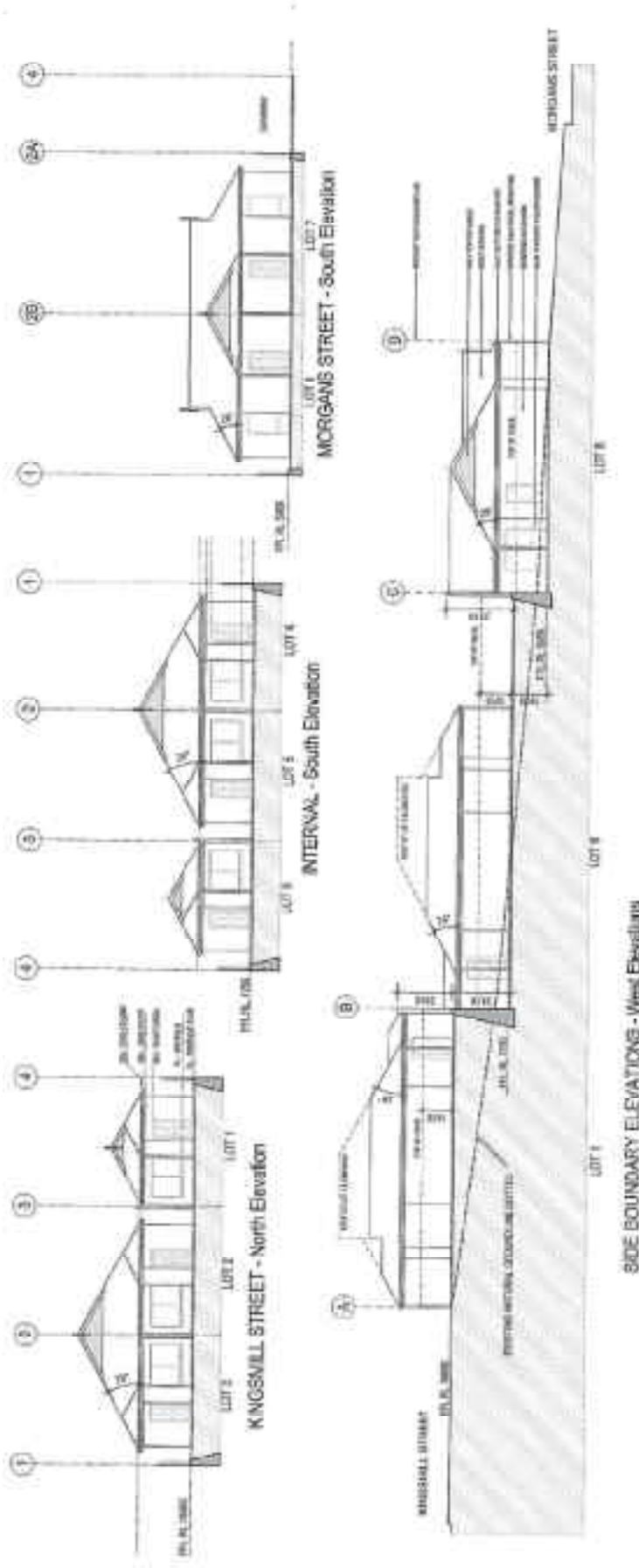


SK04
Patterson Group Architects
10000 100th Street, Richmond, BC V6V 1K2
Tel: 604-273-8888

PROPOSED SIDE (East) BOUNDARY TO LOT 104 - Retaining Walls & Fences

PROPOSED SIDE (West) BOUNDARY TO LOT 105 - Retaining Walls & Fences

ATTACHMENT 4 TO AGENDA ITEM 11.2.2.8



Single Person Units - Port Hedland
PROPOSED ELEVATIONS

SK06

PAINTER STREET ARCHITECTS
Proposed Unit No 100 (10) & 101 (10) & 102 (10) & 103 (10) & 104 (10) & 105 (10) & 106 (10) & 107 (10) & 108 (10) & 109 (10) & 110 (10)

11.2.2.9 Town of Port Hedland Park Improvement Plan (File No.: 21/05/0005)

Officer Richard Bairstow
Manager Planning

Date of Report 20 September 07

Disclosure of Interest by Officer Nil

Summary

This report outlines a plan to develop a more coordinated network of parks within Port and South Hedland. The plan aims to provide residents with a range of appropriate park opportunities within a reasonable distance from their property.

The report seeks Council's consideration of the proposed hierarchy, park locations and proposed development process associated with these parks.

Background

While there have been significant improvements in the Town's park infrastructure over the past few years, the Town's parks are not particularly well developed. Council's community survey results indicate that the community expects a far higher level of service from park and playgrounds than they currently receive. Council has recognised this community demand and, in conjunction with BHPB and the State Government, significant resources have been allocated to addressing this issue.

The objective of the Park Improvement Plan is to develop or redevelop, in a rational and sustainable way, the existing and future park opportunities within the Town of Port Hedland (refer Attachment No. 1). The Park Improvement Plan sets out a logical hierarchy and framework for the development and upgrade of open space in a manner that can better meet community demand and can be maintained within Council's existing resources.

The coordinated development of Parks, in both Port and South Hedland is considered a key step in the continued renewal of the Town. The outcomes should allow Council and other contributing groups/organizations to best utilize and direct resources in accordance with the five-year development plan and development procedure.

The Park Improvement Plan establishes a clear hierarchy of parks. A brief explanation of the parks hierarchy is listed below.

- Local Parks (See Attachment No. 2)
 - All residents should have access to a local park within a 200m radius of their home.
 - Local Parks are developed and maintained at a relatively basic level. They have few amenities but provide spaces for informal recreation and socialization.
- Neighbourhood Parks (See Attachment No. 3)
 - All residents should have access to a Neighbourhood Park with a 600m radius of their home.
 - Neighbourhood parks are well developed and maintained. They offer a range of facilities for families including playgrounds, shade, BBQ's and other amenities.
- District Parks (See Attachment No. 4)
 - High quality district parks are suggested in each town.
 - District parks are highly developed and very maintained park precincts. The facilities within these parks should be excellent quality with the aim being that people will be willing to travel to visit these parks as they offer excellent social and recreational opportunities.
- Specialist Parks (See Attachment No. 5)
 - Specialists parks are non-traditional open spaces such as Skateboard Parks, BMX track, Race tracks and other spaces that are used for specific recreational pursuits

When all park opportunities are overlaid (see Attachment No. 6) it is evident that residents of both Port and South Hedland are provided with walking access to a park within 200m to 600m of any residence. The exception are Wedgefield where is acknowledged that service provisions are not provided as it's an industrial area and Redbank where its considered that informal recreation opportunities already sufficiently service the area.

Consultation

The development of the Park Improvement Plan came about after extensive discussions with DHW's South Hedland New Living Project and the Urban Design Centre. The original issue that was faced was that the plans being suggested by South Hedland New Living and those within the Draft Land Use Master varied significantly with differing numbers, sizes and locations of parks.

While both of these plans included some level of consultation on the issue of parks, the proposed outcomes were significantly different. The Park Improvement Plan proposed indicates a development plan that is supported by these key players and Council's Planning and parks maintenance staff.

While there is general agreement of the Park Improvement Plan from these technical people, further public consultation is proposed to ensure that the plan is reflective of community desires.

Policy Implications

There are no policy implications for current policies. Once adopted, it is proposed that the Park Improvement Plan will effectively become the park development policy for Council.

Strategic Planning Implications

KRA 1 – Infrastructure

Goal 1 – Roads, Footpaths and Drainage

8. Investigate and report on the feasibility and cost of design alternatives (including piping and development as Parks) of some of the existing open drains in South Hedland.

Goal 2 – Parks & Gardens

1. In conjunction with the South Hedland New Living Project and the Land Use Master Plan, develop a Park Improvement Program that identifies which parks should be more intensively developed and which parks could potential be surplus to community requirements.

2. Review, update and continue to progressively implement, the Town's Five-Year Playgrounds Upgrade program.

5. Review existing maintenance levels at all parks and reserves and present costed options for alternate maintenance regimes.

Key Result Area 2 – Community Pride

Goal 1 – Litter

7. Work with key stakeholders to develop plans and strategies to significantly improve the appearance and vitality of the South Hedland Town Centre area.

Goal 3 – Townscape

3. Work closely with the Department of Housing and Works to implement the South Hedland New Living project.

Key Result Area 3 – Community Development

Goal 1 – Youth & Children

5. Ensure that the community has an opportunity by become involvement in Council infrastructure projects such as park developments, tree planting, event planning, etc.

Key Result Area 4 – Economic Development

Goal 2 – Mining

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

Budget Implications

Whilst there are no direct implications for the Budget as a result of this report, Council has allocated significant funds for park development within the 2007/08 budget and direction will be required in the very near future on the most appropriate manner in which to spend these funds.

Officer's Comment

If developed to its full potential, the proposed hierarchy and location of parks will provide excellent access for residents to good quality parks. In most instances the fully developed plan will exceed the standard for “livable neighbourhoods” used throughout the state.

Whilst staff and other planning stakeholders support the Park Improvement Plan in its current format, it is recommended that the community be given the opportunity to comment on the plan prior to Council formally considering the adoption of it as policy.

Additionally, future consultation should be undertaken to encourage the involvement of the community as individuals, groups (Community and Special interest), business, and industries, to become involved in the planning and development of the specific parks.

Attachments

Attachment No. 1 – Town Site

Attachment No. 2 – Local Parks – Port and South with a 200m radius

Attachment No. 3 - Neighbourhood Parks – Port and South with a 600m radius

Attachment No. 4 - District Parks – Port and South

Attachment No. 5 – Specialist Parks – Port and South

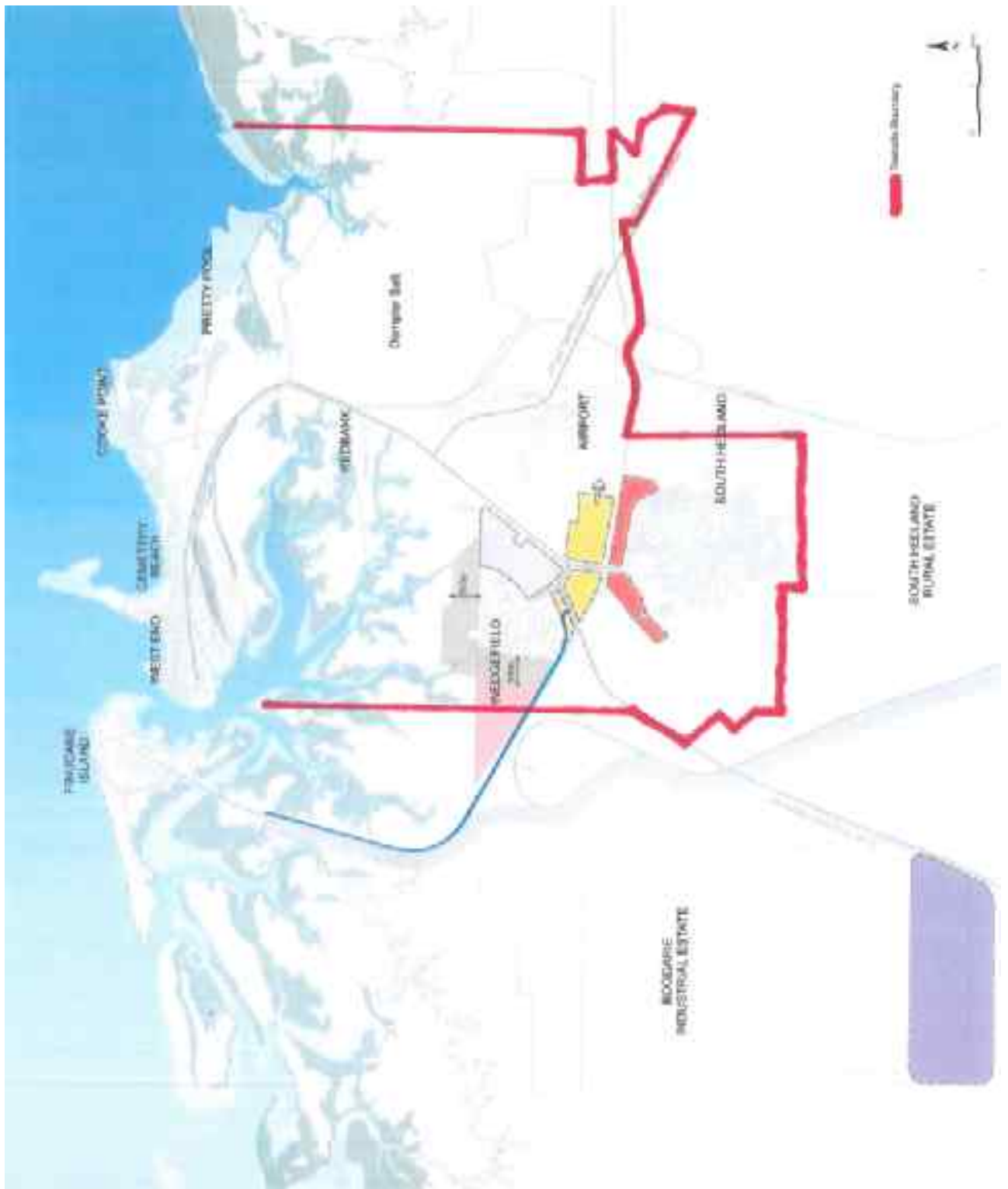
Attachment No. 6 – Overall Park Coverage – Port and South

200708/014 Council Decision/Officer's Recommendation**Moved:** Cr S F Sear**Seconded:** Cr D R Pike**That Council:**

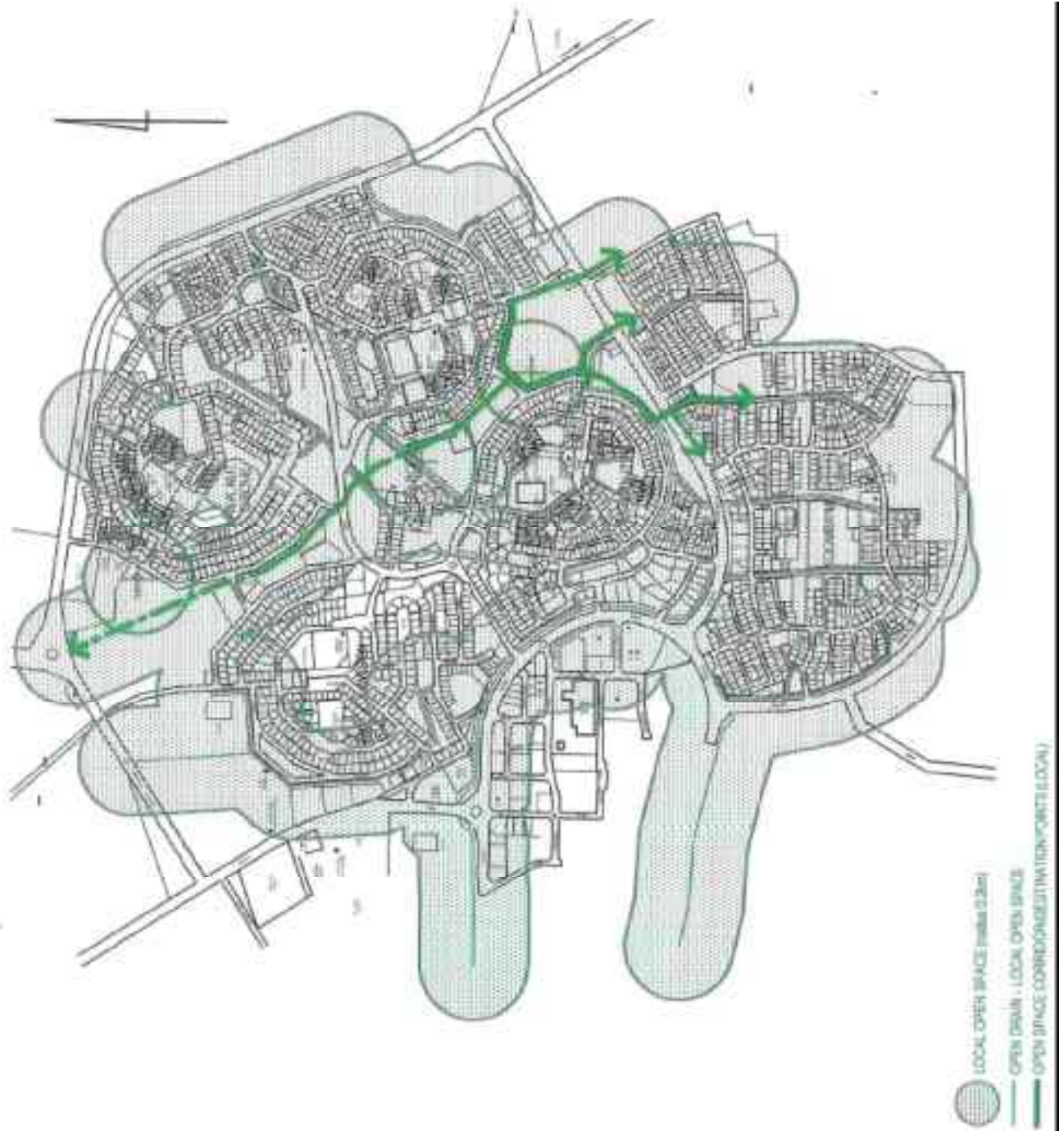
1. notes the Draft Park Improvement Plan for the Town of Port Hedland Town;
2. seeks community feedback on the draft plan by:
 - a. placing an advert in local media seeking public feedback on the plan;
 - b. actively seeking comments via publicity of the draft plan radio and print media;
 - c. posting a summary of the Draft Plan on public notice boards encouraging community comment; and
 - d. including the Draft Plan on the Town's website; and
3. considers a further report regarding this matter at the October Council meeting.

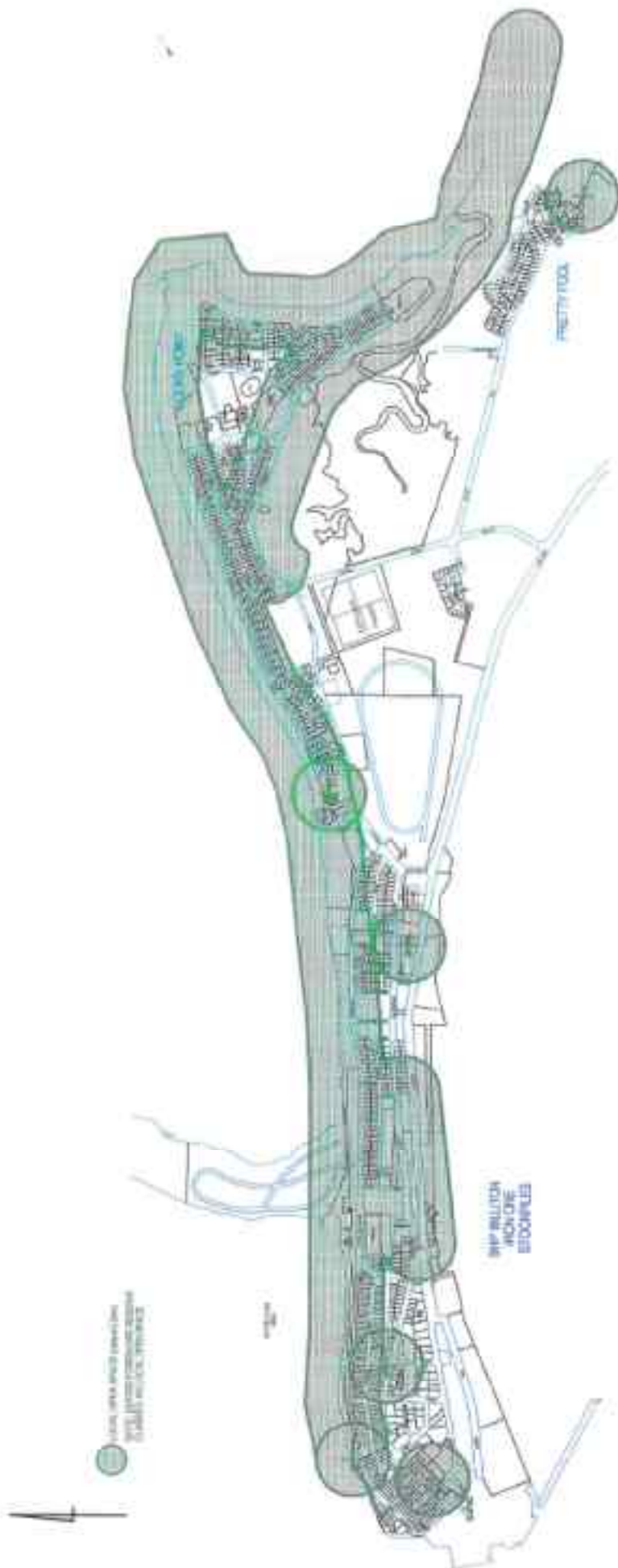
CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.9

