



Town of Port Hedland

MINUTES

OF THE

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

HELD ON

WEDNESDAY 14 DECEMBER 2011

AT 5.30 PM

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

*Paul Martin
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 5:35pm and acknowledged the traditional owners, the Kariyarra people.

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES**2.1 Attendance**Elected Members:

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

Officers:

Mr Paul Martin	Chief Executive Officer
Ms Natalie Octoman	Director Corporate Services
Mr Russell Dyer	Director Engineering Services
Mr Eber Butron	Director Planning and Development
Ms Lorna Secrett	Acting Director Community Development
Mr Ayden Férdeline	Administration Officer Governance

Public Gallery:

16	Members of the Public
1	Members of the Media
4	Members of Staff

2.2 Apologies

Councillor Gloria A Jacob
Councillor Stan R Martin

2.3 Leave of Absence

Nil

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Special Council Meeting held on Tuesday 8 November 2011 (and reconvened on Wednesday 9 November 2011)****3.1.1 *Ms Jan Ford***

The Port Hedland Community Progress Association has a goal to see a university established in Hedland by 2020. Back in 2007 Council started some negotiations to consider creating students accommodation in town. Can Council advise whether this matter has progressed further?

Director Planning and Development advised that the issue of attracting a university into town will be addressed through the Growth Plan and through ongoing discussion with relevant university bodies.

The Pilbara Arts, Crafts and Design Aboriginal Corporation (PACDAC) is a joint owner of the Courthouse Art Gallery together with the Town of Port Hedland. PACDAC would like to get hold of the old school site in McKay Street as many of their children attended back in the 1940s and 1950s. Is this something that Council could look into?

Director Engineering Services advised that Marine Rescue Building Demolition (reserve 3557) is vested to Marine Rescue Services Port Hedland, Inc. The reserve comprises of three lots: 55, 56 and 57 McKay Street, Port Hedland.

Marine Rescue Services Port Hedland, Inc. have previously requested that the Town inspect the buildings. The Engineering, Environmental Health and Building Services units have inspected the building and found the white ant damage to be so extensive that the recommendation to the owner was to demolish the building. The building is not vested to the Town of Port Hedland, therefore Officers have not had any further business with Marine Rescue Services Port Hedland, Inc.

3.2 Questions from Elected Members at Special Council Meeting held on Tuesday 8 November 2011 (and reconvened on Wednesday 9 November 2011)

Nil

3.3 Questions from Public at Ordinary Council Meeting held on Wednesday 16 November 2011

3.3.1 Mr Bob Neville

In relation to item 11.3.4, petition regarding use of recreation land for Transitional Workforce Accommodation, it is stated that an Expression of Interest for 'Temporary Transient Workers Accommodation' was advertised in the West Australian on 9 July 2011. Can a reason be given as to why this EOI was not advertised in the two local newspapers, the Northwest Telegraph and the Pilbara Echo?

Director Engineering Services advised that Council is only required to advertise in one newspaper and, as the West Australian has a larger circulation throughout the state, this is generally the newspaper which the Town opts to use. The Public Notices section of this particular publication is also where all local governments advertise their tenders and/or Expressions of Interest.

In relation to the same item, and following from the wording of the Petition presented to Council on 21 September 2011. It is stated that 'A detailed program of consultation occurred with all of the sporting and user groups as part of the Active Open Space Strategy'. Was the issue of Council making application to the Minister of Regional Lands and Development for the change in vesting from recreation to Transient Workers Accommodation, for a portion of land of Reserve 31895 at Lot 5530 Hamilton Road South Hedland, ever discussed with the users of Marie Marland Reserve at the Active Open Space Strategy held in November 2010?

Director Community Development advised that during the consultation phase of the Active Open Space Strategy, consultants CCS Strategic Management were aware of preliminary ideas to develop to the west and to the north on the existing Club Hamilton site.

That idea did not progress and therefore did not form part of the undertaken consultation. The consultant did not discuss this matter with the user groups of Marie Marland Reserve because it was unclear at the time whether the idea would progress in the future.

On which date did Council make the application to the State Lands Services seeking consent to allow for a change in the vesting order for this portion of land from use of Recreation to Temporary Transient Workforce Accommodation for a period not exceeding six years?

Manager Planning Services advised that on 11 August 2011 Council wrote to Regional Development and Lands (RDL) to request the change in vesting for this proposal. RDL advised that they would require the Town of Port Hedland pay for a survey to show the excision of land. The survey was completed and sent off to RDL earlier this month. To date the Town has not received confirmation of the change.

3.4 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 16 November 2011

Nil

3.5 Questions from Public at Special Council Meeting held on Wednesday 30 November 2011**3.5.1 Ms Joan Foaley**

Joan Foaley reminded Council that this week is international disability awareness week. Ms Foaley indicated that it is her understanding that if any builder is building more than 4 properties at the one time, then one of these buildings has to be designed in accordance with disability standards. At the moment Ms Foaley is not that this is happening in Port Hedland. Could Council look into this?

Manager Building Services advised that all new sole-occupancy-units within the Town of Port Hedland are assessed and approved for accessibility in accordance with the Federal Disability Discrimination Act, Premises Standards 2010 and the Building Code of Australia.

3.6 Questions from Elected Members at Special Council Meeting held on Wednesday 30 November 2011

Nil

ITEM 4 PUBLIC TIME

5:36pm Mayor opened Public Question Time.

4.1 Public Question Time**4.1.1 Mr Camilo Blanco**

Has a traffic study being carried out in order to solve the dramatic increase in traffic that will result from the Precinct 3 Proposal?

Chief Executive Officer advised that this question is taken on notice.

With the Precinct 3 proposal approved, has Council been able to increase Police numbers?

Mayor clarified that the Precinct 3 proposal has not been approved by Council. Mayor also advised that she cannot respond to a hypothetical question but that the Town does endeavour to set up a meeting with Police to discuss this matter and also provide Western Australia Police with an information briefing.

Is the purpose of rezoning the airport reserve to allow revenue generated from the Precinct 3 proposal to be used in operational or other Town projects?

Chief Executive Officer advised that in relation to Precinct 3, a part from the prepayment of funds by BHP Billiton for the redevelopment of the Airport terminal, no decision has been made as to the allocation of other funds; this point is also outlined in the advertised business plan.

If the zoning is not changed then the Precinct 3 money can only be spent on airport operations or on the airport reserve, is that correct?

Chief Executive Officer advised that this question is taken on notice.

Has any part of the airport been rezoned to date?

Chief Executive Officer advised that the Town has initiated the rezoning of the airport land in accordance with the Airport Land Use Masterplan.

What about other parts?

Chief Executive Officer advised that this question is taken on notice.

Is the Mia Mia TWA camp and Port Haven TWA camp on the airport reserve?

Chief Executive Officer advised that there is no land designated as "airport reserve", this is actually freehold land owned by the Town.

Which account does the revenue raised from Mia Mia and Port Haven go into? The airport reserve account or general revenue account?

Chief Executive Officer advised that this question is taken on notice.

4.1.2 Mr Chris Whalley

I've been told that the FMG shiploader at Herb Elliot Port is allowing iron ore run-off into the water. I've also been told that the FMG conveyer belts do not have safety railings. Could Council confirm if both these points are true?

Chief Executive Officer advised that this matter falls within the jurisdiction of the Port Hedland Port Authority. The Town will contact the Port Authority about this enquiry and request that a response be provided.

Could Council contact FMG Management and ask them to specify in written form precisely what is their policy regarding Fly-In, Fly-Out workers?

Mayor advised that this question is taken on notice.

In November last year I asked Council to contact the Department of Education with the view of proposing a new Senior High School for the Town of Port Hedland. What have been the developments regarding this issue since then?

Mayor advised consideration has been given to this matter in the Draft Pilbara's Port City Growth Plan.

I have read that document thoroughly and there is no mention of new or additional educational services, hence this question.

Chief Executive Officer advised that this matter will be identified in the implementation stage of the Growth Plan. Chief Executive Officer also advised that the Town has been in discussion with St. Cecilia's Primary School regarding the opening of a new secondary school.

Could Council contact the Department of Education to find out if it is possible to expand the existing college in South Hedland to include other subjects aside from the existing building and metal trades?

Mayor advised that Council will follow up on this matter.

About three months ago I asked Council regarding the situation about the number of dead trees around Town. What is the latest news on this matter? There are dead trees and dead branches all around town.

Director Engineering Services advised that the Town is aware of the situation regarding dead trees and branches around town as this is an ongoing issue. The Town is mindful of the budget of its 'street tree maintenance' account, and depending on the current dead tree situation at a specific time, additional funding may be sought at the next budget review.

Unfortunately, the trees on Anderson Street have been vandalised. Can Council seriously consider having the young saplings around the West End of Anderson Street surrounded by steel posts and barbed wire until such time as they are able to cope with the interference from vandals?

Mayor advised that this question is taken on notice.

4.1.3 Ms Gaye Stephens

I have questions regarding tonight's agenda and in particular about the Town Planning Scheme No. 5, which as we all know is now over 10 years old, although it should not get past the 5 years mark. It is pleasing to see that Council is now using the Pilbara's Port City Growth Plan to plan for its exponential growth and can use the document to move towards reviewing its Town Planning Scheme. Is Council able to provide an estimated timeframe for when Town Planning Scheme No. 6 will be finalised and implemented?

Chief Executive Officer advised that this question is taken on notice.

How long ago was the Pilbara's Port City Growth Plan considered and/or adopted by Council?

Mayor advised that the Growth Plan has not been formally adopted by Council and that the Town is currently reviewing the submissions received during the public comment period.

Given that the Growth Plan is already being cited in the Town's agenda items and that agenda item 11.1.9 recognises the highlight of 'South Hedland rural residential estate expansion', why is Council now (after only a few months of developin the plan) considering amending its Planning Scheme to accomodate the rezoning of Stage 2 of the Estate to 'Residential R2.5' on behalf of a developer?

Director Planning and Development advised that the Growth Plan identifies the area as rural residential. However, the Growth Plan does not state the desirable lot sizes. Rural residential development can be, and is, interpreted in various forms including special residential and special rural lots that can vary in sizes ranging from 2,000+ sq m through to 2+ hectares lots.

Ms Stephens stated that is what happens in other districts, however this Council has a Town Planning Scheme that has been adopted.

NOTE: Mayor reminded Ms Stephens that this is Public Question Time and that all questions must be directed to the Chairperson.

Ms Stephens asked if our Town Planning Scheme, as adopted by this Council, explicitly states that rural residential lots must be a minimum of 1 hectare in size?

Director Planning and Development advised that the intent of the current Town Planning Scheme is to provide for 1 hectare lots in rural-residential areas but the purpose for Council's consideration is for an amendment to the scheme.

Does Council make every attempt to make decisions in accordance with its existing Town Planning Scheme and newly developed Pilbara's Port City Growth Plan?

Mayor responded in the affirmative.

Excluding the Western Australian Planning Commission's (WAPC) Scheme Amendment process which allows for public consultation, isn't Council also indicating to its residents and ratepayers that it actually wants to rezone the portion of Lot 226 at the South Hedland Rural Estate just by making the application?

Director Planning and Development advised not necessarily, this item simply seeks Council's input before the advertising process begins. Any comments received from members of the public will be presented to Council when the item is later considered.

As the request to rezone is not in accordance with the Town's Town Planning Scheme and the most recent Pilbara's Port City Growth Plan, does Council agree that it is portraying disregard to its residents and ratepayers?

Mayor responded in the negative.

If Council is unable to make a decision to object to the request for a Scheme Amendment on behalf of a developer, and chooses to rely only on the public consultation stage of the WAPC's Scheme Amendment process, isn't that just shifting responsibility from Council to the WAPC?

Mayor advised that her understanding is that this is a standard procedure.

Director Planning and Development also advised that Council still makes the final decision as to whether or not to proceed with the Scheme Amendment.

Is Council's decision of February 2010 – which was made in response to the developer making an application directly to the WAPC – which states block sizes of a minimum of 1ha (10,000 m²) still valid for the developer to progress?

Mayor advised that there have been changes since this decision was made.

Director Planning and Development also advised that subdivision applications do have an expiry date. In this particular case, the Director will confirm the expiry date.

4.1.4 Mr Evan Young

Recently my company, White Knight Industries, tendered on the supply of security personnel for the new parking upgrade at the airport. The contract was awarded to Sabar Technologies as notified by Town of Port Hedland employee Helen Taylor.

Looking at the WA Police website, it appears that Sabar Technologies is not a licensed security agent and therefore cannot employ security guards.

Can Council advise their policy on employing licensed trades?

Director Engineering advised that Sabar Technologies has been engaged to install the paid parking system at Port Hedland International Airport, but are not providing security services. The Town of Port Hedland will be employing its own staff to provide security.

I have received a letter from the Town of Port Hedland advising that Sabar Technologies has successfully tendered to provide security services.

Director Engineering advised that unfortunately the contents of this letter are not correct. Sabar Technologies will only monitor the paid parking system during operational hours over the Christmas period. The Town of Port Hedland staff will be employed for the day-to-day running of the paid parking system after the Christmas period.

Mr Young enquired as to whether the Town should notify all tenderers about the incorrect information contained in the aforementioned letter.

Chief Executive Officer advised that this matter will be looked into.

My second question is in relation to the installation of the new parking metres at the airport. Can Council advise who is responsible and who accepts the standard of the work being carried out, and that is probably being funded by ratepayers? To be specific, the quality of the new concrete work in the footpaths and the infills around the islands is at a standard that is well-below Australian standards

Director Engineering advised that this work meets Australian standards.

Mr Young queried this responses and asked whether the Town accepts work below Australian standards?

Mayor advised that the Town does not accept works that do not meet Australian standards.

4.1.5 Ms Joan Foaley

I am after feedback on my question that was taken on notice at the last Council Meeting.

Mayor advised that a response can be found in Section 3.5.1 of the tonight's Meeting Agenda.

5:53pm Mayor closed Public Question Time.

5:53pm Mayor opened Public Statement Time.

4.2 Public Statement Time

4.2.1 Ms Gaye Stephens

It is a shame that not all new Councillors are here tonight; congratulations to new Councillors nevertheless. This is an important role in the community and the workload involved is significantly underestimated. It isn't just coming to meetings once or twice a month. There is much more work involved. So thank you for putting your foot forward, because I would never do it!

However, I do remind you, as Councillors, that they represent the interests of electors, ratepayers and residents of the district. They provide leadership and guidance to the community. But most of all, they facilitate communication between the community and the Council.

Secondly, I went to 20/20 Cricket last Saturday night at the Multipurpose Recreation Centre. It was fantastic to sit on the other side and to see this project come to fruition. I was the only mother there and I sat on my own. Nearby were five men who work in Hedland on a Fly-In, Fly-Out (FIFO) basis.

They had been here for anywhere from 2 weeks to 2 years. I sat back and wondered, 'Why did they have to hitch a lift with a mate?' What's happening? Are we still keeping up with close interaction and communication with the camp community facilitators? Why couldn't there have been a bus that while it went to the Pier, it did another run by the Multipurpose Recreation Centre. I want to highlight this to you – most of the people at the Cricket were locals but perhaps more would have been FIFOs if they had been able to get to the game.

4.2.2 Mr Camilo Blanco

The Wedgefield Association had its Annual General Meeting (AGM) on 27 November 2011. The reactivation of the Association comes as a result of the recent approvals of noxious industries in the Wedgefield area. The Association and its members are extremely concerned about approvals of noxious industry around their businesses and accommodation.

Negotiations with the Planning Department in recent times have indicated that these plans would not be approved. However, Council's decisions have not been in favour of the residents and ratepayers of Wedgefield.

The Town Planning Scheme states, clause 7.5.1, "Wedgefield Special Control Area recognises the special relationship between caretaker dwellings and industry." Clause 7.5.4 requires that the applicant should provide information and technical assessment of potential emissions, risks and hazards of proposed industry use on existing caretakers dwellings. The Port Hedland Land Use Masterplan recommends avoiding conflict between noxious and light industry users. The Wedgefield area is not zoned light industry, and the Land Use Masterplan acknowledges that the majority of businesses within that area would be classified as light industry.

With all that taken into consideration, and the fact that we have had consultation with the Planning department, we believe that attempting to seek clarification on these matters is pointless, and we are in the process of receiving legal advice to clarify our situation. If legal advice is in favour of Wedgefield, as I believe it is, we will be seeking a legal option to deal with this situation.

This matter could have been avoided if you, the Council, had understood the ramifications in approving such industry in Wedgefield, and stood up for the basic rights we the residents and ratepayers are entitled to have.

4.2.3 Ms Morag Lowe

I would like to make a statement on behalf of the ratepayers, property owners and developers in the West End of Port Hedland in reference to the draft traffic policy and the the issues that we have had over the last couple of weeks. We have had an application and an Officers Recommendation to the Development Assessment Panel yesterday talking on behalf of these groups. I felt it was ill-conceived and embarrassing in its lack of reference and inability to explain the process under which this Policy was started. And I would put it to Council members tonight that we do not do this again and due consideration is given to policy and it is put into a framing that is sensible from the onset so that it does not cause consternation to prompt the owners and developers that this ill-conceived policy has done over the past couple of weeks. We will watch with interest what happens as we go through the rest of the meeting tonight, and I am putting it on notice that this policy is being closely monitored and, in effect, it is not acceptable in the present form to the ratepayers of West End. In addition, I would like to lend my support to the statement made by the previous speaker in relation to the noxious industry in Wedgefield, I would support exactly what he says and ask Council to take that on notice and do come back with answers to his statement.

6:00pm Mayor closed Public Statement Time

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

In relation to the question asked by Ms Stephens, I repeat the question I asked during our briefing session this afternoon. How many owner-occupiers in the South Hedland Rural Estate were asked about this proposed development, and how many residents who are renting property in the Estate were asked about the development?

Director Planning and Development advised that this matter will be addressed by way of public consultation and advertising.

Is there a problem with watering the beautiful new plants on Hamilton Road near the new Police Station? Everything seems to be dieing.

Director Engineering Services advised that Landcorp accidentally cut through the main reticulation line that services these plants, and it is currently in the process of being repaired.

Regarding the availability of Ranger Services on the weekend, when you try to call the hotline to see if your pet has been found, there seems to be no answer. What is happening?

Director Planning and Development advised that this question will be taken on notice.

5.2 Councillor M B Dziombak

With the development of Wedgefield and Hedland Junction we are trying to deliver more industrial land. However, I have heard that development has been slowed by the lack of water for construction. What has been done to address this issue, which was also raised with Minister Grylls last week?

Director Engineering Services advised that there are two options being considered to address this issue. Option 1 would involve the sharing of the water processing facility at Port Haven; discussions are currently being held with Main Roads to discuss access provisions for trucks entering and exiting Port Haven and using the highway. Option 2 is currently being negotiated with Water Corporation and would involve providing access to the water in the pond at the South Hedland Landfill. Water Corporation has proposed to install a packaged treatment plant – that could be up and running within months – which would treat the water in the pond to a quality suitable for subdivision works. They have proposed to pay for the installation of the infrastructure, and the Town would be responsible for charging a per unit fee to access to this water. Once an equilibrium is reached; that is, once the rate imposed matches the cost to install the plant, the ownership of the plant will revert to the Town of Port Hedland. Negotiations with Water Corporation are continuing.

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

Mayor K A Howlett	Cr M B Dziombak
Cr G J Daccache	Cr D W Hooper
Cr A A Carter	Cr J E Hunt
Cr J M Gillingham	

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Confirmation of Minutes of Special Meeting of Council held on Tuesday 8 November 2011 (and reconvened on Wednesday 9 November 2011)****201112/242 Officer's Recommendation / Council Decision****Moved: Cr A A Carter****Seconded: Cr G J Daccache**

That the Minutes of the Special Meeting of Council held on Tuesday 8 November 2011 (and reconvened on Wednesday 9 November 2011) be confirmed as a true and correct record of proceedings.

CARRIED 7/0**7.2 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 16 November 2011****201112/243 Officer's Recommendation / Council Decision****Moved: Cr A A Carter****Seconded: Cr D W Hooper**

That the Minutes of the Ordinary Meeting of Council held on Wednesday 16 November 2011 be confirmed as a true and correct record of proceedings with the following amendment:

11.4.2.1 Review of the Frequency of Ordinary Meetings of Council**That Council:**

- 1. resolves to increase the frequency of its Ordinary meetings from the third Wednesday of the month to the second and fourth Wednesday of the month; and**
- 2. advertises the following dates accordingly:**

Wednesday, 14 December 2011, 5:30 pm
Wednesday, 25 January 2012, 5:30pm
Wednesday, 15 February 2012, 5:30pm
Wednesday, 8 February 2012, 5:30pm
Wednesday, 29 February 2012, 5:30pm
Wednesday, 22 February 2012, 5:30pm
Wednesday, 14 March 2012, 5:30pm
Wednesday, 28 March 2012, 5:30pm
Wednesday, 11 April 2012, 5:30pm
Thursday, 26 April 2012, 5:30pm
Wednesday, 16 May 2012, 5:30pm
Wednesday, 9 May 2012, 5:30pm

Wednesday, 30 May 2012, 5:30pm
Wednesday, 23 May 2012, 5:30pm
Wednesday, 13 June 2012, 5:30pm
Wednesday, 27 June 2012, 5:30pm
Wednesday, 11 July 2012, 5:30pm
Wednesday, 25 July 2012, 5:30pm
Wednesday, 15 August 2012, 5:30pm
Wednesday, 8 August 2012, 5:30pm
Wednesday, 29 August 2012, 5:30pm
Wednesday, 22 August 2012, 5:30pm
Wednesday, 12 September 2012, 5:30pm
Wednesday, 26 September 2012, 5:30pm
Wednesday, 10 October 2012, 5:30pm
Wednesday, 24 October 2012, 5:30pm
Wednesday, 14 November 2012, 5:30pm
Wednesday, 28 November 2012, 5:30pm
Wednesday, 12 December 2012, 5:30pm

CARRIED 7/0

7.3 Confirmation of Minutes of Special Meeting of Council held on Wednesday 30 November 2011

201112/244 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Hunt

That the Minutes of the Special Meeting of Council held on Wednesday 30 November 2011 be confirmed as a true and correct record of proceedings.

CARRIED 7/0

ITEM 8 ANNOUNCEMENTS BY CHAIRPERSON WITHOUT DISCUSSION

Mayor K A Howlett's Activity Report for the period to date is as follows:

November 2011

Saturday, 12th November

- Volunteered At McHappy Day – McDonalds South Hedland
- Attended Port Hedland Speedway Sponsors "Thank You" Event
- Attended Cooke Point Playgroup "Pilbara Princess Ladies Night"

Monday, 14th November

- Meeting With Secretary Port Hedland Speedway Club
- Briefing & Tour Sth Hedland CBD + Deputy Mayor + Cr Hooper + CEO + DENG + DCD
- Workshop South Hedland CBD Stakeholder Committee + Cr Hooper + CEO + DENG + DCD

Tuesday, 15th November

- Weekly Mayor Chat Spirit Radio 1026am
- Meeting With Charter Hall + CEO + DPD
- Meeting Hon Wendy Duncan MLC + Deputy Mayor + CEO
- Conducted Citizenship Ceremony

Wednesday, 16th November

- Fortnightly Pilbara Shire Presidents/Mayor Link Up
- Attended Launch Of KMART South Hedland's "Wishing Tree Appeal"
- Meeting Port Stakeholder Interview
- Meeting FMG (Jason Mattock) Community Projects
- Informal Council Briefing + Deputy Mayor + Cr Gillingham + Cr Hooper + Cr Jacob + Cr Hunt + CEO + DCORP + DPD + DCD + DENG
- Ordinary Council Meeting

Thursday, 17th November

- Attended Depot Staff Briefing + CEO
- Attended Foodbank WA & BHPBIO – School Kitchen Garden Website Launch At South Hedland Primary School
- Meeting With WaterCorporation + CEO
- Weekly Media Discussion Meeting With NWT
- Meeting With Doug Gould (Re Carparking Requirements) + CEO + DPD

Friday, 18th November

- Weekly Teleconference – Communications + CEO + EA + PUB
- Hosted Mirvac Full Board Port Hedland Visit + Deputy Mayor + Cr Hunt + CEO + DPD
- Attended Staff Briefing + Deputy Mayor + CEO
- Attended South Hedland Swans Football Club Sponsorship Launch + Deputy Mayor

Saturday, 19th November

- Mayor Coffee Session – Port Hedland
- Mayor Coffee Session – South Hedland
- Attended Andrew McLaughlin Christmas Twilight Markets

Tuesday, 22nd November

- Weekly Mayor Chat Spirit Radio 1026am
- Weekly CEO, Deputy Mayor & Mayor Catch Up + Cr Carter + Cr Jacob

Wednesday, 23rd November

- Precinct 3 Briefing PANGO/Bloodwood Tree + CEO
- Attended BHPBIO CCG Out Of Session Briefing + Deputy Mayor + Cr Hunt
- Attended Port Hedland Vibe Alive 2012 Briefing + RO
- Presentation For “Walk It Hedland” + Deputy Mayor + MRS
- Attended HSHS 2011 Yr 12 Presentation Ceremony

Thursday, 24th November

- Workshop ALGWA (WA) Strategic Planning
- Weekly Media Discussion Meeting With NWT
- Judge For 2011 Hedland’s Next Top Model Competition
- Attended Dinner Function V8 Drivers Event – All Seasons

Friday, 25th November

- Attended Well Womens Centre & Frontier Services “Cooking Up A Storm” Cookbook Launch Event
- Attended PHPA Christmas Sundowner

Saturday, 26th November

- Attended Koombana Park Tree Planting Event
- Attended TOWN OF PORT HEDLAND Xmas Event + Deputy Mayor + Cr Hunt + Cr Jacob

Sunday, 27th November

- Flight to Perth

Monday, 28th November

- PRC Meeting (Perth) + Deputy Mayor + CEO
- Flight Back To Port Hedland

Tuesday, 29th November

- Weekly Mayor Chat Spirit Radio 1026am
- Attended RoadWise White Ribbon Launch Event
- Attended Hedland RoadWise Committee Meeting
- Weekly CEO, Deputy Mayor & Mayor Meeting
- Attended Briefing Precinct 3 – South Hedland Business Association + CEO
- Attended Cassia Education Support Centre End Of Year Presentation Night

Wednesday, 30th November

- Attended Briefing Session St Cecilians Catholic Primary School + CEO
- Informal Council Briefing Session + Deputy Mayor + Cr Gillingham + Cr Hooper + Cr Jacob + Cr Hunt + CEO + DCORP + DPD + DCD + DENG
- Special Council Meeting
- Flight to Perth

December 2011

Thursday, 1st December

- Meeting Clarity Communications Re Media Famil + CEO
- Meeting The West (Gareth Parker) + CEO
- Meeting Hon Barry Haase Precinct 3 Briefing + CEO
- Attended Port Hedland Implementation Steering Group Meeting + CEO + DPD
- Meeting Hon Wendy Duncan Precinct 3 Briefing + CEO
- Weekly NWT Media Catch Up Meeting
- Flight Back to Port Hedland
- MC Sports & Volunteer Awards Night + Deputy Mayor + Cr Hunt + MRS

Friday, 2nd December

- Thank You Presentation At HSHS For HSHS School Breakfast Program Coordinator – Jess Cabbage
- Weekly Communications Meeting + CEO + EA + PUB
- Thank You Speech At Hedland Says No To Violence Brunch @ Well Women's Centre
- Meeting Hon Tom Stephens Precinct 3 Briefing + CEO

Saturday, 3rd December

- Councillor & Executive Strategic Planning Weekend

Sunday, 4th December

- Attended Port Hedland Yacht Club AGM
- Meeting With Local Shop Owners Re: South Hedland Shopping Centre Cleanliness
- Informal Meeting Re RDA-Pilbara CEO Performance Review
- Attended Department of Housing/SHNL Outdoor Christmas Movie Screening At Shay Gap Park

Monday, 5th December

- Meeting Hon Robin Chapple Precinct 3 Briefing + CEO
- PDC Board Meeting
- Meeting PHPA Precinct 3 Briefing + CEO
- Meeting Director-General Regional Development & Lands Paul Rosair + CEO
- Attended Yr 7 Baler Primary School Graduation Ceremony

Mayor advised that the Town continues to receive positive feedback from visitors aboard the *Radiance of the Sea*, a cruise ship which docked in Port Hedland in November. This has resulted in positive media coverage for the Town, and the confirmation that two cruise ships will set sail to Hedland next year, in March and November.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**9.1 *Councillor J M Gillingham***

Councillor Gillingham attended the BHP Stakeholder Evening recently and found it to be a great networking opportunity. Councillor Gillingham advised that she suggested to the event organisers that the Town's Executive Team be extended an invitation to the event as the networking may prove beneficial to the Town's future growth.

Councillor Gillingham also attended the Taekwondo evening at the Civic Centre and said it was a wonderful display.

9.2 *Councillor D W Hooper*

Councillor Hooper thanked the Town of Port Hedland for providing a venue for this year's Carols by Candlelight.

9.3 *Councillor M B Dziombak*

Councillor Dziombak reported that the Port Hedland Chamber of Commerce last night launched the 2012 edition of the Port Hedland Community and Business Information Directory.

Councillor Dziombak also advised that the Chamber of Commerce has confirmed that the second annual Hedland Economic and Investment Forum will be held in October 2012.

9.4 *Councillor J E Hunt*

Councillor Hunt advised that she sits on the committee of the Stevens Street Retirement Village. Councillor Hunt said that the septic tanks at this facility are blocked by roots and in need of work.

Councillor Hunt was also in attendance at the Carols by Candlelight and praised the event organisers for a wonderful evening.

Councillor Hunt also attended the Spirit Radio Christmas Party at the Gratwick Memorial Swimming Pool. This event was well-attended by the public and reinforced the notion that Hedland is a city of neighbours given the great attendance at community events.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

ITEM 11 REPORTS OF OFFICERS**11.1 Planning and Development Services*****11.1.1 Delegated Planning, Building & Environmental Health Approvals and Orders for November 2011 (File No.: 18/07/0002 & 07/02/0003)***

Officer	Carly Thompson Executive Assistant Planning & Development
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Date of Report	7 December 2011
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Disclosure of Interest by Officer	Nil
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Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of November 2011.

Background

A listing of Planning, Building and Environmental Health approvals and Orders issued by Council's Planning, Building and Environmental Health Services under Delegated Authority for the month of November 2011 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

The 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

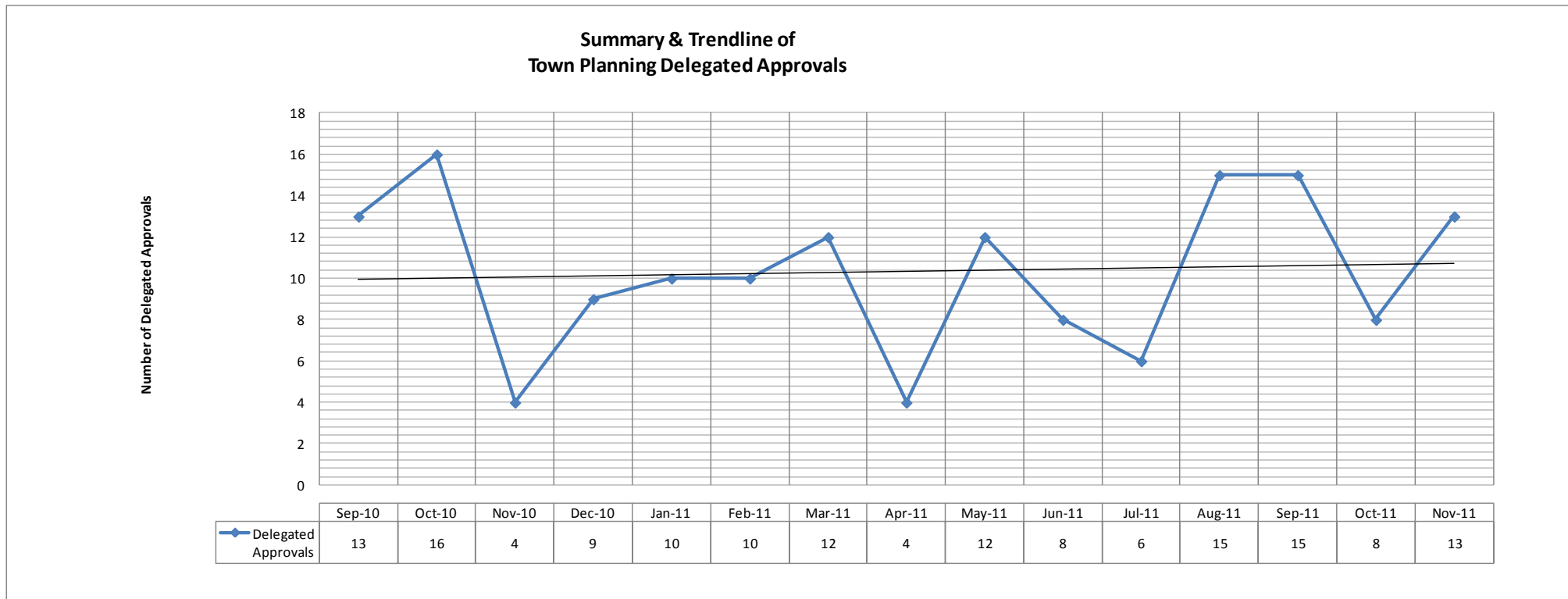
Officer's Comment

Nil

DELEGATED PLANNING APPROVALS FOR NOVEMBER 2011

PLANNING APPROVALS - DELEGATED AUTHORITY - NOVEMBER 2011							
Applic No	Applic Date	Date Approved	Description	Location	Owner	Applicants Name	Development Value
2011/212	11/05/2011	15/11/2011	STATEGIC INDUSTRY - PUBLIC UTILITY	WEDGEFIELD	REGIONAL POWER CORPORATION	ATTENTION ALEX FRANKCOMBE	\$ 400,000,000.00
2011/324	28/06/2011	15/11/2011	"INDUSTRY LIGHT" AND "ANCILLARY OFFICES"	WEDGEFIELD	CROWN	ABIGROUP PTY LTD	\$ 1,000,000.00
2011/357	09/08/2011	18/11/2011	"RESIDENTIAL " - Nine (9) Multiple Dwellings	PORT HEDLAND	BIMORNIN PTY LTD ATF THE TAPAK TRUST	RPS AUSTRALIA	\$ 4,500,000.00
2011/391	19/08/2011	15/11/2011	"INDUSTRY" - 2 x Warehouse and Ancillary Office	WEDGEFIELD	UNICORN CLEANING & GARDENING SERVICE PTY LTD	JEFFRY BANCORRO	\$ 1,590,910.00
2011/414	23/08/2011	15/11/2011	INDUSTRY - LIGHT - 2 x WORKSHOP AND INCIDENTAL OFFICE	WEDGEFIELD	OCEANCITY INVESTMENTS PTY LTD	ATTENTION PETER HODGE	\$ 2,500,000.00
2011/435	05/09/2011	11/11/2011	PROPOSED FOUR (4) GROUPE D W E L L I N G S	SOUTH HEDLAND	KIM DAMIAN METCALF	ATTENTION MELINDA MARSHALL	\$ 1,766,120.00
2011/452	12/09/2011	11/11/2011	RESIDENTIAL - TWO GROUP DWELLINGS	SOUTH HEDLAND	TREVOR GLENN CROUGHAN	FIONA ELTON	\$ 611,000.00
2011/453	13/09/2011	11/11/2011	RESIDENTIAL - TWO (2) GROUPE D W E L L I N G S	SOUTH HEDLAND	WELIGAMAGE NICHOLAS JOSEPH & SHANTHI IRANGANE DISSANAYAKE	MARK TREVOR GILPIN	\$ 800,000.00
2011/469	26/10/2011	10/11/2011	'INDUSTRY' - Industry Light, Warehouse and ancillary offices	WEDGEFIELD	Wedgfield Developments Pty Ltd	SCOTT LOWE	\$ 700,000.00
2011/481	30/09/2011	14/11/2011	GROUPE D W E L L I N G - PATIO ADDITION	PORT HEDLAND	TOWN OF PORT HEDLAND	GORDON FASSIFERN HOBBS	\$ 27,000.00
2011/484	30/09/2011	16/11/2011	PRIVATE RECREATION - CARETAKERS DWELLING	PORT HEDLAND	COOKE POINT RECREATION CLUB INC	VATHJUNKER CONTRACTORS PTY LTD	\$ 65,000.00
2011/493	05/10/2011	10/11/2011	INFRASTRUCTURE - EARTHWORKS	SOUTH HEDLAND	CROWN	RPS	\$ 400,000.00
2011/507	14/10/2011	24/11/2011	GROUP DWELLINGS (ONE EXISTING, TWO PROPOSED)	SOUTH HEDLAND	GARRY ALBERT & CHRISTINE VEAL	T & R HOMES WA	\$ 728,840.00

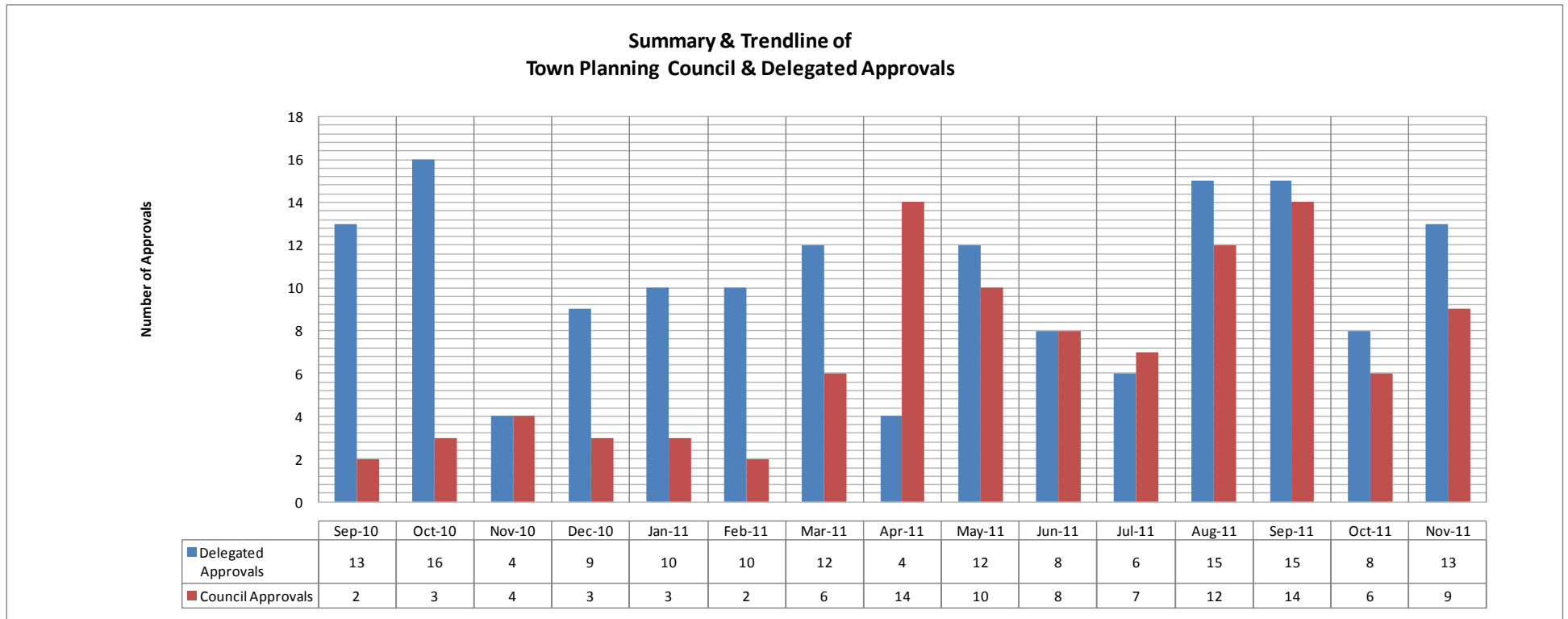
DELEGATED PLANNING APPROVALS FOR NOVEMBER 2011 Cont'd....



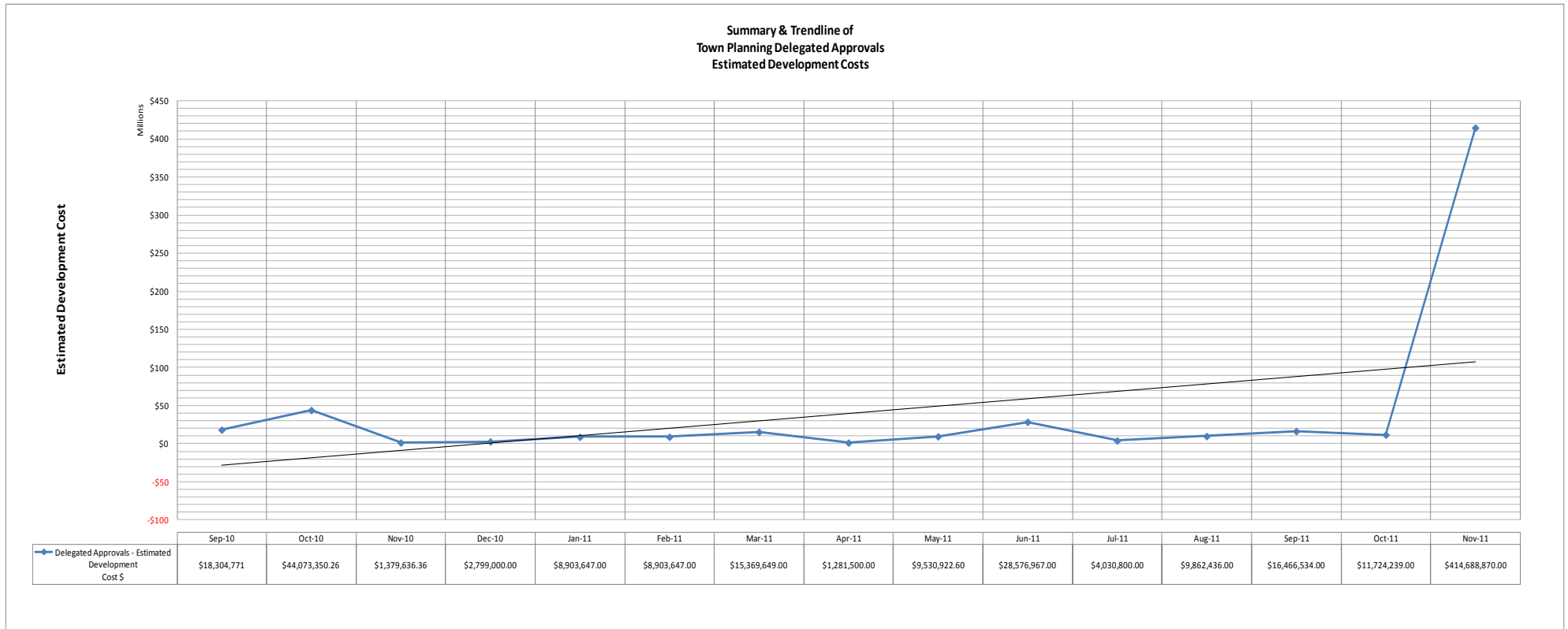
* PLEASE NOTE THE ABOVE STATISTICS FOR 2010 HAVE BEEN UPDATED DUE TO A PLANNING ADMINISTRATION ERROR

* STATISTICS FOR APRIL 2011 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL

DELEGATED PLANNING APPROVALS FOR NOVEMBER 2011 Cont'd...



DELEGATED PLANNING APPROVALS FOR NOVEMBER 2011 Cont'd...



*PLEASE NOTE THE ABOVE STATISTICS FOR 2010 HAVE BEEN UPDATED DUE TO A PLANNING ADMINISTRATION ERROR

* STATISTICS FOR APRIL 2011 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL

DELEGATED BUILDING APPROVALS FOR NOVEMBER 2011

BUILDING LICENCES						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
100456	09.11.2011	SOUTH HEDLAND	1 x Outbuilding	\$ 16,000.00	90	Class 10a
100452	09.11.2011	SOUTH HEDLAND	1 x Outbuilding	\$ 2,110.00	4	Class 10a
100453	09.11.2011	SOUTH HEDLAND	1 x Outbuilding	\$ 2,110.00	4	Class 10a
100454	09.11.2011	SOUTH HEDLAND	1 x Outbuilding	\$ 2,110.00	4	Class 10a
100451	09.11.2011	SOUTH HEDLAND	1 x Outbuilding	\$ 2,110.00	4	Class 10a
100460	11.11.2011	SOUTH HEDLAND	1 x Shade Sail	\$ 15,500.00		Class 10a
100469	18.11.2011	SOUTH HEDLAND	1 x Patio	\$ 6,000.00	130	Class 10a
100473	22.11.2011	SOUTH HEDLAND	1 x Outbuilding	\$ 4,000.00	6	Class 10a
100478	28.11.2011	PORT HEDLAND	1 x Roof Structure for Outbuilding	\$ 10,000.00		Class 10a
100481	29.11.2011	SOUTH HEDLAND	1 x Outbuilding	\$ 6,000.00	6	Class 10a
105070	03.11.2011	PORT HEDLAND	1 x Below Ground Swimming Pool	\$ 10,000.00	27	Class 10b
105071	08.11.2011	PORT HEDLAND	1 x Below Ground Swimming Pool	\$ 33,000.00	27	Class 10b
100462	11.11.2011	SOUTH HEDLAND	Telecommunications Tower	\$ 120,000.00		Class 10b
105072	18.11.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 36,000.00	32	Class 10b
105073	18.11.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 30,000.00	20	Class 10b
105074	23.11.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 30,000.00	20	Class 10b
105075	25.11.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 34,000.00	30	Class 10b
100480	29.11.2011	SOUTH HEDLAND	1 x Fence	\$ 5,000.00		Class 10b
105077	30.11.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 37,000.00	37	Class 10b
105076	30.11.2011	PORT HEDLAND	1 x Below Ground Swimming Pool	\$ 34,000.00	25	Class 10b
100417	01.11.2011	PORT HEDLAND	1 x Single Dwelling	\$ 650,000.00	190	Class 1a
100446	01.11.2011	SOUTH HEDLAND	1 x Single Dwelling	\$ 500,000.00	212	Class 1a
100441	10.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 537,078.00	252	Class 1a
100436	10.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 554,333.00	257	Class 1a
100463	11.11.2011	PORT HEDLAND	1 x New Bathroom	\$ 6,500.00	9.5	Class 1a
100468	18.11.2011	SOUTH HEDLAND	1 x Single Dwelling	\$ 461,000.00	153	Class 1a
100472	21.11.2011	SOUTH HEDLAND	1 x Single Dwelling	\$ 483,500.00	154	Class 1a
100474	23.11.2011	SOUTH HEDLAND	1 x Single Dwelling including Carport an	\$ 460,000.00	177	Class 1a
100477	25.11.2011	SOUTH HEDLAND	1 x Single Dwelling	\$ 420,000.00	210	Class 1a

DELEGATED BUILDING APPROVALS FOR NOVEMBER 2011 Cont'd...

100476	25.11.2011	SOUTH HEDLAND	1 x Single Dwelling	\$ 300,000.00	145	Class 1a
100479	28.11.2011	SOUTH HEDLAND	Alterations and Additions to Existing Dw	\$ 120,000.00	43	Class 1a
100482	30.11.2011	SOUTH HEDLAND	1 x Single Dwelling	\$ 335,907.00	181	Class 1a
102034	30.11.2011	PORT HEDLAND	2 x Existing Dwellings (Units A & B) Ca	\$ 600,000.00	200	Class 1a
100484	30.11.2011	SOUTH HEDLAND	1 x Single Dwelling including Carport an	\$ 460,000.00	182	Class 1a
100465	15.11.2011	PORT HEDLAND	1 x Single Dwelling 1 x Patio 1 x Carp	\$ 537,435.00	169	Class 1a 10a and 10b
100467	18.11.2011	PORT HEDLAND	1 x Single Dwelling 1 x Outbuilding 1	\$ 697,950.00	266	Class 1a 10a and 10b
100464	14.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Carport	\$ 387,447.00	144	Class 1a and 10a
100466	16.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Carport	\$ 387,447.00	144	Class 1a and 10a
100470	18.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Carport	\$ 408,426.00	196	Class 1a and 10a
102035	24.11.2011	SOUTH HEDLAND	1 x Addition Patio and Outbuilding	\$ 18,000.00	12	Class 1a and 10a
100471	28.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Carport	\$ 406,305.00	174	Class 1a and 10a
100440	10.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 537,078.00	252	Class 1a and 10b
100442	10.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 537,078.00	252	Class 1a and 10b
100431	10.11.2011	SOUTH HEDLAND	1 x Single Dwelling Fencing	\$ 521,650.00	230	Class 1a and 10b
100432	10.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 537,078.00	251	Class 1a and 10b
100437	10.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 510,165.00	234	Class 1a and 10b
100438	10.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 510,165.00	234	Class 1a and 10b
100439	10.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 448,800.00	218	Class 1a and 10b
100443	11.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 537,078.00	252	Class 1a and 10b
100444	11.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 554,333.00	257	Class 1a and 10b
100445	16.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 521,650.00	230	Class 1a and 10b

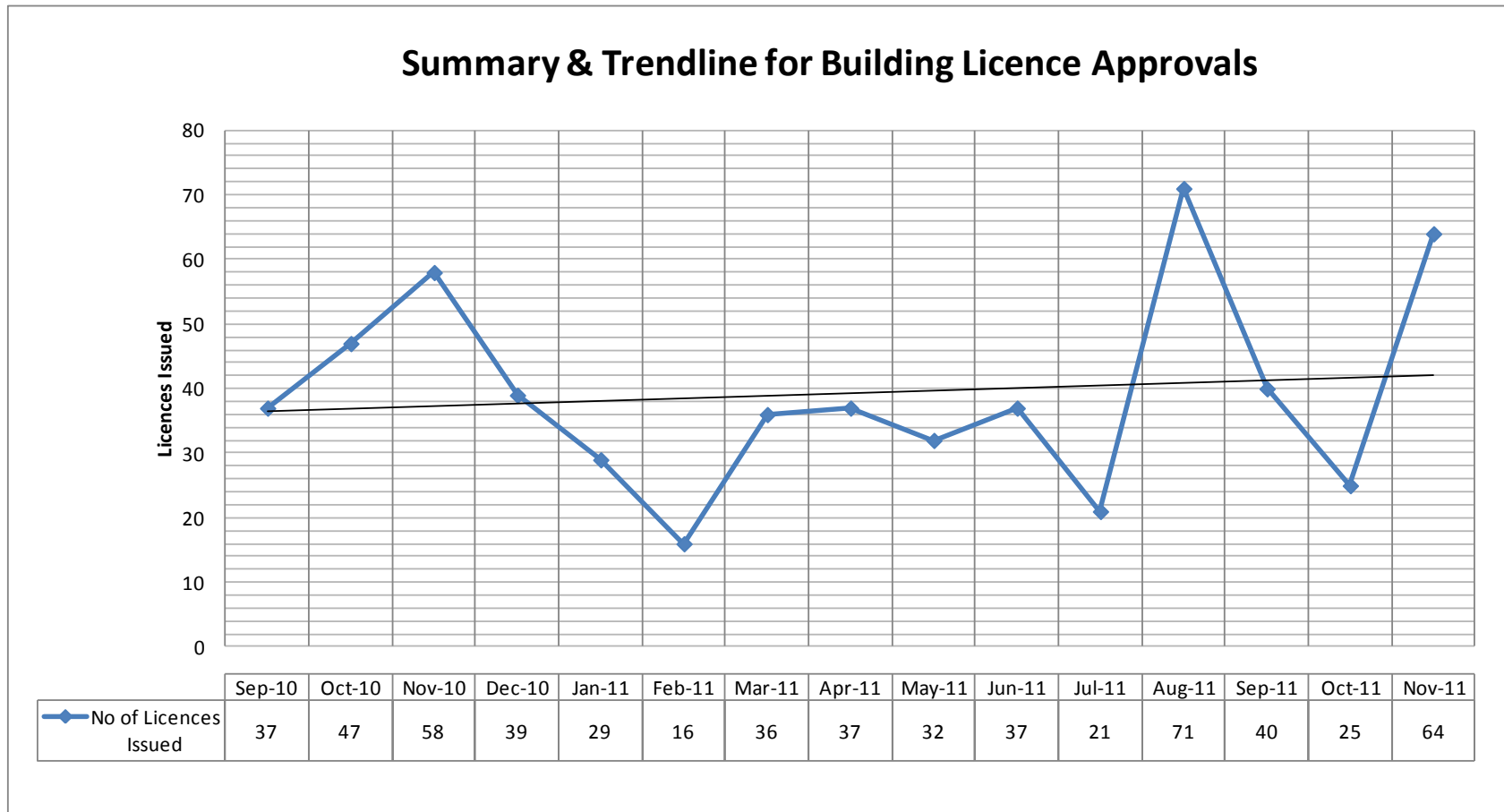
DELEGATED BUILDING APPROVALS FOR NOVEMBER 2011 Cont'd...

100475	24.11.2011	SOUTH HEDLAND	1 x Single Dwelling and Fencing	\$ 501,041.00	248	Class 1a and 10b
100483	30.11.2011	PORT HEDLAND	1 x Single Dwelling including Carport an	\$ 788,374.00	181	Class 1a and 10b
100447	02.11.2011	PORT HEDLAND	Rail Camp Accomodation (24 Buildings - 9	\$ 176,000.00	665	Class 1b
100448	04.11.2011	PORT HEDLAND	Rail Camp	\$ 22,192,682.00	5500	Class 1b
100457	10.11.2011	PORT HEDLAND	Rail Camp 3	\$ 22,192,682.00	5500	Class 1b
100461	11.11.2011	VIA PORT HEDLAND	37 x four person class 1b accomodation b	\$ 8,181,400.00	5900	Class 1b
100459	11.11.2011	VIA PORT HEDLAND	1 x 136 additional rooms	\$ 4,343,953.00	8690	Class 1b
100424	28.11.2011	WEDGEFIELD	3 x Grouped Dwellings and 1 x Office	\$ 192,500.00	522	Class 1b
100458	11.11.2011	SOUTH HEDLAND	8 x Sole Occupancy Units 8 x Stores 1	\$ 1,540,000.00	269	Class 2
100450	09.11.2011	PORT HEDLAND	Fitout of Existing ANZ Office	\$ 158,000.00	394	Class 5
100449	09.11.2011	PORT HEDLAND	1 x Patio & Extensions to Existing Kitch	\$ 160,000.00	87	Class 6
102036	28.11.2011	PORT HEDLAND	Footing & Tie downs for Sea Containers	\$ 10,000.00		Class 7b
100455	09.11.2011	PORT HEDLAND	1 x Administration Office & 1 x Workshop	\$ 35,000,000.00	7500	Class 8
	Total	64		\$ 109,817,975.00		

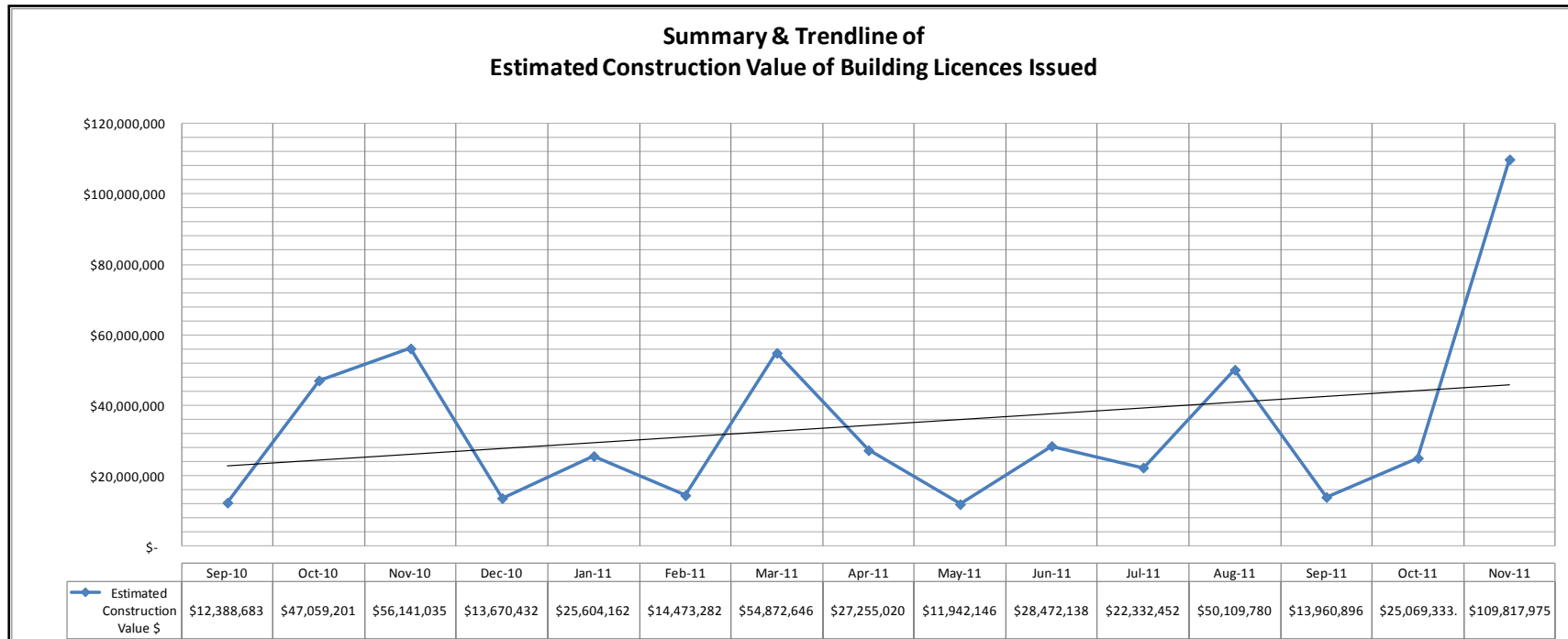
DELEGATED BUILDING APPROVALS FOR NOVEMBER 2011

SUMMARY				
No of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
2	Demolitions	\$45,000	0	
39	Dwellings	\$72,515,035	3,748	\$19,348
10	Class 10a	\$65,940	174	\$379
10	Class 10b	\$369,000	130	
5	Commercial	\$36,868,000	5,234	\$7,044
0	Other			
66		\$109,862,975	9,286	

DELEGATED BUILDING APPROVALS FOR NOVEMBER 2011 Cont'd...



DELEGATED BUILDING APPROVALS FOR NOVEMBER 2011 Cont'd...



CURRENT LEGAL MATTERS					
File No.	Address	Issue	First Return Date	Current Status	Officer
WEDGEFIELD					
121670G	Lot 3 Trig Street (J Yujnovich)	Non-compliance with planning conditions	~ First return date 21/1/09	~ Trial set down for 13 & 14 September 2010 in Perth. ToPH witnesses to attend. ~ Magistrate has found J Yujnovich guilty sentencing will be in +/- 3 weeks ~ Fine imposed of approx \$20,000 ~ Fine paid in full ~ Appointment of Compliance Office has been completed, Matter is being investigated ~ No improvement made to property ~ Letter requesting commitment to remove materials prepared by Geoff Owen ~ If commitment not received within 14 days of issue further proceeding to commence ~ A meeting is being organised onsite with J Yujnovich ~ Mr Yujnovich has demonstrated a willingness to comply with planning condition. Has been given 3 months to Comply.	BM
REDBANK					
116770G	Lot 134 Roche Road (Western Desert)	Illegal laydown area - Second Offence		~ Referred to Council Solicitors ~ Notices have been issued ~ Extension granted to February ~ Magistrate has moved matter to be heard in Perth 28th March ~ Matter has been heard and found guilty, fined \$20,000 plus \$2500 in legal costs ~ Memeorial has been placed against the property ~ Costs have not been paid Geoff owen to initiate another memorial, this means costs will be recovered if Western Desert sell property.	BM
TURNER RIVER					
800043G	Lot 13 Manilinha Drive	Unauthorised Development - Storage Facility/Depot/Laydown Area, Sea Containers, Outbuildings, 2 Moveable Dwellings		~ Referred to Council Solicitors	BM

CURRENT HEALTH ORDERS AS OF NOVEMBER 2011

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	~ 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

Attachments

Nil

201112/245 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That the Schedule of Planning and Building approvals, Environmental Health Orders issued by Delegated Authority and the listing of current legal actions for the month of November 2011 be received.

CARRIED 7/0

11.1.2 Proposed Development Plan for Lot 330 Hamilton Road, South Hedland (File No.: 804886G)

Officer	Leonard Long Manager Planning Services
Date of Report	5 December 2011
Disclosure of Interest by Officer	Nil

Summary

Council received a Development Plan prepared by TPG Town Planning and Urban Design Consultants on behalf of the State of Western Australia, over Lot 330 Hamilton Street (hereafter referred to as the site), South Hedland.

The Development Plan as proposed is supported by Council Officers, Council is requested to endorse the proposed Development Plan for advertising.

Background

On 27 July 2011 Council at its Ordinary Meeting resolved to initiate Scheme Amendment 46, to the Town Planning Scheme No 5. The scheme proposes to rezone the site from part "Other Purposes – Infrastructure" and part "District Road" to "Urban Development."

The scheme amendment is currently with the Western Australian Planning Commission for final approval by the Minister.

In terms of clause 6.4.1 of the Town Planning Scheme No 5, prior to development of land zoned "Urban Development", planning should be documented in the form of a Development Plan.

"Clause 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"

Consultation

Should Council initiate the Development Plan, public advertising will be undertaken. The internal departments will continue to liaise with the applicants to ensure the Development Plan is compliant in all aspects prior to the submission to the WAPC.

Statutory Implications

Compliance with clause 5.2.2 and clause 6.4.1 of the Town Planning Scheme No 5.

