



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 24 JULY 2013

AT 5.30 PM

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

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*M.J. (Mal) Osborne
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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ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the meeting open at 5:34pm and acknowledged the traditional owners, the Kariyarra people.

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

Mayor Kelly A Howlett
Councillor George J Daccache
Councillor Jan M Gillingham
Councillor Michael (Bill) Dziombak
Councillor Julie E Hunt
Councillor Gloria A Jacob

Officers

Mal Osborne
Natalie Octoman
Russell Dyer
Gordon MacMile
Eber Butron
Josephine Bianchi
Grace Waugh

Chief Executive Officer
Director Corporate Services
Director Engineering Services
Director Community Development
Director Planning & Development
Coordinator Governance
Administration Officer, Governance

2.2 Apologies

Councillor Arnold A Carter

2.3 Approved Leave of Absence

Councillor David W Hooper
Councillor Penny M Taylor

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 26 June 2013**

Nil

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 26 June 2013

Nil

ITEM 4 PUBLIC TIME**IMPORTANT NOTE:**

'This meeting is being recorded on audio tape as an additional record of the meeting and to assist with minute-taking purposes which may be released upon request to third parties. If you do not give permission for recording your participation please indicate this at the meeting. The public is also reminded that in accordance with Section 20.3 of the Town of Port Hedland Local Law on Standing Orders nobody shall use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the presiding member to do so'.

Mayor opened Public Question Time at 5:35pm.

4.1 Public Question Time**4.1.1 *Mr Stephen Myers***

A letter was circulated to Councillors earlier today in regards to parking for North West Aviation Services at the Port Hedland International Airport. Employees currently use the car park located on the right hand side of the Airport entrance and walk to the terminal building. Requests to park closer to the terminal have been raised numerous times with Town Officers however they have not been resolved.

Chief Executive Officer advised that he is aware of previous discussions between the Town and employees of North West Aviation Services. However he believes half hour free parking in the short term parking car park at the airport and free parking for staff members in the car park provided is sufficient.

Director Engineering Services advised that North West Aviation Services are welcome to arrange a meeting with the Town in regards to using commercial parking located closer to the airport terminal.

This issue has been raised at the Airport Users meeting by North West Aviation Services. Is this format not acceptable?

Director Engineering Services advised that the request should be in writing and addressed to the Chief Executive Officer.

4.1.2 Ms Lorraine Butson

How much has the Town paid in consultant fees over the last 12 months and for what projects?

Chief Executive Officer advised this question is taken on notice but that if members of the public can provide administration with their questions prior to the Council meetings more comprehensive answers can be provided at that meeting.

What strategic plan for the development of the airport terminal been adopted and what timeline is proposed for the completion of the redevelopment?

Chief Executive Officer advised that the Port Hedland Airport Masterplan was completed in 2011. The Program Director Airport Redevelopment is currently conducting a review of the masterplan and is collating a schedule of works which will be presented at the next Airport Committee Meeting which is scheduled for Wednesday 31 July 2013

Is it correct that a hot water system has been installed at South Hedland Aquatic Centre? What is its cost and why was this not included in the recent upgrade? What is the present situation regarding lights at the pool for the water polo use?

Chief Executive Officer advised that he is not aware of a hot water system being installed at the South Hedland Aquatic Centre however this may be in regards to the water heating for the pool which was installed in the upgrade of the centre. There have been operational issues with the heat pumps that were installed and the Town is currently liaising with the lead contractor, CAA, to ensure that the heat pumps are working efficiently.

Director Community Development advised that this question is taken on notice.

What is the current situation regarding the lighting at South Hedland Aquatic Centre?

Director Engineering Services advised that there is an item on the agenda tonight to award the tender for the installation of the lights at South Hedland Aquatic Centre and the schedule outlines the completion in October 2013.

4.1.3 Mr Camilo Blanco

NOTE: Mr Blanco made reference to a letter the Director Corporate Services provided to members of the public prior to the meeting. The letter outlines the following accounts and balances:

ToPH Municipal Monies	\$22,817,946.13
ToPH BHP Reserve (Partnership Project Monies)	\$6,075,070.57
ToPH Reserve Monies	\$4,440,970.95
Trust Monies	\$290,290.24
Cyclone George Fund Monies	\$103,409.74
ANZ Reserve Monies	\$17,970.60
<i>ToPH Reserve Funds</i>	
ANZ Bank (ToPH Reserve Monies)	\$20,000,000.00
National Australia Bank (Spoilbank Precinct Monies)	\$38,500,000.00
WATC (Royalties for Regions Monies)	\$3,498,466.31

Does the total amount on the letter provided by the Director Corporate Services include the \$40 million Spoilbank Marina money? The Town of Port Hedland Reserve monies balance is \$4,400,000; does this include the Town of Port Hedland reserve funds of \$40 million?

Chief Executive Officer advised that the amount listed on the second last line of the document Mr Blanco is referring to is related to the Spoilbank Marina account. This account holds \$38.5 million with \$1.5 million already being committed to the project.

The money included on the second last line shows that it is in the NAB or ANZ account. Do the top six accounts include the \$38.5 million?

Chief Executive Officer advised in the negative as the \$38.5 million is under an 11 months term deposit at 4.15%.

If the top six accounts and the \$38.5 million were added would it amount to a gross amount?

Director Corporate Services advised that to get the total amount the top six accounts would need to be added to the \$20 million, \$38.5 million and \$3.4 million.

Are you able to tell me exactly what the money in the regional country fund is for?

Director Corporate Services advised that the funds held in the Western Australian Treasury Corporation (WATC) account are part of the \$20 million provided by Royalties for Regions and are required to be held in that account. At this point in time the \$3.4 million include outstanding expenditure for Marquee Park, the Wanangkura Stadium and other public safety initiatives including CCTV.

Is the \$3.4 million in the process of being acquitted?

Director Corporate Services advised that this amount will be acquitted as part of the yearend financial process. The WATC money will be acquitted to recognise that the Town has spent that money on the projects and will be reported to the Department accordingly.

The Town announced a \$3.2 million deficit, if that money has been spent but not acquitted then the Town is looking at a deficit of over \$7 million. Is that correct?

Chief Executive Officer advised in the negative.

The money has been spent but not acquitted. Is that correct?

Chief Executive Officer advised that the money is sitting under the WATC account with the funds committed to the Town for specific projects. The Town spends the money on the projects and then provides an audit and an acquittal form to the Department before the funds are released. The funds will be brought back out at the June 30 position for closing of the 2012/13 accounts. The \$3.4 million does not form part of the deficit and does not add to the deficit.

Has the Town spent the \$3.4 million on projects from the municipal fund?

Director Corporate Services advised in the affirmative. This is part of the year-end transactions process. The Town spend the funds and then the transfers are conducted after.

The Town has spent the money and is in the process of acquitting the money. The \$3.4 million is an asset in the reconciliation of cash so the money has been spent and should not be there. Does this mean that the deficit is higher?

Chief Executive Officer advised in the negative and reminded Mr Blanco that questions can be provided to the Town prior to Council meetings to ensure comprehensive answers can be given at Council meetings.

Director Corporate Services advised that as previously stated she is happy to set up a meeting with Mr Blanco to discuss how the Local Government financial processes work.

Why hasn't the final audit on the Port Hedland Visitors Centre been presented in tonight's agenda as per the Town's media statement in May 2013?

Chief Executive Officer advised that it was anticipated that the audit would be presented to the July Ordinary Council Meeting. However the company doing the final audit, 2020 Global, since requested additional information from a third party, which has not been obtained in time to be presented this meeting. The audit will now be presented at the August Ordinary Council Meeting.

Has the Town received an audit in any form?

Chief Executive Officer advised that an interim audit has been received and the final audit should be provided in the next week.

What is the cost to date for all the audits associated with the Port Hedland Visitors Centre?

Chief Executive Officer advised that the cost is in excess of \$60,000. That expenditure has been incurred by resolution of Council.

The Town of Port Hedland has incurred significant costs from these audits. Is the Town intending to recoup these costs following the findings of the audit?

Chief Executive Officer advised that the Town will wait to receive the audit report and see what actions and recommendations will be provided. There are some funds left in the Port Hedland Visitors Centre accounts but there is no automatic right for the Town of Port Hedland to receive the funds. The Town will be seeking to have the funds diverted by the Department of Consumer and Employment Protection to offset the costs of running the Visitors Centre. The cost of conducting the audit and producing the reports will be met by the Town of Port Hedland through the municipal budget.

4.1.4 Ms Lorraine Butson

On 28 November 2011 Council approved, by absolute majority, the remuneration package for the Program Director Airport Redevelopment. What criteria or milestones authorise or allow the payments of this position's performance incentives of over \$100,000?

Chief Executive Officer advised that milestones for the Program Director Airport Redevelopment have not been determined. The contract has been signed and the KPI's are currently being created. There are primary results in relation to the airport redevelopment program and specific targets to be set and met. The payments will be a maximum of that amount but it is not an automatic bonus.

What was the monetary allowance established by the Chief Executive Officer in relation to the travel, housing and motor vehicle expense for the Program Director Airport Redevelopment?

Chief Executive Officer advised that the travel allowance for the Program Director Airport Redevelopment consists of the airfares and accommodation required while the Program Director Airport Redevelopment is in Port Hedland. An office is provided on a shared basis with the Town of Bassendean for the Town of Port Hedland's Economic Development Coordinator and Program Director Airport Redevelopment while in Perth.

The remuneration package for the Program Director Airport Redevelopment is a base salary of \$349,820. What is the anticipated cost of this position when the performance incentive, housing, car and travel allowances are factored in?

Chief Executive Officer advised that this question is taken on notice to provide the exact figure.

How can the Town justify this expense to the rate payers of the Town when there is currently a large deficit?

Chief Executive Officer advised that the decision of Council was to appoint a person with a specific skill set to assist the Town with developing a full program for the redevelopment of the Port Hedland International Airport. Following a recruitment process the Program Director Airport Redevelopment was appointed on a two year contract. The airport currently runs as a discreet business unit and provides a return of investment of \$1.8 million to the Town.

4.1.5 Mr Darryl Brown

What is Council's position on the current safety of people living in the West End of Port Hedland?

Director Planning & Development advised that Town officers will be guided by the health risk assessment study conducted by the Task Force which is scheduled to be completed by 2015.

Why does Council, by law, restrict balconies and prohibit the construction of four bedroom homes along the West End oceanfront, yet permits a family home to run a day care facility right opposite the iron ore stock piles that create the said health risk?

Director Planning & Development advised that the design parameters affecting the West End were derived by the Port Hedland Air and Noise Quality Management Plan. These have been incorporated into the Town of Port Hedland Town Planning Scheme through amendment 22. Homes within the West End have retained non-confirming use rights. However balconies are not prohibited in the West End.

BHP Billiton has been exporting dust products through Port Hedland since 1966. Government approvals now restrict dust emissions through world standard industrial environmental controls and practices. Does Council support the view of BHP that the dust is a health issue? If not, can Council explain why the Town Planning Policy reflects the view of BHP and adopted by the Health Department?

Director Planning & Development advised that Council is awaiting the findings of the health risk assessment. The controls over the West End reflect the Port Hedland Air and Noise Quality Management Plan and the recommendations of the Dusk Taskforce.

If the dust is deemed a possible health risk who would Council recommend concerned residents contact to see if they are at risk or have been affected by the dust?

Director Planning & Development advised that residents should contact their GP, the Department of Health, the Department of Environment and Conservation or the Environmental Protection Authority.

A Government Taskforce was appointed in October 2008 to determine if the dust in Port Hedland was dangerous or not. Will Council please find out this information from the relevant authorities by October 2013, which is 5 years after the task force was formed?

Director Planning & Development advised that the Taskforce is still awaiting the results of the Health Risk Assessment which is to be completed by 2015.

If the dust is deemed dangerous to my wife, myself, my two children and six grand children, would the Council be responsible for permitting the operation of a dangerous product in our town without insisting the port operate within safe guidelines?

Director Planning & Development advised that the Town would not be responsible. The dust is emanating through the Port and industry operations. The Port operations are regulated through the Port Hedland Port Authority and relevant authorities such as Environmental Protection Authority.

Whose job is it to ensure that operators work within safety guidelines?

Director Planning & Development advised that the operations carried out are regulated by various state agencies including the Environmental Protection Authority, Department of Environment and Conservation and Department of Health.

Mayor closed Public Question Time at 5:58pm.

Mayor opened Public Statement Time at 5:59pm.

4.2 Public Statement Time

4.2.1 *Mr Owen Hightower*

Mr Hightower presented to Councillors a draft design of the education precinct and spoke on behalf of the Youth Involvement Council (YIC). He stated that an item regarding education precinct will be presented to Council in the near future. Mr Hightower gave an update on the Lawson Street Youth Centre. A Business Plan was adopted two years ago. The Lawson street development needs financial supports and provides educational services. YIC will be seeking planning approval from Council in the near future. YIC is asking that Council waive the fees associated with the planning approvals as the money that will be spent on fees can be used on other important services. YIC is asking Council to support this project by waiving the application fees of \$23,000.

Mayor advised that this will be considered when the planning approval is presented to Council. Mayor asked Mr Hightower that he submits the waiver of fees request together with the planning approval so that Council can consider the reimbursement of all or part of the fees

Mr Hightower also spoke in favour of item 11.1.1.3 'Proposed Industry – Noxious – Dry Blasting and Coating Facility on Lot 2951 (12) Yanana Street, Wedgefield (File No.: 116831G)'.

Mr Hightower is asking that Council change point two of the officer's recommendation from two to five years. Ultimate Protective Coatings is a long standing employer in Port Hedland and employs 40 to 60 people in town. The applicant has been operating for 15 years at a site that was discovered as not having ever received planning approval. A more appropriate location has since been sought in Wedgefield and a five year lease has been signed. The relocation and development of the site has represented a financial burden for the applicant. The applicant is asking for a five year approval in line with the signed lease so they have an opportunity to recoup the capital from the relocation. The applicant believes strict conditions apply at all times for noxious industries and there is limited risk to residents in Wedgefield.

4.2.2 *Mr Camilo Blanco*

Mr Blanco spoke in opposition to item 11.1.1.3 'Proposed Industry – Noxious – Dry Blasting and Coating Facility on Lot 2951 (12) Yanana Street, Wedgefield (File No.: 116831G)'.

Mr Blanco stated that Wedgefield is not an ideal location for noxious use and Wedgefield has had on-going problems in regards to noxious use. Most businesses in Wedgefield do not support noxious use in the area and do not like having noxious use in their backyard.

Mayor closed Public Statement Time at 6:10pm.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE**5.1 Councillor Gillingham**

Is after school care being considered at the new education precinct?

Councillor Jacob, in her capacity of chair of the Youth Involvement Council, advised that the design of the education precinct has considered after school care and includes programs for 5 to 10 year old children.

5.2 Councillor Dziombak

On 22 May 2013 a media statement was released by the Town regarding the final audit of the Port Hedland Visitors Centre. It was stated that independent auditors 2020 Global would provide the final audit on the 2008/2009 financials by the end of June 2013 to be presented at the July 2013 Ordinary Council Meeting. What is the status of the audit? Why after the issue being unresolved for four years has it been delayed again? Who at the Town of Port Hedland will receive the final audit and when will it be brought to Council?

Chief Executive Officer advised that the final audit will be received within the next week. The auditors required extra information from a third party which has taken a while to be obtained. The report will be delivered to the Chief Executive Officer and reported back to Council at the August Ordinary Council Meeting.

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

Mayor Howlett	Cr Dziombak
Cr Daccache	Cr Jacob
Cr Gillingham	Cr Hunt

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 26 June 2013****201314/001 Officer's Recommendation/Council Decision****Moved: Cr Dziombak****Seconded: Cr Jacob**

That the Minutes of the Ordinary Meeting of Council held on Wednesday 26 June 2013 be confirmed as a true and correct record.

CARRIED 6/0**ITEM 8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Mayor Activity Report for the June/July 2013 period to date is as follows:

Wednesday, 19th June

- Attended Preparation Meeting For JD Hardie Sub Group Meeting Re Opportunities For JD Hardie Centre
- Weekly CEO & Elected Member Catch Up
- Attended Confidential Concept Forum

Thursday, 20th June

- Hosted Town Tour With LandCorp Board
- Meeting With LandCorp Board
- Meeting Observation Summary – Peter Keane KPMG

Friday, 21st June

- Attended PHCCI Breakfast – Perth Wildcats
- Attended TOPH Community Safety and Crime Prevention Meeting

Saturday, 22nd June

- Hosted Function To Welcome Global Torch Relay & Presentation Of Torch Bearer Awards
- Mayor Coffee – Port Hedland
- Mayor Coffee – South Hedland

Monday, 24th June

- Weekly CEO & Mayor Catch Up
- Fortnightly Pilbara Shire President/Mayor Telephone Catch Up
- Meeting Department Local Government – Brad Jolly
- Teleconference Meeting BHPBIO Julius Matthys & Mark Donovan + TOPH CEO

Tuesday, 25th June

- Weekly Mayor Chat Spirit Radio (1026am)
- ABC NW Radio (603am) Interview Re Heavy Rainfall

- Meeting With Resident Ian Halliburton
- ABC Perth (720am) Interview Re Heavy Rainfall

Wednesday, 26th June

- Meeting Re Possible Youth Diversionary Program Funding (Dept Communities – Lyn Grey)
- Attended Luncheon Event Committee For Hedland
- Attended Confidential Planning Briefing
- Attended Confidential Concept Forum
- Attended Agenda Briefing Session
- Chair OCM June 2013

Thursday, 27th June

- Executive Coaching Session – Kerry Neill
- Meeting With Bloodwood Tree and YIC – YAP Coordinator Re: Homelessness Issues
- Luncheon Regional Local Government Forum – Ron Alexander
- Attended HYSAG Meeting
- Attended LEMC Meeting
- Meeting With Members From Filipino Association

Friday, 28th June

- Meeting South Hedland Police A/OIC Ron Patchett
- Meeting PDC Trish Barron Re Indigenous Camping Taskforce
- Meeting Minister Day – Town Planning

Saturday, 29th June

- Attended Karratha Leisureplex Opening

Sunday, 30th June

- Attended Thanksgiving Mass Anglican Church St Matthews Building Project Completion

Monday, 1st July

- Weekly CEO & Mayor Catch Up
- Attended Pilbara Regional Council Meeting
- Meeting YMCA (Ross Kyrwood) + TOPH CEO

Tuesday, 2nd July

- Meeting Re Possible Youth Diversionary Program Funding (Dept CPFS – Rosemary Bradbury)
- Meeting Office Hon Peter Collier (Lee Ann Tan) + Deputy Mayor + TOPH CEO
- Meeting With McLeods + Deputy Mayor + TOPH CEO
- Meeting CAA (Mark Harper) + Deputy Mayor + TOPH CEO

Wednesday, 3rd July

- Attended South Hedland Business Association Breakfast Meeting
- Meeting PHPA CEO Roger Johnson
- Attended Hedland Roadwise Meeting
- Telephone Meeting Dept Aboriginal Affairs Re Normalisation Of Town Based Communities
- Weekly CEO & Elected Member Catch Up
- Attended Port Hedland Netball Association Monthly General Meeting

Thursday, 4th July

- Attended HSHS Board Meeting
- Fortnightly Teleconference RDA - Pilbara Chair & CEO
- Accompanied 2013 WA Tidy Towns/Sustainable Communities Judges Visit

Friday, 5th July

- Meeting HSHS With UWA Vice Chancery Visit
- Attended 2013 NAIDOC Opening Ceremony Event At Pundulmurra College
- Attended UWA Business School & BHP Billiton – Leaders Luncheon
- Meeting With Port Hedland Seafarers Centre Re Future Location & Plans

Mayor Howlett was a judge at the Pilbara Girl competition recently held at the Wanangkura Stadium. There are five girls competing in the finals which will be held in Karratha.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 *Councillor Daccache*

Councillor Daccache thanked everyone for the flowers that were sent to his family. He also thanked the Town of Port Hedland environmental team for all the work they have done on minimising the number of mosquitoes.

9.2 *Councillor Gillingham*

Councillor Gillingham also thanked the Town for the work on minimising mosquitoes.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**10.1 *Water Corporation, Robyn Gulliver, Regional Water Efficiency Project Officer***

Robyn Gulliver presented to Council the Towns current progress through Waterwise Councils program. MS Gulliver advised that Cemetery Beach, Shay Gap Park and the Pretty Pool reserve have had significant savings through the data logging project. Through the Waterwise Council project the Town has found two major leaks at the International Airport and at Gratwick swimming pool which have now been rectified. The Town of Port Hedland is close the endorsement as the 2nd Waterwise Council in the North West.

10.2 *Keep Australia Beautiful Council (WA), Little Committee Member, Lachlan Moir*

Lachlan Moir is the Little Committee member for Western Australia. The Little Committee is a group of children under the age of 15 years and is determined to put an end to littering. Lachlan has been visiting the primary and high schools in Port Hedland with Captain Clean-Up to speak to children about littering.

Disclaimer**IMPORTANT NOTE:**

Members of the public are cautioned against taking any action on Council decisions, on items on this evening's Agenda in which they may have an interest, until formal notification in writing by Council has been received. Decisions made at this meeting can be revoked, pursuant to the Local Government Act 1995.

Consultation

The following parties / units were consulted, seeking historical background on the road names currently in use:

- Airport Operations,
- Library Officer – Local History, and
- Port Hedland Historical Society

The GNC were consulted seeking their initial comments on the suitability of the names. The GNC have advised that due to the layout of the existing roads and the configuration of the intersections, Isaacs Way should be renamed to Williamson Way.

Statutory Implications

Nil

Policy Implications

Landgate's *Policies and Standards for Geographical Naming in Western Australia* determines the process for the naming of Private Roads.

Town of Port Hedland *Policy 12-004 Road Names and Street Numbering* determines the process for the naming of roads within the Town.

Strategic Planning Implications

6.1 Community

6.1.3 Rich in Culture

Strengthen local communities, history and culture

Budget Implications

The Town will be responsible for the costs associated with installation and maintenance of new street signage.

Officer's Comment

The internal private roads at the airport have been in existence for many years. It is believed these private roads were named prior to the airport being handed over to the Town.

The table below documents the historical reference to the names currently in use:

Road Name	Historical Reference
Waldron	Kevin Joseph Waldron was the first Officer in Charge (OIC) of Department of Civil Aviation (DCA) in Port Hedland. He was OIC of DCA in from 1944-46 and was stationed with the RAAF men who were based here over the war years when the airport was constructed.
Williamson	Len Williamson was a Broome based DCA man whose work was in erecting and maintaining aerials. He came to Port Hedland periodically.
Murray	Bob Murray was the DCA officer in charge from 1946- 1952
Isaacs	No detail has been located in relation to this name.
Pettersson	No detail has been located in relation to this name.

Officers have been unable to locate information on the names Isaacs and Pettersson. The GNC have advised due to the layout of the existing roads and the configuration of the intersections, Isaacs Way should be renamed to Williamson Way.

Council has the following options:

1. Approve the formalisation of the following road names within the airport:
 - Waldron Drive
 - Williamson Way
 - Murray Avenue
 - Pettersson Road

The will ensure the continued use of the names that have been in use for a number of years (albeit informally)

2. Refuse the formalisation of the following road names within the airport:
 - Waldron Drive
 - Williamson Way
 - Murray Avenue
 - Pettersson Road

Should Council choose to refuse this request, alternative names will need to be sourced and the historical link to the names currently in use will be lost.

Attachments

1. Road Naming Plan

201314/002 Officer's Recommendation/Council Decision

Moved: Cr Hunt

Seconded: Cr Jacob

That Council:

1. Approves the formalisation of the following road names within the airport as shown on Attachment 1:

- Waldron Drive
- Williamson Way
- Murray Avenue
- Pettersson Road

2. Delegates the Chief Executive Officer or his delegate to advise the Geographic Names Committee of point 1 above.

CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.1.1.1



11.1.1.2 *Delegated Planning, Building & Environmental Health Approvals and Orders for June 2013 (File No.: 18/07/0002 & 07/02/0003)*

Officer Carly Thompson
Executive Assistant
Planning & Development

Date of Report 12 July 2013

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of June 2013.

Background

A listing of Planning, Building and Environmental Health approvals and Orders issued by Council's Planning, Building and Environmental Health Services under Delegated Authority for the month of June 2013 are attached to this report. Further to Council's request a listing of current legal actions is also attached to this report.

Consultation

Nil

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

Nil

Attachments

Nil

201314/003 Officer's Recommendation/Council Decision

Moved: Cr Dziombak

Seconded: Cr Jacob

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

CARRIED 6/0

DELEGATED PLANNING APPROVALS FOR JUNE 2013

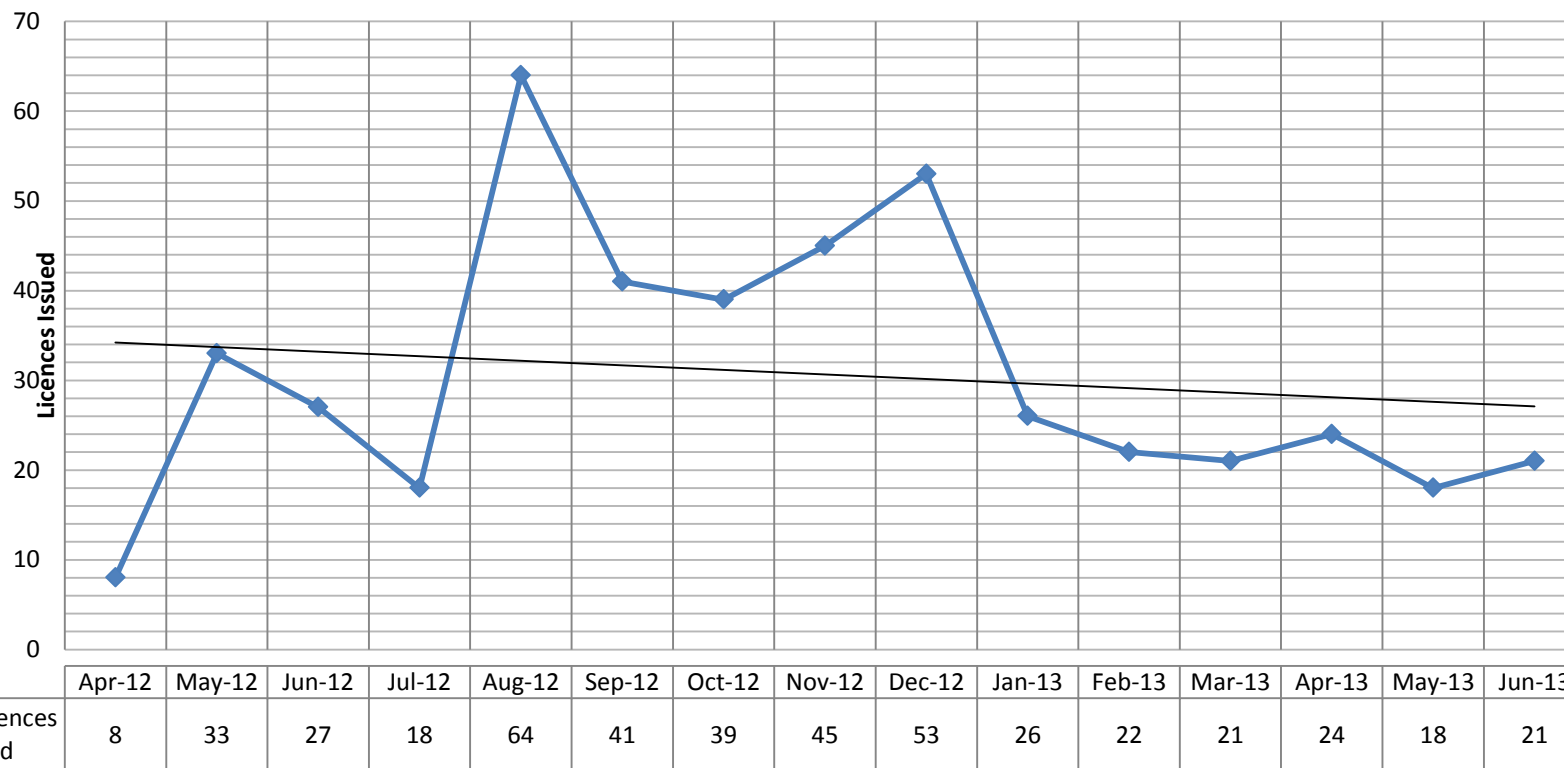
APPLICATION NO.	DESCRIPTION	LOT	PROPERTY ADDRESS	DATE APPROVED	APPLICANTS NAME	DEVELOPMENT VALUE
2013/175	CHANGE OF USE - STORAGE FACILITY / LAYDOWN AREA TO MOTOR VEHICLE AND MARINE REPAIR	103	18 CAJARINA ROAD WEDGEFIELD 6724	6/06/2013	JONNY WAN	\$ -
2013/209	SINGLE HOUSE - OUTBUILDING	573	3 MOORING LOOP SOUTH HEDLAND 6722	6/06/2013	STEPHEN & STACEY KASEMETS	\$ 16,200.00
2013/242	CHANGE OF USE - WAREHOUSE TO MOTOR VEHICLE AND/OR MARINE SALES OR HIRE	204	41 STEEL LOOP WEDGEFIELD 6721	6/06/2013	HEDLAND FIRST NATIONAL REAL ESTATE	\$ 1,700,000.00
2013/243	PRIVATE RECREATION - TEMPORARY OFFICE AND LAYDOWN AREA	550	LOT 550 HEDDITCH STREET SOUTH HEDLAND 6722	6/06/2013	PILBARA CONSTRUCTIONS PTY LTD	\$ 28,250.00
2013/218	CONSTRUCTION OF ANCILLARY ACCOMODATION	2303	19 MAUGER PLACE SOUTH HEDLAND 6722	12/06/2013	GREG ROWE & ASSOCIATES	\$ 340,000.00
2013/230	INDUSTRY - LIGHT - 4 WORKSHOPS UNITS AND INCIDENTAL OFFICE	206	33 STEEL LOOP WEDGEFIELD 6721	12/06/2013	OPEN HOUSE	\$ 2,000,000.00
2013/201	TRANSPORT DEPOT - WAREHOUSE AND OFFICE	327	13 TAILINGS ELBOW WEDGEFIELD 6721	13/06/2013	GREG ROWE & ASSOCIATES	\$ 3,500,000.00
2013/217	CONSTRUCTION OF ANCILLARY ACCOMODATION	3202	34 SOMERSET CRESCENT SOUTH HEDLAND 6722	13/06/2013	GREG ROWE & ASSOCIATES	\$ 340,000.00
2013/223	SINGLE HOUSE - OUTBUILDING (R-CODE SIDE SETBACK VARIATION)	5617	15 STYLES ROAD PORT HEDLAND 6721	17/06/2013	NORTHWEST SHEDMASTERS PTY LTD	\$ 42,980.00
2013/188	TWO (2) WAREHOUSE AND INCIDENTAL OFFICES	207	29 STEEL LOOP WEDGEFIELD 6721	18/06/2013	GREG ROWE & ASSOCIATES	\$ 800,000.00
2013/258	TWO GROUPED DWELLINGS - OUTBUILDING ADDITION	1851	36 PEDLAR STREET SOUTH HEDLAND 6722	18/06/2013	DANIEL THOMAS WEAVER	\$ 3,000.00
2013/232	CONSTRUCTION OF SHED	300	13 REYNOLDS PLACE SOUTH HEDLAND 6722	19/06/2013	KAREN LEE GOLDMAN	\$ 40,000.00
2013/224	SINGLE HOUSE - OUTBUILDING AND CARPORT (R-CODE VARIATION - SIDE SETBACK)	1504	93 ATHOL STREET PORT HEDLAND 6721	20/06/2013	JOHN SWAN	\$ 23,312.00
2013/252	SINGLE HOUSE - R-CODE VARIATION	301	L301 REYNOLDS PLACE SOUTH HEDLAND 6722	21/06/2013	GOLDMAN CONSTRUCTIONS	\$ 510,000.00
2013/344	"CHANGE OF USE - FROM SHOP TO OFFICE AND TAKEAWAY FOOD OUTLET"	1003	9-31 THROSSELL ROAD SOUTH HEDLAND 6722	24/06/2013	ARIA PROJECTS	\$ -
2013/234	SUBDIVISION WORKS - EARTHWORKS AND RETAINING WALLS	3625	3625 CAPTAINS WAY SOUTH HEDLAND 6722	25/06/2013	JAXON KOOMBANA PTY LTD	\$ 205,000.00
2013/256	TWO (2) GROUPED DWELLINGS	430	91 BOTTLEBRUSH CRESCENT SOUTH HEDLAND 6722	25/06/2013	LEIMAC BUILDING PTY LTD	\$ 432,705.00
2013/269	SUBDIVISION WORKS - EARTHWORKS AND RETAINING WALLS	1693	L1693 PARKER STREET SOUTH HEDLAND 6722	26/06/2013	GEORGIU GROUP PTY LTD	\$ 2,200,000.00
2013/291	SINGLE HOUSE - OUTBUILDING (R-CODE VARIATION)	131	2 THORNBILL PLACE SOUTH HEDLAND 6722	26/06/2013	NORTHWEST SHEDMASTERS PTY LTD	\$ 51,180.00

COUNCIL PLANNING APPROVALS FOR JUNE 2013

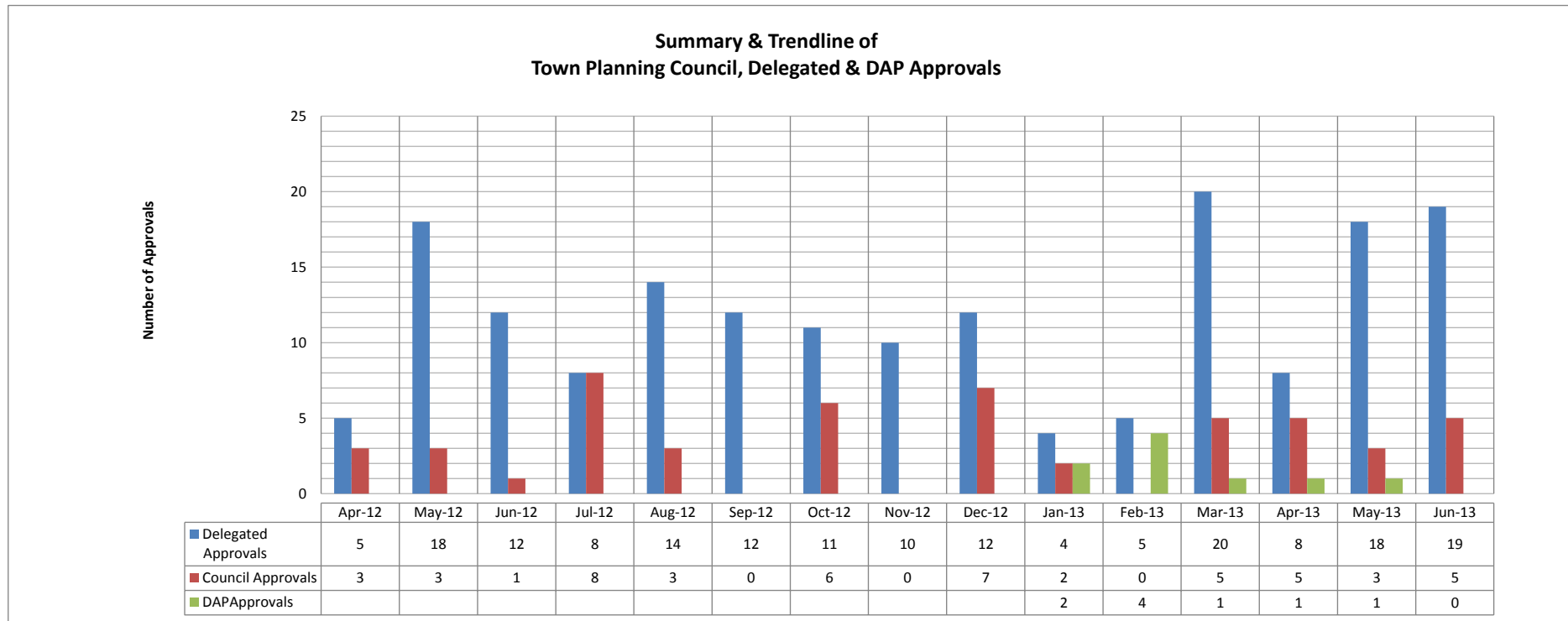
APPLICATION NO.	DESCRIPTION	LOT	PROPERTY ADDRESS	DATE APPROVED	APPLICANTS NAME	DEVELOPMENT VALUE
2013/257	SINGLE DWELLING, SHED AND SEA CONTAINER	494	23 SUTHERLAND STREET PORT HEDLAND 6721	26/06/2013	LIZ BROWN	\$1,000,000.00
2013/245	INSTALLATION OF NEW SIGNAGE	1603	UNIT A & B 11 MCGREGOR STREET PORT HEDLAND 6721	26/06/2013	Town of Port Hedland	\$9,500.00
2013/253	INSTALLATION OF THREE (3) PARK SIGNS	602	602 HAMILTON ROAD SOUTH HEDLAND 6722	26/06/2013	Town of Port Hedland	\$27,500.00
2013/207	EXTENSION TO NON-CONFORMING USE OF STORAGE FACILITY/DEPOT/LAYDOWN AREA - TRANSPORT DEPOT AND DEVELOPMENT APPLICATION	1690	2 HARWELL WAY WEDGEFIELD 6721	26/06/2013	GREG ROWE & ASSOCIATES	\$750,000.00
2013/199	19 MULTIPLE DWELLINGS	188	49 KINGSMILL STREET PORT HEDLAND 6721	26/06/2013	RPS AUSTRALIA	\$4,860,000.00

DELEGATED PLANNING APPROVALS FOR JUNE 2013

Summary & Trendline for Building Licence Approvals

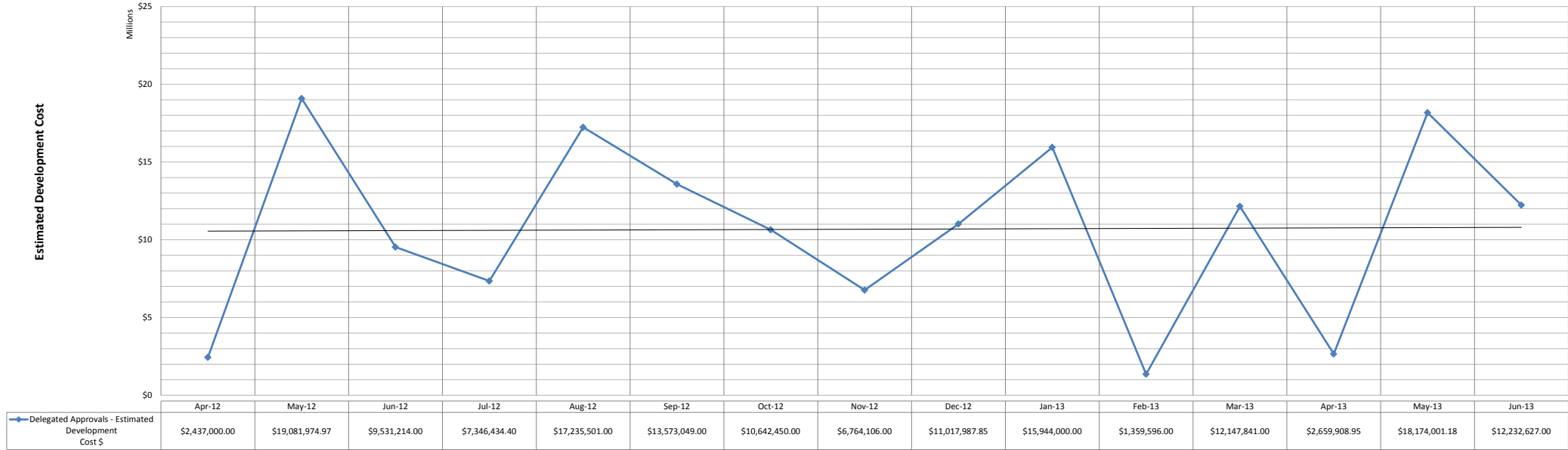


COUNCIL, DELEGATED & DAP PLANNING APPROVALS FOR JUNE 2013



DELEGATED PLANNING APPROVALS FOR JUNE 2013

Summary & Trendline of
Town Planning Delegated Approvals
Estimated Development Costs



DELEGATED BUILDING APPROVALS FOR JUNE 2013

BUILDING PERMITS

Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
13-114	06.06.2013	32 BOTTLEBRUSH CRESCENT	SOUTH HEDLAND 6722	D.A. Burke Builders	1 x New Patio	\$ 10,000.00	42	Class 10a
13-116	05.06.2013	Lot 556 OSPREY DRIVE	SOUTH HEDLAND 6721	GEORGIU GROUP PTY LTD	Retaining Walls (Osprey Estate Stages 1C	\$ 993,000.00	0	Class 10b
13-151	14.06.2013	Lot 2045 SUTHERLAND STREET	PORT HEDLAND 6721	GARY BOUSE BUILDING	TURTLE SCREENS FOR CEMETERY BEACH	\$ 30,000.00	0	Class 10b
13-152	24.06.2013	2-4 ANDERSON STREET	PORT HEDLAND 6721	FORGE GROUP CONSTRUCTION PTY LTD	HYDRANT BOOSTER CABINET (RELOCATION)	\$ 60,000.00	0	Class 10b
13-155	24.06.2013	Lot 2119 STANLEY STREET	SOUTH HEDLAND 6722	FORGE GROUP CONSTRUCTION PTY LTD	15 x RETAINING WALLS	\$ 2,200,000.00	0	Class 10b
13-154	26.06.2013	10 BAYMAN STREET	PORT HEDLAND 6721	EAST WEST LANDSCAPING AND FENCING P/L	Retaining Wall & Fencing	\$ 58,850.00	0	Class 10b
13-133	10.06.2013	Lot 52 ROCHE ROAD	REDBANK 6721	T & R HOMES PTY LTD	SINGLE DWELLING	\$ 664,682.00	241	Class 1a
13-144	10.06.2013	9 KOOLAMA CRESCENT	SOUTH HEDLAND 6722	LEIMAC BUILDING	ANCILLARY ACCOMODATION	\$ 211,252.00	47	Class 1a
13-057	12.06.2013	24 MATHESON DRIVE	PORT HEDLAND 6721	IT Constructions (WA) Pty Ltd	ALTERATIONS AND ADDITIONS (GARAGE & BEDROOM)	\$ 250,000.00	82	Class 1a
13-148	17.06.2013	209 ATHOL STREET	PORT HEDLAND 6721	Leimac Building Pty Ltd	Ancillary Accommodation	\$ 173,528.00	47	Class 1a
13-149	17.06.2013	207 ATHOL STREET	PORT HEDLAND 6721	Leimac Building Pty Ltd	Ancillary Accommodation	\$ 160,800.00	47	Class 1a
13-138	24.06.2013	18 DENMAN PLACE	SOUTH HEDLAND 6722	HIGHTOWER PLANNING & DEVELOPMENTS	1 x NEW DWELLING	\$ 350,000.00	160	Class 1a
13-137	27.06.2013	8 PATON ROAD	SOUTH HEDLAND 6722	Goldman Constructions	NEW DWELLING (incl CARPORT PATIO)	\$ 524,000.00	150	Class 1a
13-097	26.06.2013	L301 REYNOLDS PLACE	SOUTH HEDLAND 6722	Goldman Constructions	Residential Dwelling	\$ 610,000.00	174	Class 1a and 10a
13-153	28.06.2013	2 BOOGALLA CRESCENT	SOUTH HEDLAND 6722	LEIMAC BUILDING PTY LTD	Grouped Dwelling Shed & Fencing	\$ 270,058.00	66	Class 1a and 10a
13-134	04.06.2013	146 KENNEDY STREET	SOUTH HEDLAND 6722	CODE GROUP	2 X NEW DWELLINGS	\$ 723,360.00	204	Class 2
13-113	06.06.2013	58 MOORE STREET	PORT HEDLAND 6721	JMG Building Surveyors	TWO STOREY DEVELOPMENT WITH 6 X ONE BEDROOM	\$ 1,700,000.00	625	Class 2 and 10a
13-105	18.06.2013	Lot 114 OXIDE WAY	WEDGEFIELD 6722	Vanessa Nematollahi	x2 Light Industrial Workshops	\$ 1,210,000.00	616	Class 5 & 8
13-003	12.06.2013	Lot 504 Great Northern Highway	PORT HEDLAND 6721	Robert Coleman	Workshop and Amenities Building	\$ 318,000.00	1120	Class 8
13-146	21.06.2013	UNIT 2, 37 piNNACLES Street	WEDGEFIELD 6722	SAVROC CONSTRUCTION	Enclose Mezzanine to 2 Storerooms	\$ 60,000.00	0	Class 8
TOTAL 20						\$ 10,577,530.00		