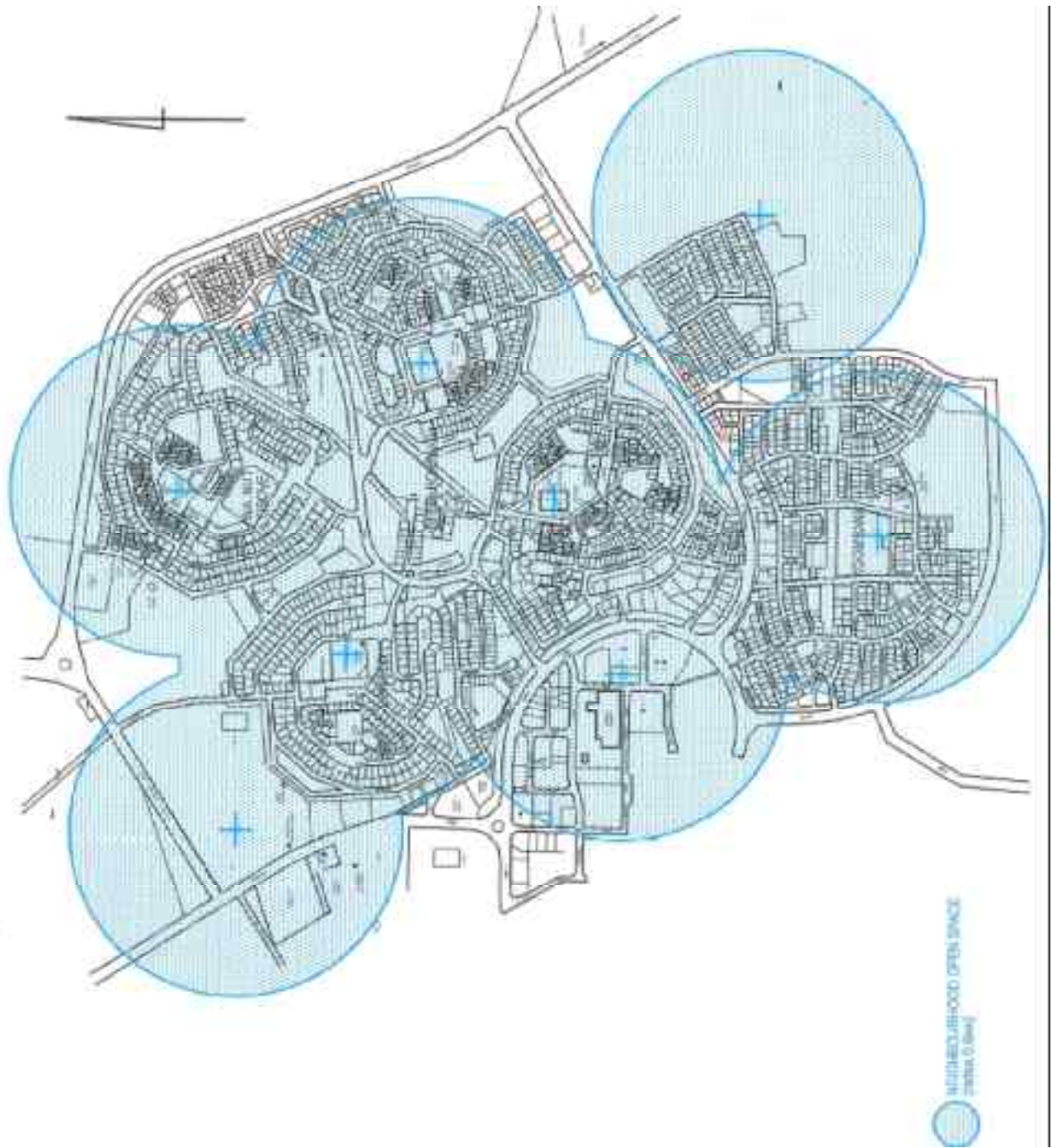


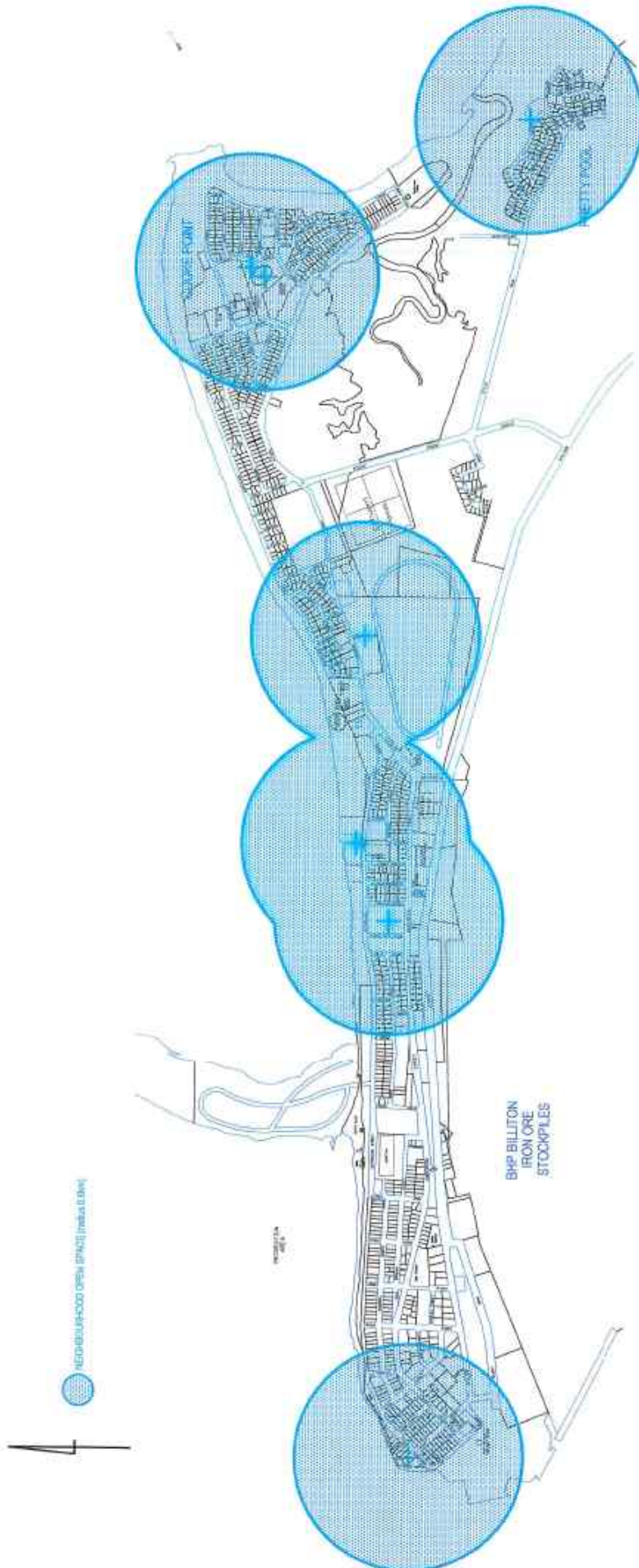
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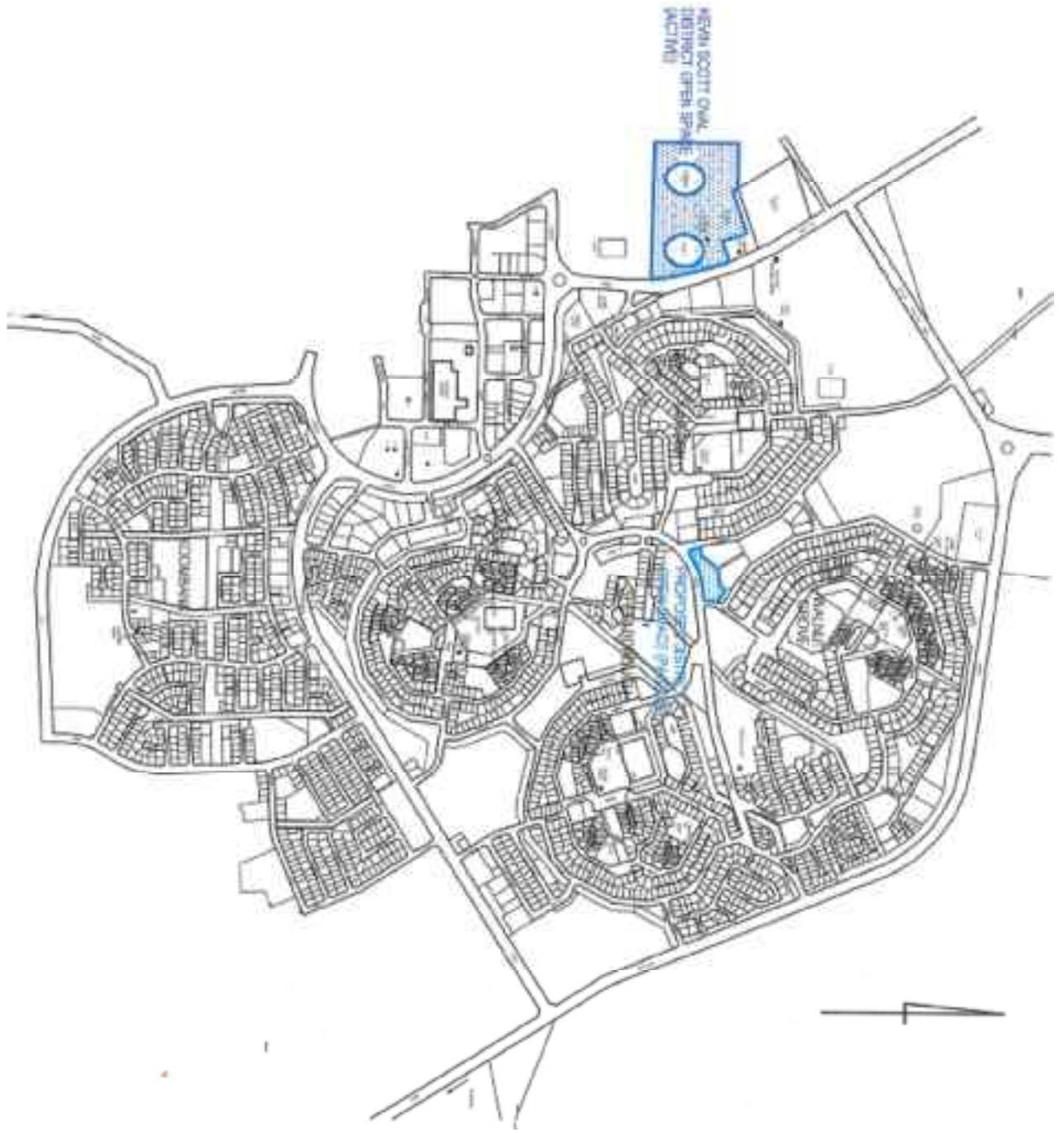


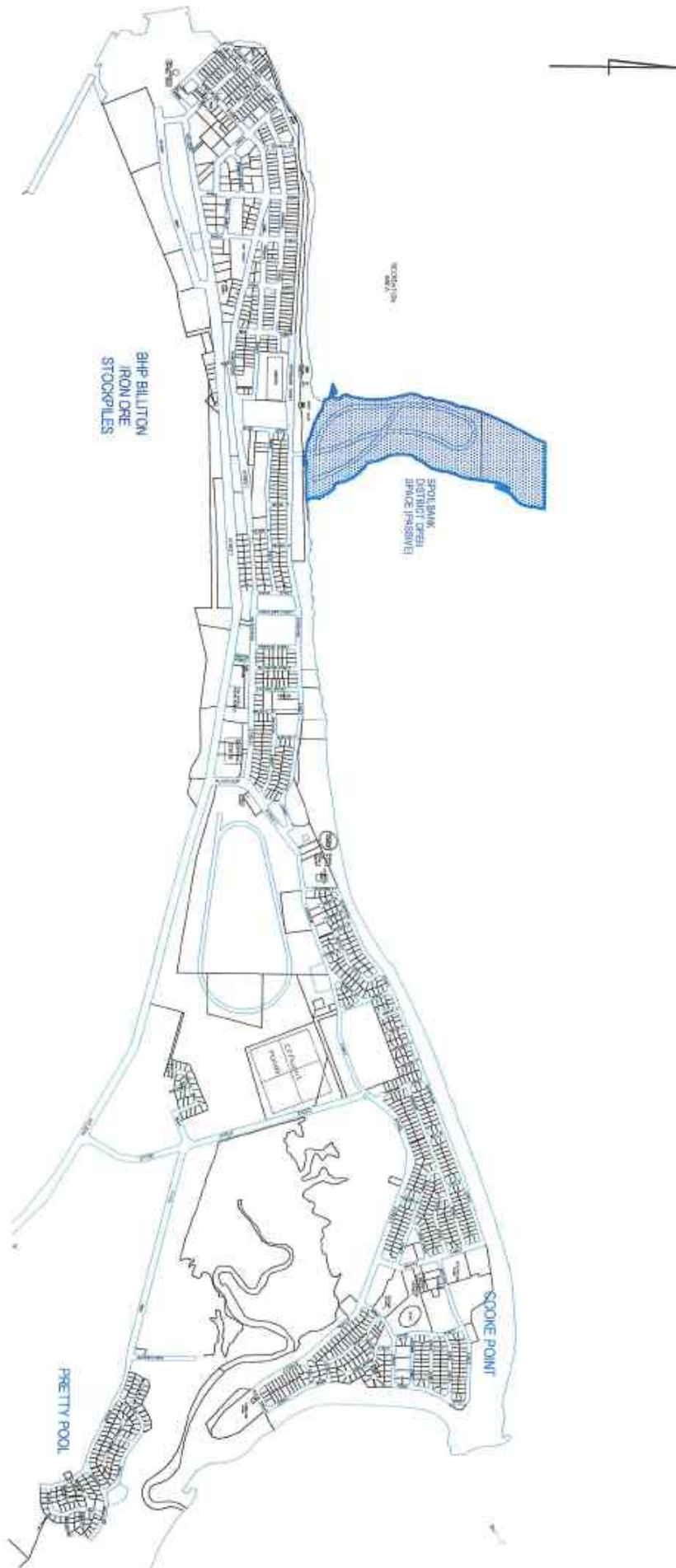
ATTACHMENT 3 TO AGENDA ITEM 11.2.2.9



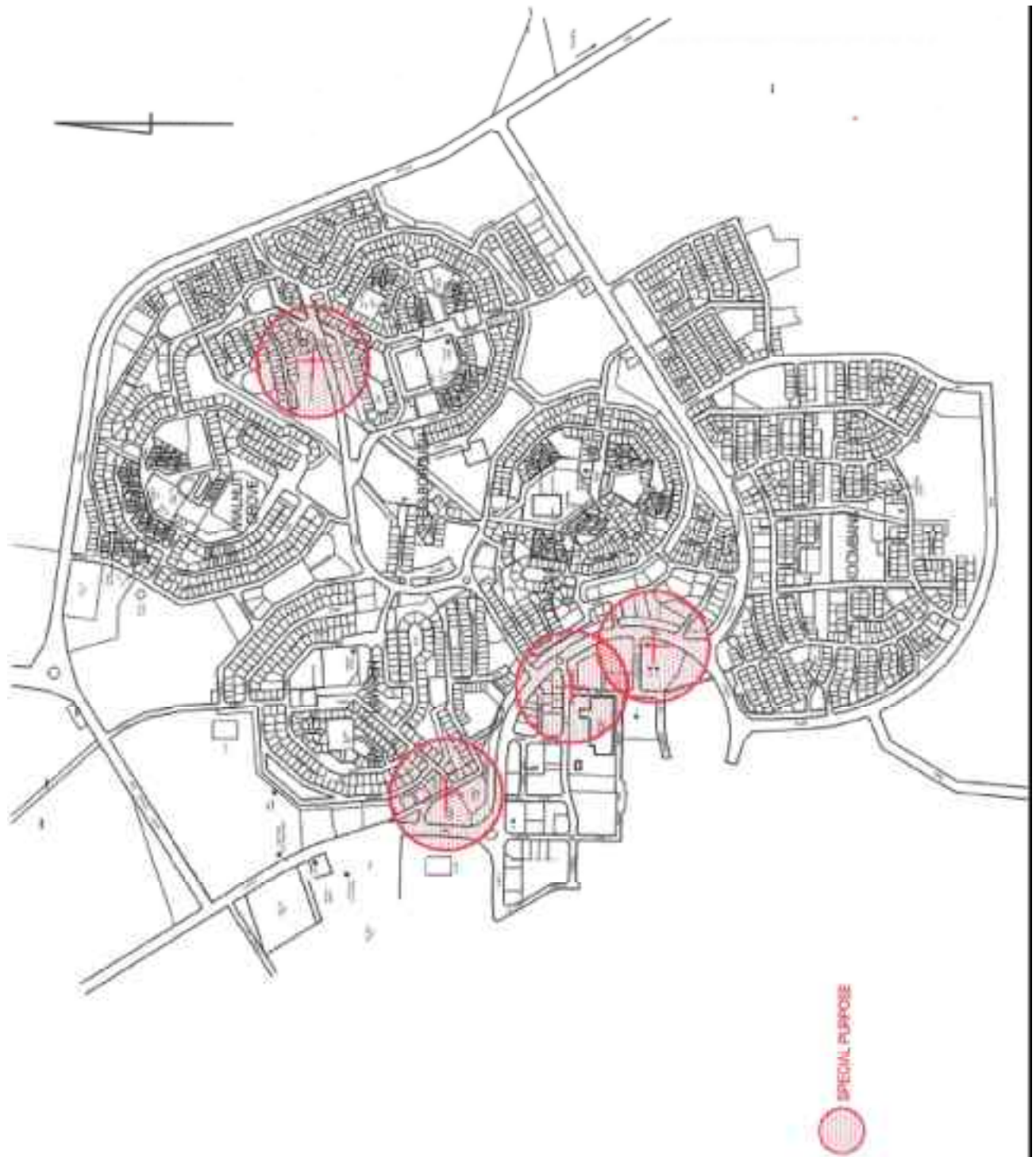


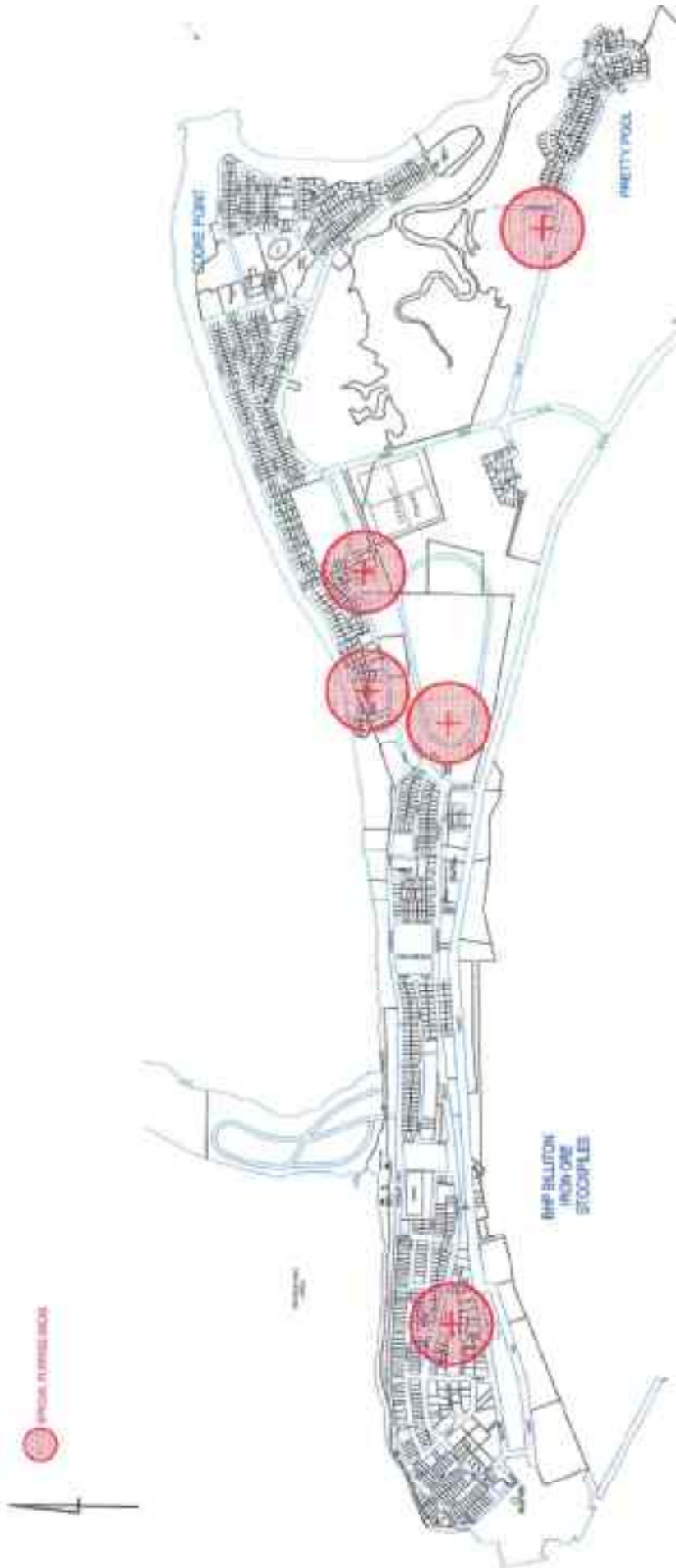
ATTACHMENT 4 TO AGENDA ITEM 11.2.2.9



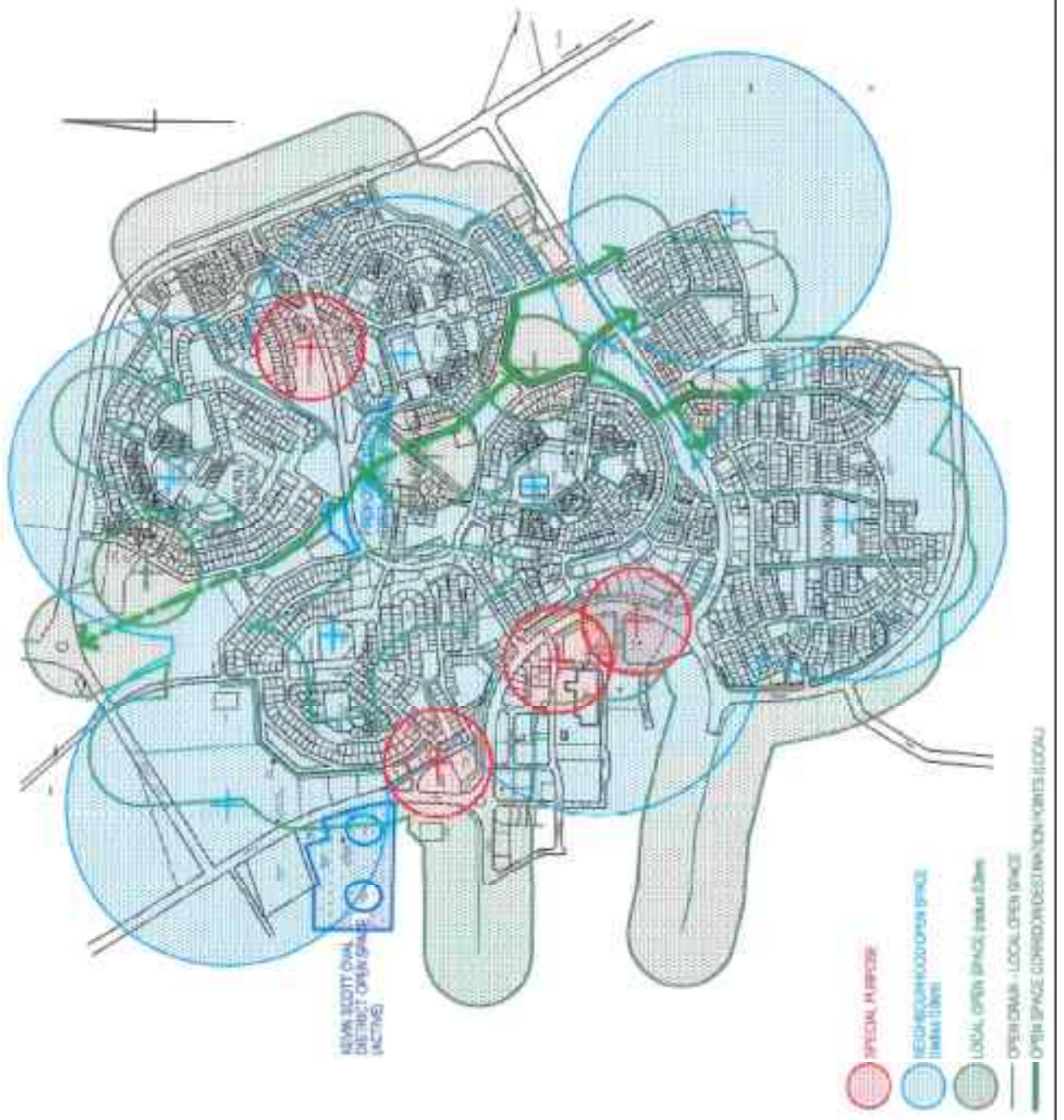


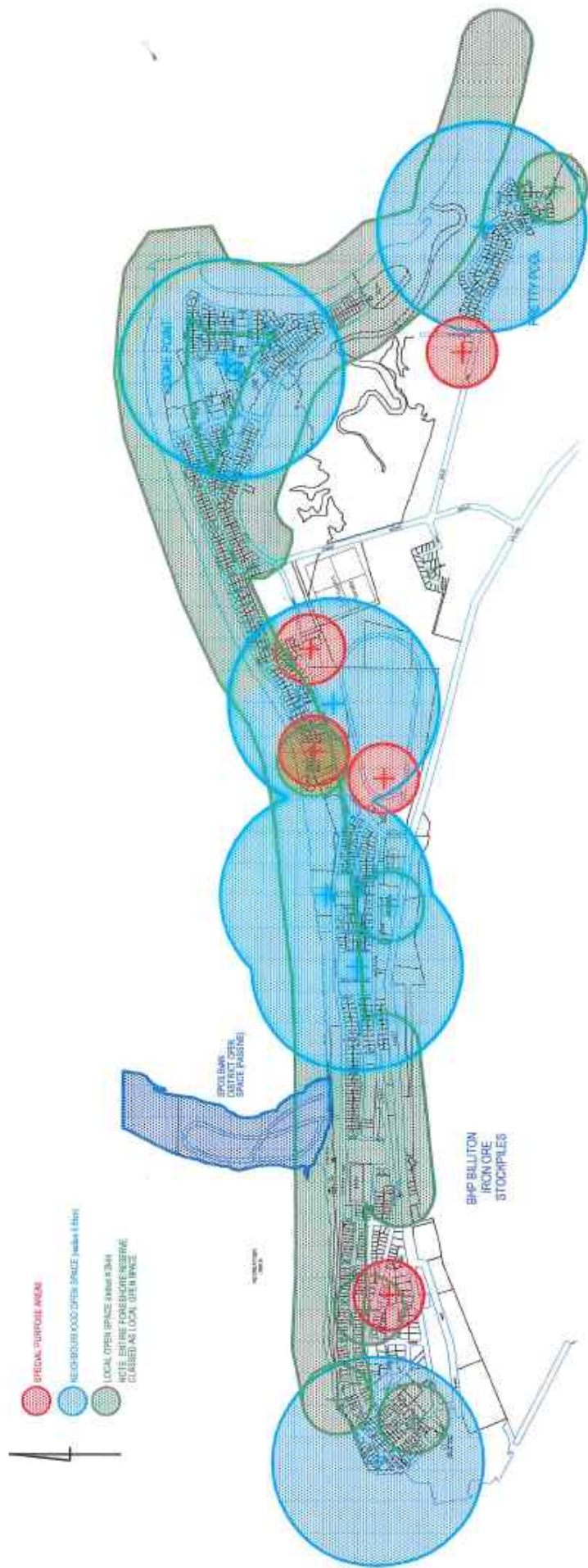
ATTACHMENT 5 TO AGENDA ITEM 11.2.2.9





ATTACHMENT 6 TO AGENDA ITEM 11.2.2.9





11.3 ENGINEERING SERVICES

11.3.1 Director Engineering Services

11.3.1.1 *Monthly Report – Engineering Services (File No.: 13/04/0001)*

Officer Russell Dyer – Works Manager, Jenella Voitkevich – Technical Services Manager, Eleanor Whiteley - Airport Manager, and Rebecca Pianta – Recreation Co-ordinator

Date of Report 7 September 2007

Disclosure of Interest by Officer Nil

Summary

For Council’s Information.