*“Clause 5.2.2,
Council shall, upon endorsement of development plans, or parts of development plans, ensure they are included in the Town of Port Hedland Local Policy Manual as a policy statement.”*

Policy Implications

Nil

Strategic Planning Implications

The following section of the Town’s Strategic Plan 2010-2015 are considered relevant to the proposal:

Key Result Area 4:	Economic Development
Goal Number 4:	Land Development Projects
Immediate Priority 1:	Fast track the release and development of commercial, industrial and residential land.

Draft Pilbara Port City Growth Plan
Precinct 10 – South Hedland West
Precinct Statement

“South Hedland West is South Hedland’s newest land release area. It supports immediate and short term land supply, bringing a permanent population catchment to the west of the City. Densities are greatest in proximity to the City Centre, with more traditional home sites provided to the south west and south of the precinct.”

Budget Implications

The applicant has paid the prescribed application fee of \$7,556.20.

Officer’s Comment

The site is strategically important due to its size (25.462ha) and prominent location, west of the intersection of North Circular Road and Wallwork Road.

It is important to ensure proper and orderly planning principles are maintained when planning the development of such a large site. The applicant has worked closely with Council Officers to ensure the best possible outcome is achieved in regard.

Proper and Orderly Planning

The applicant is proposing density codes varying from low density ("Residential R20") to high density ("Residential R80 - R160"). The built form of the various densities will promote passive surveillance of the road network and open spaces.

Accessibility to existing community infrastructure is an important aspect when considering high density development. In this regard due consideration has been given to the proximity of the site to schools, recreation ovals and retail facilities. An area has been identified within the proposed site to develop a commercial entity that would be sufficient to accommodate the daily needs of the residents without detracting from the South Hedland Town Centre.

A total of 14,500m² of Public Open Space is proposed in the form of conventional open space and linear open space. The linear open spaces incorporate storm water drainage requirements. To activate the linear open spaces footpaths, resting nodes and crossing have been incorporated into the design. Further activation and passive surveillance is achieved with the use of pole top lighting along key pathways allowing night-time use.

Infrastructure

The applicant has done extensive investigations into the provision of roads, water, sewer and electrical infrastructure, together with Pilbara Cities is continuing to liaise with the various infrastructure providers to ensure adequate provision to the site.

Environmental Impact

Both flora and fauna investigations have been conducted on the site. It has been concluded the impact of the proposed development would be negligible and is unlikely to substantially modify, destroy or isolate any important habitat for species or seriously disrupt the life cycle of any flora or fauna species.

Options

Council has the following options when considering the request:

1. Support the public advertising of the Development Plan.

This would allow the advertising of the Development Plan and to address any concerns or questions raised by the community.

2. Refuse the request to initiate the Development Plan.

Refusing the initiation of the Development Plan would be in direct conflict with the Towns current Strategic Plan and draft Port City Growth Plan.

The general layout and proposed densities is supported by Council Officers, option 1 is recommended.

Attachments

1. Development Plan – Report
(Attached under separate cover)

201112/246 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Hunt

That Council:

- i) **Initiates the Development Plan, and delegates the Manager Planning Services to give notice of the proposed Development Plan in accordance with Section 5.2.8 of Town of Port Hedland Town Planning Scheme No. 5. as follows:**
 - a. **Publish a notice of the proposed Development Plan once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving the details of:**
 1. **The land affected by the draft Development Plan,**
 2. **Where the draft Development Plan may be inspected,**
 3. **In what form and during what period (being no less than 14 days from the day the notice is published) submissions may be made, and**
 - b. **Erect a sign/s displaying the notice of the proposed Development Plan on the affected land (being no less than 14 days from the day the notice is published).**
- ii) **Subject to internal endorsement from Councils internal departments and no submissions being received during the statutory advertising period, Council formally adopts, the Development Plan.**
 - a. **The date of Council's adoption of the Development Plan shall be the date of the next Council Ordinary Meeting following internal endorsement and closing date of the advertising period.**

- b. Delegates the Director Planning and Development pursuant to clause 5.2.7 of the Town Planning Scheme No. 5, forward the Development Plan to the WAPC for adoption

CARRIED 7/0

11.1.3 *Cash in Lieu of Car Parking for the Hotel Development (Esplanade Hotel), on Lot 100 (2-4) Anderson Street, Port Hedland (File No.: 120880G)*

Officer Leonard Long
Manager Planning

Date of Report 3 November 2011

Disclosure of Interest by Officer Nil

Summary

At the Ordinary Council Meeting of 25 February 2009, Council approved a "Hotel" development on Lot 100 (2-4) Anderson Street (Planning Permit 2009/45), subject to conditions.

Since the above approval a number of additional developments have been approved in the Town Centre, resulting in the availability of car parking becoming a significant concern. The lack in the ability to provide car parking within the Port Hedland Town Centre would be detrimental to all existing business and constrain any future development in the area.

Council is requested to consider a cash-in-lieu contribution from the current owner / developer of Lot 100 (2 – 4) Anderson Street (Esplanade Hotel) for the 32 public car parking bays to be provided within the Anderson Street and The Esplanade road reserves, and the 27 public car parking bays provided on Lot 9000 Wedge Street to be determined by a suitably qualified land valuer, using the following formula as per subclause 6.13.3 of the Town Planning Scheme No. 5 excluding the construction cost, (the cost of construction will be at the owner / developers cost). Further, to request the applicant either construct a multi-level car park or pay a cash-in-lieu contribution to Council to construct a multi-level car park for the remaining shortfall of 108 car parking bays on Lot 9000 Wedge Street.

Background

Location and site details

Lot 100 (2 – 4) Anderson Street is located on the corner of Anderson Street and The Esplanade Street. The site comprises an area of 4284m².

Previous Council Decisions

At its Ordinary Council Meeting of 25 February 2009, Council approved Planning Permit 2009/45 for the redevelopment of the site, subject to certain conditions.

The following condition and footnote was imposed through the above approval, and forms the basis for the requirement of this report.

“h) A minimum of 202 car parking spaces are to be provided in accordance with Appendix 7 of Council's Town Planning Scheme No.5 and to the satisfaction of the Council's Manager Planning.”

In addition, a footnote was included that stated:

“b) In regard to condition (h), the Council may consider a cash-in-lieu of car parking contribution or other suitable arrangement for any shortfall. However, given the significant variation, the numbers will be finalised after a 12 month review from the final completion date of the development, including suitable negotiations with Council's Director Community and Regulatory Services in accordance with clause 6.13.3 of Council's Town Planning Scheme No.5. The applicant is further advised that the initial car parking justification is considered reasonable and that the 12 month review will allow these assumptions to be verified.”

Whilst the development is yet to be completed, the owner / developer requires certainty to the actual cash in lieu contribution that may be required by Council.

Pending Planning Application 2011/342

An application has been received to construct a pizza bar and outdoor stage as an addition to the Hotel, which would result in a higher parking requirement.

Given the current car parking concerns, officer's together with the owner / developer opted to obtain clarity from Council prior to progressing Planning Application 2011/342.

Consultation

Internal consultation has occurred with the Manager Infrastructure Development regarding the proposed parking layout provided by the owner / developer.

Statutory Implications

Nil

Policy Implications

At the Ordinary Council Meeting of 24 November 2010, Council considered the West End Car Parking Study, and resolved inter alia to prepare a Local Planning Policy to address reciprocal car parking and cash-in-lieu of car parking. In this regard, in February 2011 Council initiated the Draft Local Planning Policy 12 (DLPP12) – Reciprocal Car Parking and Cash in Lieu of Car Parking

The key components of DLPP12 are as follows:

- At least half (50%) of the parking required by TPS5 must be provided on site.
- All residential (occupier) parking required by TPS5 must be provided on site.
- Parking provided off site must be conveniently located to the development site.
- No single development may claim more than 1/3 of all public parking within the vicinity (250m) of the development site.
- A request for waiver of car parking must be supported by a traffic study prior to being considered.

Strategic Planning Implications

Nil

Budget Implications

Should Council resolve not to require a cash-in-lieu contribution, Council will be required to provide its own funds to acquire land and construct additional car parking, or to construct a multi-level car park on Lot 9000 Wedge Street.

This could have a negative impact on the Towns budget.

Officer’s Comment

Council has received numerous complaints from business owners regarding car parking in the Town Centre, some specifically mentioning the car parking bays utilised by patrons of the subject development site (Esplanade Hotel).

The lack of car parking and the inability to provide additional car parking will have a significant impact on the development of the Town into a City. The fundamental requirement for any development is the ability to have car parking within close proximity.

The parking scenario below has been calculated using the applicants parking layout. The number of parking bays may be reduced subject to review of parking designs along The Esplanade and Anderson Street, to be approved by Councils Manager Technical Services.

Parking Scenario

Current Parking Requirement	
Council through Planning Permit 2009/45, required a minimum of 202 car parking bays be provided by the owner / developer:	
Current Requirement	202 bays
Parking Provided on-site	16 bays
Shortfall	186 bays
Potential Reciprocal Parking Bays	

<p>Taking into consideration the potential to allow reciprocal car parking between uses as proposed in the Draft Local Planning Policy 12 (DLPP12) – Reciprocal Car Parking and Cash in Lieu of Car Parking, this requirement could be reduced to by 20 car parking bays.</p>	
Reciprocal Bays	20 – 186
Shortfall	166 bays
<p>Cash-in-lieu Contribution</p>	
<p>In terms of subclause 6.13.3 of the Port Hedland Town Planning Scheme No.5 which reads as follows:</p> <p><i>“As an alternative to subclause 6.13.1, and subject to Council approval, a-cash-in-lieu payment, to the equivalent cost of providing the required car parking spaces and proportion of aisles, plus the value of the area of land which would have been occupied by the spaces and proportion of aisles, may be paid to the Council. This payment is to contribute to a fund set aside by Council for the purposes of providing public car parking areas.”</i></p> <p><i>[Reference subclause 6.13.1</i></p> <p><i>“Unless otherwise provided by the Scheme, no development is permitted without providing concrete or bitumen sealed, drained, kerbed and marked onsite car parking in accordance with the requirements of Appendices 7 and 8”]</i></p>	
<p>Area “A” – Public Realm Parking Bays</p>	
<p>Total of 32 car parking bays provided in the Anderson Street and The Esplanade road reserves. In regard to the 32 bays it is considered reasonable that these bays are likely only to be used by patrons of the Esplanade Hotel.</p> <p>Being within the road reserve it is reasonable to only request the owner / developer to pay a land value contribution as calculated by a suitably qualified land valuer.</p>	
Public Realm Parking solely considered for the development	32 Bays
Shortfall	166 – 32 = 134 Bays
Approximately Land Value (Note this figure will have to be confirmed by a professional Land Valuer.)	\$65,000.00
Approximate Construction Cost (In this instance the developer will only be responsible for the construction cost of those bays not yet constructed.)	\$0
Public Realm Parking solely considered for the development	32 bays
Cash-in-lieu	\$2,080,000 Note: this is an approximate figure and needs to be qualified by a Valuer and Construction Engineer
<p>Area “B”</p>	
<p>In accordance with the owner / developers car parking layout plan a total of 82 car parking bays can be provided within this area. However, one of the key components of the Draft Local</p>	

<p>Planning Policy 12 (DLPP12) – Reciprocal Car Parking and Cash in Lieu of Car Parking, is that no single development may claim more than 1/3 of all public parking within the vicinity (250m) of the development site.</p>	
1/3 rd of Public Parking	27 Bays
Shortfall	134 – 27 = 107 Bays
Approximately Land Value (Note this figure will have to be confirmed by a professional Land Valuer.)	\$65,000.00
Approximate Construction Cost (In this instance the developer will only be responsible for the construction cost of those bays not yet constructed.)	\$0
1/3 rd of Public Parking	27 bays
Cash-in-lieu	\$1,755,000
	Note: this is an approximate figure and needs to be qualified by a Valuer and Construction Engineer
Shortfall	107 Bays
<p>To ensure the future development of the Town into a City it is imperative to provide both existing businesses and future developers the certainty that public “car parking” will be preserved. This is evident in any growing city where multi-level car parking is made available to ensure businesses do not suffer due to the lack of public parking.</p> <p>By providing the above car parking in the form of cash-in-lieu the total shortfall attributed to the development on the site is 107 car parking bays. To ensure that the development on the site does not take up the majority of public car parking in the area to the detriment of the other existing and future businesses Council will have to provide for the shortfall. In this regard it considered reasonable that the applicant either construct a multi-level car park on Lot 9000 Wedge Street or alternative provide a cash-in-lieu contribution to the equivalent value.</p>	
<p>Alternatives to provide of Shortfall of Parking</p>	
An estimate figure for the construction of a multi-level car park lot. The base dimensioned would be approximately 40m x 30m and have two levels (ground, first and second.)	\$6,500,000 Note: this is an approximate figure and needs to be qualified by a Construction Engineer
Cash-in-lieu (developer constructs multi-level carpark)	\$10,335,000 Note: this is an approximate figure and needs to be qualified by a Construction Engineer
Cash-in-lieu (Council constructs multi-level carpark)	\$3,835,000 Note: this is an approximate figure and needs to be qualified by a Construction Engineer

Options

The following options are available to Council when considering this matter.

Option 1	Request a cash-in-lieu contribution for the entire shortfall of 166 car parking bays, to be calculated by a suitably qualified land valuer using the formula as per subclause 6.13.3 of the Town Planning Scheme No. 5	$\$65,000 + 7,500 =$ $\$72,000/\text{bay} =$ $\$12,035,000$ Note: this is an approximate figure and needs to be qualified by a Construction Engineer
Option 2	Request a cash-in-lieu contribution to be calculated by a suitably qualified land valuer, using the formula as per subclause 6.13.3 of the Town Planning Scheme No. 5, excluding the construction cost, (the cost of construction will be at the owner / developers cost) for the 59 (32 + 27) public car parking bays and to either construct a multi-level car park or pay a further cash-in-lieu contribution to Council to construct a multi-level car park for the remaining shortfall of 107 car parking bays on Lot 9000 Wedge Street	$\$10,335,000$ Note: this is an approximate figure and needs to be qualified by a Construction Engineer
Option 3	<p>Council requests the developer to construct a three storey (ground, first, second and third floor) car park only and does not require any additional cash-in-lieu.</p> <p>(Cash-in-lieu for parking for 59 bays = \$3,835,000) (Approximate cost for construction of Multi-level car park = \$9,750,000.) $(\\$9,750,000 - \\$3,835,000) = \\$5,915,000$</p>	
Option 4	<p>Request a cash-in-lieu contribution to be calculated by a suitably qualified Civil Engineer, using the formula as per subclause 6.13.3 of the Town Planning Scheme No. 5, excluding the land value, for the total shortfall of 166 car parking bays.</p> <p>Note: This option relates to the construction of car parking bays at ground level only.</p>	$\$1,245,000$ Note: this is an approximate figure and needs to be qualified by a Construction Engineer
Option 5	Request a cash-in-lieu contribution to a value to be determined	
Option 6	Permit the owner / developer to utilise all the potential car parking that could be constructed within area "B", being 82 car parking bays and require a contribution to be calculated	

	by a suitably qualified land valuer, using the formula as per subclause 6.13.3 of the Town Planning Scheme No. 5, for the remaining shortfall
Option 7	Defer the determination of a cash-in-lieu contribution until the completion of the development on the site.

Option 2 is recommended

Attachments

1. Planning Permit 2009/45
2. Car Parking Option Plan

Officer's Recommendation

That Council:

1. Prior to the occupation of the completed development requires the owner / developer Bloo Moons Pty Ltd, to provide a cash-in-lieu contribution for the 59 (32 bays in area "A" and 27 in area "B") public car parking bays provided with the Anderson Street, The Esplanade road reserves and Lot 9000 Wedge Street, to be calculated by a suitably qualified land valuer, using the formula as per subclause 6.13.3 of the Town Planning Scheme No. 5, excluding the construction cost, (the cost of construction will be at the owner / developers cost).
2. In addition to (1) above prior to the occupation of the completed development requires the owner / developer Bloo Moons Pty Ltd to design and construct a multi-level car park to provide for the shortfall of 107 car parking bays. The multi-level car park is to be designed and constructed to the specifications of the Manager Infrastructure Development on Lot 9000 Wedge Street.
3. As an alternative to (2) above the owner / developer Bloo Moons Pty Ltd prior to the occupation of the completed development provide a cash-in-lieu contribution to Council to the equivalent value of designing and constructing the multi-level car park, this value is to be determined by the owner / developer Bloo Moons Pty Ltd to the satisfaction of Council's Manager Planning.
4. Delegates the Chief Executive Officer to request a Cash-in-lieu payment as per the formula in clause 6.13.3 of the Town Planning Scheme No 5, in the instance where through the redesign of the parking layout along The Esplanade and Anderson Street, additional parking bays can be provided to the satisfaction of Council's Manager Technical Services.

201112/247 Council Decision**Moved: Cr A A Carter****Seconded: Cr J E Hunt****That Council:**

- 1. Agrees to reciprocate 20 of the 202 bays by 2009/45, resulting in a requirement for 182 bays to be provided.**
- 2. Gives in principle support to the parking layout proposed in plan ESP1.**
- 3. Requires Plan ESP1 to be submitted to and approved by Council's Manager Technical Services (including any amendments considered necessary).**
- 4. Prior to the occupation of the completed development requires the owner / developer Bloo Moons Pty Ltd to design, construct, linemark and signpost all bays within areas B, C, D, E, & 1/3 F of Plan ESP1 to the satisfaction of Council's Manager Technical Services.**
- 5. Prior to the occupation of the completed development requires a cash in lieu contribution to be paid by the applicant for 59 car bays. The cash in lieu contribution figure is to be provided by the Town and is to be calculated by a suitably qualified quantity surveyor, on the basis of construction cost of the per bay construction cost only of a 3 level car park.**
- 6. Delegates the Chief Executive Officer to alter the number of bays cash in lieu payment is required for in the event modifications to Plan ESP1 result from point 3 above subject to the following provisions:**
 - a. Plan ESP1 only being modified in the areas identified in point 4 above; and**
 - b. the formula for cash in lieu of parking is to be in accordance with point 5 above.**

CARRIED 7/0


ATTACHMENT 1 TO ITEM 11.1.3

ATTACHMENT 1 (1/6)

FILE COPY

09-01247

PORT HEDLAND



Douglas Gould
PO Box 658
Kalgoorlie WA 6430

Our Ref: RDJBA120880
2009/45

Your Ref:

Enquiries: Richard Bairstow

Direct Line: 08 9158 9342
managerplanning@porthedland.wa.gov.au

Dear Sir / Madam

RE: COUNCIL ITEM: 11.1.2.2
APPLICATION NUMBER: 2009/45
LOCATION: Lot 1 2-4 ANDERSON STREET PORT HEDLAND 6721
DESCRIPTION: HOTEL/SHOP - Extension and upgrade of the existing Esplanade Hotel

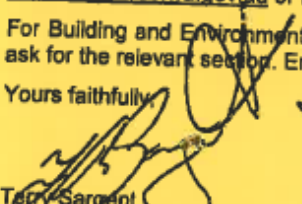
Thank you for your application lodged on behalf of the landowner, BLOO MOONS PTY LTD, regarding the above proposal.

I wish to advise that Council at its Ordinary Meeting held on Wednesday 25th February 2009 resolved to approve your application for the construction of a HOTEL/SHOP - Extension and upgrade of the existing Esplanade Hotel at the above property. This approval is subject to the conditions contained on the attached Permit. **Please note that the decision is part of unconfirmed Council Meeting minutes and are provided "Without Prejudice". Minutes are provided on the strict understanding that all terms whether deemed, expressed or implied do not purport to record the proceedings of Council until confirmed by resolution of Council, normally at the following Ordinary Meeting.**

Pursuant to Clause 9.6 of the Town of Port Hedland Town Planning Scheme No.5, if the applicant and/or owner are aggrieved by this decision, as a result of a condition of approval or by a determination of refusal, you may have a **right of review** through the State Administrative Tribunal in accordance with **section 252(1) of the Planning and Development Act 2005 (as amended)**. The application for review must be lodged with the State Administrative Tribunal, Perth, within **28 days** of receiving this decision. Further information and review application forms can be obtained by contacting the State Administrative Tribunal on 08 9219 3111 or via Internet at www.sat.justice.wa.gov.au or by contacting Council's Planning Services.

For Building and Environmental Health enquiries, please contact 08 9158 9325 and ask for the relevant section. Engineering queries can be forwarded to 08 9158 9700.

Yours faithfully,


Terry Sargent
Director Regulatory & Community Services
26th February 2009

CIVIC CENTRE, MCGREGOR STREET, PORT HEDLAND
TELEPHONE: (08) 9158 9300 FACSIMILE: (08) 9173 1766

PO Box 41, PORT HEDLAND 6721
EMAIL: council@porthedland.wa.gov.au

ATTACHMENT 1 (2/6)

**TOWN PLANNING SCHEME 5
TOWN OF PORT HEDLAND**

Office Use Only
Lot No: 1
Street: Anderson Street
Assessment No: A120880G
Application: 2009/45

DECISION ON APPLICATION FOR COUNCIL'S PLANNING CONSENT

Name of Owner of Land on Which Development is proposed:

Owner: BLOO MOONS PTY LTD
51 WORTLEY STREET
KALGOORLIE WA 6430

Applicant: Douglas Gould
PO Box 658
Kalgoorlie WA 6430

Planning consent is granted for a HOTEL/SHOP - Extension and upgrade of the existing Esplanade Hotel - Including 110 rooms, 120 seat restaurant, 80 seat function centre, 20 on-site parking bays and 90m² Shop at Lot 1 2-4 ANDERSON STREET PORT HEDLAND 6721, as outlined in the application received 30 January 2009 and indicated on the attached plans, subject to the following conditions:

1. Subject to the resolution of the following matters to the satisfaction of the Director Regulatory and Community Services:
 - a) Confirmation from a suitably qualified Engineer confirming that suitable drainage alternatives are feasible; and
 - b) Completion of a legally binding agreement regarding the rectification of the drainage related matters all costs of the agreement and associated works being paid by the applicant/owner.
2. Approves the application submitted by Doug Gould the applicant and part owner for the proposed upgrade and extension of the Esplanade Hotel on Lot 1, Reserve 28860, Lot 942, and Part Reserve 30258, Lot 1619 as indicated on the approved plans and subject to the following conditions and footnotes:
 - a) This approval relates only to the proposed Hotel, Shop and other incidental development associated with these uses, as indicated on the approved plans. It does not relate to any other development on this lot.
 - b) The development must only be used for purposes, which are related to the operation of a "Hotel" business other than the area shown in red which shall be used as a "Shop". Under the Town of Port Hedland's Town Planning Scheme No. 5 a "Hotel" and "Shop" are defined as:

Hotel – "any land or buildings providing accommodation for the public and may include an entertainment venue, restaurant or sell liquor" and

Shop – "any building and associated land where goods are displayed or offered for sale by retail or hire of non-industrial goods or where services of a personal nature are provided, including a betting agency but excluding a showroom, take-away food outlet and garage sale".
 - c) This approval to remain valid for a period of twenty-four (24) months if

ATTACHMENT 1 (3/8)

**TOWN PLANNING SCHEME 5
TOWN OF PORT HEDLAND****Office Use Only**

Lot No: 1

Street: Anderson Street

Assessment No: A120880G

Application: 2009/45

development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.

- d) Prior to the submission of a Building Licence amended plans and or information being submitted to and approved by the Manger Planning:
- I. The amalgamation of the subject lots and reserves as required to facilitate the development; and
 - II. Satisfactory lease arrangements for occupation of land to be developed prior to purchase being made with the appropriate authority and conveyed to the Town.
- e) Prior to the commencement of works a suitable legal arrangement to the specifications of the Town's Solicitors and at the applicant/owners expense addressing the leasing and maintenance of the Council's car park being submitted to and approved by the Manger Planning.
- f) The Hotel development shall have a maximum of 110 rooms, 120 seat restaurant and 80 seat function room
- g) A minimum of 202 car parking spaces are to be provided in accordance with Appendix 7 of Council's Town Planning Scheme No.5 and to the satisfaction of the Council's Manager Planning.
- h) Three (3) disabled car parking bays are to be provided in locations close to the restaurant/hotel entrances and with a minimum width of 3.8 metres, all to the satisfaction Manager Planning.
- i) In regard to conditions g and h, such areas are to be constructed, drained, kerbed and marked to the specifications of the Director Engineering services and thereafter maintained to the satisfaction of the Manager Planning prior to the development first being occupied.
- j) A retail floor space allocation of 90m² for the shop use has been approved to this lot as part of this approval.
- k) A detailed landscaping and reticulation plan (including common areas) to be submitted and approved the Manager Planning within 30 days of the dwellings being occupied. 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.
- l) Landscaping and reticulation to be established in accordance with the approved detailed plans prior to the development first being occupied and thereafter maintained to the satisfaction Manager Planning.
- m) Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the Manager Planning.

ATTACHMENT 1 (4/6)

**TOWN PLANNING SCHEME 5
TOWN OF PORT HEDLAND****Office Use Only**

Lot No: 1

Street: Anderson Street

Assessment No: A120880G

Application: 2009/45

- n) A Rubbish Collection Strategy / Management Plan shall be submitted to and approved by the Town prior to the commencement of works. The strategy / plan shall consider service vehicle manoeuvring on the internal roads of the development. Any alterations to the approved plans required as a result of the strategy / plan shall be incorporated into the building licence plans. The approved strategy / plan shall be implemented to the satisfaction of the Manager Planning.
- o) Any roof mounted or freestanding plant or equipment, such as air conditioning units, to be located and/or screened so as not to be visible from beyond the boundaries of the development site to the satisfaction of the Manager Planning.
- p) The driveways and crossover shall be designed and constructed to specifications of the Manager Technical Services and to the satisfaction of the Manager Planning, prior to the occupation of the Buildings.
- q) The pedestrian pathways, landscaping areas, parking areas and/or associated access ways shall not be used storage (temporary or permanent) and/or display and/or be obstructed in any way at any time, without the prior approval of the Town.
- r) All storage/service areas shall to be suitably screened and access doors/gates closed other than when in use to the satisfaction of the Manager Planning.
- s) All storage/service areas shall be suitably screened and access doors/gates closed other than when in use to the satisfaction of Manager Planning.
- t) The submission of a construction management plan at the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
1. The delivery of materials and equipment to the site;
 2. The storage of materials and equipment on the site;
 3. The parking arrangements for the contractors and subcontractors;
 4. Impact on traffic movement;
 5. Operation times including delivery of materials;
 6. Other matters likely to impact on the surrounding residents;
 7. Building waste management control; and
 8. Point of contact personnel for control of enquiries and any complaints; and

ATTACHMENT 1 (5/6)

**TOWN PLANNING SCHEME 5
TOWN OF PORT HEDLAND****Office Use Only**
Lot No: 1
Street: Anderson Street
Assessment No: A120880G
Application: 2009/45

all to the satisfaction of the Manager Planning.

FOOTNOTES:

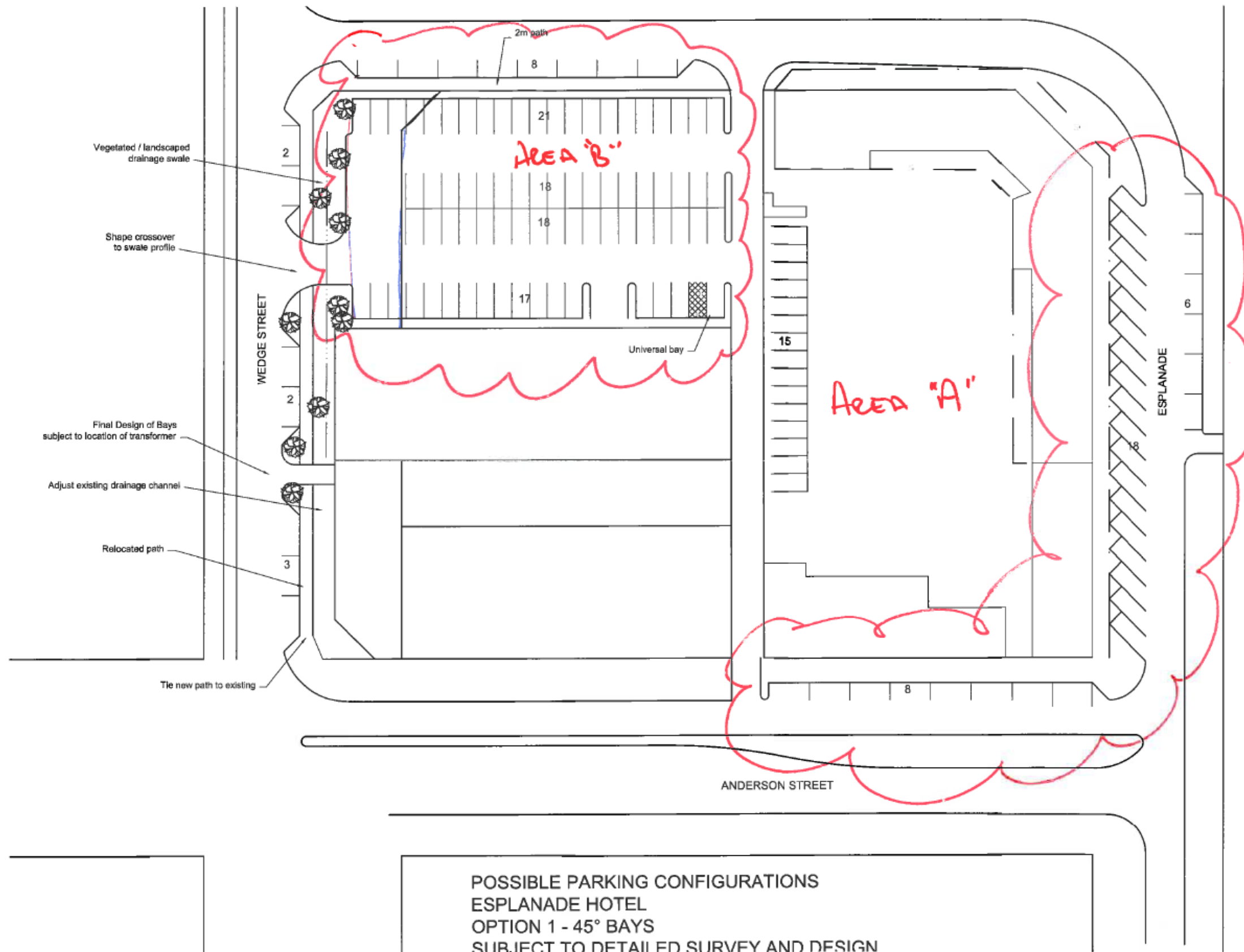
1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. In regard to condition g, the Council may consider cash in lieu of car parking contribution or other suitable arrangement for any shortfall. However, given the significant variation, that numbers will be finalised after a 12 month review from the final completion date of the development, including suitable negotiations with Council's Director Community and Regulatory in accordance with clause 6.13.3 of Council's Town Planning Scheme No.5. The applicant is further advised that the initial car parking justification is considered reasonable and that the 12 month review will allow these assumptions to be verified.
3. Be advised that the Town's Environmental Health Services Department has raised the following matters. If any of these matters require clarification please contact the Department on 9158 9325
4. It is a requirement under the Town of Port Hedland Eating House Local Laws that all food premises be licensed prior to beginning operations;
5. The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993;
6. Prior to the issue of a building licence, a fit out plan of all internal fixtures, finishes and fittings must be provided and approved to the specifications of Town's Environmental Health Services;
7. Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system;
8. The development must not interfere with property and effluent mains and/or effluent disposal systems.
9. The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity.
10. Approval must be obtained from Council's Environmental Health Services and the Department of Health prior to the installation of the swimming pool.
11. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999.
12. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999.

ATTACHMENT 1 (6/6)

**TOWN PLANNING SCHEME 5
TOWN OF PORT HEDLAND****Office Use Only**
Lot No: 1
Street: Anderson Street
Assessment No: A120880G
Application: 2009/45

13. Pool must comply with the Health (Swimming Pools) Regulations 1964 to the satisfaction of Environmental Health Services.
14. Be advised that all lodging houses are required be registered under the Health Act 1911 and operate in accordance with that Act and the Town of Port Hedland Health Local Laws 1999.
15. Be advised that at the building licence stage a detailed floor plan is required to be submitted in order for Town's Environmental Health Services to assess compliance to the Town of Port Hedland Health Local Laws 1999.
16. Be advised that it is a requirement under the Health (Swimming Pool) Regulations 1964 that all public swimming pools be approved by the Health Department of Western Australia and Town's Environmental Health Services prior to use.
17. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year average recurrence interval (A.R.I) cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
18. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

Signed 
Director Community & Regulatory Services
26th February 2009





11.1.4 *Request to Accept the Vesting and Management of Reserves as a Result of the Great Northern Highway Realignment Project. (File No.: 28/01/0020)*

Officer	Caris Vuckovic Lands Officer
Date of Report	23 November 2011
Disclosure of Interest by Officer	Nil

Summary

Council received a request from Main Roads Western Australia to create a Reserve to be managed by the Town of Port Hedland.

The creation of the Reserve results from the Great Northern Highway Realignment Project, and the required offset requested by Department of Environment and Conservation.

Council is recommended to refuse the request. The acceptance of the reserve will place a financial burden on Council.

Background

Main Roads plans to improve traffic safety and efficiency in Port Hedland are gaining momentum with tenders anticipated to be awarded late 2011 and construction commencing mid 2014. The Great Northern Realignment Project realigns a section of Great Northern Highway between Wedgefield Industrial Estate and South Hedland, north of Wedgefield, resulting in a safer and more efficient road network.

Main Roads has a state wide clearing permit (CPS818/5) for the clearing of native vegetation for project activities which is issued by the Department of Environment and Conservation (DEC). One of the conditions imposed by the DEC requires an environmental offset for the clearing of native vegetation. The size of the offset is to be in excess of the area of native vegetation to be cleared, which Main Roads proposes to be 75 ha.

It is proposed to create two (2) reserves. Main Roads WA, have requested Council accepts the vesting and management of the reserves. Main Roads indicated they are not in a position to manage the proposed Reserves themselves.

Consultation

Department	Comment
Manager Technical Services	Objects. Requests further strategic discussion or work shopping be undertaken. Objects to the vesting of reserves to the Town of Port Hedland.

Statutory Implications

Land Administration Act 1997 (as amended).

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Should Council choose to support the request, the Town would be liable for maintenance costs to upkeep the area.

Officer's Comment*Offset Area 1*

The proposed offset Area 1 is located within Reserve 50528 and which is currently vested to the Port Hedland Port Authority for "Harbour Purposes".

The portion of land indicated to be reserved runs adjacent to the Wedgefield Industrial Estate. The land is undevelopable as it is subject to tidal movements.

Offset Area 2

Proposed offset area 2 is located within Unallocated Crown Land.

The portion of land indicated to be reserved lies adjacent to the Great Northern Highway. The land is undevelopable as it is subject to tidal movements.

Proposal

It is understood that it is a requirement for Main Roads to create the offset reserves as part of the Great Northern Highway Realignment Project.

The significance of the project is acknowledged, however, Council does not have the budget or resources to maintain and preserve such a substantial portion of land.

Options

Council has the following options when considering the request:

1. Refuse the request from Main Roads WA to accept the vesting and management order associated with the creation of the "Conservation" reserves, as an Offset.

Refusal will require Main Roads WA to approach other agencies to accept the vesting and management of the reserves.

2. Approve the request from Main Roads WA to accept the vesting and management order associated with the creation of the "Conservation" reserves, as an Offset.

Approval will require Council to budget for the preservation and maintenance of the reserves.

Option 1 is recommended.

Attachments

1. Main Roads Offset Proposal
2. Reserve 50528 Locality Plan

201112/248 Officer's Recommendation / Council Decision

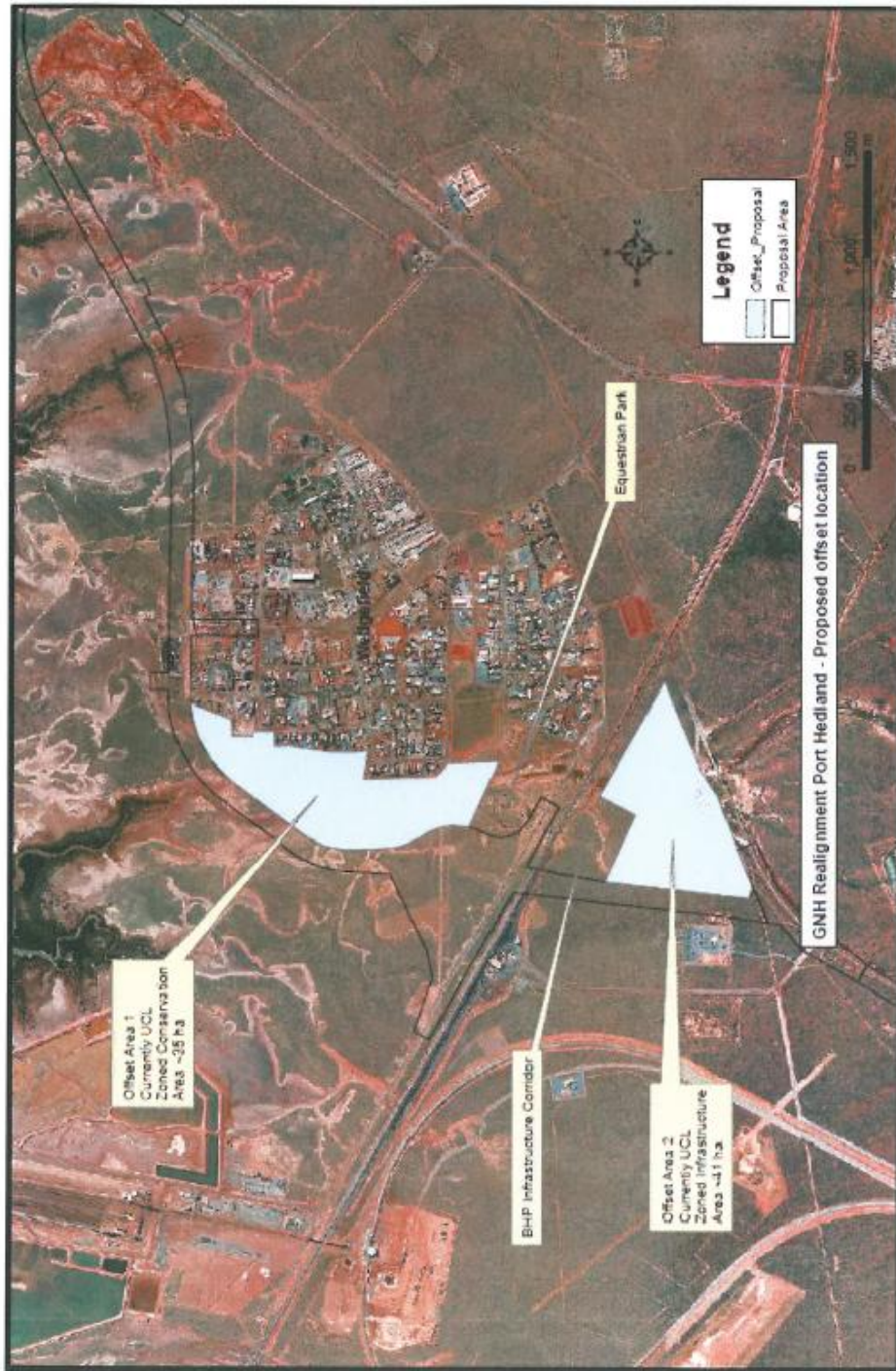
Moved: Cr A A Carter

Seconded: Cr J M Gillingham

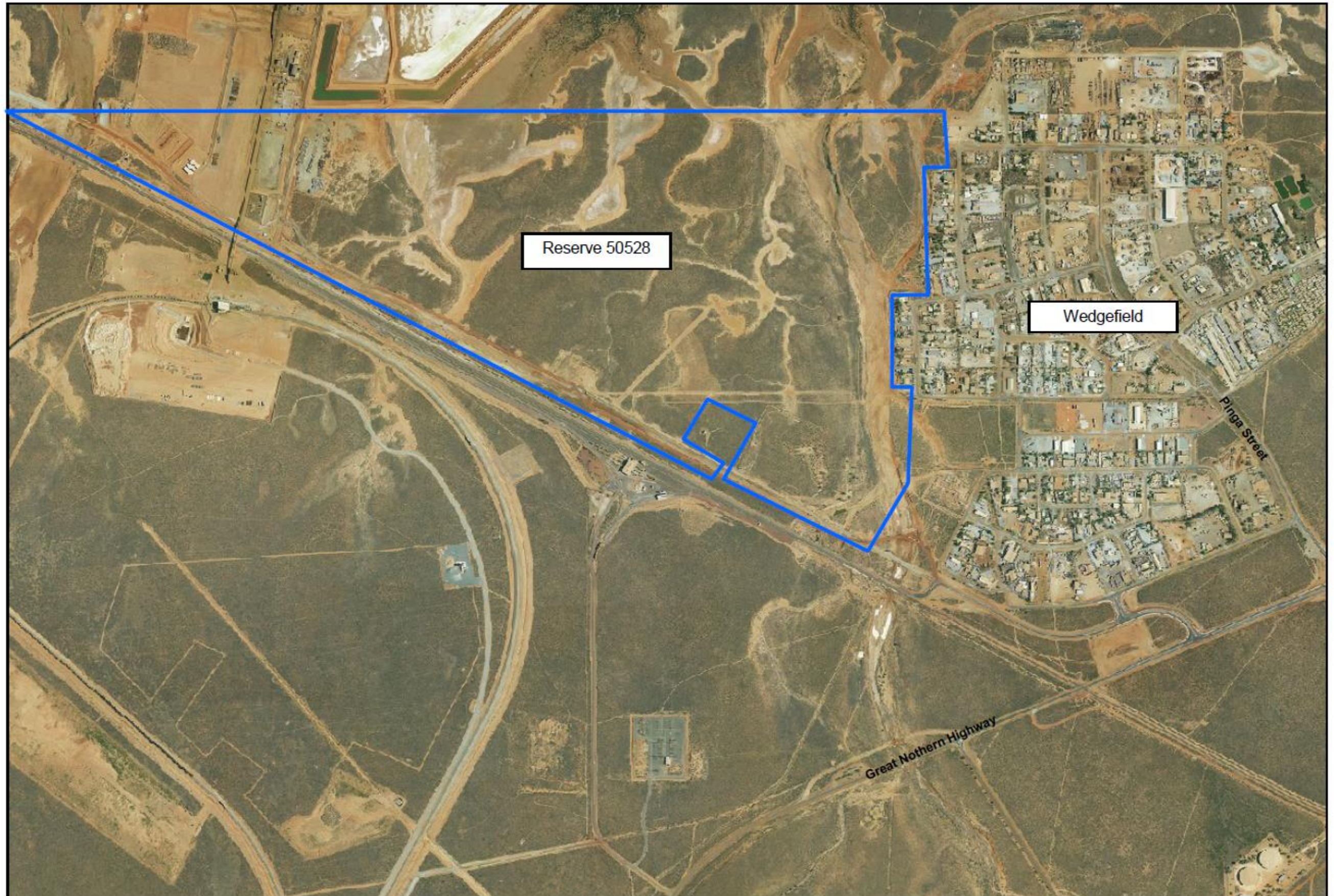
That Council refuses the request from Main Roads Western Australia to accept the vesting and management order associated with the creation of the "Conservation" reserves, as an Offset.

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.1.4



MAIN ROADS Western Australia
Brief of GNH Realignment Offset Proposal.docx



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11.1.5 Proposed "Use Not Listed" – Fly Camp located within the Beart Street Road Reserve and Part Lot 6173 Acton Street Port Hedland (File No.: 804910G)

Officer Michael Pound
Senior Planning Officer

Date of Report 4 November 2011

Disclosure of Interest by Officer Nil

Summary

This Town received an application from Robb Carr Pty Ltd, for a "Use Not Listed" – Fly Camp located within the Beart Street Road Reserve and Part Lot 6173 Acton Street, Port Hedland (subject site).

The proposal is supported by Officers and Council is requested to approve the proposed use, subject to conditions.

Background

Location and site details (ATTACHMENT 1)

The subject site is located directly north of the existing Water Corp pumping station.

Port Hedland 9B & 10A Infill Sewerage Project

This project involves the construction of the following:

- 7400 metres of gravity and vacuum sewer reticulation main;
- Type 40 Pump Station;
- Overflow storage tanks; and
- A pressure main.

The works will be via open trench excavation and micro-tunnelling methods where applicable.

The project will have the following benefits:

- provision of reticulated sewer will be made available;
- eliminate the requirement for septic tanks and leach drains in any new and existing dwellings; and
- will provide a safe, clean and environmentally friendly sewerage system to this area within Port Hedland.

Current proposal (ATTACHMENT 2)

The proposed "Use Not Listed" – Fly Camp consists of the following:

Project Buildings (Transportable Buildings)

- 1 x 20ft site office (to accommodate Contractor Project Supervision, building 1);
- 1 x 20ft site office (to accommodate for site meetings & Water Corp site office, building 2);
- 2 x 20ft sea containers for storage of small plant and hand tools (building

Workers Accommodation (Transportable Buildings)

- 6 buildings, each containing living and sleeping quarters for 4 staff. Each living quarter would have its own ensuite bathroom; and
- 1 building to accommodate laundry/washing facilities for Camp.

The proposed development will accommodate 24 people for the duration of the works which will be approximately 5 – 7 months.

Consultation

The proposal was advertised as follows:

North West Telegraph	16 th and 23 rd November. No comments received
Internal Comments	
Environmental Health Conditions	No objection subject to conditions
Infrastructure Development Conditions	No objection subject to conditions Applicant is to submit a plan showing how rubbish and sewerage will be maintained and removed from site.
Building Conditions	No objection subject to conditions

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development of the land must be done in accordance with TPS 5.

Policy Implications

Nil

Strategic Planning Implications

The following sections of the Town's Strategic Plan 2010-2015 are considered relevant to the proposal:

Key Result Area 4: Economic Development
Goal Number 2: Mining/Roads
Other Actions: Ensure that integrated accommodation options are available for resource related projects that do not artificially inflate the local real estate market.

Key Result Area 4: Economic Development
Goal Number 4: Land Development Projects
Immediate Priority 1: Fast track the release and development of commercial, industrial and residential land.

Budget Implications

The prescribed application fee of \$739.00 was paid on lodgement.

Officer's Comment

Council is under increasing pressure to provide accommodation options for the construction industry involved in building projects around the Town. Once completed, the Port Hedland 9B & 10A Infill Sewerage Project will allow development at a higher density in areas of Port Hedland with a split coding as per Clause 6.2.5(i) of TPS5:

“Within areas coded R12.5/30, R12.5/50 and R30/60, Council shall only approve development at the higher code if it satisfied that:

(i) The particular site is suitable to accommodate on-site effluent disposal or a sewer line connected to a wastewater treatment plant which has approval of the Water Corporation.

It is preferable that uses such as the proposed use are accommodated on the development site. As such, the proposed location of the “fly camp” on site has the following advantages:

The proposed location is within the confines of the project parameters;

- *The proposed locations do not affect any private land use;*
- *The accommodation camp would be set out within the confines of the work site compound, which will only be required for the duration of the project;*
- *The applicant would minimize their presence footprint in the area by including both facilities within the same fenced off area. A further measure to minimize the visual footprint would be to erect a privacy/security screening on the perimeter.*
- *The proposed location is in close proximity to existing services (i.e. power and water and potentially sewer).*

- *With both the accommodation and works compound in the one location would be an advantage in a cyclone situation as the occupants would be able to “tie down” the site much quicker as all larger machinery would be within compound.*
- *With such close proximity to Water Corp existing vacuum pump station, the applicant could with Water Corp approval connect waste from site compound and campsite on a temporary basis into the existing pump station. This would eliminate the need for a temporary septic tank for the camp.*

Need and desirability

Due to the mining resources boom, accommodation facilities are in peak demand in Port Hedland and other regional areas in the North West of WA. It is undeniable that there is currently significant demand for accommodation related to current and upcoming construction projects. What isn't clear is the length of time that these construction projects and specifically the accommodation needs will continue.

The applicant is unable to source adequate accommodation for their staff and workers for the duration of the project and have therefore requested that a fly cam be constructed on a temporary basis.

Carparking

Being a “Use Not Listed”, it is up to Council to determine an appropriate amount of carparking as per clause 6.13.2 of the town planning scheme.

In this regard the applicant has provided the following justification relating to carparking:

“All site office company vehicles will be parked within the proposed facility during working hours and after hours. By doing so we will not pose any risk to traffic movement on Acton Street and or vehicles turning into Acton Street from Anderson Street.

Throughout the working day, work crew vehicles will be accessing the site facility at various times, again these vehicles will be parked within the site facility and not on verge or pavement area of Acton Street.

The access point to the facility will be on Acton Street, the street incurs significantly less vehicular traffic than Anderson Street and would be safer for the public and workers alike. The access gate to the proposed camp will be 6.0mtrs wide, at the point of entry on the 6.8m setback the opening will be 10.0m wide – this will assist with safer ingress and egress to our proposed temporary facility.

By implementing the above 3 items we can ensure that traffic flow on Acton Street and Anderson Street will not be disrupted throughout the duration of the project. We can if required erect signage on Acton Street providing early warning for oncoming vehicles and pedestrians alike of access activities at proposed compound."

The above justification is considered reasonable and supported.

Community benefit

It could be considered the benefit being provided by the "Fly Camp" is to facilitate the construction of the "Port Hedland 9B & 10A Infill Sewerage Project". It could be argued the community benefit should be consistent with those obtained through infill.

In this regard it is considered important to differentiate between the "Fly Camp" and TWA. The key differences being the "Fly Camp" will only be temporary (maximum of one (1) year) where as a TWA can be a permanent land use (ten (10) plus). TWA's are often self contained incorporating facilities such as a dry mess/kitchen, recreation facilities such as gymnasiums and wet mess's (taverns), "Fly Camp's" only provide accommodation.

In the current situation of accommodation shortages, it is considered that the "Fly Camp's" are necessary to facilitate construction projects. Due to the time period and the camp set up requiring workers to make use of local facilities, it is considered an indirect community benefit will be achieved, removing the need for a contribution to be requested/required.

Attachments

1. Location Plan
2. Site, Floor and Elevation Plans

201112/249 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

- i) **Approves the planning application submitted by Rob Carr Pty Ltd on behalf of the Crown, for "Use Not Listed – Fly Camp" located within the Beart Street Road Reserve and Part Lot 6713 Acton Street, Port Hedland subject to the following conditions:**
 1. **This approval relates only to the proposed "Fly Camp" and other incidental development, as indicated on the approved plans. (DWG2011/529/1 - DWG2011/529/4). It does not relate to any other development on this lot.**

2. This approval is only valid for a period of 9 months or the completion of the project whichever comes first, the applicant will return the land to its original state, to the satisfaction of Council's Manager Planning Services.
3. In regard to condition 2, the 9 months is calculated from the date of this approval.
4. All vehicle parking (both small - cars etc and heavy - trucks etc) associated (resident and visitor) with the "Fly Camp" shall be contained within the development area (i.e. no parking is permitted on the road verge or any other land) and within designated vehicle parking locations/areas to the satisfaction of Council's Manager Planning Services.
5. Any roof mounted or freestanding plant or equipment such as air conditioning units to be located and/or screened so as not to be visible from beyond the boundaries of the development site.
6. All dust and sand to be contained on site with the use of suitable dust suppression techniques where any works/operations on the site is likely to generate a dust nuisance to nearby land uses to the specifications of Council's Manager Environmental Health Services.
7. The premises to be kept in a neat and tidy condition at all times to the satisfaction of Council's Manager Planning Services.

Conditions to be complied with prior to the submission of a Building License application.

8. Prior to the submission of a building licence application, the applicant/operator of the camp shall submit an emergency evacuation plan and obtain approval from Council's Manager Planning Services.
9. Prior to the submission of a building licence application, the applicant / operator shall submit a Rubbish Collection Strategy / Management Plan for approval by Council's Manager Technical Services
10. Further to condition 9, 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 Council's Manager Environmental Health Services.

11. Prior to the submission of a building licence application, amended plans incorporating the following amendments shall be submitted and considered by council's Manager Planning Services:
 - a. The removal of the kitchen and dining facilities.
12. Prior to the submission of a building licence application a construction management plan is to be submitted detailing how it is proposed to manage:
 - a. The delivery of materials and equipment to the site;
 - b. The storage of materials and equipment on the site;
 - c. Impact on traffic movement;
 - d. Operation times including delivery of materials; and
 - e. Other matters likely to impact on the surrounding land uses;

to the satisfaction of Council's Manager Planning Services.
13. Prior to the submission of a building licence application, a detailed plan indicating the type of fencing to be used is to be submitted and approved by Council's Manager Planning Services.

Conditions to be complied with prior to the occupation of the development.

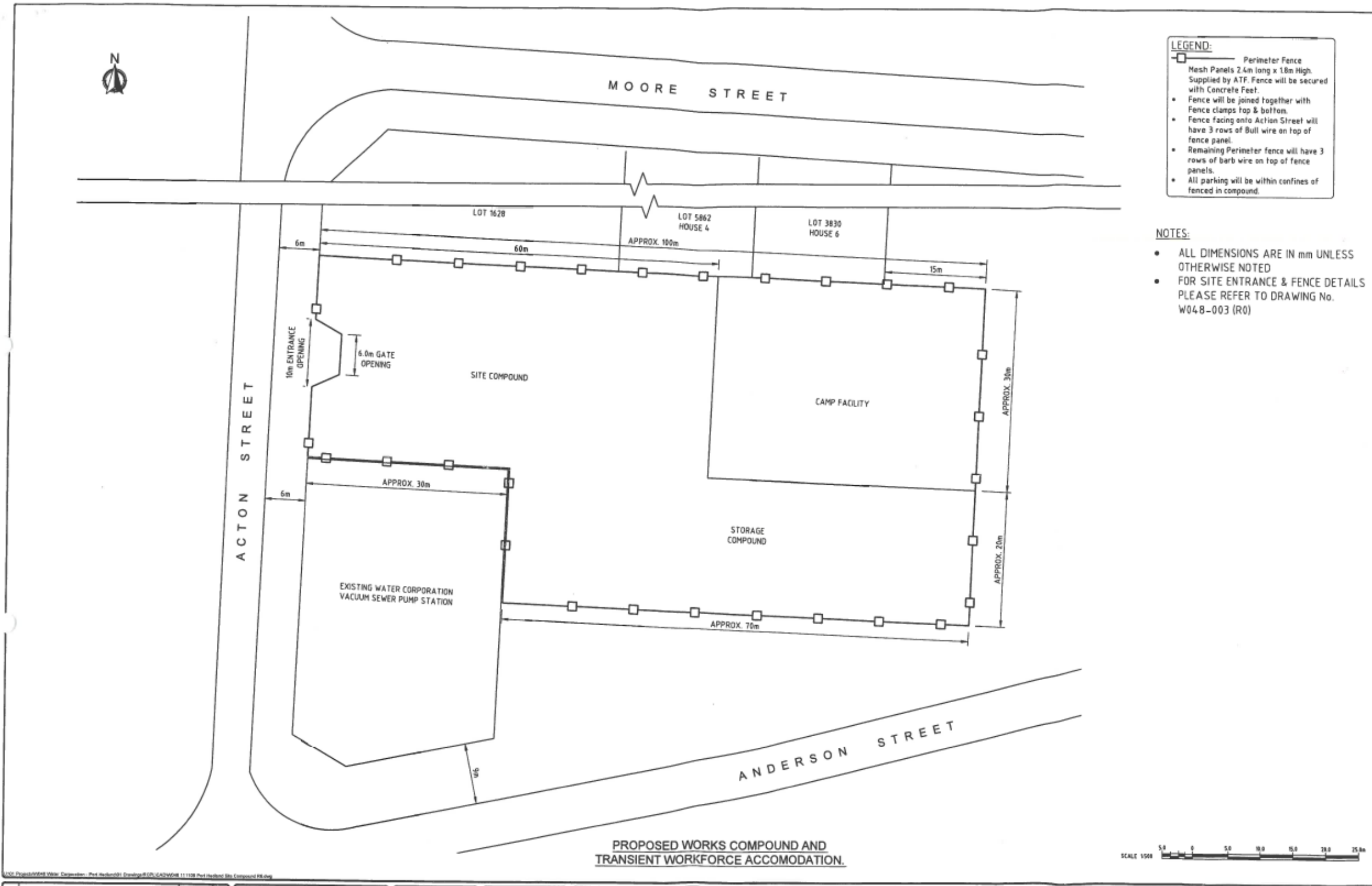
14. Prior to the occupation of the development, Driveway(s) and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005. A separate application is to be made for Crossover's.
15. Prior to the occupation of the development Prior to the occupation of the development 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 developer to an approved design in accordance with TPS5 and Australian Standards, to the satisfaction of the Manager Planning.
16. Prior to the occupation of the development, the development is to be connected to reticulated sewer. to the satisfaction of Council's Manager Environmental Health Services.

FOOTNOTES:

1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. A Building Licence to be issued prior to the commencement of any on site works.
3. Please note the building department have raised the following issues:
 - a. Building's must be 1.8 metres apart or fire separated as per BCA Vol. 2 Part 3.7.1
4. Be advised that all lodging houses are required to be registered under the *Health Act 1911* and operate in accordance with that Act and the *Town of Port Hedland Health Local Laws 1999*.
5. Be advised that at the building licence stage a detailed floor plan is required to be submitted in order for Town's Environmental Health Services to assess compliance to the *Town of Port Hedland Health Local Laws 1999*.
6. The development must comply with the *Environmental Protection (Noise) Regulations 1997* at all times.
7. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
8. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 7/0





LEGEND:

- Perimeter Fence
- Mesh Panels 2.4m long x 1.8m High. Supplied by ATF. Fence will be secured with Concrete Feet.
- Fence will be joined together with Fence clamps top & bottom.
- Fence facing onto Acton Street will have 3 rows of Bull wire on top of fence panel.
- Remaining Perimeter fence will have 3 rows of barb wire on top of fence panels.
- All parking will be within confines of fenced in compound.

NOTES:

- ALL DIMENSIONS ARE IN mm UNLESS OTHERWISE NOTED
- FOR SITE ENTRANCE & FENCE DETAILS PLEASE REFER TO DRAWING No. W048-003 (R0)

PROPOSED WORKS COMPOUND AND TRANSIENT WORKFORCE ACCOMODATION.