DEMOLITION LICENCES FOR JUNE 2013

DEMOLITION PERMIT

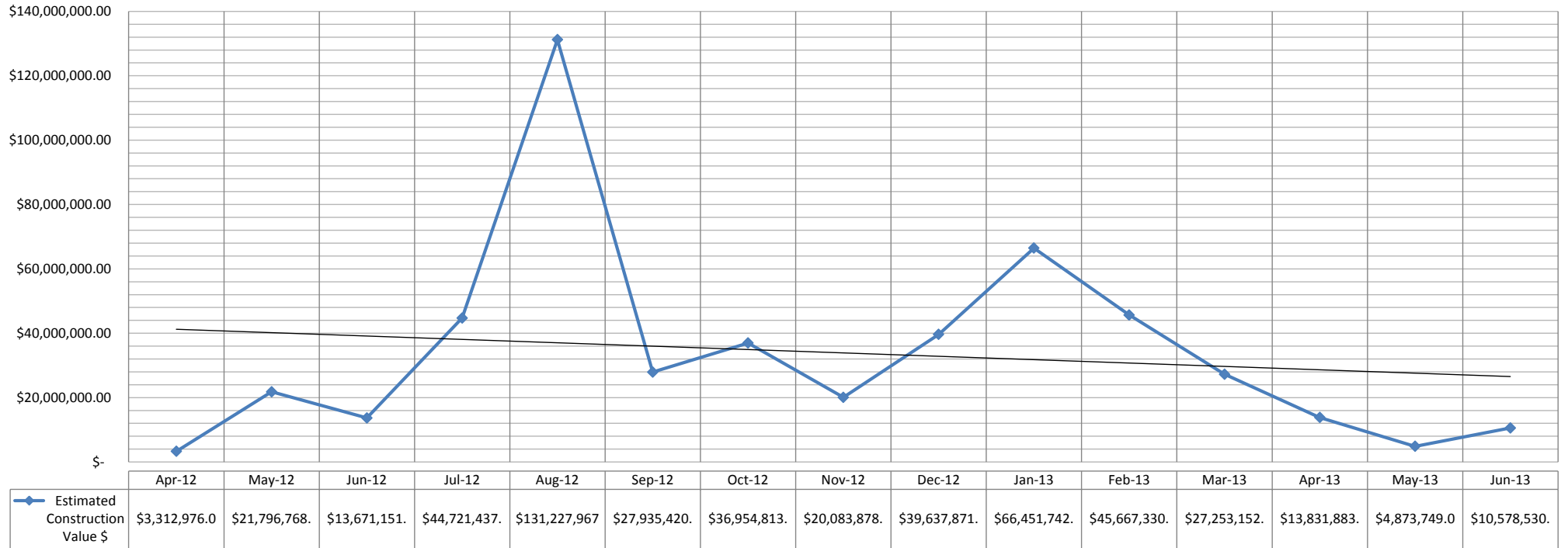
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor Area	Classification
13-150	25.06.2013	58 MOORE STREET	PORT HEDLAND 6721	Peter Whytcross Transport	REMOVAL OF HOUSE (RELOCATE TO MARBLE BAR	\$ 1,000.00	95	Class 1a
Total 1			Demolition Licences Issued			1,000.00		

OVERVIEW SUMMARY FOR JUNE 2013

SUMMARY				
No of Permits	Permit Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
1	Demolitions	\$1,000	95	\$10.53
9	Dwellings	\$3,214,320	1,014	\$3,169.94
1	Class 10a	\$10,000	42	\$238.10
5	Class 10b	\$3,341,850	0	\$0.00
5	Commercial	\$4,011,360	2,565	\$1,563.88
	Other			
21		\$10,578,530	3,716	

DELEGATED BUILDING APPROVALS FOR JUNE 2013

Summary & Trendline of
Estimated Construction Value of Building Licences Issued



CURRENT LEGAL MATTERS FOR JUNE 2013

CURRENT LEGAL MATTERS				
File No.	Address	Issue	Current Status	Officer
118711G	Lot 1675 (1690) Harwell Way, Wedgfield	Non-compliance with planning conditions	Case adjourned until 1/10/2013 to allow for sealing of the properties to occur.	BM
125910G	Lot 2445 # 32 Moorambine Street, Wedgfield	Unauthorised Concrete Batching Plant	Handed to attorneys - Court Hearing to be held on 24th June 2013 - Not Guilty Plea. Adjourned until 21/9/2013	BM
154443G	Lot 66 # 167 Greenfields Street, South Hedland Rural Estate	Unauthorised Residential Structures	Prosecuted - Fined \$15,361.15	BM
117650G	Lot 2505 # 7 Moorambine Street, Wedgfield	Unauthorised Residential Structures	Handed over to the attorney. - 1st Hearing set for Friday 2nd August 2013.	BM

CURRENT HEALTH ORDERS AS OF JUNE 2013

Current Health Orders under Delegated Authority by Environmental Health Services				
File No.	Address	Issue	Current Status	
803367G	Lot 2052 McGregor St Port Hedland	Metal frame spectator/grand stand seating erected on a trailer chassis.	~ Health order placed on temporary spectator stand ~ No public building application received by Town of Port Hedland, as such no approval has been granted for use as a temporary spectator stand ~ Town has notified Turf Club of issue	

6:38pm Councillor Dziombak declared a proximity interest in item 11.1.1.3 'Proposed Industry – Noxious – Dry Blasting and Coating Facility on Lot 2951 (12) Yanana Street, Wedgefield (File No.: 116831G)' as he is an owner of an adjoining property.

Councillor Dziombak left the room.

11.1.1.3 *Proposed Industry – Noxious – Dry Blasting and Coating Facility on Lot 2951 (12) Yanana Street, Wedgefield (File No.: 116831G)*

Officer Ryan Djanegara
Senior Statutory Planner

Date of Report 27 May 2013

Application No. 2013/268

Disclosure of Interest by Officer Nil

Summary

Council received an application from Hightower Planning & Development on behalf of Ngalikura Ngukumarnta Aboriginal Corporation to permit an "Industry – Noxious" – Dry Blasting and Coating Facility on Lot 2951 (12) Yanana Street, Wedgefield (subject site).

As a result of receiving two (2) objections and given the contentious nature of "Noxious Industry" the report is being presented to Council for consideration.

The objections have been addressed and the application is supported by the Towns' Officers subject to conditions. Council is requested to consider the application favourably.

Background

Site Description (Attachment 1)

The subject site achieves vehicular access via Yanana Street and has an area of 5,635m².

In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5), the subject site is zoned "Industry" and is located within the "Wedgefield Special Control Area". An "Industry Noxious" use is an "SA" which may be considered for approval by Council in an "Industry" zone.

Proposal (Attachment 2)

The applicant is seeking approval to use the subject site as an “Industry – Noxious” – Dry Blasting and Coating Facility. It is proposed that all emissions will be contained within a built dome shed structure with a total area of 415m². The proposed activities that will be undertaken on site include:

- Coating inspection: inspection of the integrity of coatings on commercial and industrial material/structures
- Dry Abrasive Blasting: blasting during which no water is added to the abrasive material or propellant.
- Metal Coating: the application of paint to coat material to form a substrate. Estimated production capacity of 4,000 -5,000L of paint per annum

The proposal is defined as a prescribed premise under Schedule 1 of the *Environmental Protections Regulations 1987* (Category 81) as the coating-industrial spray-painting operations will exceed 1000L of paint or powder per year.

Consultation

The application was circulated as follows:

Internally:

- Manager Technical Services
- Manager Building Services
- Manager Environmental Health Services
- Manager Engineering Services

Externally:

- Department of Water
- Department of Mines and Petroleum
- Department of Environment and Conservation
- Telstra
- Optus
- Horizon Power
- Water Corporation
- Wedgefield Small Business Owners Association
- Port Hedland Chamber of Commerce

The following comments were received:

Department of Environment and Conservation:

1. Under part V of the *Environmental Protection Act 1986* the proponent will be required to submit a works approval application for the prescribed premises as outlined in the Environmental Protection Regulations 1987. The proponent has applied for the various approvals required.

Adjoining advertising

The application was advertised for a period of 21 days in the local newspaper, signs on site and to adjoining landowners (indicated in red) as shown in attachment 1.

Two submissions have been received during the advertising period and are summarised as follows:

Objection	Applicant's Response
High level of contaminants stored on property	All paints and high level contaminants will be stored within the existing shed. The Management measures for storage, handling and disposal are identified in the UPC Hazardous Substance and Dangerous Goods Management Operation Procedures and will be in accordance with the relevant Environmental Protection (Metal Coating) Regulations 2001
Potential overspray from spray painting	All paint and blasting will occur within a fully enclosed spray booth proposed for construction on-site which will prevent any emissions leaving the building, let alone site boundaries. Further, extraction units will be fitted into the constructed spray booth to further manage and treat emissions.
Excessive noise from sand blasting	The following has been proposed to reduce any noise impacts off site. UPC also has internal operation procedures which are part of their day-to-day running of works completed onsite. <ol style="list-style-type: none"> 1. Proposed activities will be undertaken in the Dome Shed which will be fully enclosed when in operation. 2. Compressors are insulated which will also reduce noise emissions. 3. UPC will establish and maintain a complaint register and response procedure, with any complaints received to be logged including environmental conditions on that day (wind speed and direction). 4. Activities within the facility will only be undertaken within approved operation hours-

	subject to licence conditions (usually 7am to 5pm Monday to Friday). 5. Equipment will be regularly serviced in accordance with the manufacturer's instructions.
I have permanent staff residing at the premises and the proposed development will impact on their quality of life.	Staff staying on the adjoining property will not be subject to any additional noise above and beyond the normal day-to-day operations of an industrial area. All noise emissions will comply with relevant Environmental Regulations.
The proposed development could impact the viability of my business with customers suffering from those emissions.	All odours from the site will be contained within the fully enclosed spray booth and the operation of the extraction unit will further prevent any emissions from the property.
This will also decrease the value of my property and my chances of reselling the property	The value and sale of the property are not a relevant planning consideration.

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Policy Implications

Nil

Strategic Planning Implications

The following sections of Council's Strategic Plan 2012 – 2022 are considered relevant to this proposal:

6.2 Economic

6.2.1 Diverse Economy

Facilitate commercial, industry and town growth.

The following sections of Council's City Growth Plan are considered relevant to this proposal:

5.6.6 Precinct 6 – Wedgefield Industry & Logistics

Implementation Indicators:

Review of existing Wedgefield land use recommended following relocation of heavier uses in short to medium term. Review to determine opportunities for formal 'composite industrial' residential/light industrial use in limited western edge area.

Precinct Highlights: 'Hedland Junction' transport/logistics area.

Proposed Land Use: General Industry / Transport and Logistics.

Budget Implications

Immediate:

The prescribed fee \$2,944.00 has been received.

Officer's Comment

Strategic Direction of Wedgefield & Scheme Amendment No. 65

Council's Pilbara Port City Growth Plan has identified the need to improve the amenity of the existing Wedgefield area by gradually relocating heavier industrial land uses (such as Industry – Noxious and Industry – General uses) to more appropriately designated growth precincts.

At its previous meeting dated 26th June 2013, the Council supported the initiation of Scheme Amendment No. 65 which sort to broaden the permissibility of "Industry – Noxious" and "General Industry" within the "Transport Development" zone. The proposed amendment will help address the land use conflicts between the caretaker dwellings and heavier industries. Furthermore the amendment would allow Council to discourage Industry – Noxious applications within the Wedgefield 'Industry' zone until further consideration can be given to the existing 'residential' population.

Notwithstanding the above however it may take between 12 to 18 months for the Scheme Amendment to be approved and published in the Government Gazette. Therefore there is currently no appropriate land available for noxious uses, resulting in the existing Wedgefield Industrial area being the most compatible area. It would therefore be appropriate to support the proposed development and heavy industry operations on the site provided it can be contained within the property boundaries and a temporary approval issued for a period of two years.

Wedgefield Special Control Area

The subject site is located within the Wedgefield Special Control Area. In accordance with Section 7.5.3 of the Scheme, it states:

"When considering applications for planning approval in the Wedgefield special control area Council shall have regard for:

(a) *The potential impacts of emissions of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash dust, waste water or other waste products from existing or proposed developments on an existing or proposed caretaker's dwelling.*

(b) *The potential for exposure to risks and hazards associated with the location of a caretaker's dwelling in proximity to any other development, and in this regard may refer application for planning approval to the Environmental Protection Authority for advice or assessment of risks and hazards*

In order to address the above, the applicant engaged Coterra Environment to undertake an Environmental Summary Report which assesses the potential impacts of UPC operations and outlined procedures and recommendations to reduce its emissions. The report concludes based on the appropriate measures, all potential emissions will be contained within the boundaries of the site and as such reduce any potential risks or hazards to any nearby caretaker dwellings. These measures include:

- Painting to be conducted within the Dome Shed and to be fully enclosed when in operation.
- Compressors being insulated which will also reduce noise emissions
- An extraction unit being installed as part of the Dome Shed to manage any dust and/or paint fume emissions on site.
- Activities within the facility will only be undertaken within approved operation hours - subject to licence conditions (usually 7am to 5pm Monday to Friday).

The environmental report is currently being reviewed by the Environmental Protection Authority and the Department of Environment and Conservation. Given the above, it is considered appropriate to support the application at this location.

Car parking requirements

In accordance with Appendix 7 of the Town Planning Scheme the applicant is required to provide a minimum of 19 car parking bays as shown in the Table below:

Use	Required	Provided
1 bay per 100m ² unenclosed		
1 bay per 50m ² enclosed or 1 bay per employee whichever is the greater (min 3)	18.34 (19)	
Total	19	17

The applicant has provided 17 car parking spaces onsite. Given there is sufficient uncovered open space onsite, it is recommended the applicant is required to provide a minimum of 19 car parking spaces.

Attachments

1. Locality Plan
2. Development Plans
3. Justification report (under separate cover)
4. Adjoining Submission Letter
5. Letter from Hightower

Officer's Recommendation

That Council approves the application submitted by Hightower Planning & Development on behalf of the Ngalikura Ngukumarnta Aboriginal Corporation for "Industry Noxious" – Dry Blasting and Coating Facility on Lot 2951 (12) Yanana Street, Wedgefield, subject to the following conditions:

1. This approval relates only to the proposed "Industry – Noxious" – Dry Blasting and Coating Facility, as indicated on the approved plans (DRG2013/268/1 - DRG2013/268/2). It does not relate to any other development on this lot;
2. The approval shall be a valid for a period of two years;
3. The office shall be incidental to the predominant use, being "Industry Noxious", and shall not be used for office activities unrelated thereto;
4. All abrasive blasting and spray painting operations shall be limited to dome shed as per attached plan (DRG2013/268/1);
5. No human habitation shall be permitted on the lot;
6. A minimum of 19 car parking bays shall be provided onsite as indicated on the approved site plan (DRG2013/268/1);
7. No parking bays shall be obstructed in any way or used for any other purpose than parking;
8. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Services;
9. Dust and sand shall be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Environmental Health Services;

10. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the landowner's cost, to the specification and satisfaction of the Manager Technical Services;

The following conditions are to be cleared by Planning Services prior to any works taking place on the lot.

11. Prior to the commencement of any works a detailed landscaping and reticulation plan including any street verge, shall be submitted and approved by the Manager Planning Services. 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;
12. Prior to the commencement of any works, a "Stormwater management plan" shall be submitted and approved by the Manager Planning Services;
13. Prior to the commencement of any works, an "Erosion and Sediment Control Plan" shall be submitted and approved by the Manager Planning Services;
14. Prior to the commencement of any works, a "Construction Site Management Plan" shall be submitted and approved by the Manager Planning Services. The "Construction Site Management Plan" shall indicate how it is proposed to manage the following during construction:
 - 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 / businesses;

Condition to be cleared by Planning Services prior to the occupation of the development.

15. Prior to the occupation of the development, the landowner shall obtain an Operating License from the Department of Environment Regulations;
16. Prior to the occupation of the development landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services (Refer to advice note 3);

17. Prior to the occupation of the development, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the landowner. Design and construction standards shall be in accordance with relevant Australian Standards to the satisfaction of the Manager Planning Services;
18. Prior to the occupation of the development, access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, linemarked and finished with a sealed or paved surface by the landowner in accordance with Town Planning Scheme No. 5 and Australian Standards, to the satisfaction of the Manager Planning Services;
19. Prior to the occupation of the development the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, and approved by the Manager Planning Services;
20. Prior to the occupation of the development a suitably screened bulk bin area shall be provided to the satisfaction of the Manager Planning Services;
21. Prior to the occupation of the development, an approved effluent disposal system shall be installed to the satisfaction of the Manager Planning Services; and
22. Prior to the occupation of the development an overall signage strategy shall be submitted and approved by the Manager Planning Services.

ADVICE NOTES:

1. In terms of the Port Hedland Town Planning Scheme No 5, "Industry Noxious" is defined as follows and shall only be used for this purpose:

"An industry which is subject to licensing as "Prescribed Premises" under the environmental Protection Regulations 1987 (as amended)."
2. You are reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements;
3. In the absence of a clear definition of "mature trees and shrubs" within the Port Hedland Town Planning Scheme, No.5, for the purpose of this approval "mature trees and shrubs" shall mean trees of no less than 2m in height and shrubs of no less than 0.5m in height;
4. The proposed development must not interfere with existing effluent disposal system(s);

5. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Manager Planning Services;
6. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times;
7. The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval; and
8. To clear any conditions kindly contact the Towns Compliance Officer on (08) 9158 9300. Please note it may take up to 28 days to clear conditions.

201314/004 Council Decision**Moved: Cr Jacob****Seconded: Cr Hunt**

That Council approves the application submitted by Hightower Planning & Development on behalf of the Ngalikura Ngukumarnta Aboriginal Corporation for "Industry Noxious" – Dry Blasting and Coating Facility on Lot 2951 (12) Yanana Street, Wedgefield, subject to the following conditions:

- 1. This approval relates only to the proposed "Industry – Noxious" – Dry Blasting and Coating Facility, as indicated on the approved plans (DRG2013/268/1 - DRG2013/268/2). It does not relate to any other development on this lot;**
- 2. The approval shall be a valid for a period of five years;**
- 3. The office shall be incidental to the predominant use, being "Industry Noxious", and shall not be used for office activities unrelated thereto;**
- 4. All abrasive blasting and spray painting operations shall be limited to dome shed as per attached plan (DRG2013/268/1);**
- 5. No human habitation shall be permitted on the lot;**
- 6. A minimum of 19 car parking bays shall be provided onsite as indicated on the approved site plan (DRG2013/268/1);**
- 7. No parking bays shall be obstructed in any way or used for any other purpose than parking;**
- 8. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Services;**

9. Dust and sand shall be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Environmental Health Services;
10. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the landowner's cost, to the specification and satisfaction of the Manager Technical Services;

The following conditions are to be cleared by Planning Services prior to any works taking place on the lot.

11. Prior to the commencement of any works a detailed landscaping and reticulation plan including any street verge, shall be submitted and approved by the Manager Planning Services. 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;
12. Prior to the commencement of any works, a "Stormwater management plan" shall be submitted and approved by the Manager Planning Services;
13. Prior to the commencement of any works, an "Erosion and Sediment Control Plan" shall be submitted and approved by the Manager Planning Services;
14. Prior to the commencement of any works, a "Construction Site Management Plan" shall be submitted and approved by the Manager Planning Services. The "Construction Site Management Plan" shall indicate how it is proposed to manage the following during construction:
 - 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 / businesses;

Condition to be cleared by Planning Services prior to the occupation of the development.

15. Prior to the occupation of the development, the landowner shall obtain an Operating License from the Department of Environment Regulations;

16. Prior to the occupation of the development landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services (Refer to advice note 3);
17. Prior to the occupation of the development, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the landowner. Design and construction standards shall be in accordance with relevant Australian Standards to the satisfaction of the Manager Planning Services;
18. Prior to the occupation of the development, access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, linemarked and finished with a sealed or paved surface by the landowner in accordance with Town Planning Scheme No. 5 and Australian Standards, to the satisfaction of the Manager Planning Services;
19. Prior to the occupation of the development the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, and approved by the Manager Planning Services;
20. Prior to the occupation of the development a suitably screened bulk bin area shall be provided to the satisfaction of the Manager Planning Services;
21. Prior to the occupation of the development, an approved effluent disposal system shall be installed to the satisfaction of the Manager Planning Services; and
22. Prior to the occupation of the development an overall signage strategy shall be submitted and approved by the Manager Planning Services.

ADVICE NOTES:

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

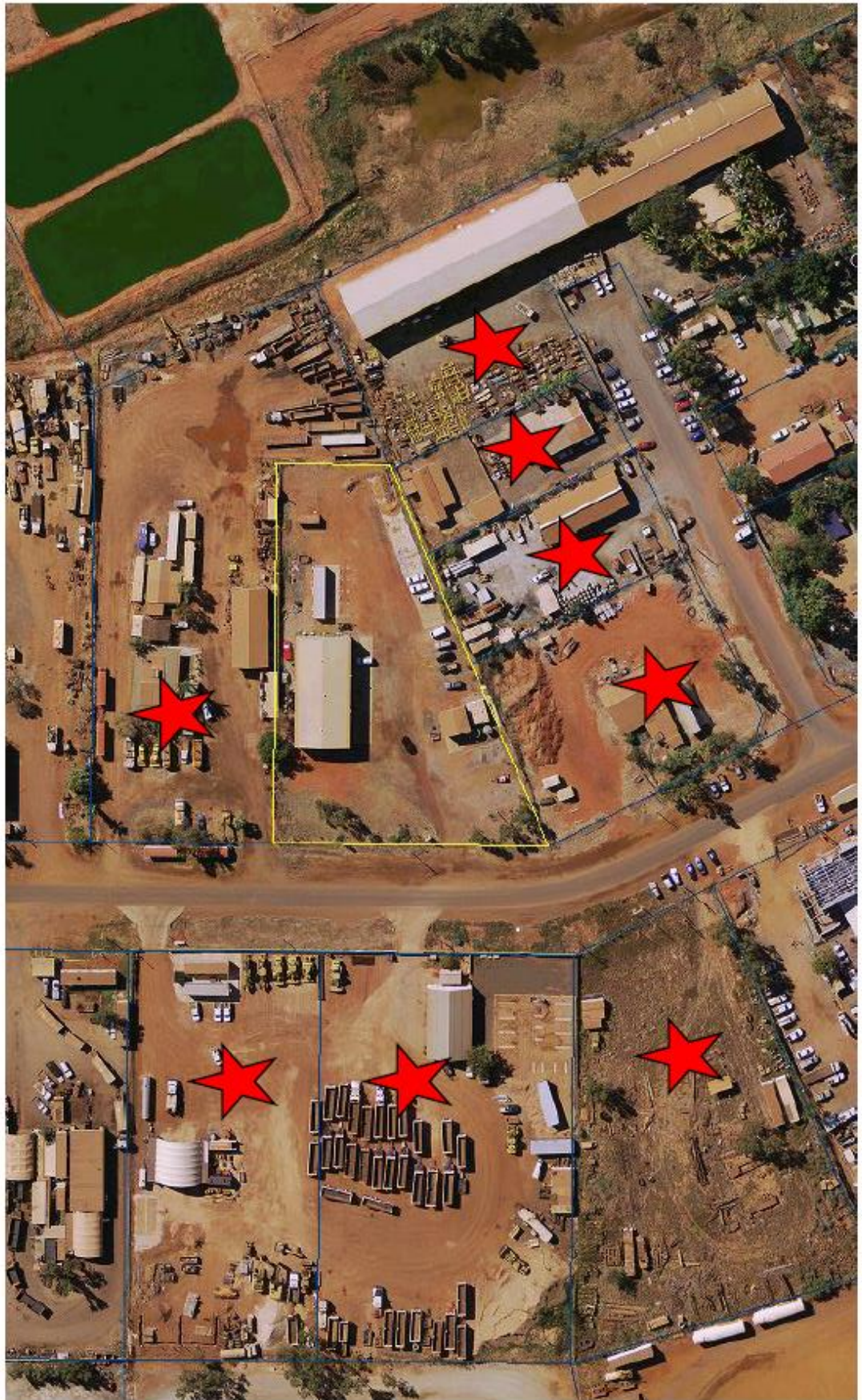
3. In the absence of a clear definition of “mature trees and shrubs” within the Port Hedland Town Planning Scheme, No.5, for the purpose of this approval “mature trees and shrubs” shall mean trees of no less than 2m in height and shrubs of no less than 0.5m in height;
4. The proposed development must not interfere with existing effluent disposal system(s);
5. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council’s Health Local Laws 1999 and to the satisfaction of Manager Planning Services;
6. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times;
7. The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval; and
8. To clear any conditions kindly contact the Towns Compliance Officer on (08) 9158 9300. Please note it may take up to 28 days to clear conditions.

CARRIED 4/1

6:44pm Councillor Dziombak reentered the room and resumed his chair. Mayor Howlett advised Councillor Dziombak of Council’s decision.

ATTACHMENT 1 TO ITEM 11.1.1.3

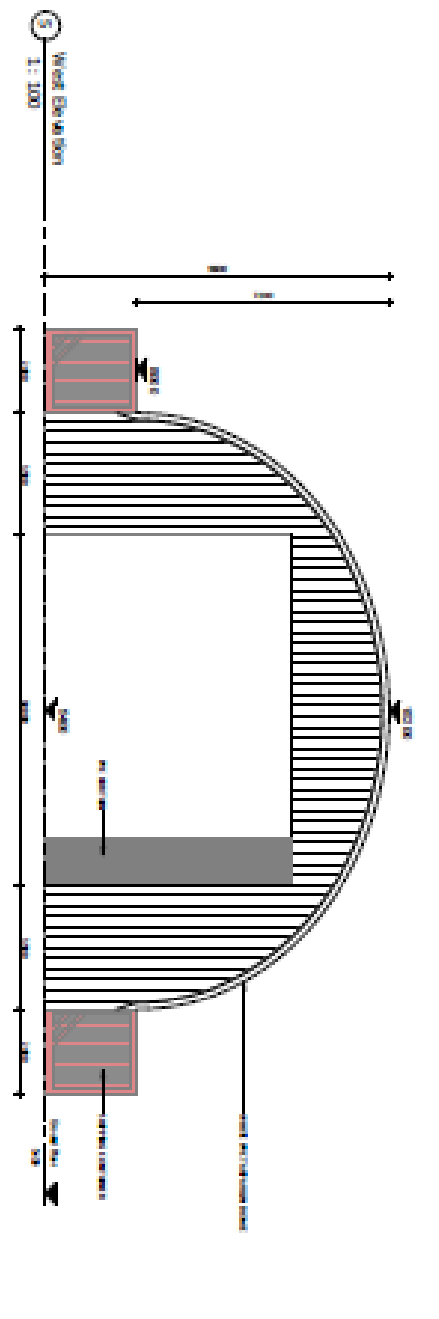
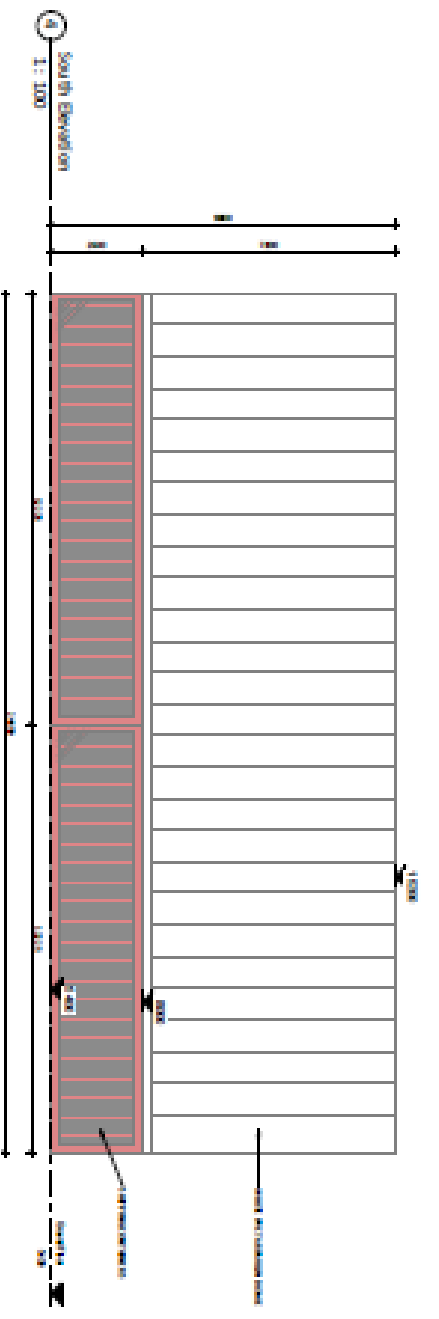
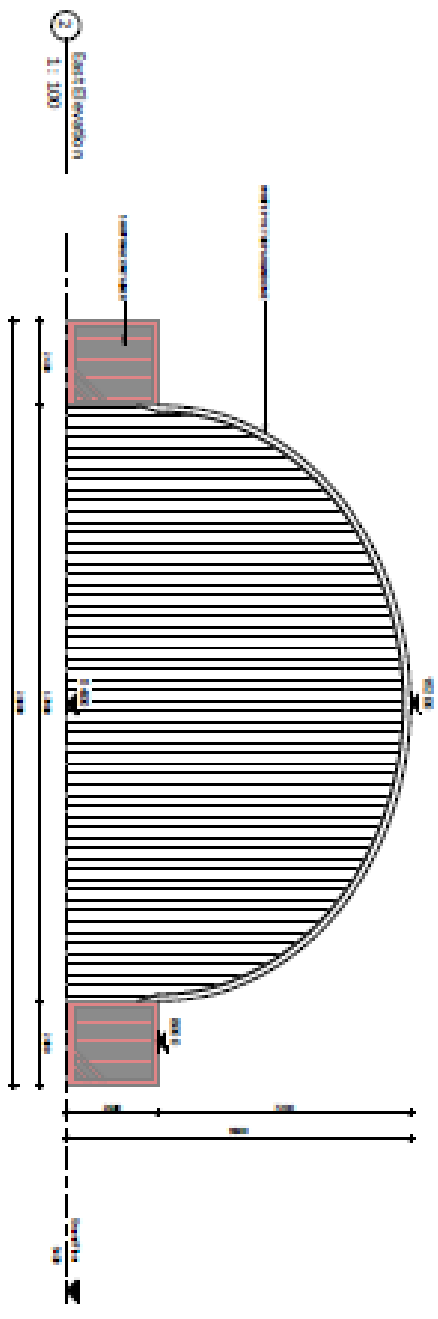
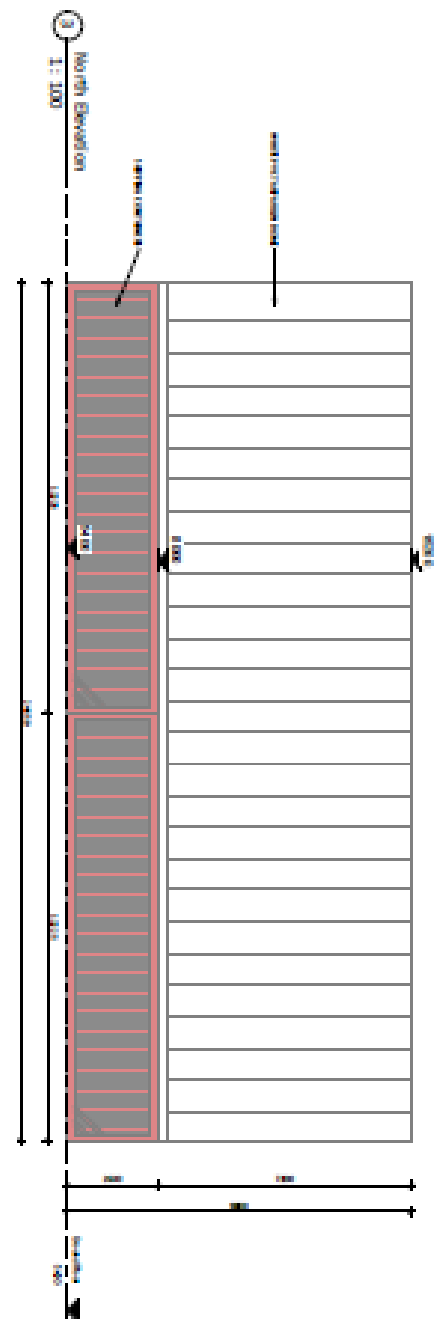
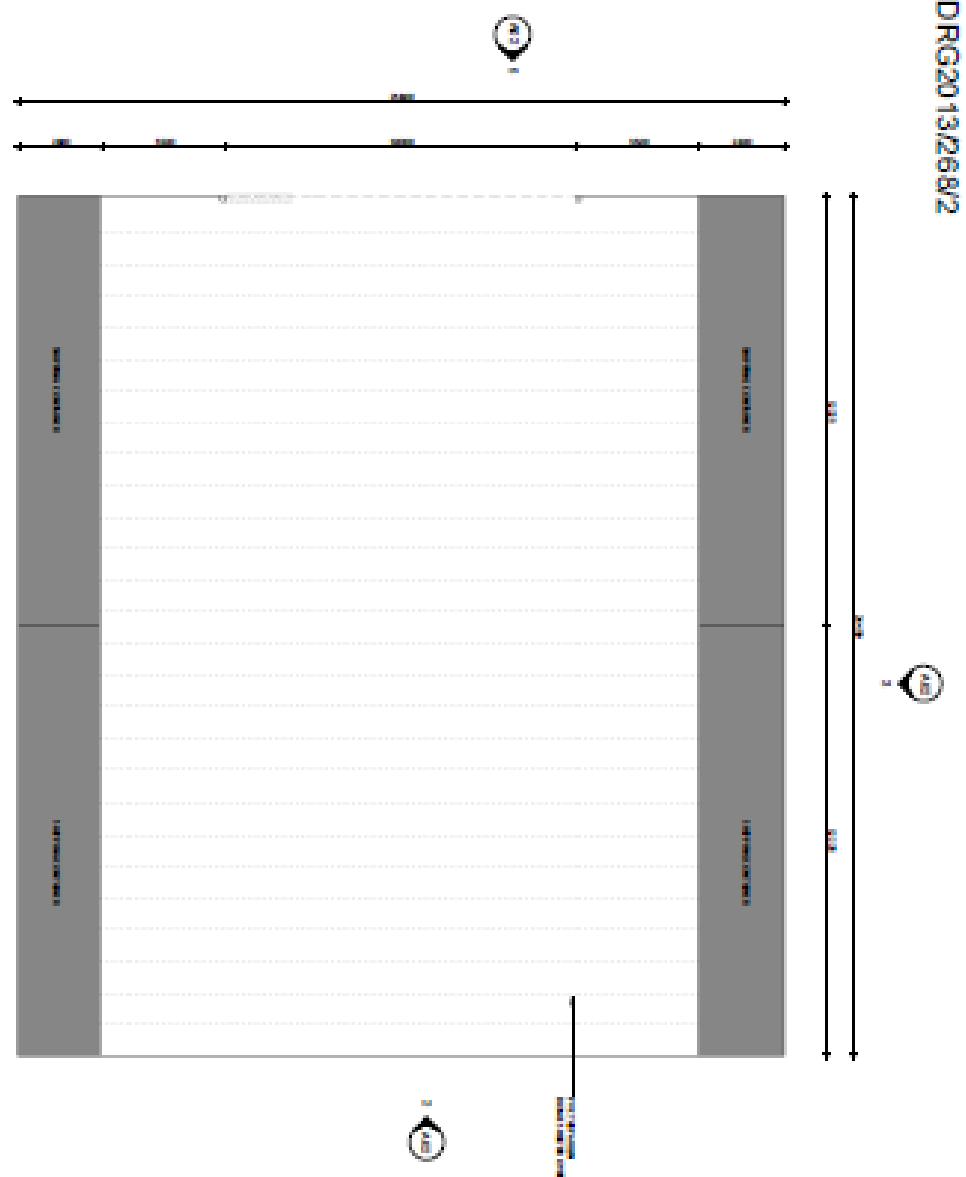
Attachment 1 – Location Plan





<p>DCPM DEVELOPMENT CONSULTANTS 100/102A WINDERMERE RD WINDERMERE QLD 4074</p>	
<p>Project Name: BLASTWORKS PTY LTD LOT 2951 YANANA ST WINDERMERE</p>	<p>Site Plan</p>
<p>Scale: 1:1,200 Date: 08 MAR 2013</p>	<p>Author: [Name] Date: [Date]</p>

Attachment 2
DRG2013/268/2



<p>DCPPM Development Control Panel City of Darwin Darwin Northern Territory</p>		<p>Project Name: BLASTMORNS PTY LTD LOT 2261, YAMANA ST, MEDICFIELD</p>	
<p>Drawn by: Floor Plan & Elevations</p>		<p>Scale: Date: 08/07/2013</p>	
<p>Author: AJ02</p>		<p>Project Approval: A</p>	
<p>Scale: 1:100</p>		<p>City of Darwin Development Control Panel</p>	

ATTACHMENT 3 TO ITEM 11.1.1.3



PROPOSED INDUSTRY-
NOXIOUS AND
ASSOCIATED ADDITIONS

LOT 2951 (No. 12) YANANA STREET,
WEDGEFIELD

Prepared by:



HIGHTOWER

Prepared for:





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APPENDIX 2	SITE FEATURE SURVEY	
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1. INTRODUCTION

On behalf of Ultimate Protective Coatings, Hightower Planning and Development makes this application for planning approval for a Change of Use to 'Industry-Noxious' and associated additions on Lot 2951 (No. 12) Yanana Street, Wedgefield. The information included in this report and supporting appendices address all relevant planning requirements related to the proposed development.



2. ULTIMATE PROTECTIVE COATING

2.1 Background

Ultimate Protective Coating (UPC) has been operating from Forrest Location 2 (the Buckley's) since 1997 when the then Department of Environmental Protection issued the relevant operational licences and permits to allow the company.

It is understood the Town of Port Hedland identified that no formal approval had been issued by the Town of Port Hedland for the use notwithstanding the EPA licences being in place. In light of the recommendations of Port Hedland Land Use Master Plan which strongly advocated control of industrial uses on Rural zoned land, the Town of Port Hedland approached the landowner of the property to relocate UPC to a more appropriate site.

For the past 12 months UPC has actively explored numerous options for relocation from the current premises. The Wedgefield Junction subdivision and Boodarie SIA Industrial Estate were specifically explored with Council and LandCorp. Wedgefield Junction is not a suitable option as land use restrictions do not permit a 'Noxious Industry' in the area. Boodarie SIA was also inappropriate due to land development issues (flooding, Native Title, lease restrictions, servicing) and the resultant time required resolving such matters.

The only real location left was the existing Wedgefield Industrial Area. Understanding the existing land use conflicts in Wedgefield due to the significant residential population, UPC has worked closely with Council to understand the issues which need to be addressed in order to provide comfort that UPC operations will not have further impact on the health and well-being of residents living in approved accommodation in Wedgefield.

No. 12 Yanana Street was chosen from available properties to lease as it sits on the periphery of Wedgefield and adjoins a number of other uses defined as noxious industry including the ToxFree incinerator.

2.2 Site Description

Lot 2951 is has legal road frontage to Yanana Street and a total land area of 5,635m². The site levels generally direct drainage to the road. Existing improvements include:

- a large shed containing workshop space and office mezzanine;
- an open shed utilised for maintenance on equipment and machinery; and
- and ancillary additions including a poor slab, landscaping and informal parking spaces.

The Town should have plans on file for all existing buildings on-site.

The survey notes a number of small accommodation units to the rear of the larger shed. These are in the process of being removed by the previous tenant and will not be kept on site by UPC.

A copy of the Certificate of Title and Deposited Plan are included in **Appendix 1**.

A copy of the Site Feature Survey is included in **Appendix 2**.



3. Proposed Additions and Operations

UPC's main operations proposed to be undertaken on site include:

- **Coating Inspection:** Inspection of the integrity of coatings on commercial and industrial material/structures.
- **Dry Abrasive Blasting:** blasting during which no water is added to the abrasive material or the propellant.
- **Metal Coating:** the application of paint to coat material to form a substrate. Estimated production capacity of 4,000-5,000L of paint per annum.

UPC propose to construct a large dome structure with a total internal area of 415m² and a maximum height of 7.2m. A large entrance on one side of the dome 10m wide and 7m high will be used to get machinery into the structure. The dome structure will be used to undertake all of the above processes. It will be fully enclosed while work is in progress.

UPC undertakes the majority of its works off the premises within the Port boundaries under long standing contracts with major clients (i.e. BHP Billiton Iron Ore). This forms an important element of the business operations. The subject site will be used to complete one-off projects for specific clients forming an ancillary element to the overall business. It will also form the main administrative quarters for UPC operations and also include a maintenance function for plant equipment and machinery.

Further details on UPC business operations can be found at www.ultimateprotective.com.au.



4. Town Planning Considerations

4.1 Proposed Use and Permissibility

The subject site is zoned 'Industry' in TPS5.

UPC anticipates that coating, industrial spray-paint operations at the site will exceed 1,000L of paint or powder a year. Under Schedule 1 of the Environmental Protection Regulations 1987 a metal coating premises on which metal products are spray painted/ powdered which acquires 1,000L or more paint or powder is classed as a prescribed premises (Category 81).

The definition of 'Industry-Noxious' is defined in TPS5 as follows:

"an industry which is subject to licensing as "Prescribed Premises" under the environmental Protection Regulations 1987 (as amended)."

The proposed predominant use of the site is a Noxious Industry under TPS5 which is an SA use in the Industry zone. Therefore may approve by Council subject to advertising in accordance with TPS5 requirements.

4.3 Wedgefield Special Control Area

The site is located within the Wedgefield Special Control area. TPS 5 requires that:

7.5.3 When considering applications for planning approval in the Wedgefield Special Control Area, Council shall have regard for:

(a) the potential impacts of emissions of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash dust, waste water or other waste products from existing or proposed developments on any existing or proposed caretaker's dwelling.