Background

Engineering Services monthly report to Council.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer’s Comment

Engineering Services Works – Works Manager

PROJECT	STATUS
Playgrounds	Trumpet Park – Playground Equipment put on hold till after September Meeting
Black Spot Funding	North Circular/Hamilton and North Circular/Murdoch have been completed. Throssell road widening commenced with Roundabout to Hawke Place completed. All Power poles have now been removed.
Roads to Recovery	Roads to recovery road has commenced on Shoata Road and box culverts and headwalls installed and reinstatement of road - Bypass road will then be removed.

Landfill	Engineering crews will construct the new septage ponds awaiting DEP approvals.
Wedge & Edgar street Streetscape Enhancements	Linemarking to be completed by end of September
FMG Railway Construction	Railway construction and road works ongoing.
Wedgfield Upgrades R2R	All intersections have been asphalted. Kerbing and Drainage headwalls to be completed by end September.
Kerbing Construction	07/08 kerbing replacement program for Port Hedland and South Hedland will be completed mid September
Flood Gate Pumps	Pre Cyclone Testing for Electrical and Pump Mechanical operations have been commenced with NJS Electrical and Trevelle Engineering
Road Safety Audit	Road Safety Audit for South Hedland, Port Hedland and Wedgfield has been forwarded to Main Roads.
Heavy Plant Equipment	All Tenders have been submitted for Council resolution at its September Meeting
Septage Tanks	Colin Matheson Oval tank is scheduled for completion - fabrication works programmed for Kevin Scott Oval Septage Tanks

Parks & Gardens

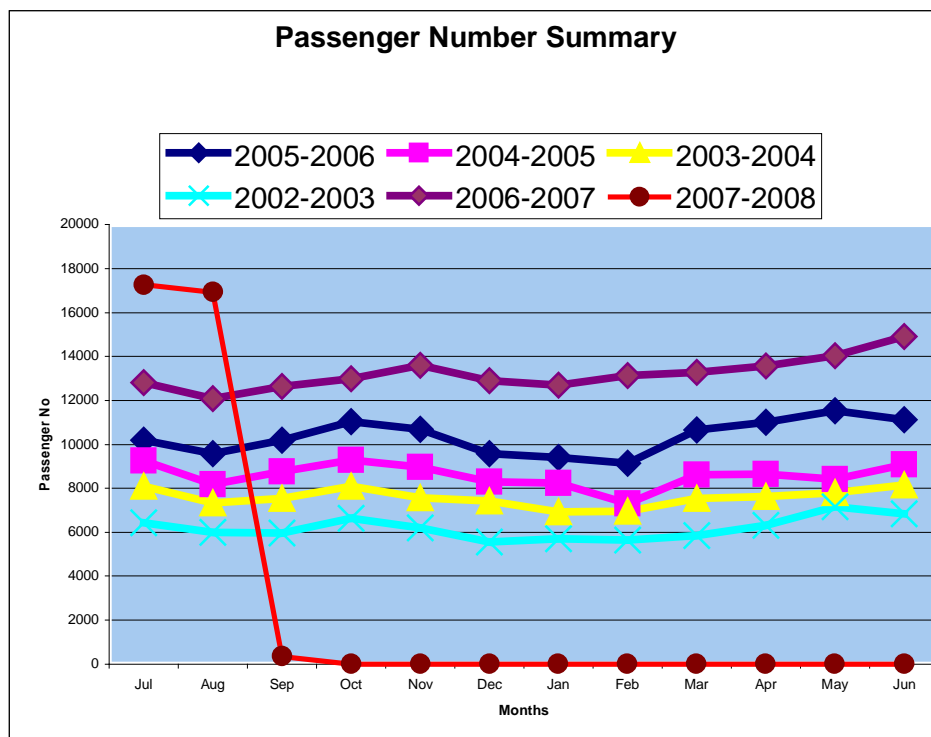
PROJECT	STATUS
Tree Reinstatement	Received a report on the cyclone damage to the remaining trees in town – programme will be implemented to complete works
Garden Maintenance	Garden Maintenance crews are commencing replanting programme to replace plants/trees damaged during Cyclone George
Park Maintenance	Park maintenance crews are maintaining park programme on a fortnight basis and also assisting with Verge maintenance on a fortnightly basis.
Verge Maintenance	Ongoing works currently between Wedgfield and Port Hedland
Sportsground Maintenance	Representative from Lawn Doctor will be in Port Hedland/South Hedland during September to discuss renovation work
Slashing	Ongoing works currently slashing in Port Hedland additional slashing work completed around South Hedland High School for upcoming Spinifex Spree event.
Pre Cyclone Cleanup	Pre Cyclone cleanup dates are as follows: Port Hedland 10 th September – 21 st September, South Hedland 10 th September – 28 th September, Wedgfield 1 st October – 5 th October 2007 – De-nutting of Coconuts scheduled to commence in September with all dead Palm fronds being removed in all Port Hedland Parks and Gardens

Technical Services/Projects – Technical Services Manager

PROJECT	STATUS
West End Greening	Commencement of works pending finalisation of quotes from contractors
Turtle Boardwalk	Application for clearing permit has been submitted to Dept of Environment & Conservation – geotechnical survey and commencement of works pending approval of permit
Light Fleet replacement	Orders placed for vehicle replacement
Landscape & Streetscape Design tender	Tenders closed on 15 th August – to be presented to Council at September meeting. Anticipated scope of works include Throssell road streetscape, Sutherland street nodes, Boulevard planting, park developments
Funding applications	Approval received for funding of \$75,000 from DPI for the upgrade of Finucane Island Boat Ramp (total project \$300,000)
Footpath construction	Commencing September
Street lighting program	Currently liaising with Horizon Power regarding 07/08 program
Don Rhodes Mining Museum	Currently seeking quotes for fencing, repairs and removal of dangerous items and asbestos removal
Street Tree policy	Currently reviewing verge treatment and landscaping policies as per street tree Council Briefing session recommendations to present to Council

Port Hedland International Airport

Passenger figures continue to increase during the month of August. At the time of writing official Skywest figures were not available.



Qantas advised that the month of August showed significant improvements in reliability by the B717 fleet. 84% of aircraft arrived within 15 minutes of schedule, 81% departed within 15 minutes.

There were 85 return sectors for the month.

Ex Port Hedland there were only 7 delays greater than 30 minutes:

- QF1815 01AUG (35mins): Aircraft late from Perth due to thunderstorms delayed boarding
- QF1813 06AUG (45mins): Aircraft late on line due to staff shortages
- QF1815 06AUG (73mins): Late aircraft due above
- QF1815 09AUG 39mins Late arrival of inbound operating aircraft
- QF1811 18AUG (50mins): Late arrival due to engineering repair to stabiliser trim
- QF1815 29AUG (37mins) inbound flight held awaiting inbound connecting passengers from Sydney

Qantas also announced that 737-800 will begin operation into Port Hedland by June 2008 to replace the 717 services Monday - Friday

Bali International Service:

International Service is still being very well supported. Recent investigations have revealed that already no seats are available on the flights for the Christmas season and flights for school holidays are filling quickly. The service has always been well supported during holiday periods

Security

No incidents to report.

Capital Works

Capital Works projects are progressing well. The Electrical tender for the terminal upgrade works was advertised on 14 September and will close on 10 October 2007.

Recreation Services Update – Recreation Co-ordinator

General

Sporting Facilities Upgrades

All existing recreation upgrades from 2006/07 have been completed, with the exception of the installation of rubber at the cricket nets. This is due to be undertaken next month.

The future of the Hawks clubrooms is currently being investigated.

Remaining funds will be allocated according to the outcome of the lighting audits at each aquatic centre, the Diamond 1 back-net, and the McGregor Street Carpark.

. *Post – Cyclone Repairs*

Some items ranked low priority are still being undertaken, with the aim to have all completed by November 2007.

. *Port and South Hedland Skateparks*

Both skateparks are nearing completion, with the shot-crete currently being added. As indicated in the tender, the contractors aim to be finished by late September. The Grand Opening is scheduled for mid-November, with additional features and fixtures being added shortly.

. *Feasibility Study into Proposed Multi-Purpose Sports Complex*

The revised draft has been received, and is being presented to Council at this Ordinary Council Meeting.

. *JD Hardie Centre Working Group*

The JD Hardie Centre Working Group have received the Draft Concept Design Brief for the redevelopment of the JD Hardie Centre into a predominant youth centre. This will be presented at the Informal Council Briefing in September. A visioning workshop is scheduled to occur on the 25th September, where stakeholders will be invited to provide their feedback.

. *Sporting Updates*

The Swans Football Club have paid all outstanding debts to the Town of Port Hedland. This overwrites the Council Resolution with regards to their outstanding debt, approved at the Ordinary Council Meeting in February 2006.

Completed Events

Have-A-Try Day - The inaugural Have-A-Try Day was held on Sunday September 9th. The day was highly successful with approximately 150 children "trying out" seven different sports currently available to them in the community. The day was set-up in a traditional tabloid sports style, which enabled the children to sample every sport that was on offer for the day. These included football, soccer, rugby, netball, tee ball, triathlon and dodgeball. Pilbara Population Health provided a free healthy lunch and Creating Communities assisted by providing two teachers from Baler and South Hedland Primary Schools. Due to the success of the event the aim will now be to run Have-A-Try Day twice per year.

President's Breakfast - This quarterly breakfast was held on the 6th September, with 20 representatives attending. Items discussed included recreation and facility upgrade updates, projects for this financial year, and an introduction to other recreational organisations and representatives within the region. It is anticipated that the next Presidents Breakfast will be held in December.

The Town of Port Hedland participated in the annual Corporate Cup competition for the second year running. All participants were prior or existing employees at the Town of Port Hedland, and the event concluded with the Town of Port Hedland triumphing in the Grand Final.

Upcoming Events

Australia Day Sports Awards - Early registration forms were sent to sporting groups this month, to ensure sports that have concluded for the season have the opportunity to nominate a participant from their organisation. Sponsors for each award should be finalized by the end of this month.

Education, Training and Certifications

Working with Children Checks - All recreation staff have received their Working With Children Check clearance in line with new legislation. This clearance allows lawful instruction of children, and ensures that background criminal checks have been undertaken for those working with children.

Emerging Young Professionals Award - Earlier this month, the Manager Recreation Services Bec Pianta won a state award in the Department of Sport and Recreation's Emerging Professional's category. The award includes attendance at the Parks and Leisure Conference in Townsville on 17-19 September, with assistance towards flights and accommodation. An official awards presentation will take place at the Department of Sport and Recreation's annual conference in Perth in October.

Aquatic Centres

The new Area Manager, Ashley Crimmins has commenced his position at the YMCA in Port Hedland.

The Aquatic Centre Advisory Committee is set to meet for the inaugural meeting in early October.

For the full YMCA monthly report and monthly meeting minutes, contact the Recreation Coordinator. Council has not yet received the monthly financials for both Gratwick Aquatic Centre and South Hedland Aquatic Centre, with the following explanation from the YMCA:

“August financial figures for Gratwick and South Hedland Aquatic Centres are currently unavailable. Unfortunately the implementation of a new accounts software system across YMCA Perth has led to this delay. July accounts which were unavailable last month have been included in the August report. The YMCA are currently attempting to rectify these problems and will hopefully have the issues resolved in time for the September Monthly Report, this being the case the August figures along with September’s will be submitted next month.”

South Hedland Aquatic Centre

The South Hedland Aquatic Centre has been refilled, with the re-opening date scheduled for the 29th September. Maintenance and cyclone repairs have been undertaken during the scheduled closing period.

YMCA Update

“South Hedland Aquatic Centre has been under going a very comprehensive maintenance program for the month of August...”

“Two members of staff completed their Pool Operations training in August and have been very busy attempting to finish their portfolios as soon as possible.

“Two members of staff attended the LIWA State Aquatic Conference...”

“The YMCA is very much looking forward to the pool opening and is completely satisfied with the amount of maintenance that has been completed over the winter months.”

The below figures are July financials:

Month	Actual	Budget	Variance
Income	16.00	0.00	16.00
Expenditure	36,588	39,662	(3,074)
Net	(36,572)	(39,662)	(3,090)

Year to date	Actual	Budget	Variance
Income	46,671	66,165	(19,493)
Expenditure	278,015	315,493	(37,477)
Net	(231,344)	(249,328)	17,984

Gratwick Aquatic Centre

The Summer operating hours at the Aquatic Centre is scheduled to commence on the 29th September. Operating hours will be an agenda item at the Aquatic Advisory Meeting.

YMCA Update

“Attendances have increased throughout August due to the increase in water temperature and warmer weather. Several user groups utilised the Function Room during August...”

The below figures are July financials:

Month	Actual	Budget	Variance
Income	1,165	1,635	(470)
Expenditure	37,572	39,788	(2,216)
Net	(36,407)	(38,153)	(1,746)

Year to date	Actual	Budget	Variance
Income	59,250	94,340	(35,090)
Expenditure	280,819	321,949	(41,129)
Net	(221,569)	(227,608)	6,309

Attendances:

Month	Swim	Function /Room	Aqua/ Ed	School	Aqua	Program	Misc	Total
Jan	3,608	0	179	204	31	0	508	4,530
Feb	3,027	81	416	158	59	16	416	4,173
Mar	746	21	70	0	14	12	89	952
Apr	1,185	32	84	350	0	46	1,125	2,822
May	668	35	17	130	23	0	127	1000
Jun	134	0	0	0	0	0	5	139
Jul	106	110	0	0	0	0	4	220
Total	9,474	279	766	842	127	74	2,274	13,836

JD Hardie Centre

Promotion:

Promotion used for the month of August was as follows:

- Distribution of Flyers at Regular Programs
- Email promoting Badminton
- Email promotion for all Adult Sport including: Volleyball, Netball, Boxing, Gym
- Email encouraging umpires for Netball on Wednesday nights

Attendances:

Term Program Attendances	Jul	Aug
Kids Club (Mon, Wed, Fri)	53	177
Jr Dodgeball	47	38
Jr Gym	23	25
All Sports	20	55
X-Pression	0	0
GR8 SK8	13	0
Boxing	82	109
Jr Indoor Footy		37
Sports Competitions		
Netball Teams (12)	15	315
Volleyball Teams (11)	30	210
Soccer Teams (4)	23	35
Basketball Teams (14)	135	252
Badminton	10	14
Misc		
Birthday Parties (2)	45	35
Facility Hire	910	912
Holiday Program	315	0
Dodgeball Competition	0	0
Disco's		0
Gym Visits (4 Current Members)		14

Programs:

Current Programs:

- Junior Dodgeball
- Junior Gym
- All Sports
- Kids Club
- Junior Indoor Footy

Current Stadium Competitions:

- Mixed Netball
- Mixed Volleyball
- Men's Basketball
- Women's Basketball
- Mixed Indoor Soccer
- Social Badminton

. *Events*

There were no events run in the month of August.

. *Additional Information*

Attendances are getting stronger with a full 4-week month of sports competitions, and all term and sports competitions commencing. A large number of facility hire's also occurred.

Junior Indoor Footy (AFL) commenced this Term as Aus Kick (seasonal junior sport) came to an end. With youth still interested in AFL, we trialed this as an indoor program. The program got off to a slow start but numbers are on a steady increase each week.

The JD Hardie Centre Staff will trial a coffee club for the parents and guardians of the Kids Club program, run Wednesday and Friday mornings. Many parents linger after the program, and the provision of coffee and tea will likely encourage increased use and favour towards the program. This will be trialed throughout September.

The JD Hardie Centre became the alternative venue for the Port Hedland Netball Associations (PHNA) Corporate Cup after a power surge at the South Hedland Sporting Fields. The event was a huge success with over 150 people attending. The PHNA were grateful to all JD Hardie Centre staff for their quick and positive approach to providing an alternative venue for the Corporate Cup.

The JD Hardie Centre staff are in the process of submitting a grant application to assist in providing Dodgeball at a reduced rate. This request is to encourage an increase in participation numbers, as feedback has suggested that Dodgeball is one of the popular sports on offer.

One fixtured round of basketball was cancelled this month due to recommendations from local community members. The competition continued the following week with no difficulty.

Facility Hire that took place at the JD Hardie Centre this month include:

- HSHS (Regular Daily Booking)
- Tae Kwon Do (Regular Weekly Booking)
- Creating Communities (Stakeholder meeting)
- Land Corp (Consultation Meetings)
- Port Hedland Netball Association (Corporate Cup)
- Youth Forum (Interest for a youth council social event)
- South Hedland New Living (Meetings with stakeholders for JDHC Youth Precinct)
- JDHC Project Control Group

200708/15 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council accepts Engineering Services Monthly Report.

CARRIED 7/0

11.3.1.2 Tender 06/50 Provision of Landscape & Streetscape Design Services (File No.: 23/08/0032)

Officer Jenella Voitkevich
Manager Technical Services

Date of Report 20 August 2007

Disclosure of Interest by Officer Nil

Summary

This report is a summary of tenders received for the Provision of Landscape and Streetscape Design Services for the purpose of awarding the tender to the preferred contractor.

Background

Tenders were recently called for the provision of landscape and streetscape design services for various works throughout the township of Port Hedland. The contract is for the period commencing 1st October 2007 to 30th June 2008. Tenders closed at 2pm on Wednesday 15th August 2007 and were opened in the presence of Council staff and Councillor Arnold Carter.

The successful contractor will be involved in landscape and streetscape design and consultation for various projects including Throssell Street Streetscape, parks and reserves development and Sutherland street nodes development. The scope of works for this contract include, but are not limited to, preparation of concept plans for community consultation, detailed design drawings, preparation of specifications for tender documentation and general advice regarding landscape and streetscape options.

Consultation

Council's staff has reviewed all the tender submissions prior to recommending Council's resolution.

Statutory Implications

This tender was called in accordance to the Local Government Act (1995).

3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) Regulations may make provision about tenders.*

Policy Implications

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

Strategic Planning Implications**KEY RESULT AREA 1 - INFRASTRUCTURE**

Goal 2 - Parks & Gardens (To have a variety of well maintained and well utilised parks and gardens that meet the various needs of park users)

Strategy 3 - Develop a five-year verge development and street tree planting program and progressively implement the projects that are identified as being the highest priorities.

KEY RESULT AREA 2 – COMMUNITY PRIDE

Goal 3 – Townscape (That the central business districts and main thoroughfares of both Port and South Hedland are attractive and well maintained)

Strategy 1 - Implement planned upgrade works for:

Edgar and Wedge Streets

Throssell Rd

Strategy 5 - Provide additional shade through the installation of trees and formal shade structures in strategic locations.

Budget Implications

Landscape and streetscape design service costs are incorporated into the budget allocated to each project currently approved in the 2007/08 adopted budget.