No.	REVISION	DATE	APP
6	REV 6 ISSUE	08.11.11	
5	REV 5 ISSUE	08.11.11	
4	REV 4 ISSUE	19.10.11	
3	REV 3 ISSUE - ADDITIONAL LOCATION 3	11.08.11	
2	REV 2 ISSUE	08.08.11	
1	REV 1 ISSUE	08.08.11	
0	ORIGINAL ISSUE DESIGN	08.08.11	

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DESIGNED BY: B.CROWLEY	SCALE: 1:500
CHECKED BY: S.CARROLL	PROJECT REFERENCE: W048
DRAWN BY: H.BAKER	DRAWING No: W048-001.001(R6)

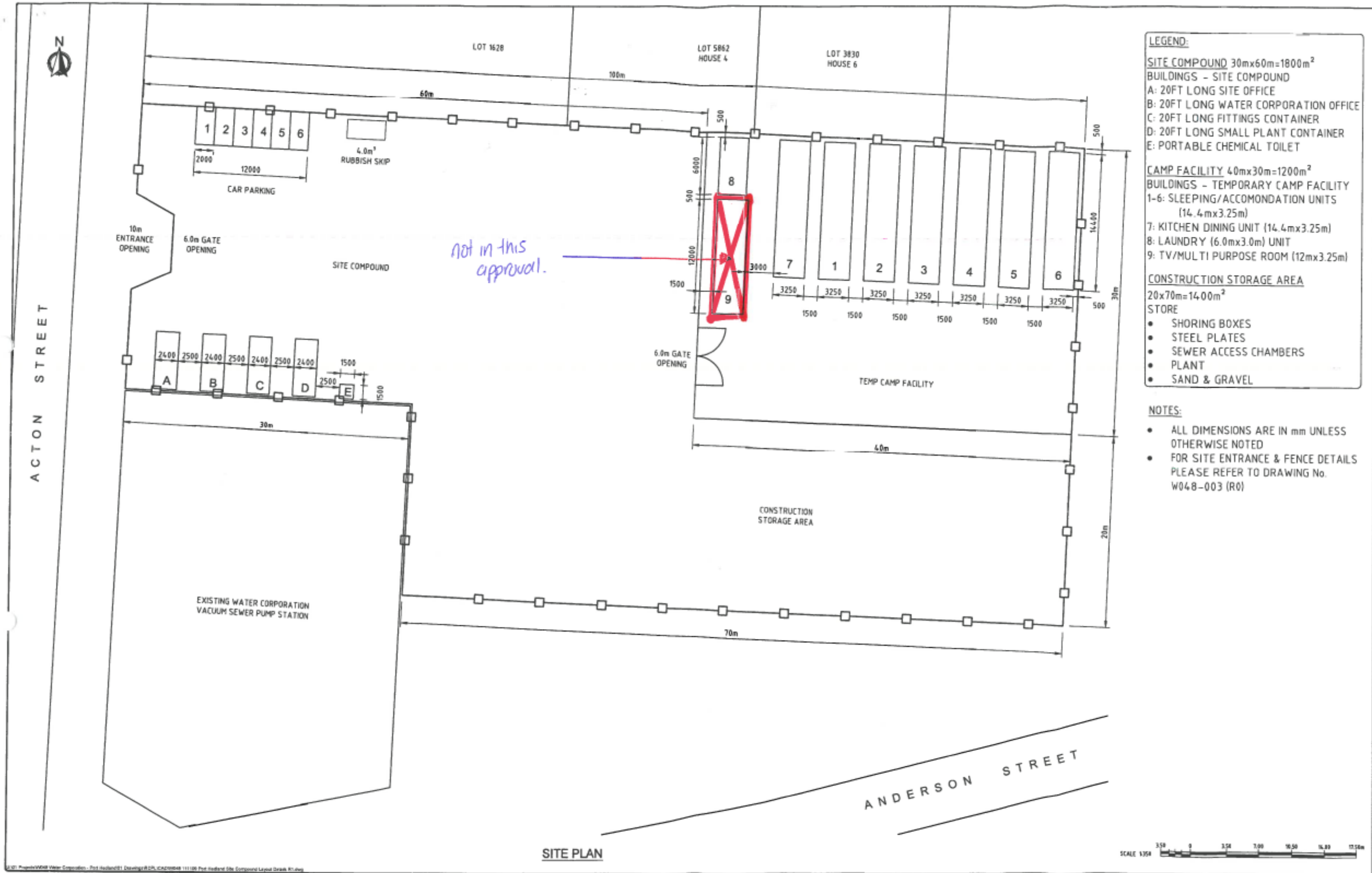
QLD Office
 PO Box 6103
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NSW Office
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 Minto BC NSW 2566
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WA Office
 PO Box 390
 Westmead WA, 6866
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PROPOSED SITE LOCATION
 WATER CORPORATION
 PORT HEDLAND 9B & 10A
 PORT HEDLAND

ORIGINAL ISSUE DATE: 08.08.2011
DATE REVISED: 09.11.2011
ORIGINAL DRAWING SIZE: A3
REVISION: 6



- LEGEND:**
- SITE COMPOUND 30m x 60m = 1800m²
 - BUILDINGS - SITE COMPOUND
 - A: 20FT LONG SITE OFFICE
 - B: 20FT LONG WATER CORPORATION OFFICE
 - C: 20FT LONG FITTINGS CONTAINER
 - D: 20FT LONG SMALL PLANT CONTAINER
 - E: PORTABLE CHEMICAL TOILET
 - CAMP FACILITY 40m x 30m = 1200m²
 - BUILDINGS - TEMPORARY CAMP FACILITY
 - 1-6: SLEEPING/ACCOMMODATION UNITS (14.4m x 3.25m)
 - 7: KITCHEN DINING UNIT (14.4m x 3.25m)
 - 8: LAUNDRY (6.0m x 3.0m) UNIT
 - 9: TV/MULTI PURPOSE ROOM (12m x 3.25m)
 - CONSTRUCTION STORAGE AREA 20x70m = 1400m²
 - STORE
 - SHORING BOXES
 - STEEL PLATES
 - SEWER ACCESS CHAMBERS
 - PLANT
 - SAND & GRAVEL

- NOTES:**
- ALL DIMENSIONS ARE IN mm UNLESS OTHERWISE NOTED
 - FOR SITE ENTRANCE & FENCE DETAILS PLEASE REFER TO DRAWING No. W048-003 (R0)

SITE PLAN



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FINISHES SCHEDULE

STEELWORK		
CHASSIS	200UB18 @ 2000mm CRS	SUBFRAME BLACK
FLOORING		
FLOOR COVERING	15mm 1&G F11 PLYWOOD	N/A
FLOOR COVERING	1.5mm SEAMLESS VINYL	SOLAR EDGE
SUBFLOOR INSUL.	R1.5 GLASSWOOL W/ STEEL PAN	N/A
ABLUTION AREAS:		
FLOOR COVERING	2.0mm SLIP-RESISTANT VINYL WITH 100mm COVING UP WALLS	BAFFA BRIDGE
WALLS		
WALL STUDS	75mm STEEL FRAME @ 400 CRS	N/A
EXT. LINING	CCS MESA PROFILE, FIXED USING TYPE B FIXING PATTERN (AS4040.3) OVER ROUGH PLY	MERINO
EXT. CORNER	CCS	MERINO
INSUL. EXT. WALLS	R2.0 G'WOOL 75mm ACOUSTITHERM	N/A
INT. LINING	3.6mm PREFINISHED PLYWOOD	WHITE SMOKE
SKIRTING	'D' MOULD	BLACK
INT. CORNERS	SOFT LEGGED TEE	WHITE SMOKE
CORNICE	'D' MOULD	BLACK
SEPARATING WALL TYPE 1:		
INSULATION	R2.0 G'WOOL 75mm ACOUSTITHERM	N/A
SEPARATING WALL TYPE 2:		
INT. LINING (BOTH SIDES OF WALL)	1x13mm PLASTERBOARD UNDER 3.6mm PREFINISHED PLYWOOD	WHITE SMOKE
INSULATION	R2.0 G'WOOL 75mm ACOUSTITHERM	N/A
ROOF/CEILING		
CEILING STUDS	75mm STEEL FRAME @ 400 CRS W/ BOXED STUD EVERY 800 CRS	N/A
ROOF SHEETING	SUPERDEK (CYCLONIC FIXINGS)	ZINCALUME
EXT. FASCIA BARGE	CCS	PLANTATION
EXT. FASCIA EAVE	CCS	PLANTATION
INSUL. CEILING	R4.0 GLASSWOOL 150mm BATTIS	N/A
INSULATION ROOF	R1.8 GLASSWOOL BLANKET 75mm	N/A
CEILING LINING	3.6mm PREFINISHED PLYWOOD	MIRAGE PEARL
AIR-CONDITIONERS		
CUTOUT EXT. TRIM	ALUMINIUM ANGLE	MERINO
CUTOUT INT. TRIM	ALUMINIUM ANGLE	MERINO
HINGE COVER	CCS	MERINO

Building A to F

BUILDING INFORMATION

SERIAL NUMBER	T.B.A.				
CEILING HEIGHT	2405mm				
BUILDING HEIGHT	3020mm				
DESTINATION/STATE	T.B.A.				
ENGINEERING INFORMATION					
DESIGN WIND SPEED	D290				
LIFTING CAPACITY	7.0t				
DISTRIBUTED FLOOR LOAD	3.0tPa				
CONCENTRATED FLOOR LOAD	2.7kN				
DWG DISTRIBUTION					
CONT.	PURCH.	MARU.	ELECT.	PLUMB.	O/A
TRANS.	SITE	HIRE	CONSUL.	SPARE	SPARE

APPROVED FOR MANUFACTURE ON BEHALF OF:

NAME (PRINT): _____

COMPANY POSITION: _____

SIGNATURE: _____

DATE: _____

SYMBOL LEGEND

1. 4 BRIBES	1. 4 BRIBES	1. 4 BRIBES
2. 4 BRIBES	2. 4 BRIBES	2. 4 BRIBES
3. 4 BRIBES	3. 4 BRIBES	3. 4 BRIBES
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GENERAL NOTES

1. ALL PLUMBING TO BE HARNESSSED TO TWO POINTS

A/C'S, PLUMBING, FURNITURE & OTHER SCHEDULE

TAG	QTY	DESCRIPTION
18	4	BAR FRIDGE (BY OTHERS)
17	4	CURTAIN, BLOCKOUT, TO SUIT 1075x900 WINDOW
16	4	WARDROBE, 750x450x1800H W/ SHelves & HANG RAIL
15	4	TABLE, WRITING 900x600x720H W/ SHELF
14	4	SHELF, CORNER TV, 650x650, FITTED AT 1500 AFL
13	4	CHAIR, PLASTIC STACKABLE
12	4	BED, KING SIZ., ENSEMBLE 2030x1055 W/ INNERSPRING MATTRESS
11	4	DRAW WIRE, 300 AFL, TO FINISH UNDER FLOOR
10	1	SPLITTER BOX, 4-WAY FOR TV POINTS @ 100 AFL
9	1	PE CELL FOR EXTERNAL VANDALITE(S)
8	1	'J' BOX FOR INTERLINKED SMOKE ALARMS (WIRED THRU RELAY)
7	4	SMOKE ALARM, INTERLINKED & WIRED THRU RELAY INTO 'J' BOX
6	4	EXHAUST FAN, 150mm WALL MOUNT
5	8	TOWEL RAIL, CHROME PLATED, 400mm (101000 & 101500 AFL)
4	1	HWS 250LH (1x3.6kW) W/ ISOLATOR SWITCH PACKED IN BUILDING & INSTALLED ON SITE
3	4	VANITY UNIT, SEMI-RECESSED BOWL, FLICKMIXER (HWC) W/ MIRROR OVER
2	4	SHOWER, FIBREGLASS, 1050x900mm W/ FLICKMIXER & CURTAIN
1	4	TOILET SUITE DUAL FLUSH W/ TOILET PAPER HOLDER
AC1	4	CUT OUT & HINGE COVER TO SUIT AIR CON, RC (1.0hp)

DOOR & WINDOW SCHEDULE

W	QTY	DESCRIPTION	FRAME	GLASS	COLOUR
W2	4	WINDOW 350x755	FF ALUM. HS W/ TRIM	GLASS	BLACK
			FLYSCREEN	GLASS	BLACK
			FRAME ALUM/MESH	GLASS	BLACK
			FLOAT		GREY
W1	4	WINDOW 1075x900	FF ALUM. HS W/ TRIM	GLASS	BLACK
			FLYSCREEN	GLASS	BLACK
			FRAME ALUM/MESH	GLASS	BLACK
			FLOAT		GREY
D2	4	DOOR INT 2040x720	TIMBER HOLLOW CORE		BEIGE
			FRAME/TRIM	ALUMINIUM/ALUMINIUM	BLACK
			HANDLE	KNOB PRIVACY SET	SATIN CHROME
D1	4	DOOR EXT 2043x846	PLAIN METAL CCS		MERINO
			FRAME/TRIM	METAL/ALUMINIUM	MERINO/BLACK
			HANDLE	KNOB ENTRANCE SET	SATIN CHROME

ITEM	DESCRIPTION	COLOUR	TAG	QTY	DESCRIPTION	TAG	QTY	ITEM	DESCRIPTION	COLOUR

AUSCO
MODULAR

FLOOR PLAN (D290)
MESA EXT/PLY INT

HIRE: 14.4 x 3.25 x 2.4m
4 ROOM ACCOMMODATION UNIT

AUSCO MODULAR

Scale: 1:50
DIMENSIONS ARE IN MM
DO NOT SCALE

Doc No: SQ41432
Sheet: 1 of 1

FINISHES SCHEDULE			BUILDING INFORMATION																						
STEELWORK			SERIAL NUMBER T.B.A.																						
CHASSIS	150UB14 @ 2000mm CRS	SUBFRAME BLACK	CEILING HEIGHT	2405mm																					
FLOORING			BUILDING HEIGHT	2970mm																					
FLOORING	19mm TAG F11 PLYWOOD	N/A	DESTINATION/STATE	T.B.A.																					
FLOOR COVERING	1.5mm SEAMLESS VINYL WITH 100mm COMING UP WALLS	SOLAR BEIGE	ENGINEERING INFORMATION																						
WALLS			DESIGN WIND SPEED	D290																					
WALL STUDS	75mm STEEL FRAME @ 400 CRS	N/A	LIFTING CAPACITY	5.0t																					
EXT. LINING	CCS MESA PROFILE, FIXED USING TYPE B FIXING PATTERN (AS4040.3)		DISTRIBUTED FLOOR LOAD	3.0kPa																					
ROOF/CEILING			CONCENTRATED FLOOR LOAD	4.5kN																					
CEILING STUDS	75mm STEEL FRAME @ 400 CRS	N/A	DWG DISTRIBUTION																						
ROOF SHEETING	W/ BOXED STUD EVERY 800 CRS	ZINCALUME	CONT.	PURCH.	MANU.																				
EXT FASCIA BARGE	CCS	PLANTATION	ELECT.	PLUMB.	Q/A.																				
EXT FASCIA EAVE	CCS	PLANTATION	TRANS.	SITE	HIRE																				
INSUL. CEILING	R1.5 GLASSWOOL 75mm BATT	N/A	CONSU.	SPARE	SPARE																				
CEILING LINING	3.6mm PREFINISHED PLYWOOD	MIRAGE PEARL																							
ELECTRICAL			APPROVED FOR MANUFACTURE ON BEHALF OF:																						
P.O.E	JUNCTION BOX 2100mm AFL	N/A	NAME (PRINT):																						
LOAD CENTRE	24 POLE LOCKABLE, DIN TEST SKI 2000mm AFL	N/A	COMPANY POSITION:																						
ELECTRICAL	DOUBLE POLE TO SOCKET OUTLETS ONLY	N/A	SIGNATURE:																						
CABINETRY			DATE:																						
COUNTER	LAMINATED TOP	WHITE	SYMBOL LEGEND																						
	STEEL LEGS	CHROME	<table border="1"> <tr> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>6</td> <td>7</td> <td>8</td> <td>9</td> <td>10</td> <td>11</td> <td>12</td> <td>13</td> <td>14</td> <td>15</td> <td>16</td> <td>17</td> <td>18</td> <td>19</td> <td>20</td> </tr> </table>			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20						
<p style="text-align: center; color: blue;">Building 4</p>			GENERAL NOTES			A/C'S, PLUMBING, FURNITURE & OTHER SCHEDULE			DOOR & WINDOW SCHEDULE			FLOOR PLAN (D290) MESA EXT/PLY INT													
			1. TBA									HIRE: 6.0 x 3.0 x 2.4m LAUNDRY AUSCO MODULAR													
ITEM	DESCRIPTION	COLOUR	TAG	QTY	DESCRIPTION	TAG	QTY	ITEM	DESCRIPTION	COLOUR	L6030	1	A												
B	4	CLOTHES DRYER (BY OTHERS)						W1	2	WINDOW 900x1155 FLYSCREEN GLASS	FF ALUM. HS W/ TRIM FRAME ALUM/MESH FGLASS FLOAT	BLACK BLACK GREY													
7	4	WASHING MACHINE (BY OTHERS)						D1	1	DOOR EXT 2043x846 FRAME/TRIM HANDLE SECURITY	PLAIN METAL CCS METAL/ALUMINIUM KNOB PASSAGE SET SHACKLE PROTECTOR	MERINO MERINO/BLACK SATIN CHROME N/A													
6	1	IRONING STATION, FOLD AWAY																							
5	1	COUNTER LAM. TOP, 1800x600x900																							
4	4	TAPSET (H&C), TO SUIT WASHING MACHINE, 1100 AFL																							
3	1	LAUNDRY TUB DOUBLE, SS W/CABINET, TAPSET (H&C) 1150 AFL																							
2	1	HWS 250Ltr (1+3.6W) W/ SAFETY TRAY & ISOLATOR SWITCH																							
1	2	EXHAUST FAN, 150mm WALL MOUNT																							

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11.1.6 *Proposed Home Business “Window Manufacturing” and Sea Container at Lot 173 (69) Greenfield Street, South Hedland Rural Estate 6722 (File No.: 154447G)*

Officer Michael Pound
Senior Planning Officer

Date of Report 29 November 2011

Disclosure of Interest by Officer Nil

Summary

The Town received an application from Blair Godenzi the registered proprietor owner of Lot 173 (69) Greenfield Street, South Hedland Rural Estate (subject site). The proposal is to utilise an existing steel shed for the manufacturing of cyclone rated windows and the storage of materials within a sea container.

The proposed use can in terms of the Town Planning Scheme No5, be defined as a “Home Business”, an “AA” use within the “Rural Residential” zone.

Through the consultative process five objections have been received. From a planning perspective the proposed “Home Business” is not supported.

Council is requested to refuse the application for a “Home Business”.

Background

As mentioned by one of the objectors Council successfully prosecuted a resident in the area for the unauthorised use of a lot within the area. Refusal of the application will ensure Council remains consistent in its approach to industrial type uses being operated within residential areas.

Location and Site Details

The subject site is located on the western side of the Bosna Rural Estate, with an area of approximately 1 hectare (ATTACHMENT 1).

In terms of the Port Hedland Town Planning Scheme No. 5 the subject site is zoned “Rural Residential”, the proposed “Home Business” use is an “AA” use in this zone. The site currently contains a single house and shed.

The Proposal (ATTACHMENT 2)

The application seeks approval for the use of the shed on the subject site for a “Home Business” – Window Manufacturing including the installation and use of a sea container for the storage of materials.

Consultation

The application has been referred to the Manager Technical Services and externally in accordance with section 4.3.1 of the Port Hedland Town Planning Scheme No. 5.

During the referral period, five objections were received, these are summarised as follows:

- No objection to the sea container;
- Rural estate is designed for people looking for a quieter semi-rural lifestyle;
- The proposed use is more appropriate within an Industrial location;
- Noise;
- Devalue the surrounding properties – rural lifestyle diminished; and
- Approval of the application will set an unwanted precedence.

Applicant's Response (*ATTACHMENT 3*)

Noise – applicant has advised that an advanced up-cutting saw would be utilised. Benefits include a quick and safe production with minimal noise exposed. Any cutting noise would be for a very minimal amount of time. The cutting machine is fully enclosed and the shed is completely insulated to prevent noise exiting from the shed. The remaining process for manufacturing the windows is predominantly achieved with a hand drill.

The applicant has stated that they would be willing to operate the shed as a home business purely as an office and storage area for the windows. Thus meaning no fabrication would occur on the subject site.

Planning Unit Response

Objectives of the "Home Business" definition

In accordance with Appendix 1 of TPS5 a "Home Business" is defined as follows:

"means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling that":

- a) *employs a maximum of 2 people that are not members of the occupier's household;*

The applicant has identified that there is to be two people involved in the manufacturing process on site – himself and an apprentice.

- b) *will not cause injury to or adversely affect the neighbourhood amenity;*

The proposed use is of an industrial nature and is considered to be not suitable or ideal to be located within a residential neighbourhood. As such, it is likely the proposed use will be detrimental to the amenity of the surrounding area.

- c) *does not occupy an area greater than 50 square metres or 50% of the dwelling area, whichever is the greater;*

The workshop and offices combined area shown on plan DWG2011/470/2 is 123.75m² – the total area of the dwelling is 275m².

- d) *does not display a sign exceeding 0.2 square metres on land zoned residential;*

No signage is proposed.

- e) *does not involve the retail sale, display or hire of goods of any nature;*

There will be no retail sale or display of products of any nature on the subject site.

- f) *does not result in traffic difficulties caused by the inadequate provision of parking facilities, or a significant increase in traffic volumes in the neighbourhood;*

There is sufficient space for the parking of one more vehicle (apprentice). The applicant has indicated a truck will be delivering material on a fortnightly basis. The mixture of heavy and light vehicular traffic is not desirable and should be avoided where possible.

- g) *does not involve the presence, use or calling of a vehicular greater than 3.5 tonnes tare weight; and*

As mentioned the applicant has indicated that deliveries will be made by truck (tare weight unknown). Should Council approve the application a condition shall be imposed restricting the tare weight of vehicles accessing the subject site.

- h) *does not involve the use of an essential service of greater capacity than normally required in the zone.*

It is Council Officers opinion that the proposed use will result in higher demand on the existing electrical infrastructure for the area, as a result of the industrial equipment needed (up-cutting saw).

Statutory Implications

The development of the land must be done in accordance with the Town of Port Hedland Town Planning Scheme No. 5.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

A payment of \$348.00 was received on lodgement of the application.

Officer's Comment*Desirability*

The proposed Home Business is not considered to be acceptable nor desirable due to its location within the Rural Residential Estate and its proximity to residential land uses. The proposal does not provide a sense of community as the application is more commonly suited to an Industrial type area.

Furthermore, the comments and concerns received within the objections are considered reasonable and valid.

Neighbourhood Amenity and Location

Whilst the applicant has responded to the noise issues raised within the objections, the proposed operations/manufacturing of windows still remains unwarranted within a residential setting.

The proposed "Home Business" – Window Manufacturing is considered by Council Officers to be of similar definition to an Industry related use.

If the location of the proposed use was located within an Industry zone it would be closer defined to an "Industry - Light" use than a "Home Business"

TPS5 states the following definition for an "Industry - Light":

- a) *in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises, will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water or other waste products; and*
- b) *the establishment of which will not, or the conduct of which does not, impose an undue load on any existing or proposed service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services".*

The applicant has indicated that in the event of the use being refused, they would like to operate a "Home Office" with a storage area with the occasional repair to windows that are broken or frames that are scratched.

Council Officers are not able to pre-empt uses but remain unconvinced the applicant will be able to operate within the parameters of a "Home Office."

Options

The Council has the following options when considering the application:

1. Refuse the proposal.

The refusal of the application would be considered to be in line with the objectives of the "Home Business" definition.

2. Approve the proposal subject to conditions.

The approval of the application would be detrimental for the neighbourhood amenity and would set an unwanted precedence within the area.

3. Approve the application as a "Home Office", excluding the request by the applicant to occasionally store and repair windows on the subject site.

From the applicants own admission the "Home Office" would require the occasional storage and repair of windows. This would not be in line with the definition of "Home Office".

Option 1 is recommended.

Attachments

1. Locality Plan
2. Site Plan, Floor Plan and Elevations
3. Objections
4. Applicants Justification

201112/250 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Hunt

That Council:

- i) **Refuse the application submitted by Blair Godenzi to operate a "Home Business" Window Manufacturing on Lot 173 (69) Greenfields Street, South Hedland Rural Estate for the following reasons:**

1. The proposal is inconsistent with the intent of the definition and objectives of a “Home Business” as per Appendix 1 of the Town of Port Hedland Town Planning Scheme No. 5.
2. The proposal will impact negatively on the amenity of the neighbourhood within the Bosna Rural Estate.
3. The proposal is not a desirable use in the proposed location.

CARRIED 7/0



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ATTACHMENT 2 TO ITEM 11.1.6



Evan & Karen Young
PO Box 2040
SOUTH HEDLAND
WA 6722
Mobile: 0407 923 293

18 November 2011

Town of Port Hedland
PO Box 41
Port Hedland 6721



Document #: IPA21495
Date: 22.11.2011
Officer: LEONARD LONG
File: 154447G

Attn Senior Planning Officer Mr. Michael Pound

Ref: Proposed Home business "Window Manufacturing" and Sea Container at Lot 173 (69) Greenfield Street, South Hedland Rural Estate

I am in receipt of your letter ref 2011/470 requesting submissions on the above Proposed Home Business.

My comments are as follows:

- Sea container I have now problems with.
- Proposed Home Business of Window Manufacturing I object to based upon the following reasons:
- I recently purchase my property based upon it being a "Rural estate" in looking for a quiet life style and not an Industrial estate. If I wanted to live in an Industrial estate I would have purchase in Wedgfield.
- Coming from the building trade I am aware of the window manufacturing process and the noise that can be generated from cutting aluminium. This is a high pitched noise that is not suited to the rural environment.
- I believe having such a business located so close to my property will devalue my property based upon the rural life style will be diminished.
- It is also my belief that the Town of Port Hedland made other residences within the rural estate that operated business from their premise, relocate such business to Wedgfield. So my question to council is what has changed since that decision to consider an application for another "Home Business"

Yours faithfully

Evan Young
169 Greenfield St
South Hedland WA 6722

Pound Michael

From: john van maanen [johnmunda@bigpond.com]
Sent: Monday, 28 November 2011 9:05 AM
To: Pound Michael
Subject: 69 Greenfields ST Boodarie

Michael

My name is John Van Maanen. I am the owner of the property @ 72 Greenfields Street and I strongly oppose the plans for Lot 173 (69 Greenfields). There are ample industrial blocks becoming available in Wedgefield. Bosna should be for families as I purchase my property for a semi-rural lifestyle block. I currently lease my property and there is no manufacturing on it.
Please do not hesitate to contact myself if you have any queries on 0439978850.

Regards

John Van Maanen

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Speakman Chloe

From: Jeff & Deb Edwards [googley1@bigpond.com]
Sent: Tuesday, 29 November 2011 7:45 AM
To: Records
Cc: Pound Michael
Subject: ICR21710 - Reference 2011/470 Proposed home business Window Manufacturing lot 173 Greenfield street.

SynergySoft: ICR21710

In reference to the application for a Window Manufacturing business to be run from lot 173 / 63 Greenfield street , South Hedland rural estate. I am opposed to the submission on the grounds that this area was always dedicated as a rural / residential area and is the reason I decided to relocate my family out here and build a home to give the children some space and enjoy the peace and quiet that this area offers. I have noticed that over the last 2 years a lot of the houses out here have been used as accommodation and bases for people running there businesses without shire approval which surprisingly seems to go unnoticed. I did not expect that the unofficial population out here would increase ten fold having a large compliment of contractor companies moving all there employees into to this area whilst basing there businesses here also, installing temporary accommodation dongers,caravans,etc and having a constant flow of traffic from these premises all day and night long. I do not begrudge anyone the right to make a living and have somewhere to live but this place is turning into a mini light industrial area. By approving this application you will be setting a precedence for anyone to run a business from this area not a "hobby" which is allowable under the current council by laws. I have spent a lot of time and money trying to make my place ascetically pleasing with trees fences etc and you find that a majority of the people that use there places out here as investment acomodation / businesses dont put in any effort in to make there places more presentable.

Yours Sincerely
Jeff and Debbie Edwards
Lot 165 / Number 65 Greenfields street
South Hedland Rural Estate.

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File Number:1541476.....
Int. Correspondent:Leonard.....

PILBARA EARTHMOVING & CONTRACTING

31 HARWELL WAY, WEDGEFIELD, 6721
PO BOX 2846, SOUTH HEDLAND, WA 6722
ACN: 085 248 497 ABN: 46 085 248 497

PHONE: 08 9172 5659
FAX: 08 9172 5649
MOBILE: 0417 952 139

ICR21740 linked to 2011/470

ENTERED
DATE 30/11/11 BY Michelle



We Don't Move Heaven and Earth, "Just Earth"

Mr Paul Martin
Chief Executive Officer
Town Of Port Hedland
PO Box 41
Port Hedland. WA 6721

Document #: ICR21740
Date: 29.11.2011
Officer: LEONARD LONG
File: 154447G



November 25 2011

RE: Notice of Planning Proposal
"Rural Residential" – Home Business & Sea Container
LAND DESCRIPTION: Lot 69 Greenfield Street, South Hedland Rural Estate 6722

Dear Sir,

I wish to make a formal objection to the above proposal.

My reasons being that this is a Rural Residential area.

In 2010 my Husband and I were prosecuted by the Town of Port Hedland for running a business from our property in the same area.
We were not given the opportunity by the Town of Port Hedland to apply for a change in zoning of this area and the expense of moving our business has cost us well over \$2,000,000.00
The Town of Port Hedland stated that this was a Rural Residential area and under no circumstances were there to be any type of business run from here.

If this proposal were to go ahead I feel this would be a gross discrimination.

Thanking you

Yours faithfully,


Arminie Macpherson
Director
Pilbara Earthmoving



lot 173, 69
Greenfields

**SANMEL CONTRACTING PTY LTD**

A.B.N. 57 121 764 065
P.O. Box 3156, South Hedland WA 6722
Ph: 08 91462 330 Fax: 08 91462 363
Mobile: 0417 962 478 / 0417 174 910
Email: sanmel@bigpond.com

29 November 2011

Michael Pound
Senior Planning Officer
Town of Port Hedland
P O Box 41
Port Hedland WA 6721

Dear Michael

**RE: PROPOSED HOME BUSINESS "WINDOW MANUFACTURING" AND
SEA CONTAINER AT LOT 173 (69) GREENFIELD STREET, SOUTH
MIDLAND RURAL ESTATE 6722**

I wish to make a formal objection to the above proposal.

My reasons being that this is a Rural Residential area where no businesses are to be run from according to the council who forced another business out of the area costing them a great deal of money and a loss for our area as they were a business that helped a great deal of people ie: in times of flooding, fires etc.

As I am aware at the same time that this was happening the above address was also running a business from the rural estate for several years and the council did not stop that one.

Also I can not understand why this would be given any thought about being approved as the persons Blair Goddard and Anna Rowland do not even live in this town as they recently moved back to the eastern states to live.

Should this be approved then I believe it is open for anyone to do the same with no consequences.

Regards


Melissa Macpherson
Director

ATTACHMENT 3 TO ITEM 11.1.6

Pound Michael

From: Blair Godenzi [weathershield@live.com.au]
Sent: Wednesday, 30 November 2011 7:01 AM
To: Pound Michael
Subject: RE: Objections - Proposed Window Manufacturing at Lot 173 (69) greenfields street
Attachments: image001.png

Goodmorning Michael,

I have read through all the objection letters and this does not come to me as any surprise at all. I completely understand peoples concern with the proposal for a home based business that they would assume would be quite noisy and unpleasant to look at.

Firstly I would like to note that it does not seem like the container would be an issue as there is no objection mentioned in relation to this.

In response to the fabrication of windows I would like to point out the stages in fabricating the windows and the effect each stage has with **noise**.

Stage 1 - Delivery of materials - To be sent up in the proposed sea container or delivered on a truck no more than once a fortnight. Materials would be place in the shed on delivery therefore preventing any unpleasant mess around the yard.

Stage 2 - Cutting of aluminium (This is the most concerning procedure in relation to noise) - After thorough research into the available ways of cutting aluminium with the least amount of noise and also the quickest and safest procedure I have concluded that an advanced up cutting saw would be the solution. This saw is extremely **expense** to alternative aluminium saws but the benefits include - Quick and safe production with minimal noise exposed. Advantage for this is a whole house of windows can be cut within a few hours resulting in any cutting noise would be for a very minimal amount of time. Further and more important to this point is that the saw has a fully enclosed lid that prevents any noise been released from the machine during a cut, the noise is so minimal that earmuffs would not be required when cutting, as well as this the shed itself is completely insulated to prevent noise exiting from the shed.

Stage 3 - Cutting out for locks - Done with a cordless drill - This is done with the use of a cordless drill so no noise would be herd with this.

Stage 4 - Assembly of window frames - This is also done with the use of a cordless drill so no noise would be herd.

Stage 5 - Cutting of glass if required - This is done with a hand tool (No Noise) - Although toughened glass is generally used in Hedland because of the region D area and this is delivered already cut to size.

Stage 6 - Fitting of glass - Hand tools (No Noise)

Stage 7 - Delivery to building site - Truck gets loaded by hand and sent to site approximately once a fortnight (Noise from truck entering and exiting site)

I hope this explains how this would have no impact on surrounding neighbours and that they would not be getting disturbed as a result of the approval for the business.

If this proposal is still rejected I would like to inform you of my other option I would like to go with for the business. This would be to still have the shed as a home business except remove the one concern people are having and that would be the fabrication of the windows from there.

So this would mean fabricating the windows else where and using the shed for the office work for the business and occasionally storing of the windows while they are waiting to get delivered on site if they don't end up going directly to site for a particular reason such as they don't need the windows for another week or so.

Also if a window got broken as a result from transportation as they would be transported now as a finished product I would like to be able to repair the odd window if this happened, This would mainly be broken glass or scratched aluminium so it would only be a drill and hand tools which is no more than every home shed has in it.

Please consider my first response to the business and if there is no successful outcome with that I would hope there would be no problem what so ever with the second option as there would be no more noise than a general residential/rural shed if not a lot less.

Thankyou for your help on this and I look forward to a positive response as soon as possible.

Kind Regards,
Blair Godenzi - 0408 320 753

From: snrpo@porthedland.wa.gov.au
To: weathershield@live.com.au
CC: mgrpl@porthedland.wa.gov.au
Date: Tue, 29 Nov 2011 15:00:45 +0800
Subject: Objections - Proposed Window Manufacturing at Lot 173 (69) greenfields street

Hello Blair,

As discussed, please refer to the attached objections.

Please respond to each point raised in the objections and send back to my email by lunch time tomorrow 30/11/11.

If you have any further queries please do not hesitate to contact me on 0448 058 366.

Cheers,



Michael Pound

Senior Planning Officer | Town of Port Hedland | PO Box 41 Port Hedland WA 6721
Ph: (08) 9158 9301 | Mb: +61 448 058 366 | Fax: (08) 9158 9399
Email: snrpo@porthedland.wa.gov.au
Web: www.porthedland.wa.gov.au



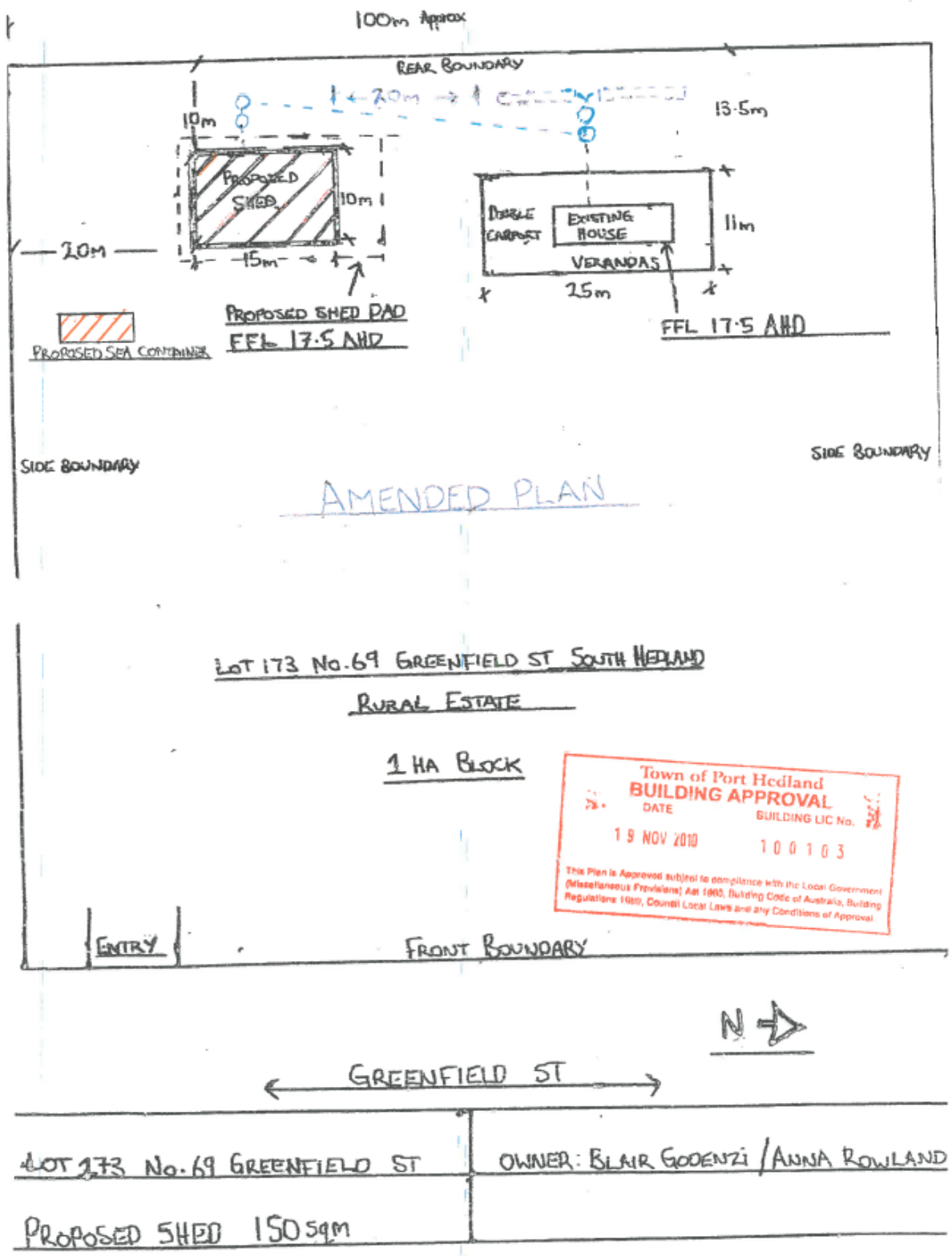
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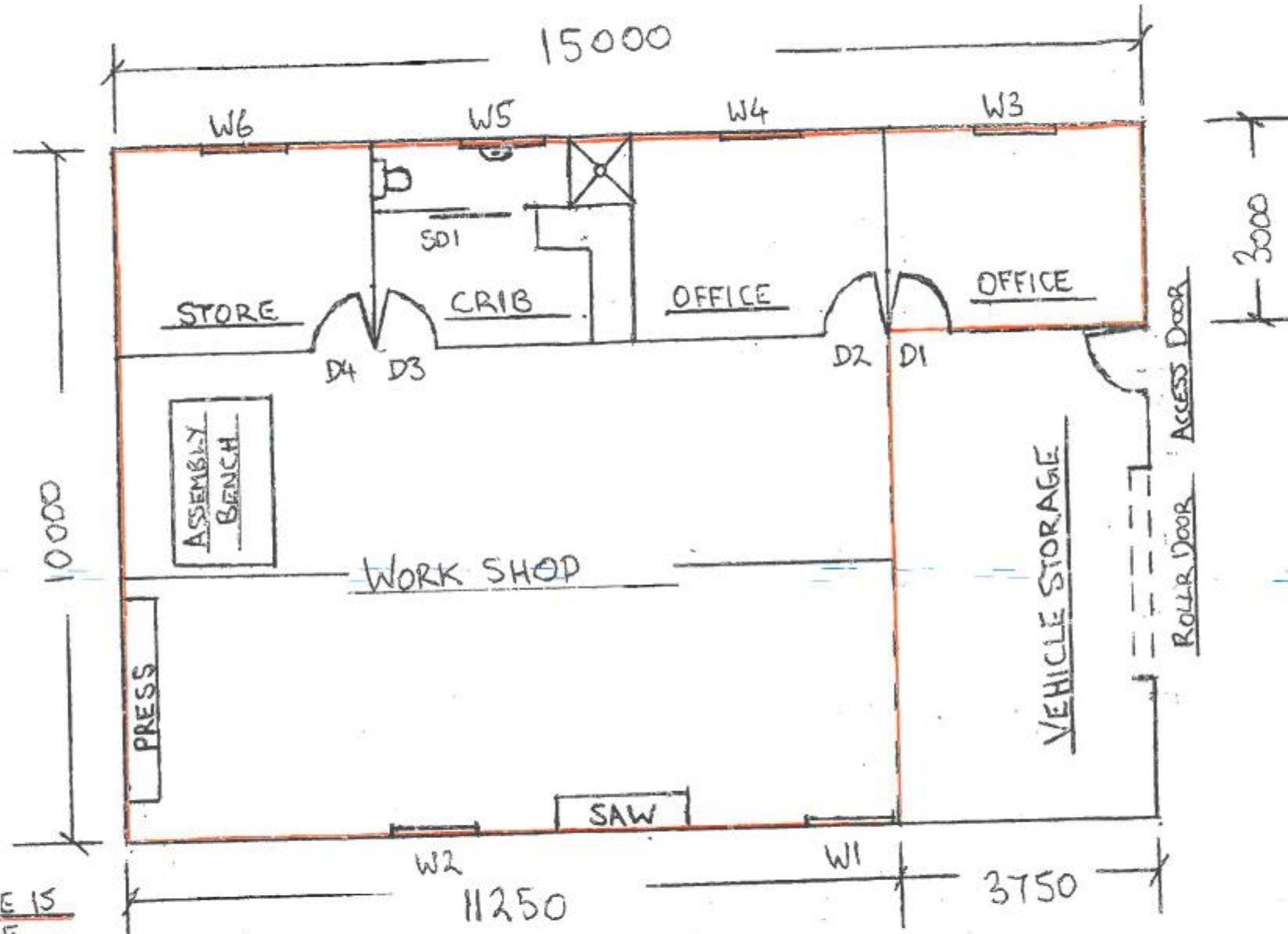
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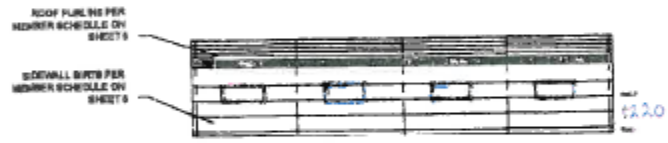
ATTACHMENT 4 TO ITEM 11.1.6





* AREA WITHIN RED LINE IS
TOTAL AREA OF HOME
BASED BUSINESS (123.75m²)

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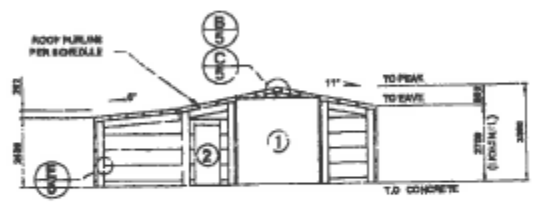


1 SIDEWALL EXTERIOR ELEVATION
2 SCALE: 1:200

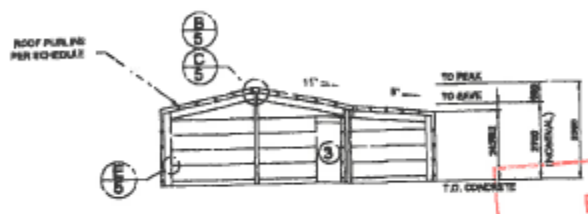


2 SIDEWALL EXTERIOR ELEVATION
2 SCALE: 1:200

AMENDED PLAN



3 ENDWALL INTERIOR ELEVATION
2 SCALE: 1:200



4 ENDWALL INTERIOR ELEVATION
2 SCALE: 1:200

Town of Port Hedland
BUILDING APPROVAL
DATE 19 NOV 2010 BUILDING LIC No 100 03
This Plan is Approved subject to compliance with the local Government (Miscellaneous Provisions) Act 1960, Building Code of Australia, Building Regulations 1993, Council Local Laws and any Conditions of Approval

NOTE: CLADDING OMITTED FOR CLARITY. SEE SHEET #5 FOR CLADDING DETAILS.

SHEET 2 OF 5	DATE 15/9/2010	CHECKED JH	DESIGNED FDS	STEEL BUILDING BY AUSSIE SHEDS & SHACKS (CONTACT) 08 9884 6911 FOR BLAIR GODENZI AT 69 GREENFIELD STREET SOUTH HEDLAND		ACAME 262 Pineacoe Highway Kalgoorlie 3413 Consulting Civil, Mechanical & Electrical Engineers Registered Electrical Engineer Registered Mechanical Engineer Registered Civil Engineer Registered Civil & Structural Engineer Reg. No. 12897 Reg. No. 12898 Reg. No. 12899 Reg. No. 12900 Reg. No. 12901	Registered Professional Engineer 36037 Mr John Raymond Hart MIEAust CPEng - (Civil/Structural) Date 15/9/10 Registered in the NPER in the area of practice of Civil/Structural National Professional Engineers Register
	DRAWN DATE	DATE	DATE				

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AMENDED PLAN



	H x W
W1	640x1240
W2	640x1240
W3	640x1240
W4	640x1240
W5	640x1240
W6	640x1240
D1	2040x820
D2	2040x820
D3	2040x820
D4	2040x820
SOI	7640x740

* AREA WITHIN RED LINE IS TOTAL AREA OF HOME BASED BUSINESS (123.75m²)

FOUNDATION PLAN
SCALE: 1:100

Town of Port Hedland
BUILDING APPROVAL
DATE: 19 NOV 2010 BUILDING LIC: 10010
This Plan is Approved subject to compliance with the Local Government (Miscellaneous Provisions) Act 1980, Building Code of Australia, Building Regulations 1995, Council Local Laws and any Conditions of Approval

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1 OF 5
SHEET

STEEL BUILDING BY (CONTACT)
AUSSIE SHEDS & SHACKS
08 9884 6911
FOR
AT
BLAIR GODENZI
69 GREENFIELD STREET
SOUTH HEDLAND



ACAME
242 Princess Highway
Dunoon WA 6208
Phone: 08 9422 4999 Email: acame@portnet.net.au
Consulting Civil, Structural & Mechanical Engineers
Registered Professional Engineer
Registered Professional Engineer
Registered Professional Engineer
Registered Professional Engineer

Registered Professional Engineer 348917
Mr John Raymond Hurt
MIEAust CPEng - (Civil/Structural) NPER
Signature: [Signature] Date: 15/9/10
Registered in the MPEK in the area of practice of Civil/Structural
Inland Professional Engineers Register

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11.1.7 Proposed Permanent Closure of Reserve 29782 at Lot 3830 Moore Street, Port Hedland (File No.: 130138G)

Officer	Caris Vuckovic Lands Officer
Date of Report	29 November 2011
Disclosure of Interest by Officer	Nil

Summary

Council has received an additional request from Landcorp to permanently close Reserve 29782 (Lot 3830 Moore Street).

To facilitate the Mirvac Hotel Development and to give effect to the Cabinet's decision, Council is required to relinquish its management order over Lot 3830 (Reserve 29782) Moore Street, Port Hedland.

Background

On 8th August 2011 the Department of Regional Development and Lands announced the endorsement of the Mirvac Hotel Development.

Council at its Ordinary Meeting held 16 November 2011 resolved to close Reserve 28839 (Lot 1399 Moore Street) and to initiate the permanent closure of the Beart Street Road Reserve.

The applicant has indicated that Reserve 29782, which is adjacent to Reserve 28839, is also required as part of the development.

Reserve 29782 (Lot 3830 Moore Street), is currently vested to the Town for "Child Health, Children and Pre-school" purposes. The applicant has requested that Council close the reserve so that the land can be included into the Mirvac Hotel Development.

Consultation

Department	Comments
Infrastructure and Development	No objections. Any relocation of services to be the responsibility of the developer at no cost to Council. Any development is subject to future application and assessment.

Section 58(3) of the Land Administration Act 1997 states:

“A local government must not resolve to make a request under subsection (1) until a period of 35 days has lapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.”

Should Council approve the proposal, consultation with all interested parties, including service providers, will be undertaken as required.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer’s Comment

Reserve 29782 at Lot 3830 Moore Street is currently vested to the Town for the purposes of “Child Health, Children and Pre-school”. At present, the land is not utilised for this purpose and the land remains vacant and undeveloped.

Closing the reserve will eliminate maintenance costs on the reserve and will facilitate the Mirvac Hotel Development.

Options

Council has the following options for responding to the request:

1. Support the request for permanent closure of Reserve 29782 at Lot 3830 Moore Street, Port Hedland.

The closure of the subject portion of land will improve the streetscape and amenity of the surrounding area.

2. Reject the request for permanent closure of Reserve 29782 at Lot 3830 Moore Street, Port Hedland.

Should Council not support the proposal, the portion of unused land will remain vacant and possibly lead to the cancellation of the proposed Mirvac Hotel Development.

Option 1 is recommended.

Attachments

1. Locality Plan

201112/251 Officer's Recommendation / Council Decision**Moved: Cr A A Carter****Seconded: Cr D W Hooper****That Council:**

1. **Supports the request from Landcorp to relinquish the management order for Reserve 29782 at Lot 3830 Moore Street, Port Hedland.**
2. **Delegates the Manager Planning Services to submit the reserve closure request to the Department of Regional Development and Lands (State Land Services).**

CARRIED 7/0

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6:15pm Councillor J E Hunt declared a financial interest in Item 11.1.8 'Proposed Scheme Amendment No. 51 to the Town of Port Hedland Town Planning Scheme No. 5 to recode all land within the Town of Port Hedland currently "Residential R20" to "Residential R20/R30" (File No.: 18/09/0065)' as she is a property owner whose parcels of land fall within the boundaries of the proposed scheme amendment.

Councillor J E Hunt left the room.

11.1.8 *Proposed Scheme Amendment No. 51 to the Town of Port Hedland Town Planning Scheme No. 5 to recode all land within the Town of Port Hedland currently "Residential R20" to "Residential R20/R30" (File No.: 18/09/0065)*

Officer Eber Butron
Director Planning & Development

Date of Report 23 November 2011

Disclosure of Interest by Officer Nil

Summary

The Draft Pilbara Port City Growth Plan has indicated that the re-coding of residential land with a density coding of R20 to R30 would be desirable for the future growth of the Town into a City.

The amendment proposes a split R20/R30 coding with the higher coding being dependant on achieving specific design outcomes. This would facilitate further development through the increase in density within South Hedland and Port Hedland.

Council is requested to support the initiation.

Background

A high proportion of housing lots in South Hedland have an area between 700m² and 1000m². In accordance with the R Codes Clause 6.1.3 (A3)(iv), "*in the case of grouped dwellings in areas coded R20 as at 4 October 2002, the average site area will be 450m²*". This limits the lots that can be developed with a second house to lots that are 900m² in area or greater.

The R30 coding reduces the average area required per dwelling to 300m² or allows a 0.5 plot ratio. This will allow properties with an area of 600m² to be developed at a higher density where developers can demonstrate that specific design outcomes are achieved. These specific design outcomes would be specified in a Local Planning Policy.

With an ability to increase development opportunities, it is envisaged that more development will occur assisting in meeting with the current housing needs as well as the expanding needs as the Town grows into a City.

It is further understood that the National Rental Affordability Scheme (NRAS), which provides tax saving incentives for developers that provide new dwellings at a rental cost 20% below the prevailing market rates, would become more financially beneficial which would encourage new development that would be more affordable.

Consultation

Should Council resolve to initiate this amendment, the documentation is to be submitted to the Environmental Protection Authority (EPA) for consideration pursuant to section 81 of the Planning and Development Act 2005 (PDA) and then advertised for public comment.

Statutory Implications

The *Planning and Development Act 2005* and the *Town Planning Regulations 1967* provide Council the authority to amend its Local Planning Scheme and establish the procedure required to make this amendment.

Policy Implications

To ensure appropriate design outcomes are achieved it is recommended that the increased density coding be subject to meeting criteria specified in a Local Planning Policy

Strategic Planning Implications

The following section of Council's Strategic Plan 2010-2015 is considered relevant to the proposal:

Key Result Area 4:	Economic Development
Goal 4:	Land Development Projects
Immediate Priority 1:	Fast track the release and development of commercial, industrial and residential land.

The following sections of the draft "Pilbara Port City Growth Plan", are considered relevant to the proposal:

Section 5.7.12 Precinct 12:	South Hedland East
Precinct Highlight 1:	Immediate term housing supply opportunity

Budget Implications

Advertising cost and plan preparation cost will be at the Towns cost, estimated at approximately \$5,000.00.

Officer's Comment

In recent times the Planning unit has identified criteria that should be met before supporting increased density. This 'criteria' has been based on the accessibility to infrastructure and facilities (e.g. Transportation infrastructure, Park and Recreation facilities, education and health facilities and commercial facilities such as supermarkets) and proximity to other higher density areas.

In the past 2 years Council has received 5 scheme amendment requests to increase land density from R20 to R30, all of which have been initiated and at various levels of processing. To date no objections have been received against the increase of density.

Having regard to the current accommodation crisis and what is considered a general level of support for increased density (no objections previously being received) a far greater reaching amendment is proposed being to essentially replace R20 with R30 coding.

The amendment would provide the opportunity for those landowners with lots that are marginally under 900m² the ability to redevelop their existing properties and provide increased development opportunities for developers that meet design outcomes specified in a Local Planning Policy

When these increased development opportunities are combined with the positive geared housing market that exists in Port Hedland, it is understood that the National Rental Affordability Scheme (NRAS) becomes of greater financial benefit to developers. Participation in NRAS will provide more affordable housing, which is currently a critical issue for low income and key services workers within the Town.

Options

Council has the following options when considering the proposal:

1. Initiate the Scheme Amendment as proposed

This would allow further densification with the town and begin to address the housing shortfall.

2. Refuse to initiate the Scheme Amendment

Council will continue to receive requests to initiate scheme amendments from R20 to R30.

Option 1 is recommended.

Attachments

1. Locality Plan – South Hedland
2. Locality Plan – Port Hedland

201112/252 Officer's Recommendation / Council Decision**Moved: Cr D W Hooper****Seconded: Cr A A Carter****That Council:**

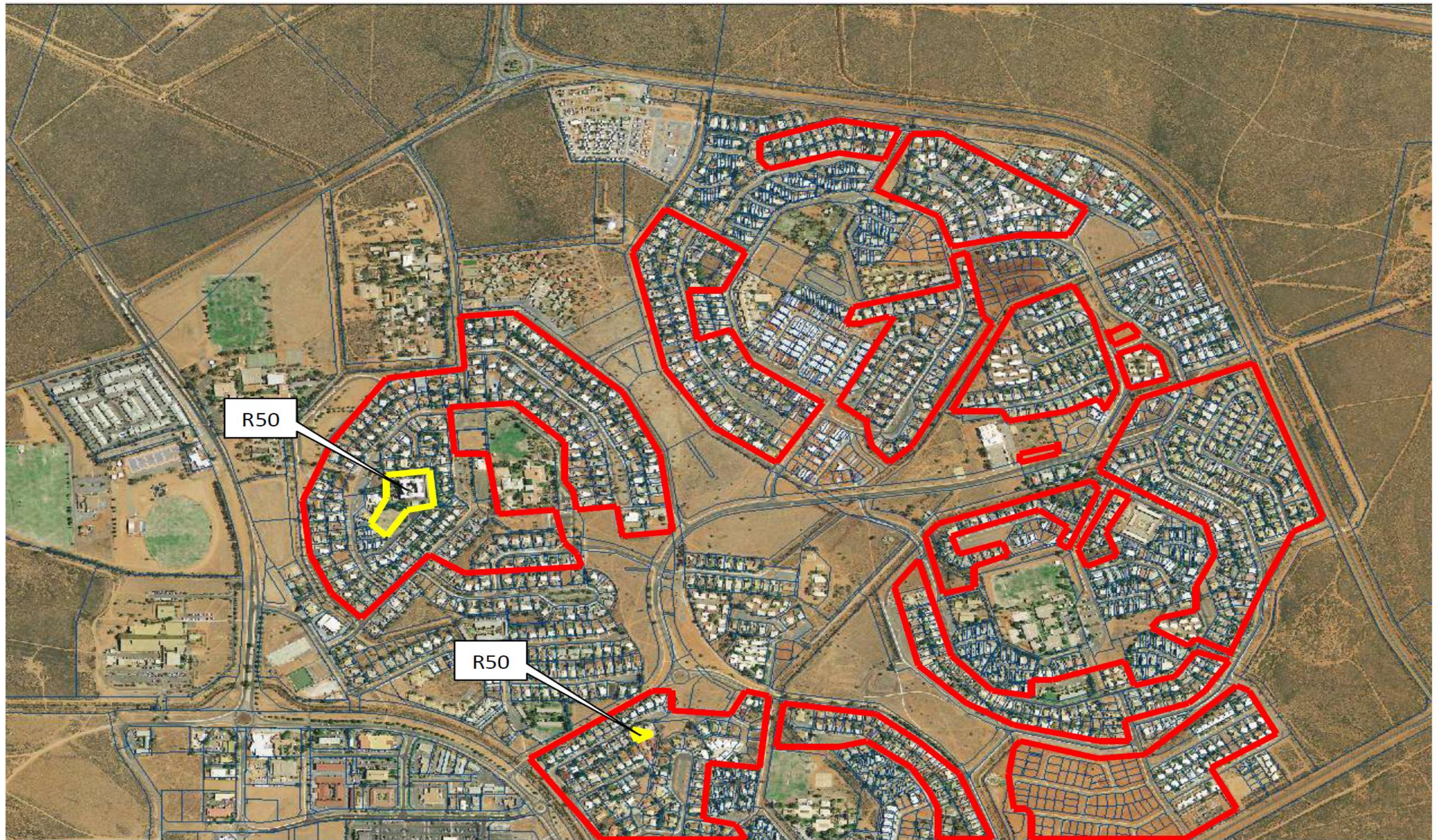
- 1. Initiate an amendment to the Town of Port Hedland Town Planning Scheme No. 5, to recode all land within the Town of Port Hedland currently "Residential R20" to "Residential R30"**
- 2. Prepares the formal amendment documentation to enable referral to the Environmental Protection Authority.**
- 3. Following approval from the EPA to advertise the amendment, Council advertises the proposed amendment in accordance with section 83 of the PDA to consult persons likely to be affected by the amendment, and also advertise the amendment for a minimum of 42 days pursuant to section 84 of the PDA.**
- 4. Should there be no submission received during the statutory advertising period, Council formally adopts Scheme Amendment 51 in accordance with the provisions of the Planning and Development Act,**
- 5. Delegates the Director Planning and Development to forward Town Planning Scheme Amendments to the Planning Commission for final approval in the case of:**
 - i) The proposal being of an uncontentious nature.**
 - ii) The date of adoption of Council's final approval shall be the date of the next Council Ordinary Meeting following the closing date of the advertising period**
- 6. Approves the use of the Common Seal on amendment documents subject to 4 above.**

CARRIED 6/0

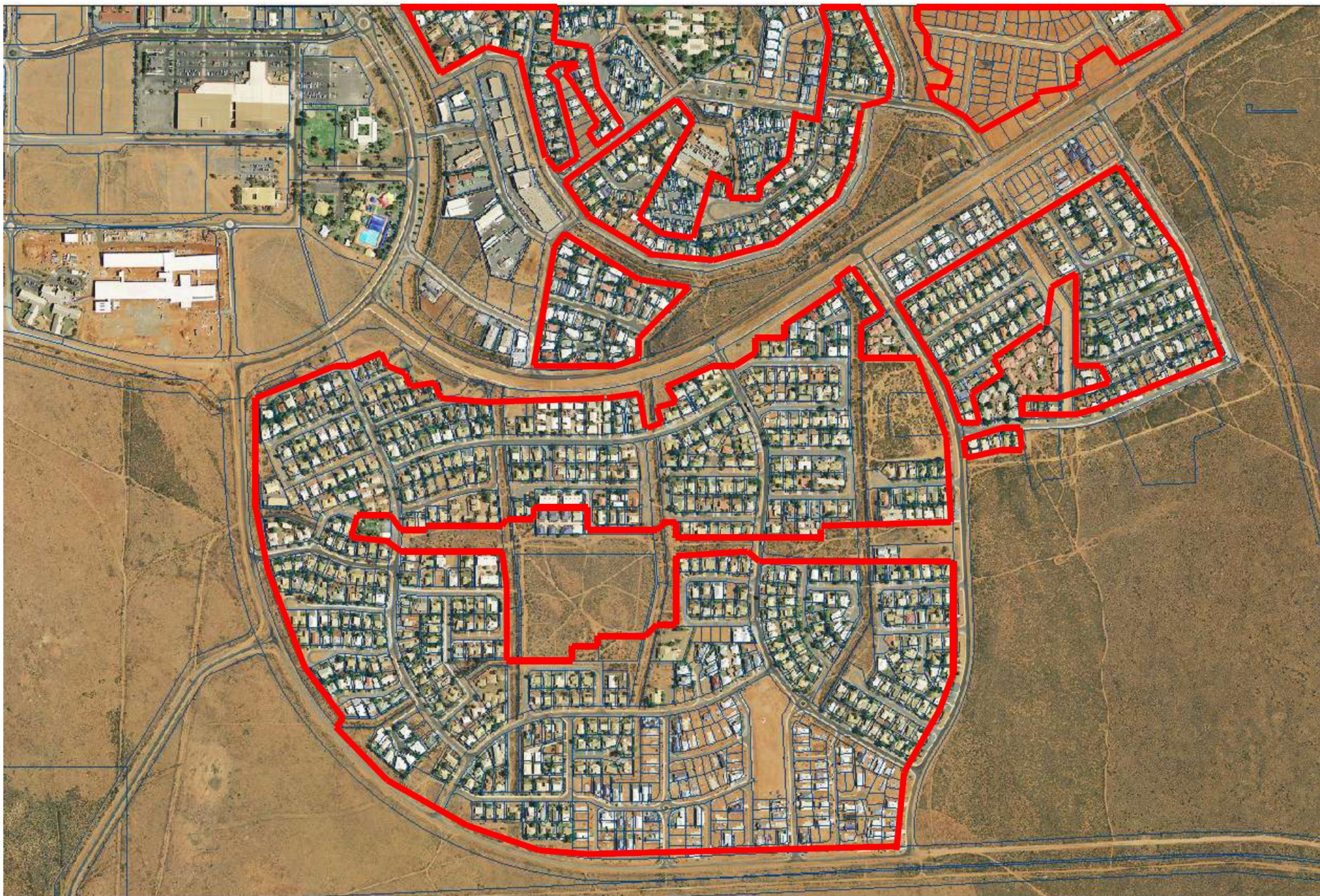
5:16pm Councillor J E Hunt re-entered the room and resumed her chair.

Mayor advised Councillor J E Hunt of Council's decision.

South Hedland land proposed to be amended from Residential R20 to Residential R30



South Hedland land proposed to be amended from Residential R20 to Residential R30



Port Hedland land proposed to be amended from Residential R20 to Residential R30



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11.1.9 Proposed Scheme Amendment No. 52 to the Town of Port Hedland Town Planning Scheme No. 5 to recode portion of Lot 226 Forrest Location (Lot 226 South Hedland Rural Estate) South Hedland from “Rural Residential” to “Residential – R2.5” (File No. 18/09/0066)

Officer Leonard Long
Manager Planning
Services

Date of Report 29 November 2011

Disclosure of Interest by Officer Nil

Summary

A request has been received from Taylor Burrell Barnett Town Planners on behalf of Barry Pound and Paul Summers, the owners of Lot 226 Forrest Location, (generally known as Lot 226 South Hedland Rural Estate and hereafter referred to as the site), to amend the Port Hedland Town Planning Scheme No. 5, by amending the zoning of a portion of Lot 226 Forrest Location from “Rural Residential” to “Residential R2.5”.

The proposal is supported by Council Officers and Council is requested to approve the initiation request.

Background

Through the gazettal of Port Hedland Scheme No. 5 (TPS5), the entire Lot 226 Forrest Location was zoned “Rural Residential”. This zoning was consistent with the subdivision application supported by Council in 1998, permitting the subdivision of the site into 131 lots.

Subsequently only 61 of the 131 lots had titles registered leaving the remaining portion of Lot 226 Forrest Location measuring 92,7 hectares undeveloped “Rural Residential” land.

In 2010, Council supported a request to subdivide the remaining portion of Lot 226 Forrest Location, into 71 “Rural Residential” lots, a request permitted in terms of clause 6.8.4 of TPS5.