(b) the potential for exposure to risks and hazards associated with the location of a caretaker's dwelling in proximity to any other development, and in this regard may refer an application for planning approval to the Environmental Protection Authority for advice or assessment of risks and hazards.

UPC engaged Coterra Environment to undertake an Environmental Summary Report which assesses the potential impacts of UPC operations (as may be requested by Council under CI7.5.4). Coterra have considered all potential impacts/emissions which may result from UPC operations and highlighted relevant management measures UPC already has in place or will put in place as part of relocating to this site.

The report concludes that all potential emissions from UPC will be entirely contained within the boundaries of the site and as such there are no potential risks or hazards to any nearby caretaker's dwellings which may be in proximity to the subject site.

The report, which has been referred to the Environmental Protection Authority for assessment, is included in **Appendix 3**.



4.4 Development Requirements

Development requirements for land zoned Industry are included in C16.7.8 of TPS5. The proposal complies with these requirements as outlined below:

- All new buildings are more than 6m behind the front setback;
- Site coverage **does not** exceed 50%;
- The proposed building addition is hidden from street view, being located behind an existing building and therefore the material and form of construction is appropriate;
- Car parking is located in front of the building line making it accessible to staff and visitors; and
- All laydown and storage space will either be within existing buildings or towards the rear of the site.

All these matters are clearly shown and addressed on the Site Plan.

4.5 Car Parking

Appendix 7 of TPS5 outlines parking requirements for land uses. The following table determines total parking requirements based on these requirements.

Parking requirements	Area (m ²)	Parking Bays to be Provided
1 bay for every 100m ² of unenclosed space used for such purposes	N/A	0
1 bay for every 50m ² enclosed space or 1 space for each employee, whichever is the greater (total minimum 3 bays per tenancy or unit)	917m ²	18

The parking calculation assumes all buildings will be used by UPC for some form of operation. Outside area is only to be used for laydown of equipment, manoeuvring and parking.

A total of 18 bays have been provided on-site which meets TPS5 requirements. UPC likely only have up to 9 staff on-site at any one time with no more than 1 – 2 visitors to the premises. As such parking provision on-site will easily address UPC's actual requirements for formalised car parking.

4.5 Traffic and Access

Access to the site will be via a formalised crossover constructed to Council's satisfaction. There is sufficient on-site manoeuvring for heavy rigid vehicles to enter and exit the property in forward gear.

The proposed use will not generate any significant external traffic volume external of the site within the existing road network. Given UPC is simply relocating premises and the site has operated in a similar manner previously, there will be no net addition to the broader Hedland movement network or the local road network of Wedgefield.

4.6 Waste Management

UPC has waste management planning already in place which is outlined within their operational procedures included with the Environmental Summary report prepared by Coterra. In summary:

- All waste material shall be cleaned up at the conclusion of each abrasive blasting operation.



- All waste material is disposed of at an appropriate landfill site or waste treatment facility the occupier of which holds a licence under Part V of the Act in respect of that site or facility.

4.7 Landscaping

The subject site already includes well established landscaping along the property frontage. The landscape bed is approximately 3m wide and includes semi-mature trees. No additional landscaping is proposed as part of this application.

4.8 Septic System

The approximate location of the existing septic system and leach drains is shown on the site plan. It is assumed this has been constructed previously in accordance with Council requirements. No additions/ modifications are proposed as part of the additions/ change in use.

4.9 Crime Prevention through Environmental Design

Lighting and security fencing has been installed in order prevent illegal access or criminal behaviour on the property.



5. SUMMARY

This planning report and supporting information demonstrates the proposed industry-Noxious use proposed on No. 12 Yanana Street Wedgefield complies with all relevant planning considerations. All potential emissions or impacts of the use will be fully contained within the site boundaries and accordingly there will be no potential hazard or risk to occupants of caretaker's dwellings in proximity of the site.

All technical matters including traffic and waste management, landscaping and stormwater management have been or will be properly addressed in this report.

The overall development is consistent with the objectives the Industry zone and will ensure the on-going sustainable operation of a small local business in the Town of Port Hedland in a more suitable location. Delegated approval is therefore sought at the earliest convenience.

ATTACHMENT 4 TO ITEM 11.1.1.3

Djanegara Ryan

From: Dave Van Vugt <dave@impressiveplumbing.com.au>
Sent: Thursday, 23 May 2013 12:41 PM
To: Djanegara Ryan
Cc: Stephanie Robinson
Attachments: S13052312370.pdf

Hi Ryan,

Please find attached letters.

Kind Regards

Dave Van Vugt

Director

dave@impressiveplumbing.com.au

19 Lashby St, Wadfield, WA, 6722

Impressive
PLUMBING & GASFITTING

Abn: 67126327213

Po Box 3157 South Hedland WA 6722

Mob:0428 358 035 Ph:08 9172 2793 Fax:08 9172 2930

Email: reception@impressiveplumbing.com.au

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Impressive PLUMBING & GASFITTING



Plumbing License # 7054 Gas License # 008093
Poly Weld # Q710 AUS GDE Waterwise # 1140
ABN # 67126327213

To Whom it May Concern,

I David Van Vugt am the sole owner of Impressive Plumbing & Gasfitting and also 10 Yanana Street Wedgefield.

I am writing to oppose the application (2013/268) for the development of a painting and sand blasting workshop on 12 Yanana Street.

The reasoning for this is as follows:

- I have permanent staff residing here and find this will bring noxious gases to them
- These staff work on nightshifts and therefore will not be able to obtain at least a slight bit of peace with large compressors and sand blasting gear in use
- I will have customers coming and going whom will be subjected to the noise and smells and I will endure the chance of loosing business due to them not wanting to approach our yard.
- The chance of me selling the business which is planned over the next 2 years will decrease due to this establishment being next door.
- This will also decrease the value of my property.

A business such as this should be located out of the LIA and out of town at a good distance. There is plentiful land available on the Grt Northern Hwy for this sort of business.

If the council decides for this to go through, I intend to partition against it and will involve litigation.

Yours Sincerely,

David Van Vugt

PO BOX 3157
South Hedland W.A. 6722
Ph: 08 9172 2793 Fax: 9172 2930 Mob: 0428 358 035
Email: impressiveplumbing@aapt.net.au

Djanegara Ryan

From: Jon "Casper" Edwards <casper@caspersearthmoving.com.au>
Sent: Thursday, 6 June 2013 9:15 AM
To: Djanegara Ryan
Cc: Records
Subject: objection to 12 Yanana st noxious industry

Hi,

To whom it may concern, I object to the noxious industry proposed for 12 Yanana st Wedgefield.
My objection is based on;

- Potential overspray from spray painting
- High level of contaminates stored on property
- Excessive noise from sand blasting

Cheers Casper,

Jon "Casper" Edwards.
Managing Director.

Caspers Earthmoving

Civil Construction/Earthmoving/Planthire

Email: casper@caspersearthmoving.com.au

: admin@caspersearthmoving.com.au

Ph: 0419 190 906 or 0409 101 748

Fax: 9296 8639

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ATTACHMENT 5 TO ITEM 11.1.1.3



Our Ref: UPC1

Date: 03 July 2013

Chief Executive Officer
Town of Port Hedland
PO Box 41
Port Hedland WA 6721

Attention: Ryan Djanegara, Senior Planning Officer

Dear Sir,

RE: COMMENTS ON THE DEVELOPMENT APPLICATION: PROPOSED DRY BLASTING AND COATING FACILITY (12 YANANA STREET WEDGEFIELD)

1. Background

We refer to the comments received by the owner of No. 10 Yanana Street, Wedgefield during the comment period for the above-mentioned application for planning approval and thank you for the opportunity to respond.

To address the concerns raised, Coterra Environment in conjunction with Hightower Planning and Development provide the following response.

2. Response to Submission

The following is a direct response to the specific concerns raised. Further below is more detailed information originally provided in the Environmental Summary Report prepared by Coterra in support of the application.

- a. All paint and blasting will occur within a fully enclosed spray booth proposed for construction on-site which will prevent any emissions leaving the building, let alone site boundaries. Further, extraction units will be fitted into the constructed spray booth to further manage and treat emissions.
- b. All odours from the site will be contained within the fully enclosed spray booth and the operation of the extraction unit will further prevent any emissions from the property
- c. Staff staying on the adjoining property will not be subject to any additional noise above and beyond the normal day-to-day operations of an industrial area. All noise emissions with comply relevant Environmental Regulations.
- d. The value and sale of the property is not a relevant planning consideration.
- e. All operations will be subject to approvals from the Department of Environment and Conservation, the relevant authority for the consideration of environmental factors regarding 'Prescribed Premises'. UPC will be required to comply with strict conditions regarding operation and management of the use in accordance with those approvals/ licences and the conditions imposed.

3. Environmental Requirements

As it is anticipated that the coating- industrial spray-painting operations at the site will exceed 1,000L of paint or powder per year, under the *Environmental Protection Act 1986*, a Works

Hightower Planning and Development
E-Mail: Owen@hpd.net.au
Mobile: 0407 684 337
www.hpd.net.au

MG1 Residential Building Application 290413

Approval (to construct proposed buildings and infrastructure) and Operational Licence (to run the premises) is required from the Department of Environment and Conservation (DEC).

Based on the DEC's assessment there will be licence conditions which UPC will be required (by law) to comply with. As part of the Works Approval process Coterra Environment prepared an Environmental Summary Report, which address the main environmental concerns raised in the letter, that being noise and odour, their risk and proposed management measures.

Noise

The following has been proposed to reduce any noise impacts off site. UPC also has internal operation procedures which are part of their day-to-day running of works completed onsite.

1. Proposed activities will be undertaken in the Dome Shed which will be fully enclosed when in operation.
2. Compressors are insulated which will also reduce noise emissions.
3. UPC will establish and maintain a complaints register and response procedure, with any complaints received to be logged including environmental conditions on that day (wind speed and direction).
4. Activities within the facility will only be undertaken within approved operation hours- subject to licence conditions (usually 7am to 5pm Monday to Friday).
5. Equipment will be regularly serviced in accordance with the manufacturer's instructions.

Odour

The following has been proposed to reduce any odour impacts off site. UPC also has internal operation procedures which are part of their day-to-day running of works completed onsite.

- Painting to be conducted the Dome Shed, which will be fully enclosed when in operation.
- An extraction unit is proposed be installed as part of the Dome Shed to manage any dust and/or paint fume emissions on site.
- UPC will establish and maintain a complaints register and response procedure, with any complaints received to be logged including environmental conditions on that day (wind speed and direction).

Conclusion

The potential impacts identified in the in the Environmental Summary Report, with control procedures implemented on site, can be effectively managed so as not to impact on any adjoining property.

Due to the limited size of the proposed development and control measures proposed, we conclude that possible emissions associated with the operation can be effectively managed on site in accordance with DEC's Environmental Regulation and Licence Conditions.

Should you have any queries, please contact the undersigned on 0407 684 337 or owen@hpd.net.au.

Yours sincerely,



OWEN HIGHTOWER
Planner

11.1.1.4 Proposed Fourteen (14) "Multiple Dwellings" on Lot 518 (53) Moore Street, Port Hedland (File No.: 401970G)

Officer	Ryan Djanegara Senior Statutory Planner
Date of Report	23 May 2013
Application No.	2013/272
Disclosure of Interest by Officer	Nil

Summary

Council received an application from the Hightower Planning & Development on behalf of the registered landowners UCW Developments Pty Ltd, to construct fourteen (14) "Multiple Dwellings" on Lot 518 (53) Moore Street, Port Hedland (subject site).

The proposed development is located within the "West End Residential" zone. The proposal has been referred to Council to determine as the design differs from what is required by clause 6.3.8 of the Town Planning Scheme.

The application is supported by the Towns' Officer's, Council is requested to consider the application favourably.

Background*Site Description (Attachment 1)*

The subject site is generally rectangular in shape, achieves vehicular access via Moore Street and has an area of 870m².

In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5) the subject site is zoned "West End Residential".

Proposal (Attachment 2)

The applicant is proposing to construct fourteen (14) single bedroom "Multiple Dwellings".

Consultation

The application was circulated to the following units / organisations:

Internally:

- Manager Technical Services
- Manager Building Services
- Manager Environmental Health Services
- Manager Engineering Services

Externally:

- Department of Environment and Conservation (DEC)
- Department of State Development – Dust Taskforce (DSD)
- Environmental Protection Authority (EPA)
- Department of Health
- Department of Water
- Department of Planning
- Telstra
- Optus
- Horizon Power
- Water Corporation

The following comments were received:

Department of State Development:

1. Development within the “West End Residential” zone must comply with the design requirements outlined in Town of Port Hedland Town Planning Scheme Amendment 22.
2. The Town of Port Hedland is ultimately responsible for assessing development applications against the design requirements of Scheme Amendment 22.

Department of Environment & Conservation:

1. The proposed development site is located adjacent to a known nesting beach for the Flatback Turtle. Subsequently the proposed building heights and lighting could impact the Turtles. Given this, it is recommended a condition is imposed requiring any external lighting to be in accordance with the EPA’s Environmental Assessment Guideline for Protecting Marine Turtles from Light Impacts.
2. DEC notes that the dust mitigation measures for the proposed development have been assessed by a suitably qualified mechanical engineer and determined to be in accordance with the requirements of the Town of Port Hedland Town Planning Scheme No. 5.
3. DEC also advises the Department of Health have involved a consultant to prepare a Health Risk Assessment which is expected to be completed by the end of 2015.

Adjoining advertising

The application was advertised for a period of 21 days to adjoining landowners (indicated in red), as shown in attachment 1.

No submissions were received.

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Policy Implications

Nil

Strategic Planning Implications

The following section of the "Pilbara's Port City Growth Plan" is considered relevant to the proposal:

5.6.1 Precinct 1 – West End

Summary of Influences

Noise and dust emissions particularly in proximity to existing developed urban areas.

The following sections of Council's Strategic Plan 2012 – 2022 are considered relevant to this proposal:

6.3 Environment

6.3.1 Housing

Attract and retain new residents to increase the population to 40,000 by 2025.

Budget Implications

Immediate:

The prescribed application fee of \$10,050.00 has been received.

Long Term:

As part of the conditions of development, the landowner is required to construct and maintain the two (2) visitor bays within the road reserve for a period of two years. After this two year approval period, the Town will resume the maintenance of the visitor bays within the road reserve.

Whole of Life:

Nil

Officer's Comment

Dust Mitigation requirements in the West End Residential Zone

The site is located in the "West End Residential" zone. Developments located within this zone are required to be designed in order to mitigate the impacts of elevated dust levels experienced within the locality. Section 6.3.9 of TPS5 states:

"Residential development within the West End Residential Zone and within the area bounded by Withnell, McKay and Anderson Streets, and the Esplanade, Port Hedland shall be in accordance with a local planning policy, development plan or design guideline adopted by Council that incorporates building design and performance standards to reduce exposure to dust, and to include but not necessarily be limited to -

- *filtration of incoming air into the building designed to utilise coarse disposable pre-filtration (i.e. G3 or G4 rated) and then a finer filter (i.e. F4 rated);*
- *location of operable windows and doors on the western and southern building facades only;*
- *use of deflection screens on the northern and eastern edges of operable windows;*
- *use of eaves;*
- *orientation of buildings to avoid wind tunnelling effects; and*
- *protective screens and porticos at building entrances to reduce the direct impact of wind onto the opening."*

In the absence of a Council adopted local planning policy, development plan or design guideline, state government stakeholders have expressed concern regarding suitable design requirements for residential development in the "West End Residential" zone.

Clause 6.3.9 of the scheme is prescriptive and does not allow for innovative design solutions which are able to achieve the same outcome as intended by the clause. Consequently, legal advice was obtained from Council's Solicitors and further advice received from the Department of Planning. As a result of advice received, all residential applications within this area are to be accompanied by a report prepared by a suitably qualified Mechanical Engineer, certifying the design of the proposed development will mitigate dust exposure and achieves the intent Clause 6.3.9 of TPS5.

The applicant has submitted a report by Norman Disney & Young confirming the proposed design will mitigate dust and addresses the requirements under the TPS5. This report was forwarded to the relevant stakeholders for comment with no comments being received

Residential Design Codes of Western Australia (R Codes)

A number of variations to the Acceptable Development Standards of the R Codes have been sought and are generally of a minor nature. The proponent has provided justification identifying design consideration and how the performance criterion has been achieved. It is considered the justification provided and the outcome achieved is appropriate for the site and the West End.

Attachments

1. Locality Plan
2. Development Plans
3. Dust mitigation report
4. 3D Perspective

Options

Council has the following options when considering the application.

1. Approve the application subject to conditions.

Should Council approve the application, the development will provide an alternative accommodation choice.

2. Refuse the application.

Refusal of the proposal will require the applicant to reconsider the development proposal, and may result in the property not being developed.

Council is requested to consider the application favourably.

201314/005 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Hunt

That Council approves the application submitted by Hightower Planning & Development on behalf of the registered landowners UCW Developments Pty Ltd, to construct fourteen (14) "Multiple Dwellings" on Lot 518 (53) Moore Street, Port Hedland, Port Hedland, subject to the following conditions:

- 1. This approval relates only to the proposed Fourteen (14) "Multiple Dwellings", as indicated on the approved plans (DRG2013/272/1 - DRG2013/272/6). It does not relate to any other development on this lot;**
- 2. If the development referred to in (1) above is not substantially commenced within a period of two years from the date of approval, the approval shall lapse and be of no further effect;**

- 3. A minimum of 18 car bays (14 bays for residents and 4 bays for visitors) and 7 bicycle bays shall be provided as indicated on the approved site plan (DRG2013/272/1);**
- 4. No parking bays shall be obstructed in any way or used for any other purpose than parking;**
- 5. Front walls and fences within the primary street setback area shall be no higher than 1.8m measured from natural ground level and be visually permeable above 1.2m;**
- 6. Roof mounted or freestanding plant or equipment such as air conditioning units, external clothes drying areas or hot water systems shall be located and / or screened to the satisfaction of the Manager Planning Services;**
- 7. All stormwater disposal shall be accordance with the approved stormwater management plan (DRG2013/272/1);**
- 8. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the landowner's cost, to the specification and satisfaction of the Manager Technical Services;**
- 9. The approved "Refuse Collection Strategy / Management Plan" shall be implemented to the satisfaction of the Manager Planning Services (DRG2013/272/1);**
- 10. Walls on the boundary shall be finished or rendered to match where practicable the colours and materials of the affected property to the satisfaction of the Manager Planning Services;**

The following conditions are to be cleared by Planning Services prior to the submission of a building permit being submitted to the local authority.

- 11. Prior to the commencement of any works, the landowner shall submit civil engineering drawings for approval by the Manager Planning Services for the two (2) off site car parking bays within the adjacent road reserves, to be constructed to the satisfaction of the Manager Technical Services at the expense of the landowner;**

12. Prior to the commencement of works, the developer shall indemnify the Town for any works in the Road Reserve, against any damage that may occur as a result of construction or ongoing maintenance. The developer shall take out Public Liability Insurance in the amount of \$20 million for all works within the Road Reserve area for the construction phase and the maintenance period referred to in Condition 20 (nineteen) below. Evidence of the Public Liability Insurance Policy from a reputable insurer shall be provided to the Manager Planning Services prior to the commencement of works;
13. Prior to the submission of a building permit, the landowner shall prepare a “Coastal Hazard Risk Management and Adaptation Management Plan” in accordance with Section 5.5 of Draft State Planning Policy 2.6 – State Coastal Planning, to the satisfaction of the Manager Planning Services;
14. Prior to the submission of a building permit the landowner shall 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 shall be sufficient to alert prospective landowners or occupiers of the following:
 - a. Vulnerable Coastal Area - This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years;
 - b. This land is located within an area identified as being impacted on or affected by dust from Port activities. The Department of Health advises that children, the elderly and people with pre-existing respiratory and cardiovascular health conditions or predisposed to the same should not reside on this land other than on a temporary basis as they are at increased risk of worsening or developing respiratory and/or cardiovascular related health conditions. Further information can be obtained from the Department of Health.
15. Prior to the commencement of any works a detailed landscaping and reticulation plan including any street verge, shall be submitted and approved by the Manager Planning Services. The plan shall 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;
16. Prior to the submission of a building permit, the landowner shall submit a “Dust Management Plan” for approval by the Manager Planning Services;

17. Prior to the submission of a building permit, the landowner shall submit an "Erosion and Sediment Control Plan" for approval by the Manager Planning Services;
18. Prior to the submission of a building permit, the landowner shall submit a "Construction Site Management Plan" for approval by the Manager Planning Services. The "Construction Site Management Plan" shall indicate how it is proposed to manage the following during construction:
 - 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 / businesses.

Conditions to be cleared by Planning Services prior to the occupation of the development.

19. Prior to the occupation of the development the landowner shall provide a certificate prepared by a suitably qualified Mechanical Engineer confirming the development has been built in accordance with the Dust Management Assessment Report, prepared by Norman, Disney & Young Pty Ltd;
20. Prior to the occupation of the development the landowner shall enter into a binding agreement with Council to maintain the proposed car parking bays and proposed landscaping in the Moore Street verges for two years to the satisfaction of the Manager Planning Services;
21. Prior to the occupation of the development all external lighting shall be designed, installed and maintained in accordance with the EPA's Environmental Assessment Guideline for Protecting Marine Turtles from Light Impacts to the satisfaction of the Manager Planning Services;
22. Prior to the occupation of the development landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services; (Refer to advice note 5)
23. Prior to the occupation of the development, the proposed development shall be connected to reticulated mains sewer;

24. Prior to the occupation of the development, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the landowner. Design and construction standards shall be in accordance with relevant Australian Standards to the satisfaction of the Manager Planning Services;
25. Prior to the occupation of the development, the landowner shall provide aged/disabled access to the existing Council path network in accordance with Austroads Part 13 – Pedestrians, to the satisfaction of the Manager Planning Services;
26. Prior to the occupation of the development, access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the landowner in accordance with Town Planning Scheme No. 5 and Australian Standards, to the satisfaction of the Manager Planning Services; and
27. Prior to the occupation of the development the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, and approved by the Manager Planning Services.

ADVICE NOTES:

1. In terms of the Port Hedland Town Planning Scheme No 5, "Multiple Dwelling" is defined as follows:

"Multiple Dwelling,

a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other."
2. You are reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements;
3. With regards to Condition 23, inside effluent disposal systems are to be decommissioned in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;
4. In the absence of a clear definition of "mature trees and shrubs" within the Port Hedland Town Planning Scheme, No.5, for the purpose of this approval "mature trees and shrubs" shall mean trees of no less than 2m in height and shrubs of no less than 0.5m in height;

6. **Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Manager Planning Services;**
7. **The development must comply with the *Environmental Protection (Noise) Regulations 1997* at all times;**
8. **Be advised that the air handling system is to comply with the Health (Air-handling and Water Systems) Regulations 1994;**
9. **The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval; and**
10. **Conditions 11 to 18 (including) shall be complied with prior to the submission of a building permit. In this regard please note there is a clearance fee of \$310 per request. Please note it may take up to 28 days to clear conditions.**

CARRIED 6/0

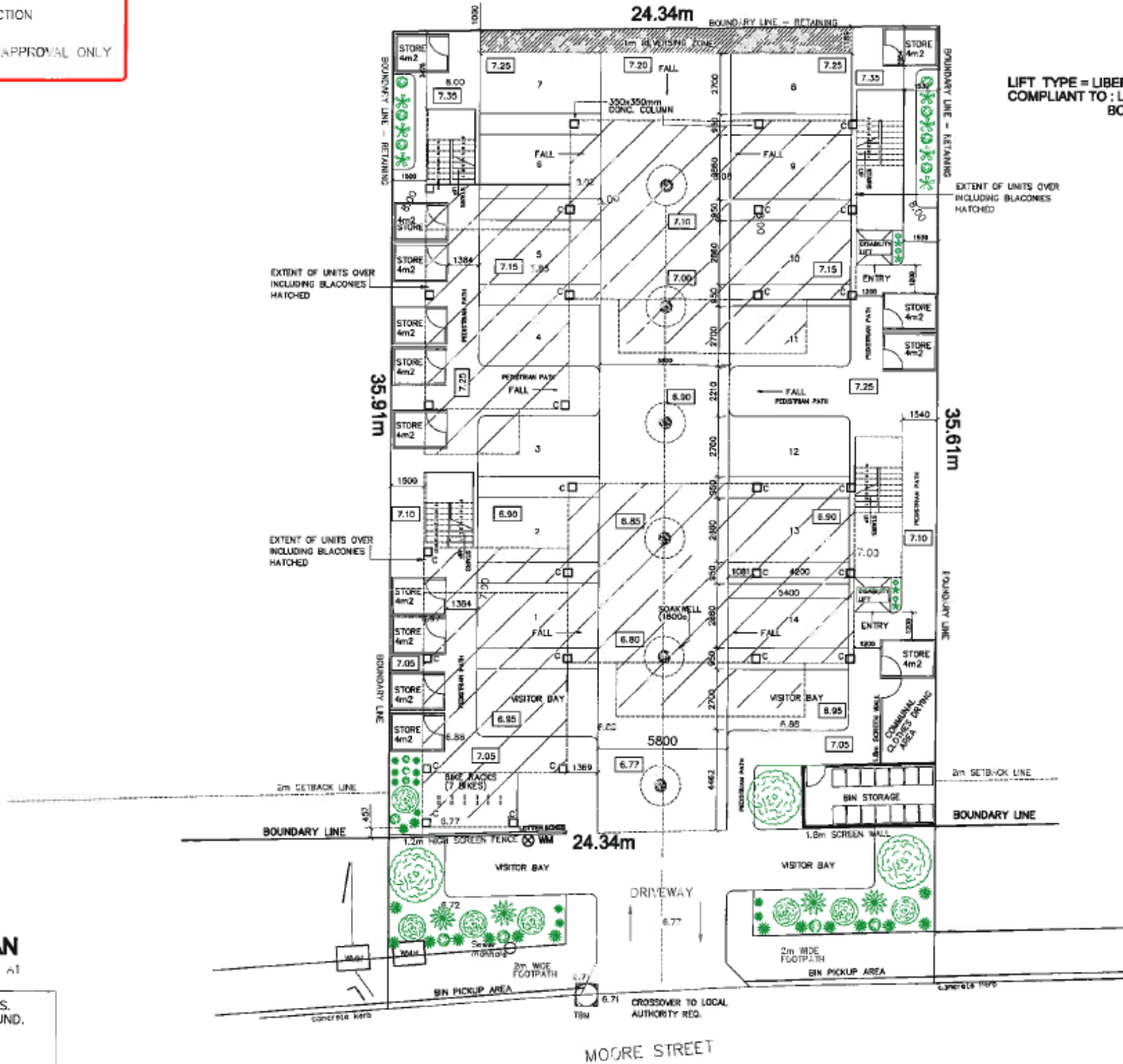
ATTACHMENT 1 TO ITEM 11.1.1.4



DRW2013/272/1

CAUTION
NOT CONSTRUCTION
ISSUE PLANS,
DEVELOPMENT APPROVAL ONLY

NOTE: ALL WALLS ARE
DRAWN 90mm UNLESS
OTHERWISE SHOWN.



LIFT TYPE = LIBERTY 1000
COMPLIANT TO : LIFT CODE AS1735 PART 16
BCA E3.6



PER UNIT AREA SCHEDULE	
U1,4,7,10 & 13	51.2 m ² /ea
U2,5,8,11 & 14	51.0 m ² /ea
U3,6,9,12	50.28 m ² /ea

FLOOR	AREA SCHEDULE
1st	152,490 X 2 = 304,98 m ²
2nd	152,490 X 2 = 304,98 m ²
3rd	102,208 = 102,208 m ²
TOTAL	712,168 m ²

BUILDING DETAILS	
LOT AREA	870,484 m ²
ZONE	R80
PLOT RATIO APPLICABLE	1.0
PLOT RATIO PROPOSED	712,168/870,484 = 0.818
UNITS	14 x 1 BEDROOM UNITS
CAR PARKING	16 ONSITE / 2 OFFSITE

SITE PLAN
SCALE - 1:100 A1

6.88 SPOT LEVELS,
= NATURAL GROUND.
6.95 = F.F.L.

PLANS COPYRIGHT © 2013



REV	AMENDMENTS MADE	DATE	DATE : 01-07-13 - 12:15pm
1	1m REVERSING ZONE / GROUND FLOOR LAYOUT	11/3/2013	DRWN DM SCALE 1:100 A1
2	BEDROOM WINDOW CHANGED FROM 1570W TO 970W	21/3/2013	
3	ALTER F.F.L TO SUIT DRAINAGE REQUIREMENTS	23/4/2013	
4	ALTER ON STREET PARKING / CLOTHS DRYING AREA	27/6/2013	
5	INCLUDE DISABLED LIFT ACCESS TO FIRST FLOOR	27/6/2013	
6	INCREASE BALCONY AREA TO ALL EXCEPT U4/U10	27/6/2013	

WIND REGION D TERRAIN CATEGORY 2.0
WIND CLASSIFICATION - C4
IMPORTANCE LEVEL - 2
SHIELDING FACTOR - 1
SEISMIC DESIGN. - 0.12
SITE CLASSIFICATION - S

PROPOSED RESIDENTIAL DEVELOPMENT AT:
53 MOORE STREET PORT HEDLAND
W.A. 8555
BUILDER:
BUILDERS REG :

SHEET:
4/12

Dean Muller
DESIGN
deanmullerdesign@bigpond.com
0432-598660

DR 62013/272/2

CAUTION
NOT CONSTRUCTION
ISSUE PLANS.
DEVELOPMENT APPROVAL ONLY

NOTE: ALL WALLS ARE
DRAWN 90mm UNLESS
OTHERWISE SHOWN.

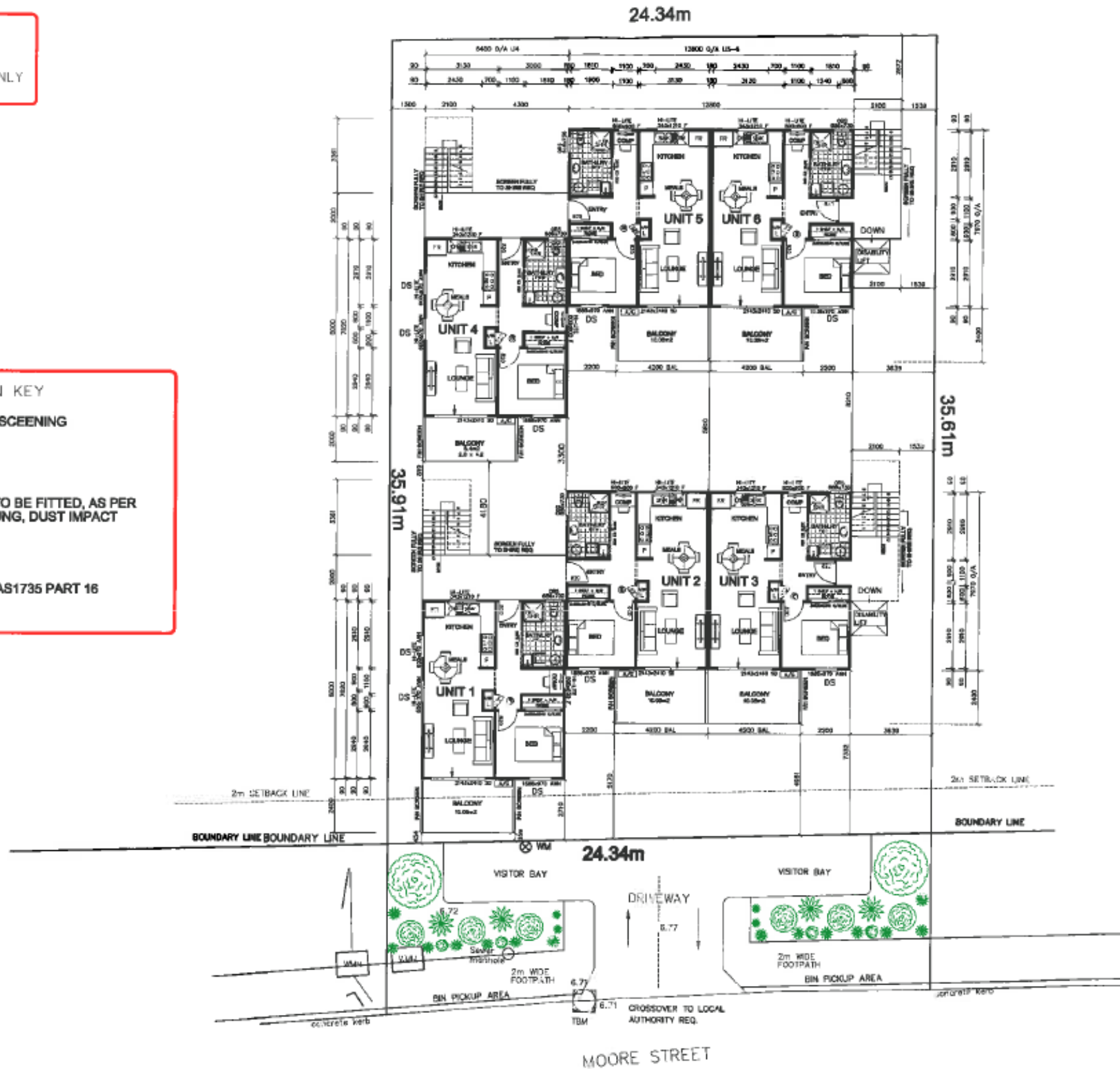
ABBREVIATION KEY

F/H SCREEN = FULL HEIGHT SCENING

F = FIXED GLASS WINDOW

DS = DEFLECTION SCREEN TO BE FITTED, AS PER
NORMAN DISNEY & YOUNG, DUST IMPACT
ASSESSMENT .

LIFT TYPE = LIBERTY 1000
COMPLIANT TO : LIFT CODE AS1735 PART 16
BCA E3.6



FIRST FLOOR
SCALE = 1:100 A1

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REV	AMENDMENTS MADE	DATE
1	1m REVERSING ZONE / GROUND FLOOR LAYOUT	11/3/2013
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DATE : 01-07-13 - 12:15pm
DRWN DM SCALE 1:100 A1

WIND REGION D TERRAIN CATEGORY 2.0
WIND CLASSIFICATION - C4
IMPORTANCE LEVEL - 2
SHIELDING FACTOR - 1
SEISMIC DESIGN - 0.12
SITE CLASSIFICATION - S

PROPOSED RESIDENTIAL DEVELOPMENT AT :
**53 MOORE STREET PORT HEDLAND
W.A. 6555**

SHEET:
5/12

BUILDER:
BUILDERS REG :

**Dean Muller
DESIGN**
deanmullerdesign@bigpond.com
0432-598660

DR62013/272/3

CAUTION
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DEVELOPMENT APPROVAL ONLY

NOTE: ALL WALLS ARE
DRAWN 90mm UNLESS
OTHERWISE SHOWN.

ABBREVIATION KEY

FH SCREEN = FULL HEIGHT SCREENING

F = FIXED GLASS WINDOW

DS = DEFLECTION SCREEN TO BE FITTED, AS PER
NORMAN DISNEY & YOUNG, DUST IMPACT
ASSESSMENT.



SECOND FLOOR
SCALE = 1:100 A1

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Muller Crispwell
Family Trust
T/As

REV	AMENDMENTS MADE	DATE	DATE : 01-07-13 - 12:15pm	PROPOSED RESIDENTIAL DEVELOPMENT AT:	SHEET:
1	1m REVERSING ZONE / GROUND FLOOR LAYOUT	11/3/2013	DRWN DM SCALE 1:100 A1	53 MOORE STREET PORT HEDLAND W.A. 6555	7/12
2	BEDROOM WINDOW CHANGED FROM 1570W TO 970W	21/3/2013	WIND REGION D TERRAIN CATEGORY 2.0 WIND CLASSIFICATION - C4 IMPORTANCE LEVEL - 2 SHIELDING FACTOR - 1 SEISMIC DESIGN - 0.12 SITE CLASSIFICATION - S		
3	ALTER F.F.L TO SUIT DRAINAGE REQUIREMENTS	23/4/2013			
4	ALTER ON STREET PARKING / CLOTHS DRYING AREA	27/6/2013			
5	INCLUDE DISABLED LIFT ACCESS TO FIRST FLOOR	27/6/2013			
6	INCREASE BALCONY AREA TO ALL EXCEPT U4/U10	27/6/2013			

BUILDER:
BUILDERS REG :

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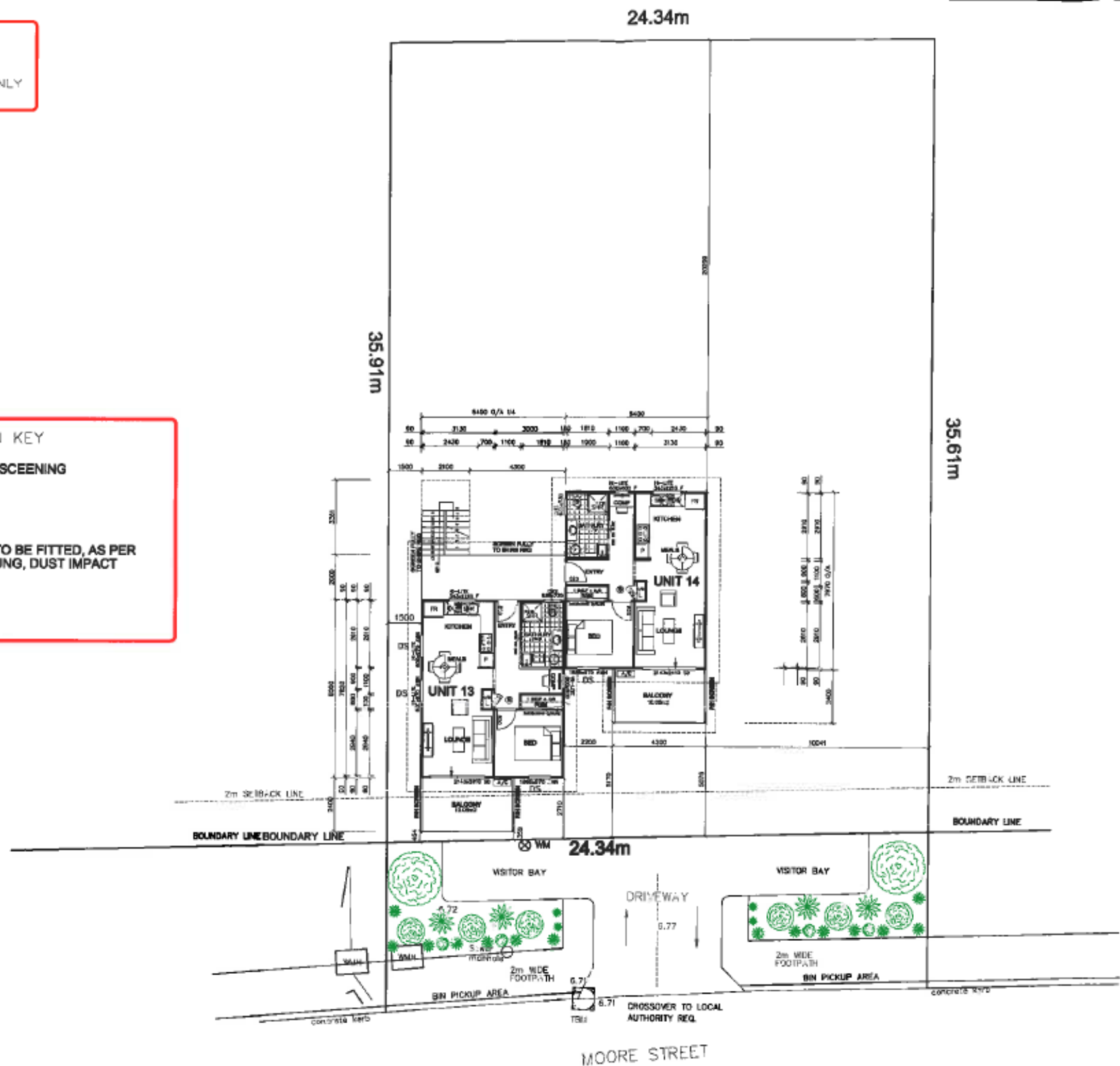
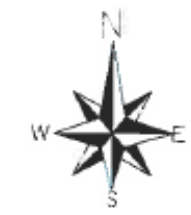
ALLOW 3-20' CLEAR IN LENGTH DIMENSIONS DUE TO PRINTING PROCESS

DRW 2013/272/4

CAUTION
NOT CONSTRUCTION
ISSUE PLANS.
DEVELOPMENT APPROVAL ONLY

NOTE: ALL WALLS ARE
DRAWN 90mm UNLESS
OTHERWISE SHOWN.

ABBREVIATION KEY
F/H SCREEN = FULL HEIGHT SCENING
F = FIXED GLASS WINDOW
DS = DEFLECTION SCREEN TO BE FITTED, AS PER
NORMAN DISNEY & YOUNG, DUST IMPACT
ASSESSMENT.