Officer's Comment

Tenders were received from three (3) tenderers, McNally Newton Landscape Architects, EPCAD Pty Ltd and Convic Design, as detailed in Table 1 below:

Table 1:

Schedule of Rates:	McNally Newton	EPCAD Pty Ltd	Convic Design
Director/Principal Architect	\$150/hr	\$100/hr	\$125/hr
Senior Architect	\$110/hr	\$100/hr	\$100/hr
Architect	\$85/hr	\$100/hr	\$75/hr
Site Supervisor	\$110/hr	\$100/hr	TBC
Specialist Consultant	Cost+10%	Cost+5%	Cost + 5% -15%
Site inspections (flights/travel) per person	\$900	\$720	\$1000
Site inspections (accommodation, ancillaries) per person per day	\$300	\$100	TBC
Additional copies of documentation per set	Varies – see below	\$20	At cost
Additional schedule of rates not on original tender form:			
Junior Landscape Architect	\$65/hr		
Administration costs	\$25/hr		
Specialist Consultant fees (irrigation design)	\$95/hr + 10%		
Specialist Consultant fees (structural design)	\$150/hr + 10%		
Specialist Consultant fees (electrical design)	\$100/hr + 10%		
Specialist Consultant fees (arboricultural)	\$140/hr + 10%		
Copies of short b/w report	Included		
Copies of major b/w report	\$15		
Copies of short colour report	\$20		
Copies of major colour report	\$40		
Copies A1 (<10)	Included		
Copies A1 (>10) per sheet	\$4.50		

Tenderers also provided the following information:

McNally Newton Landscape Architects

- Main office is Perth based, however MNLA currently have a Port Hedland based office that is contracted to the South Hedland New Living developments for landscape design
- Costs for site inspections will only be applicable in the event that the work can not be undertaken by North West office staff
- MNLA have been operating in the industry for almost 10 years and have designed and administered approximately \$130,000,000 of projects
- Have assisted Council with the recent development of a street tree strategy for South Hedland

EPCAD Pty Ltd

- Perth based office
- Have established excellent working relationships with Council, Pilbara Development Commission, BHP Billiton Iron Ore, Department of Environment and Care for Hedland
- Have been established for 15 years

- Have been contracted to Council previously for many projects including Port Hedland Art Gallery and Visitors Centre redevelopment, Cemetery Beach, Civic Centre and Pretty Pool parks developments, Turtle Interpretive Boardwalk and Sutherland street nodes concept plan

Convic Design

- Office based in Richmond, Victoria
- Are currently contracted by Council for the design and construction of the Port and South Hedland skate parks
- Displayed experience both in the Pilbara, interstate and overseas

Table 2 below is a cost comparative analysis of all tenderers based on a typical program for design and documentation only. The costs are estimated on a 120hour design project (plus consultants and inspections), with tenderers providing the percentage of estimated commitment time for various architects within their organisation:

Table 2:

Description	Qty	McNally Newton	EPCAD Pty Ltd	Convic Design
Director/Principal Architect	120 hrs	\$900 (5%)	\$3,000 (25%)	\$1,500 (10%)
Senior Architect		\$8,580 (65%)	\$3,000 (25%)	\$7,200 (60%)
Architect		\$1,530 (15%)	\$6,000 (50%)	\$2,700 (30%)
Junior Architect		\$1,170 (15%)	NA	NA
Specialist Consultant (electrical @ \$100/hr)	15 hrs	\$1,650	\$1,575	\$1,725
Specialist Consultant (structural @ \$150/hr)	15 hrs	\$2,475	\$2,362.5	\$2,587.5
Specialist Consultant (arboricultural @ \$140/hr)	15 hrs	\$2,310	\$2,205	\$2,415
Site inspections (flights/travel) per person	3 visits	\$900 *	\$2,160	\$3,000
Site inspections (accommodation, ancillaries) per person per day	3 days	\$300 *	\$300	TBC (est \$900)
Additional copies (1 set = 10 x A1 plans)		\$45	\$20	At cost (est \$45)
TOTAL		\$19,860	\$20,622.50	\$22,072.50**

*Note: * 1 site inspection only (travel based) as Port Hedland based office is available.*

*Note: ** Costs have not been provided for site inspections (accommodation, ancillaries) and document copies. Values have been estimated based on the highest price of tenders submitted.*

Table 3 below indicates the evaluation criteria as per tender documentation:

Table 3:

Price	50%
Demonstrated Local Knowledge	25%
Experience	10%
Demonstrated Understand of Required Tasks	5%
Resources	5%
Local Supplier	5%
TOTAL	100%

Table 4 below indicates the weighting applied to tenderers as per the evaluation criteria:

Table 4:

Evaluation Criteria	McNally Newton	EPCAD Pty Ltd	Convic Design
Price (50%)	50	48	45
Demonstrated Local Knowledge (25%)	20	25	15
Experience (10%)	8	10	7
Demonstrated Understanding (5%)	5	5	5
Resources (5%)	5	5	5
Local Supplier (5%)	5	0	0
TOTAL	93	93	77

McNally Newton Landscape Architects (MNLA) and EPCAD Pty Ltd have both received a weighting of 93% based on the evaluation criteria. MNLA received the highest weighting based on price, however EPCAD received a higher percentage for demonstrated local knowledge and experience. All companies tendering for this contract have demonstrated high levels of experience and quality of workmanship based on their portfolios of previous projects undertaken.

Demonstrated local knowledge is one of the key factors of the evaluation criteria. Although all tenderers demonstrated varying levels of local knowledge and experience EPCAD Pty Ltd has extensive experience in Port Hedland, having recently undertaken numerous streetscape and landscape design projects for the Town of Port Hedland.

EPCAD Pty Ltd architects have 51½ years experience in total, MNLA have 36 years combined experience within their staff nominated for this tender. EPCAD have indicated that their Director/Principal architect (17½ years experience) will have approximately 25% commitment time to these projects, with MNLA's Director/Principal architect (19 years experience) committing 5% of time to the projects.

Considering the difference in costs tendered for streetscape and landscape design projects is minimal it is recommended to award the contract to EPCAD Pty Ltd based on demonstrated local knowledge and experience.

Attachments

Nil

200708/016 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council award Tender 06/50 Provision of Landscape and Streetscape Design Services to EPCAD Pty Ltd for the period 1 October 2007 to 30 June 2008 according to the following tendered schedule of rates:

Schedule of Rates:	EPCAD Pty Ltd
Director/Principal Architect	\$100/hr
Senior Architect	\$100/hr
Architect	\$100/hr
Site Supervisor	\$100/hr
Specialist Consultant	Cost+5%
Site inspections (flights/travel) per person	\$720
Site inspections (accommodation, ancillaries) per person per day	\$100
Additional copies of documentation per set	\$20

CARRIED 7/0

11.3.1.3 Cemetery Upgrade Program (File No.: 08/02/0005)

Officer Jenella Voitkevich
Manager Technical Services

Date of Report 17 August 2007

Disclosure of Interest by Officer Nil

Summary

This item is to seek Council approval for the proposed schedule of works for the 2007/08 Cemetery upgrade.

Background

The upgrade of the Town of Port Hedland Cemetery, located on the Great Northern Highway between Port and South Hedland has been an ongoing project for several years. The project has been identified as one of importance to the community and is listed in Council's Strategic Plan.

In 2002/03 the Cemetery upgrade included the completion of the following:

- Construction of a feature limestone entrance wall
- Concrete hardstand at entrance
- Concrete path from entrance to existing ablution block

In 2006/07 the Cemetery upgrade included the completion of the following:

- Replacement of front fence
- Extension of carpark including laying of feldspar, kerbing, planting and reticulation
- Painting of ablution block
- Planting and reticulation of entrance garden, lawn area and in front of fence
- Installation of two Roxby shade shelters, including stencilled concrete hardstand and seating.
- Construction of kerbing to grassed area and entrance road
- Clearing of internal roads and resheeting with feldspar
- Planting and reticulation of trees along main driveway
- Construction of concrete lintels surrounding plots
- Extension of driveway hardstand to match kerbing
- Sealing of limestone wall

This item is to seek Council approval for the 2007/08 program for Cemetery upgrade works.

Consultation

A working group has been established since the commencement of works for the cemetery upgrades. This group consists of Councilors, Council staff and members of the public. The purpose of the group is to identify key areas of improvement within the cemetery. The working group has consulted regarding the proposed 2007/08 schedule of works.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 1 – Infrastructure.

Goal 2 – Parks and Gardens.

Strategy 3 – Work with the community to upgrade the appearance of the Town's cemeteries.

Budget Implications

A non-operating expenditure account 1009481 – Cemetery Upgrade (\$50,000) has been allocated in the 2007/08 budget. An application has been submitted to the Pilbara Area Consultative Committee for an additional \$50,000 towards the cemetery upgrades. If successful, account 1009481 budget to be increased to \$100,000 and a new income account to be raised for \$50,000 from PACC.

Officer's Comment

The proposed cemetery upgrade works are identified in the following table. The costs associated with the proposed works have been established based on quotes received and estimates based on works previously completed.

Table 1:

Description of Work	Qty	\$
Replace side and rear fencing	525m	\$40,000
Shelter over entrance driveway	5m x 7m	\$20,000
Kerbing	150m	\$5,000
Concrete lintel construction	450m	\$25,000
Signage to front entrance wall	Approx.	\$5,000
Replace plot identification plaques	Approx.	\$5,000
TOTAL		\$100,000

Replace side and rear fencing

The rear and side fencing surrounding the cemetery is in poor condition. The amount allocated to replacing the fence is based on the entire replacement of the fencing structure and wire mesh. This may be reduced if the wire mesh only is replaced, or if the fencing structure is replaced only where necessary. Local fencing contractors will be consulted regarding the most suitable option.

Shelter over entrance driveway

Install a shade shelter over the concrete hardstand at the entrance to the cemetery grounds. The shelter design will match the 'Roxby' shelters previously installed. The shelter support posts will be located against the limestone wall on the garden side, so that the limestone wall will remain the dominant feature.

Kerbing

Continue kerbing to define roads inside the cemetery grounds.

Concrete lintel construction

Continue construction of concrete lintels to define existing plot locations (as per 06/07 program).

Signage to front entrance wall

Signage to be installed on the entrance limestone wall identifying the 'Town of Port Hedland Cemetery', including the Council logo. The signage will be lettering only in a similar style to the recently installed signage in front of the Matt Dann Cultural Centre/South Hedland High School.

Replace plot identification plaques

Several markers that identify the number of the plot sites require replacement or reinstating. It is suggested to mount the markers on the surface of the concrete lintels surrounding the plots. This will greatly reduce maintenance issues, as the markers will be flush with the ground level.

The schedule of works has been developed based on the anticipated budget amount of \$100,000, however if the funding application is unsuccessful the following schedule of works will be adopted:

Table 2:

Description of Work	Qty	\$
Shelter over entrance driveway	5m x 7m	\$20,000
Kerbing	150m	\$5,000
Concrete lintel construction	270m	\$15,000
Signage to front entrance wall	Approx.	\$5,000
Replace plot identification plaques	Approx.	\$5,000
TOTAL		\$50,000

The remainder of the program, including fencing upgrades and completion of concrete lintel construction, will be allocated to future programs pending additional funding and approvals.

Attachments

Nil

Officer's Recommendation

That:

- i) Council approves the schedule of works based on the approved \$50,000 budget as per Table 2;
- ii) Council approves the additional \$50,000 income and expenditure pending the successful funding application to the Pilbara Area Consultative Committee; and
- iii) Council approves the complete schedule of works based on Table 1, pending successful funding application to the Pilbara Area Consultative Committee.

200708/017 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr G J Daccache**That:**

- i) **Council approves the schedule of works based on the approved \$50,000 budget as per Table 2; and**
- ii) **Council approves the complete schedule of works based on Table 1, pending successful funding application to the Pilbara Area Consultative Committee.**

CARRIED 70

REASON: Council sought to wait for the outcome of its funding application from Pilbara Area Consultative Committee, prior to giving commitment for the additional \$50,000 income and expenditure to undertake works in Table 1 as follows:

Table 1:

Description of Work	Qty	\$
Replace side and rear fencing	525m	\$40,000
Shelter over entrance driveway	5m x 7m	\$20,000
Kerbing	150m	\$5,000
Concrete lintel construction	450m	\$25,000
Signage to front entrance wall	Approx.	\$5,000
Replace plot identification plaques	Approx.	\$5,000
TOTAL		\$100,000

11.3.1.4 Installation of Memorial Plaques at the Town of Port Hedland Cemetery (File No.: 05/08/0002)

Officer Jenella Voitkevich
Manager Technical Services

Date of Report 24 August 2007

Disclosure of Interest by Officer Nil

Summary

This item is for approval of the installation of memorial plaques procedures, including fees and charges, at the Town of Port Hedland Cemetery.

Background

The Town of Port Hedland Cemetery is located on the Great Northern Highway between Port and South Hedland. It has been subject to various upgrade projects over the last 5 years to improve its appearance and manageability, and also to provide a peaceful environment for reflection for the Port Hedland community.

Port Hedland is a town with a diverse multicultural community and the cemetery caters for many differing spiritual groups within the area. It is important that the cemetery respects the values of all community groups and provides facilities in serene surroundings where families can remember their loved ones.

In recent years the cemetery upgrades included the installation of a limestone wall on either side of the entrance. The purpose of this wall was not only to provide an attractive, clearly defined entrance but also to provide the community with a location to install memorial plaques in remembrance of loved ones departed.

Consultation

- Council staff, including engineering and administration officers.
- Cemetery Upgrade Working Group, which includes Council staff, Councillors and community representatives.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 1 – Infrastructure.
Goal 2 – Parks and Gardens.

Strategy 3 – Work with the community to upgrade the appearance of the Town's cemeteries.

Budget Implications

The installation of memorial plaques will require new expenditure (approximately \$5,000) and revenue (approximately \$5,000) accounts to be raised. All costs associated with the purchase and installation of memorial plaques will be borne by the applicant therefore resulting in a nil cost to Council.

Council's Fees and Charges would be revised to include the charges for memorial plaques as stated below:

The following fees are payable for the installation of memorial plaques pending final costs associated with plaque supplier:

Plaque location reservation fee - \$50.00 (subject to reservations for future installations only)
Administration fee - \$23.00 including gst
Installation of plaque - \$48.00 including gst
Supply of plaque and inscription – per application, from \$232.40 including gst.

Officer's Comment

Members of the public will be able to make an application with Council for the installation of memorial plaques. The initial application will be administered by customer service officers then forwarded to engineering technical staff for action. Engineering staff will request a draft print and cost details of the plaque and inscription, which will be presented to the applicant for approval and payment. Once the plaque is delivered to Council the applicant will be contacted to arrange installation dates. All installations will be carried out by Council staff on the limestone wall on the inside of the cemetery grounds.

The application form will include plaque selection, plaque inscription details (restrictions to be set by plaque supplier), applicant details, payment details and a request to be present at the installation of the plaque.

Memorial plaques will be available in a choice of two (2) designs, basic and elaborate, in a range of colours and finishes depending on availability of the supplier. The size of all plaques will be the same to maintain consistency of appearance on the limestone wall. An example of the possible plaques design is below:



Basic design



Elaborate design

Plaque locations will be recorded by Council's customer service officers using a similar system to the current cemetery burial plot location register. Residents will have the opportunity to reserve a location for future plaque installation.

Once Council approves the installation of memorial plaques at the Town of Port Hedland Cemetery, the new service will be advertised to the public to ensure awareness.

Attachments

Nil

200708/018 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S F Sear

That:

- i) Council approve the installation of memorial plaques at the Town of Port Hedland Cemetery;
- ii) Council approve a new expenditure account of \$5,000 and a new income account of \$5,000;
- iii) Council approve an amendment to the Schedule of Fees and Charges of:

The following fees are payable for the installation of memorial plaques pending final costs associated with plaque supplier:

- a) Plaque location reservation fee - \$50 (subject to reservations for future installations only)
- b) Administration fee - \$23.00 including gst
- c) Installation of plaque - \$50/hr minimum 1 hour charge
- d) Supply of plaque and inscription – per application, \$232.40 including gst.

CARRIED 7/0

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11.3.1.5 Recreational Boating Facilities Scheme Funding Agreement (File No.: 30/15/0002)

Officer Jenella Voitkevich
Manager Technical Services

Date of Report 17 September 2007

Disclosure of Interest by Officer Nil

Summary

For Council to grant approval for the Mayor and Chief Executive Officer to sign and seal the Department for Planning and Infrastructure Recreational Boating Facilities Scheme Funding Agreement with the Minister for Transport.

Background

Council received correspondence on 14 September 2007 from the Department for Planning and Infrastructure advising of successful funding of \$75,000 (excluding gst) through the Recreational Boating Facilities Scheme. This funding forms part of the allocated 07/08 expenditure for the upgrade of Finucane Island boat ramp, which includes widening and improving the ramp facilities to alleviate sand build up caused by tidal movements. The total expenditure for this project is \$300,000 and includes preparation of designs by a suitably qualified consultant.

Signing and sealing of the Funding Agreement is required to ensure payment of funding upon completion of the project.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 2 – Sports & Leisure: That the community has access to sports and leisure facilities at or above the quality that they would be able to access in the metropolitan area.

Strategy 2 – Upgrade boating facilities at Finucane Island and the Town Boat Ramp and identify the preferred location/s for future additional boat launching facilities.

Budget Implications Nil

2007/08 Expenditure Account 1105410 (Finucane Island Boat Ramp) has an allocation of \$300,000 for this project.

2007/08 Revenue Account 1105353 (Grants – DPI) has an allocation of \$75,000 for this funding.

Officer's Comment

The upgrade of the Finucane Island Boat Ramp is a part of Council's Strategic Plan and has been identified as an important issue within the community. The upgrades will reduce current maintenance issues at the ramp, which are caused by the constant build up of sand due to tidal movements. A qualified consultant will be contracted to design the ramp upgrades to ensure that these issues are alleviated and the upgrades are completed within the allocated budget. The improvements will ensure that residents have a safe and accessible boat ramp available at all times for recreational and emergency purposes.

Signing and sealing of the Funding Agreement is required to ensure payment of funding upon completion of the project.

Attachments

Nil

200708/019 Council Decision/Officer's Recommendation

Moved: Cr G D Bussell

Seconded: Cr D R Pike

That Council approves the use of the Town of Port Hedland Seal on the Department for Planning and Infrastructure Recreational Boating Facilities Scheme Funding Agreement with the Minister for Transport for funding of \$75,000 (excluding gst).

CARRIED 7/0

11.3.1.6 Tender 06-51 Supply and Delivery of one (1) New Rear Loading Compactor (File No.: .../...)

Officer Russell Dyer
Manager Engineering
Services

Date of Report 3 September 2007

Disclosure of Interest by Officer Nil

Summary

For Council's consideration of tenders received for Tender 06-51 for the Supply and Delivery of one (1) new Rear Loading Compactor (rubbish truck).

Background

Tenders were advertised for the supply and delivery of a new Rear Loading Compactor (rubbish truck) in The West Australian newspaper on 8 August 2007. Tenders closed at 2pm on Wednesday 22 August 2007.

Consultation

Council's engineering staff reviewed both the tender submissions received in accordance with Tender Specifications and schedules distributed to prospective tenderer.

The specifications prepared for the tender document are based on machinery that Council currently uses to complete our construction and maintenance projects.

Statutory Implications

This tender was called in accordance to the Local Government Act (1995).

“3.57. Tenders for providing goods or services

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

(2) Regulations may make provision about tenders.”

Policy Implications

This tender was called in accordance with Council's Procurement Policy 2/015. It is noted that due to an administration error, a Councillor was not in attendance for the tender opening.

Strategic Planning Implications Nil

Budget Implications

The 2007/08 Budget includes the following accounts for purchase of various plant and equipment, including:

- General Ledger Account 1004441 'Plant and Equipment' - \$300,000
- General Ledger Account 1208440 'Heavy Vehicles and Plant Equipment' \$590,000
- Non-operating Revenue Account 1004397 'Trade in Value' - \$80,000
- Non-operating Revenue Account 1208396 'Sale-Trade In/Plant - \$234,000

General Ledger Account 1004441 \$300,000 – expense \$295,770, with expected Revenue of \$80,000.00 from Rubbish Truck

Officer's Comment

Tenders were received from Major Motors and Purcher International : Tenderers as detailed in Table 1 below:

Table 1:

Tenderer	Model	Price (ex. Gst)	Trade In PH 057
Purcher International	International Acco F2350G	\$319,860.00	\$80860.00
Major Motors	Isuzu FVY 1400 Auto	\$295,770.00	No Trade

All the above prices include registration to 30th June 2008 and delivery to Town of Port Hedland Depot.

Table 2 below indicates the specifications of each truck as tendered:

Table 2:

	International ACCO F2350G	Isuzu FVY 1400 Auto
GVM / GCM	24.0 Tonne 36.0 Tonne	24.0Tonne 36.0Tonne
Engine	Cummins ISC 285 6 Cylinder Turbo After cooled Diesel, 285hp	SOHC Direction Injection Diesel 206 kw, 276hp – Meets 2008 Emission standards
Transmission	Allison WT MD3560P 6 Speed Automatic	Allison, MD3560P 6 Speed
Rear Axle	Meritor RT40-145G Ration: 6.43:1 Power Divider	Meritor FG941 6600kg capacity
Front Axle	Spicer 1-140S Steel I beam Capacity 6.35t	Meritor RT 40 145g 18100kg capacity Air operated inter axle differential lock
Suspension	Taper Leaf Capacity 7.2T	Taper Leaf

(Front)		
Suspension (Rear)	Hendricksen Prim ax PAX460 Air bag w/- Dump Control Capacity 18T	Rear Hendriksen Airbag Rating: 18140kg
Brakes	S Cam Dual Air Brake system, Automatic Adj. Park – Rear Axles, Spring Actuated	Meritor full air brake system
Cabin	Forward Control, Hydraulic Cab Tilt, Rear Air suspension, Air suspended Drivers Seat, Adj. Steering column, Large West coast Mirrors, Spotter Mirrors, Central Park Brake, Central Transmission, Cloth Seat Trim, Lap/Sash Seat Belts, Air-conditioning, Laminated Windscreen Overhead console, AM FM Radio, Vinyl Floor Mats, External Sun visor, Dual Air Horns, Window Tinting, TAIT Radio, 2 Fire Extinguishers, Roof Mounted Air conditioner Condenser, Reverse Warning Buzzer	Manual Cabin tilt, 90 degree opening doors, laminated windscreen, 2 speed wiper system, west coast mirrors, dual tone air horn, integrate air conditioning, overhead storage shelf, electric windows, remote central locking, Drivers ISRI air suspension seat with auto weight ajd. Radio/CD player, roof mounted air condenser, TAIT radio Amber flashing beacons, back up alarm, window tinting 2 fire extinguishers, engine hour meter, canvas seat covers
Wheels	Michelin Tyres Spare Tyre Jack & Tools	Michelin Tyres 10 stud
Chassis	270 litre Fuel Tank	180 litre steel fuel tank
Delivery	TBA	20 Weeks
Warranty	12 months or 2400 hours	36 months or 200,000km

Tenderers also provided the following information:

Purcher International

- Optional Extras: 4 Wheel Cross Lock Diff Locks \$2750.00 + GST

Major Motors – Optional Extras:

- Tuk-a-way lifter \$22,500.00
- Auto grease point for packer mechanism \$4,500.00
- Elphinstone on board load weighing system \$14,000.00
- Aluminum tool box \$720.00

Table 3 below indicates the evaluation criteria as per tender documentation:

Table 3:

Price	70%
Parts and Service Availability	10%
Ability to Supply	10%
Local Supplier Preference	10%
Total	100%

Table 4 below indicates the weighting applied to Tenderers as per tender evaluation criteria:

Table 4:

Tenderer	Price (70%)	Service (10%)	Supply (10%)	Local (10%)	Total (100%)
Purcher International	64	3	3	0	70
Major Motors	70	8	8	0	86

Purcher International have offered to Trade In Council's 1999 Acco Compactor Registration PH057 for \$80,860.

Major Motors have made no offer on Trade In vehicle

200708/020 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S F Sear

That Council award Tender 06-51 Supply and Delivery of one (1) New Rear Loading Compactor to Major Motors, for the supply of one (1) Isuzu FVY which meets 2008 Emission standards at the purchase price of \$295,770, representing best value for money

CARRIED 7/0

NOTE: \$56,700 will be recouped as a result of the trade in of Council's existing truck.

11.3.1.7 Tender 06-52 Supply and Delivery of one (1) New Bitumen Truck (File No.: .../...)

Officer Russell Dyer
Manager Engineering
Services

Date of Report 3 September 2007

Disclosure of Interest by Officer Nil

Summary

For Council's consideration of tenders received for Tender 06-52 for the Supply and Delivery of one (1) new Bitumen Truck.

Background

Tenders were advertised for the supply and delivery of a new Bitumen in The West Australian newspaper on 8 August 2007. Tenders closed at 2pm on Wednesday 22 August 2007.

Consultation

Council's engineering staff reviewed both the tender submissions received in accordance with Tender Specifications and schedules distributed to prospective tenderer.

The specifications prepared for the tender document are based on machinery that Council currently uses to complete our construction and maintenance projects.