“Clause 6.8.4 (TPS5)

Lots connected to reticulated water and located in the Rural Residential zone shall be no less than 1 hectare and lots not connected to reticulated water and located within the Rural Residential zone shall be no less than 2 hectares.”

The applicant has opted to explore the potential for a higher density subdivision that would create approximately 145 lots, consisting of “family housing” on lots of 600m² and a “Village Centre” comprising of community facilities, playground area, meeting places and a convenience store.

Through consultation with the community and Council Officers the applicant was made aware that such a proposal would not be supported. Consequently the applicant reconsidered the proposed development opting for a subdivision layout comprising of lots of approximately 3,500m².

Council Officers advised the applicant that a subdivision of lots at 3,500m² would not be in line with the current zoning "Rural Residential" and particularly clause 6.8.4 of TPS5. The applicant was advised that to continue with the proposed subdivision it would be necessary to first amend the zoning of the site.

Notwithstanding the advice, the applicant, noting clause 6.8.2 of TPS5 submitted a Development Plan to accommodate a "Rural Settlement" to facilitate the ultimate subdivision of the lot. In terms of the zoning table contained in TPS5, a "Rural Settlement" is permitted. However, Council Officers advised the applicant that this would not permit the subdivision of the lot as proposed.

"Clause 6.8.2 (TPS5)

Council may prepare, or require to be prepared, a Development Plan for rural settlement development. The provisions of subclause 5.2.2 to .5.2.11 of the scheme shall apply in relation to the adoption, approval, modification and implementation of any such plan."

As part of the Development Plan application the applicant provided Council with supplementary town planning and legal advice as to the how approval of the proposed Development Plan could precede the need for a scheme amendment. The advice provided by the applicant was opposed by Council Officers which was reaffirmed through legal advice received from Council solicitors.

Subsequently the applicant has withdrawn the Development Plan application and requested the initiation of the subject scheme amendment.

Consultation

Should Council resolve to initiate this amendment, the documentation is to be submitted to the Environmental Protection Authority (EPA) for consideration pursuant to section 81 of the Planning and Development Act 2005 (PDA) and then advertised for public comment.

Statutory Implications

The *Planning and Development Act 2005* and the *Town Planning Regulations 1967* provide Council the authority to amend its Local Planning Scheme and establish the procedure required to make this amendment.

Policy Implications

Nil

Strategic Planning Implications

The following section of Council's Strategic Plan 2010-2015 is considered relevant to the proposal:

Key Result Area 4:	Economic Development
Goal 4:	Land Development Projects
Immediate Priority 1:	Fast track the release and development of commercial, industrial and residential land.

The following sections of the draft "Pilbara Port City Growth Plan" are considered relevant to the proposal:

Section 5.7.12 Precinct 14:	Southern
Precinct Highlight:	South Hedland rural residential estate expansion.

Budget Implications

The applicant has paid an application fee of \$7,556.20, as per the approved fees and charges.

Officer's Comment*Proper and Orderly Planning*

Proper and orderly planning would dictate that the natural development pattern is from high density around town centres with a gradual decline in density the further removed there from.

While this is ideal planning principles, it is often not achievable due to historical planning decision and market forces. The overall design / layout of South Hedland present unique challenges, in that the South Hedland Rural Estate is located closer to the South Hedland Town Centre than existing medium density residential development, due in part to natural constraints.

To follow ideal planning principles and preferred development patterns the applicant should be required to include the existing 61 "Rural Residential" lots located to the north (existing South Hedland Rural Residential Estate) in the subject scheme amendment.

This option has been discussed with the applicant and it is agreed that this may result in a number of objections being received as a result of the residents not having a full understanding of the proposal (i.e. residents may assume that the approval may result in the decrease in the size of their lots). This would result in either a lengthy delay or the cancellation of the entire development.

Planning Objectives

As the Town grows towards a City, "Rural Residential" areas located within close proximity to the Town Centre are likely to experience pressure to increase development potential. Acknowledging that this is a natural growth phenomenon of any growing Town, consideration must be given to the time such a shift in development would take and the original intent of the zone.

The intent of a "Rural Residential" zone is to provide residents with an opportunity to have a country living experience within a relative distance to community and commercial amenities.

Currently in terms of TPS5 the site can only be developed with residential lots to a minimum size of 10000m². The applicant proposes to amend the zoning of portion of the site to "Residential R2.5", enabling the development of residential properties to a minimum size of 4000m².

Council Officers are of the opinion that lot sizes of 4000m² plus, will be compatible with the existing "Rural Residential" lots of between 10000m² and 20000m². This provides the residential market with additional residential choices, for those looking for a rural residential life style but not the large lots that are often costly and difficult to maintain.

Infrastructure

In assessing the request due consideration must be given to the infrastructure to ensure that existing developments (i.e. existing South Hedland Rural Estate) are not negatively impacted upon, as a result of the increased demand / use of the infrastructure.

Traffic and Road Network

The applicant as part of the Development Plan submission included a traffic assessment prepared by VDM Consulting Engineers. The traffic assessment was prepared to consider the relative impact of increasing the density to provide a yield of 143 residential lots. The approval of the subject scheme amendment results in a lower density as to what was proposed in the Development Plan, providing the ability to subdivide the site into 129 lots, 14 lots less than what was considered in the traffic assessment.

VDM Consulting Engineers concluded that there are no material traffic impacts associated with the proposed density and subsequent subdivision of the site.

Water and Electricity

In order for the developer to provide water and electrical infrastructure to the proposed development, upgrades to the existing network will be required. Should Council approve the initiation of the scheme amendment, comments will be sort from the relevant services providers, to ensure that the existing infrastructure is not negatively impacted upon.

Sewer

The "Draft Country Sewer Policy", notes that proposals for large subdivision or density development can be considered if they do not involve the creation of lots less than 2000m², or a density of greater than R5.

The applicant has indicated that the proposed development will be serviced by onsite effluent disposal systems.

Stormwater and Flooding

Prior to Council and the WAPC approving the subdivision of the site into 72 lots in 2009, the applicant was required to do extensive flood modelling. With the increase of residential yield from 72 to 129 the applicant's consulting engineers have again modelled the potential flooding of the area.

As a result of the additional modelling the consulting engineers concluded that:

"The revised layout showing 133 lots has no additional impact to the surrounding stakeholders when compared to hydraulic modelling previously carried out for the special rural development".

Note: modelling was done as per a draft subdivision plan of 133 lots, approval of the subject scheme amendment will result in a maximum yield of 129 lots.

Additional conditions will be imposed through the subdivision application requiring that a section 70A to be placed on every title, notifying potential purchasers that building pads are to be a minimum of 500mm above the 1:100 year flood line. Further the applicant will be required to provide the 1:100 year flood line for every lot as part of the subdivision.

Community Benefit

The developer acknowledges this concern and are willing to as part of their own development provide infrastructure works up to a value of \$1,500,000 for upgrades associated with the existing South Hedland Rural Estate. The infrastructure works proposed to be included are:

- *Flood crossing at Yarrie Road to ensure road flooding does not occur during a reasonable storm event.*

- *Investigation of upgrading of scheme water infrastructure to accommodate better pressure with, at a minimum, a booster pump station being constructed to improve water pressure within South Hedland Rural Estate, and to ensure dwellings are suitably serviced.*
- *Investigation of power supply issues (such as power spikes / surges) with advice issued to the Town of Port Hedland.*
- *Construct remedial works within South Hedland Rural Estate to protect fire hydrants and install appropriate signage and lighting to address "safety" and "flood risks".*
- *Upgrading of Quartz Quarry Road by grading and sealing to a "rural" standard.*
- *Construction of unfinished sections of Councillor Road to match the adjacent Councillor Road pavement.*
- *Providing flood modelling reports for South Hedland Rural Estates to the Town, to enable flood level information to be issued to residents of each lot, as required.*

The developer has indicated their willingness to enter into a memorandum of understanding with the Town to formalise the above infrastructure works.

Options

Council has the following options when considering the proposal:

1. Initiate the Scheme Amendment as proposed

This would allow the site to be developed in a manner which does not conflict with the existing development of South Hedland Rural Estate.

2. Initiate the Scheme Amendment requesting that the amendment area be expanded to include the existing lots within South Hedland Rural.

While this may portray ideal planning principles it may result in a number of objections and long time delays causing the developer to withdraw the application. This would result in a net loss of the release of an additional 129 residential lots within the residential market.

3. Refuse to initiate the Scheme Amendment

Refusal of the application is likely to result in the land remaining undeveloped.

Option 1 is recommended.

Attachments

1. Locality Plan
2. Applicants Cover Letter
3. Proposed Scheme Maps
4. Concept subdivision plan

Officer's Recommendation

That Council:

1. Initiate an amendment to the Town of Port Hedland Town Planning Scheme No. 5, by amending the zoning of a portion of Lot 226 Forrest Location from "Rural Residential" to "Residential R2.5".
2. Requests the applicant to prepare the formal amendment documentation to enable referral to the Environmental Protection Authority.
3. Following approval from the EPA to advertise the amendment, Council advertises the proposed amendment in accordance with section 83 of the PDA to consult persons likely to be affected by the amendment, and also advertise the amendment for a minimum of 42 days pursuant to section 84 of the PDA.
4. Should there be no submission received during the statutory advertising period, Council formally adopts Scheme Amendment 51 in accordance with the provisions of the Planning and Development Act,
5. Delegates the Director Planning and Development to forward Town Planning Scheme Amendments to the Planning Commission for final approval in the case of:
 - i) The proposal being of an uncontentious nature.
 - ii) The date of adoption of Council's final approval shall be the date of the next Council Ordinary Meeting following the closing date of the advertising period
6. Approves the use of the Common Seal on amendment documents subject to 4 above.
7. Requests the Chief Executive Officer to enter into a Memorandum of Understanding with the developer to formalise infrastructure upgrades on Yarrie and Quartz Roads and investigations into service infrastructure within South Hedland Rural Estate. The Memorandum of Understanding is to be finalised prior to points 4,5 and 6 above being undertaken.

Council Motion**Moved: Cr D W Hooper****Seconded: Mayor K A Howlett****That Council:**

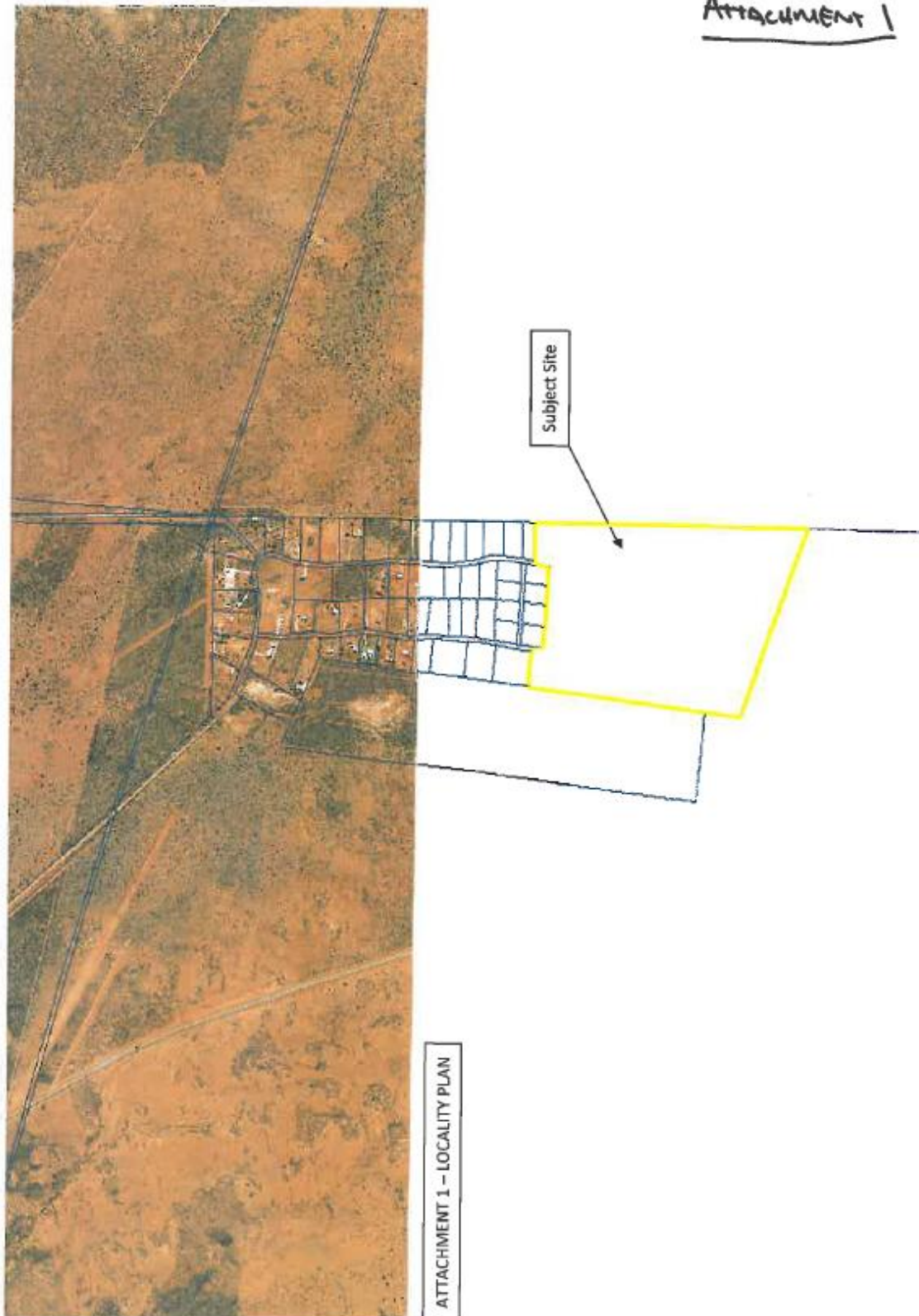
1. **Initiate an amendment to the Town of Port Hedland Town Planning Scheme No. 5, by amending the zoning of a portion of Lot 226 Forrest Location from “Rural Residential” to “Residential R2.5”.**
2. **Requests the applicant to prepare the formal amendment documentation to enable referral to the Environmental Protection Authority.**
3. **Following approval from the EPA to advertise the amendment, Council advertises the proposed amendment in accordance with section 83 of the PDA to consult persons likely to be affected by the amendment, and also advertise the amendment for a minimum of 42 days pursuant to section 84 of the PDA.**
4. **Request the Chief Executive Officer to investigate alternative access provisions to assist in traffic management in the area and to report back to Council on these findings after the public submission period.**

MOTION LOST 3/4**Record of Vote:**

FOR	AGAINST
Mayor K A Howlett	Cr A A Carter
Cr G J Daccache	Cr J M Gillingham
Cr D W Hooper	Cr M B Dziombak
	Cr J E Hunt

ATTACHMENT 1 TO ITEM 11.1.9

Attachment 1



ATTACHMENT 1 – LOCALITY PLAN

ATTACHMENT 2 TO ITEM 11.1.9

ATTACHMENT 2

Our Ref: 10/012 LM:ct

28 November 2011

Attention: Mr Leonard Long, Manager Planning

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

Dear Sir

QUARTZ ESTATE – SCHEME AMENDMENT REQUEST

Taylor Burrell Barnett acts on behalf of Messrs Barry Pound and Paul Summers, landowners of Quartz Estate – Pt Location 226, South Hedland (subject site). We refer to recent discussions and agreements reached between Mr Barry Pound and the undersigned with your Mr Leonard Long regarding the approvals process for the Quartz Estate subdivision.

Our Office has lodged under our letter of 9 August 2011 a Development Plan with the Town of Port Hedland for the subdivision of the site into 133 lots of varying sizes, ranging from approximately 3,000m² to 2.5ha. Based on the Town's preliminary assessment and legal advice received from its solicitor, the Town's Technical Officers have recommended that a Scheme Amendment be pursued to zone the land to Residential R2.5, to accommodate subdivision generally in accordance with the Development Plan proposal. Whilst we maintain the position that approval could be granted by the Town for the Development Plan under the existing Rural Residential zone applicable to the site and thus permitting subdivision, our Client has agreed to request a Scheme Amendment (Residential R2.5) and accordingly withdraw the current Development Plan proposal from the Town's consideration. We understand the Town will not require the approval of a Development Plan as a prerequisite to subdivision.

In accordance with the Town's Technical Officers' advice, we respectfully request the Shire to amend Town Planning Scheme No. 5 (TPS 5) to zone the majority of the site Residential with an R2.5 density code. Those areas within the site not subject to this request will remain zoned Rural Residential (refer Figure 1 – Proposed Zoning Plan). In support of this request a Subdivision Concept Plan has been prepared to depict a possible subdivision layout for the site in accordance with the proposed zoning (refer Figure 2 – Subdivision Concept Plan). All lots less than 1ha are proposed to be zoned Residential R2.5, with those lots larger than 1ha on the eastern side of the site being retained as Rural Residential. All lots proposed to be zoned Residential on the Subdivision Concept Plan are greater than 4,000m² with a minimum road frontage of 40m, in accordance with the Residential Design Codes for the R2.5 density code. The studies and related documentation contained within the Development Plan proposal remain valid and should be taken into consideration as part of the Town's determination of this request.

As an alternative to amending the zoning for only portions of the site, it is suggested the Shire consider zoning the entire site Residential R2.5, which will ensure a consistent zoning across the site. A textual amendment could be undertaken to TPS 5 to include a provision which restricts the large lots (i.e. those over 1ha) that are constrained by floodway requirements from being further subdivided.

.../2



This request and the Subdivision Concept Plan have been prepared following technical investigation, detailed design, consultation with the local community, various liaison and meetings with the Town of Port Hedland's Technical Officers and a presentation to the Council at the Councillor briefing session held in January 2011.

The Scheme Amendment will accommodate the subdivision of the site as a composite Special Residential and Rural Residential development as detailed on the Subdivision Concept Plan. The detail contained within the Development Plan report comprises various technical reports which address the site's hydrology, legal approvals framework, environmental and traffic considerations.

Quartz Estate will be offered as a 'house and land package' development with all dwellings constructed by the developer. The proposed subdivision will allow the proponent to offer the house and land packages at affordable prices in the context of the Pilbara housing and land market.

The detailed contained within the Development Plan report, the Subdivision Concept Plan and this request comprises a significant amount of consultation with the local community and the Town of Port Hedland and we trust this detail is to the Town's satisfaction. Consequently, we look forward to the Scheme Amendment being initiated by the Council.

Should you require any clarification in the meantime, please do not hesitate to contact the undersigned or Mr Bill Burrell from our Office.

Yours faithfully
TAYLOR BURRELL BARNETT

LUKE MONTGOMERY
ASSOCIATE

CC: Mr Barry Pound

ATTACHMENT 3 TO ITEM 11.1.9

Attachment 3

SCHEME AMENDMENT MAP
TOWN OF PORT HEDLAND
Town Planning Scheme No.5
Amendment No. XX

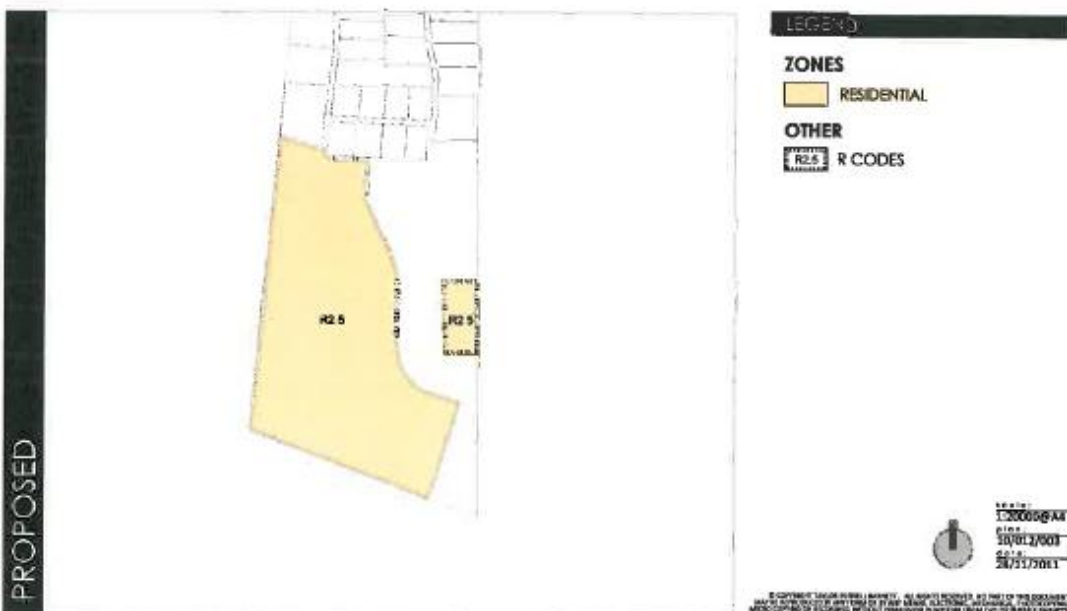
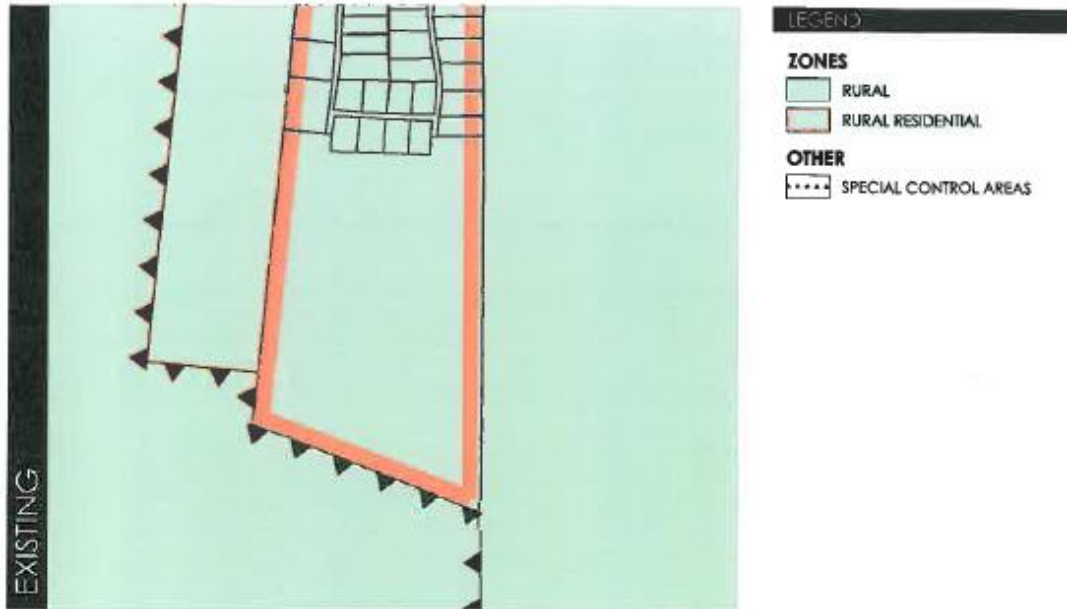


figure 01

ATTACHMENT 4 TO ITEM 11.1.10



11.1.10 Proposed Section 70A Notification for Lot 89 McKay Street, Port Hedland (File No.: 118580G)

Officer Caris Vuckovic
Lands Officer

Date of Report 28 November 2011

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Campion Design Group on behalf of the owners of Lot 89 McKay Street, Port Hedland, to affix the Towns Common Seal to a Section 70A notification form, which will enable lodgement of the form with the Registrar of Titles.

Background

A Development Application approval (2010/275) for a "Mixed Use Development" consisting of:

- 16 Multiple Dwellings,
- 5 Holiday Accommodation Units, and
- Offices

was granted on 11 March 2011, on Lots 101 and 176 (now know as Lot 89) McKay Street, Port Hedland, with inter alia the following conditions:

The following conditions were imposed as part of the approval:

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

- a. *In terms of the Town of Port Hedland Municipal Inventory of Heritage Places, the existing building known as "Charlie Bayman's House" is significant for associations with Thomas Traine, a Port Hedland pioneer, various aviation identities and WA Airlines. It is a singular example of a mud brick dwelling in Port Hedland, and contributes to the character and streetscape of the Town.*

The existing building "Charlie Bayman's House" is to be retained and conserved."

A subdivision approval (144221) was issued by the Western Australian Planning Commission, which has resulted in the creation of Lot 89 McKay Street.

In order to finalise the Section 70A form and obtain the Town's Common Seal, a Council resolution is required.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The required Section 70A notification is an important mechanism to ensure any prospective owners / buyers of the lot / unit are alluded to the restrictions / conditions pertaining to the lot / unit.

The use of the Town's Common Seal will only enable the lodgement of the application with the Registrar of Titles and will not complete the land owner / developers obligations under the conditions. To complete their obligation, a copy of the documentation confirming the registration of the notification must be supplied to the Town.

In light of the above, Council is requested to grant approval for the use of the Town's Common Seal.

Attachments

Nil

201112/253 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

- 1. Approves the request from Campion Design Group on behalf of the owners of Lot 89 McKay Street, Port Hedland, to affix the Town's Common Seal to a Section 70A Notification form;**
- 2. Approves the use of the Town's common seal for the purposes associated with the registering of a Section 70A Notification on Lot 89 McKay Street, Port Hedland;**
- 3. Advises the applicant that once the notification is registered and a copy of the documentation confirming the registration is provided to the Town, it will be deemed that Condition 4 of the Development Application approval has been satisfactorily complied with.**

CARRIED 7/0

11.1.11 Proposed Section 70A Notification for Lot 102 Kingsmill Street, Port Hedland (File No.: 116700G)

Officer	Caris Vuckovic Lands Officer
Date of Report	29 November 2011
Disclosure of Interest by Officer	Nil

Summary

Council has received a request from Northwesterly Pty Ltd, owners of Lot 102 Kingsmill Street, Port Hedland, to affix the Towns Common Seal to a Section 70A notification form, which will enable lodgement of the form with the Registrar of Titles.

Background

A Development Application approval (2010/101) for 2 Grouped Dwellings and 4 Multiple Dwellings was granted on 14 July 2010, for Lot 102 Kingsmill Street, Port Hedland.

The following conditions were imposed as part of the approval:

"2. Prior to commencing works, the land owner is to prepare a notification pursuant to Section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:

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

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

In order to finalise the Section 70A form and obtain the Town's Common Seal, a Council resolution is required.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The required Section 70A notification is an important mechanism to ensure any prospective owners / buyers of the lot / unit are alluded to the restrictions / conditions pertaining to the lot / unit.

The use of the Town's Common Seal will only enable the lodgement of the application with the Registrar of Titles and will not complete the land owner / developers obligations under the conditions. To complete their obligation, a copy of the documentation confirming the registration of the notification must be supplied to the Town.

In light of the above, Council is requested to grant approval for the use of the Town's Common Seal.

Attachments

Nil

201112/254 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Hunt

That Council:

- 1. Approves the request from Northwesterly Pty Ltd, owners of Lot 102 Kingsmill Street, Port Hedland, to affix the Town's Common Seal to a Section 70A Notification form;**
- 2. Approves the use of the Town's common seal for the purposes associated with the registering of a Section 70A Notification on Lot 102 Kingsmill Street, Port Hedland;**

3. Advises the applicant that once the notification is registered and a copy of the documentation confirming the registration is provided to the Town, it will be deemed that Condition 2 of the Development Application Approval (2010/101) has been satisfactorily complied with.

CARRIED 7/0

11.1.12 Proposed Section 70A Notification for Lot 106 Morgans Street , Port Hedland (File No.: 130168G)

Officer	Caris Vuckovic Lands Officer
Date of Report	30 November 2011
Disclosure of Interest by Officer	Nil

Summary

Council received a request from McMullen Nolan Group on behalf of the owners of Lot 106 Morgans Street, Port Hedland, to affix the Towns Common Seal to a Section 70A notification form, which will enable lodgement of the form with the Registrar of Titles.

Background

A Development Application approval (2010/54) for 2 Grouped Dwellings was granted on 9 April 2010, for Lot 106 Morgans Street, Port Hedland.

The following conditions were imposed as part of the approval:

- “3. *Prior to commencing works, the land owner is to prepare a notification pursuant to Section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:*
- a. The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts;*
 - b. Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts;*

Should additional information be required in regards part ‘a’ or ‘b’, the prospective landowners should contact the Western Australian Department of Health.”

In order to finalise the Section 70A form and obtain the Town’s Common Seal, a Council resolution is required.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The required Section 70A notification is an important mechanism to ensure any prospective owners / buyers of the lot / unit are alluded to the restrictions / conditions pertaining to the lot / unit.

The use of the Town's Common Seal will only enable the lodgement of the application with the Registrar of Titles and will not complete the land owners / developers obligations under the conditions. To complete their obligation, a copy of the documentation confirming the registration of the notification must be supplied to the Town.

In light of the above, Council is requested to grant approval for the use of the Town's Common Seal.

Attachments

Nil

201112/255 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

- 1. Approves the request from McMullen Nolan Group on behalf of the owners of Lot 106 Morgans Street, Port Hedland, to affix the Town's Common Seal to a Section 70A Notification form;**
- 2. Approves the use of the Town's common seal for the purposes associated with the registering of a Section 70A Notification on Lot 106 Morgans Street, Port Hedland;**

3. Advises the applicant that once the notification is registered and a copy of the documentation confirming the registration is provided to the Town, it will be deemed that Condition 2 of the Development Application approval (2010/54) has been satisfactorily complied with.

CARRIED 7/0

11.1.13 Proposed Section 70A Notification for Lot 108 Morgans Street , Port Hedland (File No.: 116100G)

Officer	Caris Vuckovic Lands Officer
Date of Report	29 November 2011
Disclosure of Interest by Officer	Nil

Summary

Council received a request from McMullen Nolan Group on behalf of the owners of Lot 108 Morgans Street, Port Hedland, to affix the Towns Common Seal to a Section 70A notification form, which will enable lodgement of the form with the Registrar of Titles.

Background

A Development Application approval (2010/117) for 2 Grouped Dwellings was granted on 5 July 2010, for Lot 108 Morgans Street, Port Hedland.

The following conditions were imposed as part of the approval:

"2. Prior to commencing works, the land owner is to prepare a notification pursuant to Section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:

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

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

In order to finalise the Section 70A form and obtain the Town's Common Seal, a Council resolution is required.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The required Section 70A notification is an important mechanism to ensure any prospective owners / buyers of the lot / unit are alluded to the restrictions / conditions pertaining to the lot / unit.

The use of the Town's Common Seal will only enable the lodgement of the application with the Registrar of Titles and will not complete the land owners / developers obligations under the conditions. To complete their obligation, a copy of the documentation confirming the registration of the notification must be supplied to the Town.

In light of the above, Council is requested to grant approval for the use of the Town's Common Seal.

Attachments

Nil

201112/256 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Hunt

That Council:

- 1. Approves the request from McMullen Nolan Group on behalf of the owners of Lot 108 Morgans Street, Port Hedland, to affix the Town's Common Seal to a Section 70A Notification form;**
- 2. Approves the use of the Town's common seal for the purposes associated with the registering of a Section 70A Notification on Lot 108 Morgans Street, Port Hedland;**

3. Advises the applicant that once the notification is registered and a copy of the documentation confirming the registration is provided to the Town, it will be deemed that Condition 2 of the Development Application Approval (2010/117) has been satisfactorily complied with.

CARRIED 7/0

11.1.14 Proposed Street Names at Lot 503 and 5530 Forrest Circle, South Hedland (File No.: 804485G)

Officer Caris Vuckovic
Lands Officer

Date of Report 1 December 2011

Disclosure of Interest by Officer Nil

Summary

Council received a request from Hatch on behalf of Compass Group (Australia) Pty Ltd to endorse the proposed names for the new roads resulting from the road dedications approved by Council at its Ordinary Meeting held 21 September 2011.

Background

The proposed roads provide access to the development site, known as Area A, located at Lots 503 and 5530 Forrest Circle, South Hedland.

Taking into account the general theme of the area, being mainly historical, the applicant has proposed the following street names:

- a. Nimingarra Court – a historic Pilbara Station
- b. Parola Way – Bob Parola was best known for his contributions on the construction and maintenance of the Spinifex Express railway.

These names have been selected from the Town of Port Hedlands road name register, which has been provided from the Geographic Names Committee at Landgate.

Consultation

Nil

Statutory Implications

The naming or renaming of roads must be dealt with as per Part 2, Division 3, Section 26A of the Land Administration Act 1997.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The proposed road names provided by the applicant are in keeping with the general theme of the area, being mainly historical.

As the names have not been utilised within the Town, the names are recommended for approval.

Options

Council has the following options for responding to the request:

1. Support the request for the use of Nimingarra Court and Parola Way for the newly created roads as indicated on Attachment 1.

The approval of the applicants request will result in the newly created roads being named as per Part 2, Division 3, Section 26A of the Land Administration Act 1997.

2. Reject the request for the use of Nimingarra Court and Parola Way for the newly created road as indicated on Attachment 1.

Should Council choose to refuse the applicants request, the applicant will need to seek alternative names for the newly created roads.

Attachments

1. Proposed Road Name Placements

201112/257 Officer's Recommendation / Council Decision

Moved: Cr G J Daccache

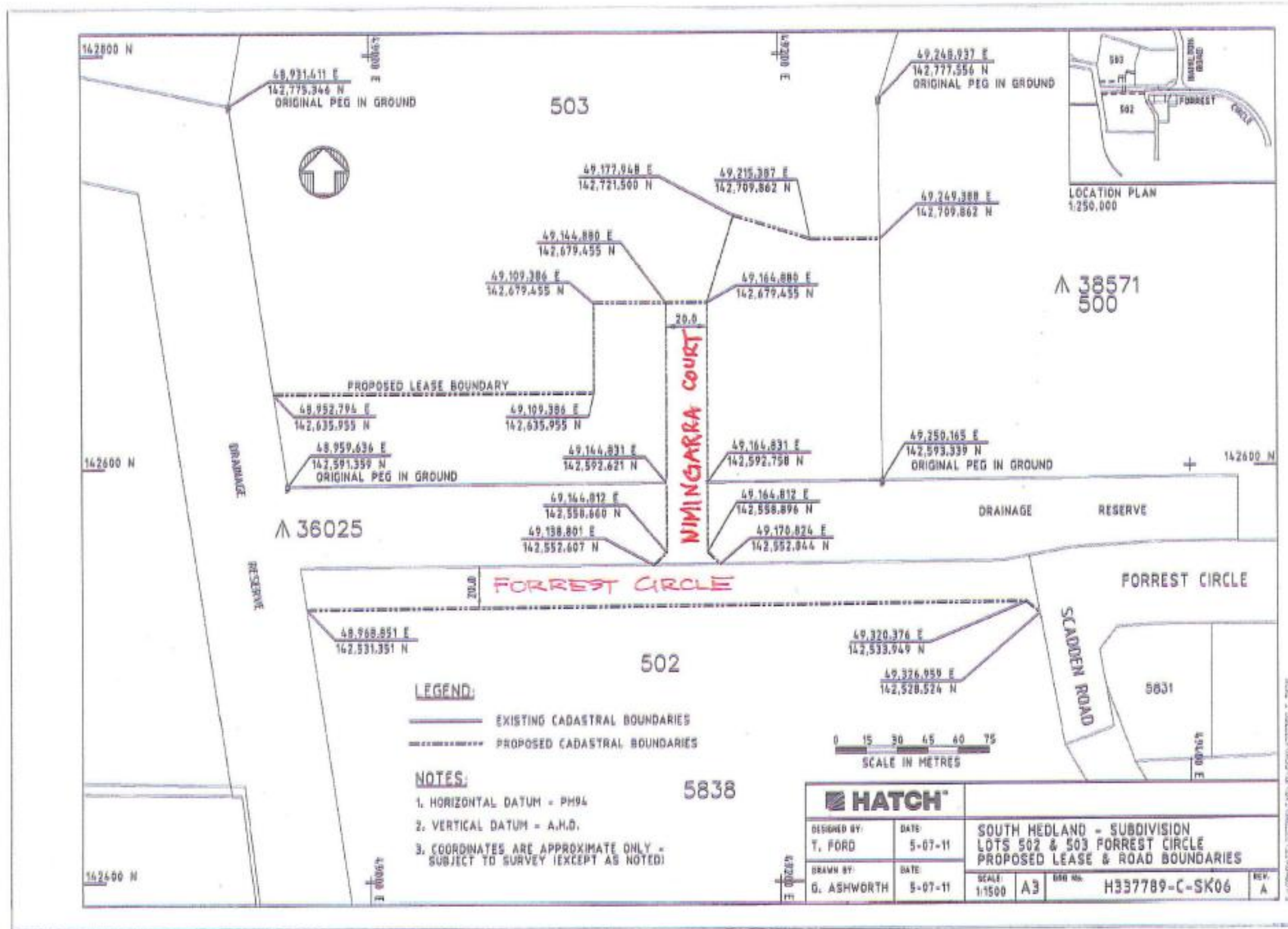
Seconded: Cr D W Hooper

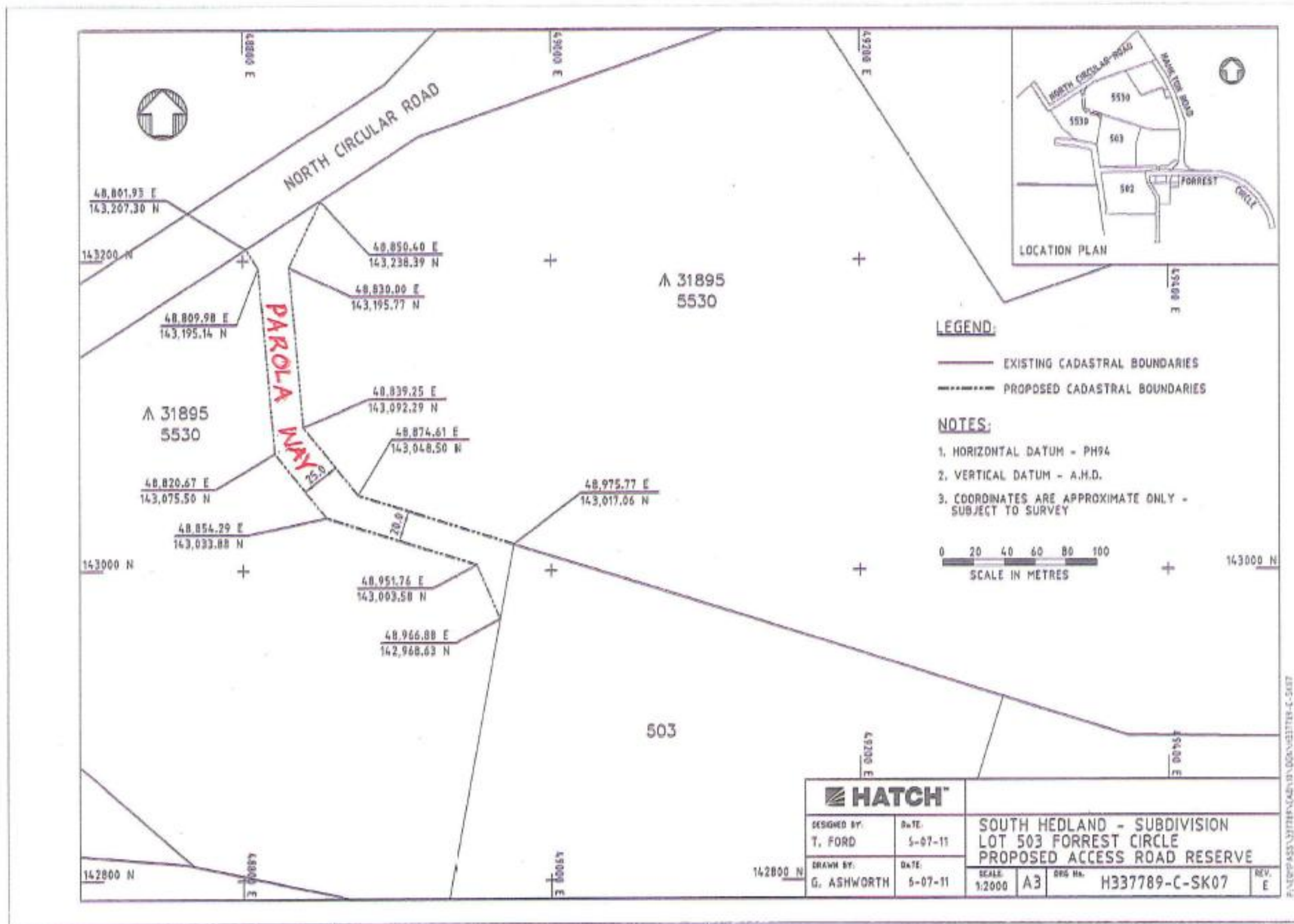
That Council:

1. **Supports the use of Nimingarra Court and Parola Way for the newly created roads as indicated on Attachment 1.**
2. **Delegates the Manager Planning to forward the approved road names to the Geographic Names Committee for final approval.**
3. **Advises the applicant that any cost associated with the required road signage will be at the cost of the applicant.**
4. **Advises the applicant that the proposed street signs are to be to the specification of Council's Manager Technical Services.**

CARRIED 7/0

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11.1.15 Proposed Scheme Amendment No. 43 to the Town of Port Hedland Town Planning Scheme No. 5 to include residential uses as an "Additional Use" for lots zoned "Mixed Business". (File No.: 401780G)

Officer	Michael Pound Senior Planning Officer
Date of Report	5 December 2011
Application Number	2011/250
Disclosure of Interest by Officer	Nil

Summary

In June 2011, Council resolved to initiate Scheme Amendment No. 43. The statutory requirements of the scheme have been completed and the report is now before Council to consider the adoption thereof.

The adoption of Scheme Amendment No. 43 is supported by the Planning Department.

Background

Council received a planning application from Michael Little Designs on behalf of the landowners PW & LG Hicks for a Mixed Use development consisting of Offices and Multiple Dwellings. Residential uses are currently prohibited within a Mixed Business Zone. To enable the proposal to proceed, the applicant subsequently requested a Scheme Amendment to allow residential uses.

Consultation

The proposed scheme amendment was forwarded to the Environmental Protection Authority (EPA) under section 48A of the *Environmental Protection Act 1986*. The Town was subsequently issued with the following recommendation:

"The EPA strongly supports adding the following 2 land uses to the list of non-permitted use and development in Appendix 12:

- *Ancillary Accommodation; and*
- *Child Care Services."*

The Planning Unit supports the recommendation from EPA as this approach is consistent with advice received through Amendment 22 relating to permanent accommodation and elevated dust levels in the West End.

In accordance with the Town Planning Regulations 1967, the proposed scheme amendment has been advertised and circulated as follows:

- North West Telegraph: 12 October 2011 –
23 November 2011
- Written Notification to: Horizon Power; and
Water Corporation (Perth and
Karratha),

As a result of the above advertising, submissions were received from:

- Horizon Power:
No Objection
- Water Corporation:
No objection in principal subject to the following advice
(Summarised):
 - Density – R80 density could be contemplated;
 - Water efficiency outcomes;
 - Requirement of infrastructure upgrades is to be funded by
the development proponent;
 - compliant with normal servicing standards, and
 - Current pressure on water demand.
- Whelans Town Planning on behalf of Pilbara Constructions:
 - The provision regarding the restriction of residential uses
on the ground floor be amended to allow residential uses
on the ground floor albeit that it doesn't front any street;
and
 - The permissibility of "Grouped Dwelling" to be designated
as an "AA" use.
- RPS on behalf of S.Byers and R. Hockey:
 - Remove the provisions regarding the restriction of
residential land uses on the ground floor and that no site
shall be developed solely for residential purposes.
 - Add a new provision of the following nature:
*"For new developments within the Mixed Business zone,
the ground floor shall have a minimum finished ceiling
height of 3m to maintain long term viability/adaptability for
non-residential/commercial land use"*

Planning Departments Response to Submissions Received.

The comments and concerns raised by Water Corp are relevant, however, should not prevent the adoption of the subject scheme amendment.

In response to the submissions received from Whelans and RPS, only one issue was raised.

Relationship with the Draft Port Hedland City Growth Plan

The draft plan provides a framework to appropriately manage development and other issues over the next 20+ years facilitating the transformation of Port Hedland from a town to a city of 50, 000 people.

Part 3 “Challenges and Opportunities for Growth” Clause 3.3 Housing and Land Supply “Retail and Commercial” states the following:

“Demand for retail and commercial floor space in the City is expected to grow significantly over the next 20 years, in response to strong population growth, increased residential settlement and growing incomes. By 2031, retail demand is expected to reach at least 135,000sqm (over 93,000sqm more than current levels). However, in the immediate term there is an urgent need to address the current retail undersupply of cafes, restaurant/takeaways, groceries and shop retail offering in the LGA.

The current undersupply of commercial floor space also needs to be corrected, as this is placing additional pressure on the retail market (with commercial office premises now competing with and often occupying valuable retail space). In addressing the shortfall and increasing demand for retail and commercial floor space at an LGA level (growing to just over 35,000sqm in 2031), it is important that the type of property products offered in various catchments (i.e. Port Hedland West End, South Hedland Town Centre etc) are complementary and appropriate to their activity centre role and function, and help facilitate increased levels of specialisation in the medium to long term.”

In regards to the extract above from the Draft Port Hedland City Growth Plan, Council Officers consider the “*current undersupply of commercial floor space*” is addressed adequately through Amendment 43 as initiated. It is considered there is a shortfall in both residential accommodation and Commercial NLA.

The provisions included in Amendment 43 are warranted and is recommended to remain as initiated.

Statutory Implications

The *Planning and Development Act 2005* and the *Town Planning Regulations 1967* provide Council the authority to amend its Local Planning Scheme and establish the procedure required to make this amendment.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

The applicant has paid the prescribed application fee of \$1,769.20 for the initiation request.

Officer's Comment

Council currently has two areas zoned Mixed Business. The Anderson Street Mixed Business precinct and Byass Street Mixed Business precinct.

TPS5 only makes the following reference to the Anderson Street precinct in clause 5.3.6(f):

"The Mixed Business zone, located between Morgans and Anderson Streets, to be developed as a precinct in which:

- *Businesses may be developed in conjunction with single residences,*
- *An approach to design provides for dual frontage with residential development fronting Morgans Street and business operations fronting Anderson Street,*
- *Uses are not permitted which are inconsistent with the residential component,*
- *No site may be developed just for a residential function."*

To ensure that the development objectives of a "Mixed Business Zone" are met, it is recommended clause 5.3.6(f) be deleted and a new clause, clause 5.3.7 "Mixed Business Zone" be included in the scheme text.

5.3.7 "Mixed Business"

- *Uses are not permitted which are inconsistent with the residential uses,*
- *Residential uses shall not be developed on the ground floor,*
- *No site may be developed solely for residential purposes,*
- *Lots with dual frontage to take into consideration the predominant use of such frontage.*

Mixed Business zoned lots are normally found along main arterials or within close proximity to retail developments. As such the development of these lots with additional residential uses often result in a better utilisation of the existing infrastructure and assists in activating an area.

Inclusion of Lot 372 (69) Anderson Street into Appendix 12 of TPS5

Lot 372 (69) Anderson Street Port Hedland was omitted from being listed in the Description of Land in Appendix 12 – Mixed Business Zone Non-Permitted Use and Development at the initiation stage.

It is recommended Lot 372 (69) Anderson Street Port Hedland be included in the description of land upon final adoption of Amendment 43.

Options*Options*

Council has the following options when considering the request:

1. Adopt the Scheme Amendment subject to modifications as recommended by the EPA and the Planning Unit.

This is the recommended option, and is consistent with Scheme Amendment 22 and the Draft Port Hedland City Growth Plan.

2. Adopt the Scheme Amendment without modifications.

This would not be in keeping with the desired growth of the Town, as envisaged by the Draft Port Hedland City Growth Plan.

3. Abandon the Scheme Amendment.

This option should be utilised if Council is of the opinion that residential development particularly Multiple Dwellings is not appropriate within a Mixed Business zone.

Attachments

1. Proposed Zoning Table
2. Proposed Appendix 12

Officer's Recommendation

That Council:

1. Adopts Scheme Amendment 43, to the Town of Port Hedland Town Planning Scheme No. 5, with the following modifications:
 - Inclusion of Lot 372 (69) Anderson Street, Port Hedland into Appendix 12;
 - "Child Care Services" and "Ancillary Accommodation" becoming Non-Permitted "~" land uses in the zoning table.

2. Authorises the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the *Town Planning Regulations 1967* (as amended), including the fixing of the Council's seal in the event that the Minister for Planning approves the Amendment
3. Forwards all required documentation to the Western Australia Planning Commission for Ministerial Consent in accordance with the *Town Planning Regulations 1967* (as amended)
4. Advise the applicant of Council's decision.

201112/258 Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council:

1. **Adopts Scheme Amendment 43, to the Town of Port Hedland Town Planning Scheme No. 5, with the following modifications:**
 - **Inclusion of Lot 372 (69) Anderson Street, Port Hedland into Appendix 12;**
 - **"Child Care Services" and "Ancillary Accommodation" becoming Non-Permitted "~" land uses in the zoning table.**
 - **The inclusion of short-stay accommodation, with a minimum ceiling height of 3 metres, at ground level that can be readily transformed to retail and commercial development as required. This type of development is to be included as a "SA" use in the zoning table.**
2. **Authorises the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the *Town Planning Regulations 1967* (as amended), including the fixing of the Council's seal in the event that the Minister for Planning approves the Amendment**
3. **Forwards all required documentation to the Western Australia Planning Commission for Ministerial Consent in accordance with the *Town Planning Regulations 1967* (as amended)**
4. **Advise the applicant of Council's decision.**

CARRIED 7/0

REASON: This Scheme Amendment will make short-term accommodation options more accessible to Hedland residents.

ZONING TABLE		Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
Residential																	
1	Aged or Dependent Persons Dwelling							~									
2	Ancillary Accommodation							~									
3	Cabin							~									
4	Caretakers Dwelling							IP									
5	Chalet							~									
6	Grouped Dwelling							~									
7	Guest House							~									
8	Holiday Accommodation							~									
9	Holiday Home							~									
10	Home Business							~									
11	Home Office							~									
12	Hotel							SA									
13	Lodge							~									
14	Motel							SA									
15	Movable Dwelling							~									
16	Multiple Dwelling							AA									
17	Residential Building							~									
18	Rural Settlement							~									
19	Serviced Apartment							SA									
20	Short Stay Accommodation							SA									
21	Single House							AA									
22	Transient Workforce Accommodation							~									
23	Tourism Development							~									
24	Tourist Resort							~									
Industry																	
25	Abattoir							~									
26	Agriculture							~									
27	Arts and Crafts Centre							AA									
28	Intensive Agriculture							~									
29	Harbour Installation							~									
30	Hire Service (Industrial)							~									
31	Industry – Cottage							P									
32	Industry – Extractive							~									
33	Industry – General							~									
34	Industry – Light							~									
35	Industry – Noxious							~									
36	Industry – Rural							~									
37	Industry – Service							SA									
38	Industry – Resource Processing							~									
39	Infrastructure							AA									
40	Stockyard							~									
41	Storage Facility/Depot/Laydown area							~									
Commerce																	
42	Aerodrome							~									
43	Display Home Centre							~									
44	Dry Cleaning							SA									
45	Market							SA									
46	Mobile Business							~									

ZONING TABLE		Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
Commerce Continued																	
47	Motor Vehicle and/or Marine Repair							~									
48	Motor Vehicle and/or Marine Sales or Hire							~									
49	Motor Vehicle and/or Marine Service Station							~									
50	Motor Vehicle and/or Marine Wrecking							~									
51	Motor Vehicle Wash							~									
52	Office							P									
53	On-site Canteen							~									
54	Outdoor Display							P									
55	Reception Centre							AA									
56	Restaurant (includes café)							AA									
57	Restricted Premises							SA									
58	Shop							P									
59	Showroom							AA									
60	Take-away Food Outlet							AA									
61	Warehouse							~									
Health, Welfare & Community Services																	
62	Carpark							AA									
63	Child Care Services							~									
64	Community Use							AA									
65	Consulting Rooms							AA									
66	Education Establishment							SA									
67	Emergency Services							AA									
68	Funeral Parlour							~									
69	Hospital							~									
70	Juvenile Detention Centre							~									
71	Medical Centre							AA									
72	Nursing Home							~									
73	Place of Animal Care							SA									
74	Place of Public Meeting, Assembly or Worship							~									
75	Prison							~									
76	Public Mall							~									
77	Public Utility							AA									
Entertainment, Recreation and Culture																	
78	Equestrian Centre							~									
79	Entertainment Venue							SA									
80	Private Recreation							AA									
81	Public Recreation							AA									

The symbols used in the zoning table have the following meanings:

P the development is permitted by the Scheme

AA the development is not permitted unless the Council has granted planning approval

SA the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3

~ a development that is not permitted by the Scheme

ATTACHMENT 2 TO ITEM 11.1.15

APPENDIX 12 – MIXED BUSINESS ZONE NON-PERMITTED USE AND DEVELOPMENT

No.	Description of Land	Conditions
1	Lot 122 Kingsmill Street, Port Hedland Lot 121 Kingsmill Street, Port Hedland Lot 120 Kingsmill Street, Port Hedland Lot 119 Kingsmill Street, Port Hedland Lot 118 Kingsmill Street, Port Hedland Lot 117 Kingsmill Street, Port Hedland Lot 116 Kingsmill Street, Port Hedland Lot 115 Kingsmill Street, Port Hedland Lot 2 Anderson Street, Port Hedland Lot 1 Anderson Street, Port Hedland Lot 317 Anderson Street, Port Hedland Lot 318 Anderson Street, Port Hedland Lot 319 Anderson Street, Port Hedland Lot 323 Anderson Street, Port Hedland Lot 338 Anderson Street, Port Hedland Lot 339 Anderson Street, Port Hedland Lot 340 Anderson Street, Port Hedland Lot 341 Anderson Street, Port Hedland Lot 342 Anderson Street, Port Hedland Lot 373 Anderson Street, Port Hedland Lot 374 Anderson Street, Port Hedland Lot 367 Anderson Street, Port Hedland Lot 394 Anderson Street, Port Hedland Lot 395 Anderson Street, Port Hedland Lot 396 Anderson Street, Port Hedland Lot 397 Anderson Street, Port Hedland Lot 398 Anderson Street, Port Hedland Lot 399 Anderson Street, Port Hedland Lot 400 Wilson Street, Port Hedland Lot 401 Wilson Street, Port Hedland Lot 402 Anderson Street, Port Hedland Lot 403 Anderson Street, Port Hedland Lot 479 Wilson Street, Port Hedland Lot 478 Wilson Street, Port Hedland Lot 477 Wilson Street, Port Hedland Lot 366 Howe Street, Port Hedland Lot 476 Wilson Street, Port Hedland Lot 475 Morgans street, Port Hedland Lot 474 Morgans street, Port Hedland Lot 349 Morgans street, Port Hedland Lot 348 Morgans street, Port Hedland Lot 347 Morgans street, Port Hedland Lot 253 Morgans street, Port Hedland Lot 252 Morgans street, Port Hedland	<ul style="list-style-type: none"> • Aged or Dependent Person Dwelling; • Caretakers Dwelling • Grouped Dwelling; • Home Occupation; • Multiple Dwelling; • Residential Building; and • Single House

11.1.16 Licensing for Temporary Market Food Stalls (File No.: 19/04/0001)

Officer	Michael Cuvalo Coordinator Environmental Health Services
Date of Report	11 October 2011
Disclosure of Interest by Officer	Nil

Summary

This report recommends amending the Town of Port Hedland 13-009 Trading in Public Places – Community Events Policy to include Market organizers with community associations being able to attain blanket permits for events. Once amended Council will be able to increase compliance from stall holders and reduce the occurrence of stall holders not completing application forms as no upfront permit fees will be incurred.

After recent changes in food legislation avenues for the production of higher risk foods for sale at markets are becoming available. To ensure that market stall holders will actively try to comply with requirements and apply for the correct permits Council needs to make the process easier.

Background

Currently there are 2 main markets that operate within the Town of Port Hedland, these being the West End Markets and the Yacht Club Markets, and other smaller markets that appear infrequently. Each of these markets host a wide range of diverse stalls including a variety of food stalls.

Under the now repealed *Health (Food Hygiene) Regulations 1993* food production from home for sale at markets etc. was strongly regulated and restricted to extremely low risk activities such as cake decorating. These activities also required not only Council approval but also the approval of the Executive Director of Public Health.

Under the current *Food Act 2008* and *Food Safety Standards*, which replaced the *Health (Food Hygiene) Regulations 1993*, the opportunity for home businesses to produce a wider range of food became available, though these foods must still remain lower risk. Approval for this entails the inspection and licensing of the domestic kitchen as it must meet the same requirements of a commercial restaurant kitchen.

The production of low risk foods from volunteers and community/charity groups from home is still allowed and exempted from fees provided its demonstrated the food produced is entirely low risk (basic cakes, biscuits etc) and the venture is not for profit.

With the current licensing process for stalls, those that are not charity/not for profit can be charged \$100 for one day's trading and those wishing to prepare foods from home can be faced with an in depth planning application, notification and inspection process and fees upwards of \$250. This has in the past resulted in stall holders being unwilling to apply for permits or pay the required fees and operating their stalls without notifying council.

As per the Town of Port Hedland 13/009 Trading in Public Places – Community Events Policy provisions are made for private stall holders to be exempt from fees if the organizers of the event are community based and apply to council for a blanket permit for the event. This would suit the likes of a school run fete for example allowing the school staff organizing the event to attain the permit and the stall holders merely having to complete the trading in public places application form or temporary food stall application without the upfront cost of council fees.

Those wishing to continually produce food for profit from home for sale at markets will still need to undergo planning approval, licensing and inspection process.

Consultation

Council's officers have consulted with both regular stall holders at the two above mentioned markets and market organizers FORM to tweak the licensing process for stall holders to encourage operators to attain permits and operate legally.

Statutory Implications

Compliance with the *Food Act 2008* and *Food Safety Standards* which requires notification to the Town for the sale of food.

Policy Implications

Amendment to the existing policy to include the term “or market organizer”

13/009 TRADING IN PUBLIC PLACES – COMMUNITY EVENTS

That private stallholders be exempt from applicable Council fees for Trading in Public Places Permits where it can be demonstrated they are operating under a blanket permit held by a Community Association for that event.

The Community Association, in applying for its blanket permit must:

- Supply all relevant details of proposed stallholders working at the event in the prescribed manner for the purpose of assessment and approval;
- Supply a copy of public risk insurance certificates held for the event;
- Pay the applicable fee or seek exemptions under Clause 15 of the Local Law.

Strategic Planning Implications

Nil

Budget Implications

Potential loss of approximately \$2,000-\$3,000 in fees received by Council for Trading in Public Places Permits per year.

Officer's Comment

Not all events are organized by community groups, the West End Markets for example, or the organizers of the event haven't sought a blanket permit and so the stall holders are required to pay council fees if they themselves are not for profit.

To promote stall holders to actively try to attain the required permits Council officers would like the Town of Port Hedland Trading in Public Places – Community Events Policy 13/009 to include market organizers along side community associations to be allowed to apply for blanket event permits.

Reducing upfront costs and streamlining the permit process will encourage stall holders to contact council and do the right thing instead running an unapproved and potentially dangerous market stall. This will greatly improve regulation of market food stalls and thus further protect the community.

Attachments

Nil

201112/259 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council:

- 1. Amend the Town of Port Hedland 13/009 Trading in Public Places – Community Event Policy to the following;**
 - a. 13/009 TRADING IN PUBLIC PLACES – COMMUNITY EVENTS**

- b. That private stallholder's be exempt from applicable Council fees for Trading in Public Places Permits where it can be demonstrated that they are operating under a blanket permit held by a Community Association or market organizer for that event.**
- c. Community Association, in applying for its blanket permit must:**

 - i. Supply all relevant details of proposed stallholders working at the event in the prescribed manner for the purpose of assessment and approval;**
 - ii. Supply a copy of public risk insurance certificates held for the event;**
 - iii. Pay the applicable fee or seek exemptions under Clause 15 of the Local Law.**

CARRIED 7/0

11.1.17 Proposed Road and Drainage Dedications adjacent to Lot 502 North Circular Drive, South Hedland (File No.: 804111G)

Officer Luke Cervi
Senior Planning Officer

Date of Report 8 December 2011

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Burgess Design Group on behalf of Kariyarra Mugarinya Developments Pty Ltd to seek Councils support to formalise road access to the proposed subdivision of Lots 502 North Circular Drive, South Hedland.

It is recommended that Council support the request for road dedications.

Background

The applicant is seeking to have this land dedicated to provide access to Lot 502 which is proposed to be subdivided into 125 lots. Whilst the land does have frontage to Murdoch Drive and North Circular Road, Council's Manager Infrastructure Development does not support access to the subdivision from these roads due to traffic safety concerns.

The proposed road dedications are part of Unallocated Crown Land (UCL). It is proposed to dedicate a 16.2m road reserve which would link Paton Road and Lot 502 and a 16.4m road reserve which would link Rutherford Road to Lot 502.

Consultation

External Consultation	
Regional Development and Lands	As lot 3001 and part of lot 3891 do not have Native Title extinguishment SLS can dedicate the roads and create the Reserve for Drainage under Sec 24KA and 238 NTA. This effectively means that Native Title is not extinguished.
Internal Circulation	
Manager Infrastructure Development	No objection in principle however exact details of size required for road reserves can't be approved until subdivision design is approved.

Statutory Implications

Section 28(1) of the *Land Administration Act 1997* establishes the procedure for road dedication.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

By accepting the Management Orders, Council will be responsible for maintenance. This can be incorporated into the existing operational budget.