THIRD FLOOR
SCALE = 1:100 A1

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REV	AMENDMENTS MADE	DATE
1	1m REVERSING ZONE / GROUND FLOOR LAYOUT	11/3/2013
2	BEDROOM WINDOW CHANGED FROM 1570W TO 970W	21/3/2013
3	ALTER F.F.L TO SUIT DRAINAGE REQUIREMENTS	23/4/2013
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6	INCREASE BALCONY AREA TO ALL EXCEPT U4/U10	27/6/2013

DATE : 01-07-13 - 12:16pm
DRWN | DM | SCALE 1:100 A1
WIND REGION D TERRAIN CATEGORY 2.0
WIND CLASSIFICATION - C4
IMPORTANCE LEVEL - 2
SHIELDING FACTOR - 1
SEISMIC DESIGN - 0.12
SITE CLASSIFICATION - S

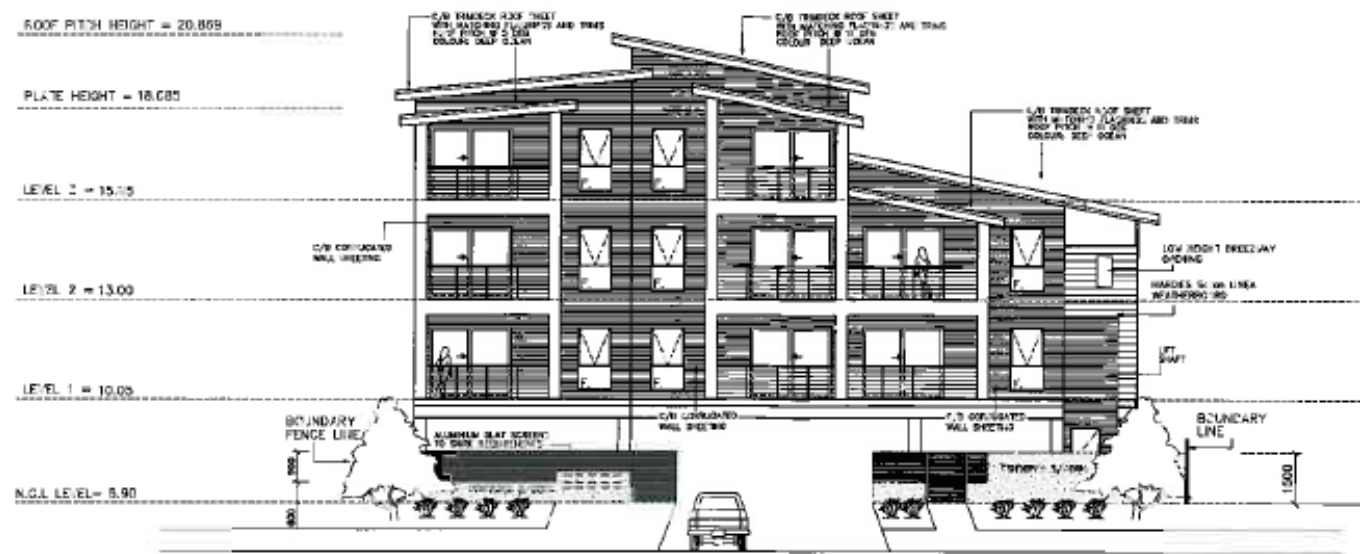
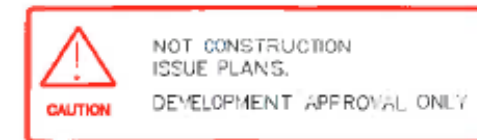
PROPOSED RESIDENTIAL DEVELOPMENT AT:
**53 MOORE STREET PORT HEDLAND
W.A. 6555**
BUILDER:
BUILDERS REG :

SHEET:
7/12

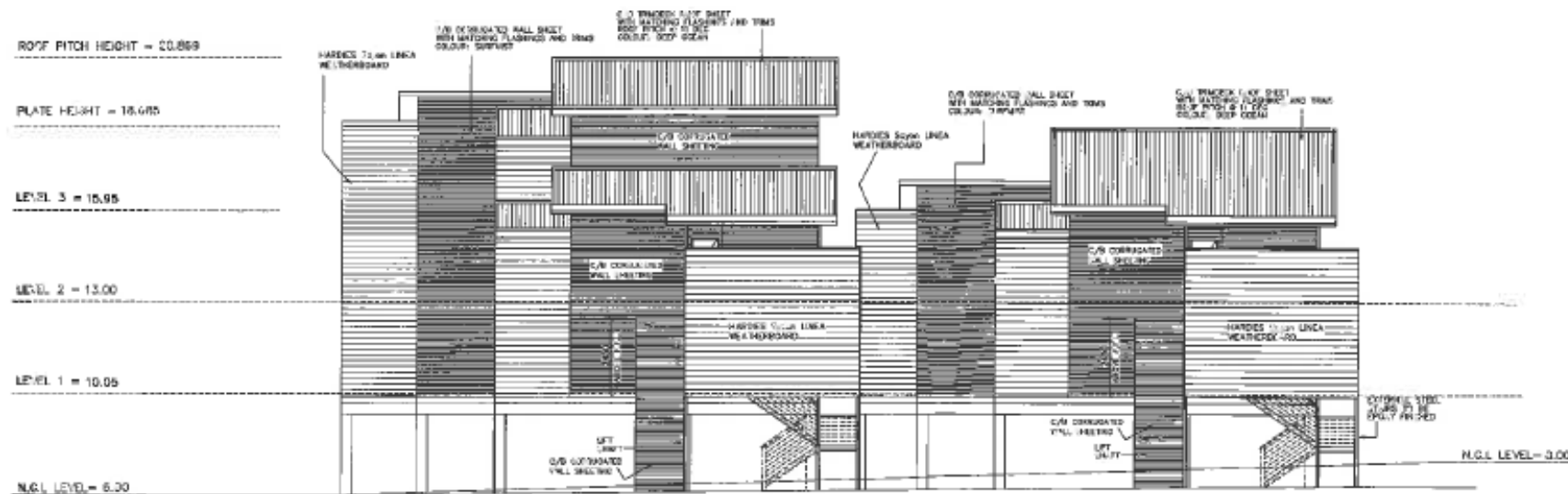
**Dean Muller
DESIGN**
deanmullerdesign@bigpond.com
0432-598660

ALLOW 3-5% ERROR IN LENGTH DIMENSIONS DUE TO PRINTING INACCURACIES

DRW2013/272/4



FRONT ELEVATION (SOUTH)
SCALE - 1:100 A1



RIGHT ELEVATION (EAST)
SCALE - 1:100 A1
NOTE/ STORAGE UNITS REMOVED FOR CLARITY

PLANS COPYRIGHT © 2013

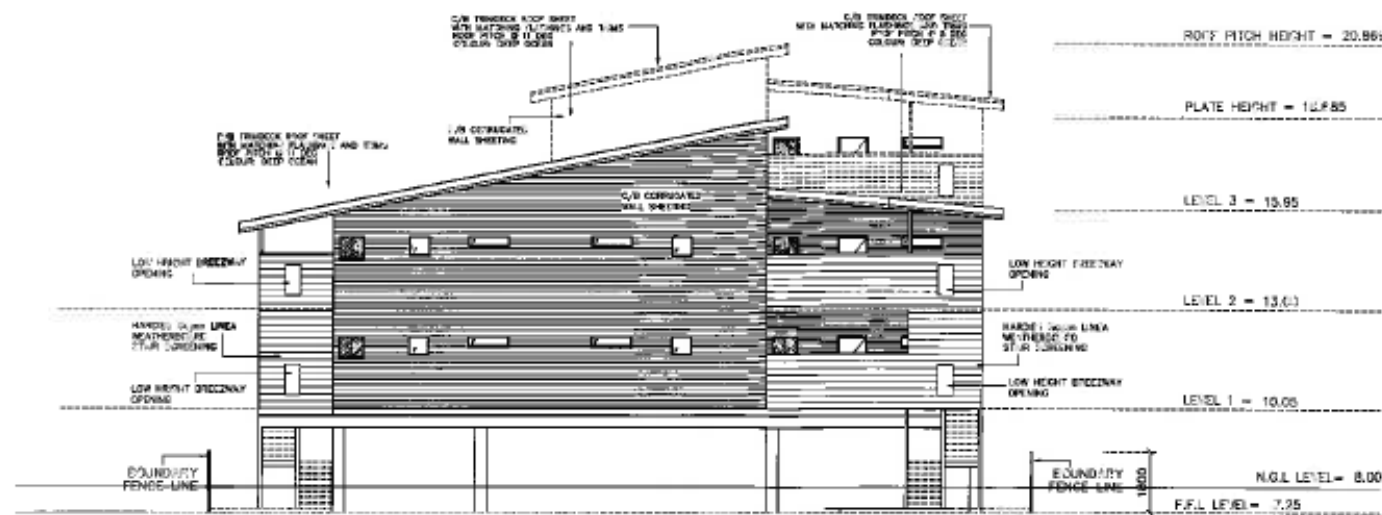
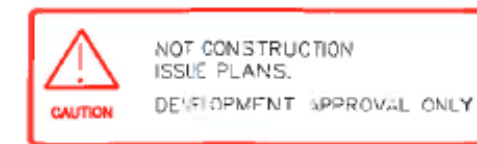


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0432-598660

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1	1m REVERSING ZONE / GROUND FLOOR LAYOUT	11/3/2013	DRWN DM SCALE 1:100 A1	53 MOORE STREET PORT HEDLAND W.A. 6555	1/12
2	BEDROOM WINDOW CHANGED FROM 1570W TO 970W	21/3/2013	WIND REGION D TERRAIN CATEGORY 2.0 WIND CLASSIFICATION - C4 IMPORTANCE LEVEL - 2 SHIELDING FACTOR - 1 SEISMIC DESIGN - 0.12 SITE CLASSIFICATION - S		
3	ALTER F.F.L TO SUIT DRAINAGE REQUIREMENTS	23/4/2013		BUILDER: BUILDERS REG :	
4	ALTER ON STREET PARKING / CLOTHS DRYING AREA	27/6/2013			
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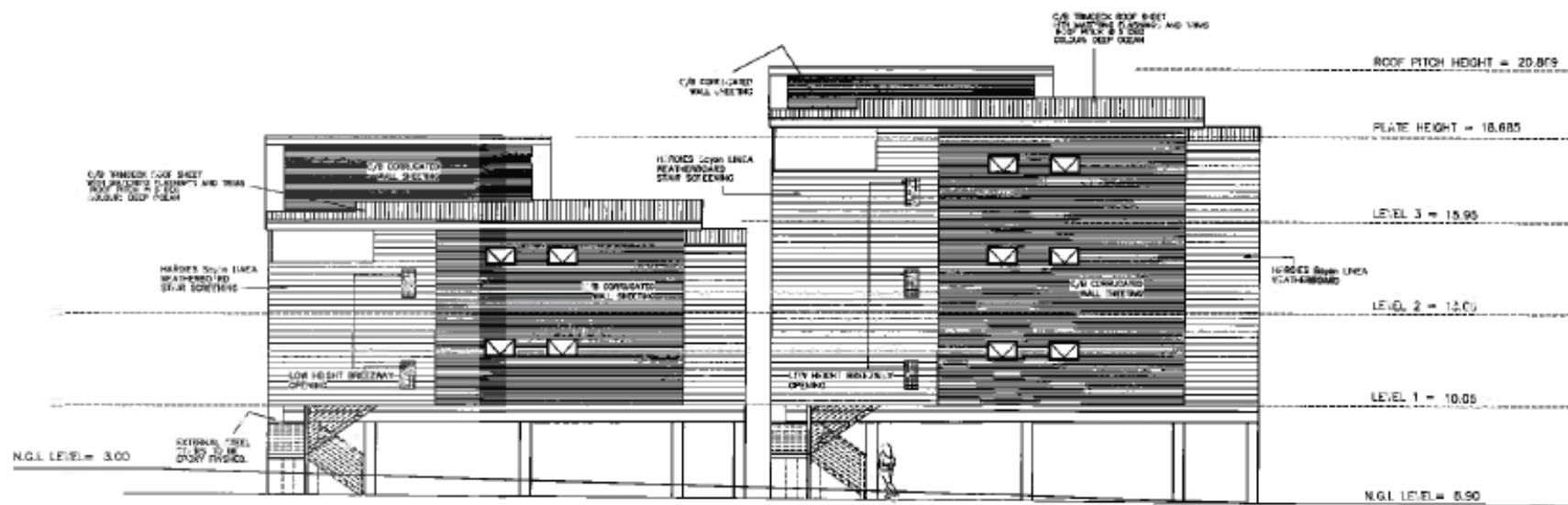
ALLOW 3-5% SHRINK IN LONGEST DIMENSIONS DUE TO PRINTING PROCESS

DRW2013/272/5



REAR ELEVATION (NORTH)

SCALE - 1:100 A1
NOTE: STORAGE UNITS REMOVED FOR CLARITY WITH FRONT UNITS SHOWN ABOVE, DOTTED.



LEFT ELEVATION (WEST)

SCALE - 1:100 A1
NOTE: STORAGE UNITS REMOVED FOR CLARITY

PLANS COPYRIGHT © 2013



REV	AMENDMENTS MADE	DATE
1	1m REVERSING ZONE / GROUND FLOOR LAYOUT	11/3/2013
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DATE : 01-07-13 - 12:16pm		
DRWN	DM	SCALE 1:100 A1
WIND REGION D TERRAIN CATEGORY 2.0 WIND CLASSIFICATION - C4 IMPORTANCE LEVEL - 2 SHIELDING FACTOR - 1 SEISMIC DESIGN - 0.12 SITE CLASSIFICATION - S		

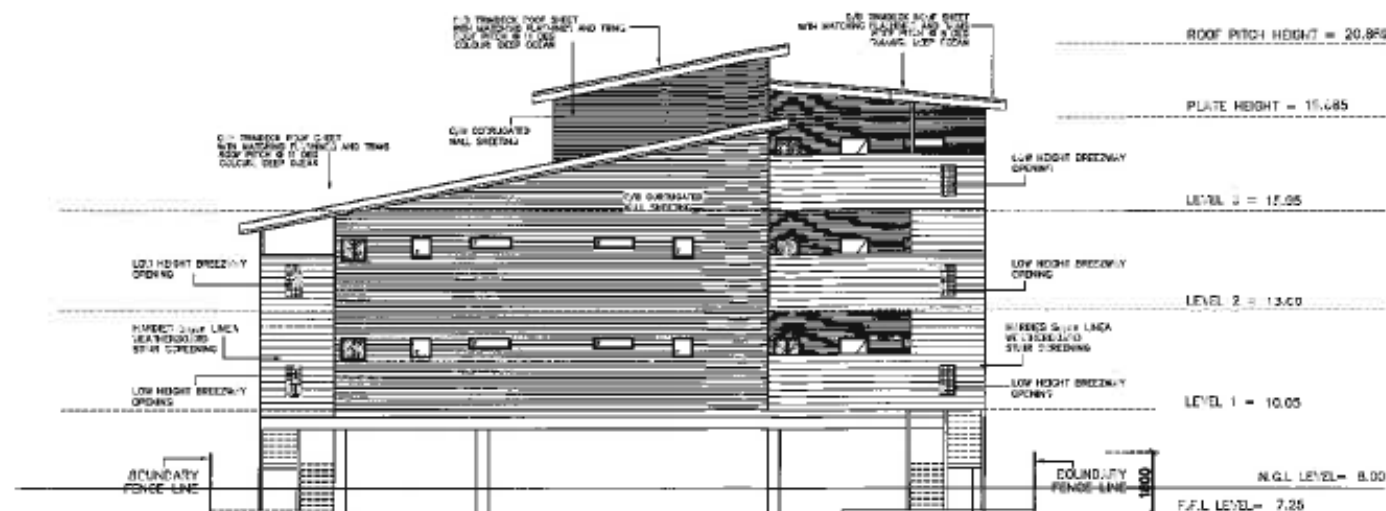
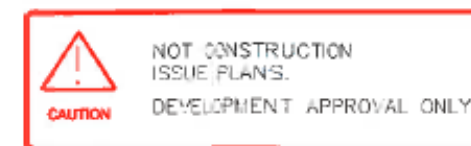
<p>PROPOSED RESIDENTIAL DEVELOPMENT AT: 53 MOORE STREET PORT HEDLAND W.A. 6555</p> <p>BUILDER: BUILDERS REG :</p>

<p>SHEET: 2/12</p>

Dean Muller
DESIGN
deanmullerdesign@bigpond.com
0432-598660

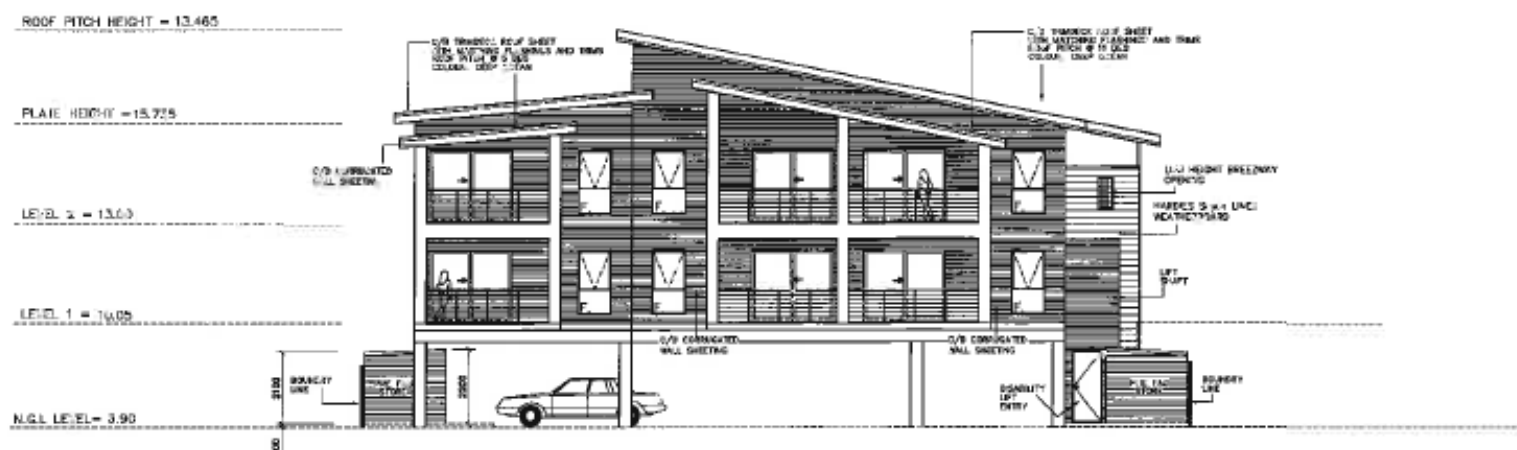
ALLOW 3-5% SHRINK IN LONGEST DIMENSIONS DUE TO PRINTING PROCESS

DRW2013/272/6



REAR ELEVATION (INTERNAL NORTH)

SCALE - 1:100 A1
NOTE/ STORAGE UNITS REMOVED FOR CLARITY
WITH FRONT UNITS SHOWN ABOVE, DOTTED.



FRONT ELEVATION (INTERNAL SOUTH)

SCALE - 1:100 A1

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Muller Crispwell Family Trust T/As

REV	AMENDMENTS MADE	DATE	DATE : 01-07-13 - 12:17pm	PROPOSED RESIDENTIAL DEVELOPMENT AT:	SHEET:
1	1m REVERSING ZONE / GROUND FLOOR LAYOUT	11/3/2013	DRWN DM SCALE 1:100 A1	53 MOORE STREET PORT HEDLAND W.A. 6555	3/12
2	BEDROOM WINDOW CHANGED FROM 1570W TO 970W	21/3/2013			
3	ALTER F.F.L TO SUIT DRAINAGE REQUIREMENTS	23/4/2013	WIND REGION D TERRAIN CATEGORY 2.0 WIND CLASSIFICATION - C4 IMPORTANCE LEVEL - 2	BUILDER: BUILDERS REG :	deanmullerdesign@bigpond.com 0432-598660
4	ALTER ON STREET PARKING / CLOTHS DRYING AREA	27/6/2013	SHIELDING FACTOR - 1 SEISMIC DESIGN - 0.12 SITE CLASSIFICATION - S		
5	INCLUDE DISABLED LIFT ACCESS TO FIRST FLOOR	27/6/2013			
6	INCREASE BALCONY AREA TO ALL EXCEPT U4/U10	27/6/2013			

ALLOW 3-5% CONTR. IN LENGTH DIMENSIONS DUE TO PRINTING FLUCTUATIONS

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deanmullerdesign@bigpond.com
0432-598660

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Report



BUILDING SERVICES

53 Moore Street, Port Hedland, WA - Dust Impact Assessment UCW Developments

CONFIDENTIAL

Revision: 1.0 - DRAFT
Issued: 12 April 2013



NORMAN DISNEY & YOUNG

CONSULTING ENGINEERS

NDY Management Pty Limited trading as Norman Disney & Young
 ABN 29 003 234 571
 200 St. Georges Terrace
 Perth WA 6000

Telephone: +618 9281-6800
 Facsimile: +618 9281-6888

www.ndy.com

OFFICES

Australia: Sydney, Melbourne, Brisbane, Perth, Canberra, Adelaide, Darwin
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 United Kingdom: London, Manchester
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NDY QA SYSTEM

Revision No:	1.0	Authorisation By:	- Ian Harwood
Revision Date:	12 April 2013		
Reason Description:	DRAFT		
File Location:	W:\P668xx\IP668321001\A-124_Reports		
Filename:	rp130408p0035		
Client Name:	UCW Developments	Verification By:	-
Client Contact:	Stephen Scott		
Project Co-ordinator:	Ian Harwood		
Editor:	Ian Harwood		



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1. TOWN OF PORT HEDLAND REQUIREMENTS

We understand that the residential development at 53 Moore Street is within the West End Residential Zone and within the area bounded by Simpson Street, Sutherland Street, Taplin Street and Moore Street, Port Hedland. The development plan/design guideline adopted by the council detail the building design and performance standards to reduce exposure to dust and to include, but not necessarily be limited to:

- filtration of incoming air into the building
- location of operable windows and doors on the western and southern building facades only;
- use of deflection screens on the northern and eastern edges of operable windows;
- use of eaves;
- protective screens and porticos at building entrances to reduce the direct impact of wind onto the opening.

1.1. Recommendations to Reduce Dust Ingress

Therefore to maintain an energy efficient design to meet BCA section J requirements we offer the following solutions to mitigate and comply where possible to mitigate the dust issue.

1. Install non operable and operable windows and doors as per marked up drawings enclosed with report.
2. All units are fitted with ducted split air conditioning system. Outside air is filtered and mixed at the unit with return air which is then filtered and conditioned to meet the heating and cooling requirements of the spaces. See notes below on outside air.
3. The quantity of outside air will be determined by meeting the exhaust air rates, BCA code requirements for mechanical ventilation as well as over supplying to provide a positive pressurisation of the units to stop uncontrolled outside air ingress.
4. The outside air will be provided at a sufficient quantity to pressurise the space to reduce dust being drawn into the building due to wind pressure on the building.
5. The internal and outside air will be filtered to the standards required by the Town development standards. Outside air shall be filter by a coarse filter and higher grade filter of G3, G4 and F5 type filters respectively. The internal air mixed with the filtered outside air will be filtered by a high grade F5 filter.
6. Entry door and balcony doors will be fitted with dust seals.
7. The toilet and bathroom would be fitted with vertical discharge exhaust systems. The exhaust air quality would be 50% lower than the fresh air intake to provide a positive pressure within the unit.
8. The front entry doors have been relocated to the West complete with north located wind shield.

We consider these measures demonstrate that the proposed design achieves the same intent as the provisions within Clause 6.3.9 of Town of Port Hedland Planning Scheme No. 5.



1.2. Filtration Ratings

The following air filter grade list is for BS EN779 and BS EN1822 tests. The tests apply to filters used for HVAC, controlled zones and other process control requirements.

BS EN 779 arrestance		Test type/application
G1	<65	Average value for collection of large particles using synthetic dust. Filters installed to prevent mechanical system fouling and as pre-filters to secondary and semi-HEPA range.
G2	65<80	
G3	80<90	
G4	>90	

BS EN 779 efficiency %		
F5	40<60	Average percentage value (for atmospheric dust spot efficiency) using atmospheric air. Filters installed to keep buildings and process spaces clean and free from airborne pollution.
F6	60<80	
F7	80<90	
F8	90<95	
F9	>95	

BS EN 1822 minimum MPPS* %		
H10	85	EN 1822 – Oil mist aerosol MPPS. Filters for specific (high efficiency) air quality control
H11	95	
H12	99.5	
H13	99.95	
H14	99.995	

1.3. Outside Air Unit

The outside air unit will provide approximately 300 litres a second filtered, pre conditioned outside air to pressurise the space and provide outside air to the areas which do not have openable windows. The unit would generally be located above the entry hall way. The fresh air intake would ideally be located on the east side of the apartments. However given this is not possible for all of the apartments, intakes on the southern facade are also acceptable. The air conditioning units are to be designed and selected to handle Port Hedland conditions and provide an air off condition which leads to a maximum internal humidity in the range of 55% RH \pm 5% under design conditions. The unit is also to be selected to handle the additional static pressure capacity required of the filters.



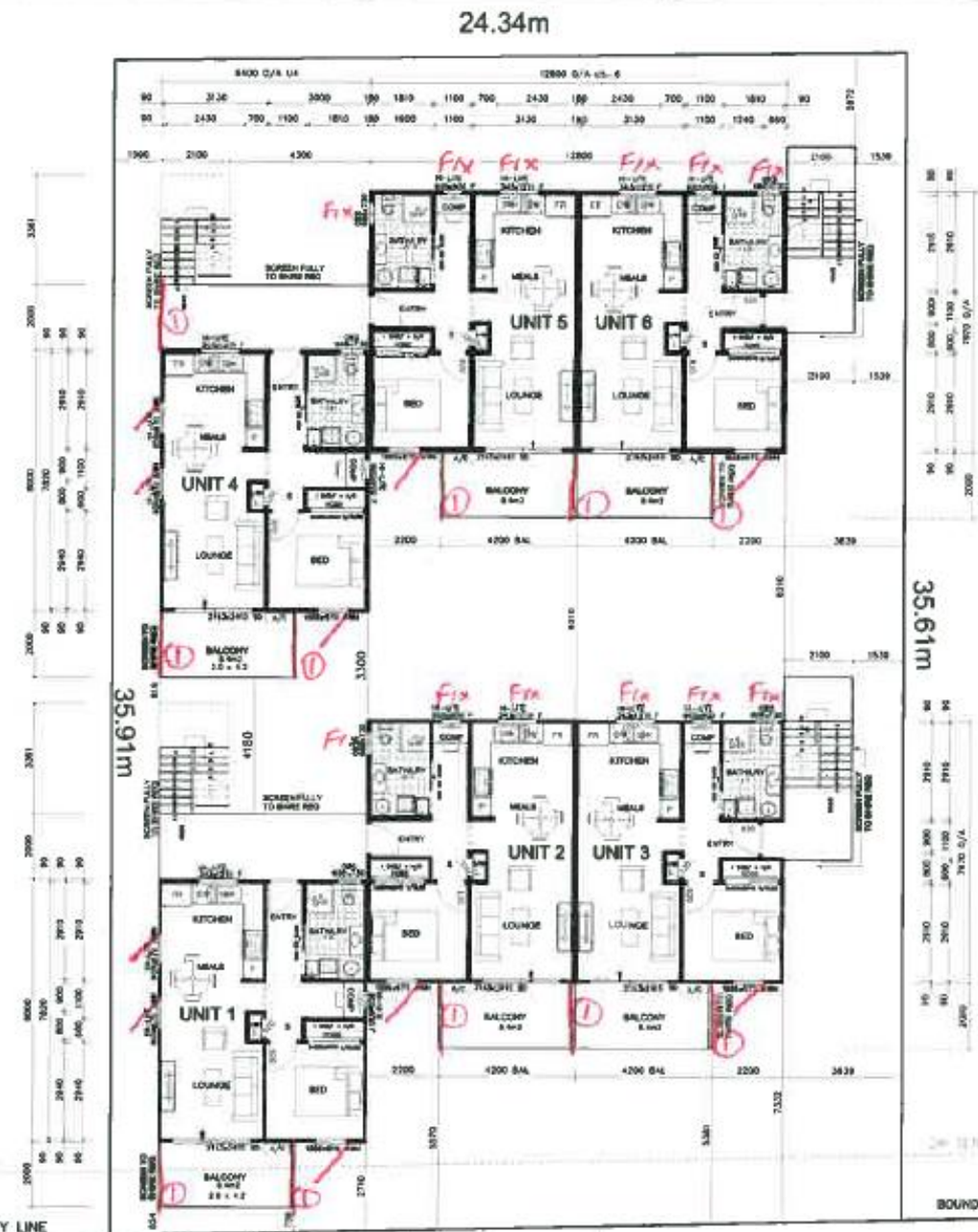
2. APPENDIX A

Marked Up Drawings Showing Positions of Dust Protection Measures

CAUTION NOT CONSTRUCTION ISSUE PLANS. DEVELOPMENT APPROVAL ONLY

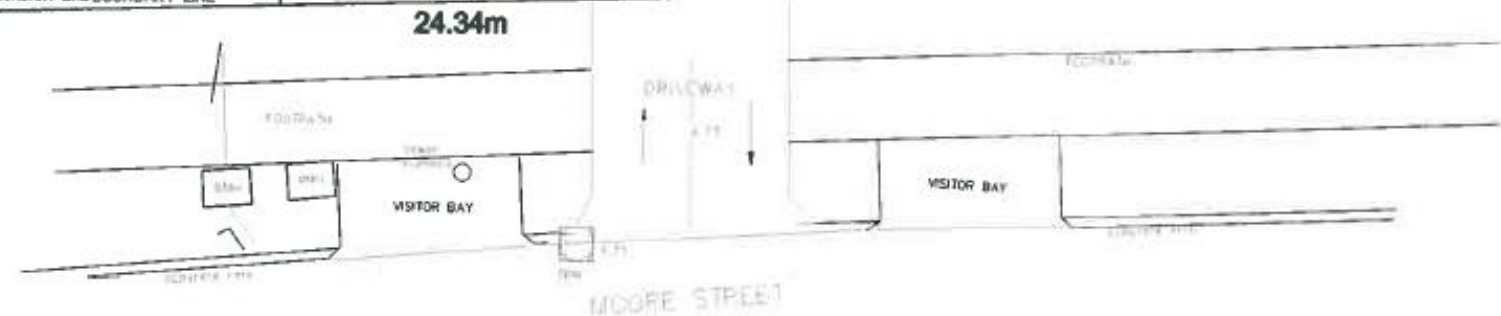
NOTE: ALL WALLS ARE DRAWN 90mm UNLESS OTHERWISE SHOWN.

CAUTION PLANS PENDING FINAL FINISHED FLOOR LEVELS.



① FULL HEIGHT SCREENS TO SHINE REQUIREMENTS
 Fix-Fixed WINDOW OR OPENINGS
 / REFLECTION SCREENS ON ADDITION OR EASTERN EDGE OF OPERABLE WINDOWS.

FIRST FLOOR
 SCALE - 1:100 A1



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REV	AMENDMENTS MADE	DATE	DATE : 21/3/2011	PROPOSED RESIDENTIAL DEVELOPMENT AT :	SHEET:
1	1m REVERSING ZONE / GROUND FLOOR LAYOUT	11/3/2013	DRWN DM SCALE 1:100 A1	53 MOORE STREET PORT HEDLAND W.A. 6555	4/9
2	BEDROOM WINDOW CHANGED FROM 1570W TO 970W	21/3/2013			
3					
4					
5					
6					

WIND REGION D TERRAIN CATEGORY 2.0
 WIND CLASSIFICATION - C4
 IMPORTANCE LEVEL - 2
 SHIELDING FACTOR - 1
 SEISMIC DESIGN - 0.12
 SITE CLASSIFICATION - S

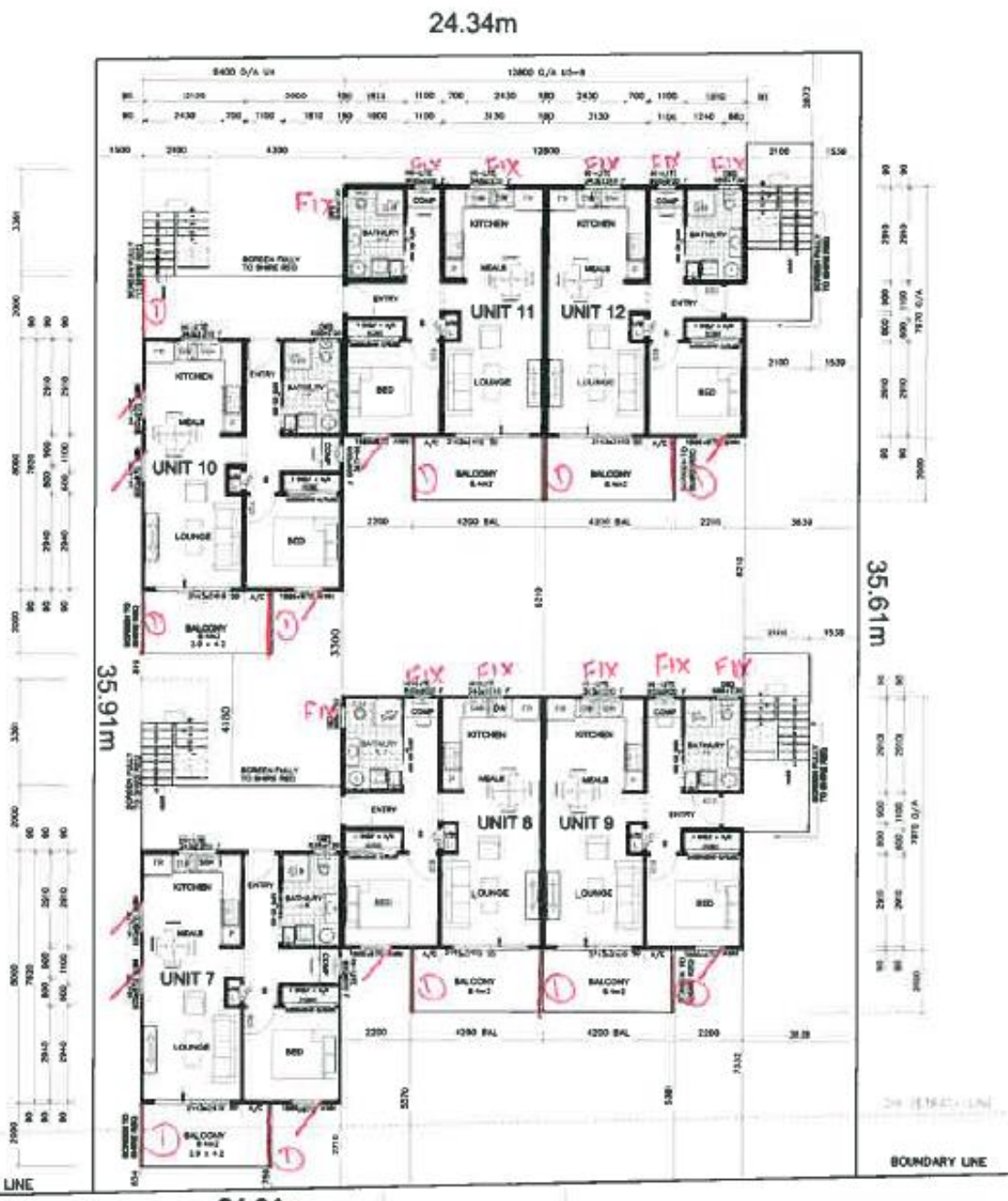
BUILDER:
 BUILDERS REG :

FILED 1-25 ERROR IN LAYOUT & WINDOW DUE TO PRINTING PROCESS

CAUTION NOT CONSTRUCTION ISSUE PLANS. DEVELOPMENT APPROVAL ONLY

NOTE: ALL WALLS ARE DRAWN 90mm UNLESS OTHERWISE SHOWN.

CAUTION PLANS PENDING FINAL FINISHED FLOOR LEVELS.



① - Full height screen to shore requirements
 FIX - Fixed window or opening
 / - Deflection screen on northern or eastern edge of operable windows

SECOND FLOOR
 SCALE = 1:100 A1



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REV	AMENDMENTS MADE	DATE	DATE : 21/3/2011	PROPOSED RESIDENTIAL DEVELOPMENT AT :	SHEET:
1	1m REVERSING ZONE / GROUND FLOOR LAYOUT	11/3/2013	DRWN DM SCALE 1:100 A1	53 MOORE STREET PORT HEDLAND W.A. 6555	5/9
2	BEDROOM WINDOW CHANGED FROM 1570W TO 970W	21/3/2013			
3			WIND REGION D TERRAIN CATEGORY 2.0	BUILDER: BUILDERS REG :	
4			WIND CLASSIFICATION - C4		
5			IMPORTANCE LEVEL - 2		
6			SHIELDING FACTOR - 1 SEISMIC DESIGN - 0.12 SITE CLASSIFICATION - S		

ALSO 3-15 ERROR IN LATEST DIMENSIONS DUE TO PENDING PROCESS

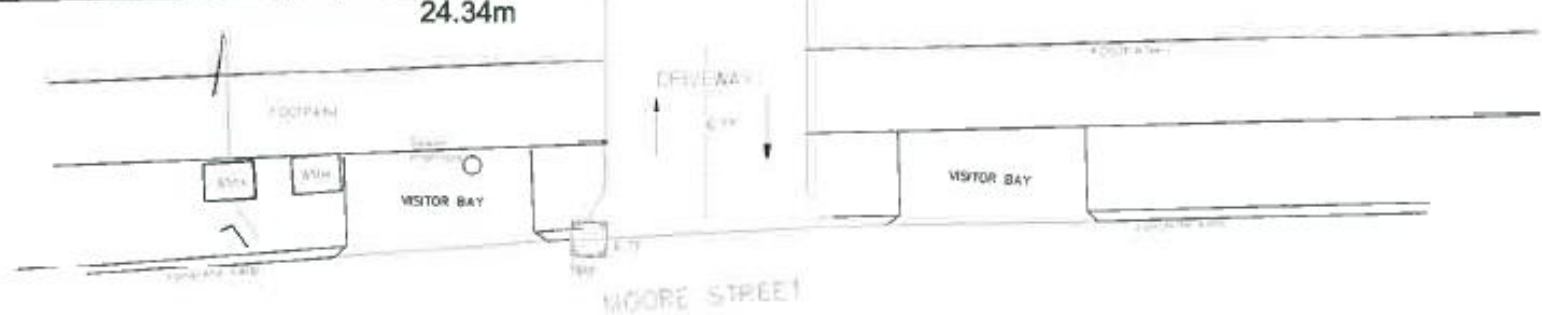
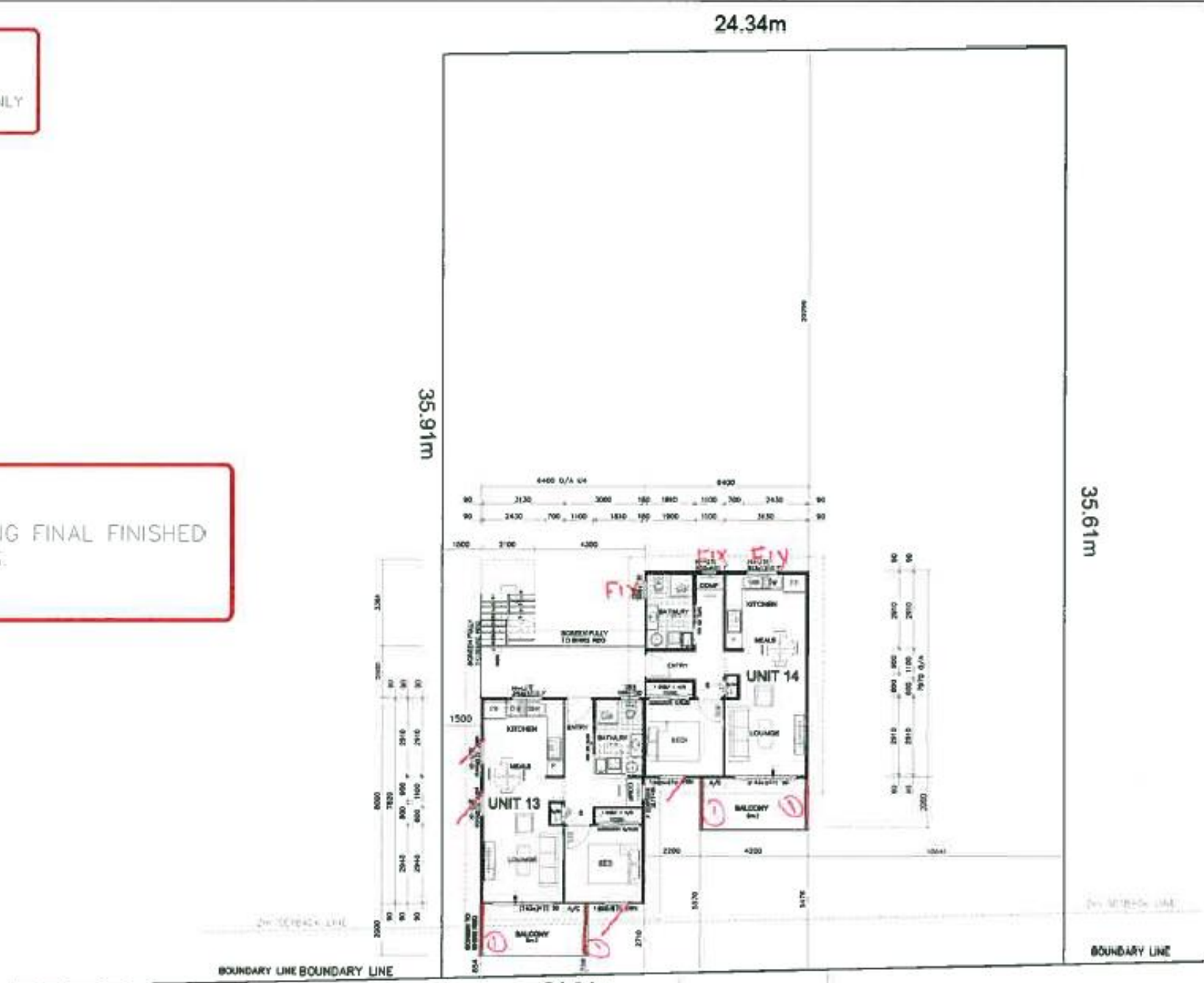
CAUTION NOT CONSTRUCTION ISSUE PLANS. DEVELOPMENT APPROVAL ONLY

NOTE: ALL WALLS ARE DRAWN 90mm UNLESS OTHERWISE SHOWN.

CAUTION PLANS PENDING FINAL FINISHED FLOOR LEVELS.



① Full height screen to Shire requirements
 Fix Fixed windows or opening
 / Deflection screen on Northern or Eastern edge of operable windows



THIRD FLOOR
 SCALE - 1:100 A1

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Dean Muller
 DESIGN

REV	AMENDMENTS MADE	DATE	DATE : 21/3/2011	PROPOSED RESIDENTIAL DEVELOPMENT AT :	SHEET:
1	1m REVERSING ZONE / GROUND FLOOR LAYOUT	11/3/2013	DRWN DM SCALE 1:100 A1	53 MOORE STREET PORT HEDLAND W.A. 6555	6/9
2	BEDROOM WINDOW CHANGED FROM 1570W TO 970W	21/3/2013	WIND REGION D TERRAIN CATEGORY 2.0 WIND CLASSIFICATION - C4 IMPORTANCE LEVEL - 2 SHIELDING FACTOR - 1 SEISMIC DESIGN - 0.12 SITE CLASSIFICATION - S		
3				BUILDER:	
4				BUILDERS REG :	
5					
6					

WIND 3-15 ORDER IN LATEST BUILDINGS ACT 10 FINISH PROCESS

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3. APPENDIX B

Extract from CA&MJ Lommers Pty Ltd

Report Pages 56-57.

C.A. & M.J. LOMMERS PTY LTD

ACN 053 135 318 • ABN 76 349 760 785

REF.: Z:\Projects\2007\2007.0106 L104 Dust Control v2.docx

Page: 4 of 8

The following figure 3 illustrates how air flows around rectangular buildings. It can be established from the streamlines, in the illustration, that wind velocities on the leeward side of the building are lower than the windward side due to the re-circulating of wind down-wind from the building.

This reduction in wind velocity may provide air-borne dust opportunity to settle out of the air and not be drawn into the building.

3. WINDOW AND DOOR ORIENTATION (cont.)

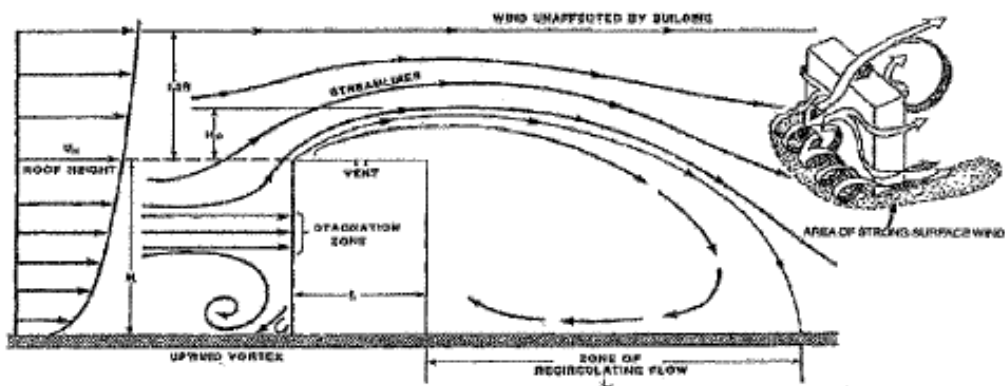


Figure 3 – Flow Patterns around a Rectangular Building (ASHRAE – Fundamentals 2001)

For this reason, openings should be limited to walls on the leeward side of the prevailing winds in Port Hedland.