Statutory Implications

This tender was called in accordance to the Local Government Act (1995).

"3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) Regulations may make provision about tenders."*

Policy Implications

This tender was called in accordance with Council's Procurement Policy 2/015. It is noted that due to an administration error, a Councillor was not in attendance for the tender opening.

Strategic Planning Implications Nil

Budget Implications

The 2007/08 Budget includes the following accounts for purchase of various plant and equipment, including:

- General Ledger Account 1004441 'Plant and Equipment' - \$300,000
- General Ledger Account 1208440 'Heavy Vehicles and Plant Equipment' \$590,000
- Non-operating Revenue Account 1004397 'Trade in Value' - \$80,000
- Non-operating Revenue Account 1208396 'Sale-Trade In/Plant - \$234,000

Expected revenue from trade in of Bitumen Truck - \$55,000.

Officer's Comment

Tenders were received from T.J & F.L Pohlner, Purcher International, WA Hino for Supply of Bitumen Truck. Tender received are detailed in Table 1 below:

Table 1:

Tenderer	Model	Price (ex. Gst)	Trade In Mitsubishi Tipper PH4844
Purcher International	Mitsubishi Fuso Canter 4.0	\$107,920.00	\$37000.00
WA Hino	Hino 300 series 816 medium (XZU417R-QKFRDQ3) Euro 4 Std	\$104,614.00	\$26000.00
T.J & F.L Pohlner	Hino 300 Series 816 Medium Euro 4 Std	\$102,612.10	No Trade
T.J & F.L Pohlner	Option: Hino GH1JJPQ Ranger-Pro Bigger Truck with Cackle Spreader	\$160,358.20	No Trade

All the above prices include registration to 30th June 2008 and delivery to Town of Port Hedland Depot.

Table 2 below indicates the specifications of each truck as tendered:

Table 2:

	Mitsubishi Fuso Canter 4.0 – Purcher International	Hino 300 Series 816 – WA Hino	Hino 300 series 816 - Pohlner	Option: Hino GH1JJPQ Ranger Pohlner
GVM / GCM	GVM -7500kg GCM – 11000 kg Wheelbase: 3850mm	GVM -7500kg GCM – 11000 kg	GVM -7500kg GCM – 11000 kg	GVM – 16000kg GCM 32000kg
Engine	Mitsubishi 4D34-3AT3B Diesel 4 cylinder	Hino NOVC-TV 4 Cyl diesel – Euro 4	Hino MYY6S 4 Cyl. Diesel – Euro 4	Hino JO8C-UK T17961cc Develops 260hp
Transmission	5 Speed Manual	6 Speed Manual	6 Speed Manual	6 speed manual
Rear Axle	Capacity: 5640 kg Ratio: 5.714:1	Capacity 5,100kg Ratio: 5.833	Capacity 5,100kg Ratio: 5.833	Capacity 10,500 kg Ratio 5.250:1
Front Axle	Power Steering, Reverse Elliot 'I' Beam capacity: 2500kg	Capacity 2800kg	Capacity 2800kg	Power Steering, Reverse Elliot 'I' Beam capacity: 6500kg
	Mitsubishi Fuso Canter 4.0 – Purcher International	Hino 300 Series 816 – WA Hino	Hino 300 series 816 - Pohlner	Option: Hino GH1JJPQ Ranger Pohlner
Suspension (Front)	Long Taper Leaf 3000 kg capacity	Semi elliptic tapered leaf springs	Semi elliptic tapered leaf springs	Taper leaf springs
Suspension (Rear)	Semi-Elliptic Leaf 6400kg capacity Front & Rear Shock Absorbers, Front & Rear Stabilizer Bars	Parabolic	Parabolic	Two air bags with double acting shock absorbers
Brakes	ABS – automatic adjustment, Asbestos Free Linings, Vacuum Assisted Hydraulic Operation Auxiliary: Exhaust Brake	Hydraulic with ABS & EBD	Hydraulic with ABS & EBD	Full air, dual circuit 'S' cam system
Cabin	All Steel forward control Single Cab, Electric Windows, Keyless Central Locking, Air Con, Cloth Seats, Seat Belts, Laminated Windscreen, West Coast External Mirrors, CD/Radio, Tool Kit, Window Tinting, Roof Mounted condenser, Floor Mats, Beacons Sun visor, stone guard	Full tilting Cab Air con, Laminated Windscreen, Power Steering, Engine Exhaust Brake, Adj. Rake Steering Column, Driver & Passenger Air Bag, Rear Mount Condenser, Tint, Battery Isolation Switch, Amber Beacons, Sun visor, Grease gun	Full tilting Cab Air con, Laminated Windscreen, Power Steering, Engine Exhaust Brake, Adj. Rake Steering Column, Driver & Passenger Air Bag, Rear Mount Condenser, Tint, Battery Isolation Switch, Amber Beacons, Sun visor, Grease gun	Full tilting Cab Air con, Laminated Windscreen, Power Steering, Engine Exhaust Brake, Adj. Rake Steering Column, Driver & Passenger Air Bag, Rear Mount Condenser, Tint, Battery Isolation Switch, Amber Beacons, Sun visor, Grease gun

	Mitsubishi Fuso Canter 4.0 – Purcher International	Hino 300 Series 816 – WA Hino	Hino 300 series 816 - Pohlner	Option: Hino GH1JJPQ Ranger Pohlner
Wheels	Single Piece Steel Disc Rims 205/85R16LTA Radial Tyres, Winch Type Spare Tyre Carrier	6 Stud Disc Wheel 215/85R16/5.5	6 Stud Disc Wheel 215/85R16/5.5	10 stud disc wheel
Chassis	125 Litre Fuel Tank, 12 Volt Electrical System, spare Tyre, Rim, Jack & Tools, Front & Rear Tow Points	140 Lt Fuel Tank,	140 Lt Fuel Tank,	200 lt fuel tank, tool box mounted onto chassis
Delivery	TBA	TBA	TBA	TBA
Warranty	3 years	36months/10000 0km	36months/10000 0km	36months/10000 0km

Tenderers also provided the following information:

Purcher International

- Optional Extras: Day Heating Unit on body \$1,500.00 + GST

Wa Hino

- 240 volt Emulsion Heating \$1,600.00
- Alloy Bull Bar \$1,800.00
- Stoneguard \$420.00
- 1.1kg Fire Extinguisher \$160.00
- Hour meter \$420.00
- 24 to 12 V Reducer \$380.00

Table 3 below indicates the evaluation criteria as per tender documentation:

Table 3:

Price	70%
Parts and Service Availability	10%
Ability to Supply	10%
Local Supplier Preference	10%
Total	100%

Table 4 below indicates the weighting applied to Tenderers as per tender evaluation criteria:

Table 4:

Tenderer	Price (70%)	Service (10%)	Supply (10%)	Local (10%)	Total (100%)
Purcher International	66	3	3	0	72
WA Hino	68	4	4	0	76
T.J & F.L Pohlner	70	8	6		84
T.J & F.L Pohlner Opt	63	8	6		77

Purcher International have offered Trade In on Mitsubishi Tipper PH4844 \$37,000.

WA Hino have offered Trade In on Mitsubishi Tipper PH4844 \$26,000.00

T.J & F.L Pohlner have offered no trade in.

Engineering Staff recommend the Hino 300 series 816 with fully contained Bitumen Unit with a flushing system built in for easy cleaning and maintenance. Broome has a similar unit, which has been viewed and proven to suit our climate. This Unit is valued at \$102,612.10, as is considered best value for money.

200708/021 Council Decision/Officer’s Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council award Tender 06-52 Supply and Delivery of one (1) New Bitumen Truck to WA Hino for the supply of one (1) Hino 300 series 816 with fully contained Bitumen Unit with a flushing system built in for easy cleaning and maintenance, for the net purchase price of \$102,612.10 excluding gst, less trade in of Council’s Mitsubishi Tipper Registration PH4844 -\$26,000

CARRIED 7/0

11.3.1.8 Tender 06-54 Supply and Delivery of one (1) New Tandem Drive Tip Truck (File No.: .../...)

Officer Russell Dyer
Manager Engineering
Services

Date of Report 3 September 2007

Disclosure of Interest by Officer Nil

Summary

For Council's consideration of tenders received for Tender 06-54 for the Supply and Delivery of one (1) new Tandem Drive Tip Truck.

Background

Tenders were advertised for the supply and delivery of a new Tandem Drive Tip Truck in The West Australian newspaper on 8 August 2007. Tenders closed at 2pm on Wednesday 22 August 2007.

Consultation

Council's engineering staff reviewed both the tender submissions received in accordance with Tender Specifications and schedules distributed to prospective tenderer.

The specifications prepared for the tender document are based on machinery that Council currently uses to complete our construction and maintenance projects.

Statutory Implications

This tender was called in accordance to the Local Government Act (1995).

“3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) Regulations may make provision about tenders.”*

Policy Implications

This tender was called in accordance with Council's Procurement Policy 2/015. It is noted that due to an administration error, a Councillor was not in attendance for the tender opening.

Strategic Planning Implications Nil

Budget Implications

The 2007/08 Budget includes the following accounts for purchase of various plant and equipment, including:

- General Ledger Account 1004441 'Plant and Equipment' - \$300,000
- General Ledger Account 1208440 'Heavy Vehicles and Plant Equipment' \$590,000
- Non-operating Revenue Account 1004397 'Trade in Value' - \$80,000
- Non-operating Revenue Account 1208396 'Sale-Trade In/Plant' - \$234,000

Officer's Comment

Tenders were received from Kenworth Daf WA,WA Hino and Purcher International for supply of Tandem Tip Truck : Tenderers as detailed in table 1 below:

Table 1:

Tenderer	Model	Price (ex. Gst)
Purcher International	Iveco Stralis AD10	\$216,500.00
WA Hino	4150 700 Series	\$185,588.00
Kenworth Daf	DAF Fat CF85.430	\$210,770.00
Kenworth Daf	DAF CF85.460	\$229,327.00

All the above prices include registration to 30th June 2008 and delivery to Town of Port Hedland Depot.

Table 2 below indicates the specifications of each truck as tendered:

Table 2:

	Iveco Stralis AD10	Hino 4150 700 series	DAF CF85.460	DAF Fat CF85.430
GVM / GCM	GVM 24.5T GCM 59.0T	GVM 28.3T GCM 50.0T	GVM 22.5 GCM 70.0	GVM 24.6T GCM 59.0T
Engine	Cursor 10 6 Cylinder Turbo After cooled Diesel	Hino E13C-TS Diesel 6 cylinder	6 Cyl 12.9 litre Multi Valve – Euro IV compliant	6 Cylinder 12.6 Litre Multi Valve
Transmission	12 speed automated	Eaton RTLO-18918B 18 forward, 4 reverse speeds	12 speed Semi Auto	16 speed Synchronesh manual with Oil Coiler
Rear Axle	Meritor RT46-160GP	Tandem Axle, dual drive	DAF heavy Duty Hub Reduction 23000kg	DAF heavy Duty Hub Reduction 23000kg
Front Axle	Iveco 5876 7.5 Tonne Capacity	Reverse Elliot 'I' section beam	I Beam 7500kg Capacity	I Beam 7500kg Capacity

	Iveco Stralis AD10	Hino 4150 700 series	DAF CF85.460	DAF Fat CF85.430
Suspension (Front)	Parabolic with Stabiliser	Semi elliptic leaf	Parabolic Leaf Spring	Parabolic Leaf Spring
Suspension (Rear)	Meritor AC-6P	Hino 6 rod suspension	DAF Trapezium Spring & 6 rod	DAF Trapezium Spring & 6 rod
Brakes	ABS Self adjusting S Cam Trailer Brake controls and connections	Full air, dual circuit Scam system	Full Air operated Disc Front and Drum Rear ABS system	Full Air operated Disc Front and Drum Rear ABS system
Cabin	Forward Control Day Cab, Hydraulic tilt, 4 point Cab Air Suspension, Tilt/telescopic steering column, air suspension drivers seat, Air Con, Roof Mounted Air condenser, AM/CD controls, West Cost & Spotter Mirrors, power windows, Central Locking, Trip Computer, Window Tin, First Aid Kit, Headlight Protectors, Vinyl Floor Mats, UHF Radio, TAIT Radio, Beacons, Sun visor, Stone Guard, Fire Extinguisher	Forward control, all steel, Air/Coil cab suspension. Air suspension Seat, Sleeper Bunk with Curtains, Two flat type rear mirrors with heater, AM/FM/CD player Air conditioner, Remote keyless entry	Sleeper cab, hydraulic tilt, cab side extenders, Air conditioned, Air suspended drivers seat, electric windows, Cruise control, electric adjusted & heated mirrors, Roof Ventilation Hatch, Rear Window, Sun visor	Sleeper cab, hydraulic tilt, cab side extenders, Air conditioned, Air suspended drivers seat, electric windows, Cruise control, electric adjusted & heated mirrors, Roof Ventilation Hatch, Rear Window, Sun visor
Wheels	Michelin XZE2 Spare Tyre, Jack, Tools 10 Stud Steel disc Rims	10 stud disc includes wheel brace and hydraulic jack	Michilin Tyres and spare	Michilin Tyres and spare

	Iveco Stralis AD10	Hino 4150 700 series	DAF CF85.460	DAF Fat CF85.430
Chassis	450 lt Fuel Tank, 1 x 250/200 Alloy Fuel/Oil Tank, 24V elec system, Heavy duty batteries, 90amp brushless, Front Tow Point, Reverse Warning light & Buzzer	Parallel chassis 400 lt fuel tanks,	Flat topped. Wheel Base 4050mm 430 lt Fuel tank	Flat topped. Wheel Base 4050mm 430 lt Fuel tank
Delivery	TBA	TBA	TBA	TBA
Warranty	5 Years		3 Years/750,000 Engine/Drive line	2 years

Table 3 below indicates the evaluation criteria as per tender documentation:

Table 3:

Price	70%
Parts and Service Availability	10%
Ability to Supply	10%
Local Supplier Preference	10%
Total	100%

Table 4 below indicates the weighting applied to Tenderers as per tender evaluation criteria:

Table 4:

Tenderer	Price (70%)	Service (10%)	Supply (10%)	Local (10%)	Total (100%)
Purcher International	60	3	3	0	66
WA Hino	70	4	4	0	78
Kenworth DAF WA - 460	62	8	8	0	78
Kenworth Daf WA- 430	56	8	6	0	70

200708/022 Council Decision/Officer’s Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council award Tender 06-54 Supply and Delivery of one (1) New Tandem Drive Tip Truck Kenworth Daf for the supply of one (1) Tip Truck Model DAF CF85.460 for the net purchase price of \$229,327 excluding gst.

CARRIED 7/0

11.3.1.9 Tender 06-56 Supply and Delivery of one (1) New Single Axle Tip Truck (File No.: .../...)

Officer Russell Dyer
Manager Engineering
Services

Date of Report 3 September 2007

Disclosure of Interest by Officer Nil

Summary

For Council's consideration of tenders received for Tender 06-56 for the Supply and Delivery of one (1) new Single Axle Tip Truck.

Background

Tenders were advertised for the supply and delivery of a new Single Axle Tip Truck in The West Australian newspaper on 8 August 2007. Tenders closed at 2pm on Wednesday 22 August 2007.

Consultation

Council's engineering staff reviewed both the tender submissions received in accordance with Tender Specifications and schedules distributed to prospective tenderer.

The specifications prepared for the tender document are based on machinery that Council currently uses to complete our construction and maintenance projects.

Statutory Implications

This tender was called in accordance to the Local Government Act (1995).

“3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) Regulations may make provision about tenders.”*

Policy Implications

This tender was called in accordance with Council's Procurement Policy 2/015. It is noted that due to an administration error, a Councillor was not in attendance for the tender opening.

Strategic Planning Implications Nil

Budget Implications

The 2007/08 Budget includes the following accounts for purchase of various plant and equipment, including:

- General Ledger Account 1004441 'Plant and Equipment' - \$300,000
- General Ledger Account 1208440 'Heavy Vehicles and Plant Equipment' \$590,000
- Non-operating Revenue Account 1004397 'Trade in Value' - \$80,000
- Non-operating Revenue Account 1208396 'Sale-Trade In/Plant - \$234,000

Revenue from trade in on Isuzu Truck Registration PH4985 - \$50,000.

Officer's Comment

Tenders were received from Kenworth DAF WA, WA Hino and Purcher International for supply of Single Axel Truck. Tenderers are detailed in Table 1 below:

Table 1:

Tenderer	Model	Price (ex. Gst)	Trade In Isuzu PH4985
Kenworth Daf	DAF LFE15 15000GVM Tip Truck Automatic extra \$4500.00	\$128,850	\$44304.50
WA Hino	Hino Ranger Pro 9 medium	\$108,228	\$50,000
Purcher International	Fuso Fighter 8.0t FM61FH1RFAE	\$112,830	\$62,000

All the above prices include registration to 30th June 2008 and delivery to Town of Port Hedland Depot.

Table 2 below indicates the specifications of each truck as tendered:

Table 2:

	DAF LFE15	Hino Ranger Pro 9	Fuso Fighter 8.0T
GVM / GCM	16.0T GVM 18.5T GCM	GVM 15.1T GCM 24.0T	GVM 14.1T GCM 18T
Engine	6 cylinder 5.9 litre Turbo Intercooled	4 cycle diesel 6 cylinder	6 cylinder Cruise Control Turbo Shut Down Timer
Transmission	6 Speed synchromesh with overdrive	6 speed direct drive synchromesh	Mitsubishi 6 speed manual
Rear Axle	Single Reduction 10500kg	Full floating single speed by hypoid gears	Axle capacity 9200kg Ratio 4.444:1

	DAF LFE15	Hino Ranger Pro 9	Fuso Fighter 8.0T
Front Axle	I Beam 6000kg capacity	Reverse Elliot I section beam	Axle capacity 5100kg Grease Type Wheel Bearings
Suspension (Front)	Parabolic	Taper leaf springs	Parabolic Leaf
Suspension (Rear)	Parabolic	Taper Leaf Springs	Semi Elliptic
Brakes	Disc Brakes front and back	Full air S Cam	Air Actuated Hydraulic
Cabin	Day Cab, Full instrumentation, Air Conditioned, Hydraulic Tilt Cab, Air suspended drivers seat. Electric windows, Cruise control, electric mirrors, rear window external sun visor	EGIS Safety Cab, forward control, ISRI suspension seat – Driver, sun visor, Mirrors, AM/FM/CD Player, Electric door locks, Power windows, Front Air spoiler, Air Conditioner, Roof Mounted Condenser, UHF Tait Radio, PH 300 Tow Hinch, Hand & Foot controls, Tint, Beacon, Stoneguard, Canvas Seat covers	All steel forward control, manual tilt, Air Con, Seat Belts, West Coast External Mirrors – LH remote controlled, AM/FM, CD player, tilt/telescopic steering column, window tint, roof mounted air condenser, heavy duty seat covers, TAIT 2way radio, UHF Radio, Floor mats, headlight covers, Beacons, Sun visor, Stone guard
Wheels	19.5” Bridgestone Tyre spare included	10 stud disc wheels, wheel brace and hydraulic jack. Spare tyre and carrier fitted	275/70R22.5 Radial Tyres spare tyre and rim, winch type spare tyre carrier, jack tool box and tools
Chassis	Flat topped wheel base 4800mm 325 ltr Fuel Tank	200ltr Fuel tank	185 Litre Fuel Tank reverse Buzzer and light
Delivery	TBA	TBA	TBA
Warranty	Non Driveline 12 mths, Engine and Driveline 36 mths	36months/150000km	36 months / 200000 kms

Table 3 below indicates the evaluation criteria as per tender documentation:

Table 3:

Price	70%
Parts and Service Availability	10%
Ability to Supply	10%
Local Supplier Preference	10%
Total	100%

Table 4 below indicates the weighting applied to Tenderers as per tender evaluation criteria:

Table 4:

Tenderer	Price (70%)	Service (10%)	Supply (10%)	Local (10%)	Total (100%)
Kenworth Daf WA	59	8	6	0	73
WA Hino	70	4	4	0	78
Purcher International	67	3	3	0	73

Kenworth Daf WA have offered Trade In on Isuzu PH 4985 - \$44,304.50

Options:

- 250hp instead 220hp \$600
- Diff Lock \$650
- Third Seat in Cab \$190
- Drivers Air Bag \$120
- 6 Speed Semi Auto Trans \$4,500
- Air diverter & Hyds to Rear \$1,595
- Roll on Tarp over Body \$3,200

WA Hino have offered Trade in on Isuzu PH 4985 - \$55,000

Options:

- Automatic Model including Wheelbase Adjust \$19,061
- ABS Brake \$3,200
- Rear Diff Locks \$4,000

Purcher International have offered Trade in on Isuzu PH 4985 - \$62,000.00

Options:

- Hydraulic Diverter Valve and lines \$1450.00

200708/023 Council Decision/Officer’s Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council award Tender 06-54 Supply and Delivery of one (1) New Single Axle Tip Truck to WA Hino for the supply of one (1) Hino Ranger Pro 9 medium Tip Truck for the net purchase price of \$58,228 excluding gst (purchase price of \$108,228 excluding gst, less trade in of Council’s Isuzu Truck Registration PH4985 for \$50,000).

CARRIED 7/0

11.3.1.10 Tender 06/53 Supply and Delivery of New Community Bus (File No.: 23/08/0035)

Officer Russell Dyer
Manager Engineering
Services

Date of Report 3 September 2007

Disclosure of Interest by Officer Nil

Summary

This document is a summary of the tenders received for the Supply and Delivery of New Community Bus.

Background

Tenders were recently called for the supply and delivery of new Community Bus to replace the existing Town of Port Hedland vehicle.

Consultation

Council's engineering staff has reviewed all the tender submissions prior to recommending Council's resolution. The specifications prepared for the tender document are based on machinery that Council currently use to complete construction and maintenance projects.

Statutory Implications

This tender was called in accordance to the Local Government Act (1995).

"3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) Regulations may make provision about tenders."*

Policy Implications

This tender was called in accordance with Council's Procurement Policy 2/015. It is noted that due to an administration error, a Councillor was not in attendance for the opening of tender.

Strategic Planning Implications Nil

Budget Implications

GL account 1208444 Other Plant and Equipment - \$120,000

Officer's Comment

Tenders were received from three (3) tenderers as detailed in Table 1 below:

Table 1:

	Purcher International	WA Hino	Bus & Coach International
Model	Mitsubishi Rosa Deluxe Automatic	Hino RB 8 Bus	PK6850AT 8.5m Coach
Sub Total	\$113900.00	\$173100.00	\$209990.00
- Trade-In	(\$8000.00)	(20909.00)	(\$25,000.00)
- Inveco Turbo Daily 49-10			
Total	\$105,900.00	\$152190.90	\$184990.00

All the above prices include delivery to Town of Port Hedland Depot.