Officer's Comment

Council officer's under delegation provided comments to the Western Australian Planning Commission recommending conditions be imposed on the proposed subdivision of Lot 502 North Circular Road. These conditions included:

1. *UCL lots 3001, 3008 & 3891 being included in the subdivision (these lots are needed to facilitate access to the proposed subdivision and also manage drainage).*

Subsequent to this request Council Officer's were advised by the Department of Regional Development and Lands that for this to occur a resolution of Council would be required.

Need and Desirability

Lots 3001, 3008 & 3891 incorporate swale drains that have assisted in stormwater control for many years. These lots will be important for managing drainage associated with the subdivision of Lot 502.

In addition, it had been negotiated with the proponents of the subdivision to provide road access to the subdivision in a safe manner that cannot be achieved if the subdivision was accessed directly of the existing North Circular Road or Murdoch Drive frontage.

Road Reserve Requirements

To provide for the anticipated number of vehicle movements and appropriate traffic management, it has been identified that 2 road linkages of 17.2 metre width need to be provided. The current plans only provide for a 16.2 metre reserve (Paton Road linkage) and 16.4 metre reserve (Rutherford Road linkage) respectively. It has been recommended that the acceptance of the road reserves be subject to the necessary 17.2 metre width.

As these roads would be new roads as opposed to road extensions, road names need to be allocated. The applicant was provided with Council's list of existing approved road names and have requested that the following approved names be allocated:

1. 'Talga Street' for the short, northern road (off Paton Road)
2. 'Limestone Road' for the southern road (off Rutherford Road) which will extend further once the subdivision is finalised.

Drainage Reserve Requirements

As previously stated, lots 3001, 3008 & 3891 have provided an important drainage function to the area for many years, it is recommended that Council accept Management Orders for this land to enable it to continue to meet the drainage needs for the area.

Options

Council has the following options for responding to the request:

1. Accept Management Orders for Lots 3001, 3008 & 3891 for road and drainage purposes.

Accepting the Management Orders will result in improved access to the proposed subdivision of Lot 502 North Circular Drive and control of land integral to South Hedland's drainage management.

2. Refuse the Management Orders for Lots 3001, 3008 & 3891 for road and drainage purposes.

Should Council not support the proposal, alternative access will need to be provided for the subdivision of Lot 502 North Circular Road resulting in negative impacts on road safety. Refusal would also undermine Council's ability to effectively manage stormwater in South Hedland.

It is recommended that Council accepts the Management Order for access and drainage purposes.

Attachments

1. Locality Plan
2. Dedication Plans

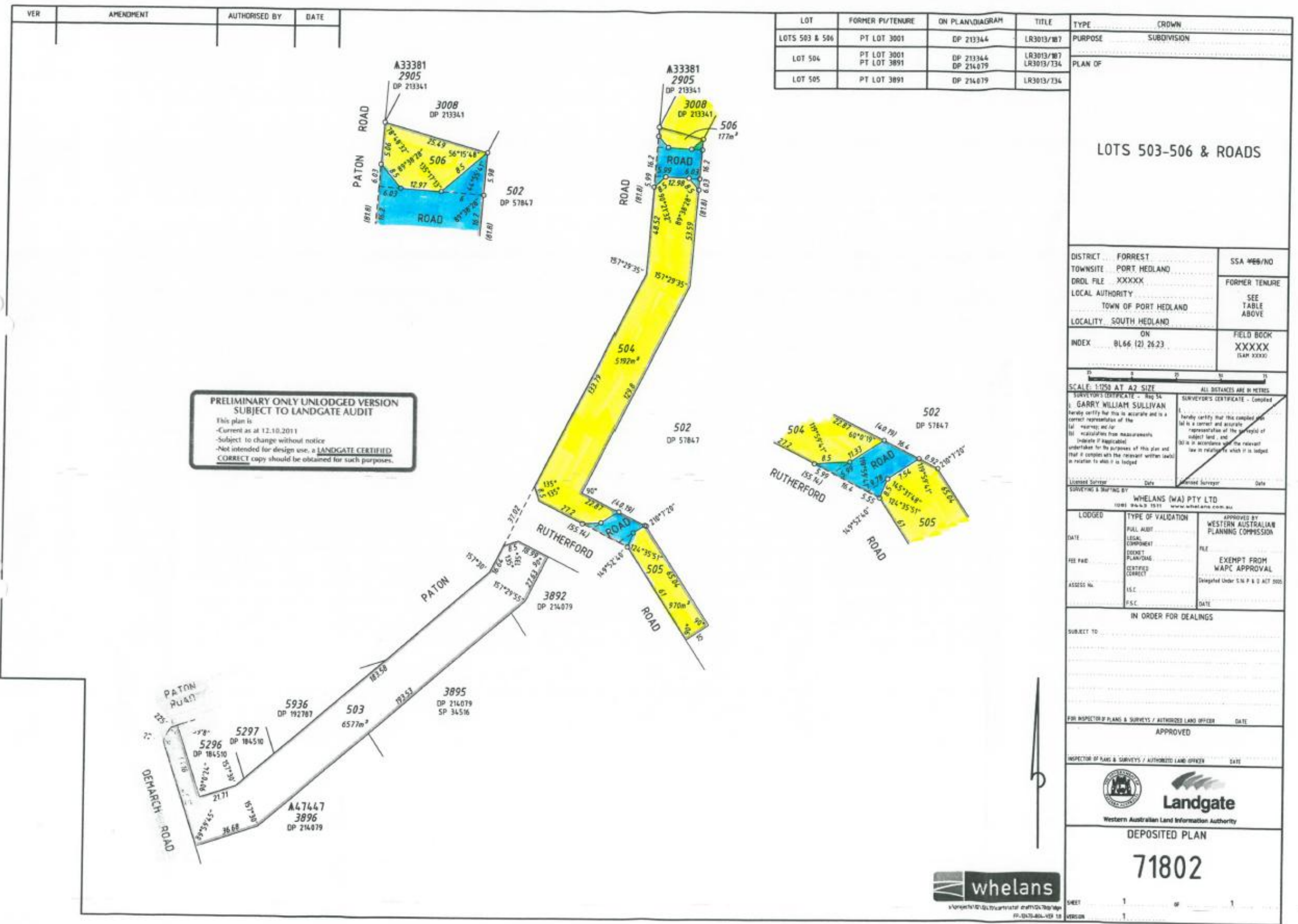
201112/260 Officer's Recommendation / Council Decision**Moved: Cr A A Carter****Seconded: Cr M B Dziombak****That Council:**

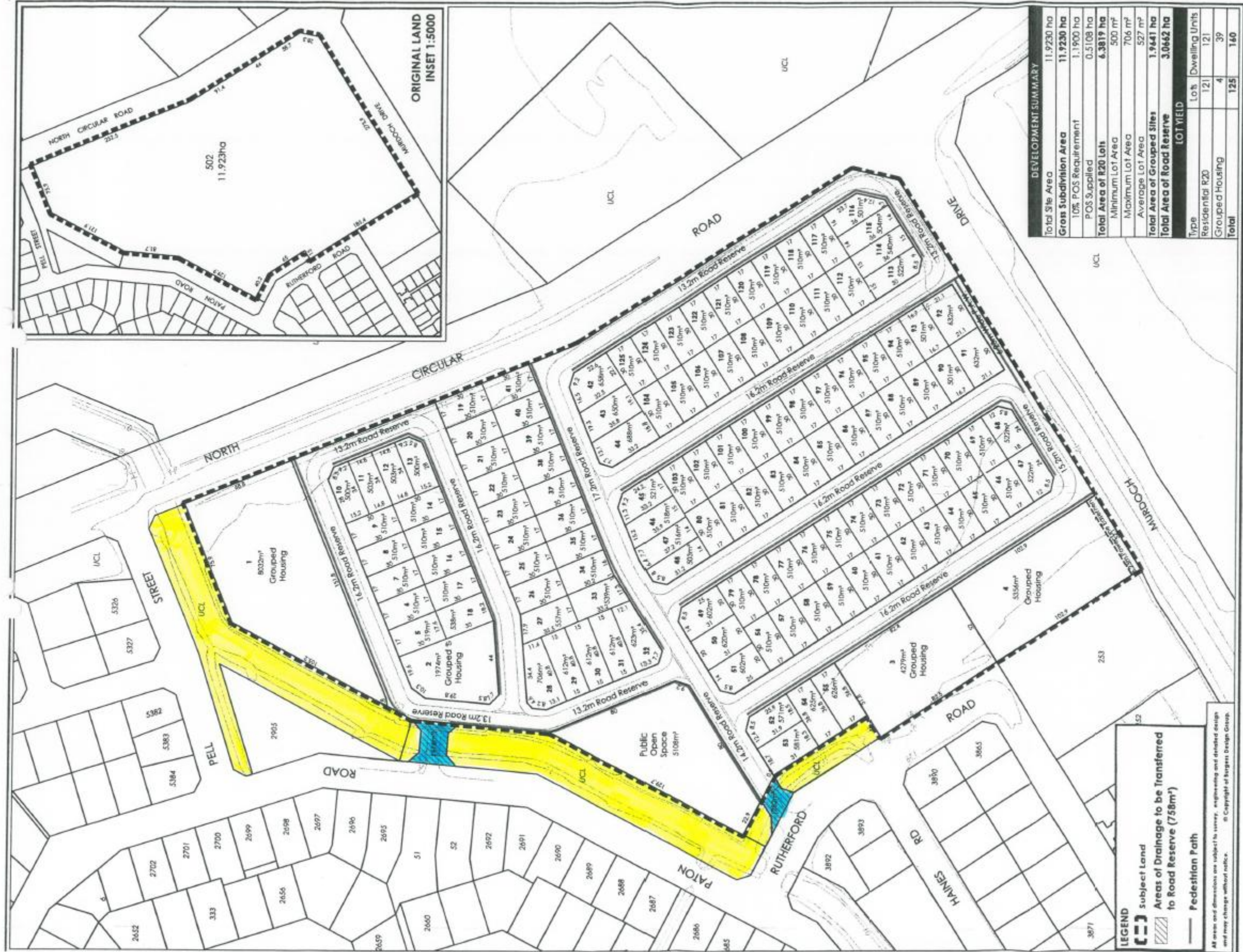
- i) Accepts Management Orders of Unallocated Crown Land Lots 3001 & 3008 on Deposited Plan 213344 and Lot 3891 on Deposited Plan 214079 for the purposes of road and drainage generally in accordance with Attachment 2 and subject to the following condition:
 - 1. Prior to Management Orders being accepted, road reserve widths to be increased to 17.2 metres.****
- ii) Supports the use of 'Talga Street' for the short, northern road (off Paton Road) and 'Limestone Road' for the southern road (off Rutherford Road) including the extension of 'Limestone' along the road reserve proposed in the subdivision of Lot 502 North Circular Drive;**
- iii) Delegates the Manager Planning Services to forward the approved road names to the Geographic Names Committee for final approval;**
- iv) Advises the applicant that any cost associated with the required road signage will be at the cost of the applicant;**
- v) Advises the applicant that the proposed street sign is to be to the specifications of Council's Manager Technical Services.**

CARRIED 7/0

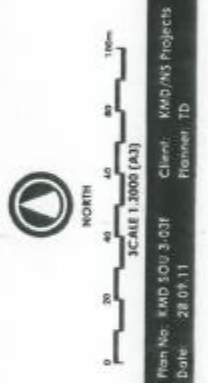
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Proposed Subdivision
 Lot 502 North Circular Road
 South Hedland
TOWN OF PORT HEDLAND



LEGEND

- subject Land
- Areas of Drainage to be Transferred to Road Reserve (758m²)
- Pedestrian Path

All sizes and dimensions are subject to survey, engineering and detailed design and may change without notice. © Copyright of Burgess Design Group.

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11.2 Engineering Services**11.2.1 *Airservices Australia Mechanical Workshop Building at Port Hedland International Airport (File No.: 05/05/0035)***

Officer Sara Bryan
Airport Development Officer

Date of Report 5 December 2011

Disclosure of Interest by Officer Nil

Summary

This report will provide Council with details pertaining to the status of the Airservices Australia (AsA) Mechanical Workshop building at Port Hedland International Airport (PHIA) and will seek resolution from Council to confirm the relocation of Town of Port Hedland, Airport Operations, IT staff and IT equipment to the said building. This report will also seek Council resolution to prepare and advertise Tender documentation to complete renovations and refurbishments required for this proposed relocation.

Background

After the Town commenced operation and ownership of the airport, under the Aerodrome Local Ownership Plan, AsA took a peppercorn lease over several small parcels of airport land for the provision of navigational facilities to ensure the safe travel of aircraft.

Within this lease is a portion of a building of which the Town has possession of the remainder. The subject building, commonly known as the Airservices Mechanical workshop is located adjacent to the Short Term car park, anterior to the terminal building, on the eastern side.

The total land area within which the building is situated is 3268m². The building itself is long and rectangular, approximately 35m x 10m (excluding the workshop) and the total office and workshop space is 542m². (Attachment 1)

The building currently contains a number of offices at one end with open space and overhead hoists in the remainder. The cladding and interior is deteriorated and has recently been identified to be containing asbestos. Historically, the open space area has been utilized for storage space by the Town, however all items stored within this area belonging to the Town have recently been removed and relocated.

The building was originally constructed for the Aviation Rescue and Fire Fighting Services. In 2003, the Fire Service was withdrawn from Port Hedland by AsA. Since that time the facility has been vacant.

Consultation*Internal*

- Manager Airport Operations
- Manager Investment and Business Development
- IT Coordinator

External

- Aviation Relations Manager Airservices Australia

Statutory Implications

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.”*

“3.58. Disposing of property

- (1) In this section dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.*
- (2) Except as stated in this section, a local government can only dispose of property to*
 - (a) the highest bidder at public auction; or*
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.”*

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 1:	Infrastructure
Goal 2:	Airport
Other Action Strategy 1:	Undertake upgrades to the terminal and surrounds to improve the functionality of the facility including: Review parking options and implement an agreed Airport Parking Plan

Budget Implications

Indicative figures to renovate the AsA building are in the region of \$600,000.

Within the 2011/2012 budget there is an allocation of \$628,000 for Building Upgrades showing in GL Account: 1210451

Indicative figures for renovations fall within the budget allocated for this purpose.

Relocation of the Airport depot into the AsA building will free up the remainder of the current airport depot premises for lease, which would generate a further \$176,000 per annum in lease fees.

Officer's Comment

With passenger numbers for PHIA soon to be in excess of 400,000, it is now advised to have a permanent AsA, Aviation Rescue & Fire Fighting Service presence at the airport. Through discussions pertaining to the aforementioned, it is understood that workshop facilities for the permanent presence of the ARFFS would need to be subject to a relocation of the Mechanical Facility from the currently leased workshop building as the 'new' proposed fire trucks will not fit under the existing roof line of the AsA building subject to this report. Conclusively, it was identified that AsA would no longer require the use of the AsA Mechanical Workshop building as it is no longer suitable to accommodate future operations of the AsA at the PHIA.

In 2006/2007, discussions took place with AsA for the surrender of the facility from this lease. These negotiations led to the preparation of a Surrender of Lease document which was signed by the Town, however was never executed by AsA. Officers have again recently been in contact with AsA to discuss this surrender and have gained formal consent from AsA to the proposed process. Documentation is currently with the Towns solicitors to prepare a new Deed of Surrender for the portion of the building currently leased by AsA. As a gesture of goodwill, Officers have also requested the preparation of a Memorandum of Understanding to be prepared consenting to grant AsA access to the PHIA Maintenance Workshop, should they require it, for the service or maintenance of ASA vehicles stationed at the PHIA.

Relocation of Airport Operations Staff

PHIA Operations staff are currently accommodated in the building next to the terminal on the Western side of the apron. Consistently within future terminal redevelopment plans it has been identified that this area is in prime position to be included in the terminal expansion to the West.

There are no operational requirements or advantages for the Airport Operations staff to be located in this position. Rather it is to the contrary. Although benefitting from direct airside access, it is disadvantaged due to limited visual access and the distance to the Airport Depot, where plant equipment is stored, to the far eastern side of the Airport precinct.

There are a number of reasons why the AsA Mechanical Workshop building should be utilised to house Airport specific staff. These reasons include, but are not limited to the verity that:

The building:

- is an existing structure of which the Town of Port Hedland is soon to be in possession of;
- is located within close proximity to the terminal;
- is visible and accessible to the public;
- is large enough to house airport operations staff as well as workshop facilities and the secure storage of equipment currently accommodated in the airport depot area,;
- this in turn will enable all airport operations to be performed within one area and facilitate stronger communication between airport operations staff;
- allows direct access to the airside in an emergency.

From a safety and airport security perspective, all airport staff should be located in one area to facilitate stronger communication and allow unobstructed visual access to the terminal, hangars and car parks. Currently, the depot and equipment is too far away to gain prompt airside access, especially in an emergency and a relocation to the AsA building would enable the enlivenment of all of these aspects

The Airport depot, comprising of 1.0394ha was recently the subject of a market valuation, performed by Australian Property Consultants. Of this land, 6200m² is currently subject to leases with 4 hire car companies for the storage of over-flow vehicles, generating \$124,000 per annum in lease fees.

Relocation of the airport depot into the AsA building will free up the remainder of the current airport depot premises for lease, which will generate a total figure of approximately \$300,000 per annum.

In essence, there is no reason why the Airport Operations staff should be occupying the current position. Strategically, it is an important piece of land for future terminal expansion.

Relocation of IT Staff and Equipment

Town of Port Hedland IT staff are also currently located within the building next to the terminal on the Western side of the apron. This building also houses a server room, containing 3 IT racks; with a fourth also being located within a server room in the terminal building itself.

It is suggested that the IT staff and IT equipment currently within this area be included in the relocation of the Airport Operations staff to the AsA building. The benefits would include, but would not be limited to:

- The ability to accommodate crucial IT equipment in a location external to the terminal building itself offering safety of servers, equipment and information;
- This in turn would establish an external 'back up' location for Town of Port Hedland servers and electronic information;
- Direct communication between Airport Operations and IT staff in situations requiring technical support.

The relocation requirements of IT staff and equipment would include office space of approximately 30m² for IT operations as well as a 12m² space for the housing of the 4 IT racks required to facilitate Airport communications and operations, including CCTV.

As indicated in conceptual plans obtained by the Airport Operations Manager, there is adequate room for this suggested proposal. (Attachment 2)

The inclusion of IT staff and equipment as part of this proposed relocation is the most practical solution for their future accommodation. Should the current Airport Operations building become the first area to tackle as suggested in discussions of future Airport redevelopment plans, it is desirable that the IT functionality be relocated and established prior to the potential demolition and development of this area.

Attachments

1. Hatched map of Airport Land showing location of Airservices Australia Mechanical Workshop building
2. Concept Design Plans for Airport Operations & Administration Relocation (Confidential and Attached Under Separate Cover)

201112/261 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council:

1. **Agree to the relocation of Airport Operations, IT staff and IT equipment from the current airport operations building adjacent to the terminal, to the property commonly known as the Airservices Australia Mechanical Workshop building, Lot 2444, Port Hedland International Airport, Great Northern highway; and**
2. **Authorise the Chief Executive Officer or his delegate to prepare Design and Construct Tender documentation for the design, refurbishment and fit out for the property commonly known as the Airservices Australia Mechanical building, on Lot 2444, Port Hedland International Airport, Great Northern Highway; and**

- 3. Advertise the tender document for a period of 8 weeks; and**
- 4. Report back to Council detailing any respondents submissions.**

CARRIED 7/0



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11.2.2 Port Hedland International Airport Master Plan (File No.: 18/12/00526)

Officer	Bob Couzens Manager Airport Operations
	Jasmine Person Manager Investment and Business Development
Date of Report	5 December 2011
Disclosure of Interest by Officer	Nil

Summary

This agenda item requests Council to 'adopt' the Airport Master Plan recently prepared by Airbiz in accordance with Council's decision on 13 July 2011.

Background

On 13 July 2011 at the Ordinary Council Meeting, Council resolved for an 'Airport Master Plan' to be prepared for the Port Hedland International Airport.

*"201112/005 Officer's Recommendation/Council Decision
Moved: Cr A A Carter Seconded: Cr M Dziombak*

That Council:

- 1. Acknowledge the Airport Committees recommendation; and*
- 2. Considers allocating \$120,000 (\$60,000 funding from Regional Airport Development Scheme and \$60,000 from the airport reserve) in the 2011/2012 budget for the preparation and delivery of an Airport Master Plan for the Port Hedland International Airport."*

Consultation

- Manager, Department of Transport and Regional Development
- Senior Aviation Policy Officer, Department of Transport and Regional Development
- Geraldton Airport
- Kalgoorlie/Boulder Airport
- Forte Airport Management (produced Master Plan for Busselton, Geraldton and Kalgoorlie)
- Airbiz (currently engaged in our terminal redevelopment project and also undertaking a 5 year review of Kalgoorlie Airport Master Plan)
- AECOM (produced Karratha Airport Master Plan)

Statutory Implications

The Local Government Act 1995:

“6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;*
 - (b) is authorised in advance by resolution*;* or
 - (c) is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

(1a) In subsection (1) —

Additional purpose means a purpose for which no expenditure estimate is included in the local government’s annual budget.

- (2) Where expenditure has been incurred by a local government —*
- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

[Section 6.8 amended by No. 1 of 1998 “

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 1:	Infrastructure
Goal 2:	Airport
Priority 3:	Progress planning and design for an upgraded and extended terminal building

Budget Implications

On 16 June 2011, the Town of Port Hedland received a letter from the Minister for Transport confirming that we were successful in obtaining a sum of \$60,000 to develop an Airport Master Plan for the Airport.

At the Ordinary Council meeting on 13 July 2011, Council resolved to consider the allocation of \$60,000 to match that amount being provided by the Minister for Transport which was subsequently incorporated into the Annual Budget endorsed by Council on 22 July 2011.

Airbiz completed the Port Hedland International Airport Master Plan at a cost of \$92,944.50 therefore the total cost to Council was \$46,472.25.

Officer's Comment

Following the Council resolution on 13 July 2011, quotes were sourced from three consultants (AMPC, Airbiz & AECOM) to provide an 'Airport Master Plan'. Airbiz were selected from the three and they prepared the 'Airport Master Plan' in accordance with the scope of works that were provided to them.

The 'Airport Master Plan' for the Port Hedland International Airport is a lengthy strategic document providing a 20 year planning framework for future development of the airport to meet long-term business and operational objectives, and regional requirements.

It summarises the key aviation issues and opportunities to guide the Town of Port Hedland through the future planning of the airport as one of Western Australia's major regional centres.

A demand and capacity analysis was undertaken which has set the parametres for future development, however it is noted that this Airport Master Plan should be reviewed at regular intervals to ensure that it adequately responds to changes in key drivers.

More specifically within the Airport Master Plan, current predictions on Air Traffic forecasts to 2031 and medium to long-term aviation demand and infrastructure requirements are detailed, which will provide for flexibility in planning requirements and confidence to pursue new regular passenger transport services.

It further provides detail for the phasing in the provision of key infrastructure which will be reflected in new budget items and the 5 year capital works program.

Various stakeholders were consulted by Airbiz in the preparation of the 'Airport Master Plan' and those reports are attached. A number of other documents are also attached which have been referred to in the preparation of the 'Airport Master Plan', namely:

- the 'Airport Land Use Master Plan' which essentially provides a strategic framework for the long term planning of the entire airport land ie 900ha; and
- 'Air Traffic Forecasts for Port Hedland Airport' prepared by Tourism Futures International which provides an analysis of projected national and international passengers numbers based on key drivers arising from the unique environment found in Port Hedland.

Attachments

1. Port Hedland International Airport Master Plan September 2011 (Attached Under Separate Cover)

201112/262 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council:

- 1. Adopt the 'Port Hedland International Airport Master Plan' prepared by Airbiz in September 2011 as the strategic planning document for future development for the Port Hedland International Airport; and**
- 2. Requests that the Airport Master Plan be reviewed by the Manager of Airport Operations every three years or earlier as deemed necessary, with recommendations to be brought back to Council for consideration.**

CARRIED 7/0

6:31pm Councillors M B Dziombak and J E Hunt declared a Financial Interest in Item 11.2.3 'Tender 11/25 Construction of Landscape Works to Cemetery Beach Park Duplication (File No.: 21/07/0017)' as they are BHP Billiton shareholders with shares over the statutory limit.

Councillors M B Dziombak and J E Hunt left the room.

6:31pm Councillor G J Daccache declared an Impartiality Interest in Item 11.2.3 'Tender 11/25 Construction of Landscape Works to Cemetery Beach Park Duplication (File No.: 21/07/0017)' as he is a BHP Billiton shareholder with shares over the statutory limit.

Councillor G J Daccache remained in the room.

11.2.3 *Tender 11/25 Construction of Landscape Works to Cemetery Beach Park Duplication (File No.: 21/07/0017)*

Officer Rob Baily
Projects Coordinator

Date of Report 10 October 2011

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 11/25 Construction of Landscape Works to Cemetery Beach Park Duplication to enable Council to award the Tender.

Background

The Cemetery Beach Park duplication project is being undertaken as a joint BHPB, Town of Port Hedland and Royalties for Regions initiative.

Since the reconstruction of the Park in 2006/07, the park has become very popular with local residents, community groups, tourists and for family/friends gatherings to the point there is often not enough space to accommodate everyone.

The proposed extension to the park will provide additional facilities, encouraging residents and tourists to take advantage of the popular foreshore location. Council and BHPB have recognized the value in this park and approved the initial consultation and design works as a capital project in 2010/2011.

Council approved the Concept Plan for the Cemetery Beach Park duplication project at the Ordinary Council meeting on 27 April 2011, with the following resolution (201011/349):

“That Council:

Acknowledge and recommend the Concept Plan shown as Attachment 1, to be shown as public information ending 31 May 2011 as the preferred Concept Plan for Cemetery Beach Community Park.

Approves the Concept Plan shown as Attachment 1 and requests the Chief Executive Officer to progress to detail design and tender documentation”.

Up to and including the 31 May 2011 there were no comments received regarding the Concept Plan, therefore the Town progressed and completed all relevant detail design and documentation through GHD landscape architects, including supporting structural and electrical engineers designs, peer review and quantity survey requirements.

As part of the detail design and tender documentation for the duplication project it was identified that two of the key elements were based around specialist creative skills - artwork integration and adventure playground. To ensure a suitable process could be managed, those two items were removed from the landscape construction tender (11/25) and separately addressed through an expression of interest process for artwork integration.

The design and documentation for the landscape construction works has been advertised as a public tender (Tender 11/25) with Council receiving six submissions by the closing date of 2.30pm WST Wednesday 21 September 2011.

Consultation

As part of Tender Policy 2/011, the project team consulted with an independent landscape architect to review the final plans and documentation. Also a quantity surveyor completed a pre tender cost estimate to ensure the budget was within a reasonable proximity to the design.

Other consultation has been through a detailed lighting submission to DEC for comments on any effects to turtle population from the proposed lighting plan with comments received. The DEC comments received will not affect the lighting plan in general, however all management opportunities to lessen lighting will form part of the completed works.

The Tender assessment panel was made up of:

- Manager Infrastructure Development
- Manager Engineering Services
- Projects Coordinator

Statutory Implications

This Tender was called in accordance to the Local government Act (1995).

“3.57. Tenders for providing goods and services

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

Policy Implications

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

Strategic Planning Implications

Key Result Area 2:	Community Pride
Goal 1:	Townscape
Immediate Priority 3:	Develop plans for the upgrades of existing parks (Cemetery Beach, Rock of Ages and Marrapikurinya) plus the development of new parks. Install public art to improve sense of place.

Budget Implications

The budget for this project was set at \$3,000,000 and as adopted in the 2010/11 and 2011/12 budget. This was funded equally by BHP Billiton (BHPB - \$1.5m) and Royalties for Regions (R4R - \$1.5m).

Royalties for Regions has supported a reallocation of an additional \$750,000 towards this project from a joint funding of \$3m between Koombana and Cemetery Beach parks. The additional transfer internally between the two projects will allow the full completion of the Cemetery Beach Park. The initial \$3m funding application was not identified as a direct 50/50 split between Cemetery Beach and Koombana parks.

The remaining Royalties for Regions funding of \$750,000 as part of the initially proposed funds for Koombana Park and subsequently developed by South Hedland New Living subdivision in partnership with some Council funding will require further decision as to how the funds are used.

A further application with R4R will be required if the remaining funds of \$750,000 are used elsewhere other than Koombana Park and does not form part of this report.

Therefore the total budget for this project, allocated to accounts 1009482 and 1009483, is:

Funding Provider	Funding Value
BHP Billiton	\$1,500,000
Royalties for Regions	\$2,250,000
TOTAL	\$3,750,000

The expenditure allocations for this project, to determine the balance available to award the construction tender, are:

Expenditure Description	Value
10/11 expenditure (consultation, design, project management, etc)	\$147,877
Balance of design expenditure	\$100,500
Artwork/adventure playground (EOI)	\$290,000
Project management	\$50,000
Additional contingency allowance (balance between base and option 1 @10%)	\$85,313
TOTAL	\$673,690
BALANCE FOR CONSTRUCTION	\$3,076,310

The tender price schedule was provided with various options for the park construction to allow flexibility of the development within the construction budget. The remaining project budget accommodates the recommended tenderer to be awarded the contract based on the complete scope of works (option 1 described below).

Officer's Comment

Tender 11/25 closed at 2.30pm WST on Wednesday, 21 September 2011. The tenders were opened and recorded by the Administration Coordinator, Councillor Arnold Carter, CEO, Project Coordinator. Contractor representatives from PLWA Group, DME Contractors and Tim Davies Landscaping also attended the opening.

The Town received six (6) conforming submissions from:

- Environmental Industries P/L
- Landscape Systems
- DME Contractors
- PLWA Group
- Earthcare Landscapes
- Tim Davies Landscaping P/L

As part of the Tender criteria there were three (3) options proposed to ensure budget constraints could be accommodated if required:

- Base Price - excluded 2 car parks, all custom shelters, some prefabricated shelters and seating, some walls and playground sand, binoculars, mature palms and all boardwalks

- Option 1 - including all items with the car parks asphalted and line marked (excluding mature palms)
- Option 2 - including all items with the car parks primer sealed including aggregate and no line marking (excluding mature palms)

The tender submissions for the 3 options are summarized on the following page:

Table 1: Base Price

Company	Price including contingency (Ex GST)
Environmental Industries P/L	\$2,110,299.18
Landscape Systems	\$2,180,801.77
DME Contractors	\$1,934,164.15
PLWA Group	\$2,181,056.46
Earthcare Landscapes	\$3,317,715.19
Tim Davies Landscaping P/L	\$2,038,783.03

Table 2: Option 1

Company	Price including contingency (Ex GST)
Environmental Industries P/L	\$2,913,287.68
Landscape Systems	\$2,653,376.40
DME Contractors	\$2,611,464.72
PLWA Group	\$2,984,786.96
Earthcare Landscapes	\$3,960,381.22
Tim Davies Landscaping P/L	\$3,101,785.93

Table 3: Option 2

Company	Price including contingency (Ex GST)
Environmental Industries P/L	\$2,754,962.68
Landscape Systems	\$2,606,351.24
DME Contractors	\$2,558,632.00
PLWA Group	\$2,852,461.96
Earthcare Landscapes	\$3,900,381.22
Tim Davies Landscaping P/L	\$2,877,519.81

The evaluation criteria for the six submitted tenders as shown below in Table 4 was based on the requirements as set out in Tender 11/25 documentation.

All scoring in the evaluation of each tender in reference to Experience, Resources, Methodology and Local Industry was done as a separate assessment prior to evaluation of costs.

Table 4:

Assessment Criteria	Max Score (%)
Price	50%
Experience	20%
Resources (supervisory, plant and equipment).	10%
Demonstrated understanding of <i>WUC</i>	10%
Local Industry Development	10%
Max Score	100%

The following three tables (Table 5, 6, 7) show price percentage variations dependent on the base cost or Options 1 or 2 with the remaining evaluation criteria the same for each of the three tables.

Table 5: Evaluation scores with Base prices

Contractor/ Assessment Criteria	Price (50%)	Experience (20%)	Resources (10%)	Demonstrated Understanding (10%)	Local Industry Development (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	
Environmental Industries P/L	45.5	17.6	8	7.7	8	86.7
Landscape Systems	43.6	13.7	6	6.3	5.7	75.3
DME Contractors	50	14.3	7	7	7.3	85.6
PLWA Group	43.6	11.3	6.7	6.3	9.2	77.1
Earthcare Landscapes	14.2	15.7	5.7	6.3	5.7	47.6
Tim Davies Landscapes P/L	47.2	17.7	8	7.7	8.5	89.1

Table 6: Evaluation scores with Option 1 prices

Contractor/ Assessment Criteria	Price (50%)	Experience (20%)	Resources (10%)	Demonstrated Understanding (10%)	Local Industry Development (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	
Environmental Industries P/L	44.2	17.6	8	7.7	8	85.5
Landscape Systems	49.2	13.7	6	6.3	5.7	80.9

DME Contractors	50	14.3	7	7	7.3	85.6
PLWA Group	42.9	11.3	6.7	6.3	9.2	76.4
Earthcare Landscapes	24.2	15.7	5.7	6.3	5.7	57.6
Tim Davies Landscapes P/L	40.6	17.7	8	7.7	8.5	82.5

Table 7: Evaluation scores with Option 2 prices

Contractor/ Assessment Criteria	Price (50%)	Experience (20%)	Resources (10%)	Demonstrated Understanding (10%)	Local Industry Development (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	
Environmental Industries P/L	46.2	17.6	8	7.7	8	87.5
Landscape Systems	49.1	13.7	6	6.3	5.7	80.8
DME Contractors	50	14.3	7	7	7.3	85.6
PLWA Group	44.1	11.3	6.7	6.3	9.2	76.9
Earthcare Landscapes	23.8	15.7	5.7	6.3	5.7	57.2
Tim Davies Landscapes P/L	43.8	17.7	8	7.7	8.5	85.7

The following is a summary of how the non-price criterion scores were determined for each tender submission:

Experience:

The tenderers were required to provide information on completed landscaping projects with an emphasis on civil works and structural components. The tenderers were required to demonstrate experience in working for local government in remote localities.

Some of the submissions scored higher due to local experience and horticultural expertise, as well as proven civil and structural experience on a variety of project of a similar type.

Resources:

The tenderers were required to provide information on staff availability, subcontractors and equipment to commit to the project within the allocated timeframe.

All tenderers have demonstrated commitment to the project with variable amounts of information on staff availability. Some of the tenderers scored higher due to the level of information supplied on the proposed levels of resource commitment and skill levels of the staff and subcontractors.

Demonstrating Understanding of Works:

The tenderers were required to provide information demonstrating an understanding of the project elements and required timing for the construction of the project.

All tenderers provided a suitable understanding of the project with some submissions scoring higher by providing a more detailed analysis and methodology of the project than others.

Local Industry Development:

This component is scored based on Tender Policy 2/011:

- 3% local workforce
- 3% local goods
- 2% local training and skills development
- 2% Town of Port Hedland benefit

All tenderers provided some local benefit through goods and services with some submission demonstrating a high to very high level of local commitment of staff and resources.

Summary

As there are sufficient funds within the budget to accommodate all works necessary to complete the construction of the park duplication, the recommendation to award the contract will be based on the assessment of Option 1 in table 6. In summary, the top scores for Option 1 were assessed as:

- DME Contractors (85.6%) – \$2,611,464.72 ex GST
- Environmental Industries (85.5%) – \$2,913,287.68 ex GST
- Tim Davies Landscape (82.5%) – \$3,101,785.93 ex GST

DME Contractors has successfully demonstrated their capability to complete the project at the quality required. They represent the best value for money, scoring the maximum 50 points for this criterion. It is recommended to award Tender 11/25 to DME Contractors.

DME Contractors has successfully demonstrated their capability to complete the project at the quality required. They can provide a highly experienced project team and demonstrated a well structured approach to the management of the project, with the use of Integrated Management Systems and Quality and OHS processes. Their depot is based in Wedgefield and the project supervisor and staff reside locally.

DME Contractors has demonstrated their experience from both a civil and landscaping perspective and references were well received, particularly from local government clients. They represent the best value for money, scoring the maximum 50 points for this criterion by submitting a lump sum price approximately \$300,000 cheaper than the next price tender.

It is recommended to award Tender 11/25 to DME Contractors.

Attachment

1. Approval variation to FAA – Cemetery Beach and Koombana

201112/263 Officer's Recommendation / Council Decision**Moved: Cr A A Carter****Seconded: Cr D W Hooper**

That Council award Tender 11/25 Construction of Landscape Works to Cemetery Beach Park Duplication to DME Contractors for the sum of \$2,611,464.72 inclusive of \$175,833.10 contingency (ex GST) for the scope of works demonstrated in Option 1.

CARRIED 5/0

6:32pm Councillors M B Dziombak and J E Hunt re-entered the room and resumed their chair.

Mayor advised Councillors M B Dziombak and J E Hunt of Council's decision.

ATTACHMENT 1 TO ITEM 11.2.3



Government of Western Australia
Department of Regional Development and Lands



Our Ref: R255-10 / A1330915
Enquiries: Claire Ditri 9183 5302

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

Dear Mr Martin

VARIATION TO FINANCIAL ASSISTANCE AGREEMENT BETWEEN DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS (RDL) AND THE TOWN OF PORT HEDLAND FOR ROYALTIES FOR REGIONS PROJECT - GP HOUSING PROJECT AND CEMETERY BEACH / KOOMBANA COMMUNITY PARKS

Approval for Variation to Financial Assistance Agreement (FAA)

On the 20th October 2011, the Department of Regional Development and Lands (RDL) received a request from the Town of Port Hedland (the Town) to vary the above Financial Assistance Agreement (FAA). The town advised that a new park in Koombana has now been constructed as part of a South Hedland New Living subdivision development and funding for the Koombana Community Park project is no longer required as per this agreement. The Town requested:

- (i) A variation to the FAA remove the Koombana Community Park Project and revise total allocation from \$3 million to \$2.25 million; and
- (ii) Reallocation of the surplus funding of \$750 000 to the Multipurpose Recreation Centre Project funded through Royalties for Regions.

In relation to item (i), RDL agrees to the following amendments of the above FAA:

Replace the Title of the Agreement with:

2010 The Department of Regional Development and Lands and Town Of Port Hedland ABN: 19 220085 226 - Financial Assistance Agreement For A Royalties For Regions Project – GP Housing Project and Cemetery Beach Park.

Amend Schedule 1 Contact Officers to replace the Department contact officer with:

Name: Claire Ditri
Job title: Principal Project Officer, Community Projects & Engagement
Phone: (08) 9183 5302
Fax: (08) 9185 6492
Email: Claire.ditri@pilbaracities.rdl.wa.gov.au
Postal Address: PO Box 888 Karratha WA 6714
Supervisor: Chris Adams, General Manager

Pilbara Cities Office: Ground Floor, 12 Hedland Place, Karratha WA 6714
Department of Regional Development and Lands: Gordon Stephenson House, 140 William Street, Perth WA 6000
Tel: 1300 PC CALL (1300 72 2255) www.rdl.wa.gov.au/pilbaracities

And to replace the Recipient contact officer with:

Name: Paul Martin
 Job title: Chief Executive Officer
 Phone: (08) 9158 9313
 Fax: (08) 9158 9399
 Email: ceo@porthedland.wa.gov.au
 Postal Address: PO Box 41 Port Hedland WA 6721
 Supervisor: N/A

Amend Schedule 4, Items as specified below to be replaced with the detail provided below:

Schedule 4, Item 1 Purpose of the Project to replace with

The funding will be used for salaries, construction, equipment and material to:

- 1.1 construct quality, subsidized accommodation for General Practitioners (GPs) in Port Hedland and;
- 1.2 design and construct one neighbourhood level park in Port Hedland.

Schedule 4, Item 3.1 Drawdown of Royalties for Regions funding

Item/Deliverable	Payment details and timing	Amount \$'000
Upon execution of the agreement	EFT transfer	3,750

Schedule 4, Item 6.1 Detailed description of the project – Cemetery Beach Community Park*Schedule 4, Item 6.1.1 Project Objective*

To design and construct one neighbourhood level park in Port Hedland.

Schedule 4, Item 6.1.2 Project Timeframe

Main Activities / Milestone	Milestone Date
Budget approval	July 2010
Concept design and cost estimates complete	February 2011
Consultation complete	November 2010
Detailed design and development complete	August 2011
Approvals	February 2011
Finalise procurement	November 2011
Commence construction	December 2011
Construction complete	May 2012
Project review and acquittals	June 2012

Pilbara Cities Office: Ground Floor, 12 Hedland Place, Karratha WA 6714

Department of Regional Development and Lands: Gordon Stephenson House, 140 William Street, Perth WA 6000

Tel: 1300 PG CALL (1300 72 2255)

www.rdl.wa.gov.au/pilbaracities

Schedule 4, Item 6.1.3 Project Budget

Item/Deliverable*	Cost (\$'000)
Development and design	200
Construction – Turf, landscaping	800
Construction – Playground	400
Construction – paths, furniture	1,150
Construction walkways and platforms	650
Car park construction	500
Project Management, administration	50
TOTAL	3,750

Schedule 4, Item 6.1.4 Project Deliverables

Main Activities / Milestone	Milestone Date
Budget approval	Was budget approved by 31 July 2010?
Concept design and cost estimates complete	Were estimates and designs completed by 28 February 2011
Consultation complete	Was consultation completed by 30 November 2010
Detailed design and development complete	Were designs completed by 31 August 2011
Approvals	Were approvals received by 28 February 2011
Finalise procurement	Was procurement finalized by 30 November 2011
Commence construction	Was construction commenced by 30 December 2011
Construction complete	Was construction completed by 31 May 2012
Project review and acquittals	Was project reviewed by 30 June 2012

Schedule 4, Item 6.2 Funding Amount(s)

A total of \$2,250,000 to assist with funding the design and construction of one neighbourhood level park in Port Hedland.

Item/Deliverable*	Total '09/'10-'11/'12 (\$'000)	2009/2010 (\$'000)	2010/2011 (\$'000)	2011/12 (\$'000)
Development and design	-	-	-	-
Construction – Turf, landscaping	475	-	-	475
Construction – Playground	200	-	-	200
Construction – paths, furniture	800	-	-	800
Construction walkways and platforms	450	-	-	450
Car park construction	300	-	-	300
Project Management, administration	25	-	-	25
TOTAL	2,250	-	-	2,250

Pilbara Cities Office: Ground Floor, 12 Hedland Place, Karratha WA 6714

Department of Regional Development and Lands: Gordon Stephenson House, 140 William Street, Perth WA 6000

Tel: 1300 PC CALL (1300 72 2255)

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Schedule 4, Item 6.3 Practical Completion Date Referred to in Clause 17

31 May 2012

The above varies the Funding Agreement in accordance with its (i.e. this letter's) terms. Otherwise, the Funding Agreement applies in accordance with its terms (as varied above). Words and phrases used in this letter and defined in the Funding Agreement shall have the same meanings ascribed to them by the Funding Agreement.

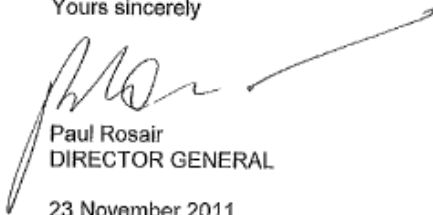
Please attach the original of this letter to the Town of Port Hedland's FAA and sign the attached duplicate of this letter confirming your acceptance of this variation to the Funding Agreement and return it to Claire Ditri, Community Engagement and Projects Pilbara Cities by 30 November 2011.

Regarding the request to apply the surplus funds of \$750,000 to the Multipurpose Recreational Facility already funded by Royalties for Regions, The Town will be required to submit a proposal for the application of funds. Claire Ditri, Community Projects and Engagement at the Pilbara Cities Office will be in contact with relevant personnel at the Town to discuss the details of the proposal. This proposal is to be provided to Community Projects and Engagement at the Pilbara Cities Office for consideration.

If you have queries regarding the above, please do not hesitate to contact Claire Ditri, at the Pilbara Cities Office on 9183 5302.

I wish you well with the Cemetery Beach Park project.

Yours sincerely



Paul Rosair
DIRECTOR GENERAL

23 November 2011

Pilbara Cities Office: Ground Floor, 12 Hedland Place, Karratha WA 6714

Department of Regional Development and Lands: Gordon Stephenson House, 140 William Street, Perth WA 6000

Tel: 1300 PC CALL (1300 72 2255)

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11.3 Community Development

6:33pm Councillor D W Hooper declared a Financial Interest in Item 11.3.1 'Port Hedland Visitors Centre / Courthouse Art Gallery – Consideration of Future Management Options - (File No.: 05/09/0017; 20/01/0026)' as he has an association with the applicant.

Councillor D W Hooper left the room.

11.3.1 *Port Hedland Visitors Centre / Courthouse Art Gallery – Consideration of Future Management Options - (File No.: 05/09/0017; 20/01/0026)*

Officer Gordon MacMile
Director Community
Development

Date of Report 23 November 2011

Disclosure of Interest by Officer Nil

Summary

The management arrangements for the Port Hedland Visitors Centre and Courthouse Gallery are currently in place and expiring between early and mid 2012.

With consideration for the future management of both facilities generally coinciding, the opportunity exists for Council to test the market in terms of operators, as well as assessing whether management synergies exist between the Port Hedland Visitors Centre and the Courthouse Gallery.

Council is requested to support the advertising of Requests for Proposals for the management of the Port Hedland Visitors Centre and the Courthouse Gallery.

Background

Port Hedland Visitors Centre

The SCM of 21 December 2009 awarded the tender to GM Services for the management of the Port Hedland Visitors Centre (PHVC). At the time the management of the PHVC had been advertised on 2 occasions, with only 1 tender being received as part of the final tender process.

Since commencement in January 2010, GM Services have adhered to all obligations of their contract including forwarding all monthly and audited annual reports as required. GM Services meets on a regular basis (fortnightly) with the Economic and Land Development department to discuss any issues in relation to the management and operations at the PHVC.

The original agreement with GM Services over the management of the Port Hedland Visitors Centre expires on 31 December 2011.

A request for additional funding (201112/152 – 21 September 2011) from the PHVC resolved:

“That Council:

1. *Notes GM Services request for additional funding totalling \$80,000 (plus GST)*
2. *Does not endorse the additional funding and advises GM Services that a review of management arrangements will be considered by Council on receipt of further information*
3. *Approves the Chief Executive Officer, or his delegate, to enter into negotiations with GM Services to establish a monthly fee – based on a pro rata figure of \$150,000 per annum – payable to continue managing the PHVC upon expiration of the current contract.”*

Following negotiations, Council has received correspondence from GM Services (30 November 2011) confirming in part the acceptance of the continuation of PHVC management based on:

- Operation of the Visitor Centre on a 2 x 3 monthly arrangement commencing 1 January 2012, with the second 3 month management to be signed off by 29 February 2012
- Payment of a month by month fee based on \$150,000 ex GST per annum (\$12,500 ex GST per month).

Courthouse Gallery

FORM Contemporary Craft and Design Inc. were awarded (January 2010) the management of the Courthouse Gallery for a period of 2 years from 1 July 2010 to 30 June 2012. A further period of management up to 3 years is available under the agreement, to be negotiated and agreed.

Consultation

Internal

- Chief Executive Officer
- Director Community Development

- Economic Land and Development Officer.

External

- GM Services
- FORM Contemporary Craft and Design Inc.

Statutory Implications

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.”*

“6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government;*
 - (b) is authorised in advance by resolution*;* or
 - (c) is authorised in advance by the mayor or president in an emergency.”*

** Absolute majority required.*

Local Government (Functions and General) Regulations 1996:

“Division 2 — Tenders for providing goods or services (s. 3.57)

11. Tenders to be invited for certain contracts

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.*
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —*
 - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*
 - (b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.”*

Policy Implications

The proposed Request for Proposal process outlined in this report is in accordance with Council's Procurement Policy and Tender Policy.

Strategic Planning Implications

Key Result Area 4: Tourism
 Goal 1: Develop additional tourist information at Town entry points and other key focal points within the Town.

Budget Implications

The tender to GM Services was for the lump sum annual fee as detailed in the table below:

Year One:	\$180,000 (plus GST)
Year Two:	\$150,000 (plus GST)
Year Three:	To be negotiated
Year Four:	Year Three fee plus CPI
Year Five:	Year Four fee plus CPI

The management agreement for FORM for the Courthouse Gallery is based on the following fee schedule:

Year One (2010/2011):	\$280,000 (plus GST)
Year Two (2011/2012):	\$280,000 (plus GST)
Year Three (2012/2013):	To be negotiated
Year Four (2013/2014):	2012/2013 fee plus CPI
Year Five (2014/2015):	2013/2014 fee plus CPI

A Request for Proposal process as recommended in this report would establish future operational costs for the Port Hedland Visitors Centre and Courthouse Gallery. The timeframe proposed would allow this information to be included in budget considerations for 2012/2013.

Officer's Comment

Given the increase in tourism and development in Port Hedland over the past couple of years since the awarding of the contract, Council may consider a review and new management strategy for the PHVC. It is anticipated that through this process, Council could reassess the costs to operate and manage the PHVC and consider a new management strategy for the future.

While the option exists for Council and FORM to negotiate and continue with the management of the Courthouse Gallery for a further 3 years beyond June 2012, an opportunity exists to advertise and receive management proposals separately and/or jointly for the PHVC and Courthouse Gallery.

This process would be undertaken through a combined Request for Proposal.

Should Council support the process, interested parties could lodge management proposals either separately for the Courthouse Gallery or PHVC; or alternatively a combined management proposal could be submitted for both facilities.

A new or revised management approach could potentially result in:

- additional parties tendering or other suitable management arrangements being identified
- consideration and identification of synergies in the management and operation of both facilities
- an increase in revenue generated by the PHVC / Courthouse or a sharing of costs
- a reduction in the funding required given the increased number of visitors and local residents using the PHVC services, or the creation of management efficiencies with the Courthouse Gallery
- consideration of additional visitor information approaches (i.e. information booth / kiosk at PHIA).

The Request for Proposal process would be advertised in early 2012, allowing sufficient time to assess submissions, consider potential management synergies and for future management arrangements to be endorsed by Council, prior to the commencement of the peak visitor season in 2012, before the expiry of existing management agreements and allowing for inclusion in budget considerations for 2012/2013.

Attachments

Nil

201112/264 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council:

- 1. Notes the current management arrangements for the Port Hedland Visitors Centre and Courthouse Gallery**
- 2. Delegates Authority to the Chief Executive Officer to advertise Requests for Proposals for the management of the Port Hedland Visitors Centre and Courthouse Gallery for a period of 3 years commencing 1 July 2012, with a further 2 year mutual agreement option**

- 3. Notes that Requests for Proposal submissions will be reported to Council in early 2012 for consideration and endorsement.**

CARRIED 6/0

6:33pm Councillor D W Hooper re-entered the room and resumed his chair.

Mayor advised Councillor D W Hooper of Council's decision.

11.3.2 South Hedland Aquatic Centre - Residential Lease Caretaker's House (File No.:05/05/0072)

Officer Graeme Hall
Manager Community Recreation Services

Date of Report 6 December 2011

Disclosure of Interest by Officer Nil

Summary

The consent of the Council is sought to dispose of property namely the residence at the South Hedland Aquatic Centre (SHAC). This short term emergency lease is to Earthcare (Australia) Pty Ltd (trading as Earthcare Landscape) the company currently engaged by Council to construct Marquee Park.

Earthcare Landscapes are restricted in their capacity to fulfill their contractual agreement to Council due to the availability of accommodation. This situation may be alleviated by making available a house located at the SHAC that was previously part of the Management Agreement with the YMCA.

Council is requested to endorse the disposal of the dwelling situated on Reserve 41003 South Hedland, also known as the Caretaker's residence at the South Hedland Aquatic Centre, by way of a lease to Earthcare Landscapes.

Background

The Ordinary Council meeting (16 November 2011) resolved to lease the caretaker's accommodation at the SHAC to AVP Constructions Pty Ltd. The lease to AVP Constructions is to enable the accommodation of workers and is limited to the period of the redevelopment works of the South Hedland Aquatic Centre. The period of this lease as resolved by Council is from 1 January 2012 to 31 October 2012 or upon completion of the stage one upgrade to the South Hedland Aquatic Centre.

The house at the SHAC is a three bedroom, one bathroom brick dwelling which has previously been part of Council's management agreement with the YMCA. The house will not be part of any future agreements with operators of Council's leisure facilities.

The dwelling is not occupied as the YMCA's staff member has relocated due to the construction works being undertaken in the South Hedland Town Centre.

Consultation

Internal

- Recreation Coordinator
- Manager Community Recreation Services
- Manager Investment and Business Development
- Leasing Officer
- Director Community Development.

External

- WALGA
- Hedland First National Real Estate
- AVP Constructions Pty Ltd
- Earthcare Landscaping.

Statutory Implications

The Local Government Act 1995 - 3.58 (Disposing of property)

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

Council should note that the recommendation is for a retrospective approval of the property disposal as Earthcare commenced occupation on 28 November 2011.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Pursuant to section 3.58 of the Local Government Act, officers requested a valuation of the residence at SHAC. Hedland First National Real Estate provided a market rental of between \$1,350 and \$1,450 per week.

Earthcare Landscaping have indicated that they are prepared to pay a rental in the amount of \$2,200 per week from 28 November 2011.

Officer's Comment

While the house located at the SHAC is suitable for habitation, the construction works surrounding it made it unsuitable for the YMCA employee and their family to remain as tenants.

An emergency requirement for accommodation has arisen for the workers constructing the Marquee Park facility. In order to ensure that the Marquee Park project is not affected adversely due to the availability of accommodation, use of the vacant house at the SHAC is recommended.

The opportunity to use the house as short term accommodation for the workforce engaged in the construction of Marquee Park, and then the redevelopment of the SHAC, is appropriate for the following reasons:

- Occupational health and safety regulations would make it unpleasant for anyone else to be surrounded by at least two construction sites
- An incident may expose Council to liability
- Short term and uncertain periods of lease would make it unattractive for other tenants

- Security of accommodation will ensure that the workers can be available and the works are completed.

The short term emergency arrangement if supported is required to be retrospective as Earthcare Landscapes were unable to find accommodation for workers as of 28 November 2011. For Earthcare Constructions the access to any accommodation is critical to them being able to retain workers in Port Hedland to complete the Marquee Park project.

The provision of emergency accommodation being provided to Earthcare Landscapes will be for the period from the week beginning 28 November 2011 to 20 January 2012. Whilst the disposal to AVP Construction Pty Ltd is from 1 January 2012, AVP have communicated to Town of Port Hedland Officers that they will not occupy the residences until 23 January 2012.

Consultation with AVP Constructions has confirmed that these arrangements are acceptable to them.

Council should note that the disposal will be retrospective as Earthcare commenced occupation on 28 November 2011 due to the emergency nature of accommodation required at Marquee Park.

Section 3.58 of the Local Government Act 1995 requires that the disposal is advertised for a two week period. Any submissions received will be considered prior to the Town of Port Hedland creating a lease agreement with Earthcare Landscapes.

Attachments

1. Ariel View of Property on Reserve 41003 or Lot 9008 on Plan 66974
2. Valuation as conducted by Hedland First National Real Estate
3. Photos showing works being carried out around the SHAC.

201112/265 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

1. **Agrees to dispose of the dwelling situated on Reserve 41003 South Hedland, also known as the Caretaker's residence at the South Hedland Aquatic Centre, by way of a lease to Earthcare Landscapes in accordance with section 3.58 (3) of the *Local Government Act 1995* (private treaty) on the following terms and conditions;**
 - a) **\$2,200 per week rental;**

- b) For a term commencing on 28 November 2011 and expiring on 20 January 2012 or upon completion of the Marquee Park project, whichever arises first; and
- c) For the purpose of housing Earthcare Landscaping employees or contractors only.

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

CARRIED 7/0



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ATTACHMENT 2 TO ITEM 11.3.2

Real Estate Agents, Property, Commercial & Strata Managers



2, 20 Wedge Street, Port Hedland WA 6721
Telephone: (08) 9173 9200 Facsimile: (08) 9173 2363
www.hfn.com.au

November 8th, 2011

RENT APPRAISAL

To whom it may concern,

After viewing the property – The Caretakers Residence, South Hedland Aquatic Centre – Leak Street, SOUTH HEDLAND, WA 6722, I would estimate the rent monies gained between \$1350 and \$1450 per week.

Due to the current location of the property and disturbances caused by upgrades to the roads and shopping complex the property is obviously not going to gain substantial rent. If you wish to discuss this appraisal further please do not hesitate to contact me direct on (08) 9173 9200 or via email at management1@hfn.com.au

Kind Regards

A handwritten signature in black ink, appearing to read 'Amy Lewer'.

Amy Lewer
Senior Property Manager
Hedland First National

Correspondence:
Westskye Property P/L ATF Westskye Trust & Riverpark Homes P/L
ATF Angus James Family Trust T/A Hedland First National Real Estate ABN 42 759 657 213
PO Box 391 Port Hedland Wa 6721
email: admin@hfn.com.au



ATTACHMENT 3 TO ITEM 11.3.2

Attachment 3 – Works carried out around the South Hedland Aquatic Centre [SHAC]





6:34pm Councillor G J Daccache declared an Impartiality Interest in Item 11.3.3 'Aboriginal Arts Centre Project – Update on Progress and Current Initiatives (File No.: 03/01/0025)' as he is a BHP Billiton shareholder with shares over the statutory limit and a FMG shareholder with shares over the statutory limit.

6:35pm Councillor J E Hunt declared an Impartiality Interest in Item 11.3.3 'Aboriginal Arts Centre Project – Update on Progress and Current Initiatives (File No.: 03/01/0025)' as she is a BHP Billiton shareholder with shares over the statutory limit.

Councillors G J Daccache and J E Hunt remained in the room.

11.3.3 *Aboriginal Arts Centre Project – Update on Progress and Current Initiatives (File No.: 03/01/0025)*

Officer Lorna Secrett
Manager Community Development

Date of Report 6 December 2011

Disclosure of Interest by Officer Nil

Summary

This report provides Council with an update on the progression of the Aboriginal Arts Centre project.

Background

Wangka Maya was engaged (March 2010) by Council to undertake a feasibility study on an aboriginal arts and cultural centre in Port Hedland, with a steering committee comprising of representatives of Wangka Maya, Town of Port Hedland and BHP Billiton Iron Ore. In addition to Council funding of \$80,000, Wangka Maya applied successfully for an additional \$147,300 from Royalties for Regions to expand the scope of the consultation and clearly articulate the vision for the project.

The feasibility study, an Aboriginal Arts Development Strategy, (see Attachment 2) was commissioned to examine the wider issues and needs of the community. During the feasibility study it became apparent that a separate approach needed to be taken to the arts components and cultural components of the project, due to differences identified in governance and funding models.

The outcomes of the feasibility study were presented at the Ordinary Council Meeting (OCM 8 December 2010) and resolved:

“That Council:

- a) Accept the Project Update October 2011, Feasibility Study Budget Acquittal and Aboriginal Arts Development Strategy as at Attachments 1, 2 & 3*
- b) Note the Port Hedland Aboriginal Arts and Cultural Centre – Examples of Themes, as at Attachment 4*
- c) Request the CEO to provide support through continued representation by appropriate Town of Port Hedland staff representation on the Cultural Centre Steering Committee, managed by Wangka Maya*
- d) Request the Chief Executive Officer through appropriate staff delegation to initiate and facilitate an Arts Centre Steering Committee formed with representatives from BHP Billiton Iron Ore, Hancock Prospecting, FORM, Spinifex Hill Artists, LandCorp, Department of Indigenous Affairs, Pilbara Development Commission and Fortescue Metals Group for a period of 12 months*
- e) Ensure that elected members receive an invitation to be a part of the Arts Centre Steering Committee.”*

The inaugural meeting (3 March 2011) of the Steering Committee was convened (Minutes - Attachment 1) with outcomes summarised as follows:

- The group felt that it couldn't establish a vision without attendance from FMG, who were in the process of confirming a representative, and Hancock Prospecting who weren't in attendance, therefore visioning was deferred until a future meeting and Town of Port Hedland were to contact these groups and re-affirm their membership
- It was re-affirmed by DIA representative that only one Port Hedland based arts centre would be considered for funding and that it would need to follow the established criteria for funding
- The group supported an approach to the next Royalties for Regions for funding towards development of a business case and project proposal.

A funding application was subsequently developed and submitted to Pilbara Development Commission by Town of Port Hedland staff on 10 March 2011. In response to contact by Town of Port Hedland staff, both FMG and Hancock Prospecting re-affirmed their membership and support for the Group.

A further meeting was called for 21 July 2011, however as the outcomes of the funding application had been delayed, the meeting was deferred until this information was available. The Department of Indigenous Affairs advised at this time that they could no longer participate in the group, due to changes in staffing.

The Town was advised on 26 August 2011 that the Royalty for Regions application for funding had not been successful.

Invitations were forwarded to members in September, however a further Steering Committee meeting could not be held due to availability of members.

The OCM (16 November 2011) resolved in part through CR 201112/219:

“That Council:

Re-establishes the Aboriginal Art Centre Working Group

Purpose/Aim

The Aboriginal Art Centre Working Group has been established to:

- 1. Develop a proposal for an Aboriginal Arts Centre in Port Hedland*
- 2. Source funding to support the proposal once developed.*

Membership

- Councillor Julie E Hunt*
- Councillor Gloria A Jacob*
- Director Community Development*
- Manager Community Services*
- Coordinator Community and Cultural Development.*

A representative from the following organizations:

- BHP Billiton Iron Ore*
- Hancock Prospecting*
- FORM*
- Spinifex Hill Artists*
- Landcorp*
- Department of Indigenous Affairs*
- Pilbara Development Commission*
- Fortescue Metals Group.*

Tenure

12 months

Responsible Officer

Director Community Development”

Consultation

Consultation has occurred through the previous Steering Committee meeting in March 2011.