We have assessed wind rose data for the area, provided by the Bureau of Meteorology, and as such it can be concluded that operable openings on Northern or Eastern facades should be avoided to reduce direct ingress of airborne dust particles.

The prevailing winds in the Northern Dry Season (May to September) indicate the vast majority of the time the wind comes from East-South-Easterly in the morning swinging around to North-Nor-Westerly in the afternoon.⁽⁵⁾

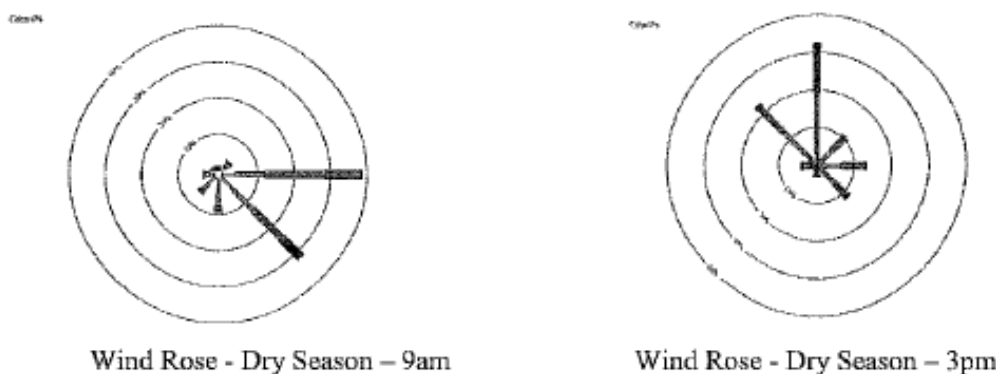


Figure 4a & 4b – Wind Rose Illustrations for Port Hedland (Bureau of Meteorology)

C.A. & M.J. LOMMERS PTY LTD
ACN 053 135 318 • ABN 76 349 760 785

REF.: Z:\Projects\2007\2007.0106 L104 Dust Control v2.docx
Page: 5 of 8

Protective screens or louvers may be implemented to reduce the direct impact of winds onto the windows and produce slow moving re-circulating air zones such as those depicted in Figure 3. In the same manner, eaves provided at roof level are expected to function in a similar way.

By reducing the localised wind velocity, it expected more dust will settle out from the air, lessening ingress into the dwelling.

3. WINDOW AND DOOR ORIENTATION (cont.)

Windows on the west facades should be protected on the left hand side of the opening, windows on the south facade should be protected on the right hand side of the opening.

These screens should be the full height of the windows and designed such that wind may be directed away from the window whilst still maintaining vision out of the window.

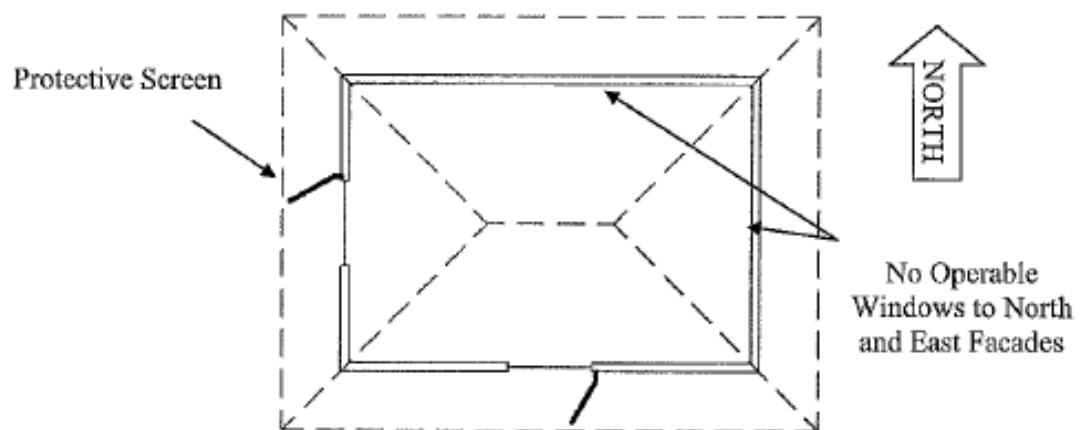


Figure 5 – Window and Deflection Screen Locations

High density developments and high roofs of buildings can be effective to create a building boundary layer that may reduce the direct air-flow into the building. ⁽⁴⁾

By grouping dwellings together atmospheric boundary layers are formed, reducing the local wind velocity in proportion to the height and density of building.

Orienting buildings such that wind-tunnelling effects of prevailing winds amplifying wind velocity should be avoided.

Protective screens and porticos in front of the main building entrance may be of assistance to reduce the direct impact of wind onto the opening.



4. APPENDIX C

Clause 6.3 Town of Port Hedland

6.3.9 Residential development within the West End Residential Zone and within the area bounded by Withnell, McKay and Anderson Streets, and The Esplanade, Port Hedland shall be in accordance with a local planning policy, development plan or design guideline adopted by Council that incorporates building design and performance standards to reduce exposure to dust, and to include but not necessarily be limited to—

- filtration of incoming air into the building designed to utilise coarse disposable pre-filtration (i.e. G3 or G4 rated) and then a finer filter (i.e. F4 rated);
- location of operable windows and doors on the western and southern building facades only;
- use of deflection screens on the northern and eastern edges of operable windows;
- use of eaves;
- orienting buildings to avoid wind tunnelling effects; and
- protective screens and porticos at building entrances to reduce the direct impact of wind onto the opening.

6.3.10 Notwithstanding anything contained within the Residential Design Codes, all residential development in the West End Residential Zone shall comply with the following—

- (a) Residential development must be between a minimum yield equivalent to the R30 density and a maximum yield equivalent to the R80 density for all land and/or any individual lot included within an application for planning approval.
- (b) The maximum internal floor area for all dwellings is 110 m².
- (c) No dwelling shall have greater than two (2) bedrooms or rooms capable of being used as bedrooms.

6.3.11 When considering an application for planning approval within the West End Residential Zone, Council shall consider the purpose of the zone and recommendations of any formal risk study undertaken by or endorsed by the Department of Health.

6.3.12 Notwithstanding Clause 6.1.1 of the Residential Design Codes of Western Australia 2008, Council shall not recommend approval for the creation of lots that are less than 600 m² unless the lots are already developed or it is demonstrated that the lots may be developed for grouped or multiple dwellings.

6.4 URBAN DEVELOPMENT ZONE

6.4.1 The purpose of the Urban Development zone is to identify land where detailed planning and the provision of infrastructure is required prior to the further subdivision and development of land. This planning should be documented in the form of a Development Plan. Although subdivision and development may take place prior to the Scheme maps being amended to reflect the details of Development Plans; the Scheme maps should be amended as soon as practicable following the creation of lots and Crown reserves.

6.4.2 Subject to the provisions of clause 5.2, the Council may require the preparation of a Development Plan for the whole or any part of the Urban Development zone.

6.4.3 The Development Plan shall address the matters outlined in Appendix 6.

6.4.4 A Development Plan may require additional conditions and these shall be outlined in Appendix 10. AMD 14 GG 22/8/08

Amendment 22 aims to:

- provide a mechanism to control the demographic for the area;
- create a new residential zone, the 'West End Residential Zone' with the intention of discouraging long term residency by families with children or elderly people;
- add vibrancy to both the West End and the nearby commercial area;
- maximise opportunities for workers in nearby employment nodes to reside close to work; and
- provide alternative opportunities, and commercial and entertainment facilities.

A summary of the mechanisms proposed to achieve these aims is shown in the table below.

Table 3 (c): Changes to West End Development

WEST END	Current Zoning	Proposed Zoning
Density	R30 or R50 <i>(depending on location)</i>	Minimum R30
Maximum Dwelling Size	No limit	110m ²
Maximum No. Bedrooms per dwelling	Not limited. <i>Predominantly 3 to 4</i>	2
Potential Bedroom Yield	3,476 <i>Assuming all landowners developed their land with residential buildings to their maximum capacity.</i>	2,312 <i>Assuming an average of R60 density is achieved with maximum of 2 bedrooms per dwelling</i>
Grouped Dwellings	Currently possible to create lots with development potential for only a single dwelling	Any new subdivision /amalgamation to be designed to permit development of grouped dwellings
Single Dwellings	Currently a permitted use. New development doesn't require planning approval subject to compliance with the R Codes	To become prohibited use <i>Existing dwellings to be listed as 'additional uses' to protect landowner rights.</i>
Building Design Guidelines	None	Proposed
Aged or Young Persons Facilities Permitted	Yes	No
Notification of Potential Health Concerns on the Certificate of Title	This is Council's current practice	This will become a standard for new developments

The Taskforce sought advice on the effectiveness of the measures proposed in Amendment 22. To this end, a report was commissioned from CA and MJ Lommers Pty Ltd on potential modification measures to building design. A full copy of the Lommers Report is provided at Appendix 4.



5. APPENDIX D

Location of the Site in the context of Wind Direction



SHEET:
11/12



STREET SCAPE

PROPOSED RESIDENTIAL DEVELOPMENT AT:
53 MOORE STREET PORT HEDLAND
W.A. 6555



Muller Cripwell
Family Trust
T/As

Dean Muller DESIGN

deanmullerdesign@bigpond.com
0432-598660

Q PROJECTS
IMPRESSION

SHEET:
12/12



STREET SCAPE

PROPOSED RESIDENTIAL DEVELOPMENT AT:
53 MOORE STREET PORT HEDLAND



Muller Cripwell
Family Trust
T/As

Dean Muller DESIGN

deanmullerdesign@bigpond.com
0432-598660

Q PROJECTS

11.1.1.5 *Proposed Industry – Noxious – Concrete Batching Plant Facility on Lot 1032 (16) Murrena Street, Wedgefield (File No.: 120490G)*

Officer: Leonard Long
Manager Planning
Services

Date of Report: 27 May 2013

Application No: 2013/292

Disclosure of Interest by Officer: Nil

Summary

Council received an application from Resolve Group on behalf of the property owner Emanuel Dillon, for a “Noxious Industry” – Concrete Batching Plant Facility on Lot 1032 Murrena Street, Wedgefield (the site).

As a result of receiving one (1) objection and given the contentious nature of “Noxious Industry” the report is being presented to Council for consideration.

The application is supported by the Towns’ Officers subject to conditions, Council is requested to consider the application favourably.

Background

Site Description (Attachment 1)

The site is rectangular and has an area of 4836m², ingress to and egress from the site is obtained via Murrena Street.

In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5), the subject site is zoned “Industry” and is located within the “Wedgefield Special Control Area”. TPS5, zoning table identifies the proposed use of “Industry Noxious” as an “SA” use. An “SA” use can be considered for approval by Council within an “Industry” zone subject to compliance with clause 4.3 of TPS5.

Proposal (Attachment 2)

The applicant has leased the site for a period of three (3) years, and is proposing to operate a concrete batching plant from the site. The facility will consist of the following:

- Modular toilet block,
- Modular Site Office,
- Staff and visitor parking,
- Four (4) aggregate bins,

- Wash out pits,
- Settlement pits,
- Silos and Piggyback assembly, and
- Wedge pits.

A detailed operational procedure is attached as Attachment 2.

Consultation

The application was circulated as follows:

Internally:

- Manager Technical Services
- Manager Building Services
- Manager Environmental Health Services
- Manager Engineering Services

Externally:

- Department of Environment and Conservation
- Department of State Development
- Department of Health
- Horizon Power
- Optus
- Telstra
- Water Corporation
- Wedgefield Small Business Owners Association
- Port Hedland Chamber of Commerce

The following comments were received:

Comment	Planning Response
Department of Environment & Conservation: “Under part V of the Environmental Protection Act 1986 (the Act) the proponent requires a works approval as outlined in the Environmental Protection Regulations 1987, to construct the facility and upon completion will be required to obtain registrations to operate the facility.”	The DEC has issued a works approval to construct the site. The Officer’s recommendation requires the DEC to obtain an Operating License prior to exercising the use should it be approved by Council.
Department of State Development: “As you know, this Department is involved with the development of the nearby Boodarie Strategic Industrial Area (Boodarie). In late 2012 the Department, together with LandCorp, the Town of Port Hedland and the Department for Environment and Conservation contemplated the relocation of noxious industries from Wedgefield to Boodarie due to risks	The Officers recommendation limits the approval time to two (2) years, being sufficient time for the scheme amendment recently initiated by Council to be finalised.

<p>raised by the Town regarding a conflict of uses (residential and noxious) in Wedgefield.</p> <p>Discussions at the time included consideration of requiring all new noxious industries in Port Hedland to locate in Boodarie. However, a number of issues were identified with this proposal. These issues include the substantial additional cost for these types of proponents locating in Boodarie compared with the cost of locating in Wedgefield and the lack of funding and services available. I understand that discussions have progressed since late last year and an agreement has now been made between the Town and LandCorp that land within the Transport Development precinct in Wedgefield, where no residential uses are permitted, will be released to accommodate noxious industries and mitigate the issues regarding the conflict of uses in Wedgefield. I also understand that LandCorp lodged a Scheme Amendment last month to permit general and noxious users to locate in the Transport Development area.</p> <p>The above application relates to a use that is permitted in Wedgefield under the Town Planning Scheme, it is hoped that the Town will be cognisant of reducing the known issues with the existing conflict of uses in Wedgefield rather than exacerbating the problem.</p>	
<p>Department of Health: “In the absence of further information on surrounding land uses, the DOH is concerned about the potential effects on health and amenity of surrounding land uses from the proposed concrete batching plant. The proponent should ensure that the plant is licenced through the Department of Environment and Conservation and that an appropriate dust management plan has been approved and implemented prior to operation of the plant; including the inclusion and</p>	<p>Surrounding Land Uses: The primary uses within the area are industrial in nature and would not be impacted upon by the proposed use, should the use be approved subject to the recommended conditions.</p> <p>DEC licencing: As previously stated the officers recommendation includes the requirement for the applicant to obtain a DEC operating license.</p>

<p>management of appropriate buffers.”</p>	<p>Buffers: Buffers are generally required for industrial uses associated with off-site emissions that may affect adversely the amenity of sensitive land uses. Sensitive land uses include residential development, hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes, child care facilities, shopping centres, playgrounds and some public buildings. Some commercial, institutional and industrial land uses which require high levels of amenity or are sensitive to particular emissions may also be considered “sensitive land uses”. Examples include some retail outlets, offices and training centres, and some types of storage and manufacturing. Should the application be approved it would be subject to the conditions imposed as well as any conditions imposed by the DEC through the works approval.</p>
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Advertising

The application was advertised in the local newspaper (North West Telegraph) on 22 May 2013. Notification of the application was sent to all the adjoining landowners indicated in attachment 1. A site notice was placed onsite and maintained for a period of 14 days as from 22 May 2013.

One submission has been received during the advertising period and is summarised as follows:

Objection	Applicant’s Response
<p>Potential health hazards as a result of dust emissions</p>	<p>As per the DEC requirements there will be no dust that leaves the boundaries, therefore no threat to Flora or Fauna or adjoining tenants. We acknowledge the complainant’s comment however if the DEC requirements are not met then these matters will be dealt with by the DEC to bring the development into compliance with the works approval.</p>
<p>Concerns with regards to increase heavy traffic</p>	<p>MCS traffic flow will be minimal compared to transport companies residing in the same street. We therefore consider the use acceptable from a permitted use under the scheme.</p>

This will also decrease the value of my property	The value and sale of the property are not a relevant planning consideration.
--	---

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

The proposal is defined as a prescribed premise under Schedule 1 of the Environmental Protections Regulations 1987 (Category 77) "Concrete batching or cement products manufacturing: premises on which cement products or concrete are manufactured for use at places or premises other than those premises."

Policy Implications

Nil

Strategic Planning Implications

The following sections of Council's Strategic Plan 2012 – 2022 are considered relevant to this proposal:

6.2 Economic

6.2.1 Diverse Economy

Facilitate commercial, industry and town growth.

The following section of the "Pilbara's Port City Growth Plan" is considered relevant to this proposal:

5.6.6 Precinct 6 – Wedgefield Industry & Logistics

Precinct Summary:

"Retention of existing Wedgefield with gradual relocation of heavier uses to other Growth Precincts more appropriately designated."

Budget Implications

Immediate:

The prescribed fee \$1,910.10 has been received.

Officer's Comment

Remote Towns are very much reliant on the attraction and retention of all types of industrial uses. Services not available in Town can be obtained at a great cost to the end users. It is therefore, imperative to attract as many different industrial uses to the town whilst still protecting the existing uses.

Currently Wedgefield is the Towns only “development ready” industrial area and has been developed with variety industrial types. Council’s Pilbara Port City Growth Plan has identified the need to improve the amenity of the existing Wedgefield area by gradually relocating heavier industrial land uses (such as Industry – Noxious and Industry – General) to more appropriately designated growth precincts. As such Council recently initiated a scheme amendment (Scheme Amendment 65) to allow “General” / “Noxious Industry” (subject to conditions) to be developed within the Transportation zone. Should this scheme amendment be finalised it will enable industrial uses such as what is being proposed on the site to be located within an appropriately designated precinct.

Considering the scheme amendment may take twelve (12) to eighteen (18) months to complete it would be reasonable to support the proposed development on the site provided it can be contained within the property boundaries and a temporary approval issued for a period of two years.

Technical Consideration:

The subject site is located within the Wedgefield Special Control Area. In accordance with Section 7.5.3 of the Scheme, it states:

“When considering applications for planning approval in the Wedgefield special control area Council shall have regard for:

- (c) The potential impacts of emissions of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash dust, waste water or other waste products from existing or proposed developments on an existing or proposed caretaker’s dwelling.*
- (d) The potential for exposure to risks and hazards associated with the location of a caretaker’s dwelling in proximity to any other development, and in this regard may refer application for planning approval to the Environmental Protection Authority for advice or assessment of risks and hazards*

In terms of the “Concrete Batching Plant Regulations 1998” the operator of such facility is required to comply with a number of regulations that will ultimately ensure any emissions emanating from the facility will be retained on-site. In this regard the applicant included the DEC works approval application (Attachment 3) detailing compliance with the “Concrete Batching Plant Regulations 1998 and the Wedgefield Special Control Area.

Development Controls

The proposed development has been assessed in terms of Part VI of the Port Hedland Town Planning Scheme No, 5 and found to be compliant subject to the conditions proposed.

Attachments

1. Locality Plan
2. Development Plans
3. DEC works approval justification (under separate cover)
4. Objection Letter
5. Applicant's reponse

201314/006 Officer's Recommendation/Council Decision**Moved: Cr Jacob****Seconded: Cr Hunt**

That Council approves the application submitted by the Resolve Group of behalf of the property owner Emanuel Dillon, for a "Noxious Industry" – Concrete Batching Plant Facility on Lot 1032 Murrena Street, Wedgefield, subject to the following conditions:

- 1. This approval relates only to the proposed "Industry – Noxious" – Concrete Batching Plant, as indicated on the approved plans (DRG2013/292/1 - DRG2013/292/4). It does not relate to any other development on this lot;**
- 2. The approval shall be a valid for a period of two years;**
- 3. The office shall be incidental to the predominant use, being "Industry Noxious", and shall not be used for office activities unrelated thereto;**
- 4. No human habitation shall be permitted on the lot;**
- 5. A minimum of 6 car parking bays shall be provided onsite as indicated on the approved site plan (DRG2013/292/1);**
- 6. No parking bays shall be obstructed in any way or used for any other purpose than parking;**
- 7. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Services;**
- 8. Dust and sand shall be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Environmental Health Services;**
- 9. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the landowner's cost, to the specification and satisfaction of the Manager Technical Services;**

The following conditions are to be cleared by Planning Services prior to the submission of an application for a building permit.

- 10. Prior to the submission of an application for a building permit a detailed landscaping and reticulation plan including any street verge, shall be submitted and approved by the Manager Planning Services. 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';**
- 11. Prior to the submission of an application for a building permit, a "Stormwater management plan" shall be submitted and approved by the Manager Planning Services;**
- 12. Prior to the submission of an application for a building permit, a "Dust Control management plan" shall be submitted and approved by the Manager Planning Services;**
- 13. Prior to the submission of an application for a building permit, an "Erosion and Sediment Control Plan" shall be submitted and approved by the Manager Planning Services;**
- 14. Prior to the submission of an application for a building permit, a "Construction Site Management Plan" shall be submitted and approved by the Manager Planning Services. The "Construction Site Management Plan" shall indicate how it is proposed to manage the following during construction:**
 - 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 / businesses;**

The following conditions are to be cleared by Planning Services prior to the occupation of the development.

- 15. Prior to the occupation of the development, the landowner shall obtain an Operating License from the Department of Environment and Conservation;**
- 16. Prior to the occupation of the development landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services; (Refer to advice note 3)**
- 17. Prior to the occupation of the development, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the landowner. Design and construction standards shall be in accordance with relevant Australian Standards to the satisfaction of the Manager Planning Services;**

18. Prior to the occupation of the development, access way(s), parking area(s), turning area(s) and maneuvering areas shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the landowner in accordance with Town Planning Scheme No. 5 and Australian Standards, to the satisfaction of the Manager Planning Services;
19. Prior to the occupation of the development the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, and approved by the Manager Planning Services; and
20. Prior to the occupation of the development, an approved effluent disposal system shall be installed to the satisfaction of the Manager Planning Services.

ADVICE NOTES:

1. In terms of the Port Hedland Town Planning Scheme No 5, "Industry Noxious" is defined as follows and shall only be used for this purpose:

"An industry which is subject to licensing as "Prescribed Premises" under the environmental Protection Regulations 1987 (as amended)."
2. You are reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements;
3. In the absence of a clear definition of "mature trees and shrubs" within the Port Hedland Town Planning Scheme, No.5, for the purpose of this approval "mature trees and shrubs" shall mean trees of no less than 2m in height and shrubs of no less than 0.5m in height;
4. The proposed development must not interfere with existing effluent disposal system(s);
5. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Manager Planning Services;
6. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times;
7. The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval; and

- 8. To clear any conditions kindly contact the Towns Compliance Officer on (08) 9158 9300. Please note it may take up to 28 days to clear conditions.**

CARRIED 5/1

NOTE: Council asked that administration speak with the applicant to have the dates of the approval aligned with the dates of the lease.

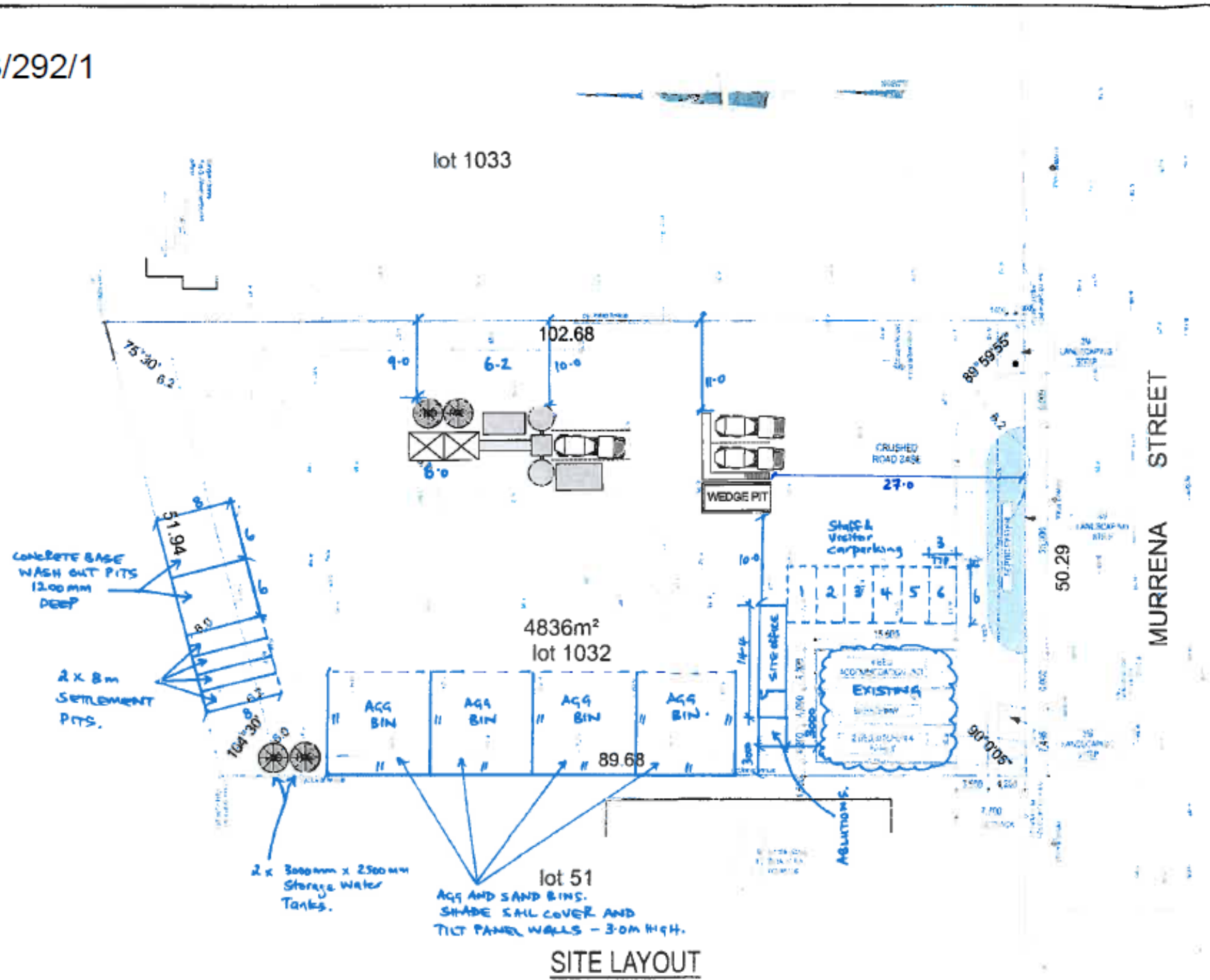
ATTACHMENT 1 TO ITEM 11.1.1.5

Attachment 1 – Location Plan



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DRG2013/292/1



DRAWING NOTES.

- All development is contained within the subject allotment.
- The transportable toilet does not connect to the existing septic system and maintains its own storage. Waste will be disposed of by waste removal trucks.
- Carparking to comply with AS 2890
- 1800mm Chain Link Fencing proposed around the site for security
- FFL of Site Office / Toilet RL 6.3.

SITE LAYOUT

MCS
Mobile Concrete Solutions PTY LTD

Need some concrete?
We'll be there!

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Karratha 6714
Ph: (08) 9185 0400
Fax: (08) 9185 0450
www.mobileconcrete.com.au

Project			
MCS PORT HEDLAND			
LOT 1032 MURRENA STREET WEDGEFIELD			
Date	Scale	Drawn By	Draw No.
	1:500 AT A3.	KH	1/1

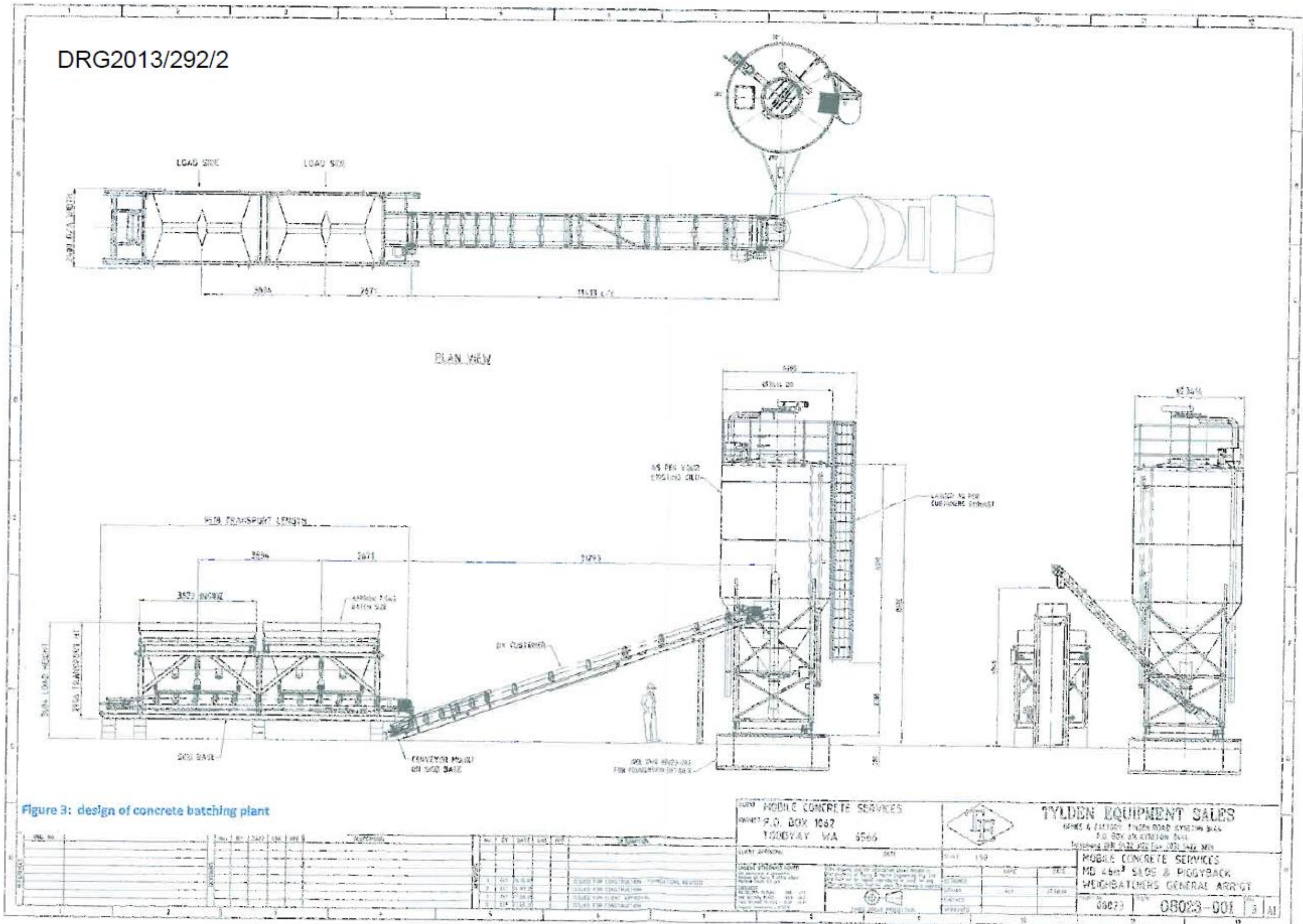


Figure 3: design of concrete batching plant

REV.	BY	DATE	DESCRIPTION
1	ISSUED FOR CONSTRUCTION - FUNCTIONAL REVISED
2	ISSUED FOR CONSTRUCTION
3	ISSUED FOR CLIENT APPROVAL
4	ISSUED FOR CONSTRUCTION

MOBILE CONCRETE SERVICES UNIT 2, P.O. BOX 1062 TOOEYVA WA 6566		TYLDEN EQUIPMENT SALES UNIT 4, 181001 TYLDEN ROAD, CYRILIA WA 6105 P.O. BOX 24, KIRKSTON WA 6103 Telephone 08 9422 3022 Fax 08 9422 3018
CLIENT APPROVAL: _____ DATE: _____ PROJECT: _____ DRAWING NO: _____ SCALE: _____ SHEET NO: _____ OF _____	MOBILE CONCRETE SERVICES MD 45m ³ SAGE & PIGGYBACK WEIGHBATCHERS GENERAL ARR'Y	08023 001

DRG2013/292/3



LHS ELEVATION

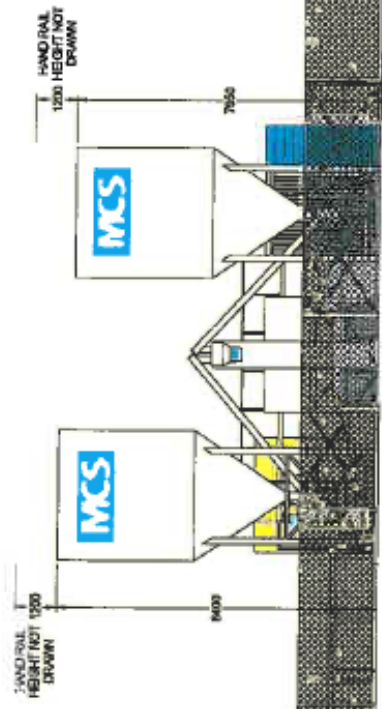
MCS Mobile Concrete Solutions PTY LTD

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Karratha 6714
Ph: (08) 9185 0400
Fax: (08) 9185 0450
www.mcsconcrete.com.au

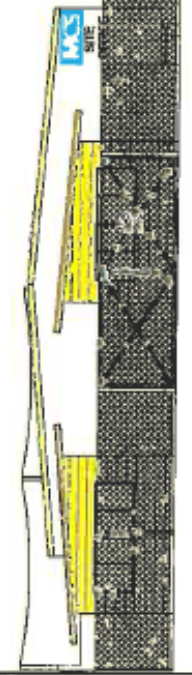
We'll be there!

Project	MCS PORT HEDLAND LOT 1032 MURRENA STREET WEDGEFIELD
Date	
Scale	N/A
Drawn By	RP
Draw No.	1/1

DRG2013/292/4



REFER ELEVATION 3



REFER ELEVATION 2

 <p>Mobile Concrete Solutions PTY LTD</p>	<p>Need some concrete? We'll be there!</p>	<p>PO Box 1435 Karratha 6714 Ph: (08) 9185 0400 Fax: (08) 9185 0450 www.mcsconcrete.com.au</p>		<p>Project: MCS PORT HEDLAND LOT 1032 MULIRRENA STREET WEDGEFIELD</p>
		<p>Date:</p>	<p>Scale: N/A</p>	<p>Drawn By: RP</p>

ATTACHMENT 4 TO ITEM 11.1.1.5

Luke and Karin O'Malley
7 Archdeacon Street
Nedlands WA 6009

18th June 2013

Your Ref 2013/292/120490G

Mr Ryan Djanegara
Senior Planning Officer
Town of Port Hedland

Dear Mr Djanegara,

**RE: Application for Noxious Industry – Concrete Batching Plant on Lot 1032 (16)
Murrena Street, Wedgefield (Light Industrial Area)**

As the Property owners of 7 Murrena Street, Wedgefield we are opposed to the proposed Concrete Batching Plant at 16 Murrena street, Wedgefield.

Our tenants Outback Trees of Australia Pty Ltd (OTA) have several employees working there every day and the crushed stone or aggregate can contain Crystalline Silica dust particles that can be hazardous to the human respiratory system regardless of how much dust control there is in place.

Also the PH levels of the dust are caustic and can also harm the plants that are housed in the tenants (OTA) nursery.

We also have an issue with what will be an increase in heavy traffic in Murrena Street.

If this "Noxious Industry" were to proceed we have no doubt that the value of our property will decrease significantly as we purchased said property under the guise of Light Industrial Area not Heavy Industrial.

Thank you for the opportunity to comment on the proposal.

Yours sincerely,



Luke and Karin O'Malley

ATTACHMENT 5 TO ITEM 11.1.1.5

Djanegara Ryan

From: Kieran Hunt <kieran.hunt@resolvegroup.com.au>
Sent: Wednesday, 10 July 2013 2:56 PM
To: Djanegara Ryan
Subject: RE: Application 2013/292 for Noxious Industry - Concrete Batching Plant on Lot 1032 (16) Murrena Street, Wedgefield

Hi Ryan,

As per our phone conversation earlier please see our comments below to address the letter of objection received:

- As per the DEC requirements there will be no dust that leaves the boundaries, therefore no threat to Flora or Fauna or adjoining tenants. We acknowledge the complainant's comment however if the DEC requirements are not met then these matters will be dealt with by the DEC to bring the development into compliance with the works approval;
- MCS traffic flow will be minimal compared to transport companies residing in the same street. We therefore consider the use acceptable from a permitted use under the scheme;
- The application is temporary, for 3 years maximum (based on the Town's support);
- There are three other Batching Plants in the immediate vicinity the closest being 380 metres away in a direct line.

I trust the above satisfies but please let me know if there are any queries.

Thanks

Kieran Hunt
Director

Resolve Group Pty Ltd
Suite 6 / 16 Kearns Crescent, Ardross, 6153
T +61 (8) 9364 3395
M +61 417 308 420
E kieran.hunt@resolvegroup.com.au
W www.resolvegroup.com.au

11.1.1.6 Appointment of Working Group Members for the Town of Port Hedland Local Housing Strategy (File No.: 18/12/0032)

Officer Jorine Bothma
Senior Strategic Planner

Date of Report 16 July 2013

Disclosure of Interest by Officer Nil

Summary

The purpose of the report is for Council to approve the members for the Local Housing Strategy Working Group subsequent to the advertisement seeking expression of interest.

Background

At the Ordinary Council meeting of 22 May 2013 it was resolved as follows:

“That Council:

1. *Endorses the initiation of a Local Housing Strategy;*
2. *Approves of the advertisement seeking expression of interest for members to serve on the Steering Group limiting the community membership to two;*
3. *Endorses the Project Steering Group membership as follows:*
 - a. *Four Elected Members, being Mayor Howlett, Cr Jacob, Cr Hunt and Cr Taylor;*
 - b. *Director Planning and Development;*
 - c. *Director Engineering;*
 - d. *Director Community Development;*
 - e. *One nominated member (or a proxy) from the Port Hedland Chamber of Commerce and Industry;*
 - f. *One nominated member and (or a proxy) from the Wedgefield Small Business Association;*
 - g. *One nominated member (or a proxy) from the South Hedland Small Business Association; and*
 - h. *Two Community Representatives.*
4. *Approves a quorum of six (6) and amends the terms of reference accordingly; and*
5. *Agrees to add a ‘community member’ to the quorum of the committee and amends part 4.5 of the terms of reference accordingly.”*

The Local Housing Strategy will provide a firm rationale for the provision of a range of housing types which will provide choice for Town of Port Hedland residents.

Expressions of interest were sought for members from the community and business organisations to serve on the Project Steering Group and to participate in the formulation of the Local Housing Strategy. The advertisement for expressions for interest closed on 10 June 2013 and a total of five (5) submissions were received. The purpose of this report is to ask Council to endorse the membership of the Local Housing Strategy Steering Group.

Consultation

Expressions of interest seeking membership to the Local Housing Strategy were publicly advertised on the Administration building notice board, in the North West Telegraph, on the Town's website and the Town of Port Hedland Facebook page.

The submissions period closed on 10 June 2013 and expressions of interest were received from the following individuals/organisations:

1. Patrik Mellberg (Community Representative);
2. Cheryl Edwardes representing the Port Hedland Industries Group (PHIC);
3. Jean King (community Representative);
4. Luke Jessop representing the South Hedland Small Business Association; and
5. Owen Hightower representing the Port Hedland Chamber of Commerce and Industry (PHCCI).

The Wedgefield Small Business Association was approached seeking a member to represent the organisation but no nomination was secured.

An email was received from Ms Jean King expressing an interest to represent the Youth Involvement Council in the Local Housing Strategy. It was confirmed telephonically with Ms King that she is able and willing to fill the portfolio as a community representative as opposed to only representing the Youth Involvement Council.

Statutory Implications

The Planning and Development Act 2005 (and Guidelines) sets out the procedure to prepare, advertise and endorse planning strategies.

The Town of Port Hedland Local Housing Strategy will need to be endorsed by the Western Australian Planning Commission (WAPC) and will be informing the Pilbara's Port City Growth Plan.

Policy Implications

Nil

Strategic Planning Implications

The following strategic documents apply to the report in general:

The Pilbara's Port City Growth Plan and Implementation Plan.

The Port Hedland Regional Hot Spots Land Supply Update, April 2011.

The following sections of Council's Strategic Community Plan 2012-2022 also applies to the proposal:

6.3 Environment

6.3.1 Housing

Ensure future land bank available for future residential development through a detailed property strategy, which identifies the sufficient amount a location of future residential lands

Budget Implications

The preparation of the Local Housing Strategy will be at no cost to Council as the Strategy will be prepared in-house.

It is anticipated the Planning Unit's current budget allocation will be sufficient to cover any costs associated with community consultation and related administrative requirements.

Officer's Comment

The submissions period closed on 10 June 2013 and expressions of interest were received from the following individuals/organisations:

Nominee	Organisation representing
Patrik Mellberg	Community Representative
Jean King	Community Representative
Cheryl Edwardes	Port Hedland Industries Group (PHIC)
Owen Hightower	Port Hedland Chamber of Commerce and Industry (PHCCI).
Luke Jessop	South Hedland Small Business Association

The Wedgefield Small Business Association was approached seeking representation but no nomination could however be secured. It is suggested that the nomination received for the Port Hedland Industries Group be added to the Working Group representation in the absence of receiving a nomination from the Wedgefield Small Business Association.

The Terms of Reference will need to be amended to reflect the addition of the Port Hedland Industries Group and to change the name of the group from 'Steering Group' to 'Working Group' to clarify that this group will be responsible to undertake organisational work, act in the interest of the community and report any recommendations back to Council.

Officers of the Town will now proceed with the preparation of the Local Housing Strategy with the assistance of the Working Group members. The first meeting of the Working Group is scheduled for 31 July 2013.

Attachments

1. Expressions of interest received.
2. Amended Terms of Reference

201314/007 Officer's Recommendation/Council Decision**Moved: Cr Jacob****Seconded: Cr Gillingham****That Council:**

1. **Takes note and approves of the following members to the Local Housing Strategy Working Group:**
 - a. **Four Elected Members, being Mayor Howlett, Cr Jacob, Cr Hunt and Cr Taylor;**
 - b. **Director Planning and Development;**
 - c. **Director Engineering;**
 - d. **Director Community Development;**
 - e. **Mr Patrik Mellberg (or his nominated proxy) and Ms Jean King (or her nominated proxy) as community representatives;**
 - f. **In the absence of a member representing the Wedgefield Small Business Association, approves Ms Cheryl Edwardes (or her proxy) to represent the Port Hedland Industries Group;**
 - g. **Mr Owen Hightower (or his proxy) to represent the Port Hedland Chamber of Commerce and Industry; and**
 - h. **Mr Luke Jessop (or his proxy) to represent the South Hedland Small Business Association.**
2. **That the Terms of Reference be amended accordingly to reflect the membership by the Port Hedland Industries Group and to change the name from 'Steering' to 'Working' Group.**

CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.1.1.6

Jorine Bothma

From: Charlie Tuaana <retail.manager@homehardware.net.au>
Sent: Monday, 8 July 2013 12:40 PM
To: Jorine Bothma
Subject: RE: Attention Charlie: Nominating a member for the Hedland Local Housing Strategy Working group

Hi Jorine,

The South Hedland Business Association Inc. will nominate Mr Luke Jessop as it's representative to sit on the Local Housing Strategy Working group. Luke can be reached on his email like.jessop@hotmail.com.

Please let me know if you require any further information.