Table 2 below indicates the specifications of each Bus as tendered:

Table 2:

	Mitsubishi Rosa Deluxe Automatic	Hino RB 8 Bus	PK6850AT 8.5m Coach
Description	25 Seater	27 Seater	27 Seater
Engine	4 Cylinder Turbo intercooled Diesel	4 cylinder overhead cam	4 Cylinder Cummins with Euro IV Option
Aircondition	Yes	Yes	Yes
Transmission	4 Speed Automatic	H260, 6 speed Manual	Alison Automatic
Suspension (Front)	Rack & Pinion Power Steering	Tapered Leaf	Kommnan Full airbag suspension 2 + 4 bellows
(Rear)	Rack & Pinion Power Steering	Tapered Leaf	Kommnan Full airbag suspension 2 + 4 bellow
Brakes	ABS, Twin Calliper, Ventilated Disc – Auxiliary Engine Exhaust Brake	Vacuum Hydraulic ABS	Dual Circuit Air system, Wabco ABS disc brakes
Wheels	Yokohama RY202	225/80R17.5-123/122	255/70r 22.5x7.5(7)
Luggage	Nil	1.5m3 luggage bin rear	4.7m3 4 Door underfloor luggage bins
Seats	Cloth – Single 450mm Bench – 900mm	Cloth Bench - 855mm	Cloth or Optional Leather 500mm
Radio	AM/FM & CD	Not Listed	AM/FM & CD
Sun Visor	No	No	Yes
Curtains	No	No	Yes
PA System	Yes	Yes	Yes
Heater	Yes	Yes	Yes

	Mitsubishi Rosa Deluxe Automatic	Hino RB 8 Bus	PK6850AT 8.5m Coach
Kneeling on Airbag Suspension Steps	No	No	Yes
Fire Extinguisher	1.5KG	2 x Fire Extinguisher	2 x Fire Extinguisher
Safety	3 point ELR Lap Sash Seat Belts	Seat Belts	Seat Belts
Length	7.73m	8.7	8.5m
Window Tint	Optional	Optional	Yes
First Aid Kit	No	Yes	Yes
Reading Light	No	No	Yes
Rear Radar Sensor & VDT	No	No	Yes
Optional Extras	Tow Bar	Quick Release Seats	Toilet
		Wheel Chair Lift & Tracking	
Warranty	3years/ 100,000kms	12 month	2 Years / Unlimited kms

Table 3 below indicates the evaluation criteria as per tender documentation:

Table 3:

Price	70%
Parts and Service Availability	10%
Ability to Supply	10%
Local Supplier Preference	10%
Total	100%

Table 4 below indicates the weighting applied to Tenderers as per tender evaluation criteria:

Table 4:

Tenderer	Price (70%)	Service (10%)	Supply (10%)	Local (10%)	Total (100%)
Purcher International	70	10	10	0	90
WA Hino	69	9	9	0	87
B.C.I	57	8	8	0	73

Purcher International were the only tenderer to come under budget, although slightly smaller bus than was requested at Tender.

Both WA Hino and Bus & Coach International complied with Tender specifications they were over the budgeted value.

Purcher International are a Geraldton company and service history has always been reliable.

200708/024 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S F Sear

That Tender 06/53 – Supply and Delivery of New Community Bus be awarded to Purcher International for supply of Mitsubishi Rosa Deluxe Automatic for \$113,900 less trade in of Inveco Turbo Daily 49-10 Bus -\$8,000.00, at the net cost of \$105,900 exclusive of GST.

CARRIED 7/0

NOTE: A report relating to the management of the Community Bus will be presented to Council to consider.

11.3.2 Recreation Services

11.3.2.1 ***Draft Multi-Purpose Recreation Centre Feasibility Study (File No.: 26/14/0001)***

Officer Bec Pianta
Manager Recreation Services

Date of Report 10 September 2007

Disclosure of Interest by Officer Nil

Summary

The Town of Port Hedland has received the second and final draft of the proposed Multi-Purpose Recreation Centre Feasibility Study. To ensure community awareness of these findings, it is considered crucial to request community feedback prior to Council adopting the findings and recommendations. This report is for Council to note the second draft of the feasibility study, and approve public distribution of the report for comment.

Background

At the Ordinary Council Meeting in February 2007, Council resolved that:

“Council’s intention is to convert the JD Hardie Centre into a full-time permanent youth centre with YIC being a key tenant...”

and,

“The JD Hardie Centre [should] be maintained as the primary recreation centre, with an emphasis on providing structured and semi-structured programs for youth, whilst a feasibility study is undertaken into the proposed new multi-purpose recreation centre”

To allow for the conversion of the JD Hardie Centre from a predominant recreation centre to a youth centre, Council resolved at the Ordinary Council Meeting in March 2007 that:

“Council contract Paterson Group Architect to undertake the feasibility study and concept design for the proposed multi-purpose recreation facility to the value of \$21,800 (GST Exclusive) in accordance with their tender submission.”

In line with the agreement, an initial draft was submitted to Council for review.

On 29 August 2007, Jill Powell (contracted by Paterson Group Architects) presented the findings and recommendations at an informal Council briefing. Items and information that was requested as an addition to the first draft was as follows:

1. Management:
 - a. Justification of the recommended management structure, including possibility for external leases and contracts;
 - b. Inclusion of an Advisory Committee;
 - c. Comparisons based on current census (or ERP figures).
2. Capital Structure:
 - a. Potential for staged development, including cost estimates;
 - b. Justification for each element within the centre;
 - c. Environmental advantages and rationale behind design.
3. Projected Attendances:
 - a. Three levels of attendances – best, middle and worst case scenario, including affects on income;
 - b. A correct reflection of the Town of Port Hedland's current EBA in terms of wages and salaries;
 - c. Comparable figures.
4. Operating Costs:
 - a. Affect of changes in attendances on operating budget;
 - b. Amended operating expenditure to reflect the EBA;
 - c. Introduction of an administration overhead;
 - d. A 'Whole of Life' costing.

All aforementioned changes and additions have been included within this second and final draft (see attached).

Consultation

During the Feasibility Study process, community consultation was undertaken with all relevant bodies (including Council) regarding design, costs, management and implementation of the proposed new building. Consultation with key stakeholders such as the Finucane Island Recreation Club was also undertaken.

Council input and feedback was also requested at an informal council briefing earlier this month.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

The following statements from the Town's Strategic Plan are relevant to this matter:

Key Result Area 3: Community Development

Goal 2 - Sports and Leisure

Strategy 1. Undertake a feasibility study for the development of a new multipurpose sports facility

Budget Implications

Nil

Officer's Comment

The Draft Multi-Purpose Recreation Centre Feasibility Study has been presented to Council previously for feedback and comment. As requested, alterations have been made to the documentation with regards to management, capital structure, projected attendances and operating costs.

Community input has been vital throughout this process in determining requirements and desirability. To ensure continuity of consultation and community awareness of the progress of the project, the draft feasibility study should be open for public comment and feedback.

Attachments

1. Multi-Purpose Indoor Sports Feasibility Study: Jill Powell and Associates and Paterson Group Architects.

200708/025 Council Decision/Officer's Recommendation

Moved: Cr J M Gillingham

Seconded: Cr G J Daccache

That Council:

- i) **note the Town of Port Hedland's receipt of the Draft Multi-Purpose Recreation Centre Feasibility Study;**
- ii) **advertise the availability of the draft report for community feedback; and**
- iii) **consider community feedback and future direction for this project at it's Ordinary Council Meeting in November.**

CARRIED 6/1

11.3.2.2 Marie Marland Reserve: Diamond 1 Baseball Back-netting Structure (File No.: 26/02/0002)

Officer Matthew Jackson
Sports and Recreation Officer

Date of Report 12 September 2007

Disclosure of Interest by Officer Nil

Summary

During Tropical Cyclone George, the baseball back-netting structure at Marie Marland Reserve South Hedland (the area utilised for baseball) was severely damaged with sections of the top third of the structure collapsing and major support poles warping.

Quotes have been sourced for the repair and replacement of this structure, however some options exceed budget allowances. This report is to seek a Council resolution on the replacement of this structure.

Background

After Tropical Cyclone George, quotes were requested from four local fencing contractors for quotes on the replacement or repair of the Diamond 1 back-netting. The contractors were advised to quote on the repair if they felt it was possible, and replacement otherwise. Two quotes were received, with the following details:

Quote 1: (P & S Reibel) offered 3 options:

1. Replace with a 9 metre high structure, not engineered: \$69,033 excluding GST;
2. Replace with a 6 metre high structure, not engineered: \$51,875 excluding GST, or;
3. Repair the existing structure, (could not guarantee that the repaired structure would survive another cyclone: \$37,460 excluding GST.

Quote 2: (Boundaries WA) offered 1 option:

1. Replace with a 6-metre structure, engineered in design: \$66,646 excl GST.

In accordance with insurance procedures, these quotes were submitted to Crawford and Company Insurance Agency. The following response was given in regards to the claim, (full letter attached):

“...With regard to the netting of the baseball pitch, we note comments from P&S Reibel that whilst they are able to repair the fencing in the amount of \$37,460.00, they cannot guarantee as to how long it would last. It is clear that they state that this is due to the old nets being in very poor condition. Insurers would not consider this when taking into account concluding the claim. If the nets and fence can be repaired, then it is Municipal Property Scheme’s opinion that this would be the limit of their liability under the terms of the policy. Thus if you wish to make up the difference to replace and thus extend the longevity of the fence, we would have no objections to this...”

While full details are not available, it would seem that the 9 metre high back-netting at the reserve was not constructed to any specified engineering standard. While this may be the case the matting did serve its purpose and was considered as suitable by the Baseball Association prior to damage being incurred as a result of Cyclone George

No contractors have provided a quote for an engineered design for a 9-metre structure. Given this, staff has recommended that the 6-metre engineered structure offered in Quote 2 is the most appropriate. Extra funding has been sought from the BHP Sustainability Partnership as part of the sports facility upgrade program in an addition to the funds received from the insurance agency, to allow the construction of the new facility.

This recommendation was forwarded to the Port Hedland Baseball Association, who responded (in part) as follows:

“The PHBA rejects the ToPH recommendation for a 6 metre backstop structure, and further request a similar height of 9 metres.”

Baseball WA, the state sporting association for baseball, was contacted to determine there were any standards with regards to baseball back-netting, and if any 9-metre back-netting wire mesh structures had been constructed previously. They explained that no standard currently existed for local competition, however for national level, the recommended height was 12 metres.

A contact was provided to the Sports and Recreation Officer for a Perth based company – Western Chainwire, who have built 9-metre baseball back-nets previously. A quote was received for \$108,867 (excluding GST) for a 9-metre high back-net, without engineered designs. A verbal quote of \$3,000 has been received for engineered designs of this magnitude. Should Council accept this quote, the tender process will be required according to the procurement policy for the replacement of the baseball back-net.

Consultation

Chief Executive Officer
Manager Recreation Services
Director Engineering
Baseball WA
Port Hedland Baseball Association

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

\$40,000 has been secured through the BHP Sustainability Partnership as part of the Sport Facilities Upgrade Program. Crawford & Company (insurers) will pay out \$37,460 for the structure, providing a total amount of \$77,460. If the 9-metre structure with engineered designs were to be built, a minimum of an additional \$34,400 would be required.

Officer's Comment

The construction of a new back-netting structure at Marie Marland Reserve is of high importance to the baseball association, and the users of the reserve. With the new baseball season only a month away, this needs to be rectified quickly. The Port Hedland Baseball Association's concerns with the lower structure are understandable, but seem excessive in light of national guidelines and cost estimates received.

The former structure destroyed in Tropical Cyclone George was 9-metres high, however it was originally of a lesser height with added extensions. No engineered designs can be located for this structure.

As there are no set standards for baseball back-netting and a 6-metre high structure is standard in the Pilbara, an additional 6-metre structure with the possibility of extensions later down the track seems reasonable. An alternative to a wire mesh addition to the top of the 6-metre structure is to use material netting that can be wound up at the start of play and wound down at the end.

If Council were to choose for the construction of a 9-metre high structure, it will need to go through the tender process. With the limited time remaining before the start of the baseball season and the non-existence of any such standard, it may mean that the baseball association will commence their season with no back-netting at all.

Council therefore has two options:

1. To construct the 6-metre high back-netting at Marie Marland Reserve using funds as allocated, with the possibility of further extensions in the future; or
2. To allocate additional funding to this project and obtain engineered designs for a 9-metre high structure, prior to tendering the construction.

Officer's Recommendation

That Council constructs the 6-metre high back-netting at Marie Marland Reserve using funds as allocated, with the possibility of further extensions in the future.

200607/026 Council Decision

Moved: Cr A A Carter

Seconded: Cr D R Pike

That:

- i) **in accordance with section 3.57 of the Local Government Act tenders be called for the construction of fully engineered nine (9) metre high back-netting, to be installed at Diamond 1 at Marie Marland Reserve using funds as allocated, being \$74,460; and**
- ii) **consider any shortfall through application to the Cyclone George Relief Fund.**

CARRIED 7/0

REASON: Council resolved to call for tenders for the construction of fully engineered nine (9) metre high back-netting to be installed at Diamond 1 at Marie Marland Reserve, utilising the funding allocated of \$74,460; and to make application to the Cyclone George Relief Fund in the event further funding would be required.

ATTACHMENT TO AGENDA ITEM 11.3.2.2



21 August 2007

Our Reference: GXR1107921- Graham Rigby

Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

Attention: Lyn McAllister – Asset Management Officer
Via Email: McAllisterL@porthedland.wa.gov.au
recofficer@porthedland.wa.gov.au

Dear Lyn

Re: INSURANCE CLAIM - CYCLONE DAMAGE

We refer to previous discussions and correspondence in respect of your claim and confirm receipt of your various letters and faxes forwarding copies of quotations for various works. In addition, we also received an email from Matthew Jackson, Sports and Recreation Officer with regard to the damage at South Hedland Aquatic Centre and the baseball netting. Finally, I have received documentation from Eleanor Whitley, the Airport Manager with regard to damage to various parts of the airport and propose to write to Eleanor separately in this regard.

Firstly, with regard to the work required to the JD Hardy centre, I am happy to accept the internal water damage, however, prior to accepting the works to the gutters, could you please advise the damage that has occurred to them in order that it can be clarified that the damage is directly as a result of the cyclone and not rectification of any pre-existing defects.

With regard to the netting of the baseball pitch, we note the comments from P & S Reibel that whilst they are able to repair the fencing in the amount of \$37,460.00, they cannot guarantee as to how long it would last. It is clear that they state that this is due to the old nets being in very poor condition. Insurers would not consider this when taking into account concluding the claim. If the nets and fence can be repaired, then it is Municipal Property Scheme's opinion that this would be the limit of their liability under the terms of the policy. Thereafter if you wish to make up any difference to replace and thus extend the longevity of the fence, we would have no objections to this.

Turning to the South Hedland Aquatic Centre, we would have no objections to you instructing KAT as per their quotation in the amount of \$7,500.00. With regard to this property also, we note that the stock has been agreed at \$2,260.35.

With regard to Gratwick Aquatic Centre, we note that the stock has been agreed at \$771.47.

Suite 1D, 21 Teddington Road, Burswood, PO Box 154, Burswood, Western Australia 6100
◆ Tel +61 (0) 8 9361 9622 ◆ Fax +61 (0) 8 9361 9633 ◆ Email perth@crawco.com.au
Crawford & Company (Australia) Pty Ltd A.C.N. 002 317 133 A.B.N. 11 002 317 133

Privacy- Any personal information contained in this communication is used in accordance with the Privacy Act 1988 (Commonwealth) and is provided subject to your compliance with this Act

We note in previous correspondence that you have advised that costs have been incurred over \$50,000.00 for works undertaken to date. Should you require an interim payment now that you have incurred costs over and above the \$50,000.00 excess, could you kindly forward copies of invoices to demonstrate costs incurred, the property that the repairs relate to and also a description of the work undertaken in order that these can be considered.

We trust this clarifies the current situation and look forward to receiving your advices with regard to the points raised. Should you have any queries or wish to discuss any aspect further, please do not hesitate to contact the writer.

Yours sincerely

Graham Rigby
Crawford & Company (Australia) Pty Ltd
Direct E-mail: graham.rigby@crawco.com.au
Direct Phone: (08) 9262 0322

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11.3.3 Port Hedland International Airport**11.3.3.1 Operation of Café and Bar Facilities at the Port Hedland International Airport (File No.: Air Mgt 1)**

Officer Eleanor Whiteley
Airport Manager

Date of Report 12 September 2007

Disclosure of Interest by Officer Nil

Summary

For Council to authorise the calling of tender submissions for the lease of the Airport Bar and Café.

Background

The Airport Bar and Café is currently operated by the Australian Pearling Company under a management contract with the Town of Port Hedland (Contract 05-05). Under the terms of this contract Council receives no income, rental or otherwise, from the operation of the Airport Bar and Café.

This contract ceases on 31 December 2007.

Consultation

Chief Executive Officer

Statutory Implications

Section 3.58 – Disposing of Property in accordance with the Local Government Act 1995 (as amended) specifically in reference to leasing.

“3.58. Disposing of property

- (1) In this section $\frac{3}{4}$
“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;
“property” includes the whole or any part of the interest of a local government in property, but does not include money.*
- (2) Except as stated in this section, a local government can only dispose of property to $\frac{3}{4}$
 - (a) the highest bidder at public auction; or*
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.**
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property*

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

and

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

- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include $\frac{3}{4}$

- (a) the names of all other parties concerned;
- (b) the consideration to be received by the local government for the disposition; and
- (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

- (5) This section does not apply to $\frac{3}{4}$

- (a) a disposition of land under section 29 or 29B of the Public Works Act 1902;
- (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;
- (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
- (d) any other disposition that is excluded by regulations from the application of this section.

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

Policy Implications

Nil

Strategic Planning Implications

Key Result area 1 Infrastructure

Goal Number 3 Airport

Strategy 3 Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising and any other means.

Budget Implications

Leases and Rentals Operating Revenue Account

1210326 (625,500)

The budget implications are dependant on the outcome of the tender process.

Officer's Comment

The current management agreement has been in operation for nearly two years. During this time Council has not received any income related to the Airport Bar and Café. Under the terms of the management contract we have been responsible for the replacement and repair (those over \$500) of the Café and Bar assets during this time.

The current operator of the Café has indicated that, at this stage, they will not be seeking to continue the operation. In order for a smooth handover and transfer of the liquor licence it is recommended that Council call for submissions for the lease and operation of the Airport Bar and Café immediately.

It is further recommended that the Town of Port Hedland submit an internal tender bid for the operation of the Bar and Café for comparison purposes.

200708/027 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham**That Council:**

- i) **advertise for tender submissions for the Lease of the Airport Bar and Café for a two year period commencing 1 January 2008, in accordance with Section 3.58 of the Local Government Act; and**
- ii) **be advised that the Town of Port Hedland shall be making a submission.**

CARRIED 7/0

11.3.3.2 Royal Flying Doctor Service – Landing Fees (File No.: 30/09/0018)

Officer Eleanor Whiteley
Airport Manager

Date of Report 13 September 2007

Disclosure of Interest by Officer Nil

Summary

For Council to consider the introduction of charging of landing fees for Royal Flying Doctor Service operations at Port Hedland International Airport

Background

The Royal Flying Doctor Service (RFDS) is currently not charged landing fees at Port Hedland International Airport. Investigations into airport and council records indicate that historically the RFDS have never been charged landing fees. Over the past ten years it is estimated that this is the equivalent of \$350,000 in Council support.

The main RFDS base for North Western Australia is located at Port Hedland. This base acts as a hub for the transport of patients from the Northwest Region to the Port Hedland Hospital and Perth. With the increase in population in the region due to the mining industry boom and the pressure on the public health system the RFDS operations at Port Hedland have increased.

Consultation

Manager Airport Services, Shire of East Pilbara (Newman Airport)
Airport Manager, Shire of Roebourne (Karratha Airport)
Airport Manager, Shire of Wyndham-East Kimberley (Wyndham & Kununurra Airport)
Airport Manager, City of Kalgoorlie-Boulder (Kalgoorlie Airport)
Director, Corporate Services, RFDS Western Operations
Chief Executive Officer, Town of Port Hedland

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 1: Infrastructure
Goal 3: Airport

Strategy 3 Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising and any other means.

Budget Implications

GL Account 1210324 Landing Charges. Increase of approximately \$35,000. Dependant on Council decision

Officer's Comment

The RFDS has been operating at Port Hedland for a number of years and during this time has not been charged landing fees.

Port Hedland Airport is one of the few, if not the only major airport, that does not charge the RFDS for landing fees. Research into Council and airport files cannot determine when or how this exemption to landing fees began.

Kununurra, Newman, Kalgoorlie, and Jandakot airports all charge the RFDS operations for landings at their respective airports. Karratha Airport has through its 2007/08 Budget determinations commenced to charge landing fees on the RFDS. Although the Shire operated airports charge landing fees, they all donate some of the income back to the RFDS.

A review of the January 2007 to August 2007 data indicates the average monthly fee to RFDS had the fees been payable, would have been \$3,000 in landing charges excluding GST. The annual landing fee charges are equivalent to \$36,000 per year excluding GST. At present these fees are not being charged therefore Council is and has been supporting the RFDS this amount through the Airport.

Discussions have been held with the RFDS by current and previous airport managers on a number of occasions regarding the levy of landing charges. The RFDS position has been favourable.

The RFDS is a very important service to the community and should be supported. At present Council is very generously supporting the service, however this fact is not advertised or well known throughout the community and Pilbara Region. By charging the landing fees and Council donating all or a portion back to the RFDS will allow the Town of Port Hedland to publicise their support of the service.

Officer's Recommendation

That Council resolve to:

- i) charge the RFDS landing fees as per Council's Schedule of Fees and Charges commencing for month of August;
- ii) donate 100% of the income generated from RFDS landing fees to the RFDS Port Hedland; and
- iii) advise RFDS Western Operations of Council's resolution as outlined above.

200708/028 Council Decision

Moved: Cr A A Carter

Seconded: Cr D R Pike

That Item 11.3.3.2 'Royal Flying Doctor Service – Landing Fees' lay on the table pending further information being presented to Council of its ability to donate to the Port Hedland Royal Flying Doctors Service local branch, as opposed to donating to the Royal Flying Doctors Service Western Operations head office.

CARRIED 7/0

REASON: Council requests further information on its ability to donate locally to the Port Hedland branch of the Royal Flying Doctor Service, in order to assist the Port Hedland community directly; as opposed to donating to the Royal Flying Doctor Service's Western Operations and/or head office.

11.3.3.3 Australian Airports Association (AAA) National Annual General Meeting (AGM), Conference and Technical Workshop (File No.: 30/09/0003)

Officer Eleanor Whiteley
Airport Manager

Date of Report 12 September 2007

Disclosure of Interest by Officer Nil

Summary

For Council to consider sending a Councillor representative to the Australian Airports Association (AAA) Annual General Meeting (AGM), National Conference and Technical Workshop in Melbourne from Sunday 11 to Thursday 15 November 2007.

Background

The Annual AGM of the AAA is to be held in Melbourne on Sunday, 11 November 2007. The National Convention commences on the 12 November with two days conference and two days of technical workshops.

It has been past practice for a Councillor to attend the AAA AGM and National Convention (conference section) with the Airport Manager to keep Councillors aware of issues affecting the operations of airports.

Consultation

Chief Executive Officer

Statutory Implications Nil

Policy Implications

Policy 3/004 Conferences and Study Tours

“v) If it considered beneficial for the Mayor and/or a Councillor/s to accompany Directors and Service Managers to any State or Federal Conference, such attendance shall be at the discretion of the Council and will only occur if adequate funds are available in the Budget.”

Strategic Planning Implications Nil

Budget Implications

Provision has been made in the 2007/2008 Budget:

General Ledger Expenditure Account 1210220 \$12,000

Officer's Comment

The AAA AGM and National Conference is the main conference in Australia for Airport Owners and operators.