Statutory Implications

Nil

Policy Implications

Nil.

Strategic Planning Implications

The Town's strategic planning contains the following statements that are directly related to this project:

Strategic Plan 2010:	15
Goal 3:	Arts and Culture Work with stakeholders to develop an Aboriginal Arts and Culture Centre.

Hedland's Future Today 2010

An initiative to establish a range of integrated Indigenous art, cultural and social facilities in Port Hedland to provide a greater range of opportunities for local Indigenous people to practice art and showcase their culture, has been identified as a priority project in Hedland's Future Today 2010.

Budget Implications

There is no funding allocation for this project within the Town of Port Hedland 2011/12 Budget.

Officer's Comment

Council's role in the facilitation of aboriginal arts and cultural initiatives has been previously established through the adoption of the Aboriginal Arts Development Strategy.

It has been acknowledged that Wangka Maya Pilbara Language Centre is the appropriate body to continue to develop the Cultural Centre proposal, and Town of Port Hedland staff continue to actively participate on the steering committee for this project.

The Arts Centre proposal was founded on a thorough Arts Development Strategy (Attachment 2, attached under separate cover) and refers to several independent initiatives which are underway including the continued development of the Spinifex Hill Artists in association with FORM, an announcement by Hancock Prospecting that they will build an aboriginal arts centre as part of their native title agreement with the Karriyarra people, Fortescue Metals Group proposal for an arts development program and the commitment of BHP Billiton Iron Ore towards Aboriginal arts initiatives.

Governance recommendations are outlined in the report as follows:

- The arts centre needs to be managed by artists, for the benefit of artists, supporting artistic excellence and linking artists to ongoing commercial opportunities
- The arts centre needs to be an aboriginal artist owned and managed corporation, under the *Corporations (Aboriginal and Torres Strait Islanders) Act 2006*.

Involvement in and support of the aboriginal arts centre project by the aboriginal community has not been fully established to date and this needs to be the primary focus of the project and the re-established working group.

The report affirms DIA advice that a collaborative approach by all members of the Working Group needs to be taken by all parties to achieve its goal of an aboriginal art centre in Port Hedland stating that:

“Without a unified approach to the development and management of an art centre it is improbable that the scale and continuity of support necessary to realising the art centre vision will be realised.”

Funding has not been allocated or secured for this project to date and this needs to be considered as a priority for the project to progress. Given that the project did not receive support from Royalties for Regions, an approach to members of the Working Group could be considered.

The project also requires, and the Strategy recommends, employing a dedicated project manager to work with stakeholders to develop a proposal. Until funding is in place to action this, it is unlikely that the project can move forward.

The Working Group will be convened in early 2012, with the main focus on:

- establishing a shared vision
- updating progress on various initiatives underway by members of the group
- securing funding to employ a project manager to progress the development of an arts centre in Port Hedland

- engaging with the aboriginal community to determine and ensure support and involvement
- developing a collaborative plan for the success of the project.

The role of Council should continue to be as a facilitator, providing a means of enabling independent initiatives to work in concert for the benefit of the aboriginal community.

Attachments

1. Minutes of Aboriginal Arts Centre Steering Committee 3 March 2011
2. Aboriginal Arts Development Strategy
(Attached Under Separate Cover)

201112/266 Officer's Recommendation / Council Decision**Moved: Cr D W Hooper****Seconded: Cr A A Carter****That Council:**

1. **Notes the update on the Aboriginal Arts Centre project as detailed in this report**
2. **Endorses the Aboriginal Arts Development Strategy as the guiding document for the development of an aboriginal arts centre in Port Hedland.**
3. **Endorses the approach of the Aboriginal Arts Centre Working Group as:**
 - **engaging with the aboriginal community to determine and ensure support and involvement**
 - **establishing a shared vision**
 - **regularly updating progress on various initiatives underway by members of the group**
 - **securing funding to employ a project manager to progress the development of an arts centre in Port Hedland**
 - **developing a collaborative plan for the progression of the project.**

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.3.3

**COMMUNITY DEVELOPMENT****ABORIGINAL ARTS CENTRE WORKING GROUP****MINUTES****3 March 2011**

1.0 PRESENT
<p>Mayor Kelly Howlett – Town of Port Hedland Debra Summers – Town of Port Hedland Lorna Secrett – Town of Port Hedland Cr David Hooper – Town of Port Hedland Fran Haintz – BHP Billiton Iron Ore Tim Pearn – Department of Indigenous Affairs Trish Barron – Pilbara Development Commission Kate Antonas - FORM</p>
2.0 APOLOGIES
<p>FMG – representative to be confirmed Rhys George – Office for the Arts</p>
3.0 INTRODUCTION AND BACKGROUND
<p>This was the first meeting of the Working Group since Council endorsement on 27 January 2011. Last time the group met as a stakeholder group in regards to the Arts Development Strategy and designed to provide framework.</p> <p>Background to the project is that the stakeholder group agreed the arts centre and cultural centre were two separate projects. As Council viewed this as one project Lorna Secrett had to liaise with Executive and Council to explain the significance in splitting the projects. A Council agenda item was presented on the 8 December 2010 with no quorum, there were no further Council meetings over the Christmas period and the item was re-presented on the 27 January 2011 which Council adopted. This is why there was a lag from the stakeholder meeting on the 6 October. Council has now adopted both projects. The Cultural Centre Working Group was endorsed by Council and is being led by Wangka Maya. The Aboriginal Art Centre Working Group was endorsed by Council and is being led by Town of Port Hedland (TOPH) as facilitator.</p> <p>The Council Resolution acknowledged the Arts Development Plan body of work to move forward but the group is to work towards firming this up. TOPH will facilitate meeting but the Terms of Reference will provide the direction for the group and a Project Manager/Consultant could be hired as part of the process to progress actions.</p> <p>All agreed to the background.</p>
4.0 TERMS OF REFERENCE
<p>Terms of reference tabled as a broad draft document which requires input from the group. It covers general information as required by the Local Government Act. Aims and objectives need to be broadened. Meetings to be held bi-monthly with a 50% quorum required. The Group cannot direct council staff or funding without direction from Council which will be in the form of an agenda item presented to Council.</p> <p>The Department of Indigenous Affairs role in the group is to provide industry advice and will not be</p>

a voting member in the group. This will be provided as in-kind support for specialist guidance and knowledge.

Question raised by Trish Barron whether all community members were being covered in the meeting. The group felt there was a need to have representatives from all artists including PACDAC and artist group aligned with Hancock Prospecting as this is about the artists. The group felt that Hancock would liaise with the group that they are aligned with and therefore this group had a representative at future meetings, should Hancock Prospecting continue their membership.

Tim Pearn commented that the group needs to be aware of the politics and make sure that this doesn't destabilize the focus of the service delivery that supports the various groups underneath the overarching group.

Lorna Secrett commented that when the Arts Development Plan was established there were no artists involved in PACDAC. The group decided to ask if there was interest from them and go back to Council before the next meeting

ACTION: Letter to PACDAC outlining process.

Fran Haintz commented that the mining companies have aligned with different groups and need to be aware of this to work towards a common goal and not have different centres emerging.

Trish Barron commented that the State Government funding would not be willing to support different centres. Deb Summers also confirmed that this would not be Councils preference either and would be encouraging one centre.

Kate Antonas commented that the Spinifex Hill artists are funded by the Courthouse Gallery and they will continue to fund. It was agreed that this is a separate issue in regards to studio space not an Arts Centre. Kate also noted that they were in late stages of negotiations with BHP to secure land on Cottier Drive South Hedland for a building for the Artists as they cannot continue in the Church.

Clarification required on whether studio space and Arts Centre is different. Fran commented that the initial aim of the Group would be for a space for artists to work which can then grown into a gallery as stage 2.

Tim Pearn defined an Arts Centre as a work space, high market materials with works catalogues that included a marketing element. A gallery promotes tourist sales and is a small proportion of the overall market. Geraldton made more money when their space wasn't a gallery and was actually a workspace. Galleries are covered in the Hedland with the Courthouse Gallery and the Cultural Centre.

Kate commented that due to timeframe issues they had to move on funding. Agreed that it should be identified what should have been done to date, and what FORM have currently done.

Lorna commented that the issue is around a managed centre and inclusivity. If anyone can join Spinifex Hill Artists then it is not a problem moving in that direction as long as everyone is involved and in agreement. Kate advised that they want to grow numbers and are happy to include all artists.

It was put forward a motion through the committee to agree and endorse one centre to move forward with mining companies and FORM all onboard.

It was agreed that all members from industry were needed around the table to agree and move forward. Hancock and FMG were a part of the original stakeholder group who agreed to the

<p>original direction and the Group cannot move forward without them for visioning etc.</p> <p>ACTION: Contact FMG & Hancock Prospecting to re-affirm their inclusion in the Working Group and send minutes of this meeting. Find out when Cheryl is going to be in Port Hedland and schedule next meeting around her availability.</p> <p>Group agreed to put in funding application to Royalties for Regions for the project proposal, works, design etc. Trish advised not to put forward as a salary but as a body of works. Deadline Thursday 10th March. Tim to help with roles and responsibilities and funding. Maximum funding \$50,000 and to include other sources of in-kind support.</p> <p>Kate confirmed Courthouse Gallery to proceed with Spinifex Hill Artists as currently progressing. The Group agreed to this. Kate commented that the meeting was helpful to advise where FORM are currently at and good to hear the support to continue to move forward.</p> <p>RESOLUTION: Group supports approach for funding application for scope of works.</p> <p>Tim commented that the process should look at developing renaming Spinifex Hill Artists or Spinifex retaining their identity under an umbrella. Kate advised that Spinifex Hill Artists is not trademarked.</p> <p>Tim advised Commonwealth funding next January.</p> <p>ACTION: Letters to FMG / Ray Hill / BHP / Hancock Prospecting for contribution towards body of works.</p> <p>ACTION: Look towards other funding organisations including Department Culture and the Arts, Lotteries West etc</p>
<p>5.0 SCOPE OF WORKS FOR CONSULTANCY</p> <p>Primary objective in the interim stage:</p> <ul style="list-style-type: none"> • Feasibility study • Business plan – how operated and business model • Concept designs • Identify funding <p>Consultancy drives project and reports back to Working Group on progress.</p>
<p>6.0 NEXT MEETING DATE/TIME</p> <p>To be advised</p>

11.3.4 Community Funding and Donations - Endorsement of Funding Requests (File No.: 02/05/0003)

Officer	Gordon MacMile Director Community Development
Date of Report	7 December 2011
Disclosure of Interest by Officer	Nil

Summary

Applications for funding under the Community Funding and Donations policy have previously been considered by the Donations Working Group, in turn providing recommendations to Council.

Recent changes have reallocated this responsibility to the Audit and Finance Committee. This timing has resulted in applications not being able to be considered by the December Audit and Finance Committee due to the timing of agenda close / distribution.

This report proposes an interim measure during the changeover from Working Group to Committee and requests Council considers the applications received and allocates funding to donations requested from Bloodwood Tree Association (\$5,000) and the Hedland Amateur Swimming Club Inc (\$3,550).

Background

The Community Funding and Donations Policy was reviewed and updated in November 2010. The Policy review identified a series of community, recreation, sporting and cultural celebration and events of significance and regularity.

The purpose of the Policy was to establish a framework that facilitates collaboration with the community to support the delivery of events, celebrations and community activities which reflect the unique identity of Port Hedland.

The Donations Working Group had the responsibility of assessing and making recommendations to Council in relation to applications for funding received from the community. Previous rounds of the Donations Working have occurred bi-monthly throughout 2011 (February, April, June, August and October).

Council (OCM 16 November 2011) endorsed a review of Town of Port Hedland's Committees and Working Groups Terms of Reference and Elected Member Representation on Council's Committees, Working Groups and External Organisations.

The previously established Donations Working Group was disbanded in accordance with the revised terms of reference of the re-established Audit and Finance Committee.

While this change occurred, an application round of the Donations Working Group was in progress closing on Monday, 5 December 2011. With the Audit and Finance Committee meeting scheduled for 8 December, the donation application process closed after the Audit and Finance Committee meeting agenda closed and was distributed.

Consultation

- Director Community Development
- Manager Community Development
- Manager Recreation Services and Facilities.

Statutory Implications

Nil

Policy Implications

Community Funding and Donations Policy applies to this report.

Strategic Planning Implications

Key Result Area 2:	Community Pride
Goal 2:	Events
	Supporting Community groups who are operating community events, through training, support, advice and, where appropriate, financial support.

Budget Implications

Should the officer's recommendation be adopted \$8,550 will be allocated from GL Account 813274, with an estimated \$19,839 remaining balance of funds.

Officer's Comment

The recent round of the Community Funding and Donations process closed on 5 December 2011, with 2 applications being received from Bloodwood Tree Association and the Hedland Amateur Swimming Club Inc.

A summary of the funding requested is detailed below (full copies of the Donation Requests are included as Attachment 2 and Attachment 3).

Bloodwood Tree Association – Wapa Maya Landscaping

Application for donation is for the improvements to landscaping at the Wapa Maya facility. Landscaping will include gardens and pathways.

In kind labour will be donated from Community Corrections Order workers, with Bloodwood Tree providing own funds and in kind support.

Hedland Amateur Swimming Club – Waiver of Lane Hire Fees

Application for donation to waive (offset) lane hire fees at the Gratwick and South Hedland Aquatic Centres for the period 18 October 2011 to 5 April 2012.

Hire fees were introduced for exclusive use of lanes at the Aquatic Centres within the 2011/2012 Schedule of Fees and Charges.

Hedland Aquatic Centre request a waiver (offset) of lane hire to minimise Club membership fees.

Officer's comment that the Swimming Club needs to contribute towards their exclusive use of Council's facilities. This is the first year that a lane hire fee has been imposed and it is reasonable that the Club may not have had sufficient opportunity to budget for the additional cost.

Support partial (50% support of lane hire cost) use of Donations funds to share the cost of lane hire in this first year. In preparing the 2012/2013 fees and charges officers will discuss alternative arrangements with the Club with regard to lane hire options.

Attachments

1. Summary of Community Funding Applications and Officer's Comment / Recommendation (December 2011)
2. Bloodwood Tree Association Inc. - Request for Donation (Wapa Maya Landscaping)
3. Port Hedland Swimming Club – Request for Donation (Waiver of Lane Hire Fees).

201112/267 Officer's Recommendation / Council Decision**Moved: Cr A A Carter****Seconded: Cr D W Hooper****That Council:**

1. **Allocates funding of \$8,550 from GL Account 813274 (Community Funding and Donations) to donations requested from:**

- a. **Bloodwood Tree Association for the amount of \$5,000 for Wapa Maya Landscaping**
- b. **Hedland Amateur Swimming Club Inc for the amount of \$3,550 for Aquatic Centre Lane Hire Fees.**

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.3.4



**SUMMARY OF COMMUNITY FUNDING APPLICATIONS
TO BE ASSESSED AT ORDINARY COUNCIL MEETING
ON 14 DECEMBER 2011**

2011 – 2012 Financial Year Budget for Donations:	\$45,000
Donations Approved To Date:	\$28,389
Automatic Venue Hire Fee Waivers:	nil
Independent Council Resolutions	nil
Amount Remaining in Budget:	\$28,389



Organisation	Event	Assistance Requested	Value of Request	Officer's Recommendation	Officer's Rationale / Comment
1 Hedland Amateur Swimming Club	n/a	Waive of SHAC & Gratwick lane hire fees for 18/10/11 to 05/04/12	\$7,100	Supported – 50% funding (\$3,550)	Swimming Club needs to contribute towards their exclusive use of Council's facilities. This is the first year that a lane hire fee has been imposed and it is reasonable that the Club may not have had sufficient opportunity to budget for the additional cost. Support partial use of Donations funds to share the cost of lane hire in this first year. In preparing the 2012/2013 fees and charges officers will discuss alternative arrangements with the Club with regard to lane hire options. Recommendation- 50% support of lane hire cost to the Hedland Swimming Club.
2 Bloodwood Tree Association	n/a	Supply of materials to landscape Wapa Maya	\$5,000	Supported – 100% funding (\$5,000)	Bloodwood Tree Association providing contribution and in kind support (labour from Community Corrections), have sourced alternative funding.
		Total	Requested: \$12,100	Recommended: \$8,550	

Amount remaining in budget if Officer's recommendations are followed \$19,839



Town of Port Hedland
Community Funding & Donations Application
For Not For Profit Organisations
FORM B



Please submit completed form to csa@portheadland.wa.gov.au

Part 1: Applicant Details

Not For Profit

Not for profit uses all monetary surplus solely for the purpose of it's objectives and not to financially benefit it's members in any way. Has a wind up clause in its constitution or memorandum of articles of association that provides for assets to be distributed to a 'like' organisation and not to its own members. (Source: Lotteries West FAQ)

Name of Organisation: BLOODWOOD TREE ASSOCIATION INC.

Contact Person: First Name: BOB Surname: NEVILLE

Street Address: 36 ROBERTS STREET Postcode: 6722

Postal Address: PO Box 2099 Postcode:

Telephone: 91723622 Facsimile: 91401474

Email: manager@bloodwoodtree.org.au

Website: <http://www.>

Incorporated: Yes No Year of Incorporation: 1977

If Yes, please attach a copy of your Certificate of Incorporation

ABN: 93 975 267 470

Registered for GST: Yes No

Does your group have Public Liability Insurance: Yes No

If answered Yes please refer to Part 2. If answered No please answer questions below.

a) If your organisation does not have public liability insurance, are you covered under another association eg State Sporting Association?

Yes No If yes, by who? _____

b) If your organisation does not have public liability insurance and is not covered by another associations insurance, will you be obtaining cover for this event?

Yes No If yes, by who? _____



Town of Port Hedland
Community Funding & Donations Application
For Not For Profit Organisations
FORM B

Please submit completed form to cso@portheadland.wa.gov.au

Part 2: Bank Account Details

Please provide details of where monies are to be transferred if your application is successful:

Account Name: BLOODWOOD TREE ASSOCIATION INC ADMINISTRATION
BSB No.: 086 905 Account No.: 57 210 4323

Part 3: Application Details

Please provide details as required about why you are applying for funding / donation:

What is the name of Project / Event / Activity / Celebration you are planning:

Wapa Maya Land Scaping

What type of support do you require from the Town of Port Hedland for your project / event? Please tick

i) Cash up to the value of \$2000 []

Please provide details of how much are you applying for?

ii) Waiving of hire fees for Council owned or operated venues []

Please provide details of Council venue and dates required?

iii) In-Kind Contributions [x]

For example provision of additional bins, tree lopping, gravel on parking areas, help from TOPH staff etc. Please list below assistance you are requiring for inkind contributions:

Like to mulch garden, plant trees bushes and crushed rock for paths.

Please provide a brief outline of what your project / event / activity involves and what you would like to achieve? Please include details of entertainment.

A Welcoming friendly environment for clients to stay and visit.

To supply goods mulch-stone-plants and I will organise workers to spread and plant. (Our workers Community Corrections Order)



Town of Port Hedland
Community Funding & Donations Application
For Not For Profit Organisations
FORM B

Please submit completed form to cso@porthedland.wa.gov.au

Part 3: Application Details cont...

Who can be a part of your project / event?

Staff at Centre / Clients that attend centre
Clients that are doing community hours

Where will your project / event be held?

14 FORREST ROAD StH Hedland

Proposed Start Date & Start Time for Event:

JANUARY 2012

Proposed Finish Date & Finish Time for Event:

FEBRUARY 2012

Will catering / food, consumption of alcohol or sale of alcohol be provided? If yes, please provide details below.

Yes [] No [x]

Have relevant licenses been applied for? If yes, please provide details below and attach license approvals. (Copies only please do not send originals)

Yes [] No []

NA

What are your plans of advertising your project/event to the community? Please outline below how Council's contribution will be recognised in advertising.

Media Recognition will be given at completion of project.

What support do you have from other groups? Please attach letters of support (Copies only please do not send originals)

NA



Town of Port Hedland
Community Funding & Donations Application
For Not For Profit Organisations
FORM B

Please submit completed form to csa@porthedland.wa.gov.au

Part 3: Application Details cont...

How will your project/event benefit the Town of Port Hedland Community?

To Assist in Rehabilitation and job prospects for our clients who are part of the community DS

Part 4: Project / Event Budget

Please provide estimated details of Budget for your project/event:

Total cost of your project / event	Contributed by you or your organisation (both cash & in-kind support)	Contributed by Other Funding Sources (both cash & in-kind support)	Requesting to be contributed by Town of Port Hedland (both cash & in-kind support)
\$500.00	\$ 2500	\$ 1000.00	\$ 5000.00

Part 5: Application Checklist

Prior to submitting an application, please use the following checklist to ensure that all of the necessary information has been included with your submission.

- * Proof of incorporation is attached
- * Public Liability Insurance - Certificate of Currency is attached
- * Australian Business Number details:
 - * Your group's ABN (Australian Business Number) is on the first page; or
 - * If your group does not have an ABN, a Statement by Supplier form has been completed and attached.
- * Supporting documents have been attached (e.g. letters of support)
- * Application has been signed by an appropriate office bearer
- * Licenses has been applied for and attached (if relevant) N/A



Town of Port Hedland
Community Funding & Donations Application
For Not For Profit Organisations
FORM B

Please submit completed form to csa@porthedland.wa.gov.au

Part 6: Authorisation

I, Doreen Turland, certify that the attached application for funding was approved by the Management Committee of Bloodwood Tree Association organisation on

(Please attach a copy of the minutes of the meeting where the application was approved)

Signed:

D Turland



Date: 10/10/11

If you are unsure about any item or have further questions please contact the Customer Service Team on 9158 9300 or csa@porthedland.wa.gov.au

By 5th Dec

ATTACHMENT 3 TO ITEM 11.3.4

**Hedland Amateur
Swimming Club Inc.**
PO Box 351 Port Hedland, WA 6721



ABN 198 77078 473

10 November 2011

Town of Port Hedland
PORT HEDLAND
6721

To whom it may concern

APPLICATION FOR COMMUNITY FUNDING

Please find herewith an application for the waiving of lane hire fees at the YMCA managed aquatic centres.

The Hedland Amateur Swimming Club utilizes both the South Hedland and Gratwick Aquatic Centres for club training five days a week. The introduction of lane hire means the club finds itself in a difficult situation wrt to membership fees. Our members pay between \$236 and \$340 for club membership and this amount does not include this additional cost.

The committee is working towards securing other support but at this stage the applications have not yet been submitted. In the event of other funding being secured details will be forwarded.

Regards

A handwritten signature in blue ink, appearing to read 'Sarah Fawcett', is written over a light blue circular stamp.

Sarah Fawcett
PRESIDENT



Town of Port Hedland
Community Funding & Donations Application
For Individuals & Community Organisations
FORM A

Please submit completed form to council@porthedland.wa.gov.au

Part 1: Applicant Details

Please identify who is applying for this funding / donation:

Individual Person or;

Community Organisation

Community Organisation is defined as a group of community members not classified with the ATO as a "Not for profit" organisation. "Not for profit" organisations are to fill out FORM B.

Name of Organisation (if applicable): Hedland Amateur Swimming Club

Contact Person: First Name: SARAH Surname: FAWCETT

Street Address: 14 COOPER PLACE, PH Postcode: 6721

Postal Address: Po Box 351, Port Hedland Postcode: 6721

Telephone: 0876 646437 Facsimile: _____

Email: Lapsinoz@bigpond.com

Website: <http://www.hedlandswimming.com.au>

Does your group have Public Liability Insurance? Yes No

If answered Yes please refer to Part 2. If answered No please answer questions below.

a) If your organisation does not have public liability insurance, are you covered under another association eg State Sporting Association?

Yes No

If yes, by who? Swimming club

b) If your organisation does not have public liability insurance and is not covered by another associations insurance, will you be obtaining cover for this event?

Yes No

If yes, by who? _____



Town of Port Hedland
Community Funding & Donations Application
For Individuals & Community Organisations
FORM A

Please submit completed form to council@porthedland.wa.gov.au

Part 2: Bank Account Details

Please provide details of where monies are to be transferred if your application is successful:

Account Name: Hedland Amateur Swimming Club
 BSB No.: 066 528 Account No.: 1013 7686

Part 3: Application Details

Please provide details as required about why you are applying for funding / donation:

What is the name of Project / Event / Activity / Celebration you are planning:

Training

Please provide a brief outline of what your project / event / activity involves and what you would like to achieve? Please include details of entertainment.

This is the clubs basic training activities, taking place five days a week at both SHAC and Gratwick.

Who can be a part of your project / event?

All registered members

Where will your project / event be held?

SHAC & GRATWICK

Proposed Start Date & Start Time for Event:

18 Oct - ²⁰¹¹ ~~6~~ April 2012

Proposed Finish Date & Finish Time for Event:

5 April 2012



**Town of Port Hedland
Community Funding & Donations Application
For Individuals & Community Organisations**

FORM A

Please submit completed form to council@porthedland.wa.gov.au

Part 3: Application Details cont...

Will catering / food, consumption of alcohol or sale of alcohol be provided? If yes, please provide details below.

Yes No

Have relevant licenses been applied for? If yes, please provide details below and attach license approvals. (Copies only please do not send originals)

Yes No

What are your plans for advertising your project/event to the community? Please outline below how Council's contribution will be recognised in advertising.

Advertising membership has already been carried out but the club will include recognition of Council's support in any and all future publicity.

How will your project/event benefit the Town of Port Hedland Community?

The costs of club membership are quite high so being able to alleviate financial burdens may attract more members.

What support do you have from other groups? Please attach letters of support (Copies only please do not send originals)



Town of Port Hedland
Community Funding & Donations Application
For Individuals & Community Organisations
FORM A

Please submit completed form to council@porthedland.wa.gov.au

Part 3: Application Details cont...

What type of support do you require from the Town of Port Hedland for your project / event?
 Please tick

i) Cash up to the value of \$2000

Please provide details of how much are you applying for: _____

Please specify exactly what the funds would be spent on: _____

ii) Waiving of hire fees for Council owned or operated venues

Please provide details of Council venue and dates required: _____

Venue: SHAC & GRATWICK AQUATIC CENTRE

Dates: 18 OCTOBER 2011 - 5 APRIL 2012

iii) In-Kind Contributions

For example provision of additional bins, tree lopping, gravel on parking areas, help from TOPH staff etc. Please list below assistance you are requiring for inkind contributions:

Part 4: Project / Event Budget

Please provide estimated details of Budget for your project/event:

Total cost of your project / event	Contributed by you or your organisation (both cash & In-kind support)	Contributed by Other Funding Sources (both cash & In-kind support)	Requesting to be contributed by Town of Port Hedland (both cash & In-kind support)
Approx. \$7,100	\$	\$	\$ 7,100 approx.

H:\Community Development\Marketing Group\Donations Working Group\Working Documents\Community Funding & Donations Application Form - Individuals & Community Organisations - Form A - details.xlsx



Town of Port Hedland
Community Funding & Donations Application
For Individuals & Community Organisations
FORM A

Please submit completed form to council@porthedland.wa.gov.au

Part 5: Authorisation

I, Sarah Fawcett, certify that the I have information provided on this application for funding is correct to the best of my knowledge

Signed: 

Date: 10.11.2011

If you are unsure about any item or have further questions please contact the Customer Service Team on 9158 9300 or council@porthedland.wa.gov.au

Office Use Only - Officers Recommendation

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6:36pm Councillor G J Daccache declared an Impartiality Interest in Item 11.3.5 'Tender 11/30 - Feasibility Study into Library and Community Facilities in South Hedland Town Centre, including Co-location Opportunities (File No.: 23/08/0062)' as he is a BHP Billiton shareholder with shares over the statutory limit.

6:37pm Councillor J E Hunt declared an Impartiality Interest in Item 11.3.5 'Tender 11/30 - Feasibility Study into Library and Community Facilities in South Hedland Town Centre, including Co-location Opportunities (File No.: 23/08/0062)' as she is a BHP Billiton shareholder with shares over the statutory limit.

Councillors G J Daccache and J E Hunt left the room.

11.3.5 *Tender 11/30 - Feasibility Study into Library and Community Facilities in South Hedland Town Centre, including Co-location Opportunities (File No.: 23/08/0062)*

Officer Lorna Secrett
Manager
Community Development

Date of Report 14 December 2011

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 11/30 - 'Feasibility Study into Library and Community Facilities in South Hedland Town Centre, including Co-location Opportunities' to enable Council to award the Tender.

Council is requested to award Tender 11/30 to Cox Howlett and Bailey Woodland for the amount of \$155,200.00 (ex. GST).

Background

The Town of Port Hedland, in partnership with BHP Billiton Iron Ore and the State Government has identified an opportunity to explore the feasibility of locating a range of community facilities within the South Hedland Town Centre, including co-location options. The facilities include Lotteries House, Hedland Well Womens Centre and South Hedland Library and Community Centre (Town of Port Hedland).

It is intended that the Feasibility Study will:

- Examine the options for co-location of the community facilities detailed
- Determine the mix of co-located community facilities, as agreed by the groups

- Provide conceptual designs for the agreed location(s).

Submissions were sought from suitably qualified and experienced consultants to undertake the Feasibility Study through a Request for Tender process.

Consultation

A stakeholder reference group, comprising representatives of the specified facilities, has been formed to guide the project and have agreed on the requirements of the brief, meeting schedule and project timelines.

Statutory Implications

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

“3.57. Tenders for providing goods or services

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

Policy Implications

This Tender was called in accordance with Council’s Procurement Policy 2/007 and Tender Policy 2/011.

Strategic Planning Implications

The feasibility study will address several elements of Council’s Strategic Plan. The predominant strategy is:

Key Result Area 3: Community Development
Goal 1: Youth and Children:
Immediate Priority 5: Plan for the development of new library and community centre in South Hedland.

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

Budget Implications

An amount of \$300,000 is included in the 2011/12 budget as a Partnership Project and allocated towards the Feasibility Study.

Officer's Comment

Tender 11/30 closed at 2.30pm on Wednesday, 23 November 2011. Tenders were opened and recorded by Council staff members, with Councillors Carter and Jacobs in attendance.

Assessment panel members were Manager Community Development, Director Community Development and Senior Project Officer Engineering Services.

Tender submissions were received from eleven companies.

All submissions are deemed conforming. Table 1 shows the Lump Sum Fee offered by each submission:

Table 1

Submission	Lump Sum Fee (Excl GST)
SGS Economics and Planning	\$226,725
Cox, Howlett and Bailey Woodland	\$155,200
Hames and Sharley	\$256,000
ARM	\$270,000
Bollig Design Group	\$71,000
Hocking Heritage Studio	\$263,650
Davis Langdon	\$234,390
Tredwell	\$241,150
Coda	\$298,820
Thinc	\$196,850
	+ disbursements not included
AEC Group	\$258,922

Table 2 below shows Assessment Criteria and weightings applied.

Table 2

Assessment Criteria	Weightings
Relevant Experience	30
Key Personnel Skills and Experience	20
Tenderer's Resources	10
Demonstrated Understanding / Methodology	30
Local Industry Development	10

The comparison of each of the assessment criteria for the Tender submissions received is summarised in Table 3 below:

Table 3

Submission/ Assessment Criteria	Relevant Experience (30%)	Key Personnel Skills and Experience (20%)	Tenderer Resources (10%)	Demonstrated Understanding / Methodology (30%)	Local Industry Dev. (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	
SGS Economics and Planning	15	10	6	17	0	48
Cox, Howlett and Bailey Woodland	23	15	7	22	1	68
Hames and Sharley	20	12	7	19	1	58
ARM	17	13	6	20	3	59
Bollig Design Group	19	12	7	9	0	47
Hocking Heritage Studio	15	11	6	9	0	40
Davis Langdon	15	11	6	12	1	45
Tredwell	16	11	6	9	0	41
Coda	18	11	6	18	3	56
Thinc	15	9	6	9	2	41
AEC Group	22	13	6	18	3	62

Summary

Cox, Howlett and Bailey Woodland scored the highest in accordance with the selection criteria at the conclusion of the assessment of each submission for RFT 11/30 – Feasibility Study into Library and Community facilities in South Hedland Town Centre, including Co-location Opportunities.

The Panel also considered that the Cox, Howlett and Bailey Woodland submission offered the best value for money.

Accordingly, it is recommended that Tender 11/30 – Feasibility Study into Library and Community facilities in South Hedland Town Centre, including Co-location Opportunities be awarded to Cox, Howlett and Bailey Woodland.

Attachments

Nil

201112/268 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council awards Tender 11/30 - Feasibility Study into Library and Community Facilities in South Hedland Town Centre, including Co-location Opportunities to Cox, Howlett and Bailey Woodland for the amount of \$155,200.00 excluding GST.

CARRIED 7/0

11.3.6 South Hedland Skate Park – Update on Project and Endorsement of Concept Designs (File No.:26/06/0004)

Officer Lorna Secrett
Manager Community
Development

Date of Report 14 December 2011

Disclosure of Interest by Officer Nil

Summary

Council has previously considered the impact of the South Hedland CBD works on the existing Skate Park and the potential locations and options for any redevelopment / replacement.

The opportunity to co-locate the Skate Park with and on the SHAC redevelopment site was identified early in 2011. At that time a limited and preliminary consultation process was undertaken.

In July 2011, Council supported a comprehensive community engagement and consultation process being undertaken to consider the detailed site circumstances and develop a skate facility plan.

This report outlines the community engagement process, the masterplan concept that has resulted and requests Council endorse concept designs and masterplan based on the results of the engagement.

Background

Council has previously considered the impact of the South Hedland Town Centre works on the existing Skate Park and the potential locations and options for any redevelopment or replacement and a limited and preliminary consultation process was undertaken regarding the proposed skate facility location.

In May 2011, Council acknowledged the recommendations of the South Hedland CBD Stakeholder Committee regarding the proposed skate facility by supporting the exploration of all opportunities to share or jointly use space within the CBD for multiple infrastructure and community outcomes.

Consultation was then undertaken with the South Hedland Town Centre Stakeholder Committee, Landcorp, Lotteries House, South Hedland Shopping Centre, WA Police, BHP Billiton Iron Ore, local business owners and community members on potential sites for a redesign and relocation of the existing skate park site.

This investigation and consultation identified an opportunity for potential collocation and integration of the Skate Park with the South Hedland Aquatic Centre (SHAC) redevelopment, which is currently entering the detailed design and construction stage.

Officers undertook a further consultation process with key stakeholders and sections of the broader community, focused on establishing the level of support for the new location of the South Hedland Skate Park.

A meeting of the South Hedland CBD Stakeholder Committee held on 11 July 2011 resolved the following for Council consideration:

“That the South Hedland CBD Stakeholder Committee in principal supports the reconstruction of a new skate park on the South Hedland Aquatic Centre site, subject to further consultation to be carried out amongst the community and in particular with regular skate park users”.

The OCM (27 July 2011) resolved through CR 201112/036:

“That Council:

- a) Notes the recommendations of the South Hedland CBD Stakeholder Committee regarding the proposed skate facility location*
- b) Request the Chief Executive Officer to undertake a comprehensive community engagement and consultation process being undertaken to consider the detailed site circumstances and develop a skate facility plan for consideration by Council*
- c) Notes that a subsequent report will be provided to Council in late November 2011, detailing the consultation outcomes, concepts designs, cost estimates, funding strategy and potential construction program for the proposed skate park facility*
- d) The consultation, engagement, concept design and cost estimate process, which is expected to cost \$75,000, be deducted from confirmed BHP Billiton funding.”*

A Request for Quotation was undertaken resulting in the appointment of Convic Design in September 2011.

This report details the outcomes of that appointment and outlines the next stage of the project.

Consultation

Convic Design delivered the engagement with support from the Community Development Team over two separate week periods.

Week One Consultation (20 October 2011)

This week was used to gather input/ideas from as many stakeholders as possible. Over 300 young people as well as numerous others were engaged with the design process. A Facebook page was set up and used to expand the community engagement process utilising social media. The results of this first week of engagement were then used by Convic Design to develop an initial concept masterplan to present back to contributors for further engagement and to ensure the results had been interpreted and included correctly.

Week Two Consultation (14 November 2011)

Engagement with young people and all stakeholders took place with Convic Design presenting the masterplan concept drawings and gaining feedback and further ideas/improvements to include when completing detailed designs

The complete project plan for community engagement for both October and November is included in Attachment 1 and Attachment 1a. Masterplan concept sketches in Attachment 2, Attachment 2a, Attachment 2b, Attachment 2c and Attachment 2d.

Consultation Summary

Over 400 young people were consulted, with a significant percentage of Aboriginal young people. The following individuals, teams and groups were consulted:

Internal

- Councillors
- Chief Executive Officer and Executive Team
- Director Community Development
- Manager Community Development and relevant team members
- Manager Recreation Services and relevant team members
- Manager Engineering and relevant team members
- Planning Officer
- Coordinator Parks and Gardens
- Coordinator Waste.

External

- WALGA has been consulted in regard to the potential future procurement process
- The South Hedland Town Stakeholder Committee
- Local youth agencies including Youth Involvement Council, Youth Opportunities Unlimited, Youth Justice Team, Wirakaya Maya, Population Health, Mental Health, HYSAG, HYLC, Department of Child Protection, Police Department, Roller Derby group at JD Hardie and Hip Hop group – The Hood

- Local schools including Hedland Senior High School, Cassia Primary, South Hedland Primary, Baler Primary and Port Hedland Primary
- Young people/users of the skate parks at both South Hedland Skate Park and Port Hedland Skate Park at different times of the day on different days of the week and over weekends to capture as broad a group of users as possible
- Lawson Street Centre users (Youth Involvement Council).

Statutory Implications

Subject to the final concept design and costings being supplied to the satisfaction of Council, Officers will recommend in a further report that Section 2(b) of Local Government (Functions and General) Regulations 1996 can be applied towards the direct appointment of Convic to the detailed design and construction phase. The section states as follows:

Division 2 — Tenders for providing goods or services (s. 3.57)

11. Tenders to be invited for certain contracts

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.*
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —*
- (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*
 - (b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.*

As a WALGA preferred supplier, Convic Designs can be appointed in a direct manner providing seamless continuity between engagement, design and delivery (construction).

Policy Implications

The Community Engagement Strategy which was endorsed by the Council at OCM 16 November 2011 was implemented and ensured that a comprehensive plan of consultation and involvement occurred with the community.

Strategic Planning Implications

- Key Result Area 3: Community Development
 Goal 1: Youth and Children
 That parents and young people in the Town have access to a range of facilities and services that is comparable to a metropolitan area.
- Goal 2: Sports and Leisure
 That the community has access to sports and leisure facilities at or above the quality that they would be able to access in the metropolitan area.

Budget Implications

Proposed funding for the project is as follows:

Income	Amount	Status
BHPB Funding	\$ 1,000,000	Confirmed
Royalties for Regions	\$ 1,500,000	Unconfirmed
Landcorp	\$ 500,000	Unconfirmed
Total	\$ 3,000,000	

Officers will provide confirmation of the Landcorp funding in a subsequent report to the Council in January 2012.

Officer's Comment

A comprehensive community engagement strategy was developed and undertaken by officers and Convic Design, as detailed in the Consultation section of this report.

This approach ensured a highly inclusive process of consultation, engagement and capacity building. Feedback from participants has been extremely positive, community trust in the process has been engendered and there is a high level of confidence that an effective design will be delivered, catering for wider participation through varied uses and elements and placing the community in a position of pride and a sense of ownership of the new youth space.

The conceptual design presented to the community in the (second week of consultation) is described as a masterplan approach which showed the location of the space and associated site context. The masterplan included the range of uses in the space such as skate, performance and social interaction. This approach encouraged open discussion about proposed uses and how they could be accommodated through space, elements, landscaping and other requirements. The engagement process was complemented with consultation forms which stimulated ideas of what the space could include and provided opportunities for participants to provide their own ideas and sketches.

Programming towards activation of the current skate park will continue throughout the final detailed designs and construction of the new space to ensure that the young people engaged will retain their sense of involvement and ownership. A series of workshops will be held in December (detailed in Attachment 3). The Facebook page will also continue to provide information.

The design of the youth space has taken into consideration integration with other Town Centre community spaces. The types of materials being used in the Town Centre will be included in the youth space to ensure the entire area is integrated. The youth space will have frontage on the newly created Wise Avenue and on Forrest Circle, enabling a visual connection across to the Town Centre and visibility for road users. This enables a broader appreciation of the skills of young people by passersby, potentially slows traffic and supports designing out crime principles by ensuring a highly visible space.

The masterplan also includes a small stage that can be utilised in the youth space for smaller scale performance that could complement a bigger performance happening at the Town Centre stage. This will deliver outcomes as requested by young people in relation to music/performance/dance such as hip hop, as well as providing a seating/viewing area when not being used as a stage.

Within the current contract, Convic Design are completing a final schematic and conceptual design of the space which will include costing by an independent quantity surveyor

Following this, the second stage of the project, being final detailed design and construction will be presented for Council consideration.

A subsequent report will be provided for Council's consideration in January 2012, with final concept design, final audited costing, confirmation of funding strategy, recommended procurement method and construction program for the proposed youth space/skate park facility.

Attachments

1. Project Report SYTE October 2011
2. Project Report SYTE November 2011
3. SH Youth Space - DRAFT - Schematic Site Analysis - Nov 11
4. SH Youth Space - DRAFT - Schematic Access - Nov 11
5. SH Youth Space - DRAFT - Schematic Zones - Nov 11
6. SH Youth Space - DRAFT - Schematic Spaces 2 - Nov 11
7. SH Youth Space - DRAFT - Schematic Spaces - Nov 11
8. Media Release SH Youth Space - Double Page
9. CONVIC South Hedland draft vision plan

Officer's Recommendation

That Council:

1. Notes the community engagement and consultation process undertaken for the proposed South Hedland Skate Facility and Public Space.
2. Endorses the masterplan and conceptual drawings for the proposed South Hedland Skate Facility and Public Space.
3. Notes that a subsequent report will be provided to Council in January 2012 with final concept design, final audited costing, confirmation of funding strategy, recommended procurement method and construction program for the proposed youth space/skate park facility.

201112/269 Council Decision

Moved: Cr D W Hooper

Seconded: Cr A A Carter

That Council:

- 1. Notes the community engagement and consultation process undertaken for the proposed South Hedland Skate Facility and Public Space.**
- 2. Endorses the masterplan and conceptual drawings for the proposed South Hedland Skate Facility and Public Space.**
- 3. Notes that a subsequent report will be provided to Council in January 2012 with final concept design, final audited costing, confirmation of funding strategy, recommended procurement method and construction program for the proposed youth space/skate park facility.**
- 4. Recommend that there is an increase in the bowl size or that additional bowls be incorporated into the final concept design.**

CARRIED 7/0

REASON: To increase functionality of the Skate Park due to high usage.



Line Item Number	Description	Date	Parties involved	Objective	Venue
THURSDAY					
	Project Initiation Meeting	20-Oct	TOPH project team	Meeting with Convic representatives and TOPH project staff to discuss visit 1 program and expectations	Airport Meeting Room
	Community Engagement Stakeholders Meeting	20-Oct	Sarah Perkins, YIC, YOU, Health Promotion, The Hood, Justice Team, Police, HYLC, Leanne Beeches, Roller Derby, BHP, Wade Trevean	Information meeting to provide stakeholders with outline of Project Plan. Inform them of times/place to provide feedback	Airport Meeting Room
	Secondary School Workshop. School Visit 1 - Hedland Senior High School	20-Oct	Sarah Perkins, Veronica Clarke, Wade Trevean	Visit to school during lunch period to inform students of new South Hedland Youth Space and the community engagement process that Convic will be carrying out. Encourage students to put forward ideas & suggestions for the new space	Hedland Senior High School
	Internal Workshop with Internal Council Officers	20-Oct	Rob Bailey, Sarah Perkins, Wade Trevean	Meeting with Rob Bailey - Project Coordinator, Engineering on site at South Hedland Town Centre	South Hedland Town Centre
	Technical skatepark open forum & design competition announcement	20-Oct	Community members, Wade Trevean	Public meeting/workshop at skatepark facilitated by Convic Design to inform community members of new South Hedland Youth Space and encourage any comments and/or suggestions they may have. Announcement of design competition & facebook page	South Hedland Skate Park



PROJECT REPORT VISIT 1

SOUTH HEDLAND SYTE - CONVIC DESIGNS



Line Item Number	Description	Date	Parties involved	Objective	Venue
FRIDAY					
	School visit 2 - Cassia Primary School	21-Oct	Cassia Primary School Students, Wade Trevean, Sarah Perkins	Convic to inform students of new South Hedland Youth Space at School Assembly, followed by a visit to year 5,6 & 7 classes to encourage students to put forward ideas & suggestions for the new space	Cassia Primary School
	Internal Workshop with Internal Council Officers	21-Oct	TOPH planning, engineering, events, recreation, parks, maintenance	Presentation by Wade from Convic on project plan. Opportunity for TOPH staff to provide comments /feedback /suggestions.	Airport Meeting Room
	School visit 3 - South Hedland Primary School	21-Oct	South Hedland Primary School Students, Wade Trevean, Sarah Perkins	Convic to inform students of new South Hedland Youth Space and encourage students to put forward ideas & suggestions for the new space	South Hedland Primary School
	Young womens workshop	21-Oct	Young Women in Hedland, Wade Trevean, Sarah Perkins	Convic to facilitate workshop with young women to gather their ideas and ensure that young women are catered for at the new South Hedland Youth Space	JD Hardie Centre
	Technical skatepark open forum & design competition announcement	21-Oct	YIC, Community Members, Wade Trevean, Sarah Perkins	Public meeting and open forum at South Hedland Skate Park to allow users of the space & community members the opportunity to offer ideas and suggestions about the new space.	South Hedland Skate Park



PROJECT REPORT VISIT 1

SOUTH HEDLAND SYTE - CONVIC DESIGNS



Line Item Number	Description	Date	Parties involved	Objective	Venue
SATURDAY					
	Technical skatepark open forum & design competition announcement	22-Oct	Community members, Wade Trevean, Sarah Perkins	Public meeting and open forum at Port Hedland Skate Park to allow users of the space & community members the opportunity to offer ideas and suggestions about the new space. Input from users of the Port Hedland is important as Convic Designs goal is that the new space in South Hedland will be used by, not only South Hedland residents, but Port Hedland residents aswell.	South Hedland Aquatic Centre
	Activation Events Plan Open Forum	22-Oct	Community members, Wade Trevean, Sarah Perkins	Convic to facilitate public forum on activation/events plan.	South Hedland Skate Park
	Draft vision & brief formulation	22-Oct 23-Oct	Convic Design only	Convic to summarise all consultation outcomes from the previous 2 days	
MONDAY					
	Workshop with internal council officers to present draft vision	24-Oct	ToPH project team	Convic to provide the ToPH project team with the draft vision plan	Airport Meeting Room
	Open vision plan & brief forum & display	24-Oct	Community members, Wade Trevean, Sarah Perkins	Convic to catch up with community to discuss the prepared draft vision plan. This will allow for all participants to have final say prior to design stage commencing.	South Hedland Skate Park
	Engagement Strategy report & media release	24-Oct	ToPH Publicity Officer	Convic to provide a summary of all consultation results and relevant documents. Convic to provide a media release for community members.	



Line Item Number	Description	Date	Parties involved	Objective	Venue
MONDAY					
	Welcome Back Wade	14/11/2011	Veronica Clarke, Lorna Secrett, Gordon MacMile, Olivier Humbert, Kylie Astwood	Meeting to catchup with Wade Trevean to discuss week ahead	Airport Meeting Room
23	Workshop with Internal Council Officers	14-Nov	Representees from departments such as youth, urban design, planning, engineering, parks, maintenance, recreation & events	Convic to present draft activation plan and draft schematic design for internal feedback	Airport Meeting Room
24	Workshop with Town Centre Stakeholders	14-Nov	Council, South Hedland CBD stakeholders	Summarise information from all stakeholders at current progress	Lotteries House South Hedland
TUESDAY					
23	Workshop with Internal Council Officers - Executive Team Meeting	15-Nov	ToPH Executive Team	Convic to present the draft activation plan and draft schematic design for internal feedback	Civic Centre
25	Primary school workshop - Port Primary (final)	15-Nov	Port Hedland Primary School Students, Wade Trevean, Olivier Humbert	Convic to present draft activation plan and draft schematic design to obtain feedback and ideas from key users	Port Hedland Primary School, Year 6/7 classroom
25	Secondary school workshop (final)	15-Nov	Hedland Senior High School students, Wade Trevean, Olivier Humbert	Convic to present draft activation plan and draft schematic design to obtain feedback and ideas from key users	South Hedland Senior High School
25	Primary school workshop - Cassia Primary (final)		Cassia Primary School Students, Wade Trevean, Olivier Humbert	Convic to present draft activation plan and draft schematic design to obtain feedback and ideas from key users	Cassia Primary School, Year 6/7 classroom
	South Hedland Town Centre Walk	15-Nov	Lorna Secrett & Wade Trevean	Familiarisation of South Hedland Town Centre	South Hedland Town Centre
26	YIC Stakeholder Workshop	15-Nov	YIC youth	Convic to facilitate a workshop to identify the needs of young women in the space and to ensure their needs have been catered for on draft schematic designs	Lawson Street Youth Centre



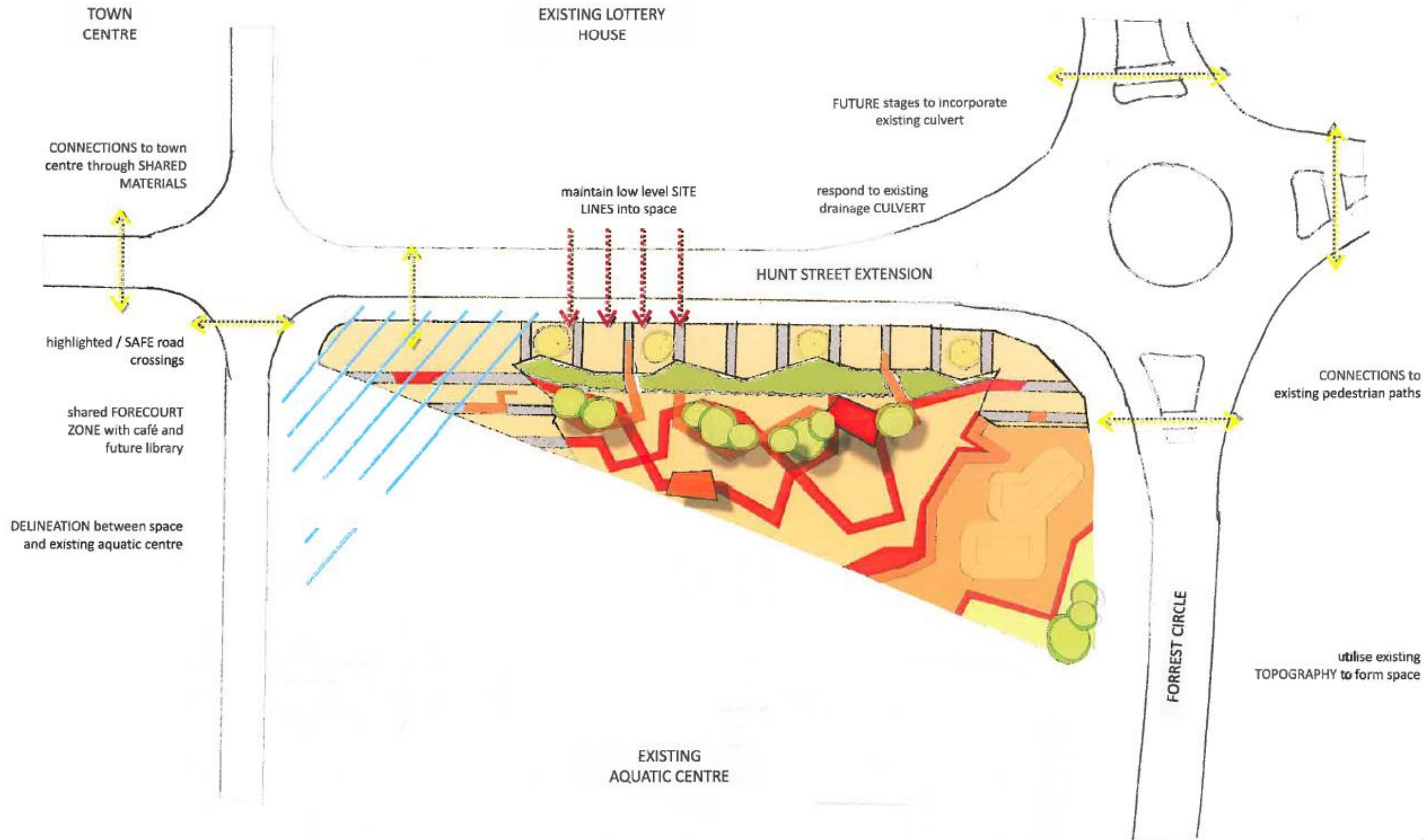
PROJECT REPORT VISIT 2

SOUTH HEDLAND SYTE - CONVIC DESIGNS



Line Item Number	Description	Date	Parties involved	Objective	Venue
WEDNESDAY					
	Visit to South Hedland Aquatic Centre	16-Nov	Lorna Secrett, Graeme Hall, Veronica Clarke, Rob Bailey, Olivier Humbert, Wade Treaven	Familiarisation of South Hedland Aquatic Centre	South Hedland Aquatic Centre
25	Primary School Workshop - South Hedland PS	16-Nov	South Hedland Primary School Students, Wade Trevean, Olivier Humbert	Convic to present draft activation plan and draft schematic design to obtain feedback and ideas from key users	South Hedland Primary School
	Councillor Briefing	16-Nov	Councillors and Mayor		
THURSDAY					
	South Hedland Skate Park - Future Maintenance Meeting	17-Nov	Lorna Secrett, Veronica Clarke, Pip Jarkiewicz, Steve Campbell	Convic to present draft activation plan and draft schematic design for feedback from a future maintenance perspective	Airport Meeting Room
24	Workshop with Community Engagement Stakeholder Group	17-Nov	Community Engagement Stakeholder Group	Convic to present draft activation plan and draft schematic design for feedback. Convic to provide summary of information obtained from stakeholder group at current progress	JD Hardie Centre
27	Skatepark open forum & design competition winner announcement	17-Nov	Wider community, Skate, Scooter & BMX users	Public Meeting/Workshop facilitated by Convic to ensure current users of the South Hedland Skate Park are engaged as a part of the community consultation. Winner of design competition announced.	South Hedland Skatepark
FRIDAY					
	Internal Debrief	18-Nov	Lorna Secrett, Veronica Clarke, Olivier Humbert, Kylie Astwood	Internal wrap up and next steps meeting	Airport Meeting Room

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*South Hedland youth space - DKAF I
schematic - site analysis
SCALE: 1:500 (A3) DATE: November 2011*






ACCESS - suggested connections, routes, visual lines through the site allow interacting with the entire space and users.

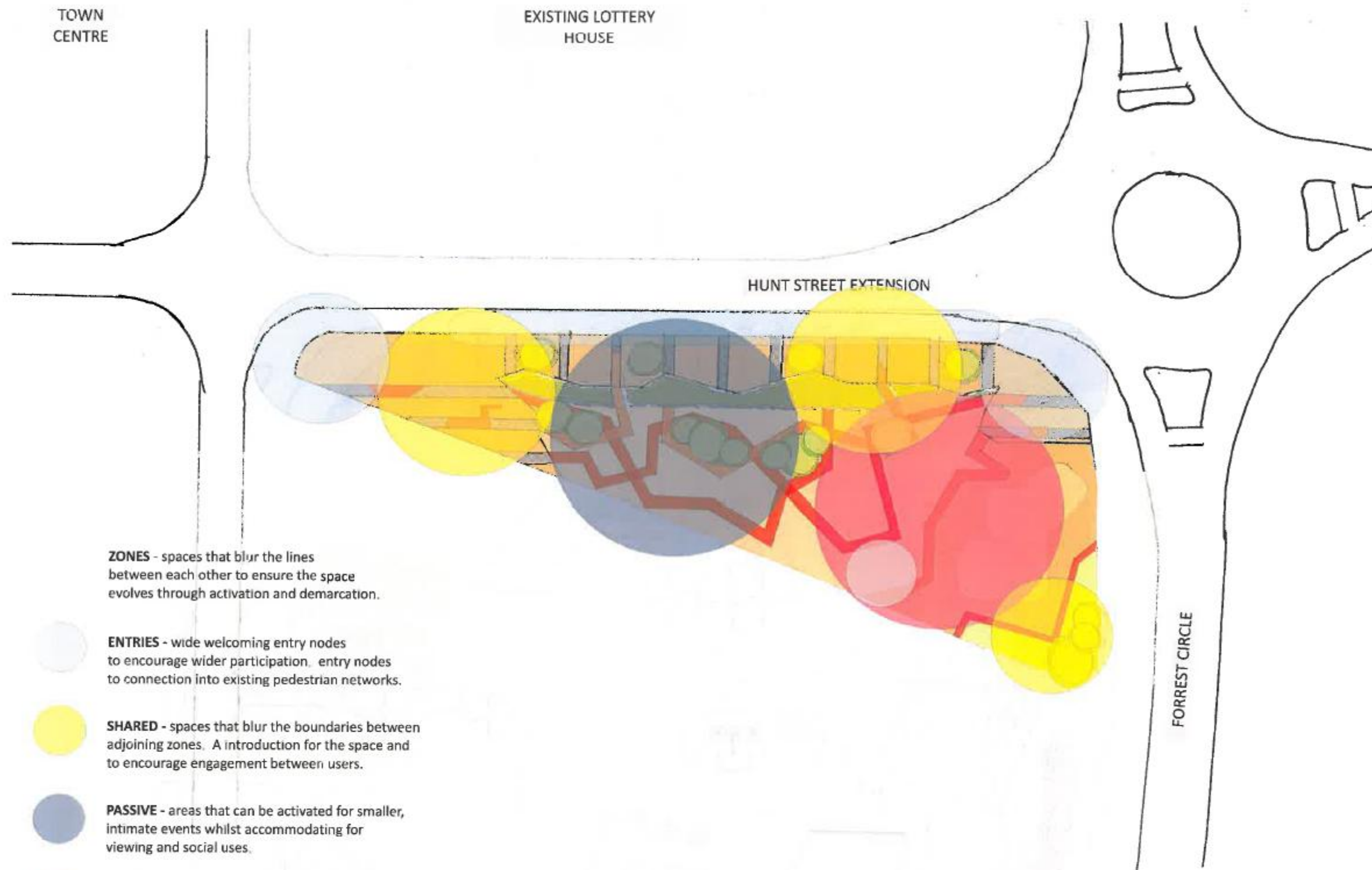
 **CONNECTIONS** - lines suggesting connection from adjoining facilities and existing pedestrian networks, ensure safe and highlighted opportunities.

 **MOVEMENT** - suggested paths of movement through the space allowing the users to engage with the varied zones of the space.

 **SITE LINES** - maintaining existing site lines through low level elements and the inclusion of elevated 'vantage' points for viewing into space.

South Hedland Youth Space - DRAFT schematic - access
SCALE: 1:2500 (A3) DRAFT: November 2011





ZONES - spaces that blur the lines between each other to ensure the space evolves through activation and demarcation.

ENTRIES - wide welcoming entry nodes to encourage wider participation, entry nodes to connection into existing pedestrian networks.

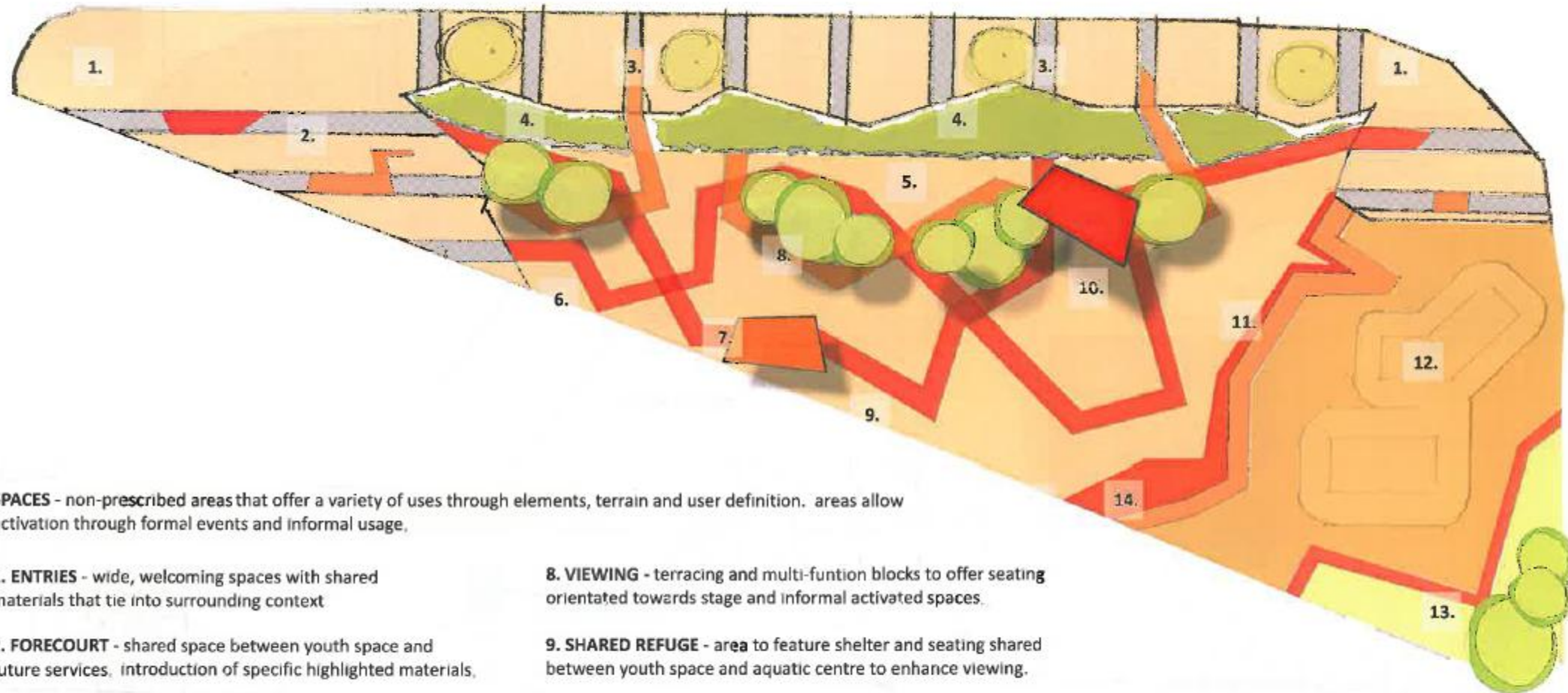
SHARED - spaces that blur the boundaries between adjoining zones. A introduction for the space and to encourage engagement between users.