Kind Regards,

Charlie Tuaana | **Retail Store Manager**
Hedland Home Hardware & Garden

From: Jorine Bothma [<mailto:ssp1@porthedland.wa.gov.au>]
Sent: Monday, 8 July 2013 09:02
To: retail.manager@homehardware.net.au
Subject: Attention Charlie: Nominating a member for the Hedland Local Housing Strategy Working group

Hallo Charlie

I am still chasing a letter for a member from the South Hedland Business Association to sit on the Local Housing Strategy working group meeting. This is the only letter of confirmation I need to obtain prior to sending the report to Council. Could you please assist?

Kind Regards



Jorine Bothma
Senior Strategic Planner
PO Box 41 Port Hedland WA 6721
Ph: (08) 9158 9328 Fax: (08) 9158 9399
Email: ssp1@porthedland.wa.gov.au
Web: www.porthedland.wa.gov.au

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Jorine Bothma

From: Mellberg, Patrik <Patrik.Mellberg@bhpbilliton.com>
Sent: Monday, June 10, 2013 4:01 PM
To: Jorine Bothma
Subject: RE: EOI Local Housing Strategy

Thanks Jorine
In summary

- I have lived in Port Hedland for 10 years as well as spending 3.5 years in Karratha. I have also spent 10 years in Newman so am very familiar with the Pilbara.
- I am a very active community member and have a strong passion for Port Hedland. I am currently deputy chair of the Hedland High School Board, President of the Hedland Amateur Swimming Club, on the executive team for the Port Hedland Chamber of Commerce and Industry. I am also a member of the Region 6 Swimming Association committee (Pilbara wide) and only recently stepped off the Saint Cecilia's Primary School Board after 6 years on this board.
- In my time here I have been the Pilbara/Gascoyne Director of Health (one of the largest government department in the North West) and currently work for industry (BHP) in town now.
- I have a Masters in Business Administration (MBA) and have extensive skill and experience in managing organisations and people, being on working groups, steering committees and boards.
- I believe that I can bring a balanced and informed perspective to the steering group and that my background, qualifications, knowledge and experience would be an asset to this group

Let me know if you require anything else.

Regards
Patrik



Patrik Mellberg
Principal Community Projects
Community & Indigenous Affairs, Iron Ore

BHP Billiton, PO Box 231, Port Hedland, 6721, Australia
T: +61 08 91736524 M: +61 0439 943 597
E: patrik.mellberg@bhpbilliton.com W: www.bhpbilliton.com

Please consider the environment before printing this email.

From: Jorine Bothma [mailto:ssp1@porthedland.wa.gov.au]
Sent: Monday, 10 June 2013 1:00 PM
To: Mellberg, Patrik
Subject: RE: EOI Local Housing Strategy

Hallo Patrick

Eber has requested me to respond to your request. I am looking after this project. I would like to thank you for showing an interest in this exciting project.

If you could briefly state what expertise you believe you can bring to the steering group it would be appreciated (you can send this in an email as well if you wanted to). I need to take a report to Council giving a brief overview of all the

nominations received. There are only two seats available on the Steering Group from a community perspective. If I could have the motivation to substantiate the respective nominations, it becomes easier to appoint the respective person (s).

Kind Regards



Jorine Bothma
Senior Strategic Planner
PO Box 41 Port Hedland WA 6721
Ph: (08) 9158 9328 Fax: (08) 9158 9399
Email: ssp1@porthedland.wa.gov.au
Web: www.porthedland.wa.gov.au

From: Butron Eber
Sent: Monday, June 10, 2013 10:36 AM
To: Jorine Bothma
Subject: Fwd: EOI Local Housing Strategy

Hi Jorine, can you please provide info to Patrick.

Thanks

Eber

Sent from my iPhone

Begin forwarded message:

From: "Melberg, Patrik" <Patrik.Mellberg@bhpbilliton.com>
Date: 10 June 2013 10:34:01 AWST
To: "council@porthedland.wa.gov.au" <council@porthedland.wa.gov.au>, "Butron Eber (directorpd@porthedland.wa.gov.au)" <directorpd@porthedland.wa.gov.au>
Subject: EOI Local Housing Strategy

Hi Eber

I would like to nominate as a community representative for the Local Housing Strategy Project Steering Group.

Can you please advise what information you need me to provide to complete the requirements of the expressions of interest?

Thanks

Patrik



Patrik Mellberg
Principal Community Projects
Community & Indigenous Affairs, Iron Ore

BHP Billiton, PO Box 231, Port Hedland, 6721, Australia
T: +61 08 91736524 M: +61 0439 943 597
E: patrik.mellberg@bhpbilliton.com W: www.bhpbilliton.com

Jorine Bothma

From: Osborne Mal
Sent: Wednesday, June 12, 2013 2:46 PM
To: Butron Eber; Jorine Bothma
Subject: Fwd: TOWN OF PORT HEDLAND LOCAL HOUSING STRATEGY PROJECT STEERING GROUP [HFWPER-HFWPER.FID1552]

Hi Eber and Jorine, Please see the request from Cheryl Edwardes, Chair of PHIC. I will advise Cheryl that her nomination will be considered. Cheers, Mal

M.J. (Mal) Osborne
Chief Executive Officer

PO Box 41 Port Hedland WA 6721
p: (08) 9158 9315 f: (08) 9158 9399
m: 0458 694 267
e: ceo@porthedland.wa.gov.au
www.porthedland.wa.gov.au

PORT HEDLAND - PILBARA'S PORT CITY

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CEO TOPH Sent from my iPad

Begin forwarded message:

From: Cheryl Edwardes <Cheryl.Edwardes@hfw.com>
Date: 7 June 2013 5:10:50 PM AWST
To: "ceo@porthedland.wa.gov.au" <ceo@porthedland.wa.gov.au>
Cc: "mayorkellyhowlett@porthedland.wa.gov.au" <mayorkellyhowlett@porthedland.wa.gov.au>
Subject: TOWN OF PORT HEDLAND LOCAL HOUSING STRATEGY PROJECT STEERING GROUP [HFWPER-HFWPER.FID1552]

Dear Mal

I note the advertisement calling for expressions of interest in the above group. I note that PHIC hasn't been specifically included but as the Chair of the Port Hedland Industries Group, PHIC would like to express an interest in becoming a member of the Group.

Kind regards

Cheryl

Jorine Bothma

From: De Meillon Steve
Sent: Monday, June 10, 2013 11:23 AM
To: Jorine Bothma
Subject: Fwd: Local Housing Strategy Working Group
Attachments: image001.jpg; image004.png; image003.png

Sent from my iPhone

Begin forwarded message:

From: Michelle Scott <michelle@phcci.com.au>
Date: 10 June 2013 10:23:50 AM AWST
To: <po3@porthedland.wa.gov.au>
Subject: Local Housing Strategy Working Group

Good morning,



Owen Hightower will attend this on behalf of the PHCCI.

Kind regards Michelle.

Michelle Scott



Executive Officer
5 Wedge Street Port Hedland WA 6722
Tel: 08 9173 1737 / Fax : 08 9173 1022
E-mail: michelle@phcci.com.au
Web: <http://www.phcci.com.au>
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Jorine Bothma

From: Coordinator at YAP <senior.housing@yic.com.au>
Sent: Monday, June 10, 2013 3:48 PM
To: Jorine Bothma
Cc: Manager at YIC
Subject: Housing Strategy Project Steering Group.

To whom it may concern,

The Youth Involvement Council Inc. wish to express our interest in the Local Housing Strategy Project, Steering Group.

Kind regards,

Jean

Jean King

YAP Coordinator

Youth Involvement Council

T: 08 9140 1668 | F: 08 9172 5594 | M: 0439 516 439

E: senior.housing@yic.com.au

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Town of Port Hedland Local Housing Strategy Working Group Terms of Reference

1. General Description

This document sets out the Terms of Reference for the Town of Port Hedland Local Housing Strategy.

2. Working Group Structure

The Working Group structure is endorsed by the Elected Members and consists of no more than twelve (12) members, being:

- Four Councillors;
- Director Planning and Development;
- Director Engineering;
- Director Community Development;
- One nominated member and a proxy from the Port Hedland Chamber of Commerce and Industry;
- One nominated member and a proxy from the Port Hedland Industries Group;
- One nominated member and a proxy from the South Hedland Small Business Association; and
- Two Community Representatives and two proxies.

The Technical Working Group will be assisting in the preparation of the Local Housing Strategy and will consist of the following members:

- Manager Planning and Development;
- Senior Strategic Planning Officer;
- Senior Statutory Planning Officer;
- Manager Economic Development;
- Manager Technical Services; and
- Manager Community Development.

3. Working Group's Role

The role of the Working Group is to:

- Provide guidance to the Technical Working Group preparing the Town of Port Hedland Local Housing Strategy
- Monitor the progress of the Technical Working Group in relation to the timelines and deliverables of the project
- Facilitate consultation with the Community and other stakeholders in relation to the project.
- Ensure the progress reports are presented to the Elected Members on a quarterly basis.

4. Terms of Reference

4.1 Limits of Authority

The Working Group does not have any delegated authority.

4.2 Membership and Decisions

- Membership is for the term of the project and has been endorsed by the Elected Members at an Ordinary meeting of Council.
- Decisions of the Working Group will be via a majority consensus of six (6) members.
- Other persons may be invited to attend the meetings at the request of the Chairman, on behalf of the Working Group, to provide advice and/or assistance where necessary. They have no voting rights and may be requested to leave the meeting at any time by the Chairman.

4.3 Leadership and Support

The Chairman shall be elected by the Working Group at the first meeting. The Senior Strategic Planner will provide administrative support as required.

4.4 Frequency of Meetings

The Working Group shall meet as and when required. If any meeting is cancelled or rescheduled the details and reasons shall be noted in the minutes of the next meeting.

4.5 Quorum

A quorum of members must be present before a meeting can proceed. The minimum quorum meeting shall be six (6), but must include the following:

- Two (2) Elected Members;
- One (1) Staff Member;
- Representative from Port Hedland Chamber of Commerce and Industry;
- Representative of the Port Hedland Industries Group; and
- Representative of the South Hedland Small Business Association.

4.6 Order of Meetings

Discussion at the meetings shall be controlled through the agenda. Any individual wishing to include a specific item in the agenda should advise the Senior Strategic Planner prior to the meeting date. Items to be considered in the agenda are:

- Project Progress
- Task Timelines/ Deliverables

- Facilitating Consultation
- Progress Reports to Councillors

4.7 Administrative Support

The role of the Senior Strategic Planner is to:

- Schedule meetings and notify members;
- Prepare agendas and issuing notices for meetings and ensuring all necessary documents requiring discussion or comment are attached to the agenda;
- Distributing the Agenda on the week prior to the meeting;
- Taking notes of proceedings and preparing minutes of the meeting;
- Distributing the minutes to all the members one week after the meeting;
- Maintain all Working Group records; and
- Prepare progress reports for Councillors.

11.1.2 Environmental Health Services**11.1.2.1 *Consideration of Recommendations – Goode St Coastal Geomorphological Study (File No. 11/01/0001)***

Officer Darryal Eastwell
Manager Environmental Health

Date of Report 3 July 2013

Disclosure of Interest by Officer Nil

Summary

This report has been prepared for Council to consider the recommendations of the recently completed foreshore study for Cooke point and Pretty Pool areas. The aim of the study was to investigate erosion to the foreshore areas adjacent to Goode St, Cooke Point, as well as the build – up of sand at the entrance to Pretty Pool.

One of the main requirements for the report was to outline tangible works that the Town could reasonably undertake to help address the issues at hand. A summary of the report findings is attached and copies of the full report will be made available to Councillors.

Background

For some time the Town has been in receipt of concerns relating to sand drift, erosion at the Goode St foreshore reserve and the build-up of sand at the entrance to the Pretty Pool creek.

Significant stabilisation/revegetation works have been undertaken to the Goode St foreshore however the area is still very vulnerable to the natural elements. Council was of the view that this matter should be a priority and approved funding to undertake a foreshore study to better understand the natural issues at hand.

As part of the 2012/13 budget process Council approved a Coastal Geomorphological Study to be undertaken for the Goode St/Pretty Pool foreshore area.

Cardno Pty Ltd was commissioned in February 2013 and their report was completed in May and Council received a briefing from the consultants at a recent concept forum.

Consultation

Cardno Pty Ltd submitted a quote to undertake the study along with several other companies and they were commissioned by the Town to undertake the study.

Consultation was undertaken with local residents, Care for Hedland Environmental Group and representatives from BHPB who were our project partner for the Goode St stabilisation/revegetation works.

The stormwater recommendations have been discussed with Councils Director of Engineering Mr Russell Dyer.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

The total cost of the project was \$27,749 which was within budget expectations for the study.

Officer's Comment

The consultant's report has made many recommendations and these are outlined below in their priority order.

Planting Mangroves

The Town should commence planting mangroves immediately in the locations outlined in their report. This exercise could be undertaken in association with the Care for Hedland Environmental Group who have expressed an interest in supporting the Town with these types of activities.

This exercise is reasonably inexpensive and should be undertaken prior to cyclone season to give mangroves a chance to establish. By planting mangroves it will naturally limit the impact of wave action on the foreshore reserve itself however they will take many years to establish.

Renourishment, Matting and Revegetation

It is recommended in the summary report that further renourishment design sketches be prepared outlining the location, extent of matting, revegetation and sand fencing. The cost of preparing these design sketches would be approximately \$10,000.

The placing of sand or renourishment by picking up sand at the entrance of the Pretty Pool creek and placing it along the Goode St foreshore reserve would be a very expensive exercise and appropriate approvals would need to be sought from the Department of Environment & Conservation. The sand that is relocated would need to have matting placed down to minimise drift.

Stormwater Management

It is recommended that additional survey work to confirm drainage networks be undertaken and any works should be planned in conjunction with any planned renourishment works.

A total of \$35,000 is estimated to undertake additional drainage survey work and design, supply and construct a new storm water outlet.

Geotechnical Investigation

Due to the proximity of the private property adjacent to the Goode St erosion it is recommended that an investigation be undertaken to identify the location of the bedrock under the dune to better assess vulnerability of further erosion.

A range of approximate costing to undertake this investigative work varies from \$10,000 to \$45,000.

Pretty Pool

It is suggested in the report that prior to re-locating sand at the entrance to Pretty Pool and placing it on the Goode St sand hill system that sediment sampling may be required prior to renourishment works being undertaken.

Sediment sampling, Laboratory testing and sampling design would cost another \$10,000

As can be seen by the approximate costing the baseline works are quite considerable prior to any actual works occurring on site.

The situation at the reserve is quite serious and remediation works will be expensive. It will be recommended that the proposed mangrove planting and stormwater works be undertaken as the first priorities as budgets/grants applications permit.

Attachments

1. Summary of Cardno report

201314/008 Officer's Recommendation/Council Decision

Moved: Cr Dziombak

Seconded: Cr Jacob

That Council:

- 1. Acknowledge the recommendations in the Cardno Pty Ltd - Port Hedland Coastal Geomorphological Study summary report;**
- 2. Authorise the recommendations to be acted upon in line with budget allocations with Mangrove tree planting and stormwater outlets modification works being the first priorities; and**
- 3. Actively seek funding opportunities to support the implementation of the summary report recommendations.**

CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.1.2.1



NA49913801 / L01
Contact: Joanna Garcia-Webb

21 May 2013

Town of Port Hedland
PO Box 41
Port Hedland
WA 6721

Attention: Darryal Eastwell

Cardno (WA) Pty Ltd
ABN 77 009 119 000

11 Harvest Terrace
West Perth WA 6005
PO Box 447
West Perth WA 6872
Australia
Phone +61 8 9273 3888
Fax +61 8 9486 8664
Email wa@cardno.com

www.cardno.com

Dear Darryal,

SUMMARY OF PORT HEDLAND COASTAL GEOMORPHOLOGICAL STUDY OUTCOMES

Cardno completed a geomorphological study for the Town of Port Hedland in May 2013:

Cardno (2013), *Port Hedland Coastal Geomorphological Study*, Report N^o: NA49913801_R01_V3, prepared for Town of Port Hedland.

The aim of the study was to investigate erosion to the foreshore adjacent to Goode St, Port Hedland, as well as the build-up of sand at the entrance to Pretty Pool Creek. Following the investigation, several recommendations were made for future works. To prioritise these works, the Town has requested a summary of the recommendations of the study and an outline of when these might be implemented. The recommendations below represent those considered the highest priority to manage the sites assessed as part of the study. Cost estimates are also provided for each item requiring further work by consultants.

GOODE ST STUDY SITE

Erosion has been occurring at the Goode St site for at least the past 30 years. The coastal management recommended at this site is a combination of renourishment, extension of the existing matting, revegetation, planting of mangroves immediately offshore, and improving the stormwater management (refer Figure 5-1 and Figure 5-4 of Cardno, 2013).

Mangroves

The Town can commence planting of the mangroves immediately; it is understood that this process is already underway. It is best if the mangroves have time to establish prior to the next cyclone season. The density of planting should, at a minimum, match that of the existing mangrove area.

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Renourishment, Matting and Revegetation

The renourishment of the site will need to be further designed prior to construction. To determine the appropriate dune renourishment levels and extents, a survey of the dune and surrounding area should first be undertaken. This would consist of a few dune cross-sections, and levels of the beach and dune crest for both the eroded area, and the dune immediately adjacent. The recommended renourishment profiles can then be ascertained, and the corresponding renourishment volume and matting area determined. The cost of the survey would be in the order of \$5,000 ex-GST, assuming travel from Perth is required. The design of the renourishment would be an additional \$5,000 ex-GST. Cardno are able to provide both these services.

Included in the renourishment design sketches would be the location/extent of the matting, revegetation and sand fencing. The Town would then be able to carry out the renourishment themselves, using the sand from the Pretty Pool site, assuming DEC approval. This component is discussed in the Pretty Pool section below.

The renourishment should be carried out prior to the next cyclone season if possible, to minimise any further erosion at the site.

Stormwater Management

As discussed in Cardno (2013), the stormwater concept design was based on estimates of the extent of the drainage network. To advance this design to a level of confidence suitable for construction, the following is required, at a minimum:

- Survey of the estimated stormwater catchment. This will involve surveying the inlet levels of the drainage man-holes to determine the drainage network feeding the existing outlet. If conducted at the same time as the beach and dune survey, this would only be an additional \$3,000 ex-GST, assuming the catchment area does not differ significantly from that estimated.
- The cross-sectional beach survey information will also be used to confirm the required levels of the stormwater pipes.
- The final catchment size will enable a more reliable estimate of the design flow rates and velocities, and thus confirmation of the required pipe size.

To design and construct the stormwater drain in this manner, it is estimated this would cost in order of \$35,000 ex-GST, plus the cost of the drainage network survey (\$3,000 ex-GST, as defined above). This should be carried out at a similar time to the renourishment to ensure the new outlet ties in correctly to the renourished dune.

Geotechnical Investigation

Due to the proximity of the private property to the crest of the eroded dune at the Goode St site, it is recommended that a geotechnical investigation be carried out to discover the location of the bedrock under the dune. As discussed in Cardno (2013), the location of the bedrock is important when assessing the vulnerability of the properties. If the rock layer is in fact located further inland or deeper underground than estimated, the dune could be susceptible to more erosion, and thus the houses would be more at risk. There are a few options for assessing this, at different levels of complexity (and therefore accuracy and information gained):

- Boreholes could be drilled to a maximum depth of 3 m using a local power auger and a geotechnical engineer travelling from Perth. This would cost around \$10,000 ex-GST.
- To assess sediment deeper than 3 m, there are two available techniques. These are more expensive, due to the mobilisation of equipment required:
 - Cone penetration testing (CPT), which uses a data collecting cone pushed into the ground. This will reach refusal on material of very low strength or stronger. Testing using CPT can give a depth to the hard layer, but cannot assess the quality, thickness or type of material below. CPT provides good regular data in most soils but has limitation in hard or rocky ground. Based on one day's testing with the CPT rig (approximately five tests to 10 m depth), a ball park figure would be around \$35,000 ex-GST.

- o Drilling using rotary equipment can extract rock samples suitable to be logged for strength and quality, and generally can be drilled to depths up to 40 m without refusal. Based on two day's drilling (approximately three boreholes to 10 m), a ball park figure would be around \$45,000 ex GST, plus laboratory testing of rock if required.

From the above list, the most cost-effective method for locating the bedrock would be the CPT testing. This method ensures locating the bedrock. The cheaper option would only confirm the bedrock was or wasn't located in the first 3 m.

Ideally, this study would be carried out prior to the refurbishment, to ensure minimum disruption to the site. If the geotechnical investigation is not carried out, then it is imperative to maintain the dune profile and limit erosion seaward of its existing location.

PRETTY POOL SITE

At the same time as the survey of the Goode St site, some levels of the sand platform adjacent to the mouth of Pretty Pool Creek (discussed in Cardno, 2013) can also be taken. This will enable an assessment to be made as to whether the platform contains a sufficient volume of sand to complete the required renourishment at the Goode St site.

Depending on the advice from DEC, sediment samples may be required to be collected from the platform to confirm there is no contamination of the sediment. Laboratory costs for testing marine sediment samples would be of the order of \$1,600 to \$3,200 ex-GST, depending on the number of samples analysed. The cost for a consultant to define, collect and interpret the samples would be approximately \$4,500 ex-GST, assuming travelling from Perth.

Once the design of the renourishment, and the extent of the platform removal, has been finalised, the documentation indicating the planned works can be sent to DEC for their approval. A plan of how the platform area would be rehabilitated to minimise impacts on the adjacent beach would need to be included in this documentation. This could include planting of mangroves in the platform area following sediment removal. A summary document from a consultant covering these issues would cost in the order of \$4,000 ex-GST.

NA49913801 / L01
21 May 2013

4



SUMMARY

Before any works are carried out, confirmation should be sought from the appropriate bodies regarding the cultural heritage sites identified in Cardno (2013).

A summary of the estimated consultant costs for each recommended item is presented in Table 1. Excluding the geotechnical investigation, the total estimated cost for consultant fees to proceed to the final stages of coastal management at the study sites is \$59,700 ex-GST. This includes the design, supply and construction of the new stormwater outlet, the design of the renourishment, and testing of sediment samples for contamination. It does not include the placement of the renourishment material, or other supply and labour costs associated with the matting, sand fencing, revegetation, and planting of the mangrove area(s).

For all recommended works, Cardno can advise a formal quote if required.

Table 1 Recommendations summary & estimated consultant cost

Item	Estimated Consultant Cost (ex-GST)
Mangroves	N/A
Renourishment / Matting / Revegetation	\$5,000 for beach level survey, including platform levels \$5,000 for renourishment design finalisation & sketches
Stormwater Management	\$ 3,000 for additional survey work to confirm drainage network, if undertaken in conjunction with beach survey. \$35,000 for design, supply and construction of new stormwater outlet
Geotechnical Investigation	\$10,000 for boreholes drilled to maximum 3 m depth using local power auger; OR \$35,000 for testing using CPT to give a depth to the hard layer; OR \$45,000 for drilling using rotary equipment to extract rock samples
Pretty Pool	\$4,500 sediment sample definition, collection & interpretation \$1,500 to \$3,200 for sediment sample laboratory testing \$4,000 for documentation of platform rehabilitation etc. for sending to DEC

Yours faithfully

Joanna Garcia-Webb
Senior Coastal Engineer
for Cardno
Direct Line +61 8 6461 0735
Email: joanna.garcia-webb@cardno.com.au

11.1.2.2 *Temporarily Disband - Community Safety and Crime Prevention Committee. (File No.: 03/11/0002)*

Officer Darryal Eastwell
Manager Environmental
Health

Date of Report 1 July 2013

Disclosure of Interest by Officer Nil

Summary

This report will be recommending to Council that the Community Safety Crime Prevention (CSCP) Committee be temporarily disbanded until further notice.

At the most recent CS&CP Committee meeting, the Chair of the meeting presented a discussion paper to the committee regarding the "Future of the CS&CP Committee" which is largely reproduced in this report. As part of the discussion, the Chair requested attending members to provide their thoughts based on the information supplied in the paper to the future of the committee. The Town offered to still maintain a register of members and their email contacts and to supply a quarterly email updates to all members on information relating to relevant CSCP matters. Based on that commitment the general consensus of attending members was to temporarily disband the committee provided it could be re-activated as deemed necessary.

Background

In 2003 the Community Safety and Crime Prevention Committee was established with four Key Goals as listed below -

- Establish effective partnerships with key stakeholders engaged in improving the safety and wellbeing of individuals in the Hedland region
- Prioritise safety issues for the Town of Port Hedland
- Oversee the implementation of crime prevention projects in response to local safety issues
- Prepare a Community Safety and Crime Prevention Plan.

In 2009 a community survey was undertaken by the committee to identify the key elements to be included in the revised plan based on community and stakeholder input. The survey identified four key priorities as listed below –

- Domestic Violence
- Anti-social behaviour
- Volume Crime
- Reporting of Crime.

The CS&CP Committee has held regular quarterly meetings and implemented some key initiatives to address CSCP issues. Below is a list of key activities the committee has undertaken to address the above priorities –

- Establishment of the CCTV network – completed and now ongoing as core business by the Town.
- Draft Alcohol Management Plan and Volatile Substance Use Plan – A draft alcohol management plan was prepared by a sub group of the committee and these documents are now with the Port Hedland Substance Use working group.
- Graffiti Removal Kits – original grant acquitted and any further funding opportunities will be explored and undertaken if application is successful.
- Young Offenders Graffiti Removal Program and Graffiti Reporting online – ongoing programme.
- Placement of “SAM” (Speed Alert Monitor) – ongoing programme.
- “Keep It Safe” Anti burglary project – grant being acquitted 30th June 2012 and ongoing programme until all kits are handed out by the police.
- Illuminated House Numbers initiative – original grant acquitted and any further funding opportunities will be explored.
- Alcohol Education and Prevention Campaign – being acquitted 30th June 2013 and ongoing programme as tool kit can be re-used.
- Bike Lock program – completed and very successful programme and further funding opportunities will be explored and undertaken as funding opportunities arise.
- Hip Hop Youth Dance program - youth diversionary programs are now undertaken by the Town as part of the JD Youth Zone activities.
- The Hedland Safety Network website has been established and will be ongoing. The web site has information on working groups, initiatives, home security, crime profile, links, graffiti reporting and contacts.
- Formed a close working relationship with the Hedland Police to work on a range on issues including illegal off road vehicle use, illegal camping, street drinking, CCTV coverage, taxi stand safety and anti-social behaviour.

During 2011/2012 a focus was placed on alcohol and substance use issues and in November 2012 the Bloodwood Tree Association, via the Chairman Mr Bob Neville, advised that the organisation had received funding, in agreement with the Office of Drug and Alcohol, to form the “Port Hedland Substance Use working group” (PHSU).

The newly formed group will encompass the “Port Hedland Alcohol Management Strategy and Implementation Plan” and the soon to be drafted “Volatile Substances Use Strategic Plan”. Members of the newly formed working group are also members of the Community Safety and Crime Prevention Committee including the Town.

Over the last twelve months, attendance to the CS&CP Committee has waned considerably with the formation of the new working group as alcohol and substance abuse has been high on the agenda for good reason. Addressing these issues through the CS&CP Committee is seen as duplication of the PHSU working group's role which can be avoided and member energy should be put into that working group's activities in addressing alcohol and substance abuse issues.

Consultation

The Community Safety and Crime Prevention Committee.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

There are considerable cost savings to Council by not servicing the committee which include administration savings, savings in officer time by not preparing agendas and minutes and meeting expenses.

A 0.4 of a full time officer was also approved in the 12/13 budget to support the Community Safety Vacillator and initiatives in the CSCP Plan. The filling on this position could be deferred until later budgets which represents a significant saving to the Town.

Officer's Comment

When the Committee was first established in 2003 a significant amount of community safety crime prevention activities, initiatives, programmes and support agencies either, did not exist or had limited resources to undertake additional support programmes. Now the Town undertakes regular youth diversionary activities through encouraging participation and providing facilities for sport, community service activities and recreation. Community policing activities have increased with support from our Rangers services team, neighbour watch programme, burglar beware programme, eyes on the street programme, road-wise, Mingle Mob support, Youth Involvement Council support, Bloodwood Tree support, Well Woman's Centre support, Juvenile Justice Team support, CCTV network, Department of Indigenous Affairs support, Department of Housing support and many others adding to the overall community safety crime prevention effort in different ways.

Whilst the recommendation to disband the CS&CP committee, on a temporary basis, is the purpose of this report to Council it must be noted that there will be no backing away from the current CSCP commitments and functions which include –

- Completing initiatives that have already commenced and seeking future initiatives through funding opportunities.
- Supporting the CS&CP principles and the Four Key priorities from the 2010-2013 CS&CP Plan during normal day to day functions.
- Attending meetings of the “Port Hedland Substance Use working group” and other working groups currently being attended by staff, on behalf of the Town of Port Hedland.
- Continuing to support youth diversionary activities.

The Town will maintain a register of members of the CSCP committee and provide quarterly updates to members on the Towns CSCP activities. By maintaining the register it would be a relatively simple exercise to re-activate the committee as deemed necessary by Council and key stakeholders.

Attachments

Nil

Officer’s Recommendation

That Council:

1. Endorse the disbanding, on a temporary basis, of the Community Safety and Crime Prevention Committee; and
2. Formally thank all the members of the Community Safety Crime Prevention Committee members for their input into the committee’s activities.

201314/009 Council Decision

Moved: Cr Jacob

Seconded: Cr Dziombak

That Council:

- 1. Endorse the disbanding, on a temporary basis, of the Community Safety and Crime Prevention Committee;**
- 2. Formally thank all the members of the Community Safety Crime Prevention Committee members for their input into the committee's activities; and**
- 3. Keep the existing members names on an interested persons/parties contact list and if in future other developments for a future group of similar aims is reformed, those parties be contacted for their interest in becoming members.**

CARRIED 6/0

11.2 Engineering Services**11.2.1 Infrastructure Development****11.2.1.1 *Installation of Lighting to South Hedland Aquatic Centre (File No.: 26/13/0018)***

Officer	Rob Baily Projects Coordinator
Date of Report	9 July 2013
Disclosure of Interest by Officer	Nil

Summary

The purpose of this report is to obtain Council approval to award the Request for Quotations for elements relating to the installation of lighting at the South Hedland Aquatic Centre (SHAC). The three (3) Request for Quotations are a result of the two previous tenders that were rejected by Council decision 201213/284 at Ordinary Council Meeting held on 6 March 2013.

“That Council:

- 1. Rejects all tenders submitted for Tender 12/24 Supply & Installation of a Swimming Pool Lighting System to the South Hedland Aquatic Centre upgrade; and*
- 2. In accordance with Part 4, Division 2, Section 11 (2)(c)(i) of the Local Government (Functions and General) Regulations 1996, authorises the Chief Executive Officer or his delegated Officer to proceed with the procurement and installation of the lighting system at the South Hedland Aquatic Centre up to the project budget of \$1,035,024.93.”*

Background

The SHAC upgrade is a joint funding partnership in conjunction with various stakeholders including the Town of Port Hedland, BHP Billiton, Royalties for Regions, Country Local Government Fund, Regional & Local Community Infrastructure Program and Department of Sport & Recreation.

On 13 July 2011, Council Decision 201112/006 awarded AVP Commercial Pools the demolition and reconstruction of the main pool, a learn to swim pool with an integrated children’s play pool, a water playground feature, a wave machine, a new plant room, new concourse paving and suitable reticulation network for water and power to operate all of those facilities.

The Town of Port Hedland is responsible for additional facilities to the pool surrounds including lighting, main power to the plant room, sewer connection, drainage, service road, project management and landscaping.

As part of the upgrade works the Town has had to remove all existing lighting to the site as they were deemed to be non-compliant and structurally unsound.

The Town had initially gone to public tender to design and construct a new lighting system however was unable to award the contract based on a single submission and inadequate budget.

The Town has since had a lighting consultant design a lighting system including a Public Address system to move the project forward with the initial funds available including the pre laying of conduits. A construction tender was advertised and subsequently rejected as per Council decision 201213/284.

The Town has sought advice from the West Australian Local Government Association (WALGA) to allow the separation of the works into smaller parcels to help encourage contractors to submit estimates. WALGA has provided sufficient advice to ensure the procurement process has not been compromised to allow Request for Quotations. This is in accordance with part 2 of the Council decision.

The Town had sent out a total of six (6) separate RFQ's (Request for Quotation) to a minimum of seven (7) local contractors or minimum three (3) suppliers parceled into specialised sections to help minimise contractor risk and improve competitive bidding for the delivery of lighting.

The SHAC lighting RFQ's previously awarded are:

- Supply luminaires for the site (awarded - \$196,292.84 ex GST via previous CEO delegation).
- Supply poles and footings cages for the site (awarded - \$83,415.00 ex GST).
- Supply and install switchboard and power feed (awarded - \$12,574.00).

The RFQ's subject of this report is:

- Install poles, footings and luminaires to cross arms (over CEO delegated authority).
- Install luminaires to shade structures (over CEO delegated authority).
- Supply, install cabling and commission lighting and public address system (over CEO delegated authority).

Consultation

This report is the third to Council regarding the lighting project. Consultation is based on the two (2) previous Council reports including:

External

- YMCA
- WALGA

Internal

- Manager Infrastructure Development
- Manager Recreation Services & Facilities
- Director Community Development
- Director Engineering Services
- Co-ordinator Governance

Statutory Implications

It is unnecessary to re-call tenders if the local government uses the exemption provisions of r11(2)(C) of *the Local Government (Functions and General) Regulations 1996* and negotiates for the same goods or services within 6 months of calling tenders – LGA s3.57; F & GR r11 (2) (c).

The section of the *Local Government (Functions and General) Regulations 1996* permitting Council to proceed with alternative procurement approaches after an unsuccessful tender process is:

“Part 4: Provision of goods and services

Division 2- Tenders for providing goods or services (S.3.57)

11. When tenders have to be publicly invited

(2) Tenders do not have to be publicly invited according to the requirements of this Division if –

(c) Within the last 6 months –

(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.”

The only fixed date and the only commonly known to all parties is the date on which tenders close. This is the date on which the six month period begins LGA s3.57; F&GR r11 (2) (c) (i).

In the case of the last lighting tender, the closing date was 13 February 2013.

Sections of this report pertaining to price submissions from tenderers have been deemed confidential in accordance to the *Local Government Act (1995)*:

5.23 Meetings generally open to public

- (1) *Subject to subsection (2), the following are to be open to members of the public —*
- (a) *all council meetings; and*
 - (b) *all meetings of any committee to which a local government power or duty has been delegated.*
- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
- ...
 - (e) *a matter that if disclosed, would reveal — ...*
 - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*
 - ...

Policy Implications

In general terms Procurement Policy 2/007 and the Tender Policy 2/011 cannot be met in this instance and refers to the Statutory Implications set out above for adherence to the Local Government Act .

To ensure rigour was applied to the process, seven (7) contractors were invited to submit quotations for one (1) RFQ and nine (9) contractors were invited for the remaining two (2) RFQ's related to installation of lighting.

Strategic Planning Implications

The Strategic Community Plan 2012 – 2022 states:

6.1	Community
6.1.1	Unified
	The Town of Port Hedland is an integrated community functionally, physically and culturally.
6.1.2	Vibrant
	Provide access to recreational, cultural, entertainment facilities, and opportunities.

Budget Implications

The following table identifies the project funding, expenditure to date, future expenditure and the budget available for these contracts.

Project Revenue	Amount
BHPB original	\$ 2,500,000
BHPB interest	\$ 1,000,000
BHPB additional (wave machine)	\$ 550,000
TOPH	\$ 600,000
Dept of Sport & Recreation	\$ 600,000
Royalties for Regions	\$ 3,600,000
Regional & Local Community Infrastructure Program	\$ 150,000
Country Local Government Funds 2010/11	\$ 807,745
BHPB 2012/13	\$ 685,000
TOPH reallocation	\$ 807,745
TOTAL	\$ 11,300,490
Current Expenditure	Amount
Previous years expenditure	\$ 4,278,538
2012/13 and current expenditure	\$ 5,495,907
Commitments (purchase orders)	\$ 356,170
Total inc Commitments	\$ 10,130,615
BALANCE REMAINING	\$ 1,169,875
Future Expenditure	Amount
Total RFQ's (this report)	\$ 499,538.09
Car park design	\$ 17,055.50
Car park construction	\$ 265,000
Car park lighting	\$ 100,000
Shade structure to Learn to Swim pool	\$ 150,000
Other minor works	\$ 10,000
TOTAL RFQ's & Future Expenditure	\$ 1,041,593.59
BALANCE REMAINING (CONTINGENCY)	\$ 128,281.41

In order to satisfy the Council decision that the lighting project procurement shall not exceed a budget of \$1,035,024.93, the following table is a summary of the total expenditure for this component of the project:

Description	Amount
Luminaries	\$ 196,292.84
Poles and footing cages	\$ 83,415.00
Switchboard and power feed	\$ 12,574.00
RFQ's (this report)	\$ 499,538.09
TOTAL	\$ 791,819.93

With the exception of contingencies, this clearly demonstrates that the lighting component of the project can be delivered within the budget allocation.

Officer's Comment

Following two previous tenders (both rejected) for the delivery of an electrical lighting and PA system to the South Hedland Aquatic Centre, the Town has revised the delivery process that sits within the procurement guidelines of the Local Government Act.

The Town has separated the lighting and PA project into six (6) separable portions for delivery of smaller sections of works to remove as much risk for the contractor and the Town as possible and to encourage electrical contractors to submit prices.

The Town further engaged in discussing the project with various local contractors to gauge interest in the works and was met with enthusiasm to submit prices. At the closing date only one (1) contractor provided estimates from the 7 to 9 contractors invited to submit quotations to undertake the works.

The sole contractor that has provided estimates for the 3 separate RFQ's is HVAC Power Solutions Australia (HPSA). The utilisation of one Contractor for the 3 RFQ's is considered a better outcome to achieve consistency in delivery using 1 rather than 3 separate contractors.

The estimates provided in the 3 RFQ's are within the estimate cost of works and show considerable savings over the previous lump sum tender submission that was rejected for that portion of works.

Table 1 below indicates the evaluation criteria as described in the RFQ documentation.

Table 1:

Assessment Criteria	Max Score
Price	50%
Experience/Qualifications	20%
Understanding of Works	10%
Availability	10%
Local Industry Development	10%

The comparison of each of the assessment criteria for the RFQ submissions received as follows and is summarised in Table 2 below.

Table 2:

Contractor/ Assessment Criteria	Price (50%)	Relevant Experience (20%)	Local Industry Development (10%)	Availability (10%)	Demonstrated Understanding (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	Score
HPSA	50	10	5	6	8	79

Scoring was based on the limited information supplied by HPSA, although the contractor has shown due diligence in understanding the works required following on site meetings to confirm potential concerns.

Further information with HPSA on management of works will need to be progressed to ensure minimal disruption to public use of the site.

HPSA has also quantified various risk exclusions, all considered reasonable, that will still need to be managed by the Town at a potential additional cost. The remaining contingency and proactive project management by the Town will need to continue to manage those risks as normally associated with this type of project.

Attachments

1. **CONFIDENTIAL** Summary of prices submitted (under separate cover)

201314/010 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Dziombak

That Council:

1. **Award HVAC & Power Solutions Australia (HPSA) the South Hedland Aquatic Centre lighting poles and footings installation as per their RFQ submission of \$272,804.18 (excluding GST);**
2. **Award HVAC & Power Solutions Australia (HPSA) the South Hedland Aquatic Centre installation of luminaires to shade structures as per their RFQ submission of \$99,240.00 (excluding GST); and**
3. **Award HVAC & Power Solutions Australia (HPSA) the South Hedland Aquatic Centre installation of lighting and PA cabling and commissioning as per their RFQ submission of \$127,493.91 (excluding GST).**

CARRIED 6/0

11.2.1.2 Award of Tender 13/17 – Design, Supply and Installation of a Shade Structure at the South Hedland Aquatic Centre (File No.: 26/13/0024)

Officer Leahne Rowley
Project Officer

Date of Report 8 July 2013

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to request Council to award Tender 13/17 – Design, Supply and Installation of a Shade Structure at the South Hedland Aquatic Centre.

Background

The South Hedland Aquatic Centre (SHAC) has recently undergone extensive redevelopment. Works included a new Learn to Swim Pool, wave machine and aquatic playground. The next portion of work is to install retractable shade over the Learn to Swim Pool.

A tender for this work was advertised in the West Australian on 1 June 2013 and in the North West Telegraph on 5 June 2013. The tender closed on 26 June 2013. Two (2) tender submissions were received.

These submissions were reviewed by an assessment panel and found to be compliant with the tender requirements. Submissions were then assessed against the evaluation criteria as described in the tender documentation.

Consultation

External

- YMCA

Internal

- Manager Infrastructure Development
- Manager Recreation Services and Facilities
- Project Coordinator

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.*

Local Government (Functions and General) Regulations 1996

11. When tenders have to be publicly invited

- (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 expected to be, more, or worth more, than \$100 000 unless sub regulation (2) states otherwise.*

Sections of this report pertaining to price submissions from tenderers have been deemed confidential in accordance to the *Local Government Act (1995)*:

5.23 Meetings generally open to public

- (1) *Subject to subsection (2), the following are to be open to members of the public —*
 - (a) *all council meetings; and*
 - (b) *all meetings of any committee to which a local government power or duty has been delegated.*
- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
 - ...
 - (e) *a matter that if disclosed, would reveal — ...*
 - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*
 - ...

Policy Implications

This tender was called in accordance with Procurement Policy 2/007 and the Tender Policy 2/011.

Strategic Planning Implications

6.1	Community
6.1.2	Vibrant
	Provide access to recreational, cultural, entertainment facilities and opportunities.

6.3 Environment

6.3.2 Community Facilities

Provide safe and accessible community facilities, libraries, services and public open spaces that connect people and neighbours.

Budget Implications

A budget of \$150,000 (ex GST) to complete the work has been allocated from the BHPBIO / Council Sustainability Partnership. This budget is located within GL 1107430 for the overall SHAC redevelopment project.

The tender was advertised with a maximum budget of \$130,000 (ex GST) to accommodate other project expenditure and contingency.

Officer's Comment

Tenders were assessed against the advertised criteria which consisted of: price, experience, resources, demonstrated understanding of works and local industry development.

Confidential attachment one shows the price schedules for the submissions.

The following table provides a summary of results. The proponents have not been identified to ensure confidentiality.

Assessment Criteria	Price (50%)	Experience (10%)	Resources (10%)	Understanding (20%)	Local Industry Dev. (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	
Submission One	50.00	6.75	6.55	13.50	3.60	80.40
Submission Two	49.25	8.25	5.00	10.50	2.40	75.65

Price

Both submissions tendered with a lump sum price compliant with the maximum budget. Submission One was the lower of the two price schedules.

Experience

Both submissions demonstrated a high level of experience delivering similar projects in Port Hedland, including successful projects for the Town. Submission Two was assessed higher due their experience in retractable shade systems.

Resources

Both submissions provided details of experience and qualifications for their nominated personnel. Materials, plant and equipment were also identified. Sufficient information was deemed to have been provided for the Town to be confident in delivery of this project.

Understanding of Works under Contract

The tender requested a retractable shade system to ensure compliance with Department of Health standards for lighting of aquatic facilities (once the new overhead lighting system has been installed).

Submission One proposed a manual winch system to open and close the shade cover. Submission Two proposed an electrical winch system to open and close the shade cover.

In consultation with the Recreation Services Department and Facility Manager (YMCA), the assessment panel determined that the manual system offers the most operationally suitable, flexible solution.

Tender Submission One also provided more detail on the delivery methodology and was assessed higher accordingly.