The Convention consists of a two-day conference program followed by two days of technical workshops. The two-day conference program has a number of presentations and panel discussions on issues that affect Port Hedland such as the current growth in aviation, various CASA presentations on safety outcomes and regulatory matters and aviation security. Of particular interest are

- the Keynote address on climate change and the future of aviation
- presentation from the Australian Competition and Consumer Commission (ACCC) on aviation and how they monitor airport activities , access and pricing

The two-day technical workshop program this year has a broad range of issues to be covered that will affect Port Hedland in the future and will be of benefit. The workshops includes sessions on Airports and carbon trading schemes, airport security, emergency planning, Drug and Alcohol testing regime to be introduced at airports, master planning, hazard management. On prior occasions the representative Councillor has only attended the Conference portion of the Convention.

Cost of attendance for a Councillor at the AGM and Convention is estimated at \$4,700. (Convention Registration and Dinner Attendance: \$1,645, airfares (based on Qantas red e deal) \$936, 6 nights accommodation and meals in Melbourne approximately \$2,200.)

The aviation industry and airport management is a constantly changing environment. Attendance allows an opportunity to learn from other airport owners and industry participants as well as talk directly with those regulatory bodies that are creating and implementing policy.

Officer's Recommendation

That Council nominates Councillor _____ to attend the Australian Airports Association Annual General Meeting and Convention to be held in Melbourne from 11-15 November 2007.

200708/029 Council Decision

Moved: Cr D R Pike

Seconded: Cr G D Bussell

That Council nominates Councillor Arnold Carter to attend the Australian Airports Association's Annual General Meeting and Convention to be held in Melbourne from 11-15 November 2007.

CARRIED 7/0

REASON: Council nominated Councillor Arnold Carter to attend the Australian Airports Association's AGM and Convention.

**11.3.3.4 Tender 06/48 Sewerage Upgrade Port Hedland Airport
(File No.: 05/09/0008)**

Officer Eleanor Whiteley
Airport Manager

Date of Report 12 September 2007

Disclosure of Interest by Officer Nil

Summary

For Council to consider submissions received for Tender 06/48 Sewerage Upgrade Port Hedland Airport.

Background

Tender submissions for the supply and installation of materials for the upgrading of the sewerage system at the Airport according to the specifications provided by Connell Wagner Pty Ltd were called for in The West Australian on 4 August 2007 and in the North West Telegraph on 8 August 2007. The advertised closing date and time for the tender was 2pm on 30 August 2007.

Tender packages were sent to nine (9) prospective tenderers. Following the close of tenders the tender box was opened in the presence of the Director Corporate Services and the Airport Manager. No tenders were received.

Consultation

Nil

Statutory Implications

Section 3.57 – Tenders for providing goods and services in accordance with the Local Government Act 1995 (as amended):

“3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) Regulations may make provision about tenders.”*

Part 4 Tenders for providing goods or services in accordance with the Local Government (Functions and General) Regulations 1996 (as amended) specifically in relation to section 11 (2) where tenders do not have to be publicly invited.

“11. Tenders to be invited for certain contracts

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters*

into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.

- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if $\frac{3}{4}$*
- (a) *the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*
- (b) *the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA;*
(ba) the local government intends to enter into a contract arrangement for the supply of goods or services where $\frac{3}{4}$
- (i) *the supplier is either $\frac{3}{4}$*
(I) an individual whose last employer was the local government; or
(II) a group, partnership or company comprising at least 75% of persons whose last employer was that local government;
- (ii) *the contract $\frac{3}{4}$*
(I) is the first contract of that nature with that individual or group; and
(II) is not to operate for more than 3 years;
and
- (iii) *the goods or services are $\frac{3}{4}$*
(I) goods or services of a type; or
(II)(in the opinion of the local government) substantially similar to, or closely related to, goods or services of a type, that were provided by the individual (or persons) whilst employed by the local government;
- (c) *within the last 6 months $\frac{3}{4}$*
- (i) *the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications; or*
- (ii) *the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;*
- (d) *the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government;*
- (e) *the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government;*
- (ea) *the goods or services are to be supplied $\frac{3}{4}$*
- (i) *in respect of an area of land that has been incorporated in a district as a result of an order*

- made under section 2.1 of the Act changing the boundaries of the district; and*
- (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;*
 - (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or*
 - (g) the goods to be supplied under the contract are $\frac{3}{4}$
 - (i) petrol or oil; or*
 - (ii) any other liquid, or any gas, used for internal combustion engines. “**

[Regulation 11 amended in Gazette 29 Apr 1997 p. 2145; 26 Jun 1998 p. 3447; 25 Feb 2000 p. 970-1; 29 Jun 2001 p. 3130; 31 Mar 2005 p. 1054-5; 2 Feb 2007 p. 245-6.]

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 1 - Infrastructure

Goal 3 – Airport

Strategy 1. Undertake necessary capital upgrades to airport including sewer and drainage upgrades.

Budget Implications

2007/2008 Non-Operating Expenditure Account

1210new2 Sewerage Upgrades \$120,000

Officer's Comment

A number of packages were sent out to prospective tenderers. Only one local company requested a package but did not lodge a tender.

The specifications for the project have been prepared by Connell Wagner and are very comprehensive.

The upgrade of the sewerage system is key to a number of projects that the airport is undertaking in 2007/2008 including the development and release of the four (4) lots proposed for the Hire car developments. This project cannot proceed until the new sewerage infrastructure is in place. It is imperative that the sewerage upgrade proceeds without further delay.

Officer's Recommendation

That Council:

- i) note that no tenders were received during the advertised submission period; and
- ii) authorise the Chief Executive Officer and Airport Manager to enter negotiations with suitably qualified companies for the supply and/or installation of the sewerage upgrade infrastructure as specified in the technical specifications prepared by Connell Wagner Pty Ltd.

200708/030 Council Decision

Moved: Cr A A Carter

Seconded: Cr S F Sear

That Council:

- i) **note that no tenders were received during the advertised submission period for the supply and/or installation of the sewerage upgrade infrastructure at Port Hedland International Airport; and**
- ii) **authorise the Chief Executive Officer and Airport Manager to enter negotiations with suitably qualified companies for the supply and/or installation of the sewerage upgrade infrastructure as specified in the technical specifications prepared by Connell Wagner Pty Ltd, within Council's existing budget estimate of \$200,000.**

CARRIED 7/0

REASON: Council sought for negotiations for the supply and/or installation of the sewerage upgrade infrastructure to be limited to its existing budget estimate of \$200,000.

11.3.3.5 **Security Screening Operations Port Hedland International Airport (File No 30/01/0006)**

Officer Eleanor Whiteley
Airport Manager

Date of Report 13 September 2007

Disclosure of Interest by Officer Nil

Summary

This report:

- Seeks Council consideration of a proposal for the Town of Port Hedland to become the screening authority at the Port Hedland International Airport.
- Updates Council on a new Federal Government directive pertaining to checked baggage screening that has significant implications for the Town.

Background

Screening Authority

When passenger and carry on baggage screening was introduced at Port Hedland Airport, Council was approached to become the screening authority at the Airport. Council declined and Qantas became the screening authority at Port Hedland. The only airport in North West of Western Australia that took the opportunity to become the screening authority was owner/operator of Broome Airport. In other airports Qantas became the screening authority and subsequently subcontracted its screening operations Australia wide to Chubb Security Screening.

The issue with Qantas being the screening authority is that Qantas is not the sole user of the screening services. Qantas currently monopolises this service in Port Hedland and on-charges other users (i.e. Skywest) for the service. Council does not currently charge any lease fee for the space taken up by the screening and has no control over the fees that Qantas on-charges other airport users. Given this, it is considered appropriate that Council examine the costs and consequences of potentially becoming the screening authority at the Port Hedland International Airport.

Domestic Checked Baggage Screening Introduction

As part of the May Federal Budget for 2007/2008 it was announced that checked or hold baggage screening for domestic services would commence at 26 regional airports as of 1 December 2007.

In addition, the budget announcement indicated that Explosive Trace Detection (ETD) on a random and continuous basis with full 100% x-ray screening of hold baggage also must be in place by 1 December 2008. These timelines are extremely tight and are unlikely to be achieved in many airports due to the lack of available equipment and the difficulty in accessing building contractors at such short notice. The airport operators are collaboratively seeking an extension to these deadline dates.

The introduction of domestic checked baggage screening to the 26 airports was announced without any consultation. Port Hedland International Airport is one of the airports affected by this announcement. Commonwealth Funding is available for the part purchase of the checked baggage screening equipment but funds have not been made available for other building and/or staffing modifications that are required to accommodate the new security arrangements.

Airport management has been liaising with the Commonwealth Department of Transport and Regional Services (DOTARS) and Qantas Security in relation to the introduction of the new security requirements. Following the funding announcement a number of workshops have been held in the eastern states and one in July in Perth, which was attended by the Airport Manager. As part of this workshop a tour of the Perth airport common user terminal screening facility was attended. The purpose of the workshop was for DOTARS to meet with affected airports to see what implications the policy announcement would have. WA Regional airports (Broome, Kalgoorlie, Paraburdoo, Karratha and Port Hedland) attended along with representatives from Cocos & Christmas Islands. Clarification was sought from DOTARS as to the

- funding i.e. what was the extent,
- introduction timeframes of the equipment,
- type of equipment to be provided and,
- in the case of where the airport is not the screening authority who is to get the equipment funding.

Introduction of the screening of checked baggage will entail modifications to the terminal baggage makeup areas.

Port Hedland Airport currently undertakes 100% explosive trace detection screening on all checked baggage for the international service as required under the Aviation Security Regulations 2005 but does not provide this service for domestic flights.

Consultation

Manager Airport Services, Shire of East Pilbara (Newman Airport)
Airport Manager, Shire of Roebourne (Karratha Airport)
Airport Manager, Shire of Wyndham-East Kimberley (Wyndham & Kununurra Airport)
Chief Executive Officer, Town of Port Hedland

Office of Transport Security, DOTARS
Qantas General Manager, Contracted Security Services

Statutory Implications

Aviation Transport Security Regulations Methods Techniques & Equipment (in total).

Reg 2.17 Aviation Transport Security Regulations 2005 in particular reference to Transport Security Programs and content they must contain. Amendments are yet to be made to the regulations for the recent checked baggage requirements.

“2.17 What airport operator’s TSP must contain — screening and clearing

- (1) If a screened air service operates from the airport, the TSP must set out:*
 - (a) measures, equipment and procedures to carry out screening and clearing of persons and baggage; and*
 - (b) the names of the screening authorities that will undertake those functions.*
- (2) These measures and procedures must include:*
 - (a) the locations where screening is undertaken; and*
 - (b) details of the screening equipment used; and*
 - (c) details of the persons who operate the equipment; and*
 - (d) procedures to treat suspect passengers or carry-on baggage; and*
 - (e) measures and procedures to control the movement of passengers; and*
 - (f) procedures for handling and screening transit passengers from inbound international flights at their first Australian port of call; and*
 - (g) measures to ensure that non-screened passengers on arriving aircraft (for example, small general-aviation aircraft) do not mix or interfere with screened passengers; and*
 - (h) measures and procedures to handle:*
 - (i) diplomats and other VIPs; and*
 - (ii) government couriers and diplomatic bags; and*
 - (iii) passengers with reduced mobility or a medical condition; and*
 - (iv) persons in custody; and*
 - (v) suspect behaviour by a passenger; and*
 - (vi) transit passengers; and*
 - (i) measures and procedures to follow sterile area breaches, including post-breach recovery plans.”*

Section 4.03 of the Aviation Transport Security Regulations 2005 as amended in relation to screening authorities

“4.03 Specification of persons to carry out screening

- (1) This regulation is made for paragraph 44 (2) (a) of the Act.*

- (2) *The Secretary may specify, by a written notice in accordance with subsection 44 (3) of the Act, a person, or persons jointly, who are authorised or required to carry out screening at a security controlled airport or part of a security controlled airport.*
- (3) *The Secretary must specify sufficient persons under subregulation (2) for an airport or part of an airport to ensure that at all times:*
 - (a) *there is at least 1 screening authority for the whole of the sterile area of the airport; and*
 - (b) *if 1 or more screening authorities are specified for part of the area, there is at least 1 screening authority for the remainder of the area.”*

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 1: Infrastructure

Goal 3: Airport

Strategy 3 Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising and any other means.

Budget Implications*Screening Authority*

If Council were to become the screening authority at the Airport there would be significant capital costs to purchase or lease the equipment. Preliminary investigations are that the cost of this equipment is approximately \$150,000. In addition there would be more operational costs with Council (or a Council subcontractor) being required to employ screening staff. These costs could potentially be recouped via charges to the airlines that use the screening service. A full financial analysis of this proposal will be required prior to Council making any commitment regarding this issue.

New Checked Baggage Screening Requirements

To comply with the new regulations, additional building modifications will be required along with the purchase of additional screening equipment. While exact costings are yet to be determined, it is estimated that the modifications could cost the Town of Port Hedland \$125,000.

Officer's Comment

The Office of Transport Security has asked airports to review the airport's current position in relation to whom the Screening Authority is for passenger and checked baggage.

DOTARS have recently provided some further advice in relation to the issues raised at the July Perth Workshop in a letter dated 13 September 2007. This advice is summarised below

Funding:

The Minister has advised in principle that funding may be provided to either the airport or the third party screening authority (i.e. Qantas) however funding will only be provided to the third party screening authority where agreements are in place for the handover of any equipment should that screening authority cease and the airport agrees to this approach.

ETD:

The amount that the Commonwealth has allocated to Port Hedland Airport for the purchase of the ETD Machine to be in place by 1 December 2007 is a maximum of \$61,000 plus GST.

No modifications are required for the terminal area for the introduction of the ETD screening on 1 December 2007.

ETS X-Ray

The amount that the Commonwealth has allocated to Port Hedland Airport for the purchase of the X-Ray EDS Machine is 75% of the cost of the machine we are eligible for funding up to \$450,000 plus GST. DOTARS have also advised that where the machine is purchased for less than the allocated amount, the airport may apply to use the remainder of the allocation for costs directly associated with the installation of the equipment such as relocation of existing infrastructure.

DOTARS are also offering a brokering service for the provision of ETD equipment to make available to airports some of the discount benefits applicable. They have sought our interest in participating in this.

Modifications are required to the terminal area to facilitate the installation of the required x-ray machine as the machines are temperature and dust sensitive – thus an enclosed airconditioned weather proof area is required. Additionally, emergency power supplies and surge protection is required for the machines as they are quite sensitive to fluctuations or loss of power. The X-ray machines themselves are 3.6 tonnes and have a footprint of 4-6m length x 2m high x 1.9m wide. A conveyor system is also required to be installed to combine the existing Qantas & Skywest conveyors in the baggage makeup area as well to feed the baggage into the xray system. A basic conveyor system is approximately \$2,500/metre. The cost of infrastructure to implement the baggage screening is not known at this stage as it is dependant on the final location and design of the system however it is envisaged that it would be in the vicinity of \$300,000.

Screening Authority for Port Hedland

Council has been asked to review its position in relation to who is responsible for the provision of screening services at the Airport. Council has two options in this regard.

1. *Qantas to be Screening Authority for Passenger Checked and Baggage Screening*

Qantas remains the Screening Authority for Port Hedland for both passenger screening and for checked baggage screening on its introduction on 1 December 2007. Qantas currently owns all screening (walk through scanner, ETD machine, x-ray machine, conveyors etc) at the airport screening point. They are currently responsible for the insurances and associated radiation licences required for this type of equipment.

As previously indicated the screening point, departure lounges, screeners offices are used by the Qantas Screening Authority at no charge. Qantas charge other airlines using the screening point for provision of this service. It is not known what the charges are as this is considered commercial in confidence by Qantas.

Qantas is keen to continue as Screening Authority for passenger and to be the Authority for Checked Baggage Screening. Qantas would be responsible for meeting all training, recruitment, liability and compliance. If Qantas were to continue as the screening authority approximately 40-50% of the terminal area and all of the "back of house" terminal area would be under the control of a third party, not the Town Council.

If Qantas is the screening Authority for checked baggage screening, the airport is still eligible to receive the funding or nominate for the funding to be directly available to the third party screening authority. Council could enter into a commercial arrangement with the Screening Authority for the use of the equipment. If Council nominates for the Screening Authority to get the funding an arrangement must be in place for the handover of the equipment should the company cease operations for any reason. Again Qantas would be charging other users of the checked baggage facilities to recoup its costs in relation to the operation of the facility.

Council is still be responsible for the installation and infrastructure modifications required. The Council is still be responsible for ensuring that continuity of service is maintained in the event of a systems failure

As the Airport Owner and Operator the Town of Port Hedland is still ultimately responsible and liable for any infringements or breaches of security regulations that occur at Port Hedland Airport.

2. *Town of Port Hedland to be Screening Authority for both Passenger and Checked Baggage Screening*

If this option were chosen, the Council would control the security functions of the airport in relation to the movement of passengers and their baggage.

The Town of Port Hedland would be responsible for :

- Purchasing and maintaining the screening equipment
- Development of Standard Operating Procedures
- Recruitment and Training of screening staff
- Compliance with aircraft operator standard operating procedures in relation to screening and compliance with relevant security legislation.

Regardless of who is the screening authority the Airport is still responsible for

- Business Continuity Plans
- Radiation Licences & relevant compliance measures such as safety training (as owner of equipment)
- Amendment to aerodrome transport security program
- Installation of infrastructure (conveyor belts etc)
- Compliance requirements of the Aviation Security Act and Associated regulations.
- Obtaining relevant insurances or ensuring adequate coverage.

The Town of Port Hedland is able to contract out the screening operations to a third party, as is currently the case with Qantas. Any contract would be able to stipulate various requirements as determined provided that the statutory requirements are met. The contracted screeners would be responsible for staffing and training of said staff.

The new security requirements has provided the Airport an opportunity to closely look at the operations of the airport currently not under the Town of Port Hedland control and the terminal operations in general. The operation of effective security screening and check in facilities are key for the smooth operation of airline services and customer service.

DOTARS have advised that their preference is for one screening authority for both passenger and checked baggage screening. At an airport Port Hedland's size only one screening authority is appropriate. A number of other airports are also considering becoming the screening authority as a result of this new regulatory requirement.

WALGA Participation

A Regional Centres Policy Forum on Airports Issues was conducted via teleconference on Monday 17 September with a number of local governments and WALGA in relation to the introduction of the checked baggage screening requirements. At the forum it was decided that an extension on the introduction of the requirements be requested from the Minister and that WALGA seek a meeting with DOTARS to discuss the issue further given the tight timeframes that are being put forward to meet and the legislative constraints on local government in relation to purchasing. In the interim WALGA undertook to draft a letter to DOTARS for affected airports to sign stating that the timeframes would not be able to be met. WALGA also undertook to liaise with key industry stakeholders in relation to the introduction of checked baggage.

Attachments

WALGA submission on Checked Bag Screening Requirement to Hon Mark Vaile MP, Minister for Transport and Regional Services

200708/031 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

- i) **advise DOTARS that the Town of Port Hedland as owner and operator of Port Hedland International Airport is planning to become the Screening Authority for Port Hedland International Airport.**
- ii) **advise Qantas, as the current Screening Authority, of the above.**
- iii) **advise DOTARS that the Town of Port Hedland is willing to participate in the desk top consultancy on the x-ray installation, and**
- iv) **a business plan be developed for the undertaking of the screening operations at Port Hedland airport and be presented to the next Council informal briefing session.**

CARRIED 7/0

ATTACHMENT TO AGENDA ITEM 11.3.3.5



***Checked Bag Screening Requirements
Regional Airports***

Issues for WA Local Government Airports

August 2007

*Western Australian Local Government Association
PO Box 1544 WEST PERTH WA 6072
Contact: Michelle Mackenzie
Executive Manager Infrastructure
Tel: 08-9213 2031
E Mail: mmackenzie@walga.asn.au*

The Western Australian Local Government Association

The West Australian Local Government Association is the united voice of Local Government in Western Australia. The Association is an independent, membership-based group representing and supporting the work and the interests of 144 Local Governments. The Association provides an essential voice for almost 1,400 elected members and over 12,000 employees of the 142 Local Governments in Western Australia and Christmas Island and Cocos (Keeling) Island Councils. The Association also provides professional advice and offers services that provide financial benefits to the Local Governments and the communities they serve.

Background Regional Airport Checked Bag Screening

The Treasurer announced in the May 2007 Budget that the Government will extend checked bag screening (CBS) to 26 regional airports to boost airline security. CBS will extend to all airports that handle Regular Public Transport (RPT) jet services. Airports will be required to:

- Screen checked baggage using explosive trace detection (ETD) equipment from 1 December 2007; and
- Undertake multi view x-ray (EDS) screening of the baggage from 1 December 2008.

The 26 regional airports that currently receive RPT jet services will receive \$15.4 million in Government funding over four years to fully or partially meet the capital cost of the new screening equipment. The airports will be required to meet the rest of the costs of carrying out the screening. The funds are for the purpose of purchasing ETD's (Explosive Trace Detection) and EDS's (X-Ray/ Multiview) equipment.

CBS Issues for Western Australian Local Government Airports

Local Government owned and operated airports impacted by this decision are Kalgoorlie, Port Hedland, Newman, Kununurra, Exmouth, and Karratha. Prior to this decision by the Commonwealth there was:

- No risk assessment studies undertaken in relation to increased security threats at airports;
- No consultation or discussion with Local Government;
- No cost implication analysis to Local Government; and
- No draft regulations to facilitate discussion and planning

Compliance Impact for Local Government

Complying with unknown regulations by 1 December 2007 makes it impossible for Local Government to plan for the installation and fund CBS. In particular:

- Machine specification are not known— there are 2 manufacturers worldwide for this equipment with fewer than 12 machines on the shelf at one time – it is estimated that 80 machines required, which and won't be available until mid next year;
- No indication if all bags have to be screened, i.e. 100% or random, continuous checking;
- No idea of additional staff resources required to undertake CBS;

- No indication of the implication of positive results to airport services - Capital City Airports have a permanent police presence. What pressures will be put on local police responding to level 4 assessments with airports remote from their police and the bomb squad located in Perth.
- No indication of the capital works required to house new machines;
- No clarification regarding the impact for airport operations and Local Government if the airport operator is unable to comply may be significant – i.e. will DOTARS or Office Transport Safety close the airport.

Cost implication to Local Government Airports

- The cost of an ETD is approx. \$80,000 and of an EDS \$500,000 -750,000 per unit;
- DOTARS will provide funding for the machine only, a sliding scale; some airports will receive 100% funding while others 50%. Subsidy indications are Karratha 50%, Port Hedland 75%, Newman 100%;
- Apart from CBS machine cost, airports may have to be restructured to accommodate the new baggage conveyor systems, and in some cases may not be able to meet the requirements due to current infrastructure configuration;
- No funding announced for the support services, consumables or infrastructure for the installation of these machines

Impact on future airport growth

- All regional airports servicing jet planes must have CBS in place’.
- Derby and Ravenshorpe airports have been omitted however there is an expectation they may have to comply’
- This regulation will limit jet services to other airports that can't afford or provide CBS.