PASSIVE - areas that can be activated for smaller, intimate events whilst accommodating for viewing and social uses.

ACTIVE - nominated areas that allow full time activation through skate/bmx and other sporting uses.

south hedland youth space - DRAFT schematic - zones
South Hedland Youth Space Draft Schematic 2011





SPACES - non-prescribed areas that offer a variety of uses through elements, terrain and user definition. areas allow activation through formal events and informal usage.

1. ENTRIES - wide, welcoming spaces with shared materials that tie into surrounding context

2. FORECOURT - shared space between youth space and future services. introduction of specific highlighted materials.

3. ALTERNATIVE ENTRIES - informal entries/exits as connection off proposed footpath along hunt street.

4. CULVERT - existing culvert to feature low level planting and shade trees to allow function of traditional void space

5. VIEWING / BBQ AREA - seating and shade trees on edges of space to encourage wider usage and allow viewing into space.

6. CAFÉ - space to allow engagement on all sides for a variety of users. utilisation of café walls for projection

7. STAGE - elevated stage area with shelter/rigging to accommodate required audio visual equipment.

8. VIEWING - terracing and multi-funton blocks to offer seating orientated towards stage and informal activated spaces.

9. SHARED REFUGE - area to feature shelter and seating shared between youth space and aquatic centre to enhance viewing.

10. MULTI-USE / OPEN SPACE - space to allow a variety of uses for larger activated events or intimate activities.

11. SKATE PLAZA - terracing and flat areas to feature traditional street and plaza skate/bmx elements

12. BOWL - enclosed bowl of varied depth with numerous elements to cater for intermediate to advanced users.

13. ELEVATED VIEWING - green space as a destination point to allow viewing over bowl and into future adjoining wave pool

14. POOL ENTRY - alternative entry to aquatic centre and future wave pool during activation.

south hedland youth space - DRAFT schematic - spaces
SCHEMATIC (DRAFT) November 2010





south hedland youth space - DRAFT
schematic - spaces
SCALE: NOT TO SCALE DATE: November 2010



SOUTH HEDLAND YOUTH SPACE

WHAT HAPPENED?
WHAT'S NEW?
WHAT HAPPENS NEXT?

CONSULTATION/STAGE 2



Wade Trevean from Convic design was back in Hedland from the 14th to the 18th of November for the second stage of the consultation.

Several workshops were held with young people at the South Hedland skate park, in many schools and at the YIC Lawson Street Centre.

Presentations of the draft concept designs for the new South Hedland Youth Space were also made to the Town of Port Hedland Councillors & staff, the South Hedland Town Centre Stakeholder Group and to the numerous youth agencies around town including YIC, Y.O.U., HYLIC, Wirraka Maya, Department for Child Protection and the wider community.

Wade presented the concepts of the future Youth Space which will be more than a skate park and included many great ideas coming directly from the first consultation undertaken in October:

- A place for skaters, BMX, scooters and public;
- A projection-wall for movies and music spots;
- A stage for activation which could feature Hip-hop sessions, music concerts, dramas, etc;
- Some sport elements;
- Shade, lights, bins, seats and toilets around the skate park;
- Social space including shade, drinking fountains, seats, BBQs, tables, bins, etc.

The concept designs that were presented enabled everyone consulted to begin to drill into the detailed ideas including how to activate it. We are continuing to gather ideas via the facebook page.

Find us on Facebook South Hedland Youth Space

© Photos: Wade Trevean, Convic Design

Town of Port Hedland would like to thank all the community members who have been involved in the concept project of the new South Hedland Youth Space. A Big thanks as well to all our supporters including YIC, Y.O.U., HYLIC, Wirraka Maya, Department for Child Protection and all the schools.

We look forward to Convic Design coming back to us with the detailed designs and in the meantime keep putting all your great ideas forward.

One of the points discussed with young people in the second round of consultation was a Name for The Space. Some great ideas were put forward and we are still to decide on the best name. The facebook page can be found at <http://www.facebook.com/southhedlandyouthspace>

So go online and tell us what you think the space should be called!

All ideas are welcome, keep them coming, if you think of activities, skate designs, music or anything else, go onto the facebook page and let us know.



"The local youth seem excited to be a part of the process and I think it will create a real sense of ownership once the space is completed."
Julie Trowbridge
Young Involvement Council

COMING-UP

TWO FREE SKATEBOARDING WORKSHOPS

SAT 10 & SAT 17 DEC

Grab the opportunity to experience pure skateboarding and learn some more tricks and flips from French skater Jordan.B during December.

Leading up to the school holidays, two workshops of two hours each will be held and all young skaters in Hedland from beginners right through to competent riders are welcome. Participation is free, all you need to bring is your skateboard and your mates!

A FREE shuttle bus will be available to take participants between Port Hedland and South Hedland skate parks so you can participate in both session.

The South Hedland session is on Saturday 10th December from 4.30pm to 6.30pm. Catch the free bus from Port Hedland skate park at 4.00pm to attend this workshop.

The Port Hedland session is on Saturday 17th December from 4.30pm to 6.30pm. Catch

the free bus from South Hedland skate park at 4.00pm to attend this workshop.

HYLIC will manage music on the day. Bring your favourite music to plug into the MEGA sound system. Light refreshments and healthy snacks will also be provided.

Town of Port Hedland with support from other youth agencies, will continue to offer fun activities for Hedland skaters while we develop the detailed designs and construct the new youth space, stay involved with your new space!

For more information, please contact Olivier Humbert, Town of Port Hedland's Youth Development Officer on 9158 9664 or at youthc@porthedland.wa.gov.au



WHO IS JORDAN B?

Jordan was raised in Hossegor, one of the best places in France for surfing, which eventually fueled the birth and life of skateboarding, which he eventually joined in at the age of 11. He entered competitions easily managing his first drop in at the age of 11. He entered competitions and took out his first place for his region. Thirsting for new adventures, Jordan packed his backpack and landed in Australia 10 months ago where he was pleasantly surprised by the number of skate parks available around the country. After working in Port Hedland for 4 months, Jordan will soon hit the road again, so this is YO UR last chance to catch up with him before he goes!

"I like everything about the new skate park and I reckon that it should be called Roll Central. I think it's going to be really really good and not crowded. It will be the best skate park in the Pilbara."
Randall Inell
Awards winner of the skate boarding consultation


"Easily the best consultation I've ever experienced. All of the amazing ideas will help shape the design of Hedland's new Youth Space."
Wade Trevean
Convic Design

"The children at South Hedland Primary School just loved being involved in the design process of the new skate park. It allowed them to express their ideas."
Marissa Rudeforth
Art Teacher
South Hedland Primary School

south hedland youth space
draft vision plan

october
2011

S.Y.T.E



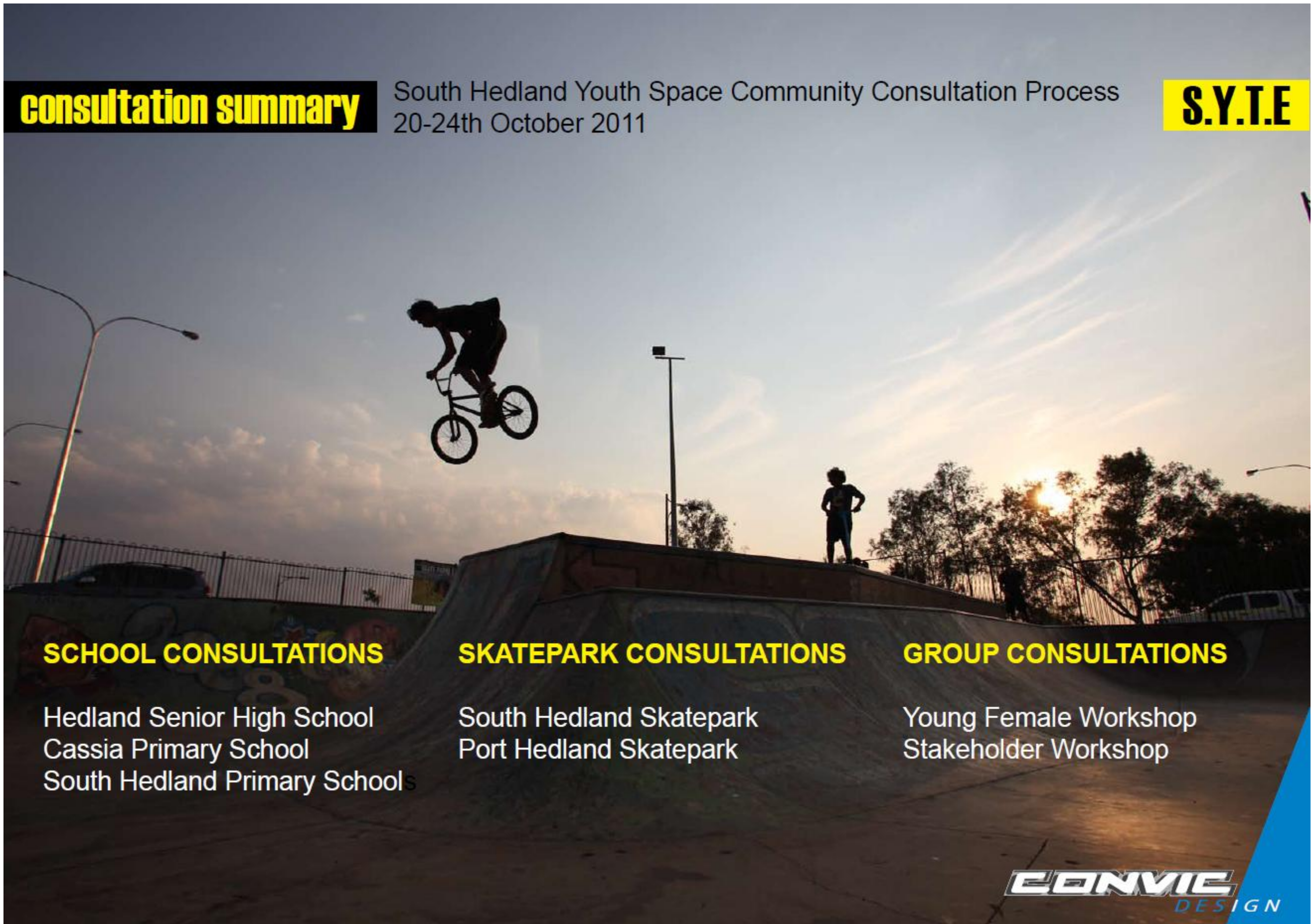
SOUTH HEDLAND

skate / youth / technology / entertainment

consultation summary

South Hedland Youth Space Community Consultation Process
20-24th October 2011

S.Y.T.E



SCHOOL CONSULTATIONS

Hedland Senior High School
Cassia Primary School
South Hedland Primary Schools

SKATEPARK CONSULTATIONS

South Hedland Skatepark
Port Hedland Skatepark

GROUP CONSULTATIONS

Young Female Workshop
Stakeholder Workshop

CONVIC
DESIGN

consultation summary schools

S.Y.T.E



Hedland Senior High School
Cassia Primary School
South Hedland Primary School

Male – 19 / Female – 65

Uses

- Competitions
- Bands/DJ's
- Workshops (first aid)
- **Social (hanging out)**
- Movies
- Art
- Dance
- Skating lessons
- Playground
- **Performance**
- Sun baking

Activation

- **Dance lessons**
- Discos
- **Movies**
- Food nights
- Youth centre

Elements

- Climbing wall
- Graffiti
- Lockers
- Recording cameras
- BBQ
- Screens
- **Seating**
- Shade
- Planting
- Bike stands
- Toilets
- **Green space**
- Steel bins

Other

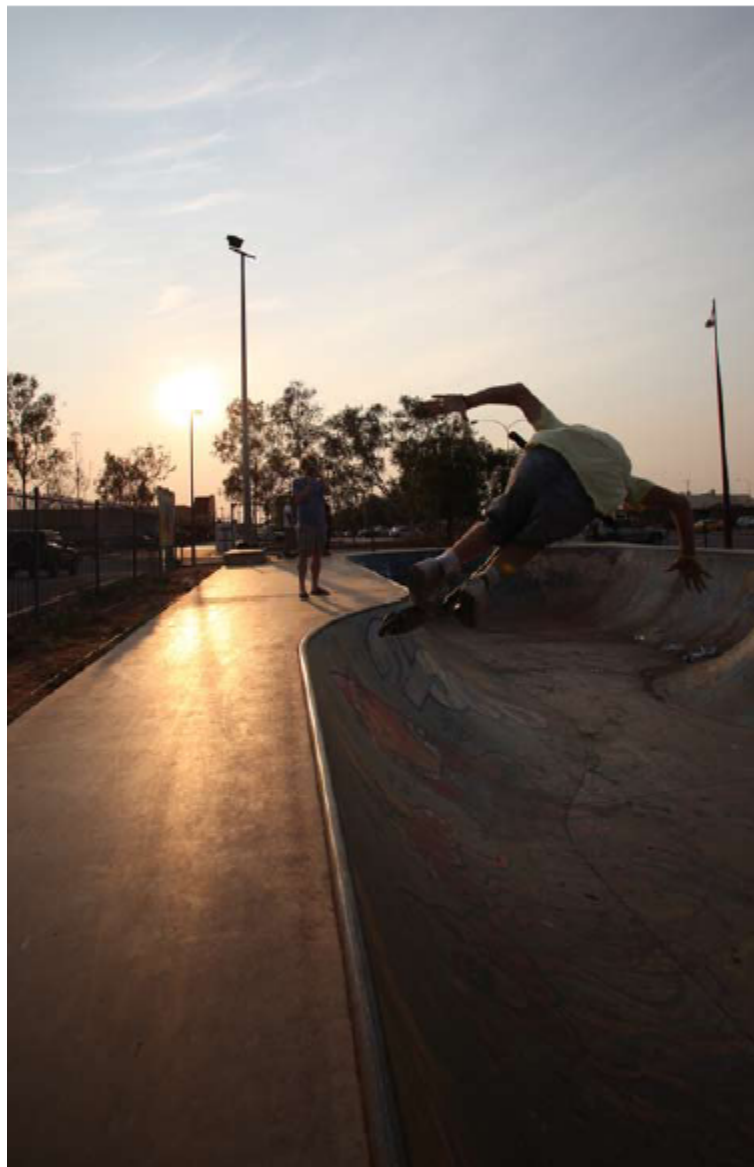
- **Maintenance**
- Graffiti
- All ages
- Bike stands
- Beginner / advanced

“...because it brings everyone together

and shows their skills.” Jye, 12

consultation summary skateparks

S.Y.T.E



South Hedland Skatepark
Port Hedland Skatepark

Male – 50 / Female – 1

Activities

- Basketball
- BBQ
- Boxing
- Movies
- Arts
- Competitions
- Social
- Seats
- Shade
- Stages (jukebox)

Elements

- Planting
- Lights (on timer)
- Drinking fountains
- Colour materials
- Mist fountains
- Security
- BBQ
- Toilet
- Grass

Other

- No mulch
- Lights
- Cold drinks
- Skill levels
- Yellow lights (for bugs)
- Signage (respect & bullying)
- Not close to road
- Parental involvement
- Beginner area
- Fake grass
- No fence

Skate elements

Street

- Lots of flow/lines
- Add variety in space
- Lots of opportunity

Transition

- Bikers (good)
- Spines
- Make it bigger

Plaza

- Lots of lines, creativity
- Real street
- Different types of riding

Where do you want to ride

- Creative structures

Favourite element to ride

- Bowls, spines, hips
- Tabletops
- Heaps of space
- Rubber landing

Other

- Maintenance

“ I think it would be a good idea for all families,

it's all about having fun! ” Kohi, 11

consultation summary young female workshop

S.Y.T.E



11 responses

Uses

- Drama
- Cultural events
- Art
- Social
- **Workshops**
- Soccer
- Volleyball
- Badminton
- Little kids in space
- Music
- **DJ's**
- netball

Elements

- Exercise equipment
- BBQ
- Mirrors / dance wall
- **Equipment shed**
- Projection screen
- Toilets

Other

- **Pretty lights**
- Colour

How would you use the space?

“ With care, pride & respect. ”

Kelsey, 12

consultation summary stakeholders

S.Y.T.E



18 responses

Thoughts

- Amazingly awesome
- Engaging with Youth
- Epic
- Well needed in community
- **Keep kids off the street**
- Casual interaction
- **Family oriented**
- Community feeling
- Space for old and young to engage
- Local design
- Great opportunity for young people

Uses

- **Entertainment options**
- 3 on 3 b'ball
- Dance
- Tae kwan do
- Volleyball
- **Mini garage (tools)**
- Art (digital, stencil, graffiti)
- **All year activation**
- Workshops (safety, first aid etc.)
- Meeting place (friends & family)
- Music & concerts

Elements

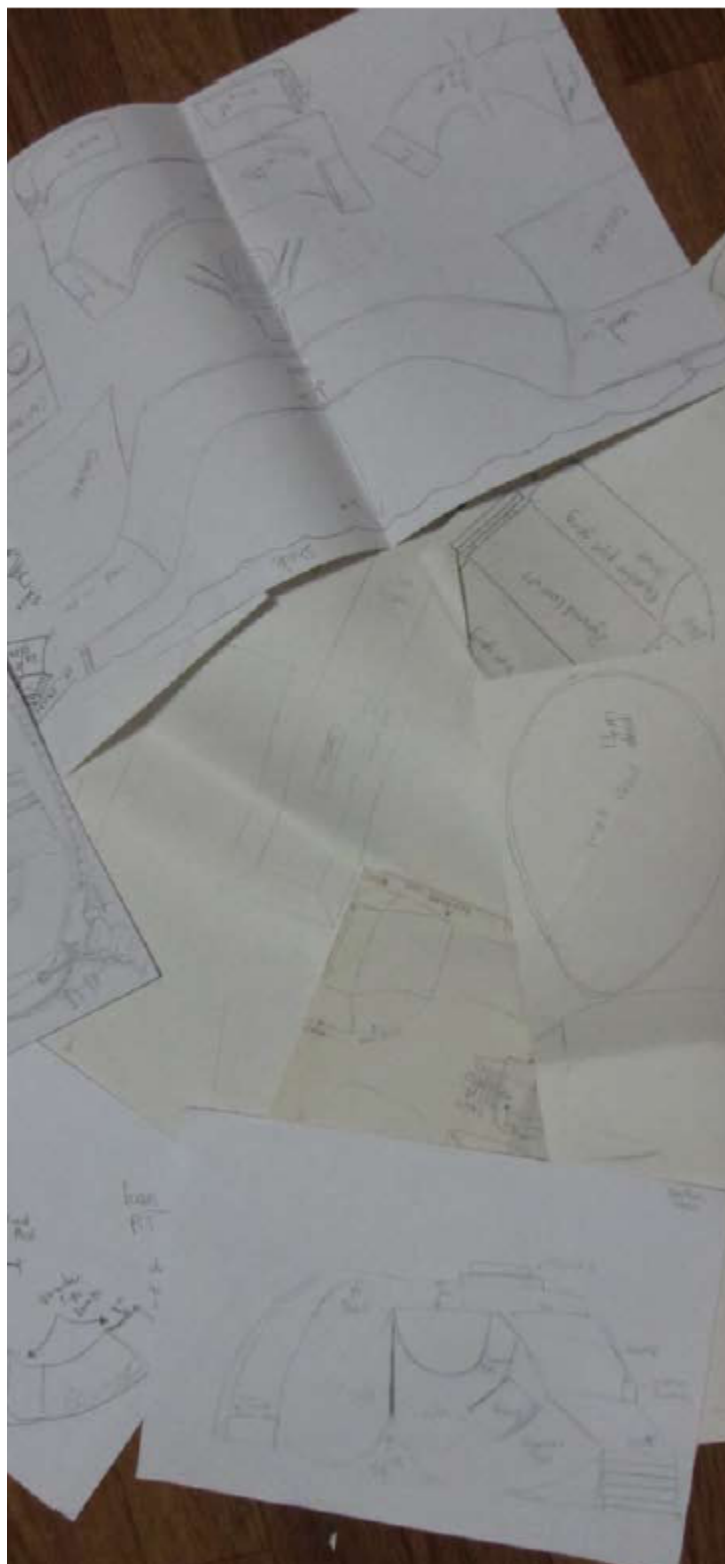
- **Sound system**
- BBQ
- Cameras & TV (CCTV)
- Lighting (sports & feature)
- Fitness equipment
- **Sculptures that you can engage with**
- Cool water
- **Big trees (shade)**
- Storage areas
- Tables
- Blackboard board
- Bean bags

Other

- **Power (3 phase)**
- Adventure
- Funky design / loud colours
- Signage & safety equipment
- **DDA compliant**
- Pilbara weather
- **Links to town centre**
- Kids input for naming
- Differing skill levels
- Elements for older users (encourage wider participation)

“ Skateparks provide opportunities for parents to re-engage

and participate with their children. ” Grant, Youth Services

design agenda skate**S.Y.T.E****Users**

- **Skate / BMX / Scooters**
- Spectators
- **Parents**
- Competitions
- Various skill levels
- Multiple sports

Elements

- **Competition bowl / street**
- Flow area for older generation
- Box jumps
- Spine
- Plaza elements (street)
- Flow
- Euro gap
- Sculptured elements
- Vert walls
- Handrails
- **Flat ground (S.K.A.T.E)**

Other

- **YIC**
- **Mingle Mob**
- Lights
- Maintenance
- Workshops
- Drinking fountains
- **Steel bins**
- Shelter / seating
- Various materials

design agenda other

S.Y.T.E



Users

- Skate / BMX / Scooters
- Beginners to advanced
- Art
- **Music**
- Drama
- Sports
- Competitions
- **Workshops**
- Increased participation

Elements

- Skate (bowls to plaza)
- Lighting (overhead and feature)
- **Projection**
- Equipment areas

Activation

- **Maintenance**
- Hip Hop programs
- Skate workshops / demonstrations
- YIC / Mingle Mob

Materials

- Paving
- **Coloured concrete**
- Highlighted surfaces
- Planting / grass
- Sculptures

Landscape

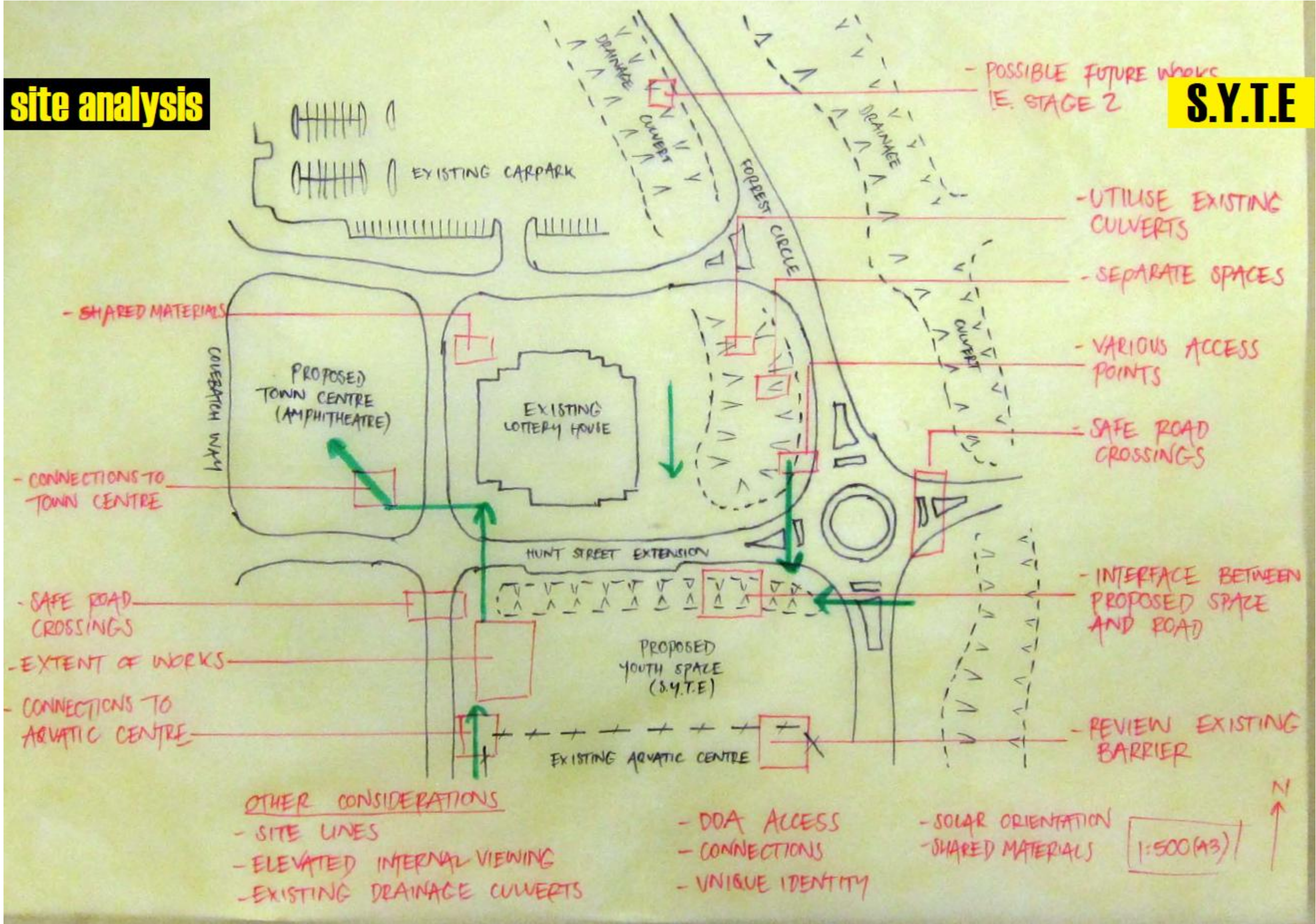
- **Shade**
- Shelter
- Seating
- Vegetation (shade trees)
- Signage
- **Cool drinking fountain**
- Ground patterns

Other

- Storage areas
- Connections to town centre
- Shared material
- **No fencing**
- Individual nodes
- **Multiple entry points**
- Elevated viewing
- Heat resistant materials

site analysis

S.Y.T.E



where to from here?



S.Y.T.E

Activation & Planning

- Hip hop group
- YIC
- Council Youth Development Officer

Future Consultation

- Wangka Maya (language centre)
- Naming rights
- Cassia Primary & High School

Facebook

- Monitor facebook page
- Contact for future questions
- Put questions up
- Update for future events

Clarification

- Exact scope of works
- Power requirements
- Earthwork
- Pool entry
- Road crossings
- Material palette

Future

- Design Comp
- Final Comments (BMX users)
- Schematic design
- Further Consultation

11.4 Corporate Services**11.4.1 Finance and Corporate Services*****11.4.1.1 Interim Financial Reports to Council for Period Ended 31 October 2011 (File No.'s: FIN-008, FIN-014 and RAT-009)***

Officer	Lorraine Muzambwa Finance Officer
Date of Report	31 October 2011
Disclosure of Interest by Officer	Nil

Summary

The objective of this item is to present a summary of the interim financial activities of the Town to 31 October 2011, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2010/11. The reports are considered to be interim as the Finance Department is still in the process of finalising the 2010-11 financial year that will affect the actual results for June 2011 onwards, until the auditors sign off the final accounts.

Background***1. Interim Financial Statements***

Presented (see attachments) in this report for the financial period ended 31 October 2011, are the:

- Statements of Interim Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Interim Financial Activity for the period ending 31 October 2011;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided from the following financial institutions: National Australia Bank, BankWest, Commonwealth Bank, AMP, Westpac Bank, Big Sky, Citigroup and the Australian and New Zealand Bank.

2. Utility and Fuel Costs

Presented in graph form (see attached), is the 2011/12 monthly water, power and fuel costs compared with 2010/11.

3. Schedule of Accounts Paid

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 16 November 2011 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value \$	Pages		Fund No.	Fund Name	Description
From	To		Frm	To			
NMF031011	NMF031011	\$569.14	1	1	1	Municipal Fund	Photocopier lease
NMF031011	NMF031011	\$1,244.32	1	1	1	Municipal Fund	Photocopier lease
NMF0061011	NMF061011	\$284.57	84	84	1	Municipal Fund	Photocopier lease
CHQ20854	CHQ20915	\$214,480.71	1	9	1	Municipal Fund	
EFT36838	EFT37280	\$6,865,913.57	10	84	1	Municipal Fund	
PAY041011	PAY041011	\$346,826.73	84	84	1	Municipal Fund	
PAY181011	PAY181011	\$4366,364.16	84	84	1	Municipal Fund	
CMS071011	CMS071011	\$192.39	84	84	1	Municipal Fund	Photocopier lease Eng dept
CAL140911	CAL140911	\$2301.59	84	84	1	Municipal Fund	Caltex Direct debit
CAL141011	CAL141011	\$5169.85	84	84		Municipal Fund	Caltex Direct debit
WOW171011	WOW171011	\$1812.19	84	84	1	Municipal Fund	Woolworths Direct debit
BOQ271011	BOQ271011	\$891.10	84	84	1	Municipal Fund	Monthly payment for equipment
	Municipal Total	\$7,806,320.32					
3002133	3002146	\$81,199.26	84	86	3	Trust Fund	
	Trust Total	\$81,199.26					
	Sub-Total	\$7,887,519.58					
LESS: one-off pays		-					
	Total	\$7,887,519.58					

Consultation

Nil

Statutory Implications

Financial Statements

Regulation 34 of the Local Government (Financial Management Regulations), states as follows:

“34. Financial activity statement report - s. 6.4

(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d),

for that month in the following detail:

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) budget estimates to the end of the month to which the statement relates;*
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) the net current assets at the end of the month to which the statement relates.*
- (2) Each statement of financial activity is to be accompanied by documents containing:*
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) such other supporting information as is considered relevant by the local government.*
- (3) The information in a statement of financial activity may be shown:*
- (a) according to nature and type classification;*
 - (b) by program; or*
 - (c) by business unit.*
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
- (a) presented to the council:*
 - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and*
 - (b) recorded in the minutes of the meeting at which it is presented.*
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*

In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;

“restricted assets” has the same meaning as in AAS 27.

Section 6.12 of the Local Government Act 1995 (Power to defer, grant discounts, waive or write off debts) states:

- “(1) Subject to subsection (2) and any other written law, a local government may –*
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) waive or grant concessions in relation to any amount of money; or*

- (c) write off any amount of money, which is owed to the local government.
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”

Policy Implications

2/003 Financial Statements – Copies for Councillors

Apart from the financial reports presented to Council as required by way of legislation, the following reports will be presented to Council:

1. 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

2. Quarterly

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more
- Irregular Financial reports will be presented to Council on request.

Strategic Planning Implications

Key Results Area 5: Environment
Goal 2: Natural Resources
Strategy 1: Continue to monitor and report on the level of Council's energy, fuel and water use.

Strategic Planning Implications

Nil

Budget Implications

At the Special Meeting held on 7 July 2010, Council resolved to adopt item 6.1.1.1 '2010/2011 Budget Adoption' en block, which included Recommendation 13 as follows:

“Recommendation 13

That Council adopts the following percentage or dollar value for determining and reporting material variances as follows:

1. 10% of the Function amended budget; or
2. \$100,000 of the Function amended budget
whichever is the lesser, for the following categories of revenue and expenditure:

- a. *Operating Revenue*
- b. *Operating Expenditure*
- c. *Non-Operating Revenue*
- d. *Non-Operating Expenditure”*

Officer’s Comment

For the purpose of explaining Material Variance (Expense/Revenue Up or Down, and see attachment Schedule 2) a three-part approach was taken:

Period Variation

Relates specifically to the value of Variance between the Budget and Actual figures for the period of the report.

Primary Reason

Identifies the primary reasons for the period Variance. As the report is aimed at the higher level analysis, minor contributing factors are not reported.

Budget Impact

Forecasts the likely \$ impact on the Amended Annual Budget position. It is important to note that figures in this part are ‘indicative only’ at the time of reporting, and that circumstances may subsequently change.

Attachments

1. Monthly Statement of Business Activity – under separate cover
 - 1.1 Page 2 to 4
Schedule 2 being a Statement of Interim Financial Activity
 - 1.2 Pages 5 to 16
Notes 3 to 11 which form part of the Statements of Interim Financial Activity. Also Note 10–October 2011 Bank Reconciliations.
 - 1.3 Pages 17 to 66
Detailed Interim Financial Activity by Program.
 - 1.4 Pages 67 to 69
Comparison Between 2011/12:2010/11 Utility & Fuel Costs
2. October 2011 Accounts for Payment
(Attached under separate cover)

201112/270 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council note the:

- i)**
 - a) Statements of Interim Financial Activity (represented by Schedules 3 to 14);**
 - b) Notes (1 to 11) to and forming part of the Statements of Interim Financial Activity for the period ending 31 October 2011; and**
 - c) Review of Transaction Activity, as attached and/or presented be received;**
- ii) Graphic representation of the Town's energy, water and fuel use as attached be received; and**
- iii) List of Accounts paid during October 2011 under Delegated Authority, as presented and/or attached be received.**
- iv) Financial statements presented are interim until the auditors undertake their audit in October and the accounts can be officially closed.**

CARRIED 7/0

11.4.1.2 Financial Reports to Council for Period Ended 30 November 2011 (File Nos: FIN-008, FIN-014 and RAT-009)

Officer Lorraine Muzambwa
Finance Officer

Date of Report 30 November 2011

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town to 30 November 2011, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2010/11.

Background**1. Financial Statements**

Presented (see attachments) in this report for the financial period ended 30 November 2011, are the:

- Statements of Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 30 November 2011;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided from the following financial institutions: National Australia Bank, BankWest, Commonwealth Bank, AMP, Westpac Bank, Big Sky, Citigroup and the Australian and New Zealand Bank.

2. Utility and Fuel Costs

Presented in graph form (see attached), is the 2011/12 monthly water, power and fuel costs compared with 2010/11.

3. Schedule of Accounts Paid

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 14 December 2011 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value \$	Pages		Fund No.	Fund Name	Description
From	To		Frm	To			
PAY 011111	PAY011111	\$384,534.52	1	1	1	Municipal Fund	
PAY 011111	PAY011111	\$384,534.52	1	1	1	Municipal Fund	Journalled incorrectly
NMF011111	NMF011111	\$569.14	1	1	1	Municipal Fund	Photocopier lease
NMF011111	NMF011111	\$1,244.32	1	1	1	Municipal Fund	Photocopier lease
NMF071111	NMF071111	\$284.57	104	104	1	Municipal Fund	Photocopier lease
CHQ20916	CHQ20972		1	9	1	Municipal Fund	
CHQ20973	CHQ20973					Municipal Fund	Cheque cancelled
CHQ20974	CHQ21012	\$262,670.21	9	15	1	Municipal Fund	
EFT37281	EFT37695		15	84	1	Municipal Fund	
EFT37696	EFT37696				1	Municipal Fund	EFT cancelled
EFT37695	EFT37695	\$11,791,167.51	84	103		Municipal Fund	
PAY151111	PAY151111	\$359,718.60	104	104	1	Municipal Fund	
PAY291111	PAY291111	\$394,930.39	104	104	1	Municipal Fund	
CMS071111	CMS071111	\$192.39	104	104	1	Municipal Fund	Photocopier lease Eng dept
CAL141111	CAL141111	\$1,530.71	104	104	1	Municipal Fund	Caltex Direct debit
WOW161111	WOW161111	\$1,873.70	104	104	1	Municipal Fund	Woolworths Direct debit
BOQ281111	BOQ281111	\$891.10	104	104	1	Municipal Fund	Monthly payment for equipment
	Municipal Total	\$13,584,141.68					
3002147	3002161		104	105	3	Trust Fund	
3002162	3002163				3	Trust Fund	Cheque cancelled
3002164	3002173	\$427,837.73	105	106	3		
	Trust Total	\$427,837.73					
	Sub-Total	\$14,011,979.41					
LESS: one-off pays		-					
	Total	\$14,011,979.41					

Consultation

Nil

Statutory Implications

Financial Statements

Regulation 34 of the Local Government (Financial Management Regulations), states as follows:

“34. Financial activity statement report - s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:*

- (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) *budget estimates to the end of the month to which the statement relates;*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing:*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown:*
- (a) *according to nature and type classification;*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
- (a) *presented to the council:*
 - (i) *at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
 - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;*
and
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*

In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;

“restricted assets” has the same meaning as in AAS 27.

Section 6.12 of the Local Government Act 1995 (Power to defer, grant discounts, waive or write off debts) states:

- “(1) Subject to subsection (2) and any other written law, a local government may –*
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) waive or grant concessions in relation to any amount of money; or*
 - (c) write off any amount of money, which is owed to the local government.*

- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*”

Policy Implications

2/003 Financial Statements – Copies for Councilors

Apart from the financial reports presented to Council as required by way of legislation, the following reports will be presented to Council:

1. 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

2. Quarterly

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more
- Irregular Financial reports will be presented to Council on request.

Strategic Planning Implications

Key Results Area 5: Environment
Goal 2: Natural Resources
Strategy 1: Continue to monitor and report on the level of Council's energy, fuel and water use.

Strategic Planning Implications

Nil

Budget Implications

At the Special Meeting held on 7 July 2010, Council resolved to adopt item 6.1.1.1 '2010/2011 Budget Adoption' en block, which included Recommendation 13 as follows:

“Recommendation 13

That Council adopts the following percentage or dollar value for determining and reporting material variances as follows:

1. *10% of the Function amended budget; or*
2. *\$100,000 of the Function amended budget whichever is the lesser, for the following categories of revenue and expenditure:*
 - a. *Operating Revenue*
 - b. *Operating Expenditure*

- c. *Non-Operating Revenue*
- d. *Non-Operating Expenditure”*

Officer’s Comment

For the purpose of explaining Material Variance (Expense/Revenue Up or Down, and see attachment Schedule 2) a three-part approach was taken:

Period Variation

Relates specifically to the value of Variance between the Budget and Actual figures for the period of the report.

Primary Reason

Identifies the primary reasons for the period Variance. As the report is aimed at the higher level analysis, minor contributing factors are not reported.

Budget Impact

Forecasts the likely \$ impact on the Amended Annual Budget position. It is important to note that figures in this part are ‘indicative only’ at the time of reporting, and that circumstances may subsequently change.

Attachments

1. Monthly Statement of Business Activity – under separate cover
 - 1.1 Page 2–4. Schedule 2 being a Statement of Financial Activity
 - 1.2 Pages 5 to 16. Notes 3 to 11 which form part of the Statements of Financial Activity.
Also Note 10–November 2011 Bank Reconciliations.
 - 1.3 Pages 17 to 66. Detailed Financial Activity by Program.
 - 1.4 Pages 67 to 69. Comparison Between 2011/12:2010/11 Utility & Fuel Costs
2. November 2011 Accounts for Payment
(Attached under separate cover)

201112/271 Officer’s Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council note the:

- i)
 - a) **Statements of Financial Activity (represented by Schedules 3 to 14);**
 - b) **Notes (1 to 11) to and forming part of the Statements of Financial Activity for the period ending 30 November 2011; and**

- c) **Review of Transaction Activity, as attached and/or presented be received;**
- ii) **Graphic representation of the Town's energy, water and fuel use as attached be received; and**
- iii) **List of Accounts paid during November 2011 under Delegated Authority, as presented and/or attached be received.**

CARRIED 7/0

11.4.1.3 2010/11 Audited Financial Statements

Officer	Suma George Manager Financial Services
Date of Report	8 December 2011
Disclosure of Interest by Officer	Nil

Summary

For the Council to note the recommendations made by the Audit and Finance Committee relating to the 2010/11 Audited Financial Statements and Associated Notes, and consider the Management letter from the Town's Auditor.

Background

On 29 November 2011 the Town received its audited 2010/11 Financial Statements and Associated Notes, Audit Report and Management Report (attached) from Mr Greg Godwin, Partner of UHY Haines Norton and the Town of Port Hedland Auditor.

The 2010/11 Audited Financial Statements (and associated notes) is the annual "report card" of the Town. Generally, Financial Statements are made up of the following components:

1. Income Statement;
2. Financial Position or Balance Sheet;
3. Statement of Changes in Equity;
4. Cash Flow Statement; and
5. Notes to provide further details on the above statements.

These are prepared so users of the reports can determine:

1. Performance (Income Statement);
2. Net Worth (Financial Position);
3. Changes in Net Worth (Changes in Equity);
4. Management of cash resources (Cash Flow).

However the *Local Government Act 1995*, adds an additional component, being the Rate Setting Statement. Though all components of the Financial Report are equally important, the Rate Setting Statement is unique to Local Government.

This statement incorporates components from the Income Statement and changes in the Balance Sheet, to determine the rates required to be raised (budget process); and Council's Cash Surplus. It effectively determines what funds are available to Council to provide its various services and programs. Accordingly, Council made a cash surplus of \$7.728 million in 2010/11. These funds are "carried forward" in the new year to effectively fund uncompleted works from 2010/11. As the

committee will note, as part of the September Budget Review, the Carry Forward Surplus estimated at the time of setting the original budget has been amended to reflect this revised figure.

The associated notes provide greater detail into the various components of the statements while comparing the year's results or budget estimates. Both the statements and associated notes are produced in accordance with the Australian Accounting Standards, the Local Government Act and associated regulations to provide the necessary information required by the public to determine the Town's worth and sustainability for the future.

The Audit Report (Opinion) is an independent report or opinion on the reasonableness of the information contained with the Annual Statements. The Auditors are required to provide confidence to users of the annual statements as to their accuracy and fairness. According to the Town's Auditor, Mr Greg Godwin, the 2010/11 statements are considered "true and fair" and comply with the relevant standards and legislation.

Local Government Auditors are also required to advise the Council and the community of any non compliance with the Local Government Act. During the 2010/11 audit, Mr Greg Godwin has identified the following non-compliance with the requirements of the Local Government Act or the associated regulations:

The Annual Financial Report for the year ended 30 June 2010 was not submitted to the Director General of the Department of Local Government within 30 days of the auditor's report becoming available as required by Financial Management Regulation 51 (2).

Budget Review – a copy of the budget review was not submitted to the Department within 30 days of its adoption as required by Financial Management Regulation 33A (4).

The non-compliances have since been addressed by the Town. The Annual Financial Report was submitted to the Department on 11 May 2011 and the Budget Review submitted on 2 June 2011.

The Auditor also issues a "Management Report" which allows the auditor to formally raise points or issues, which currently do not affect their overall opinion of the Town's financial management, but if not addressed may result in future qualifications or misstatements of a financial nature. Generally these are not publicised as they are chiefly for internal use, and may confuse external users on the Auditor's true opinion.

In the 2010/11 Management Report, the Town's Auditor has effectively raised issues around 2 key areas. These being:

1. Depreciation Rates
2. Employee Entitlements

These will be addressed in the commentary section of the report. The other sections within the report, Uncorrected Misstatements are an audit requirement to identify, and are not a significant concern.

Consultation

The Audit and Finance Committee met on 8 December 2011 to discuss the above-mentioned items and to adopt the 2010/11 Audited Financial Statements.

Statutory Implications

Local Government Act 1995:

5.54. Acceptance of annual reports

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

Strategic Planning Implications

Nil

Budget Implications

The 2010/11 Audited Financial Statements produce an Actual Cash Surplus of \$7,728,477. Currently the Town's Original Budget is based on a budgeted carried forward surplus of \$3,375,828. The additional surplus of \$4,352,649 has been accommodated in the September Budget Review (the subject of a separate report in this agenda), as this is still required to fund uncompleted non-operating (Capital) projects from the previous year.

Officer's Comment

The audited 2010/11 financial statements effectively "closes the book" with regards to the 2010/11 Financial Year.

Given the audit opinion that the 2010/11 Statements are a "true and fair" representation of the Town's financial position as at 30 June 2011, the Committee should have confidence that the Town's financial management is strong and meets the requirements of the Australian Accounting Standards and relevant legislation.

Of the issues raised in the management report, it is proposed to address them in the following manner:

Depreciation rates used is inconsistent with accounting policies

A project has commenced to develop the asset management framework for the Town as part of the Local Government requirements to develop an Integrated Strategic Planning and Reporting Framework. This project will include the development of a depreciation policy for each asset category. One of the outcomes of this review will be to define and adopt appropriate depreciation rates for each category of assets as well as to ensure the adopted rates are used in the calculations.

Employee entitlements provision do not include liability associated with transportable leave

The Town has commenced a review of the amounts payable and receivable to/from other Councils in relation to employees moved across Councils to establish the accuracy of the amounts involved. Once the accuracy is established, the employee entitlement provision in the Accounts will be adjusted to reflect amounts payable to other Councils and the accounts receivable balance adjusted for amounts receivable from other Councils.

Uncorrected Misstatement

The uncorrected misstatement of \$56,392 relates to the above issue on transportable leave. This adjustment was not made in the accounts as the accuracy of this amount was not established at the time of the audit. As mentioned above, once the accuracy is established the associated liability and receivables will be processed.

The recommendations from the Audit and Finance Committee from its meeting held on 8 December 2011 are:

1. Receive the audited 2010/11 Financial Statements and associated notes, the Audit Report and Management Report ; and
2. Recommend to Council the inclusion of the audited 2010/11 Financial Statements and associated notes, and the Audit Report in the 2010/11 Annual Report.

Attachments

1. Independent Audit Report
2. Management Report
3. 2010/11 Audited Financial Statements

201112/272 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council accepts the Audit and Finance Committee recommendations in that it:

1. **Receives the audited 2010/11 Financial Statements and associated notes, the Audit Report and Management Report; and**
2. **Approves the inclusion of the 2010/11 Financial Statements and associated notes, and the Audit Report in the 2010/11 Annual Report.**

CARRIED BY ABSOLUTE MAJORITY 7/0

ATTACHMENT 1 TO ITEM 11.4.1.3

AGENDA : AUDIT AND FINANCE COMMITTEE MEETING 8 DECEMBER 2011**10.3 CORPORATE SERVICES****10.3.1 2010/11 Audited Financial Statements**

Officer Lee Crombie
Coordinator Financial
Management

Date of Report 25 November 2011

Disclosure of Interest by Officer Nil

Summary

For the Committee to recommend the adoption of the 2011-12 Audited Financial Statements and Associated Notes to the Council, and to consider the Audit Management letter from the Town's Auditor.

Background

On 29 November 2011 the Town received its audited 2011-12 Financial Statements and Associated Notes, Audit Report and Management Report (attached) from Mr Greg Godwin, Partner of UHY Haines Norton and the Town of Port Hedland Auditor.

The 2011-12 Audited Financial Statements (and associated notes) is the annual "report card" of the Town. Generally, Financial Statements are made up of the following components:

1. Income Statement;
2. Financial Position or Balance Sheet;
3. Statement of Changes in Equity;
4. Cash Flow Statement; and
5. Notes to provide further details on the above statements.

These are prepared so users of the reports can determine:

1. Performance (Income Statement);
2. Net Worth (Financial Position);
3. Changes in Net Worth (Changes in Equity);
4. Management of cash resources (Cash Flow).

However the *Local Government Act 1995*, adds an additional component, being the Rate Setting Statement. Though all components of the Financial Report are equally important, the Rate Setting Statement is unique to Local Government.

This statement incorporates components from the Income Statement and changes in the Balance Sheet, to determine the rates required to be raised (budget process); and Council's Cash Surplus.

AGENDA : AUDIT AND FINANCE COMMITTEE MEETING 8 DECEMBER 2011

It effectively determines what funds are available to Council to provide its various services and programs. Accordingly, Council made a cash surplus of \$7.728 million in 2011-12. These funds are "carried forward" in the new year to effectively fund uncompleted works from 2011-12. As the Committee will note, as part of the September Budget Review, the Carry Forward Surplus estimated at the time of setting the original budget has been amended to reflect this revised figure.

The associated notes provide greater detail into the various components of the statements while comparing the year's results to budget estimates. Both the statements and associated notes are produced in accordance with the Australian Accounting Standards, the Local Government Act and associated regulations to provide the necessary information required by the public to determine the Town's worth and sustainability for the future.

The Audit Report (Opinion) is an independent report or opinion on the reasonableness of the information contained with the Annual Statements. The Auditors are required to provide confidence to users of the annual statements as to their accuracy and fairness. According to the Town's Auditor, Mr Greg Godwin, the 2011-12 statements are considered "true and fair" and comply with the relevant standards and legislation.

Local Government Auditors are also required to advise the Council and the community of any non compliance with the Local Government Act. During the 2011-12 audit, Mr Greg Godwin has identified the following non-compliance with the requirements of the Local Government Act or the associated regulations:

1. The Annual Financial Report for the year ended 30 June 2010 was not submitted to the Director General of the Department of Local Government within 30 days of the auditor's report becoming available as required by Financial Management Regulation 51 (2).
2. Budget Review – a copy of the budget review was not submitted to the Department within 30 days of its adoption as required by Financial Management Regulation 33A (4).

The non-compliances have since been addressed by the Town. The Annual Financial Report was submitted to the Department on 11 May 2011 and the Budget Review submitted on 2 June 2011.

The Auditor also issues a "Management Report" which allows the auditor to formally raise points or issues, which currently do not affect their overall opinion of the Town's financial management, but if not addressed may result in future qualifications or misstatements of a financial nature. Generally these are not publicised as they are chiefly for internal use, and may confuse external users on the Auditor's true opinion.

AGENDA : AUDIT AND FINANCE COMMITTEE MEETING 8 DECEMBER 2011

In the 2011-12 Management Report, the Town's Auditor has effectively raised issues around 2 key areas. These being:

1. Depreciation Rates
2. Employee Entitlements

These will be addressed in the Officer's Comments along with the uncorrected mistatements.

Consultation

Nil

Statutory Implications

Local Government Act 1995

5.54. Acceptance of annual reports

(1) Subject to subsection (2), the annual report for a financial year is to be accepted by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

(2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Strategic Planning Implications

Nil

Budget Implications

The 2011-12 Audited Financial Statements produce an Actual Cash Surplus of \$7,728,477. Currently the Town's Original Budget assumes a budgeted carried forward surplus of \$3,375,828. The additional surplus of \$4,352,649 has been accommodated in the September Budget Review (the subject of a separate report in this agenda), as this is still required to fund uncompleted non-operating (Capital) projects from the previous year.

Officer's Comment

The audited 2011-12 financial statements effectively "closes the book" with regards to the 2011-12 Financial Year.

Given the audit opinion that the 2011-12 Statements are a "true and fair" representation of the Town's financial position as at 30 June 2011, the Committee should have confidence that the Town's financial management is strong and meets the requirements of the Australian Accounting Standards and relevant legislation.

AGENDA : AUDIT AND FINANCE COMMITTEE MEETING 8 DECEMBER 2011

Of the issues raised in the management report, it is proposed to address them in the following manner:

Depreciation rates used is inconsistent with accounting policies

A project has commenced to develop an Asset Management Framework for the Town as part of the Department of Local Government requirements to develop an Integrated Strategic Planning and Reporting Framework. This project will include the development of a depreciation policy for each asset category that will incorporate defining and adopting appropriate depreciation rates for each category of assets to ensure the appropriate depreciation rates are used.

Employee entitlements provision do not include liability associated with transportable leave

The Town has commenced a review in relation to those employees who have transferred between Councils in order to establish the accuracy of the amounts payable and receivable to/from other Councils. Once the accuracy is established, the employee entitlement provision in the Accounts will be adjusted to reflect amounts payable to other Councils and the accounts receivable from other Councils as appropriate.

Uncorrected Misstatement

The uncorrected misstatement of \$56,392 relates to the above issue on transportable leave. This adjustment was not made in the accounts as the accuracy was not established at the time of the audit. As mentioned above, once the accuracy is established the associated liability and receivables will be processed. It is an audit requirement to identify uncorrected misstatements. Given the amount is immaterial and yet to be clarified, this should not be a significant concern to the Committee.

Attachments

1. Independent Audit Report
2. Management Report
3. 2011-12 Audited Financial Statements
(Attached under separate cover)

Officer's Recommendation

That the Audit and Finance Committee:

- i) Receive the audited 2011-12 Financial Statements and associated notes, the Audit Report and Management Report; and
- ii) Recommend to Council the inclusion of the audited 2011-12 Financial Statements and associated notes, and the Audit Report in the 2011-12 Annual Report.

NOTE: ABSOLUTE MAJORITY VOTE REQUIRED



**INDEPENDENT AUDITOR'S REPORT
TO THE ELECTORS OF THE TOWN OF PORT HEDLAND**

Report on the Financial Report

We have audited the accompanying financial report of the Town of Port Hedland, which comprises the statement of financial position as at 30 June 2011, statement of comprehensive income by nature or type, statement of comprehensive income by program, statement of changes in equity, statement of cash flows and the rate setting statement for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information and the statement by Chief Executive Officer.

Management's Responsibility for the Financial Report

Management is responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards, the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended) and for such internal control as Management determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by Council, as well as evaluating the overall presentation of the financial report.

We believe the audit evidence we obtained is sufficient and appropriate to provide a basis for our audit opinion.

Auditor's Opinion

In our opinion, the financial report of the Town of Port Hedland is in accordance with the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended), including:

- a. giving a true and fair view of the Town's financial position as at 30 June 2011 and of its performance for the year ended on that date; and
- b. complying with Australian Accounting Standards, the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended).

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**INDEPENDENT AUDITOR'S REPORT
TO THE ELECTORS OF THE TOWN OF PORT HEDLAND (Continued)**

Report on Other Legal and Regulatory Requirements

During the course of the audit we became aware of the following instances where the Council did not comply with the Local Government (Financial Management) Regulations 1996 (as amended).

Annual Financial Report

The Annual Financial Report for the year ended 30 June 2010 was not submitted to the Director General of the Department of Local Government within 30 days of the auditor's report becoming available as required by Financial Management Regulation 51 (2).

Budget Review

A copy of the budget review was not submitted to the Department within 30 days of its adoption as required by Financial Management Regulation 33A (4).

In accordance with the Local Government (Audit) Regulations 1996, we also report that:

- a) There are no matters that in our opinion indicate significant adverse trends in the financial position or the financial management practices of the Town.
- b) Except as detailed above, no other matters indicating non-compliance with Part 6 of the Local Government Act 1995 (as amended), the Local Government (Financial Management) Regulations 1996 (as amended) or applicable financial controls of any other written law were noted during the course of our audit.
- c) All necessary information and explanations were obtained by us.
- d) All audit procedures were satisfactorily completed in conducting our audit.

UHY HAINES NORTON
CHARTERED ACCOUNTANTS


GREG GODWIN
PARTNER

Date: 29 November 2011
Perth, WA



29 November 2011

The Mayor
Cr K Howlett
Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

Dear Cr Howlett

MANAGEMENT REPORT FOR THE YEAR ENDED 30TH JUNE 2011

We advise that we have completed our audit procedures for the year ended 30th June 2011 and enclose our Audit Report.

We are required under the Local Government Audit Regulations to report certain compliance matters in our audit report. Other matters which arise during the course of our audit that we wish to bring to Council's attention are raised in this management report.

It should be appreciated that our audit procedures are designed primarily to enable us to form an opinion on the financial statements and therefore may not bring to light all weaknesses in systems and procedures, or all audit matters of interest to Council, which may exist. However, we aim to use our knowledge of the Town's organisation gained during our work to make comments and suggestions, which, we hope, will be useful to you.

Depreciation Rates

Whilst the depreciation rates used appear reasonable, certain depreciation rates used for various items of property, plant, equipment and infrastructure were not in line with the rates disclosed in Council's accounting policies.

To help ensure the depreciation rates used are in line with Council's adopted accounting policies we recommend the depreciation rates being used be reviewed and the fixed asset register or accounting policy, as deemed appropriate, be updated.

Employee Entitlements

During our review of the long service leave liability we noted the provision at balance date did not include adjustments for amounts payable to and receivable from other Councils in relation to employees who have moved to or from other Councils.

Whilst the estimated amount is not significant we recommend a review be undertaken to help ensure the provisions disclosed are as accurate as possible.

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We noted no other matters we wish to draw to Council's attention.

Uncorrected Misstatements

We advise there was an uncorrected misstatement noted by us during the course of our audit. This is set out in Appendix 1 to this letter.

We take this opportunity to thank the Chief Executive Officer and all staff for the assistance provided during the audit.

Should you wish to discuss any matter relating to the audit or any other matter, please do not hesitate to contact us.

Yours faithfully


GREG GODWIN
PARTNER

Encl;



TOWN OF PORT HEDLAND
 APPENDIX 1
 FORMING PART OF THE MANAGEMENT REPORT
 FOR THE YEAR ENDED 30 JUNE 2011

Uncorrected Misstatements

	Dr (\$)	Cr (\$)
Statement of Comprehensive Income	56,392.00	
Long Service Leave Provision		56,392.00
<i>Being unaccounted estimate for net Transportable leave.</i>		

11.4.1.4 First Quarter Budget Review (File No.: .../...)

Officer	Suma George	
Services	Manager	Financial
Date of Report	8 December 2011	
Disclosure of Interest by Officer	Nil	

Summary

For the Council to note the recommendations made by the Audit and Finance Committee relating to the results of the first quarter budget review for the 2011/12 financial year, and to approve the adjustments outlined in the attachments.

Background

In every organisation there are many factors, both internal and external that can have an effect on program expenditure anticipated throughout the year, after the original budget is adopted. Part of ensuring that an organization has effective financial management practices in place is for regular budget reviews to occur, and reports to be provided to the Council on any modifications that may be required.

While management are required to monitor their particular programs frequently in order to ensure their departmental targets are being achieved, it is also important that senior management regularly review the income and expenditure in order to assess the achievement of the overall financial targets of Council.

The first budget review has been conducted with the actual data being used as at the end of September 2011. The review is an extremely detailed review, highlighting known adjustments to the budget, including a critical review of significant projects for 2011-12 and the Town's capacity to complete them by 30 June 2012. In some instances, savings generated from this process have been reallocated to areas of additional expenditure needed to complete projects.

Consultation

The Budget review was prepared by the Executive team, after meeting with each Manager and Coordinator, where all revenue and expenditure accounts within that Manager's responsibility was reviewed in detail.

Statutory Implications

Local Government Act 1995 states (in part):

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government;

(b) is authorised in advance by resolution; or*

(c) is authorised in advance by the mayor or president in an emergency.

** Absolute majority required.*

(1a) In subsection (1)

-additional purpose~ means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government -

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.”

Strategic Planning Implications

Nil

Budget Implications

The proposed budget amendments ensure that the Council's budget remains balanced for the 2011-12 financial year.

Officer's Comment

Budget Shortfall Discussion

During the first quarter budget review, a total shortfall resulted of approximately \$2.0 million.

In order to ensure a balanced budget, Executive discussed alternatives as to how this may be achieved. As a result, almost \$1 million was utilised from the Community Facilities Reserve in order to fund the proposed upgrades to the Courthouse Art Gallery; the finalisation of the JD Hardie fit-out and the civil works for the Multi Purpose Recreation Centre. The proposed \$0.5 million for the Wedge Street Roundabout was removed while investigations occur as to its design and will be the subject of a separate report to Council in the upcoming months. The remaining \$0.5 million has been sourced from the Airport Reserve in recognition of the large amount of work that is being undertaken in relation to the airport that is currently sourced from Municipal funds (such as salary costs). Adjustments have been made that have ensured a balanced budget for the first quarter budget review.

The 2010/11 financial statements have been completed. The actual surplus for 2010/11 financial year was \$7,728,477 which is higher by \$4,352,649 when compared to the amount initially anticipated. Including this increase, there was an initial deficit after the review that has been sourced mainly through utilising funds from the Community Facilities Reserve and the Airport Reserve.

New Staff Proposed

As part of the Budget Review it is recommended that a Marketing Manager position be created and the current marketing officer position be increased from a 0.6 FTE (Full Time Equivalent) to a FTE. The new position will assist in promoting Port Hedland nationally and internationally as the Town becomes Pilbara's Port City.

Also proposed is to convert a 0.5 FTE Occupational Health and Safety Officer role to a FTE Coordinator, Occupational Health and Safety position. This will allow for an increased focus on policy development, compliance, and ensuring that employees are safe in the workplace.

A summary on the effect on the cash surplus with the above options recommended by Executive is included in the list below:

	Original Budget	Total Adjustments	Proposed New Amended Budget
Operating Expenditure	44,023,951	3,031,945	47,055,896
Operating Revenue	(91,882,533)	(1,981,857)	(93,864,390)
Non Operating Expenditure	104,768,399	12,634,194	117,402,593
Non Operating Revenue	(46,148,354)	(9,331,633)	(55,479,987)
<i>Sub-Total</i>	<i>10,761,463</i>	<i>4,352,649</i>	<i>15,114,112</i>
Add Back Non Cash items	(7,385,635)		(7,385,635)
Surplus BFWD from 2011-12	(3,375,828)	(4,352,649)	(7,728,477)
Cash (Surplus) / Deficit	0	0	0

BUDGET MOVEMENT SUMMARY						
	Carryover from 2010- 11	Adjustments	Council Decisions	Accounting Adjustments	Carryover into 2012-13	Total
Operating Exp	105,101	2,070,214	856,630	0	0	3,031,945
Operating Revenue	(632,816)	95,959	(1,445,000)	0	0	(1,981,857)
Non Operating Exp	12,825,065	(935,871)	745,000	0	0	12,634,194
Non Operating Revenue	(5,376,207)	(3,955,426)	0	0	0	(9,331,633)
Total	6,921,143	(2,725,124)	156,630	0	0	4,352,649

A detailed listing of proposed budget amendments are attached.