Local Industry Development

Both Tenderers demonstrated similar levels of local investment. Submission One has an established affiliation with a Port Hedland based contractor and was awarded a higher score for this reason.

Summary

The tender evaluation panel is confident that Submission One offers the best value for money, and that the preferred tenderer will complete the contracted works in accordance with the tender requirements to fully satisfy the project outcomes.

The recommended Contractor will work with the ToPH and YMCA to ensure a managed approach is adopted. Disruptions to the learn to swim and play area swimming pools are expected during the construction periods, however these will be minimized where ever possible. While access to these pools may be restricted to allow for works, there will be no impact to the lap pool and other amusement activities on the site.

Attachments

1. **CONFIDENTIAL** Price schedules for tender 13/17 Design, Supply and Installation of a Shade Structure at the South Hedland Aquatic Centre (under separate cover)

201314/011 Officer's Recommendation/Council Decision

Moved: Cr Dziombak

Seconded: Cr Jacob

That Council award Tender 13/17 Design, Supply and Installation of a Shade Structure at the South Hedland Aquatic Centre to West Coast Shade Pty Ltd as per their tender submission of \$124,740.00 (excluding GST).

CARRIED 6/0

11.2.2 Investment and Business Development**11.2.2.1 Request to Dispose of Portion of Port Hedland International Airport to BP Australia for Self Serve Card Swipe Facility (File No: 05/05/0038)**

Officer Sara Bryan
Manager Investment and Business Development

Date of Report 8 July 2013

Disclosure of Interest by Officer Nil

Summary

This item requests Council to approve the disposal of a portion of Port Hedland International Airport (PHIA) land to BP Australia (BP) for the formalisation of an airside self serve card swipe facility.

The provision of a self serve card swipe facility at PHIA will offer 24 hour access to fuelling facilities for all aviation users at the airport.

Background

BP have occupied two individual sites at the PHIA since approximately 1998. One being a 2377.8m² landside site, south east of the terminal building, for the permitted purpose of 'storage, handling and sale of fuels, lubricants and related products', and the other being a small (approximately 9m²) airside site on the southern apron for the accommodation of an AVGAS (aviation gasoline) self serve fuel bowser (AVGAS bowser)

At Council's Ordinary meeting held 27 June 2007, Council resolved the following:

"That Council:

- i) Approves the disposal of land, being a portion of Port Hedland International Airport currently used by Air BO, by way of lease, by private treaty, as per s3.58(3) of the Local Government Act 1995, with the following terms;*
 - a) The initial term being five (5) years, with two (2) options to extend the lease by an additional five (5) years each (total 15 years maximum);*
 - b) Rental as determined by a qualified valuer at market value;*
 - c) Annual rent review to incorporate Perth CPI increases;*
 - d) Market rental review occurring at the expiry of each five (5) year term; and*
 - e) Permitted use being storage of fuel, refueling, administration and car parking; and*

- ii) *Permits the Town of Port Hedland seal be affixed and Mayor and Chief Executive Officer be authorized 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.”*

The lease agreement for the disposal noted above has only recently been executed by both parties with the lease fees pursuant to occupation of the site backdated to the commencement date of the lease.

It was recently identified that the occupation of the airside AVGAS bowser site had never been considered in formalising BP's tenure at the PHIA and acknowledged that this would need to be considered in redevelopment of the southern apron as the bowser requires relocation to cater for the apron expansion works.

With apron works due to commence imminently, officers have now investigated options for a new location for the AVGAS bowser and terms of agreement need to be confirmed by way of Council decision.

Statutory Implications

3.58. Disposing of property

(1) In this section —

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

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

...

(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; and giving details of the proposed disposition; and

(ii) 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 —

a) the names of all other parties concerned; and

b) the consideration to be received by the local government for the disposition; and

c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

- (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
- a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - 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; No. 17 of 2009 s. 10.]

Policy Implications

Nil

Strategic Planning Implications

6.2 Economic

6.2.2 Gateway city & attractive destination

Develop the Port Hedland International Airport as a leading regional airport in the area of passenger and freight movements and customer satisfaction.

Improved feedback on airport facilities is received.

6.4 Local Leadership

6.4.1 Strategic

Deliver responsible management of infrastructure, assets, recourses and technology.

Investment and business opportunities are optimised from Council owned assets

Budget Implications

Should Council proceed with the officers recommendation of this item, BP will be liable to pay an annual rental of \$11,280 exclusive of GST to be increased annually by the Consumer Price Index, Perth as published by the Australian Bureau of Statistics using the annual published percentage figure for the quarter immediately preceding the rent review date, for the initial 4 year term.

The total consideration for the initial 4 year term will generate a revenue amount of at least \$45,120 to GL account 1210326.

Officer's Comment

Historically, as indicated within the background of this item, a formal agreement has not been in place for BP's occupation of a small (approximately 9m²) airside site for the AVGAS bowser.

During the final negotiations stage on the lease document for the main BP site, BP requested that a licence be annexured to the lease proper to cover the occupation of the AVGAS site as an ancillary use to the main lease area. The proposal from BP requested that the occupation of the additional area be at no monetary increase to the current annual rental amount. This request was rejected by officers.

At Ordinary Council Meeting held 22 May, Council awarded a tender for the works to extend and reseal the southern apron as part of an overall improvement program for infrastructure components at the PHIA. The mobilisation of these works will require the removal of the AVGAS bowser from its current southern apron site.

In consultation with BP and the airport operations team, a new location for the AVGAS bowser has been identified on the northern apron, adjacent to the current Royal Flying Doctors Service (RFDS) fuel tank.

In preparing a site plan for the new location, BP identified the requirement for a total site area of 376m². The reason for the increased footprint of the facility is due to the inclusion of a safe exclusion zone for the Avgas tank in line with AS1940 (an Australian Standard guideline for the storage and handling of flammable and combustible liquids) being incorporated into the required lease area.

The AS1940 guidelines state indicate specific minimum exclusion zone requirements depending on the types of liquids to be accommodated. The design of the site has been based on similar conforming sites in use across the BP WA network.

Benefits of providing AVGAS facilities at regional airports

Supply of avgas is essential for any airport wishing to attract and support General Aviation activity. Typically light aircraft and small helicopters use Avgas and these type of aircraft make up the backbone of aviation in areas such as the Pilbara, servicing sectors such as agriculture, passenger charters, provision of mining related services, aerial survey, tourism and small scale search & rescue.

Often this activity is unscheduled and itinerant. Unlike Regular Passenger Traffic (RPT) services, which require larger refuelling capacity afforded by refuelling trucks, Avgas is best supplied by self-service bowsers as this provides a more flexible and cost effective method of refuelling. As an example, many fuel suppliers charge a call out fee for truck refuelling outside of normal operating hours (e.g. 7am to 7pm). Typically this can be in the range of \$100-\$200 per refuelling. This represents a small percentage of total fuel cost for a larger commercial jet, but for a light aircraft requesting a typical 200 litres of Avgas this charge might constitute up to 50% of the total fuel cost, making such an option prohibitive. In addition, fuel operators will always prioritise large RPT jets ahead of light aircraft during normal operating hours.

Having a self-service Avgas capability therefore offers an airport's General Aviation customers maximum flexibility, on time fuel availability and cost effectiveness, which ultimately will be a deciding factor as to the extent General Aviation operators use the airport. Airports such as Newman, Karratha and Meekatharra all have Avgas bowsers – an essential component to support General Aviation activity.

Terms of agreement

On Friday 14 June, Officers met with BP representatives in order to discuss the details of the relocation of the current facility as well as terms of the proposed new lease agreement to formalise the arrangement moving forward.

As noted above, there were a number of factors to consider, given that the occupation of this site has historically never been subject to a formal agreement.

It was agreed by both parties that a common sense approach would need to be applied in order for the exit of the current location and confirmation of a new location to be dealt with efficiently.

Exit from southern apron

Typically, agreements with the permitted purpose of storage and handling of flammable and combustible liquids would include specific clauses to deal with the exit from the leased premises on termination of the lease term.

These clauses would put in place stringent measures requiring the lessee to provide a final environmental assessment report on exit of the site to assess any potential contaminations to the land and groundwater. Further, should any contaminations be present on site, the lessee would then be required to demonstrate that any contamination has been remediated, if required, so as to be consistent with the use of the premises for general non-sensitive commercial purposes.

In the absence of an historical lease agreement, it has been negotiated that BP will act reasonably in this regard and a final environmental assessment report will be annexured to the proposed new lease agreement to ensure administrative clarity between the BP and the Town.

Lease fee and proposed term

In June 2013, Australian Property Consultants prepared a valuation report for the main BP lease site. This report indicated a annual rental value of \$30m². Based on the occupation of the proposed 376m², the base annual base rental will commence at \$11,280 exclusive of GST.

As noted in the background of this item, the lease term for the main, landside BP site commenced on 1 July 2007 for an initial period of five years, with two options to extend for five years respectively (total 15 year term). As of 1 July 2013, BP have four years remaining on their second extended term.

In order to ensure administrative consistency, it is proposed that the new agreement for the AVGAS bowser be aligned to align with these timeframes. This would see the lease commence 1 July 2013 for an initial period of four years with an option to extend for an additional five years.

Should Council agree to the recommendation of this item, the details of the disposition will be advertised for public comment by way of local public notice for a requisite period of two weeks in accordance with section 3.58 of the *Local Government Act 1995*. Should no submissions be received during this period, a lease document will be executed between the parties.

Attachments

1. Locality Plan

201314/012 Officer's Recommendation/Council Decision

Moved: Cr Dziombak

Seconded: Cr Hunt

That Council:

1. **Agree to dispose of Portion of Lot 11 (northern apron), Port Hedland International Airport by way of lease to BP Australia Pty Ltd for the purpose of providing a self service card swipe avgas facility in accordance with Section 3.58 (3) of the *Local Government Act 1995* on the following terms;**
 - a) **land size of 376m²,**
 - b) **initial lease term of 4 years,**
 - c) **one option to extend by an additional 5 years,**
 - d) **annual base rental \$11,280 exclusive of GST,**

- e) annual increase by the Consumer Price Index, Perth as published by the Australian Bureau of Statistics using the annual published percentage figure for the quarter immediately preceding the rent review date.

Subject to no objections being received during the requisite advertising period.

- 2. Requests BP Australia to provide a Final Environmental Assessment report and perform any remediation works as may be required on exit from the current southern apron site; and
- 3. Requests the above documentation to be annexured to the new lease document to ensure administrative consistency for both parties.

CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.2.2.1



Attachment 1: Locality Plan – BP Fuel Bowser

11.2.2.2 Request to Dispose of Lot 2529, Great Northern Highway, Port Hedland by Way of Lease to Hedland Kart Club (File No.: 05/05/0031)

Officer Jessica Melia
Leasing Officer

Date of Report 10 July 2013

Disclosure of Interest by Officer Nil

Summary

This item requests Council to approve the disposal of Lot 2529, Great Northern Highway by way of lease to Hedland Kart Club (HKC) for the permitted purpose of go kart racing.

Background

The HKC have had an ongoing lease arrangement with the ToPH over Reserve 33497 Lot 2529, Great Northern Highway Port Hedland. The Town holds a Management Order for Lot 2529 with the permitted purpose being "Go Kart Racing Club Site" with the power to lease for a period of up to 21 years.

HKC have occupied these premises pursuant to a lease arrangement granted on the 8 October 1991, for a period of 21 years, with an annual rental of \$1.00 This lease agreement formally expired on 7 October 2012. Since this date the club has continued to occupy the reserve under the holding over provision of the old lease, meeting all operational costs, including improvements to and maintenance of the land.

Consultation with the HKC has confirmed desire of the club to continue to lease the premises and have requested to enter into a new lease arrangement with the ToPH.

Officers are now seeking Council's approval to execute a new lease agreement in order to formalise this arrangement.

Consultation

External

- Club president Hedland Kart Club
- Club Vice President – Port Hedland Motor Cycle Club
- Certified Practice Valuer – Australian Property Consultants

Internal

- Engineering Services
- Community Development
- Corporate Services
- Planning & Development

Statutory Implications

Local Government Act 1995 (WA) Section 3.58 – Disposing of Property in accordance with the *Local Government Act 1995*.

Policy Implications

Nil at this stage.

Strategic Planning Implications

6.1 Community

6.1.1 Unified

The Town of Port Hedland is an integrated community functionally, physically and culturally.

Increase in the number of physical, cultural and social facilities in Port Hedland.

Wider range of community groups using the Town's facilities regularly.

Members of the community have access to the Town's services and facilities.

6.1.2 Vibrant

The Town's wide range of recreation, entertainment and event facilities are well used and attended by residents and visitors.

Higher utilisation of Port Hedland facilities (sporting ovals & buildings) by residents and visitors.

Increased number of recreational facilities available

6.4 Local Leadership

6.4.1 Strategic

Deliver responsible management of infrastructure, assets, resources and technology.

Investment and business opportunities are optimised from Council owned assets

Budget Implications

Should Council agree to proceed with the Officer's recommendation of this item, the following budget implications will apply:

Based on the occupation of an area of 7.6 hectares, it is recommended that the base rental for the occupation of part of Lot 2529, Great Northern Highway, Port Hedland will commence at \$1900 per annum, exclusive of GST.

A calculation of this figure exclusive of the consideration of the CPI increase over the initial five year period would generate a minimum of \$9500 exclusive of GST to the lease revenue account 1303357.

The lessee will be responsible for all outgoings and will be required to meet all operational costs associated with improvements and maintenance of the Reserve, including Local Government rates.

Officer's Comment

The Hedland Kart Club is a local organisation established in 1970 and is the only go kart racing track in Port Hedland governed by the Australian Karting Association (AKA). The club currently provides an operational go kart track and a licensed facility for the coordination and provision of race competitions and the hire of go karts. The club is able to actively encourage the broad community to participate in go kart racing in a safe and controlled environment. The club currently has a committed member base and is focused on the promotion of all aspects of go kart racing. The activities of the HKC are consistent with the reserve vesting for the purpose of go kart racing only.

The HKC is a not for profit organisation depending heavily on sponsorship from local business; all donations contribute to the funding of events and operations of the association.

A decision regarding the proposed disposal of the subject land by way of lease must be made to enable the club to continue to provide all go kart users with a safe and controlled riding environment.

Proposed Lease fee

At its Ordinary Meeting held 28 November 2012, council considered lease terms for the Port Hedland Motorcycle Club (PHMCC) for the occupation of Lot 145, Great Northern Highway for the permitted purpose of motorsports activity. On consideration of this item, Council resolved the following:

"That Council:

1. *Agrees to dispose of Reserve 36098 at Lot 145, Great Northern Highway, Port Hedland by way of lease on the following terms and conditions:*
 - a. *Vacant Land Area of 26.9 hectares*
 - b. *Commencement date of 1 December 2012*
 - c. *Annual base rental of \$2020.00, excluding GST*
 - d. *Annual Increase to the base rental by Consumer Price Index, Perth as published by the Australian Bureau of Statistics;*
 - e. *Term of 5 years with a 5 year option;*

f. For permitted use of Motor Cross Sports and Facilities

Subject to any adverse submissions being received within the requisite advertising period.

- 2. Note that Port Hedland Motor Cycle Club agrees and acknowledge that the premises may be required to be redeveloped as part of the Town of Port Hedland's Motor Sport Master Plan; and*
- 3. Requires the Port Hedland Motor Cycle Club participate in any planning process undertaken by the Town regarding a motorsports complex."*

In June 2013, Australian Property Consultants prepared a desktop valuation for the premises identified as the go kart racing club site. This report indicated a highest and best use value of \$2.50 per square meter per annum for the ground rental fee. For the land size of 7.6 hectares, the subject land has a total annual lease value of \$190,000. The report further stated that as a recreation reserve, accommodating a community use that a largely subsidised rental fee would apply in this instance.

In calculating the rental fee to be applied for the PHMCC lease, officers used a formula based on 10% of the land value. In the instance of the HKC, the use of this formula would pose an annual rental of \$19,000 per annum, exclusive of GST. This amount would be cost prohibitive for the club and could potentially spell the end of their contribution of the provision of karting facilities to the community.

The PHMCC and HKC organisations are of a similar nature. Both associations have a similar membership base, similar land uses and both encourage the broad community to participate in motorsports. Taking into account the terms and conditions of the PHMCC lease it is the officers opinion that the HKC should have the benefit of operating under similar lease terms and conditions.

In addition to the base lease amount, the lessee will also be responsible for all outgoings, including Local Government rates and will be required to meet all running costs associated with any improvements of and maintenance to the Reserve.

As with all lease agreements with the Town, the lessee will also be liable to pay for the costs associated with the preparation of a lease document. The club have acknowledged their agreement to this.

Motor Sport Alliance

The draft ToPH four (4) Year Corporate Business Plan as presented to the Council and advertised to the public on 24 October 2012 included a budget item for the development of a Motor Sport Master Plan included in the 2014 /15 budget.

The need for a Motor Sport Master Plan was a result of the continuing growth and popularity of motor sports in the Pilbara region. As part of preliminary investigations into the facilitation of such a study, Officers held a meeting with all motorsports clubs operating within the Town to initiate a discussion about how this may work and what aspects would be covered in assessing the feasibility of a shared motorsports facility. Representatives from the following associations attended this meeting, Port Hedland Motor Cycle Club, Hedland Kart Club and the Speedway.

Initial feedback from the clubs collectively indicated that while there was no objection to a shared view of motorsports overall, there were some initial concerns about each individual association utilising a shared facility.

Subsequent to this meeting, the clubs came together and formed a Motorsports Alliance. This has been an excellent outcome of the discussion. The objectives of the Motorsports Alliance formation include broad matters such as an increased ability to access external funding in a shared arrangement as well as operational benefits such as coordination of race meets and event calendars to ensure a shared audience across each facility.

Pilbara's Port Growth City Plan

The Town's Planning Department has identified the go kart racing club site located on Reserve 33497 as a potential location to have a consolidated recreation facility this, however, is subject to further investigations.

Notwithstanding the above, the ToPH is not considering any major changes to the existing area within the next five (5) years therefore it would be reasonable to enter into a new lease arrangement with the HKC.

Should Council agree to enter into a formal lease arrangement with the HKC for the recommended terms presented in this item the Investment and Business Development team will work closely with relevant departments within the organisation to ensure Council make an informed decision when considering the option to exercise the second term of the proposed lease arrangement.

Leasing Policy

The Investment and Business Development team, in collaboration with the Town's Community Development Department are in the process of formalising a Leasing Policy. This policy will ensure fairness and equity amongst community organisations in the management of all Council's owned assets.

The policy will work to ensure an effective system is in place between the ToPH and tenants of community facilities. Maintenance practices and procedures will be established to ensure that community facilities are functioning to their full potential, while also, maximising their use and broadening their user base.

This policy is currently in development, however, once formalised it will provide a framework with which community groups will be able to access the use of Council owned assets in a fair and equitable manner.

It is proposed that through the leasing policy, the ToPH will be able to offer transparent pricing models to the rental agreements with community organisations taking into consideration factors such as, but not limited to, charitable status, ability to raise revenue, funding opportunities and the ability to fund maintenance and operational costs.

Prior to formal adoption of the Leasing Policy, it is proposed that the annual base rental for the site will be set at an agreed percentage of the total market value. It is further recommended that this figure be reviewed on adoption of the leasing policy.

On the 24 June 2013, Officers met with the HKC to discuss the terms of a new lease agreement. The following suggestions were proposed;

- Lease term: 5 years with an option of an additional 5 years at the discretion of Council
- Annual rental fee comparable to similar lease arrangements such as the PHMCC.
- Annual rental to be proportion of the current market value, to be reviewed on adoption of the leasing policy.

In consideration of all matters presented above, Officers recommend that an annual lease fee of \$1900 exclusive of GST should be applied. It is further recommended that this lease fee be reviewed on formal adoption of the Leasing Policy.

Should Council agree to dispose of Lot 2529, Great Northern Highway, Port Hedland to the HKC by way of lease agreement, the disposal would be locally advertised for public comment for a requisite period of two weeks in accordance to section 3.58 of the *Local Government Act 1995*.

It is recommended that Council support the request to formalise this new lease agreement as the continuing growth and popularity of motor sports across Australia, particularly in regional areas, engages families, community groups and tourists.

Attachments

1. Locality Plan

201314/013 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Hunt

That Council:

- 1. Agree to dispose of Reserve 33497 at Lot 2529, Great Northern Highway, Port Hedland by way of lease on the following terms and conditions:**
 - a. Land Area of 7.6 hectares;**
 - b. Commencement date of 8 October 2012**
 - c. Annual base rental of \$1900 excluding GST**
 - d. Annual Increase to the base rental by Consumer Price Index, Perth as published by the Australian Bureau of Statistics;**
 - e. Term of 5 years with a 5 year option;**
 - f. For permitted use of Go Kart Racing;**

Should no submissions be received during the requisite advertising period.

CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.4.2.2

Attachment 1: Locality Plan – Hedland Kart Club



11.3 Community Development**11.3.1 Community Development****11.3.1.1 *Report on Disability Access and Inclusion Plan 2008/09
(File No.: 03/01/0022)***

Officer **Mark Davis
Community Development
Officer**

Date of Report **11 July 2013**

Disclosure of Interest by Officer **Nil**

Summary

The Town of Port Hedland (ToPH) is required to report activity against the Disability Access and Inclusion Plan (DAIP) to the Disability Services Commission (DSC) annually. This report outlines progress achieved this year against the Town's DAIP and seeks Council's approval to submit a formal copy of the progress report to the DSC.

Background

Section 29 of the Disability Services Act (1993) requires all public authorities to report on the implementation of their Disability Access and Inclusion Plan. Local Government Authorities are required to report on the status of their Plan in their Annual Report and to the Disability Services Commission.

To contribute to the outcomes of the plan, a Disability Access and Inclusion Working Group met on a bimonthly basis prior to Christmas 2012. This group comprises relevant ToPH officers, representatives from the community and government agencies to provide feedback on access and inclusion in relation to TOPH facilities, events or services. This group has not met since Christmas 2012 following community feedback and difficulty obtaining a quorum in preceding meetings. An alternative process is being investigated as part of the five yearly DAIP review currently underway.

The annual review of the Disability Access and Inclusion Plan was conducted through internal consultation on progress against the current DAIP.

Community consultation has been undertaken with community members, groups and agencies as part of the five yearly DAIP review which will result in the DAIP 2014 – 2019 this will be presented to Council once completed.

Consultation

Internal consultation

- Corporate Services Directorate
- Engineering Services Directorate
- Planning and Development Directorate
- Community Development Directorate

External Consultation

- Disability Access and Inclusion Plan Working Group

Statutory Implications

Section 29 of the Disability Services Act (1993) requires all public authorities to report on the implementation of their Disability Access and Inclusion Plan. Local Government Authorities are required to report on the status of their Plan in their Annual Report, and to the Disability Services Commission.

Policy Implications

Policy 8/003 - Access Policy for people with disabilities, their families and carers outlines the Town of Port Hedland commitment to 'recognizing a community for its diversity and supports the participation of all of its members towards making a richer community life'.

Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 3 – Health

That the community has access to high quality health services and facilities and the Town is taking appropriate preventative measures to ensure a healthy environment.

5. Review the Town's Disability Service Plan and undertakes actions to improve access to services and all facilities.

Budget Implications

Budgetary implications associated with the activities in this Plan have been included in the various Directorate budgets for 2012/13.

Officer's Comment

Attached to this report is the Town of Port Hedland's DAIP Strategies with 2012/2013 report updates, as well as the progress report required by the Disability Services Commission.

Some highlights of the activities report include:

- Continued upgrade of accessible resources (audio, large print format, CALD) in Port and South Hedland libraries. As part of renovation works to South Hedland Library, appropriate spacing of shelving and work stations has been implemented to further improve accessibility of the facility. Expansion of the current outreach service has assisted in inclusion of community members who cannot access the facility due to age, disability or other circumstances.
- Removal of the liberty swing from Cemetery Beach Park following community and stakeholder concerns regarding access and inclusion of the equipment. The swing has been replaced with a 'birds nest', and original fencing removed to encourage greater inclusion and use by children of all abilities.
- The Town of Port Hedland has initiated the annual five yearly review of the DAIP with assistance of a qualified consultant and is also using the opportunity to increase awareness amongst staff of the DAIP and disability access/inclusion.
- There has been an emphasis on supporting inclusive activities for all community members at ToPH events and programs. The Town has booked band 'Rudely Interrupted' for the Spinifex Spree community festival, and has regularly played movies and short films promoting inclusiveness at the West End Movies outdoor cinema program which runs on a monthly basis.
- In order to improve the clarity of information from the ToPH to community members, the following initiatives have included elements to improve accessibility. These initiatives include the following which have been completed or are underway:
 - Reworking of ToPH internal and external websites
 - Simplification of language used in ToPH communication materials
 - Simplification of graphic design on marketing materials
 - Engagement and consultation with community members and stakeholders by way of site meetings and walk throughs of key developments – include town centre renovations, and public open space upgrades.

Attachments

1. Town of Port Hedland DAIP Progress Report for submission to Disability Services Commission as a formal document.
2. Town of Port Hedland DAIP Activity Report 2012/2013.

201314/014 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Hunt

That Council:

- 1. Endorses the attached progress report for the Disability Services Commission; and**
- 2. Endorses the forwarding of the attached report to the Disability Services Commission as a formal document; and**
- 3. Endorses the inclusion of the DAIP activity report in the Town of Port Hedland's Annual Report (2012/2013).**

CARRIED 6/0

*ATTACHMENT 1 TO ITEM 11.3.1.1***Disability Access and Inclusion Plan (DAIP) Progress Reports**

Under the Disability Services Act 1993 (amended 2004), the Minister for Disability Services is required to table a report in Parliament each year on the progress of Disability Access and Inclusion Plans (DAIPs) in Western Australia.

The information provided by public authorities will inform this report for 2012–2013 and show how DAIP strategies have been progressed to meet the desired outcomes specified in the Act. This includes services to the public delivered by agents and contractors.

Agents and contractors can include non-government and not-for-profit organisations and businesses that undertake work on behalf of a public authority involving interaction with the community. Examples might include consultants who engage with the community, undertake website-related work, public building or renovation work in areas accessible to the public. Contracted employees should not be considered as contractors for this report.

While many strategies supporting DAIP outcomes have an ongoing effect, strategies should be reported as being completed in 2012–2013 if they were implemented as intended during the year.

In addition to compliance with the Act, the DAIP progress report helps identify best practice and showcases innovative ideas that assist the development of resources and information-sharing.

A copy of the template is available at www.dsc.wa.gov.au > Business and Government > Disability Access and Inclusion Plans > Progress reporting for DAIPs.

Please submit the DAIP progress report by 31 July 2013 to:

Post: Access and Inclusion Branch
Disability Services Commission
PO Box 441
West Perth WA 6872

Email: access@dsc.wa.gov.au

Fax: 9481 6808

Disability Access and Inclusion Plan (DAIP) Progress Report 2012–2013

Name of public authority: Town of Port Hedland

Name of contact person: Mark Davis – Community Development Officer

Phone number: 08 9158 9687

Email: cdo@porthedland.wa.gov.au

Please complete and forward to the Disability Services Commission by 31 July 2013.

1. For 2012–2013, please indicate in each of the outcome areas of your DAIP:

- number of strategies that were planned
- number of strategies that were completed
- number of strategies progressed through contractors.

	Number of strategies planned (Strategies planned whether implemented or not).	Number of strategies completed (Strategies that were completed. Include on-going strategies).	Number of strategies progressed through contractors (Strategies implemented by contractors. Not the number of contractors).
Outcome 1	13	13	5
Outcome 2	20	20	12
Outcome 3	2	2	5
Outcome 4	6	6	4
Outcome 5	3	3	0
Outcome 6	7	7	3

2. For 2012–2013, how have you informed agents and contractors of your Disability Access and Inclusion Plan? (please tick)

Provided a copy of your agency DAIP	Yes
Provided a link to the DAIP	Yes
Sent a letter	No
Referenced in a contract(s)	Yes
Referenced in a contract variation(s)	Yes

3. Please provide a brief description of any significant DAIP initiatives undertaken by, or on behalf of your organisation by agents and contractors, in 2012–2013. Photographs and additional information can be attached if desired.

Key initiatives undertaken in 2012/13 by the Town of Port Hedland include:

Continued upgrade of accessible resources (audio, large print format, CALD) in Port and South Hedland libraries. As part of renovation works to South Hedland Library, appropriate spacing of shelving and work stations has been implemented to further improve accessibility of the facility. Expansion of the current outreach service has assisted in inclusion of community members who cannot access the facility due to age, disability or other circumstances.

Removal of the liberty swing from Cemetery Beach Park following community and stakeholder concerns regarding access and inclusion of the equipment. The swing has been replaced with a 'birds nest', and original fencing removed to encourage greater inclusion and use by children of all abilities.

The Town of Port Hedland has initiated the annual five yearly review of the DAIP with assistance of a qualified consultant, and is also using the opportunity to increase awareness amongst new staff of the DAIP and disability awareness.

There has been an emphasis on supporting inclusive activities for all community members at TOPH events and programs. The Town has booked band 'Rudely Interrupted' for the Spinifex Spree community festival, and has regularly played movies and short films promoting inclusiveness at the West End Movies outdoor cinema program which runs on a monthly basis.

In order to improve the clarity of information from the TOPH to community members, the following initiatives have included elements to improve accessibility. These initiatives include the following which have been completed or are underway:

Reworking of TOPH internal and external websites
Simplification of language used in TOPH communication materials
Simplification of graphic design on marketing materials

Engagement and consultation with community members and stakeholders by way of site meetings and walk throughs of key developments – include town centre renovations, and public open space upgrades.

Disability Access and Inclusion Plan
Strategies 2012 - 2013
Annual Update



2012 - 2013 update on Disability Access and Inclusion Plan Strategies

Outcome 1: People with disabilities have the same opportunities as other people to access services of, and any event organized by, a public authority
Objective: Council to adapt and maintain services to ensure they are accessible to people with disabilities.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2012/2013 Update
Community Services					
Library Services	Limited range of resources specific to people with disabilities	Increase resources	Ongoing	CLS	Increase in Large Print formats and Audio Resources. E audio, E books, Mp3 books and CD books now available. The library has been upgraded to include appropriate and accessible spacing between shelving, and accessible work stations.
	Obtaining information on what is available	Investigate developing information CD	Ongoing	CLS	Alternative audio formats available for download.
	Library services not promoted to people with disabilities	Develop appropriate promotion strategy	Ongoing	CLS	Housebound (outreach) Service has been extended to people who are unable to attend the library in person – ie aged, disabled. Continue to develop appropriate promotion strategies in partnership with service providers in Hedland.
Recreation Services	Staff not sure how existing activities can allow a person with a disability to participate	Employ a Recreation facilitator for PWD	Ongoing	MRS	Community Development Officer has assisted recreation staff to ensure events and programs are accessible and inclusive.

	Lack of recreational activities	Employ a Recreation Facilitator for PWD	Ongoing	MRS	Partnerships commenced with local Service providers to encourage participation at events and activities. These have included the Kids Club activity at the JD Hardie Centre in collaboration with Lifestyle Solutions and its clients.
		Provide information to clubs	Ongoing	MRS	Information provided by WADSA on a regular basis and continuing.
Service Provider	Lack of awareness for PWD	Develop booklet on service	Annual update	CDO	Project on hold while new facilities are completed.
Home & Community Care	Promotion and publicity and effective communication with other service providers	Continue to promote to service providers on HAAC	Ongoing	MCD	Ongoing where appropriate.
Transport	Transport services limited in this region	Council to continue to actively lobby to improve transport	Ongoing	MCD	Council raises this issue when appropriate.
Parking for people with disabilities	People w/out ACROD card park in bays	Community Education campaign. Rangers to enforce. Penalty to be promoted	Ongoing	RS	Monitoring of disabled parking to continue by Ranger services. Ranger services continues to lobby providers of non council facilities re obligations re the correct signage and provision of disabled parking bays.
Accommodation	No appropriate accommodation	Liaise with relevant Government agencies	Ongoing	MCD	Council raises this issue when appropriate.
Respite Services	Lack of respite services - particularly on weekend	Liaise with relevant Government agencies	Ongoing	MCD	Council raises this issue when appropriate.

Services to Property					
Domestic Waste Problems	People with mobility unable to bring 240ltr mobile garbage bins to kerb side	People with disabilities to be informed through various channels that alternative arrangements for removal of domestic waste can be made upon request. Information included in booklet on Services for PWD	MES *CDO as well	No requests received for this service in the past year. Investigations regarding delivery of service will be made upon request.	

Outcome 2: People with disabilities have the same opportunities as other people to access the buildings and other facilities of public authority
Objective 1: Council to ensure that Council offices and Chambers are accessible.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2012/2013 Update
Community Services/Facilities					
Playgrounds	Lack of accessible playground within Local Government area	Council to design an appropriate playground w/ community & Hedland Community Living Assoc.	Ongoing	MID / MCD	Inclusive playground equipment included in the development of Cemetery Beach Stage 2 (liberty swing set). Inclusive swing set (birds nest) used to replace Variety swing at Cemetery Beach stage 1.
South Hedland Aquatic Centre	No accessible toilet	Council to investigate indoor soft play area	Ongoing	MRS	Opportunities to be investigated as part of upcoming new facilities.
Library (South)	Front doors of libraries too heavy.	Install accessible toilet	Ongoing	MRS	Accessible facilities to be included in upcoming SHAC upgrade Stage 2.
Library (Port)	No accessible toilet	Accessible doors installed in upgrade	Ongoing	CLS	New master plan for SH Library upgrade has been developed.
Street Lighting	No accessible toilet	Accessible toilet installed in upgrade	Ongoing	CLS	New master plan for SH Library upgrade has been developed.
	Lack of Lighting	Included in upgrade	Ongoing	CLS	Library still to undergo upgrade.
		Additional funding to be sought for new street lighting and associated annual costs	Ongoing	MID	Undergoing as required.

Matt Dann Theatre Complex	Discussion with HSHS re: upgrade of the facility	Accessible toilet installed	Ongoing	MDCC/ MCD	Consider options for increasing accessibility, in context of future building upgrades with MDCC Shared Facilities Committee.
Community Events	No supplier of accessible toilets. Ovals and sporting reserves not accessible	Liaise with hire companies to secure accessible event toilets or purchase accessible Toilets plan events to include more accessible venues	Completed	MCD	Portable toilets purchased by TOPH and provided at key community events (NW Festival, Welcome to Hedland, Turf Club). All TOPH events provide accessible toilets, whether TOPH provided or hired. TOPH encourages external hirers of facilities to provide accessible toilets at their events.
Shared paths, Kerbs & pedestrian ramps	Shared paths & kerbs not consistently accessible	Council to establish priorities for upgrade	Ongoing 05/06 – 07/08: kerb programs have improved access. Works ongoing	MID	Ongoing kerbing program. Access to all new facilities raised in development assessment process by Community Development, Building and Planning departments.
	Paths covered in sand	Sweep paths	Ongoing	MES	Ongoing by Depot operations.
	No wheelchair access off paths to road	Insert wheelchair access off paths at strategic points	As requested & as per kerb/path upgrades	MES / MID	Ongoing kerb/path program. Access to all new facilities raised in development assessment process by Community Development, Building and Planning departments.
	Gravel surfaces not accessible	Build with appropriate materials	As per path construction program	MID	Ongoing path program Access to all new facilities raised in development assessment process by Community Development, Building and Planning departments.

	No access to beach	Create accessible pathways to beach	Completed	MID	Accessible ramp to Cemetery Beach as part of Turtle Loop has been completed. Awaiting installation.
Road Crossings	Insufficient pedestrian islands	Council to audit all road crossings to establish priorities for upgrading	Ongoing	MID	Further design being undertaken as part of road upgrades throughout the Town of Port Hedland.
Cemetery	No accessible parking bay. Car park and pathways not accessible	Develop a Cemetery Plan	Dec 2008 – Latest upgrades include road and car park upgrades, new shade shelters. Accessible by wheelchair	CDO/MI D	Old Port Hedland Cemetery Upgrade project has focused on accessibility across the site.
Courthouse Arts Centre & Gallery	No accessible toilet. Entrance not accessible	Include accessibility in upgrade	Ongoing	MCD/ CHAG	Investigations into provision of accessible toilet to continue. Access to an accessible toilet at the adjacent Bangers Bungalow site has been raised with facility owners BHP Billiton Iron Ore.
Emergency Evacuation Centres Cooke Point Youth & Family Centre	No accessible toilet. Entrance not accessible	Upgrade Y&FC. South's Evac centre now TAFE	Ongoing	MCD/ MBS	To be included in any future upgrade of Andrew McLaughlin Centre. Upgrade project progressing through external consultants.

Outcome 3: People with disabilities receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.
Objective: All information about Council functions, facilities and services to use clear and concise language and to be made available in accessible formats.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2012/2013 Update
Applies to all Council Functions, Facilities and Services	Information about all Council functions, facilities and services is not written in clear and concise language and not available in alternative formats	Council to develop policies that all its community information to be written in clear and concise language. Council to inform community in alternative formats. The following formats to be made available upon request: *Large print *Audio cassette *Computer disc *Brail	Ongoing Available in clear & concise print (local directory) and web. Public/Corporate (i.e. Council) documents prepared in 'Arial' 12pt font As requested & if available from town suppliers e.g. BRAILLE	CD/PO all staff	Simplification of text actioned where appropriate – especially on community event marketing. Alternative formats made available on request. Community Development has continued to inform organization of appropriate design guidelines.
	PWD not made to feel welcome	To include People of all Abilities Welcome on information where appropriate	Ongoing		'People of all Abilities Welcome' included on information where appropriate

Outcome 4: People with disabilities receive the same level and quality service from the staff of a public authority as other people receive from the staff of that public authority.
Objective: Council officers to be equipped with information and skills to enable them to appropriately provide advice and services to people with disabilities.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2012/2013 Update
Applies to all Council Functions, Facilities and Services	People with disabilities are not aware of how Council can support people with disabilities.	Regular updates on what's new in Council to be provided in local paper and on information radio	Ongoing	PO	Communication still ongoing, also updates in e-newsletter. Information of access and inclusion at major events provided on marketing materials. Council supported the Hedland Inclusion Festival through in kind planning assistance and funding.
		Council Information brochures to include a section about how the Council supports people w/ disability	Annually/Ongoing	PO	Information still included and updated annually
		Council information to include <i>People of all abilities welcome</i> when promoting activities & events.	Ongoing	MCLD	Event management team is working to implement where appropriate

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2012/2013 Update
		Council selection criteria for Identified positions to include that it would be desirable to have experience, knowledgeable or willingness to work with people with disabilities	Ongoing	HR	Review of position descriptions to ensure selection criteria have been updated for identified positions. Human Resources have been supportive in implementing where appropriate.
	People with disabilities who have difficulty communicating find that staff use language and acronyms which are not easily understood	Training to be incorporated with Equal Employment Opportunity Training	Ongoing	HR	Language used in external marketing and documents has been simplified.
	<p>In general people with disabilities find that:</p> <ul style="list-style-type: none"> *Staff appear to be unsure how to talk to them *Staff appear embarrassed *Staff do not know resources available *Staff assume that they cannot help *Staff assume only disability specific services can help *Staff address the carer, not the person with the disability. 	<p>Disability Awareness Training to be included in Equal Employment Opportunity Training</p> <p>Staff induction training to include disability issues. Ongoing refresher training</p>	Ongoing	HR	<p>All staff awareness training to be provided in the next financial year.</p> <p>Any gaps in this training not addressing these issues, staff will arrange further training within the training plan to ensure these requirements are met.</p>

Outcome 5: People with disabilities have the same opportunities as other people to make complaints to a public authority.
Objective: People with disabilities to raise concerns and make complaints about any aspect of their services.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2012/2013 Update
Administration *Information Services mechanisms are unknown	Complaint and appeal information about planning & electoral processes	Council to provide	Ongoing	MID/ AC/ CEO	Ongoing
	Grievance procedure not known by staff	Promote grievance procedure	Ongoing	HR	Planning to simplify procedure has been initiated.
	Positive undertakings not known	Promote 'good things'	Ongoing	PO	Ongoing through liaison between Community Development Officer and Publicity Officer. Positive undertakings have been promoted through the Marketing department by way of press releases, newspaper advertorials and internal emails.

Outcome 6: People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.
Objective: People with disabilities to have opportunities to participate in decision – making processes, public consultations and complaint mechanisms.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2012/2013 Update
Government Processes					
Council website	Council website does not comply with Access Standards	Audit of web site & upgrade	Under review/Ongoing	DCS	Review currently underway, and project to revise the TOPH website is underway by the IT department. Revisions to the internal website have already been completed.
Council Meetings	Lack of information in appropriate formats about Council meetings and how residents can participate	Procedures in clear & concise language and to make these avail. In alternative formats upon request	Ongoing	GC/ MOD	Alternative format offered to be provided upon request. Audio recordings have been made available on the public website for the TOPH.
Regulatory					
	Information about planning processes not available in alternative formats.	Information about planning processes to be provided in alternative formats	As requested/ongoing	EAPD	To be provided upon request.
	Lack of auditory supports for people with hearing difficulties at planning & Council meetings	Council to advertise that it will provide auditory supports for those wishing to attend Council meetings	Ongoing	GC/ MOD	Advertising that 'People of all Abilities Welcome' at TOPH meetings.
		WA Deaf Society to be contacted regarding arrangements for an interpreter is required	Ongoing	Planning Process	No community requests received for this service at this point in time.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2012/2013 Update
		Council to investigate use of audio loop or other types of amplification for all meetings.	On request/ongoing Can arrange for an aid (sign) to be available if reasonable notice is given	GC	Audio recordings have been provided on the TOPH website following each meeting. Corporate Services is investigating the installation of amplification devices in Council meetings.
		Council to use local media including Information Radio and local papers to publicize its meetings and the availability of access for people with disabilities	Ongoing	GC	Actioned on ongoing basis.

ACRONYMS

CLS	Coordinator Library Services	PO	Publicity Officer
MRS	Manager Recreation Services	HR	Human Resources
CDO	Community Development Officer	CEO	Chief Executive Officer
MCD	Manager Community Development	GC	Governance Coordinator
RS	Shire Rangers	MOD	Manager Organisational Development
MES	Manager Environmental Services	EAPD	Executive Assistant Planning and Development
MBS	Manager Building Services		
MDCC	Matt Dann Cultural Centre		
MID	Manager Infrastructure Development		
CHAG	Courthouse Art Gallery		

11.4 Corporate Services**11.4.1 Finance**

7:00pm Councillor Jacob declared a financial interest in Item 11.4.1.1 'Waiver of Alternative Arrangement Fees and Interest Charges for Home Hardware Site' as she is a Director of the company that is making the application.

Councillor Jacob left the room.

7:00pm Mayor Howlett declared a financial interest in Item 11.4.1.1 'Waiver of Alternative Arrangement Fees and Interest Charges for Home Hardware Site' as her partner has worked for the applicant.

Mayor Howlett left the room.

Councillor Daccache resumed the chair.

11.4.1.1 *Waiver of Alternative Arrangement Fees and Interest Charges for Home Hardware Site*

Officer Carmen Hanisch
Senior Rates Officer

Date of Report 1 July 2013

Disclosure of Interest by Officer Nil

Summary

For Council to consider writing off the alternative arrangement fee and any interest payable over the term of the arrangement.