Impact on Screening Authority

- Qantas is the screening authority at the six Local Government airports affected by this decision.
- Qantas in the past has threatened to deny screening access to other carriers based on commercial arrangements.
- Qantas currently have no commercial arrangements for the screening point.
- DOTARS have indicated that they would support the airport operator as the screening authority for CBS.
- Funding for CBS equipment will be to the airport operator not the screening authority and thus airports will need to enter into commercial arrangements with Qantas if this was deemed the most appropriate arrangement.
- 1 airline controlling CBS and Passenger screening at an airport has the potential to provide conflict in an extremely competitive industry
- Qantas has mooted with airport operators that if the airport operator was the screening authority and this delayed their aircraft they would seek compensation for this.

Implications for Shire of Roebourne, Karratha Airport

- The estimated cost of compliance: \$2.5m to redevelop to house CBS equipment for multiple airline operations, four extra staff required to operate the CBS machine.
- The additional cost to attract and retain staff, given the high cost of accommodation and living will be significant

- Mining industry: passengers working with explosives may have traces of explosives on them. The new regulations would mean that flights would be held up while a bomb disposal unit would have to be flown from Perth to investigate the findings if Level 4 threat found.

Commonwealth Reports into Airport Security

Wheeler Report into Airport Security and Police Review, 2005

- The threat for regional airports was deemed low.

Report 409 Developments in Aviation Security since the Committee's June 2004 Report 400: *Review of Aviation Security in Australia*, Joint Committee of Public Accounts and Audit, December 2006. Recommendation 19 of this report stated that:

That the Minister for Transport and Regional Services provide further funding options for the upgrading of security at regional transitioning airports to a level that is at least commensurate with levels of security supported under the Regional Airports Funding Program...the Minister should explore a variety of mechanisms for funding these security upgrades. These may include interest free loans, matching funding with local and state governments as well as provision of grants to be determined by considering the local conditions and particular circumstances of each airport owner-operator

Under the Regional Airports Funding Programme no funding was provided for transitioning airports as the funds were for airports not now having or previously having had jet RPT services.

Recommendations

That the Commonwealth Government;

- Suspend requirements for regional airports that service regular public transport jet services to install screen checked baggage using explosive trace detection equipment from 1 December 2007 and to undertake multi view x ray screening of the baggage from 1 December 2008;
- Undertakes appropriate consultation with the twenty six regional airports prior to the finalisation of Government CBS regulations;
- Provide a commitment to consult with regional airports prior to the decision to develop and implement new security measures;
- Deliver security outcomes based on risk assessment; and
- Fund 100% of EGS and FDG equipment to Local Government airports, including the capital infrastructure requirements to accommodate this new equipment where it is deemed that this equipment is required.

11.4 GOVERNANCE AND ADMINISTRATION**11.4.1 Corporate Services****11.4.1.1 *Financial Reports to Council for Period Ended 31 August 2007 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Stephen Carstairs
Manager Finance

Date of Report 20 September 2007

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town to 31 August 2007, and to compare this with that budgeted for the period. With regard to the Town's Utility Costs and Fuel Consumptions, a comparison is made with 2006/07.

Background

Presented (see attachments) in this report for the financial period ended 31 August 2007, are the:

- Statements of Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 August 2007;
- Review of Transaction Activity.

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

2. *Utility Costs and Fuel Consumptions*

Presented in graph form (see attached), is the 2007/08 cumulative monthly water and power costs and diesel and motor spirit consumption compared with 2006/07.

3. *Schedule of Accounts Paid*

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 26 September 2007 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costings.

Voucher No's			Pages		Fund No	Fund Name	Description
From	To	Value	From	To			
CHQ17572	17618	\$245,216.15	1	10	1	Municipal	
EFT19448	19725	\$2,364,910.66	10	95	1	Municipal	
PAY 010807		\$1,112.59	1	1	1	Municipal Fund	
PAY 140807		\$224,016.70	95	95	1	Municipal Fund	
PAY 280807		\$218,053.39	96	96	1	Municipal Fund	
PAY 310707		\$199,562.69	96	96	1	Municipal Fund	
	Municipal Total	\$3,252,872.18					
3001358	3001358	\$2,050.00	96	96	3	Trust Fund	
3001359	3001359	-	96	96	3	Trust Fund	Cancelled
3001360	3001372	\$9,060.00	96	97	3	Trust Fund	
	Trust Total	\$11,110.00	98	98	3	Trust Fund	
	TOTAL	\$3,263,982.18					

Consultation

Nil.

Statutory Implications

Financial Statements

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

“34. Financial activity statement report - s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:*
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) budget estimates to the end of the month to which the statement relates;*
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*

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

In this regulation:

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

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

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

- “(1) Subject to subsection (2) and any other written law, a local government may –*
 - (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) *waive or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government.*
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”*

Policy Implications

2/003 Financial Statements – Copies for Councillors

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

Monthly Bank Reconciliation of the Municipal,
Reserve and Trust Fund
+90 day outstanding Sundry Debtors Report
List of Accounts paid under Delegated Authority
Register of Investments
Rate Summary Trial Balance
Reserve Account Balances

Quarterly Quarterly Budget Review
Report on all Budgeted Grants of \$50,000 or more.

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

Strategic Planning Implications

Point one of Goal 2 (Natural Resources) in Key Results Area 5 (Environment) of the Strategic Plan 2007-2012, requires that the Town's energy and water use is monitored and reported to Council.

Budget Implications

At its 25 July 2007 Ordinary Meeting Council resolved to adopted item 11.4.1.2 2007/08 Budget Adoption, which included Recommendation 12 as follows:

“Recommendation 12

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

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

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

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

Officer's Comment

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

Period Variation

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

Primary Reason

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

Budget Impact

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

Attachments

- Page 1 of 16. Schedule 2 being a Statement of Financial Activity
- Pages 4 to 16. Notes 1 to 9 which form part of the Statements of Financial Activity. Also Note 10 – July 2007 Bank Reconciliations.
- Pages 1 to 46. Detailed Financial Activity by Program.
- July 2007 Accounts for Payment
- Comparison Between 2006/07:2007/08 Utility Costs and Fuel Consumption.

200708/032 Council Decision/Officer's Recommendation

Moved: Cr S F Sear

Seconded: Cr A A Carter

That:

- i) **the:**
- **Statements of Financial Activity (represented by Schedules 2 to 14);**
 - **Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 August 2007; and**
 - **Review of Transaction Activity,**
as attached and/or presented be received;

- ii) graphic representation of the Town's energy and water use as attached be received; and
- iii) the list of Accounts paid to during August 2007 under Delegated Authority, as presented and/or attached be received.

CARRIED 7/0

11.4.1.2 Finance and Audit Committee

Officer	Matthew Scott Director Corporate Services
Date of Report	14 September 2007
Disclosure of Interest by Officer	Nil

Summary

For Council to consider the outcomes and recommendations of the Audit and Finance Committee held on 29 August 2007.

Background

On the 29 August 2007, the Audit and Finance Committee met to discuss the interim audit report and the request from the Town's auditors, UHY Haines Norton, to appoint Greg Godwin as the Town's co-auditor, to assist David Tomasi.

In the interim Audit report, only six issues/concerns were raised by the Auditors. This is in stark contrast with previous interim audit reports that raised serious concerns with Council's financial management processes. Of the six items raised, the most serious was the oversight in providing an explanation for the change in rates in the dollars and minimum rates from those advertised prior to the adoption of the 2006/07 Budget. A number of other issues raised, are believed to be incorrect and will be addressed with the auditors at the final audit.

Within the attached committee minutes, an explanation for each issue raised by the auditors is provided. These explanations have been accepted by the Audit and Finance Committee and now need to be endorsed by Council.

A side issue, which has been raised by the auditors in the past, is the possible non-compliance of the way Council calls tenders. Currently if a budgeted expense exceeds tender requirements the Chief Executive Officer calls the tenders. The Auditors opinion is that the Chief Executive Officer does not have the authority to call tenders, even if the project/expense has been budgeted. This comes from a pure technical interpretation of the Local Government Act and associated tender regulations. This is not the Administration's view, and is not common practice in Local Governments in Western Australia. While the Auditors have not qualified the accounts on this basis, in order to resolve this issue, it is recommended that the Chief Executive Officer be given delegated authority to call tenders, which are funded within the annual budget.

With regard with appointing Greg Godwin as co-auditor, Council's Administration and the Audit and Finance Committee support this, as it provides additional flexibility during and finalising the audit process.

Consultation Nil

Statutory Implications

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Officer's Comment

The Audit and Finance Committee is a statutory committee responsible in recommending to Council potential Auditors. This Council has also empowered the Committee to liaise directly with the Auditor and to investigate any other Financial Matters.

The Minutes of the Audit and Finance Committee should be self explanatory, with the exception regarding increasing the delegated authority of the Chief Executive Officer. What is proposed will actually continue the current status quo, while removing the concern of the auditors. Though not minuted by the Committee, discussions with Committee members indicate that this amendment to delegated authority would be supported.

200708/033 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S F Sear

That Council:

- i) **accept the Interim Audit report and associated explanations provided by the Audit and Finance Committee; and**
- ii) **modify Delegation No. 51 (Tender Selection) to include the following statement:**

“The Chief Executive Officer has the delegated authority to call for tender submissions for projects that are included within Council's Annual Budget”; and
- iii) **appoint Mr Greg Godwin as co-auditor to the Town of Port Hedland, as recommended by the Audit and Finance Committee.**

CARRIED BY ABSOLUTE MAJORITY 7/0

11.4.1.3 Community Bank Feasibility (File No.: -)

Officer	Matthew Scott Director Corporate Services
Date of Report	19 September 2007
Disclosure of Interest by Officer	Nil

Summary

For Council to consider underwriting the costs of a feasibility study to progress the development of the South Hedland Community Bank.

Background

The South Hedland Community Bank Steering Committee is rapidly approaching its pledge target of \$1.5 million, required by Bendigo Bank to progress to the feasibility stage of the Community Bank's development.

Since May 2007, the Steering Committee has collected \$970,000 in pledges from over 200 local individuals and organisations. Generally to start a Community Bank, only \$600,000 - \$800,000 is required, however the Steering Committee has aimed significantly higher to ensure the short term viability of the bank in the current local economic environment.

In a recent meeting with the Steering Committee, Bendigo Bank has suggested that the Committee seriously look at conducting the feasibility study to provide hard evidence of the probable success/failure of the bank. The feasibility study is conducted by an independent Accounting firm, surveying and interviewing local residents and business to determine the possible "business" a community bank could generate. If successful the business plan is developed, leading into the creation of a propeustus to create the local community bank company.

The average cost of a Feasibility Study is \$15,000. This is usually paid by the community bank once it is created, through an arrangement between the Accounting firm undertaking the feasibility study, Bendigo Bank and the local Steering Committee. Usually the Steering Committee will have the local authority or like public bodies underwrite the feasibility, so, should the feasibility fail and no Community Bank created, the members of the Steering Committee do not have to cover the cost of the feasibility study.

Bendigo Bank has advised the Steering Committee that it would expect the Feasibility Study in Port Hedland to cost \$18,000, due to additional accommodation costs currently in the Pilbara.

Consultation**Statutory Implications** Nil**Policy Implications** Nil**Strategic Planning Implications****Budget Implications**

Council has only committed officer time and in-kind cost to South Hedland Community Bank project. The Steering Committee has successfully accessed funds from the Pilbara Development Commission to Fund a Project Officer. There are no direct funds for this project committed in the 2007/08 Budget. It is believed that the funds required, \$18,000, should be able to be found within the budget as part of the September Budget Review.

Officer's Comment

Though the idea of community bank has been "kicked around" the district for a number of years, the current Steering Committee has actually surpassed any previous attempts. \$970,000 from over 200 pledges in fewer than 6 months is a significant achievement. Given the current growth in pledges, the \$1.5 million required is reasonably achievable in the near future. This being said, a \$18,000 liability for a failed feasibility study is high price for individual members of the Steering Committee to fund.

Much of what has been achieved by the Steering Committee has been gained through the individual efforts of the Committee's members. This being said, the Committee is now at a crossroads to furthering the development of the South Hedland Community Bank.

Of the pledges received, over 60% have come from local residents, pledging as little as \$200. This should indicate the real need residents, especially in South Hedland, have for a bank based in South Hedland. Council now has the ability to show these residents that it also supports this proposal.

Council should note that these funds would only be required should the feasibility study fail. A fiscal demonstration of Council's support to the project may attract additional community support and show leadership in this obvious community need.

Though Council has no budget allocation towards the Community Bank, previous experience indicated that it is likely that operational savings will be found in Council's September budget review that can be used for this purpose.

200708/034 Council Decision/Officer's Recommendation

Moved: Cr S F Sear

Seconded: Cr A A Carter

That Council agrees to underwrite the Feasibility Study of the South Hedland Community Bank to a maximum value of \$18,000 should surplus funds be identified in the September Budget Review.

CARRIED 7/0

11.4.2 Governance**11.4.2.1 Council Meeting Dates (File No.: ADM-015)**

Officer Gaye Stephens
Executive Assistant

Date of Report 27 August 2007

Disclosure of Interest by Officer Nil

Background

The Local Government (Administration) Regulations require that at least once each year "...a local government is to give local public notice of the dates on which and the time and place at which the ordinary meetings and committee meetings are to be held in the next 12 months".

Council has determined its meeting dates up to and including the October Ordinary Meeting and will need to consider meeting dates for the next 12 months.

Statutory Implications

Council is required to determine at least once each year, its meeting program and this is to be set and advertised in local newspaper.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Budget allocation for advertising Council Meetings is included in Administration General Expenses, General Ledger Account Number 402249 'Advertising'.

Officer's Comment

Council has previously determined that it will meet on the fourth Wednesday of each month.

As the Ordinary Election is being held on Saturday 20 October 2007, and elected Councillors will not be sworn in until Monday 22 October 2007, it is recommended that Council's Ordinary Meeting for October be put back by one (1) week and be held on Wednesday 31 October 2007.

It is also recommended the December 2007 meeting occurs on the second Wednesday, being 12 December 2007.

Easter in 2008 occurs on Friday 21 March 2008 (Good Friday) and Monday 24 March 2008 (Easter Monday) and therefore has no effect on the March or April meetings.

200708/035 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham

That the Ordinary Council Meeting be held at 5:30 pm in Council Chambers on the following dates:

**Wednesday 31 October 2007
Wednesday 28 November 2007
Wednesday 12 December 2007
Wednesday 23 January 2008
Wednesday 27 February 2008
Wednesday 26 March 2008
Wednesday 23 April 2008
Wednesday 28 May 2008
Wednesday 25 June 2008
Wednesday 23 July 2008
Wednesday 27 August 2008
Wednesday 24 September 2008**

and be advertised accordingly.

CARRIED 7/0

11.4.2.2 Nomination for Pilbara Development Commission Board Membership (File No.: ORG-096)

Officer	Gaye Stephens Executive Assistant
Date of Report	28 August 2007
Disclosure of Interest by Officer	Nil

Summary

To endorse the nomination of Council's representative to fill one (1) Local Government authority vacancy on the Pilbara Development Commission's Board.

Background

The Pilbara Development Commission (PDC) has advised that it currently has four (4) vacancies on its Board of Management. The PDC is seeing nominations to fill the following vacancies:

- Community – persons resident in the region and nominated by a community organisation or self nominated (1 vacancy);
- Local Government – persons nominated by a Local Government Authority in this region (1 vacancy); and
- Ministerial - persons appointed at the Minister's discretion (2 vacancies).

Current members of the Pilbara Development Commission Board are –

- Mayor Stan Martin (Chairman) – Ministerial appointment;
- Cr Des Pike – Town of Port Hedland Council Representative (appointment expires October 2007);
- Mrs Veronica Rodenburg – Community Representative
- Cr Brad Snell – Shire of Roebourne Council Representative;
- Cr Doug Stead – Shire of East Pilbara Council Representative;
- Cr Anne Eyre – Community Representative.

Cr Pike was nominated by Council in August 2004 as Council's nominated representative on the PDC Board, and his term expires in October 2007.

Councillor Martin (elected Chairperson) is a current member of the Board also, who was appointed by the Minister. His term on the Board expires in August 2008.

Appointment to the Board is for a term up to three (3) years.

The objectives of the Pilbara Development Commission is to –

- maximise job creation and improve career opportunities in the Region;
- develop and broaden the economic base of the Region;
- identify infrastructure services to promote economic and social development within the region;
- provide information and advice to promote business development within the Region;
- seek to ensure that the general standard of government services and access to those services in the Region are comparable to that which applies in the metropolitan area; and
- generally take steps to encourage, promote, facilitate and monitor the economic development of the Region.

Individuals and elected members are also eligible to nominate as a Community member appointment to the Board. Individuals may nominate themselves or others; and organisations may also nominate individuals.

Individuals nominated as prospective community representatives must reside in the region and should possess interest and knowledge pertinent to the region.

An information booklet 'Prospective Board Members Information Booklet' and Nomination Forms have been forwarded to Councillors. Nominations close on Friday 26 October 2007.

Officer's Comment

It is recommended that Council nominates one (1) elected member representatives for membership of the Board of Management of the Pilbara Development Commission.

Councillor Jan Gillingham has advised of her interest to be nominated as Council's representative.

Statutory Implications

The Pilbara Regional Council was established under the Regional Development Commissions Act 1993.

Part 3, Division 1, Section 15 of the Regional Development Commission Act 1993 advises that the Board consists of a maximum of nine (9) members who are to be appointed by the Minister for Local Government and Regional Development, as follows (in part):

- "15. Board of management of a commission*
(1) Subject to section 16, a commission is to have a board of management comprising $\frac{3}{4}$...

- (b) *a prescribed number of other members, not exceeding 9, who are to be appointed by the Minister in the prescribed manner. ...*

with the following section, Section 16 detailing three (3) members of the Board are to be elected from a local government authority within the Pilbara Region, unless particular circumstances require otherwise, as stated (in part):

*“16. Method of appointment of appointed members
Regulations made for the purposes of paragraph (b) of section 15(1) are to be consistent with the following, unless particular circumstances require otherwise $\frac{3}{4}$...*

- (b) *one third of those members are to be members of the council of a local government in the region and are to be nominated by local governments in the region in accordance with the regulations; and ...”*

[Section 16 amended by No. 14 of 1996 s. 4; No. 16 of 1997 s. 4.]

Schedule 2, Part 1 of the the Regional Development Commissions Act 1993 outlines the constitution and proceeding of a Board, particularly Section 1 as stated (in full):

“1. Term of office of appointed member

- (1) *An appointed member holds office for such term, being not more than 3 years, as is specified in the member's instrument of appointment, but he or she is eligible $\frac{3}{4}$*
- (a) *for further reappointment, if the reappointment is consecutive to a previous appointment and will not result in the member holding office continually for a time which exceeds 6 years; or*
- (b) *to be reappointed from time to time, if the term of the reappointment is not consecutive to a previous appointment.*
- (2) *An appointed member, unless the member sooner dies or resigns or is removed from office, continues in office until a successor comes into office, despite the fact that the term for which the member was appointed may have expired.”*

[Clause 1 amended by No. 16 of 1997 s. 6(1).]

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 4 – Economic Development

Goal 3 - Business Development

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

Strategy 4 - Work with relevant stakeholders to coordinate a workshop with business and industry to discuss/debate the future of business development and economic growth in the Town

Budget Implications

Nil

200708/036 Council Decision/Officer's Recommendation

Moved: Cr S F Sear

Seconded: Cr A A Carter

That:

- i) the Pilbara Development Commission and the Minister for Local Government and Regional Development be advised of Council's nomination of Councillor Jan Gillingham for membership of the Board of the Pilbara Development Commission; and**

- iii) the support of the Pilbara Regional Council be sought for this nomination.**

CARRIED 7/0

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL**12.1 Director Community and Regulatory Services****12.1.1 *Sponsorship Request : Assistance for Travel to Toronto to Attend the ImagiNative Indigenous Film Festival (File No.: 02/05/0002)***

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 26 September 2007

Disclosure of Interest by Officer Nil

Summary

To consider a request for a donation or sponsorship to assist a local filmmaker to attend the ImagineNative Indigenous Film Festival being held in October this year at Toronto.

Background

Local filmmaker, Ms Sylvia Clarke has had her work selected for screening at the 8th Annual ImagineNative Indigenous Film Festival in Toronto this year. Details of the festival are available at on the web at www.imagenative.org.

As detailed in the attached letter, Ms Clarke has sought a contribution towards some of the cost not met by existing sponsorship.

Council's Chief Executive Officer is authorised to make donations of up to \$500, but it has been suggested that an amount of up to \$1,500 may be appropriate.

Consultation

The Mayor has requested this item be presented to Council as a late item for Council consideration.

Statutory Implications

There are no statutory implications for Council in the recommended course of action.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

A donation of the magnitude proposed will be met within existing budget allocations.

Officer's Comment

The recognition of a local artist in the Toronto ImagineNative Indigenous Film Festival can potentially be a great benefit in promoting local artists who work in this medium. The opportunity to attend and participate in the festival, to be exposed to the work of leading artists from around the world, will undoubtedly increase that benefit.

In these circumstances the Chief Executive Officer would legitimately provide a donation of up to \$500. If Council wishes to make a donation beyond the \$500 limit, which the Chief Executive Officer is authorised to grant, the decision needs to be considered by Council.

Attachments

Letter requesting support, dated 6 September 2007.

200708/037 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S F Sear

That Council donates \$1,500 to Ms Sylvia Clarke to enable her to participate in the 8th Annual ImagineNative Indigenous Film Festival being held in Toronto in October 2007.

CARRIED 7/0

ATTACHMENT TO AGENDA ITEM 12.1.1

6th September 2007

Ms Sylvia Clarke
39 Stanley Street
South Hedland WA 6722

DCRS
RL

Dear Mr Adams

I would like to ask for the Town of Port Hedland's support of in the way of either a donation or a sponsorship to assist me to be able to travel to Toronto to attend the ImagiNative Indigenous Film Festival in October this year.

My daughter and I have been nominated for best short screen film from Port Hedland. We also took out the St Kilda film Fez nominations for short film. We came second. It is a great achievement for us local women. We represent not only our Indigenous group but also the Community as a whole.

We have supported the youth and elderly in filming and maintaining visual history in the way of gathering information to archive material that is so important in keeping our culture strong which in turns keeps our community strong.

We are well known for our work and have encouraged young people to look at the possibility in pursuing a Multi-media career.

We have just finished the SBS mini series in Broome. "The Circuit" which were we responsible for the employment of over 700 hundred Indigenous people throughout the Pilbara and Kimberly regions.

I could go on but I hope my commitment to sharing my skills in my community is enough. I will be provided with food and accommodation while in Toronto but not airfares. IBN will also support me financially toward my airfare but not the lump sum of \$3000.00. A small donation would be greatly appreciated.

Thank you

Please find attached details of when and where the Festival is being held.

Regards

Sylvia Clarke
Sylvia Clarke

Ph 91 722 3 44
Fax 91 722 3 55

10/9/07

RECORD No	07/104046
OFFICER	DCRS
14 SEP 2007	
FILE No	02/05/0002
ACTION DATE	M

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

ITEM 14 CONFIDENTIAL ITEMS

Nil.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

200708/038 Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That the following Application for Leave of Absence:

- . **Councillor Jan M Gillingham from 2 to 21 October 2007, inclusive**

be approved.

CARRIED 7/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 31 October 2007, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 6:55 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 31 October 2007.

CONFIRMATION:

MAYOR

DATE