As all budget allocations require an absolute majority decision, the Committee has the power to only recommend budget amendments to the Council. Once the Committee has made a recommendation, a report containing its recommendation will be presented to the Council.

The recommendations from the Audit and Finance Committee from its meeting held on 8 December 2011 are:

1. Notes that the initial shortfall of \$2 million has been recouped through the funding strategies implemented by the Executive team; and
2. Recommends to Council to amend the 2011-12 Budget as per the attached list, resulting in a balanced budget.

A late adjustment transferring the \$750,000 allocated to the Multi Purpose Recreation Centre (Account Number 1108422) back to Park Upgrades (Account Number 1111449) was not included in the recommendations to the Audit and Finance Committee.

This adjustment is necessary because the \$750,000 was initially allocated to the Koombana Community Park project. In order to reallocate the funds to another project such as the Multi Purpose Recreation Centre, the funds will have to be returned to Pilbara Cities and a new application must be lodged with Pilbara Cities to use the funds for the Multi Purpose Recreation Centre.

This was discussed during the Audit and Finance Committee meeting, where the members indicated they were comfortable with this approach. It is therefore recommended that the funds remain in the Park Upgrades account and are allocated to Koombana Park instead of the Multi Purpose Recreation Centre, as recommended in another agenda item being considered at this Ordinary Meeting of Council.

Attachments

1. Summary of Schedule 2
2. Detailed budget amendments in Schedule 2 order

201112/273 Officer's Recommendation / Council Decision**Moved: Cr A A Carter****Seconded: Cr M B Dziombak****That Council:**

1. **Accepts the Audit and Finance Committee recommendations in that it:**
 - a. **Notes that the initial shortfall of \$2 million has been recouped through the funding strategies implemented by the Executive team;**
 - b. **Approves the amendments to the 2011/12 Budget as per the attached list, resulting in a balanced budget.**
2. **Approves the late adjustment of transferring the \$750,000 allocated to the Multi Purpose Recreation Centre (Account No. 1108422) back to Park Upgrades (Account Number 1111449).**

CARRIED BY ABSOLUTE MAJORITY 7/0

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**BUDGET REVIEW
SEPTEMBER 2011**

ATTACHMENT 1

Schedule	Business Unit	Original Budget	Amended Budget	Carryover from 2010-11	Adjustments	Council Approvals	Accounting Adjustments	Carry Over into 2012-13	Proposed amended Budget (September Review)	Change
3	Rates	(19,331,498)	(19,331,498)	-	150,003	-	6,755	-	(19,174,741)	156,757
4	Members	1,864,034	1,864,034	-	41,279	-	104,540	-	2,009,853	145,819
4	Financial Services	(48,424)	(48,424)	-	17,311	-	(2,003)	-	(33,115)	15,309
4	Corporate Support	1,126,750	1,126,750	9,004	124,676	-	(315,025)	-	945,405	(181,345)
4	Corporate Management	-	-	-	192,951	-	(192,951)	-	(0)	(0)
5	Fire Prevention	7,750	7,750	-	14,610	-	-	-	22,360	14,610
5	Animal Control	745,992	745,992	-	13,347	-	5,278	-	764,617	18,625
5	Other Public Safety	530,242	530,242	-	(10,993)	-	363	-	519,612	(10,630)
5	Parking	600	600	-	(3,000)	-	-	-	(2,400)	(3,000)
5	SES/Emergency Management	104,455	104,455	-	(6,240)	-	6,884	-	105,099	644
7	Maternal Infant Health	23,497	23,497	-	-	-	-	-	23,497	-
7	Health Inspections & Admin	429,593	429,593	10,024	(11,829)	-	1,708	-	429,496	(97)
7	Aboriginal Health	6,864	6,864	-	-	-	-	-	6,864	-
7	Pest Control	21,079	21,079	-	(3,204)	-	114	-	17,989	(3,090)
7	Environmental Health	45,000	45,000	-	-	-	-	-	45,000	-
8	Len Taplin Day Care	54,220	54,220	-	3,890	-	-	-	58,110	3,890
8	Rose Nowers Day Care	4,710	4,710	-	1,320	-	-	-	6,030	1,320
8	Pilbara Family Day Care	343	343	-	-	-	1	-	344	1
8	Retirement Village	45,934	45,934	-	17,630	-	-	-	63,564	17,630
8	Mirtanya Maya Hostel	577	577	-	-	-	-	-	577	-
8	Aged Care	102,070	102,070	-	(4,730)	-	-	-	97,340	(4,730)
8	Other Welfare	6,620	6,620	-	31,120	-	-	-	37,740	31,120
8	Community Services & Development	1,082,181	1,082,181	-	(155)	-	14,813	-	1,096,839	14,658
8	GP Housing	200,699	200,699	-	3,000,000	-	1,085	-	3,201,784	3,001,085
9	Staff Housing	1,283,146	1,283,146	-	-	-	3,487	-	1,286,633	3,487
10	Waste Services	(52)	(52)	296,209	(331,608)	-	32,168	-	(3,283)	(3,231)
10	Sanitation Other	(15)	(15)	-	(3,914)	-	3,089	-	(840)	(825)
10	Town Planning & Regional Development	1,165,681	1,165,681	-	(235,886)	106,630	(10,783)	-	1,025,642	(140,039)
10	Cemeteries	1,529,669	1,529,669	-	732,123	-	2,726	-	2,264,518	734,849
10	Public Conveniences	157,147	157,147	-	(1,990)	-	288	-	155,445	(1,702)
10	Other Community Amenities	34,402	34,402	-	-	-	-	-	34,402	-
11	Community & Event Services	1,211,856	1,211,856	-	(22,037)	-	5,284	-	1,195,103	(16,753)
11	Courthouse/Community Arts	573,224	573,224	-	(193,510)	-	98	-	379,812	(193,412)
11	Port Hedland Civic Centre	553,546	553,546	-	19,900	-	5,188	-	578,634	25,088
11	JD Hardie Centre	(77,433)	(77,433)	292,090	(173,973)	-	20,524	-	61,208	138,641
11	Swimming Areas/Beaches	3,455,770	3,455,770	177,761	33,323	-	8,497	-	3,675,351	219,581
11	Recreation Administration	(475,804)	(475,804)	17,782	(420,467)	-	12,150	-	(866,338)	(390,534)
11	Youth Services	103,196	103,196	-	(13,049)	-	(1,575)	-	88,572	(14,624)
11	Sportsgrounds	1,436,742	1,436,742	610,031	(312,810)	325,000	3,137	-	2,062,100	625,358
11	Port & South Sports Grounds - P&G	3,389,051	3,389,051	2,384,130	(693,486)	420,000	58,892	-	5,558,587	2,169,536
11	Library Services	1,956,114	1,956,114	-	4,938	-	4,637	-	1,965,690	9,576
11	Matt Dann Cultural Services	811,776	811,776	-	(11,220)	-	5,648	-	806,205	(5,571)
11	Television/Radio Broadcasting	1,000	1,000	-	-	-	-	-	1,000	-
12	Infrastructure Construction	2,291,363	2,291,363	715,564	(1,900,562)	-	-	-	1,106,365	(1,184,998)
12	Engineering Management	385,782	385,782	-	(121,211)	-	2,932	-	267,503	(118,279)
12	Infrastructure Mtce - Technical Service	2,517,062	2,517,062	24,432	3,083	-	16,050	-	2,560,627	43,565
12	Infrastructure Maintenance - Engineering	2,012,227	2,012,227	-	(164,381)	-	7,116	-	1,854,962	(157,265)
12	Infrastructure Mtce Road Verge	404,709	404,709	-	-	-	1,567	-	406,276	1,567
12	Plant Purchases	436,000	436,000	-	12,850	-	-	-	448,850	12,850
12	Airport	(1,805,086)	(1,805,086)	2,334,116	(2,529,132)	-	199,371	-	(1,800,731)	4,355
12	Airport Café	(51,783)	(51,783)	-	(36,774)	-	-	-	(88,557)	(36,774)
12	Administration Building Overheads	120,000	120,000	-	(20,000)	-	-	-	100,000	(20,000)
13	Tourism & Area Promotion	121,385	121,385	-	2,250	-	814	-	124,449	3,064
13	Building Control	(398,457)	(398,457)	-	(178,194)	-	(24,099)	-	(600,750)	(202,293)
13	Economic Development	788,564	788,564	50,000	(90,713)	-	(11,466)	-	736,384	(52,180)
13	Other Economic Services	(338,244)	(338,244)	-	-	-	-	-	(338,244)	-
14	Private Works	35,000	35,000	-	(15,000)	-	-	-	20,000	(15,000)
14	Public Works Overheads	(53)	(53)	-	11,032	-	(8,971)	-	2,008	2,061
14	Building Maintenance	-	-	-	196,938	-	31,665	-	228,604	228,604
14	Plant Operating Costs	-	-	-	-	-	-	-	-	-
14	Gross Salaries & Wages	(7,000)	(7,000)	-	(35,050)	-	-	-	(42,050)	(35,050)
14	Other Unclassified	117,690	117,690	-	(499,580)	-	-	-	(381,890)	(499,580)
	Sub-Total	10,761,463	10,761,463	6,921,143	(3,420,124)	851,630	0	-	15,114,112	4,352,649
	Add Back Non Cash Items	(7,385,635)	(7,385,635)	-	-	-	-	-	(7,385,635)	-
	Surplus Carried Forward from 2010-11	(3,375,828)	(3,375,828)	-	(4,352,649)	-	-	-	(7,728,477)	(4,352,649)
	Carry Forward Projects from 2011-12	-	-	-	-	-	-	-	-	-
	Cash (Surplus) / Deficit	-	-	6,921,143	(7,772,773)	851,630	0	-	0	0

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11.4.2 Governance and Administration**11.4.2.1 *Integrated Planning and Reporting Framework - Stage Two Lead Consultant Appointment, Request for Proposal 11/31 (File No.: 23/08/0062)***

Officer	Debra Summers Manager Organisational Development
	Natalie Octoman Director, Corporate Services
Date of Report	24 November 2011
Disclosure of Interest by Officer	Nil

Summary

In order to develop a more comprehensive and integrated approach to planning and reporting that will ensure the long term sustainability of the organisation and to ensure capacity to deliver on the vision of the Town becoming the Pilbara's Port City of 50,000 residents, it is necessary to develop an Integrated Strategic Planning and Reporting Framework.

The report before Council is to approve the appointment of consultants who will be responsible for the preparation of the strategic documents and implementation plans that will form Stage 2 of the Integrated Strategic Planning and Reporting Framework required by the Department of Local Government.

This item was previously considered at the Special Council Meeting held on 30 November 2011 where it was laid on the table. The item has been resubmitted for Council's consideration.

Background

The Western Australian Department of Local Government has introduced guidelines for the implementation of a new Integrated Strategic Planning and Reporting Framework for all local governments in Western Australia which is now required to be in place by June 2013.

The new framework includes the development of the following key strategic documents:

- 10 year Strategic Community Plan
- 4 year Corporate Plan
- Annual Operational Business Plan
- 4 year Workforce Plan
- 10 year Financial Plan
- 10 year Asset Management Plan

In May 2011 the Town of Port Hedland commenced the first stage of a two stage implementation process which included the development of a range of plans: Annual Corporate Plan, Directorate Plans and Business Unit Plans as per the organisational structure. This first stage was completed in June 2011 and Council adopted the Annual Corporate Plan at its Special Meeting on 22 July 2011 compliant with the Department's requirements.

To implement the second stage of the Town of Port Hedland Integrated Strategic Planning and Reporting Framework compliant with requirements of the Department of Local Government, it was recommended that a consultancy to work with key officers to develop the required strategic documents and associated implementation plans.

Further, officers advised that all of these documents must be integrated with the implementation plan of the Town of Port Hedland's Growth Plan.

To implement the second stage of the framework at the Ordinary Meeting of Council on 18 August 2011, Council determined (201112/094):

That Council request the Chief Executive Officer to call for a Request for Proposal, utilising appropriate selection criteria, for a consultant/or consultants to undertake the following scope of work:

- *Project manage the multi-disciplinary process of preparing the 10 Year Community Strategic Plan, 4 Year Workforce Plan, inclusive of a Housing and Accommodation Strategy, 10 Year Financial Plan, 10 Year Asset Management Plan and 5 Year Information Communication Technology (ICT) Strategy.*
- *Ensure integration of any software solutions with all existing Town of Port Hedland software.*
- *Ensure outcomes achieve compliance with Department of Local Government requirements plus deliver state of the art solutions to ensure organisational capability to assist the Town achieve its vision of being the Pilbara's Port City.*
- *Ensure relevant Town of Port Hedland staff and Elected Representatives are fully engaged, where appropriate in the development of the required key strategic documents.*

This tender was called utilising the agreed selection criteria, with submissions closing on Friday, 16 September 2011. Due to the two responses received being declared non compliant, Council accepted the officer recommendation to alter the timeframe for deliverables and slightly refine the scope. Council determined (201112/162) at the Ordinary Council Meeting of 12 October 2011 to:

1. *Reject the tenders received for Tender no. 11/27 Town of Port Hedland Integrated Planning and Reporting Framework - Stage Two Lead Consultant Brief.*
2. *Request the CEO to readvertise for a Request for Proposal, utilising appropriate selection criteria, with a timeframe for completion by December 2012, for a consultant/or consultants to undertake the following scope of work:*
 - a) *Project manage the multi-disciplinary process of preparing the various key strategic documents inclusive of implementation plans being:*
 - 10 year Strategic Community Plan
 - 4 year Workforce Plan inclusive of a Housing and Accommodation Strategy
 - 10 year Financial Plan
 - 10 year Asset Management Plan
 - 5 year ICT Strategy
 - b) *Ensure data and models associated with identified plans and strategies are prepared for an implementation schedule utilising the Town's corporate software platform.*
 - c) *Ensure outcomes achieve compliance with Department of Local Government requirements plus deliver state of the art solutions to ensure organisational capability to assist the Town achieve its vision of being the Pilbara's Port City.*
 - d) *Ensure relevant Town of Port Hedland staff and Elected Representatives are fully engaged, where appropriate in the development of the required key strategic documents.*

A Request for Proposal was subsequently advertised with a new timeframe for a staged delivery of the required strategies and documents plus to allow for innovation from respondents with regard to methodology.

Subsequently, four responses were received and all were assessed as compliant. Responses were from:

- UHY Haines Norton
- CAMManagement Solutions (CAMMS)
- KPMG
- Morrison Low

Consultation

- Executive Team
- Relevant Town of Port Hedland Officers
- Department of Local Government
- Western Australia Local Government Association (WALGA)

Statutory Implications

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.*

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government;*
 - (b) is authorised in advance by resolution*;* or
 - (c) is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

As the funds for the Integrated Strategic Planning and Reporting Framework were initially incorporated into the 2011/12 Annual Budget, an absolute majority decision is not required to allocate additional funds to this project as they are for the same purpose.

Local Government (Functions and General) Regulations 1996 in part state:

Division 2 — Tenders for providing goods or services (s. 3.57)

11. Tenders to be invited for certain contracts

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.*
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —*
 - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*
 - (b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.*

Policy Implications

This Request for Proposal was called in accordance with Council's Procurement Policy and Tender Policy.

Section 5.43 of the Local Government Act dictates that the CEO cannot receive a delegation to accepting a tender which exceeds an amount determined by the local government which is why this report suggests a project budget.

The CEO has a delegation as per Section 5.42 of the Local Government Act to approve minor variations to contracts entered into by Council, subject to the funds required to meet the cost of the variations being contained within the amount set aside in the budget adopted by the Council.

The CEO also has a delegation to enter into a formal contract on behalf of Council within the statutory and policy framework as prescribed above.

The officer's recommendations reflect these parameters of authority.

Strategic Planning Implications

This report seeks to progress the implementation of Council's Strategic Plan and the associated Integrated Strategic Planning and Reporting Framework compliant with the requirements of the Department of Local Government.

Budget Implications

An initial budget allocation of \$665,000 has been included in the 2011/12 Annual Budget to undertake development of the plans and strategies to form the Integrated Strategic Planning and Reporting Framework. This is inclusive of the previous indication made by BHP Billiton that they may be willing to contribute \$100,000 to the development of the 10 year financial plan, along with \$30,000 from the Department of Local Government. The remaining funds have been sourced from the Town.

While the early discussions with BHP Billiton were positive, it is the officer's recommendation that the Town attempt to fund all components of this framework independently from outside sources (with the exception of the contribution from the Department), therefore reducing the Town's budget allocation for this work to \$555,000.

The network upgrade budget allocation of \$1 million currently funded within the 2011/12 Annual Budget is recommended to be used to develop the ICT Strategy.

Should all the components of the Integrated Strategic Planning and Reporting Framework be adopted for 2011/12, the budget implications would amount to the following:

Plan/Strategy/Activity	Indicative Cost
10 Year Community Strategic Plan	\$179,588
4 Year Workforce Plan	\$126,000
Workforce Software	\$34,750
Housing Strategy	\$191,100
10 Year Long Term Financial Plan	\$251,300
Budget Centre Management Software	\$54,540
Consultancy Disbursements	\$160,000

Asset Management Framework and Plans	\$465,900
Project Total	\$1,463,178

Total Funds Required	Town of Port Hedland Funds in 2011/12 Budget	Variation
\$1,463,178	\$565,000	\$898,178

Funding Strategy:

It is the officer's opinion that the budget impact of undertaking all parts of this framework being \$898,178 would be difficult to source in its entirety within the 2011/12 financial year.

It is therefore recommended that the framework is implemented over two financial years to reduce the burden, which will still ensure that the framework is implemented in line with the timeframes imposed by the Department of Local Government.

It is therefore recommended that Council consider the following works and funds to be undertaken and expended in each of the following financial years:

Plan/Strategy/Activity	2011/12	2012/13	TOTAL
10 Year Community Strategic Plan	179,588		179,588
4 Year Workforce Plan	126,000		126,000
Workforce Software		34,750	34,750
Housing Strategy		191,100	191,100
10 Year Long Term Financial Plan	251,300		251,300
Budget Centre Management Software		54,540	54,540
Consultancy Disbursements	80,000	80,000	160,000
Asset Management Framework and Plans	173,625	292,275	465,900
Project Total	810,513	652,665	1,463,178

For 2011/12, there are two options that Council may consider appropriate to source the \$810,513 total funds required.

The first is that Council's overall contribution of \$565,000 be utilised, with the CEO being requested to source the remaining funds of \$245,513 (almost equivalent to those required for the 10 Year Long Term Financial Plan) from BHP Billiton based on the previous discussions that have occurred. This is not the officer's recommendation and is discussed later in this report.

The second option is for Council's overall contribution of \$565,000 be utilised, along with attempting to fund the website development (currently allocated \$90,000) within the IT Network Upgrade budget allocation of \$1 million. A funding shortfall of \$155,513 would remain, which is recommended to be sourced through the December Budget Review.

The officer believes that there are two significant projects currently underway where, by December the final outcomes in relation to the budget allocation required for the 2011/12 financial year for these projects would be firmed up. The first being the IT Network Upgrade, currently allocated \$1 million, and the second being the High Profile Event currently allocated \$0.5 million.

The IT Network Upgrade is currently being designed by Dell, whereby the actual upgrade, including design is initially estimated to take 6-8 months, therefore extending into next financial year. EventsCorp have indicated that a decision in relation to their funding will not be made until January 2012 which will influence whether or not the event will be held this financial year. These two projects alone would easily provide the capacity for the Town to source the additional funds required in the December budget review.

This would therefore remove any requirement for the CEO (or his delegate) to formally approach BHP Billiton to source additional funding. It is the officer's opinion that funding internal organisational development programs such as this one should be the Town's responsibility and not necessarily passed onto other parties.

If Council agreed to the officer's recommendations, it would allow the CEO to be delegated authority to enter into negotiations to establish firm costing and specifications in order to award the final contract.

Attachments

Nil

Officer's Comment

Assessment methodology and process

A first assessment was made of all submissions focusing on number of consultancy hours allocated to the development of the various plans and strategies with the associated cost. The outcomes of this assessment are included in Table A with Disbursements (travel and accommodation) are additional to these costs.

Table A:

Deliverables	CAM Management		KPMG		Morrison Low		UHY Haines Norton	
	Est. # Hours	Est. Fees	Est. # Hours	Est. Fees	Est. # Hours	Est. Fees	Est. # Hours	Est. Fees
Strategic Community Plan	244	\$49,000	660	\$179,588	524	\$119,840	196	\$52,220
Long Term Financial Plan	288	\$60,800	835	\$251,300	378	\$92,280	286	\$92,400
Workforce Plan	264	\$54,960	435	\$126,000	510	\$128,320	298	\$92,400
Asset Management Plans	568	\$129,640	2097	\$465,900	648	\$156,880	685	\$208,500
ICT Strategy	200	\$37,520	925	\$288,650	576	\$201,600	478	\$113,460
Housing and Accommodation Strategy	56	\$12,080	869	\$191,100	56	\$13,920	24	\$7,200
Other	48	\$12,000	-	-	364	\$79,040	48	\$14,400

Table B indicates the evaluation criteria as described in the Request for Proposal the selection panel used to assess the compliant proposals. These scores were allocated for each of the 5 deliverables, therefore resulting in each of the deliverables being allocated 15% (75%) and the overall fee proposal being 25%.

Table B:

Assessment Criteria	Maximum Score
Approach / Methodology	25
Track Record & Understanding of Projects/Key Issues	25
Key Personnel	25
Fee Proposal	25
MAXIMUM SCORE	100

The comparison of each of the assessment criteria for the request for proposal submissions was then used for each of the key components, being the 10 Year Strategic Community Plan; 4 Year Workforce Plan, inclusive of a Housing and Accommodation Strategy; 10 Year Financial Plan; 10 Year Asset Management Plan and the 5 Year ICT Strategy.

The combined scores for assessment criteria received is summarised in Table C. While it appears from the Agreed Score that CAM Management should be awarded the contract, it was quite clear from the proposals received, that the methodologies and hours allocated to the project presented by each consultant were quite different therefore resulting in a significant cost difference.

Table C (in alphabetical order):

Criteria		CAM Management	KPMG	Morrison Low	UHY Haines Norton
Request for Proposal No: 11/31 - Integrated Planning & Reporting Framework Stage Two	Weighting	Score	Score	Score	Score
Community Strategic Plan	15%	5.93	6.96	7.47	5.32
Workforce Plan	15%	5.62	7.03	5.96	3.69
Financial Plan	15%	4.50	6.61	7.04	6.24
Asset Management Plan	15%	5.17	6.99	7.18	5.57
ICT Strategy	15%	3.40	4.98	3.60	5.97
Fee Proposal	25%	25.00	5.73	11.12	16.15
AGREED SCORE (Overall)	100%	49.62%	38.30%	42.36%	42.94%
RANKING		1	4	3	2

At the end of this first stage of assessment it was determined that while the scoring process had assisted, the scores were reasonably close between most of the respondents but the scores did not accurately reflect a preferred respondent due to:

- High level and vague methodologies being presented from the consultants which prevented meaningful assessment, including a thorough gap analysis
- Inaccurate assumptions underpinning methodologies in relation to Town of Port Hedland staff capacity to undertake aspects of the workload and availability of Town of Port Hedland baseline data
- Potential for re scoping in methodologies with lower allocation of consulting hours once impact of City Growth Plan Implementation Plan was factored in
- Further clarification required in general in relation to the skill set and relevant experience of sub consultancies or personnel.

At this stage in the process, Morrison Low advised that due to resourcing implications within their consultancy, they were withdrawing from the selection process.

The remaining 3 respondents were therefore invited to make presentations on their methodologies to expand, explain and verify the following:

- Method of ensuring full integration with all plans and strategies, with particular reference to integration with City Growth Plan outcomes and the current network upgrade being undertaken by the Town.
- Clarification on project management methodology. This was to ensure a clear flow of information indicating there would be an appropriate management of information and the process itself, and therefore achievement of timelines and appropriate deliverables.
- Clarification of inclusion in the methodology and cost submission of appropriate engagement on an ongoing basis with local stakeholders. This covered each of the plans and strategies (particularly Communications Plan as required in the ICT Strategy, service levels required as part of the Asset Management Framework and the Community Strategic Plan).
- Clarification or amendment of methodology, timeframes, cost implications plus consultancy capacity to include data collection or collation required to develop required baseline data, audits and consultation.
- The provision of project examples undertaken by the proposed personnel to undertake the various elements of the scope of work plus relevant referees.
- The consultant's ability to work with another IT supplier undertaking the network upgrade to ensure the development of the ICT Strategy.

Outcome of Second Stage of Assessment

It was always the preferred option of officers to award the entire scope of work to a single consultancy or consortium. However, it was clear from the onset of the assessment process that this option may compromise the best outcome for each component of the brief.

To facilitate this option a deliberate choice was made to advertise for a Request for Proposal which allows for this flexibility rather than a Request for Tender. The recommended outcome of the assessment has further been scrutinised by WALGA to ensure compliance with the Local Government Act.

Presentations were made over two days by the remaining three consultancies.

Community Strategic Plan

Scope of Required Work:

A 10 Year Community Strategic Plan which will drive the short, medium and long term strategies of the local government as determined by the community, and the services required by the local government to deliver on these strategies.

Assessment:

All respondents demonstrated a capacity to deliver the Plan but both CAMMS and UHY Haines Norton were considered to have continued to underestimate the workload associated with the expected robustness of the Strategic Community Plan.

KPMG clearly demonstrated their understanding of the significance of the Plan to the overall Framework.

Methodologies all indicated an understanding of the principles of consultation but KPMG's experience was assessed as more significant. Also their close understanding and work with the Department of Local Government in the establishment of the Framework assured their credibility to undertake the Plan for the Town of Port Hedland.

It was recognised that CAMMS has significant experience in the Pilbara but not directly related to strategic community planning. UHY Haines Norton proposed personnel with good experience in place making and marketing but limited in strategic community planning.

Recommendation:

It is recommended that KPMG be awarded the request for proposal for the development of the Strategic Community Plan (660 hours - \$179,588) to be undertaken in the 2011/12 financial year.

Workforce Plan including Housing and Accommodation Strategy

Scope of Required Work:

4 Year Workforce Plan, inclusive of a Housing and Accommodation Strategy which will outline the additional or alternative resources and skills required by the organisation to ensure delivery of the actions and tasks needed to provide services and programs to our community into the future. This plan will also include a strategy to secure these resources plus a fully costed plan to provide adequate office accommodation and affordable housing.

Assessment:

Only KPMG demonstrated a clear understanding of the requirements of the Housing Strategy in their original submission. The Workforce Plan was adequately addressed in methodologies by all respondents however the number of hours allocated to the plan, despite clarification of the TOWN OF PORT HEDLAND requirements, remains under scoped in both responses provided by CAMMS and UHY Haines Norton.

CAMMS response however included the utilisation of the CAMMS software module for the workforce plan which would allow for full utilisation of the TOWN OF PORT HEDLAND's corporate software modules.

Recommendation:

It is recommended that the request for proposal for the Workforce Plan (435 hours- \$126,000) and Housing Strategy (869 hours- \$191,100) be awarded to KPMG supported by the purchase of the CAMMS software (\$34,740) to ensure full integration. While the Workforce Plan would be delivered in 2011/12, it is recommended that the Housing Strategy and software purchase be undertaken and appropriately integrated in 2012/13.

10 Year Financial Plan

Scope of Required Work:

A 10 Year Financial Plan which will be a rolling plan that informs the Corporate Business Plan to activate Strategic Community Plan priorities. This plan will provide an understanding of the local government's operations in relation to financial sustainability, and allow early indication of financial issues and their longer term impacts. The financial plan is to integrate with the asset management plan, workforce plan, and any other service plans and strategies to ensure accurate costing, planning and financial sustainability and show clear linkages with the Strategic Community Plan and Corporate Business Plan in order to enhance transparency and accountability of the Town to the community.

Assessment:

UHY Haines Norton demonstrated limited experience with larger local governments and seemed to have assisted with the preparation of plans rather than assuming responsibility for their development. Personnel were qualified and would use a template demonstrated to relevant TOWN OF PORT HEDLAND staff. This methodology has under scoped the impact of the integration of the outcomes of the City Growth Plan Implementation Plan into the financial plan required. The pricing structure provided only delivers a basic financial model.

CAMMS also demonstrated limited demonstrated experience and proposed moderately qualified staff. Their methodology will use their software which may not be able to undertake required sophistication of scenario modelling but can produce required budgetary documentation integrated with existing TOWN OF PORT HEDLAND corporate software and associated planning and reporting documents. The template can also be extracted to Excel format.

Whilst KPMG could only demonstrate limited experience in development of relevant plans for local government (similar to other respondents), they have strong experience in the understanding of the framework and the integral part the financial plan plays in supporting the outcomes required of the various strategies and plans.

KPMG also offers to develop the model in accordance with the TOWN OF PORT HEDLAND's requirements as opposed to using a generic template. KPMG has access to sophisticated financial modelling resources if required and have a clear understanding of the current TOWN OF PORT HEDLAND organisational capacity and documentation. This experience has come from undertaking the recent audit of the Town as part of a Pilbara Regional Council initiative to support the introduction of the Integrated Strategic Planning and Reporting Framework.

Recommendation:

It is being recommended that the request for proposal for the 10 Year Financial Plan be awarded to KPMG (835 hours- \$251,000) supported by CAMMS Budget Centre Software (\$55,540). While the 10 Year Financial Plan would be delivered in 2011/12, it is recommended that the CAMMS Budget Centre Software be purchased and integrated in 2012/13.

Asset Management Framework (inclusive of Strategy and Plans)

Scope of Required Work:

A 10 Year Asset Management Plan which will enable Council to show how their asset portfolio will meet the service delivery needs of the community into the future. This plan will include an audit of the current situation of Council's assets and their management plus identification of current and future needs versus adequacy of funding. This plan needs to ensure alignment with the overall goals and objectives of the Strategic Community Plan

Assessment:

All responses were assessed and all consultancies were considered qualified to complete the scope of work, and both UHY Haines Norton and CAMMS suggested suitably qualified personnel with local government experience with regards to capital infrastructure.

KPMG suggested a more suitable methodology inclusive of hours to undertake the required data collection whilst both the other respondents, even after rescoping, have provided consultancy hours considered insufficient to deliver the required outcome.

KPMG was the strongest respondent to demonstrate understanding and methodology to support the complexity of the TOWN OF PORT HEDLAND circumstance and the role the Asset Management Framework is envisaged to play by the Department of Local Government in the Integrated Planning and Reporting Framework.

Recommendation:

It is being recommended that the request for proposal for the Asset Management Framework (inclusive of Strategy and Plans) be awarded to KPMG (2,097 hours- \$469,000). It is proposed that all development occurs in 2011/12 with the exception of the Implementation Plans. This would separate the proposed funding into \$173,625 for 2011/12 and \$292,275 in 2012/13.

ICT Strategy

Scope of Required Work:

5 Year Information Communication Technology (ICT) Strategy which will create a developed and practiced information and communications system that supports a distinct IT strategy and communications plan for both internal and external parties, along with an efficient and effective Records Management Framework and associated strategies and plans in accordance with compliance requirements of State Records.

Assessment:

The advertised project scope and timelines were refocused to reflect the network upgrade that the Town of Port Hedland has embarked on due to failure of the existing platform. Further clarification of the upgrade implications was discussed at the presentations with all consultants.

Recommendation:

Despite the additional clarification it is recommended that the request for proposal for the development of the ICT Strategy not be awarded. The recommendation is that further negotiation be undertaken with Dell, the preferred supplier of the hardware required for the network upgrade, to increase their scope of work to include the development of the ICT Strategy. This component would be removed from the request for proposal totally and engaged under a separate scope within the current \$1 million Network Upgrade budget allocation. It should be noted that Dell are preferred suppliers appointed by WALGA that can be engaged in this manner by the Town in accordance with the Local Government regulations.

Overall Project Management

Project management was not a separate component of the request for proposal based on the preferred option of having a single consultant or consortia manage the process. The lead consultant would therefore assume responsibility for the project management required of all the various key strategies and plans plus ensure integration occurs with the ICT Strategy inclusive of the network upgrade to be undertaken by Dell.

Recommendation:

It is recommended that KPMG be required to undertake this role in facilitating the completion and integration of all components, but particularly to work with Dell to incorporate the ICT Strategy and associated plans.

Procurement Process

If Council adopts the officer recommendations, the proposals will then be awarded dependent on successful negotiations by the CEO with the preferred consultant. These negotiations will further clarify the final prices for the works to be undertaken, software to be purchased and to secure final agreement of specifications and deliverables. This will need to be supported with negotiations to ensure alignment of timeframes and expectations of the successful respondent to work together with the preferred supplier of the ICT Strategy to ensure integration of strategies and plans.

Once this has been achieved the Chief Executive Officer can develop and award the final contracts which will facilitate the commencement of works.

It is recommended that this project be staged over the 2011/12 and 2012/13 financial years in order to ensure both the financial commitments and its delivery. One of the key reasons for advertising on the market again, was to allow for an extended timeframe for delivery of the asset management implementation plans. It is not considered inappropriate therefore, that the funding for other non-critical components be sourced in the 2012/13. While non-critical until 2012/13, they will still be required to be delivered to ensure compliance with the Department of Local Government requirements and to ensure appropriate integration with the strategies and plans that will be developed in 2011/12.

It should be noted that many Council's have been developing these strategies and plans over the past several years while the Town has been focussed on developing the community and its infrastructure. This has been a very appropriate strategy given the pressures placed on the town during its developing phase. Given the vision of Council to transform into Pilbara's Port City, it is the officer's opinion that now is the time, irrespective of the requirements of the Department of Local Government, that it transforms the Council into one that is integrated, informed, and better equipped to understand the full impacts on resourcing requirements in order to remain financially sustainable into the future. This will ensure the capacity of the Town to transform into a City, not only by population statistics, but by the systems and processes that it operates.

201112/274 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- 1. Award the development of the 10 Year Community Strategic Plan, the development of the 4 Year Workforce Plan including the Office Accommodation and Housing Strategy, the development of the 10 Year Financial Plan, the development of a 10 Asset Management Framework and the overall project management to ensure integration to KPMG over two financial years;**
- 2. Delegate authority to the Chief Executive Officer to further clarify with the preferred consultant the final prices for the works to be achieved, software to be purchased and to secure final agreement of specifications and deliverables that also ensures integration with the ICT Strategy within a budget allocation of \$810,513 for 2011/12 and \$652,665 for 2012/13;**
- 3. Request the Chief Executive Officer to source the additional \$155,513 required for 2011/12 to develop the various plans and strategies supported by the required software through the December 2011 budget review process;**
- 4. Requests the Chief Executive Officer to allocate \$652,665 in the 2012/13 Budget to ensure the completion of the required plans, software purchases and therefore integration of the Strategic Planning and Reporting Framework in accordance with the requirements of the Department of Local Government;**
- 5. Rejects all proposals for the development of the 5 Year ICT Strategy noting that this will form part of the expanded scope of works in relation to the network upgrade currently being undertaken by Dell, who is a WALGA preferred supplier;**

6. **Delegate authority to the Chief Executive Officer, upon the successful completion of negotiations within the revised project budget of \$1,463,178 over 2011/12 and 2012/13, to award the contract for the development of the 10 Year Community Strategic Plan, the development of the 4 Year Workforce Plan and Housing Strategy, the development of the 10 Year Financial Plan and the development of the for the 10 Year Asset Management Framework and the overall project management that will ensure integration with the ICT strategy to KPMG.**

CARRIED 7/0

11.4.2.2 Elected Member Representation on Council's Working Groups and External Organisations (File No.: 00/00/00)

Officer Josephine Bianchi
Governance Coordinator

Date of Report 5 December 2011

Disclosure of Interest by Officer Nil

Summary

This report seeks to nominate elected members to represent Council on two working groups and on one committee of an external organisation.

Background

Council can establish working groups to act in an advisory capacity, and to provide Council officers and the Council with its views and/or proposals relevant to the objectives for which the group was established. Council is being requested to nominate elected members to represent the Council on the Community Garden Working Group and the Disability Access and Inclusion Plan (DAIP) Working Group.

From time to time Council is also requested by external organisations to nominate elected members to represent the Town of Port Hedland (Town of Port Hedland) on their boards or other decision making advisory groups. Council is requested by the Hedland Roadwise Committee to nominate an elected member to sit on this committee.

Consultation

- Chief Executive Officer
- Executive Team
- Town of Port Hedland Community Development Officer
- Disability Services Commission

Statutory Implications

Working groups are not governed by the Local Government Act 1995. This means that no statutory requirements apply.

Policy Implications

Policy 1/012 Administration of Council's Working Groups.

Strategic Planning Implications

Key Result Area 6: Governance
The Town of Port Hedland has developed to become a medium/ large sized West Australian Local Government Authority. Council recognises that, as a significant business, it must have the governance structures, systems and procedures in place to lead this community to a bigger, better, brighter and more sustainable future.

Goal 1: Leadership
That the community acknowledges that the Town is leading the future development and management of the municipality in an effective and accountable manner.

Budget Implications

Costs associated with working groups are included in the Town of Port Hedland 2011/12 Budget as operational expenditures.

Officer's Comment

It is proposed to seek elected members nominations to represent Council on the following groups:

- Town of Port Hedland Community Garden Working Group
- Town of Port Hedland Disability Access and Inclusion Plan (DAIP) Working Group
- Hedland Roadwise Committee

The Community Garden Working Group was initially established in February 2011 to implement various recommendations from the Port Hedland Community Garden Forum Summary Report. Following the Ordinary Local Government elections in October 2011, representation of one elected member to sit on this group is now being sought.

The DAIP Working Group is to be established to contribute towards the implementation of the Town of Port Hedland's Disability Access and Inclusion Plan. Throughout the years a number of groups have been established to support the implementation of the DAIP, however, no specific Terms of Reference had been put in place and elected members representation had never been sought.

The Hedland Roadwise Committee is an external group which has contacted the Town of Port Hedland to seek membership of one of its elected members. This group's vision is to contribute to a coordinated approach to reduce the amount of deaths and serious injuries from road crashes in the Hedland district. This committee will meet bi-monthly or more frequently as required at a time and place determined by the committee.

Attachments

Nil

Officer's Recommendation

That Council:

1. Re-establishes the Community Garden Working Group as follows:

Aim/Purpose:

- Identify and secure a preferred site,
- Develop a proposal for a Community Garden including management model and initial concepts;
- Source funding and continue to develop partnerships to support the proposal.

Membership:

Councillor _____

- Town of Port Hedland Manager Community Services
- Town of Port Hedland Coordinator Community and Cultural Development
- Town of Port Hedland Community Development Officer

A representative from the following organisations:

- Care for Hedland – Kelly Howlett or proxy
- FORM – Porscha Cox
- Pilbara TAFE – Simon Liddell
- Water Corp – Water Wise Gardens – Robyn Gulliver
- Frontier Services – Migrant Worker – Sue Baker (recently resigned from the position so new nomination is to be sought)
- Pilbara Population Health – Community Dietitian - Jenna Cowie

Meeting frequency:

As and when required by the working group

Tenure:

Ongoing

Responsible Officer:

Director Community Development

2. Establishes the Disability Access and Inclusion Plan (DAIP) Working Group as follows:

Aim/Purpose:

- To monitor and review the implementation of the Town of Port Hedland's DAIP;
- To report on the working group's activities annually for inclusion in the Town of Port Hedland's Annual Report, in accordance to the *Disability Services Act 1993*;
- To advise Council on appropriate matters relating to disability and inclusion, as they relate to the Town of Port Hedland's programs and facilities;
- To consider matters identified in the DAIP which are raised by Council, working group members or the community that may impact the Hedland community.

Membership:

Councillor _____

Councillor _____

A representative from the following organisations:

- Leanne Beeches (Local Area Coordinator – Disability Services Commission)
- Deepmala Pillay (Principle Cassia Education Support)
- Joan Foley (Hedland Community Living Association – Chairperson)
- Deb Graham (Hedland and Community Care – Manager)
- Suzanne Miller (Western Australia Community Health Services – Aged Care)
- Justin Lunn (Community Representative)
- Eshter Guinness (Community Representative)
- Alfred Barker (Indigenous Community Representative)
- Youth Representative (Currently vacant)

- Town of Port Hedland Community Development Officer
- Delegates may be invited to attend as required (relevant Town of Port Hedland officers)

Tenure:

Ongoing

Meeting frequency:

Bi-monthly

Responsible Officer:

Director Community Development

3. Nominates a Council Representative on the following external organisation:

Hedland Roadwise Committee

Membership:

Councillor _____

Proxy Councillor _____

201112/275 Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Hunt

That Council suspend standing orders.

CARRIED 7/0

6:40pm Mayor advised that Standing Orders are suspended.

201112/276 Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council resumes standing orders.

CARRIED 7/0

6:42pm Mayor advised that Standing Orders are resumed.

201112/277 Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- 1. Re-establishes the Community Garden Working Group as follows:**

Aim/Purpose:

- **Identify and secure a preferred site,**
- **Develop a proposal for a Community Garden including management model and initial concepts;**
- **Source funding and continue to develop partnerships to support the proposal.**

Membership:

Councillor G A Jacob

- **Town of Port Hedland Manager Community Services**
- **Town of Port Hedland Coordinator Community and Cultural Development**
- **Town of Port Hedland Community Development Officer**

A representative from the following organisations:

- **Care for Hedland –Kelly Howlett or proxy**
- **FORM – Porscha Cox**
- **Pilbara TAFE – Simon Liddell**
- **Water Corp – Water Wise Gardens – Robyn Gulliver**
- **Frontier Services – Migrant Worker – Sue Baker (recently resigned from the position so new nomination is to be sought)**
- **Pilbara Population Health – Community Dietitian - Jenna Cowie**

Meeting frequency:

As and when required by the working group

Tenure:

Ongoing

Responsible Officer:

Director Community Development

2. Establishes the Disability Access and Inclusion Plan (DAIP) Working Group as follows:

Aim/Purpose:

- To monitor and review the implementation of the Town of Port Hedland's DAIP;
- To report on the working group's activities annually for inclusion in the Town of Port Hedland's Annual Report, in accordance to the *Disability Services Act 1993*;
- To advise Council on appropriate matters relating to disability and inclusion, as they relate to the Town of Port Hedland's programs and facilities;
- To consider matters identified in the DAIP which are raised by Council, working group members or the community that may impact the Hedland community.

Membership:

**Mayor K A Howlett
Councillor J E Hunt**

A representative from the following organisations:

- Leanne Beeches (Local Area Coordinator – Disability Services Commission)
- Deepmala Pillay (Principle Cassia Education Support)
- Joan Foley (Hedland Community Living Association – Chairperson)
- Deb Graham (Hedland and Community Care – Manager)
- Suzanne Miller (Western Australia Community Health Services – Aged Care)
- Justin Lunn (Community Representative)
- Eshter Guinness (Community Representative)
- Alfred Barker (Indigenous Community Representative)
- Youth Representative (Currently vacant)
- Town of Port Hedland Community Development Officer
- Delegates may be invited to attend as required (relevant Town of Port Hedland officers)

Tenure:

Ongoing

Meeting frequency:

Bi-monthly

Responsible Officer:

Director Community Development

3. **Nominates a Council Representative on the following external organisation:**

Hedland Roadwise Committee

Membership:

Mayor K A Howlett

Proxy Councillor G J Daccache

4. **Nominates an additional Council Representative for the Airport Working Group of the Town of Port Hedland Council:**

Membership:

Councillor M B Dziombak

CARRIED 7/0

REASON: Council would like to take this opportunity to also review the membership of the Airport Working Group.

11.4.2.3 Rescinding of Preferred Contractor Register Policy 14/002

Officer **Debra Summers**
Manager Organisational
Development

Natalie Octoman
Director
Corporate Services

Date of Report **2 December 2011**

Disclosure of Interest by Officer **Nil**

Summary

This report proposes to Council that it rescind the 'Preferred Contractor Register' Policy 14/002, as the 'Tender' Policy 2/011 directs the use of preferred suppliers/contractors, and Policy 14/002 is in breach of the *Local Government (Functions and General) Regulations 1996* regulations that prescribe the tender process.

Background

Contained within the current Town of Port Hedland Policy Manual 2011/12 is a Preferred Contractor Register Policy 14/002 that provides for contractors to be included on a register to undertake maintenance works on Town of Port Hedland buildings.

In November 2006, the Town advertised seeking expressions of interest from contractors who could undertake building maintenance works. This was based on the fact that the current economic climate was proving to be very difficult to obtain quotations from tradespersons. In many instances officers seeking building or property maintenance services were unable to obtain quotes from local trades and in some cases fees were being charged to attend and quote on the works.

The circumstances clearly put staff in a difficult situation as they endeavoured to operate efficiently, effectively and with full transparency in the decision making process i.e. complying with Council's procurement policy.

Subsequently a recommendation was put to Council on 24 January 2007 recommending that tenders be invited for the provision of building and property maintenance services from contractors who submitted an expression of interest (E06/01) by 17 November 2007, and that tenders be requested to specify a fixed price for the provision of services for the period 1 March 2007 to 30 June 2008.

At the 17 November 2007 meeting, Council approved the following:

200607/172 Council Decision

Moved: Cr A A Carter

Seconded: Cr G D Bussell

That this matter (Preferred Contractor Register) lay on the table for further clarification of costings, and benefits to the Council through undertaking such a process.

CARRIED 7/0

REASON: Council sought further clarification of costings and benefits of operating a preferred contractors register.

It is believed that the preferred contractors register was discussed with Councillors at a following informal briefing and while the outcome is not specifically known by the officers, it is assumed that an informal understanding was that the practice would be to source quotations for these types of works, rather than to award works via a tender process.

While this may have been the agreed outcome, there does not appear to have been a rescinding of the Preferred Contractor Register Policy at any stage thereafter.

Staff subsequently experienced similar issues in relation to sourcing quotes from local businesses to undertake building maintenance, and works were not progressing as effectively as required. This led to the decision of the calling of a tender (09/19) for the "Provision of General Labour, Building and Maintenance Services (Preferred contractors – Labour hire, electrician, plumbing, painter, surveyor, traffic management, etc)" in July 2009.

At the Ordinary Meeting of Council on 26 August 2009, the tender was awarded to various contractors for the period 1 September 2009 to 1 March 2011, which rendered a preferred contractor register unnecessary.

Consultation

- Executive team
- Western Australian Local Government Association
- Department of Local Government

Statutory Implications

Section 3.57 of 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):

*Division 1 – Purchasing Policies**11A. Purchasing policies*

A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100 000 or less or worth \$100 000 or less.

*Division 2 – Tenders for providing goods and services**11. Tenders to be invited for certain contracts*

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.*
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —*
 - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*
 - (b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA;*
 - (ba) the local government intends to enter into a contract arrangement for the supply of goods or services where —*
 - (i) the supplier is either —*
 - (I) an individual whose last employer was the local government; or*
 - (II) a group, partnership or company comprising at least 75% of persons whose last employer was that local government;*
 - (ii) the contract —*
 - (I) is the first contract of that nature with that individual or group; and*
 - (II) is not to operate for more than 3 years;*
 - (iii) the goods or services are —*
 - (I) goods or services of a type; or*
 - (II) (in the opinion of the local government) substantially similar to, or closely related to, goods or services of a type, that were provided by the individual (or persons) whilst employed by the local government;*
 - (c) within the last 6 months —*
 - (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications; or*
 - (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;*
 - (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government;*

- (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government;*
- (ea) the goods or services are to be supplied —*
 - (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and*
 - (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;*
- (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or*
- (g) the goods to be supplied under the contract are —*
 - (i) petrol or oil; or*
 - (ii) any other liquid, or any gas, used for internal combustion engines.*

Policy Implications

14/002 PREFERRED CONTRACTOR REGISTER

A preferred Contractor Register is to be compiled, listing Contractors who are eligible to carry out general and priority maintenance on Town of Port Hedland buildings and amenities.

The Register is to be an “Open Register” which permits contractors to be included on the Register providing they comply with the Preferred Contractor Specification.

The Register is valid for a calendar year commencing 1 January and expiring on 31 December each year. The Register is to be reviewed and advertised each year.

(Adopted by Council at its Ordinary Meeting held 24 November 2004)

This report proposes to Council that it rescind Preferred Contractor Register Policy 14/002 as the Tender Policy 2/011 (Attachment 1) directs the use of preferred suppliers/contractors as follows:

Tender or Quotation Exemption (Use of Preferred Supplier)

The Town of Port Hedland may waive the requirement to call for public tenders or quotations (regardless of the value of expenditure) and engage, award or contract for goods and purchases with preferred suppliers in the following circumstances:

- *In an emergency service as defined by the Local Government Act 1995*
- *The purchase is from a supplier under a contract of the Western Australian Local Government Association (Preferred Supplier Contract or Business Service), the State or the Commonwealth or any of its agencies (Department of Treasury and Finance-permitted Common Use Arrangements), a Regional Council or another Local Government.*¹
- *The purchase is from a supplier awarded a Town of Port Hedland Awarded Tender- Period Contract*²
- *Any other exclusion as defined in the Local Government (Functions and General) Regulations Part 4- Division 2 Regulation 11.*

¹ *Prior to the purchase of goods or services, Councillors are notified of the intent to use a preferred supplier.*

² *Town of Port Hedland Awarded Tenders-Period Contracts are called for on a regular basis to select contractors that may be used during the contract period at the tendered dollar rate.*

Strategic Planning Implications

Nil

Budget Implications

Any purchasing activity undertaken, despite having the quotation or tender process waived must be undertaken in line with the officers delegated purchasing authority limit as detailed in all Position Descriptions, ensuring that sufficient funds have been provided for in the Town's annual budget

Officer's Comment

Local Government's use of local suppliers for its services, programs and general works is understandably closely scrutinized by local businesses and contractors. A balance is always required between the equity of awarding the Town of Port Hedland's business, with that of the financial and operational requirements of the organisation.

Council, with the support of the Audit and Finance Committee has spent considerable time in developing a position in its procurement policy framework to include a lawful and balanced approach to the use of preferred contractors. The *Local Government (Functions and General) Regulations 1996* includes circumstances when preferred tenderers/contractors can be used without calling for tenders every time a good or service is required.

Preferred Contractor Register Policy 14/002 refers specifically to the need to compile a list of contractors who are eligible to carry out general and priority maintenance on Town of Port Hedland buildings and amenities. Contractors need to comply with the preferred contractor specification and as this is a process that could be undertaken under the Town of Port Hedland Period Contract clause of the general Tender Policy 2/011, it is being recommended to Council that it rescind Preferred Contractor Register Policy 14/002.

Based on the legislative requirements contained within the *Local Government (Functions and General) Regulations 1996* in relation to tenders and preferred suppliers, it is apparent that Policy 14/002 breaches these requirements, and needs to be revoked in any case.

Council could still choose to advertise for submissions from contractors under a Town of Port Hedland Period contract for the provision of general and priority maintenance on Town of Port Hedland building and amenities, as it does from time to time for other services and supplies, in accordance with Tender Policy 2/011.

In order to ensure compliance with legislation, and in recognition of the work that has been undertaken around procurement, specifically the adoption of the new Tender Policy, it is recommended that Council rescind the Preferred Contractor Register Policy 14/002.

Attachments

1. Tender Policy 2/011
2. Procurement Policy 2/007

Officer's Recommendation

That Council:

1. Notes that the Town will not be calling tenders for the provision of general and priority maintenance on Town of Port Hedland buildings and amenities at this point in time;
2. Retains the current quoting process in accordance with the Procurement Policy 2/007; and
3. Rescinds Preferred Contractor Register Policy 14/002.

201112/278 Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council:

1. **Notes that the Town will be calling for tenders for the provision of general and priority maintenance on Town of Port Hedland buildings and amenities and a report will be provided to Council outlining the selection criteria prior to tenders being called;**

2. Retains the current quoting process in accordance with the Procurement Policy 2/007;
3. Rescinds Preferred Contractor Register Policy 14/002; and
4. Requests that the Chief Executive Officer review and bring back for Council's consideration options relating to the 'Supporting Local Industry' provision contained within the current Tender Policy 2/011.

CARRIED 7/0

REASON: Council would like to give local businesses more of an indication that they are included in its tender policy.

ATTACHMENT 1 TO ITEM 11.4.2.3

2/011Tender Policy

Purpose:

This policy provides a framework which will ensure statutory compliance with all relevant legislation and encompasses best practice when procuring goods and services through the Tender process.

Related documents which sit within this wider framework include:

- Local Government Act 1995 s3.57- Tenders for Providing Goods and Services
- Local Government (Functions and General) Regulations Part 4- Tenders for Providing Goods and Services.
- Town of Port Hedland Procurement Policy 2/007

Policy Content:

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be, over \$100,000 a public tender will be called as per s3.57 of the Local Government Act 1995 and Local Government (Functions and General Regulations Part 4- Tenders for Providing Goods and Services.

Furthermore, to ensure a best practice approach to purchasing for the Town of Port Hedland the following additional procedural threshold will apply:

Tender Value	Pre Tender Actions	Post Tender Closing Actions	Tender Assessment Periods	Evaluation Panel	Sign Off
\$100,000-1m	Optional site briefing Business Plan as per LG (Functions and General)Part 3 Commercial Enterprises by Local Govts. s.3.59		2 weeks	Area Manager and Director	Exec.
\$1m-\$5m	As above Bill of Quantities * Peer review of design/specification documentation including sign off * Pre tender estimate		4 weeks	Responsible Manager and Director Director Corp. Ser.	Exec.

\$5m- \$10m	As above Compulsory site briefing Business/Operational Plan Project Manager engaged(optional) Tender Evaluation Plan	Interviews with tenderers Quarterly QS approval of works	6 weeks	As above	Council
\$10m +	As above Legal advice on tender documentation prior to distribution Engagement of probity advisor Project Manager engaged	As above Legal advice on tender contract prior to execution Probity advisor Monthly QS approval of works	6-8 weeks	As above	Council

* Does not apply to Design and Construct Tenders

Supporting Local Industry

The Town of Port Hedland seeks to maximise the use of competitive local businesses in goods and services purchased or contracted on behalf of the Council through adopting a local industry development criteria in tender assessment documentation as follows:

Local Industry Development	
Volume of workforce from Port Hedland/Pilbara	3%
Volume of goods from Port Hedland/Pilbara	3%
Training and skills development for Port Hedland	2%
Benefits to TOPH	2%
Loaded Score - Local Industry Development	10%

Local Industry is defined as being a business operating continuously out of premises within the Town of Port Hedland and submits a conforming tender or response for the supply of goods and services.

Tender or Quotation Exemption (Use of Preferred Supplier)

The Town of Port Hedland may waive the requirement to call for public tenders or quotations (regardless of the value of expenditure) and engage, award or contract for goods and purchases with preferred suppliers in the following circumstances:

- In an emergency service as defined by the Local Government Act 1995
- The purchase is from a supplier under a contract of the Western Australian Local Government Association (Preferred Supplier Contract or Business Service), the State or the Commonwealth or any of its agencies (Department of Treasury and Finance- permitted Common Use Arrangements), a Regional Council or another Local Government.¹
- The purchase is from a supplier awarded a Town of Port Hedland Awarded Tender- Period Contract ²
- Any other exclusion as defined in the Local Government (Functions and General) Regulations Part 4- Division 2 Regulation 11.

¹ Prior to the purchase of goods or services, Councillors are notified of the intent to use a preferred supplier.

² Town of Port Hedland Awarded Tenders-Period Contracts are called for on a regular basis to select contractors that may be used during the contract period at the tendered dollar rate.

Furthermore the engagement of any purchasing activity despite having the quotation or tender process waived must be undertaken in line with the officers delegated purchasing authority limit as detailed in all Position Descriptions, ensuring that sufficient funds have been provided for in the Town's annual budget.

ATTACHMENT 2 TO ITEM 11.4.2.3

2/007 PROCUREMENT POLICY**Local Purchasing**

After having due regard to, but not limited to, the quality of the product, availability of after sales service, supply date, freight costs, degree of urgency Officers of the Town of Port Hedland are encouraged to purchase locally.

Pre procurement Requirements

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

Purchase Value	Quotes Required (minimum)
Less than \$2,000	1 Verbal Quote
\$2000 - \$4,999	1 Written Quote
\$5,000 to \$14,999	2 Written Quotes
\$15,000 to \$49,999	3 Written Quotes
\$50,000 to \$99,999	3 Detailed Quotes, Authorised by CEO
\$100,000 and over	Tender Policy 2/011applies

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

1. A brief explanation of the emergency/urgency of the situation is provided by the officer upon issue of purchase order and prior to payment of the invoice for the service
2. The value of works being undertaken in the emergency is within the officer's delegated authority limit.
3. The value of the works being undertaken is within the limits of the Council's adopted Annual Plan and Budget.

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

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

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

Tenders

Tenders will be called for all procurement of Goods or Services from a single supplier as prescribed under Section 3.57 Local Government 1995 *and in accordance with 2/011 Tender Policy*.

Authorising Officer

An Authorising Officer is a Town of Port Hedland employee who is registered in the sub delegation register as authorised to incur expenditure and claims for payment, within a set monetary limit.

Purchase Orders

The Town of Port Hedland requires a purchase order to be raised and issued prior to the service or product being supplied. The authorising officer will ensure items purchased are made within budget parameters.

Purchase Orders Exemptions

The requirement to issue a purchase order is not required in the following instances:

1. Procurement of particular goods or services:
 - a) Utilities; including telephone, electricity, water and gas.
 - b) Annual Membership/subscriptions
 - c) Reimbursements to Staff
 - d) Freight
 - e) Department of Land Information on line transactions
 - f) Motor Vehicle Licensing and Registration
 - g) Custom Fleet Bill
 - i) Postage
2. Corporate Credit or Fleet Fuel Card purchases;
3. Petty Cash purchases - \$200 limit GST inclusive;
4. All emergencies as deemed in writing by the Mayor;
5. All procurement authorised by way of Tender and requiring three or less separate payments in one financial year.

Fleet Fuel and Corporate Credit Cards

Fleet Fuel Cards

All appropriate fleet vehicles will be issued with an appropriate fleet fuel card for fuel purchases only. If a vehicle is allocated to Council Officer, that Officer is responsible for the security and appropriate use of the Fleet Fuel Card. Fuel purchased using a fleet fuel card, must be of type required by the vehicle the card was initially issued for.

Corporate Credit Cards

The Chief Executive Officer and Directors have use of a Corporate Credit card, provided from the Town's current banking provider. Use of this credit card is strictly for authorised duties associated with the Town of Port Hedland and may not be used for personal expenses in any circumstances.

Limits placed on the Corporate Credit Cards will be as follows:

Officer	Credit Limit	Cash Advances
Chief Executive Officer	\$5,000	Nil
Directors	\$2,000	Nil

Each Corporate Credit Card Holder is responsible at all times for:

1. The security of the card;
2. Providing documentary evidence of all purchases (i.e. receipts) and attaching these to the monthly statement;

At the end of each month, each credit card statement is authorised by:

1. In the case of a Director, the Chief Executive Officer;
2. In the case of the Chief Executive Officer, the Mayor.

All purchases using the Corporate Credit Card shall be included in the monthly list of accounts paid by delegated authority presented to Council.

Breach of Procurement Policy

Officers found to have breached this policy may, at the discretion of the Chief Executive Officer:

1. Have their purchasing rights revoked; and
2. Be subject to disciplinary action, including possible termination without notice.
3. Be required to reimburse Council for the amount of the unauthorised expenditure.

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

Nil

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil

ITEM 14 CONFIDENTIAL ITEMS

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

“(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 —

(i) a trade secret;

(ii) information that has commercial value to a person; or

(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;”

201112/279 Officer’s Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That the meeting be closed to members of the public as prescribed in Section 5.23 (e) of the Local Government Act 1995, to enable Council to consider the following Item:

1. ‘Public Liability Personal Injury Claim’

CARRIED 7/0

6:46pm

Mayor advised the meeting is closed to members of the public.

201112/280 Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Hunt

That Council suspend Standing Orders.

CARRIED 7/0

6:47pm

Mayor advised that Standing Orders are suspended.

201112/281 Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council resume Standing Orders.

CARRIED 7/0

6:56pm Mayor advised that Standing Orders are resumed.

14.1 Public Liability Personal Injury Claim**201112/282 Officer's Recommendation / Council Decision**

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

1. Acknowledges the progress of the trial to date;
2. Requests the Chief Executive Officer, or his delegate, to provide a further update subsequent to the appeal being heard.

*CARRIED 7/0***201112/283 Council Decision**

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That the Meeting be opened to members of the public.

CARRIED 9/0

6:56pm Mayor advised the meeting to be open to members of the public.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE**201112/284 Council Decision**

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That the following leave of absence:

- Cr J M Gillingham – 19 December 2011 to 5 February 2012
(Excluding 11-12 January 2012)
- Cr D W Hooper – 6 January 2012 to 28 January 2012
(Excluding 11 January 2012)

be approved.

CARRIED 7/0

ITEM 16 CLOSURE**16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 25 January 2012 commencing at 5.30 pm.

The Mayor advised Councillors and those members of public seated in the public gallery that a Special Meeting of Council has been called for Wednesday 11 January 2012 commencing at 5:30pm.

16.2 Closure

There being no further business, the Mayor declared the meeting closed at 7:05pm.

Declaration of Confirmation of Minutes

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

CONFIRMATION:

MAYOR

DATE