Background

In April 2013 routine checks identified that the Assessment for 1 Nairn Street, South Hedland, which is the business premises for Hedland Home Hardware, has been rated under 'Residential' rates from financial year 2009/10, when it clearly falls within the "Commercial" rate code.

The rate code was amended and interim rates were raised to rectify the administrative error. An interim rates notice for the amount of \$5,564.51, including a letter of explanation offering the option for an alternative arrangement was sent to the designated address on file.

The property is owned by Peter and Lisa-Gaye Hicks and The Little Ones (WA) Pty Ltd. Under their commercial lease agreement, the lessee, Home Hardware, is paying the rates for the owners.

Home Hardware, the lessee, and the occupant of the property have requested a waiver of the interest accruing over the term of the arrangement and the administration fee.

Consultation

Director Corporate Services

Statutory Implications

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

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

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

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

** Absolute majority required.*

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

(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

Policy Implications

Nil

Strategic Planning Implications

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance.

Governance processes and associated policies and procedures align with leading practice and are up to date with legislative requirements.

6.4	Local Leadership
6.4.2	Community Focused

Provide a community-oriented organisation that delivers the high levels of service expected by our stakeholders. Council resources are managed to provide optimum benefit to the community.

Budget Implications

If Council decides to waive the administration fee and further interest payable, the impact on the financial position is estimated at \$385.80.

Officer's Comment

Routine checks in April 2013 identified that the Rates Assessment for the property at 1 Nairn Street, South Hedland has been rated based on the "Residential" rate code. The property is leased out to Home Hardware which runs a commercial business from this property and therefore it clearly falls within the "Commercial" rate code category.

This administrative error was rectified and an interim rates notice was raised for 2012/13 and the three previous financial years commencing 2009/10, resulting in an additional charge of \$5,564.51. The interim rates notice provided 35 days for payment as per the Local Government Act 1995. An explanatory letter was also sent, offering an alternative arrangement to pay for the additional rates.

Home Hardware agreed to pay for the account on the instalment option, with a monthly payment plan of \$505.62.

Alternative arrangement plans attract an instalment fee of \$65.80 and a daily interest charge at 11% on the outstanding balance. Home Hardware have requested for a waiver of these penalty fees as they had not budgeted for this additional charge in 2012/13 or the previous financial years and they are of the view that Home Hardware is not contributory to this error.

Attachments

1. Letter from Home Hardware requesting waiver of fees and interest payable received on 19 June 2013.

Officer's Recommendation

That Council authorise the administration to waive the alternative arrangement fee of \$65.80 and all interest accruing on the interim rates estimated at \$320.

MOTION LAPSED FOR WANT OF A QUORUM

7:02pm Councillor Jacob and Mayor Howlett reentered the room and resumed their chairs. Councillor Daccache advised them that the motion lapsed for want of a quorum.

ATTACHMENT 1 TO ITEM 11.4.1.1

Hedland Home Hardware & Garden

A.B.N. 39 104 679 987
3-5 Nairn Street, South Hedland, W.A. 6722
Telephone (08) 9172 2035 (08) 9172 2452 Facsimile (08) 9172 2365
Email sales@homehardware.net.au office.manager@homehardware.net.au
office.admin@homehardware.net.au

The logo for Hedland Home Hardware & Garden, featuring the word "HOME" in white capital letters on a blue background. The letter "O" is replaced by a stylized house icon with a red roof and a white chimney.

Town of Port Hedland

McGregor St

Port Hedland WA 6721

Assessment: A804298

Property Address: 1 Nairn St South Hedland

Payee's Name: Hedland Home Hardware

Dear Council

I am writing regarding the Interim Notice for the 1 Nairn St South Hedland.

There was an administrative error with the rate code for the above mentioned property that was incorrectly allocated as "residential" as clearly it falls under the "commercial" rate code category.

As the error has been of no fault of ours. The error accrued over 3 financial years we have not budgeted for the extra expenses.

The Town of Port Hedland has allowed us to set up a payment plan, which is great but they want to charge an administration fee and also charge a daily interest charge. I don't think this is acceptable as it was their error in the first place.

I am asking council for these fees to be waived.

Yours sincerely

Lynda Henderson

Accounts Payable

payable@homehardware.net.au

08 94795771

11.4.1.2 *Interim Financial Reports to Council for the Year Ended 30 June 2013 (File Nos: FIN-008, FIN-014 and RAT-009)*

Officer Laura Delaney
Finance Officer
Financial Management

Date of Report 30 June 2013

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town for the year ended 30 June 2013, in comparison to the year-to-date budget. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2011/12.

Background**1. *Interim Financial Statements***

The following financial reports are attached for the year ended 30 June 2013:

- Interim Statement of Financial Activity (Attachment 1 – see Schedules 2 to 14);
- Interim Statement of Financial Activity (Attachment 1 – see Notes 3 to 11);

Note: Interest rates for investments are selected from those provided from the following financial institutions: National Australia Bank, Bankwest, Western Australian Treasury Corporation, Commonwealth Bank, Australian and New Zealand Bank and Westpac Bank.

2. *Utility and Fuel Costs*

Presented in graph form is the 2012/13 monthly water, power and fuel costs compared with 2011/12.

3. *Schedule of Accounts Paid – Attachment 2*

The Schedule of Accounts paid under delegated authority which is submitted to Council on 24 July 2013 for noting, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and delivery of services, and verification of prices, computations and costs.

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 revenue and expenditure, 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 at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; 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, to be used in statements of financial activity for reporting material variances.*

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; or
 (b) waive or grant concessions in relation to any amount of money; or
 (c) write off any amount of money,
 which is owed to the local government.

* Absolute majority required.

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

Policy Implications

2/003 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 Manager, Financial Services or requested by Council by resolution.

Strategic Planning Implications

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance.
 Fiscal accountability

Reporting is carried out as required on the Council's legislative and organisational performance.
Deliver responsible management of infrastructure, assets, resources and technology.
Responsible and transparent management of financial resources.

Budget Implications

At the Special Meeting held on 30 August 2012, Council resolved to adopt item 6.1.1.1 '2012/2013 Budget Adoption' en block, which included Recommendation 16 as follows:

"Recommendation 16

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, that Council adopts the following percentage or dollar value for determining and reporting material variances in 2012/13 as follows:

- i) 10% of the Function amended budget; or*
- ii) \$100,000 of the Function amended budget*

whichever is the lesser, for the following categories of revenue and expenditure:

- iii) Operating Revenue*
- iv) Operating Expenditure*
- v) Non-Operating Revenue*
- vi) Non-Operating Expenditure"*

Officer's Comment

For the purpose of explaining Material Variance (see Attachment 1, 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 dollar 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

1. Interim Monthly Statement of Business Activity (under separate cover)
 - 1.1 Schedule 2, an Interim Statement of Financial Activity. Pages 2 to 4
 - 1.2 Notes 3 to 11 which form part of the Interim Statement of Financial Activity. Pages 5 to 18
 - 1.3 Schedule 3 -14, Detailed Interim Financial Activity by Program. Pages 19 to 65
 - 1.4 Comparison of Utility & Fuel Costs (2012/13 vs 2011/12). Pages 66 to 68
2. June 2013 Listings for Payment (under separate cover)

2013/14/015 Officer's Recommendation/Council Decision**Moved: Cr Dziombak****Seconded: Cr Jacob****That Council note the:**

1. **Interim Financial Statements as at 30 June 2013;**
2. **Graphic representation of the Town's energy, water and fuel use;**
3. **List of Accounts paid during June 2013 under Delegated Authority; and**
4. **The Interim Financial Statements for the year ended 30 June 2013 will remain "interim" until the Annual Financial Statements are finalised and the Town's Auditors have completed and finalised the audit of 2012/13.**

CARRIED 6/0

11.5 Airport Redevelopment

Nil

11.6 Office of the CEO**11.6.1 Organisational Development****11.6.1.1 *Periodic Review of Local Laws (File No.: 19/01/0001)***

Officer Josephine Bianchi
Governance Coordinator

Date of Report 3 July 2013

Disclosure of Interest Nil

Summary

For Council to consider and adopt the report of the outcome of the statutory review of the Town of Port Hedland local laws in accordance with section 3.16 of the *Local Government Act 1995*.

Background

Section 3.16 of the *Local Government Act 1995* requires that a periodic review of all local laws is undertaken within a period of 8 years from the date the local law commenced or was last reviewed.

The Town has engaged DL Consulting to assist Council with the local law review process.

The Council at its meeting on the 24 April 2013 resolved as follows:

“That Council:-

- 1. Resolves to undertake a review of its existing local laws; and*
- 2. In accordance with section 3.16 (2) of the Local Government Act 1995, give public notice of its intention to undertake a review of its local laws.”*

Consolidated versions of local laws were prepared and an advertisement was placed in a State-wide newspaper, in a local newspaper and on local notice boards, advising of the Town’s review of local laws. The advertisement invited interested persons to make a submission to the Council by the close of business on 21 June 2013.

Upon the closure of submissions a review report is to be prepared and submitted to Council for consideration and adoption.

Following the formal adoption by the Council of the outcome of the review, any amendments to the local laws under review must be processed in accordance with S3.12 of the Act.

Consultation

Internal

Elected Members
Executive Group
All Managers

External

As required by the Local Government Act, the community was invited to comment on the review of the Town's Local Laws. The review was advertised on 8 May 2013 with a closing date for submissions of 21 June 2013. At the close of submissions no community comments had been received.

Statutory Implications

Section 3.16 of the *Local Government Act 1995* states:

3.16. Periodic review of local laws

(1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.

(2) The local government is to give Statewide public notice stating that

- (a) the local government proposes to review the local law;*
- (b) a copy of the local law may be inspected or obtained at any place specified in the notice; and*
- (c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*

(2a) A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.

(3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.

(4) When its council has considered the report, the local government may determine whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required.*

Policy Implications

There is only one policy implication associated with this item at this point in time and it related to the proposal to draft a Local Planning Policy relating to Signs, Hoardings and Bill Postings.

As a result of the review process and future amendments made to local laws, amendments to specific Council policies may be required. Policy amendments, (if any), will be addressed in stage 2 of the review process.

Strategic Planning Implications

The following section of Council's Strategic Community Plan 2012 - 2022 is considered relevant:

6.4	Local Leadership
6.4.1	Strategic
	Deliver high quality corporate governance, accountability and compliance

Budget Implications

There are no budget implications associated with this item, however further expenditure will be necessary for Stage 2 of the process, which will include further consultancy costs, State-wide advertising and Government Gazette publication costs of the adopted local law. Costs associated with this second stage of the process will be included in the Town's draft 2013/14 budget.

Officer's Comment

At the close of the submission period on 21 June 2013, no submissions had been received.

As a result of the review conducted by DL Consulting and Council Officers, it is proposed that the actions outlined in the table below be taken in relation to each local law.

Local Law/Amendment	Gazettal/Amendment Date	Proposed Action
Dogs Amendment Local Law	21 January 1994	Repeal and replace with more contemporary local law.
Standing Orders	25 March 1997	Repeal and replace with more contemporary local law.
Parking	3 April 1998	Repeal and replace with more contemporary local law.
Standing Orders Amendment	2 October 1998	Repeal and replace with more contemporary local law.

Local Law/Amendment	Gazettal/Amendment Date	Proposed Action
Dogs Local Law	2 October 1998	Repeal and replace with more contemporary local law.
Dogs Amendment Local Law	26 February 1999	Repeal and replace with more contemporary local law.
Cat Control	14 May 1999	Repeal – New Cat Act addresses matters in local law.
Reserves and Foreshores	8 June 1999	Repeal and replace with Local Government Property local law.
Aquatic & Recreation Centres	8 June 1999	Repeal and replace with Local Government Property local law.
Town of Port Hedland International Airport	17 September 1999	Repeal and replace with Local Government Property local law.
Town of Port Hedland International Airport Amendment	19 November 1999	Repeal and replace with Local Government Property local law.
Cemeteries	10 January 2000	Repeal and replace with more contemporary local law.
Health	22 March 2000	Amend local law.
Signs, Hoardings and Bill Postings	3 August 2000	Repeal local law and institute Local Planning Policy to cover development requirements relating to signs.
Trading in Public Places	1 September 2000	Repeal and replace with more contemporary local law.
General Provisions	1 December 2000	Repeal and replace with more contemporary local law.
Health Amendment	19 January 2001	Retain.

Local Law/Amendment	Gazettal/Amendment Date	Proposed Action
Signs, Hoardings and Bill Postings Amendment	2 February 2001	Repeal local law and institute Local Planning Policy to cover development requirements relating to signs.
Standing Orders Amendment	8 June 2001	Repeal and replace with more contemporary local law.

Should the officer's recommendation be endorsed, the next step in the process will be to follow the procedure for making local laws as prescribed in Section 3.12 of the Local Government Act 1995. Following the adoption of the budget, quotations will be sought to engage a consultancy to assist with this statutory requirement.

Attachments

Nil

201314/016 Officer's Recommendation/Council Decision

Moved: Cr Hunt

Seconded: Cr Jacob

That Council:

1. Note that no community submissions were received by the close of the submission period on 21 June 2013 following advertising the review of the following local laws-
 - a) Standing Orders Local Law;
 - b) Parking Local Law;
 - c) Dogs Local Law;
 - d) Cat Control Local Law;
 - e) Reserves and Foreshores Local Law;
 - f) Aquatic and Recreation Centres Local Law;
 - g) Town of Port Hedland International Airport Local Law;
 - h) Cemeteries Local Law;
 - i) Health Local Law;
 - j) Signs, Hoardings and Bill Postings Local Law;
 - k) Trading in Public Places Local Law;
 - l) General Provisions Local Law.
2. Accept the local law review report and take the following action for each local law-

Standing Orders Local Law-	Repeal/Replace
Parking Local Law-	Repeal/Replace
Dogs Local Law-	Repeal/Replace
Cat Control Local Law-	Repeal

Reserves and Foreshores Local Law-	Repeal/Replace
Aquatic and Recreation Centres Local Law	Repeal/Replace
Town of Port Hedland International Airport Local Law-	Repeal/Replace
Cemeteries Local Law-	Repeal/Replace
Health Local Law-	Amend
Signs, Hoardings and Bill Postings Local Law	Repeal
Trading in Public Places Local Law	Repeal/Replace
General Provisions Local Law	Repeal/Replace

3. Commence the process under Section 3.12 of the Local Government Act 1995 of amending or repealing the local laws as per (2) above; and
4. Instruct the Chief Executive Officer to coordinate the preparation of a draft Local Planning Policy for Signs, Hoardings and Bill Postings.

CARRIED BY ABSOLUTE MAJORITY 6/0

11.6.1.2 *Salaries and Allowances Tribunal Determination and Elected Members Fees, Allowances and Reimbursements for 2013/14 (File No.: 22/13/0002)*

Officer Josephine Bianchi
Governance Coordinator

Debra Summers
Manager Organisational
Development

Date of Report 4 July 2013

Disclosure of Interest by Officer Nil

Summary

The Council is requested to reconsider and adopt its fees, allowances and reimbursements for the 2013/14 financial year in view of the June 2013 Salaries and Allowances Tribunal (SAT) determination.

Background

At its Special Meeting held on 13 March 2013 the Council made the following decision:

“That Council

.....

Pursuant to sections 5.99, 5.99A, 5.98(5), 5.98A of the Local Government Act 1995 and regulations 33, 33A, 34, 34A, 34AA, of the Local Government (Administration) Regulations 1996, that Council adopts the following Council Member fees and allowances for 2013/14;

<i>Meeting Fees (x 1 for Councillors, x 2 for Mayor)</i>	<i>\$7,000</i>
<i>Communication Allowance</i>	<i>\$2,400</i>
<i>Technology Allowance (or access to a laptop)</i>	<i>\$1,000</i>
<i>Mayor Allowance</i>	<i>\$60,000</i>
<i>Deputy Mayor Allowance</i>	<i>\$15,000</i>

.....”

In the body of the report presented to Council on 13 March 2013, the following point was outlined:

“The allowances provided to Elected Members are currently at the maximum amount allowable under the Local Government (Administration) Regulations. While there is currently a review being undertaken by the Government in terms of how they may be determined in the future, this has not been finalised”

The SAT issued its Determination for Local Government Elected Council Members, with the new amounts for fees, allowances and expenses on 19 June 2013 effective from 1 July 2013.

The Council is therefore required to reconsider its previous decision and adopt new fees, allowances and reimbursements in light of the SAT's recent determination.

Consultation

Internal

- Elected Members
- Chief Executive Officer
- Director Corporate Services
- Manager Organisational Development

External

- Department of Local Government
- Pilbara Regional Council (Chief Executive Officer)

Statutory Implications

- WA Salaries and Allowances Act 1975
- Sections 5.98, 5.98A, 5.99A(b) of the Local Government Act 1995
- Sections 30, 31(1)(b), 32 of the *Local Government (Administration) Regulations 1996*

Policy Implications

- 4/002 Councillors' Travel Expenses
- 4/005 Members Professional Development and Associated Travel and Accommodation

Strategic Planning Implications

The following section of Council's Strategic Community Plan 2012 - 2022 is considered relevant:

6.4	Local Leadership
6.4.1	Strategic
	Deliver high quality corporate governance, accountability and compliance
6.4	Local Leadership
6.4.2	Community focused
	Local leaders in the community who provide transparent and accountable civic leadership.

Budget Implications

Budget implications for 2013/14 will be reflected in the 2013/14 draft Annual Budget when presented to Council for consideration.

Depending on Council's resolution the table below shows the fees that are proposed to be budgeted for as a minimum in 2013/14.

- Option 1 shows calculations based on Council adoption of the minimum Annual Fee of \$24,000 for each Elected Member.
- Option 2 shows calculations based on Council adoption of a 'per meeting' fee for all Elected Members. These calculations are based upon all of the meetings attended by Elected Members in 2012/13 which could incur a fee as per the SAT's recent determination and definitions of the different types of meeting.
- Option 3 shows calculations based on Council adoption of the Officer's Recommendation of a 'per meeting' fee for all Elected Members. The Officer's Recommendation proposed the meeting that will incur in a fee to be Ordinary meetings, Committee meetings (Airport and Audit & Finance) and monthly agenda briefing sessions.

Type of Fee	Option 1	Option 2	Option 3
Mayoral Annual Allowance	\$75,000	\$75,000	\$75,000
Deputy Mayoral Annual Allowance	\$18,750	\$18,750	\$18,750
Elected Members ICT Allowance	\$30,600	\$30,600	\$30,600
Mayoral Attendance Fees - Council Meetings at \$750		\$15,000	\$9,000
Councillor Attendance Fees - Council Meetings at \$600		\$96,000	\$57,600
Elected Members Attendance Fees – Committee Meetings and Meetings of a 'prescribed type' at \$300		\$179,700	\$55,200
Mayoral and Councillors Annual Fee minimum at \$24,000	\$216,000		
TOTAL ELECTED MEMBER PAYMENTS	\$340,350	\$415,050	\$246,150

The same Mayoral and Deputy Mayoral annual allowance and ICT allowance is proposed across all three options.

All different types and options for fees and allowances are described in full detail in the Officer's Comments section of this report.

Officer's Comment

The SAT was empowered to determine certain payments to be made or reimbursed to elected council members with effect from 1 July 2013 following the proclamation of certain sections of the LG Amendment Bill 2011 on 5 February 2013. Amendments to sections 5.98 and 5.100 of the LG Act have also been made to reflect changes in the Salaries and Allowances Act 1975.

The SAT deliberation is the result of extensive research and inquiries into the roles and responsibilities of elected members in local government. A survey and a number of interviews with WA mayors, presidents, councillors, chief executive officers and WALGA representatives were held. Current WA fees were compared with interstate local governments and analysis of the labour market and economic indices were also made.

As follows is an overview of allowances, fees and reimbursements elected members are currently entitled to listed against the SAT's recent determination.

Meeting fees

Elected Members have 2 options with regard to meetings fees. They can be paid an annual fee (as per current provisions) or they can be paid per meeting attendance. Below is a breakdown of the various fees.

Annual Fee

Table a)

Annual Fee	Mayor	Deputy Mayor	Councillors
Current	14,000	\$7,000	\$7,000
Following SAT determination	Min \$24,000- Max \$45,000	Min \$24,000- Max \$30,000	Min \$24,000- Max \$30,000

Should the minimum value determined by SAT be applied, the total annual fee for all Elected Members would amount to \$216,000 in 2013/14.

'Per meeting' fee

Meeting fees can be applied to the following meeting categories:

- Council (Ordinary + Special)
- Committee (currently Audit & Finance and Airport)
- Of a prescribed type in accordance with Reg 30(3A) – WALGA zone, Regional Road Group established by Main Roads WA, regional local government (Pilbara Regional Council), meeting at the request of a Minister of the Crown, meeting where the council member is representing a local government as a delegate elected or appointed by the local government.

Table b) below shows the minimum and maximum values set by the SAT for the different types of meetings. It is important to note that if a local government resolves to pay its members a meeting fee it has the choice to determine a value that ranges between the minimum and maximum value set by the SAT.

Table b)

Per Meeting Fee Current	Mayor	Deputy Mayor	Councillors
Council	Min \$120- Max \$280	Min \$60-Max \$140	Min \$60-Max \$140
Committee and meetings of a Prescribed Type	Min \$30- Max \$70	Min \$30-Max \$70	Min \$30-Max \$70
Per Meeting Fee Following SAT Determination	Mayor	Deputy Mayor	Councillors
Council	Min \$600- Max \$1,125	Min \$600- Max \$750	Min \$600- Max \$750
Committee and meetings of a Prescribed Type	Min \$300- Max \$375	Min \$300- Max \$375	Min \$300- Max \$375

Informal discussions between the Town's administration and Elected Members have indicated that a 'per meeting' fee would be looked upon favorably by the Council. This fee would recognise Elected Members' regular attendances at meetings, efforts and contributions and act as an encouragement and an incentive for elected members to attend the various meetings of Council.

In order to determine a 2013/14 budget provision for 'per meeting' fees, officers have therefore calculated elected members representation on all the meetings that took place in 2012/13; these being:

- Council meetings (Ordinary and Special);
- Committee meetings (Audit & Finance and Airport);
- WALGA meetings;
- Pilbara Regional Council meetings;
- Main Roads Regional Road group ;
- Meetings where the council member is representing a local government as a delegate elected or appointed by the local government. These meetings, by definition, could therefore include all the ToPH working groups and forums (currently 17) and all the external committees (currently 11) where elected members have formally been appointed to represent the ToPH Council by way of a Council resolution. These have all been listed under Attachment 2. These meetings would also include the current monthly agenda briefing sessions and the bi-monthly concept forums. They could also include other ad-hoc meetings such as Tidy Towns, WALGA week, Regional Centres Future Forum, Pilbara Cities Challenges & Opportunities Forum.

The table below shows the cost that the Town could potentially incur in the 2013/14 financial year should the Council resolve to adopt the minimum SAT amounts determined for 'per meeting' fees and apply it to all the meetings that took place in 2012/13.

Attendee(s)	Type of Meeting	Meeting Fee	Total Meeting Fee based upon 2012/13 number of meetings
Mayor	Council Meetings	\$750	\$15,000
Councillors	Council Meetings	\$600	\$96,000
Mayor & Councillors (membership included in attachment 2)	Committee and Prescribed Meetings	\$300	\$179,700
Total			\$290,700

This amount represents a significant increase compared to the previous annual fees and is not considered a financially viable option for the Town at this present time.

It is therefore the Officer's Recommendation to propose that only Council meetings (Ordinary and Special), Committee meetings (Airport and Audit & Finance) and agenda briefing sessions be considered for reimbursement.

This recommendation results in the anticipated costs for the 2013/14 financial year as outlined in the table below:

Attendee(s)	Type of Meeting	Number of forecasted 2013/14 meetings and meeting fee	Total Meeting Fee
1 x Mayor	Council Meetings	12 @ \$750	\$9000
8 x Councillors	Council Meetings	12 @\$600	\$57,600
5 x Councillors	Airport Committee	12 @\$300	\$18,000
4 x Mayor & Councillors	Audit & Finance Committee	4 @\$300	\$4,800
9 x Mayor & Councillors	Agenda Briefing Sessions	12 @\$300	\$32,400
Total			\$121,800

The above meeting fees are considered to provide a more than adequate reimbursement for the time that Elected Members have to dedicate to Council business. Setting this type of fee will also mean that a reimbursement will not be applicable where an elected member is on approved leave of absence or an apology.

However, it is acknowledged that the Council may wish to consider further meeting categories to recognise individual elected members various levels of Council business related activity.

Should the Council decide to put forward an alternative recommendation to this regard it is recommended that it clearly defines the categories of meetings it intends to include as a meeting of a 'prescribed type'. This will enable the administration to identify which meetings will attract a sitting fee and also reveal what the full financial implications of adding other meetings to the prescribed meetings schedule would be.

It is also to be noted that this fee cannot be paid in advance but it will only be paid after attendance at a specific meeting is confirmed by each elected member, on a monthly or quarterly basis.

In terms of committee meetings, section 5.98(7) of the LG Act 1995 currently defines a committee meeting as a meeting comprising of council members only or council members and employees only. The Town has contacted the Department of Local Government to seek advice as to how to deal with committees that also have community members as representatives, as per section 5.9(2)(c) and (d) of the LG Act 1995. The Department advised that this matter is currently under deliberation and that advice will be provided to all WA local governments shortly.

Should Council decide to set a 'per meeting' fee, it is recommended that until formal advice is given by the Department, meeting fees for elected members on the Airport Committee remain unpaid. These fees can be paid retrospectively once clarification has been received from the Department, if necessary.

Mayor and Deputy Mayor Annual Allowance

The current and proposed annual allowances for Mayor and Deputy Mayor are shown below.

Table d)

Annual Allowance	Mayor Allowance	Deputy Mayor Allowance
Current	Min \$600- Max \$12,000 or 0.02% operating revenue for 2011/2102 FY whichever is greater no more than \$60,000	Up to 25% Mayors Fee
Following SAT Determination	Min \$50,000- Max \$85,000 or 0.2% operating revenue for 2012/2013 FY (whichever is the lesser)	Up to 25% Mayor Fee

Following informal discussions between the CEO and Elected Members it is recommended that the Mayoral allowance be set at \$75,000. This will result in the Deputy Mayoral allowance being \$18,750 (25% of Mayor's).

Allowances

Communications/Technology/ICT

The SAT has grouped the original communication and technology allowances into an ICT allowance, as per table c) below.

Table c)

Phone/Fax/ICT	All Elected Members
Current (Communication Allowance and Technology Allowance)	Up to \$2,400 + \$1,000
Following SAT Determination (ICT Allowance)	Min \$500- Max \$3,500

Following informal discussions between the CEO and Elected Members it is recommended that the Council maintain the ICT allowance at the current \$3,400.

Reimbursements

There are a number of expenses that elected members can be reimbursed for in accordance with section 5.98(2) of the LG Act 1995. As follows are all the reimbursements that the Council will be requested to consider.

Travel

In terms of travel expenses associated with meeting attendance, elected members are entitled to a reimbursement (actual cost based on verified data – i.e. Provision of receipts) or to an annual allowance of \$50.00. It is recommended that the Council maintain the current practice of reimbursing travel.

Childcare

The extent to which a council member can be reimbursed for child care costs incurred because of attendance at a meeting referred to in regulation 31(1)(b) of the LG Administration Regulations is the actual cost per hour or \$25 per hour, whichever is the lesser amount. This has been increased by \$5 by the SAT as it used to be \$20 per hour. It is recommended that the Council consider childcare reimbursements as per the latest SAT determination.

It has to be noted that regardless of the Council's decision, the Town proposes to undertake a full review of all of its current working groups, committees and forums. This is to ensure that the Town has a statutorily compliant governance framework that effectively supports the decision making of the Council.

Attachments

1. Determination of the SAT on LGs Elected Council Members June 2013 (under separate cover)
2. ToPH Committees, Working Groups, Forums and Elected Members representation on External Organisation booklet (under separate cover)
3. Department of Local Government and Communities Circular

Motion

Moved: Cr Daccache

That Council is paid the maximum fees and allowances set by the Salaries and Allowances Tribunal which will be paid on an annual basis.

MOTION LAPSED FOR WANT OF A SECONDER

201314/017 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Hunt

That Council adopt the following reviewed fees, allowances and reimbursements for the 2013/14 financial year:

Council Meeting Fee – Mayor	\$750
Council Meeting Fee - Deputy Mayor & Councillors	\$600
ToPH Committee Meeting Fee – Mayor, Deputy Mayor & Councillors	\$300
Agenda Briefing Fee - Mayor, Deputy Mayor & Councillors	\$300
ICT Allowance	\$3,400
Mayor Allowance	\$75,000
Deputy Mayor Allowance	\$18,750
Travel reimbursements	as per Public Service Award 1992
Childcare reimbursement	actual cost per hour or \$25 per hour, whichever is the lesser amount

CARRIED BY ABSOLUTE MAJORITY 5/1

ATTACHMENT 3 TO ITEM 11.6.1.2



Government of **Western Australia**
Department of **Local Government and Communities**

Our Ref: 430-98#04

TO ALL LOCAL GOVERNMENTS

CIRCULAR N^o 16-2013

**MEETING ATTENDANCE FEES AND ALLOWANCES FOR ELECTED MEMBERS –
DETERMINATIONS BY SALARIES AND ALLOWANCES TRIBUNAL**

I am pleased to announce that the Salaries and Allowances Tribunal (SAT) has now made determinations with regard to elected member fees and allowances. These determinations must be used by local governments as the basis for setting fees and allowances payable to elected members from 1 July 2013.

This change represents the final phase of a remuneration reform process commenced by the State Government over a year ago.

Local governments were previously advised via Ministerial Circular 04-2013 that the *Local Government (Administration) Amendment Regulations 2012* ("the Regulations") would come into operation after the end of June.

On 1 July 2013, the Regulations will remove the current prescribed amounts for elected member meeting attendance fees and allowances. These prescribed amounts will be replaced by a requirement to comply with the SAT determinations.

It is possible that a Council may have already adopted, or is close to adopting elected member fees, allowances and expenses for the 2013/14 financial year based on the amounts previously prescribed in the Regulations.

As a result, it is recommended that all local governments should conduct a review of fees, allowances and expenses as soon as possible in the 2013/14 financial year to ensure that these amounts are consistent with current SAT determinations.

Any amendments made to elected member fees, allowances and expenses resulting from a review will need to be backdated to apply from 1 July 2013 to ensure compliance with the Regulations.

For any further queries regarding the above, please contact Andrew Borrett, Senior Project Officer, on 6552 1532 or by email at andrew.borrett@dlg.wa.gov.au.

A handwritten signature in black ink, appearing to read 'Jennifer Mathews'.

Jennifer Mathews
A/DIRECTOR GENERAL

/ July 2013

140 William Street Perth Western Australia 6000
Telephone (08) 6552 1500 Facsimile (08) 6552 1555 info@dlg.wa.gov.au
www.dlg.wa.gov.au
wa.gov.au

ITEM 12 LATE ITEMS AS PERMITTED BY PRESIDING MEMBER/COUNCIL**12.1 *Assessment of Tender 13/21 Roof Replacement Courthouse Gallery***

Officer Jenella Voitkevich
Manager Infrastructure Development

Date of Report 22 July 2013

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary of the assessment of submissions received for Tender 13-21 Roof Replacement: Courthouse Gallery. The recommendation is for approval to award the contract.

Background

The Courthouse Gallery is located at 16 Edgar street, Port Hedland. The facility is owned by the Town of Port Hedland and operates as an arts and cultural center managed by FORM. The facility was historically built to function as Port Hedland's Court House however was transformed into an art gallery and operated by Council for several years.

In 2006/07 the building was extensively renovated as part of an Arts and Cultural Precinct development project. The renovations were largely cosmetic however it was identified that the roof sheeting and associated fixtures would require replacement in the future. This scope of works was included in the budget and advertised for tender in March 2012 however did not proceed, largely due to budget and timeframe restrictions. The scope of works for this contract remain unchanged from the original tender, with the exception that independent building certification is now required in accordance with the Building Act. The contract involves (in summary):

- Removal and disposal of existing roof sheeting
- Replace entire roof cover, including all flashings, box and valley gutters
- Check for conformance and re-fit all associated plumbing and electrical works
- All associated approvals, permits, site management, safety and disposals

In consideration of the appropriate timeframes for the work to proceed to accommodate Gallery events and avoid the cyclone season, the works have been scheduled to occur between 23 September and 13 October 2013. During this period the Courthouse Gallery will be closed to the public. This timeframe has been confirmed in consultation with FORM.

Consultation

External

- FORM

Internal

- Director Engineering Services
- Manager Infrastructure Development
- Co-ordinator Building Management

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.*

Local Government (Functions and General) Regulations 1996

11. When tenders have to be publicly invited

- (2) *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 expected to be, more, or worth more, than \$100 000 unless sub regulation (2) states otherwise.*

Sections of this report pertaining to price submissions from tenderers have been deemed confidential in accordance to the *Local Government Act (1995)*:

5.23 Meetings generally open to public

- (1) *Subject to subsection (2), the following are to be open to members of the public —*
 - (a) all council meetings; and*
 - (b) all meetings of any committee to which a local government power or duty has been delegated.*

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

...
(e) *a matter that if disclosed, would reveal — ...*

(iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*

...

Policy Implications

This tender was called in accordance with Procurement Policy 2/007 and the Tender Policy 2/011.

Strategic Planning Implications

6.3 Environment

6.3.2 Community Facilities

Provide safe and accessible community facilities, libraries, services and public open spaces that connect people and neighbours.

6.4 Local Leadership

6.4.1 Strategic

Deliver responsible management of infrastructure, assets, resources and technology.

Budget Implications

A budget of \$185,538 (ex GST) was allocated to GL 812411 in 2012/13 to undertake this contract and minor works to the Courthouse Gallery. This was funded from the Community Facilities Reserve. The budget was not increased as an outcome from the previous tender process as officers were confident that the works could be completed within budget.

A total of \$6,350 was spent in 2012/13 on minor works, with the remainder to be carried forward in the 2013/14 budget (\$179,188). The recommended contract award is within this budget allocation. The completed contract could result in a budget savings of approximately \$80,000, however this would not be assessed until the entire project is complete. Any savings achieved in this project would be returned to the Community Facilities Reserve.

Given that the 2013/14 budget is not adopted yet, the recommendation of this report also confirms the carry forward budget figure from 2012/13. This has already been recognised in the draft 2013/14 budget and is not an additional amount.

Officer's Comment

Tender 13-21 Roof Replacement: Courthouse Gallery was advertised in the Northwest Telegraph on 19 and 26 June 2013 and in the West Australian on 22 June 2013. A mandatory pre-tender briefing and site inspection was held on 28 June 2013 and was attended by representatives from six (6) companies.

Tenders closed on 17 July 2013. Submissions were received from four (4) companies, namely:

- Vathjunker Contractors Pty Ltd
- PMC Roofing Pty Ltd
- Pilbara Construction Pty Ltd
- Safeway Building & Renovations Pty Ltd

Confidential attachment one (1) provides a summary of the lump sum price submitted by each proponent.

Tenders were assessed against the advertised criteria which consisted of price (50%), experience (20%), resources (10%), demonstrated understanding of works (10%) and local industry development (10%).

The following table provides a summary of results. The proponents have not been identified to ensure confidentiality.

Proponent / Assessment Criteria	Price (50%)	Experience (20%)	Resources (10%)	Understanding (10%)	Local Industry Dev. (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	
Proponent One	41.25	4	2	0	8	55.25
Proponent Two	42.07	8	2	2	0	54.07
Proponent Three	20.27	16	8	7	8	59.27
Proponent Four	50	16	7	8	4	85

Proponent One

Proponent One is a locally based contractor with known experience in the construction industry in Port Hedland, however minimal information was provided in the tender submission to assess this fairly against the selection criteria. No information was provided regarding registered builder status, roles, responsibilities and qualifications of personnel. The proponent did not provide a methodology to demonstrate an understanding of the works, nor did they confirm that the contract could be completed within the strict timeframes advised in the tender.

Proponent Two

Proponent Two is a registered builder who displayed experience in similar types of projects although not within the Pilbara region. Minimal information was provided on the personnel involved in this contract to determine their experience and qualifications. The proponent did not confirm construction timeframes or acknowledge the building permit and independent certification process. Their site management plan did demonstrate an understanding of the works required for this contract. The proponent did not provide any information to assess against the local development criteria.

Proponent Three

Proponent Three is a locally based registered builder who demonstrated a good level of experience in similar work. The key personnel nominated for the project are well qualified and they have adequate plant and resources available to undertake the works. The project schedule submitted indicated that work would be completed within the required timeframes and demonstrated a general understanding of the contract. Proponent Three's price offer varied greatly from the other submissions.

Proponent Four

Proponent Four is a Perth metropolitan based registered builder who has demonstrated a good level of experience in similar work. They have completed roof replacement projects in Port Hedland and Karratha. The key personnel nominated for the project are well qualified and they have adequate plant and resources available to undertake the works. The proponent has demonstrated a thorough understanding of the works required. The schedule commits to completion timeframes within the Gallery closure dates.

Proponent Four submitted a conforming bid and an alternative offer suggesting a reconfiguration of a portion of the roof to improve functionality and reduce maintenance. The same price was submitted for both options. The alternative bid recommendations are considered to be a good approach to increasing the lifespan and quality of the asset.

Summary

The tender assessment indicates that Proponent Four has the experience and capability to undertake the works in accordance with Tender 13-21. The price offer is within the budget allocation and the contract can be completed within the timeframe allotted for the closure of the Courthouse Gallery. It is therefore recommended to award the contract to Proponent Four based on their alternative submission.

Attachments

1. **CONFIDENTIAL** Summary of lump sum price submissions for Tender 13-21 Roof Replacement: Courthouse Gallery.

201314/018 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Hunt

That Council:

1. **Confirms the carry forward expenditure budget from 2012/13 to 2013/14 of \$179,188 in GL 812411; and**
2. **Award Tender 13-21 Roof Replacement: Courthouse Gallery to Safeway Building & Renovations Pty Ltd (Proponent Four) for the lump sum price of \$92,400.00 (excluding GST), based on the alternative submission.**

CARRIED 6/0

ITEM 13 REPORTS OF COMMITTEES

NOTE: The Minutes of Committee meetings are enclosed under separate cover.

13.1.1 Airport Committee Minutes – 3 July 2013**201314/019 Officer's Recommendation 1/Council Decision****Moved: Cr Dziombak****Seconded: Cr Jacob**

That Council receives the Minutes of the Ordinary Meeting of the Airport Committee held on 3 July 2013, inclusive of the following recommendations:

- 7 Confirmation of Minutes of Previous Meeting**
- 10.2 Port Hedland International Airport – projects update July 2013 (File No.: 08/02/0025)**
- 11 Town of Port Hedland to Notify Department of Transport of the correct information and derivation of the PHIA Funding**

CARRIED 6/0

201314/020 Officer's Recommendation 2/Council Decision**Moved: Cr Dziombak****Seconded: Cr Jacob**

That Council adopts the following recommendation from the Airport committee as listed in the minutes of its Ordinary meeting of 3 July 2013 which states:

That the Airport Committee recommends that Council:

- 1. Rejects all submissions for Expression of Interest 12-25 Waste Water Treatment Plant at Port Hedland International Airport;***
- 2. Advises all proponents of Expression of Interest 12-25 Waste Water Treatment Plant at Port Hedland International Airport of the intent of a separated project approach incorporating:***
 - a) Pumping station and rising main to transfer sewage to WWTP;***
 - b) Waste water treatment plant;***
 - c) Irrigation field reticulation system and tanker filling station;***
- 3. Authorises the Chief Executive Officer to incorporate these projects into the Airport Capital Works program, subject to the review of the Airport Master Plan and subsequent report to the Airport Committee and Council.***

CARRIED 6/0

201314/021 Officer's Recommendation 3/Council Decision**Moved: Cr Dziombak****Seconded: Cr Jacob**

That Council adopts the following recommendation from the Airport committee as listed in the minutes of its Ordinary meeting of 3 July 2013 which states:

That the Airport Committee recommends that Council:

- 1. Rejects the revised proposal from Element Accommodation Pty Ltd for the Request for Proposal 12/15 – Land Leasehold: Port Hedland International Airport on the basis that it does not meet the desired objectives for the use of the land,*
- 2. Authorises the Chief Executive Officer or his delegate to advise Element Accommodation Pty Ltd of this decision, and*
- 3. Requests the Program Director Airport Redevelopment to consider use of this land as part of ongoing strategic reviews of the airport precinct redevelopment and report back to Council accordingly.*

CARRIED 6/0

201314/022 Officer's Recommendation 4/Council Decision**Moved: Cr Dziombak****Seconded: Cr Jacob**

That Council adopts the following recommendation from the Airport committee as listed in the minutes of its Ordinary meeting of 3 July 2013 which states:

That the Airport Committee request that the Council approve Cr Jacob and Dr King to participate in the next Airport Committee meeting [to be held on Wednesday 31 July 2013] by way of teleconference.

CARRIED BY ABSOLUTE MAJORITY 6/0

ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

ITEM 15 CONFIDENTIAL ITEMS

201314/023 Council Decision

Moved: Cr Daccache

Seconded: Cr Dziombak

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

15.1 Private Treaty Lot 436 – Ausco Modular Confidential Item (File No.: 08/03/0005)

CARRIED 6/0

7:14pm Mayor advised that this meeting is now closed to members of the public.

15.1 *Private Treaty Lot 436 – Ausco Modular Confidential Item (File No.08/03/0005)*

201314/024 Officer's Recommendation/ Council Decision

Moved: Cr Daccache

Seconded: Cr Dziombak

That Council:

1. Approve the preparation and advertisement of a business plan in accordance with the Section 3.58 and 3.59 of the Local Government Act 1995 outlining the proposed lease via private treaty with Ausco Modular for a 4.5 hectare portion of the Western section of Lot 36 within the Kingsford Business Park for \$12 a square metre annually (\$540,000 excluding GST) for a period of ten years with two possible extensions of five years. (Annual CPI reviews during the lease term and extended period) with a voluntary development contribution within the development approval stipulating that that upon completion of the development, a voluntary contribution of \$3.25 for each occupied room per night above a threshold level of 75% of total rooms (excluding site management personnel) shall be payable on an annual basis. This voluntary contribution shall be utilised by Council towards community benefits programs identified in consultation between the two parties and recognized by Council through public acknowledgements, naming rights or similar; and
2. Requests that Town of Port Hedland Officer's report back to Council on the public submissions received as a result of that business plan and then recommend a course of action in relation to the proposed private treaty between the Town of Port Hedland and Ausco Modular.

CARRIED 6/0

201314/025 Council Decision**Moved: Cr Daccache****Seconded: Cr Jacob****That the meeting be opened to members of the public.*****CARRIED 6/0***

7:16pm Mayor advised that the meeting is now open to the public. Mayor advised members of the public of Council's decision whilst behind closed doors.

ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE**201314/026 Council Decision****Moved: Cr Daccache****Seconded: Cr Gillingham****That the following applications of leave of absence:**

- **Councillor Jacob from 20 August 2013 to 24 August 2013**
- **Councillor Hunt 10 August 2013 to 17 August 2013**

be approved.***CARRIED 6/0*****ITEM 17 CLOSURE****17.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 28 August 2013, commencing at 5.30 pm. A Special Meeting of Council will be held on Wednesday 31 July 2013, commencing at 5:30pm.

17.2 Closure

There being no further business, the Mayor declared the meeting closed at 7:24pm.