



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 10 NOVEMBER 2010

AT 5.30 PM

IN COUNCIL CHAMBERS
McGREGOR STREET, PORT HEDLAND

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*Paul Martin
Acting 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 5:30 pm and acknowledged the traditional owners, the Kariyarra people.

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES

2.1 Attendance

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

Mr Paul Martin	Acting Chief Executive Officer
Ms Natalie Octoman	Director Corporate Services
Mr Russell Dyer	Director Engineering Services
Ms Debra Summers	Acting Director Community Development
Mr Leonard Long	Acting Director Regulatory Services
Miss Josephine Bianchi	Administration Officer Governance

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2.2 Apologies

Nil.

2.3 Approved Leave of Absence

Nil.

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 27 October 2010

Nil.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 27 October 2010

3.2.1 Councillor J M Gillingham

Does the Town have an update on the lights in both parks at Pretty Pool?

Manager Engineering advised that the lights at the foreshore in Pretty Pool were installed as part of the park upgrade project and went through an EPA approval process due to proximity to the turtle nesting areas of Pretty Pool. At last inspection these lights were working. There are no plans to install more as the lighting is sufficient and complies with public open space and environmental requirements.

Manager Engineering also advised that the park in the Pretty Pool subdivision will have lighting installed in the new section that will be under construction soon. With regard to the old section the Town is looking into costs for lighting in this area for future budgets.

ITEM 4 PUBLIC TIME

4.1 Public Question Time

5:31pm Mayor opened Public Question Time

4.1.1 Mr Chris Whalley

With the new hospital officially opening in our Town soon, can Council explain why the word "hospital" has been eliminated from both the external and internal sign within this so called Hedland Health Campus? Should a sub-title of this new hospital be designated the "South Hedland Regional Hospital"? Could Council also ensure through the Department of Main Roads that the word "hospital" is used on all new relevant street signs?

Mayor advised that this question will be taken on notice and that Council will be in contact with both the Department of Health and Main Roads WA. Mayor also advised that the road signage has the traditional first aid cross, but both concerns will be certainly passed on to the relevant agencies.

Does Council have an update on the odour concerns in the Wedgefield Village?

Mayor advised that Oil Energy Corporation (OEC) has been served with an environmental improvement notice from the Department of Environment and Conservation (DEC). The DEC is currently working with OEC to make sure that the condition of their licence is met.

5:33pm Mayor closed Public Question Time

4.2 Public Statement Time

5:33pm Mayor opened Public Statement Time

4.2.1 *Mr Chris Whalley*

Mr Chris Whalley made a statement in which he strongly outlined his opposition to a new detention centre being built in town. Mr Whalley knows how detention centres are run as he worked in one for 4 years and he is fiercely opposed to a new one been built.

4.2.2 *Ms Trish Bourke*

Ms Trish Bourke read aloud the following statement relating to the need for an alternative secondary school within the Town of Port Hedland District:

"I would like to address the topic of an alternative secondary school in the local area. I believe that this has been recognised as a need. Though I think it needs to be seen as a priority with a firm plan of action and a realistic time frame. I, and as I am sure you, are aware we are losing numerous good community members every year as their children reach high school age. It is these long term community members that are needed to provide the resources and the basis for the town's growth. Hence I feel that any earlier prioritisation of the secondary school project would have a significant impact n the Pilbara Cities development into a stable community from which to grow. It is my opinion that this is an important issue if the TOPH is to progress in a timely manner. I believe that any progression towards an alternative secondary school must begin with approval from the Department of Education. Hence I would like to ask that the TOPH assist in ensuring that the Department of Education recognizes the urgency of this issue due to the time a secondary school will take to become functional. I also recognize that land and staff housing will also be an issue as will finding teachers with the relevant experience. However I feel that earlier these issues are addressed the sooner an additional high school will be available and the sooner we will have long term residents choosing to stay in the Pilbara and the easier it will be to attract staff to our town. From my experience working at the hospital we have had

numerous quality medical staff that we have been unable to recruit due to lack of choices for secondary school. Health is not an isolated industry that has such experiences. Thus for the TOPH to become one of the Pilbara Cities I feel that all alternatives for an alternative secondary high school need to be investigated with a matter of urgency to provide stability for industry and the community.”

4.2.3 *Chris Whalley*

Mr Whalley made a statement which follows his question to Council a few weeks ago about the litter that is being created by the home delivery of newspapers around town. Mr Whalley wants Council to stop the home distribution of all newspapers as they are creating a litter issue.

NOTE: Mayor advised that Council is still working with newspapers distributors to rectify the process.

5:40pm Mayor closed Public Statement Time

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

5.1 *Councillor J M Gillingham*

Councillor J M Gillingham advised that she has been approached by a young member of the public, Miss Coco Chanel Young, about a possibility of raising funds for cancer research. She would like to see a welcome walk or footpath where people could see a flag with something engraved on it or a painted wall or a nice park, with half of the proceeds to go to cancer research and half to go towards the project. Maybe Council could work on this together with the Rotary or Soroptomist clubs. Councillor Gillingham also advised that Miss Young will write a letter to Council shortly with further details.

Mayor advised that this request will be taken on board.

5.2 *Councillor M Dziombak*

This question is directed to the Mayor. What was the reason for and under what authority were you acting when after the last Ordinary Council Meeting on 27 October 2010 you the Mayor indicated to a presenter that members of the public were not permitted in Council Chambers after meetings, then personally escorted out of the Council building a presenter of an organisation who is a major contributor and partner of Town of Port Hedland and what consideration was given to the potential damage your action may have to the ongoing relationship with that particular organisation and partner; and what action have you taken or consider taking to rectify any potential damage caused by your action?

Mayor advised that in November 2009 it was decided that no members of the public and/or presenters should stay for meals after Council meetings, this followed recommendation from the Department of Local Government. This rule has been applied since then and this is the message that was conveyed to the presenter at last Ordinary Council Meeting. The presenter was advised that no malintent [sic] or singling out was intended, and that this procedure applied to everybody whether from State Government or a large private organisation. The Mayor followed up this message with correspondence the next day and the presenter assured her that they did not feel singled out and that they were not aware of the practice, but that they understood the need to separate Council business and business after Council meetings.

Since then the Mayor raised this issue with all Councillors to make sure that all were on the same page and to make sure that all guests, presenters, members of the public and former Councillors are given the same opportunity, level of respect and level of treatment. At the informal briefing of Council last week it was decided that common sense would be trialled. The Mayor thought that all Councillors had agreed on this matter. For this reason, measures have now been put in place around formal invitations being issued to presenters, so that it is not Mayor having to escort members of the public or presenters from the Chambers, but a Council officer. In this way the burden is taken off the Mayor and there is a consistent approach so that in the event the Mayor or Acting Chief Executive Officer are not present at any Council Meeting, the same approach is applied equally and fairly to all people that come and visit Council Chambers.

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 J M Gillingham
Cr A A Carter	Cr S J Coates
Cr S R Martin	Cr D W Hooper
Cr G J Daccache	Cr M (Bill) Dziombak

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 27 October 2010.

201011/154 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the Minutes of the Ordinary Meeting of Council held on Wednesday 27 October 2010 be confirmed as a true and correct record of proceedings.

CARRIED 8/0

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Mayor Howlett's Activity Report for the October/November 2010 period to date as follows:

Friday, 22nd October

- Attended Presentation On Skate Park Opportunities + A/DCD
- Presentation To Infrastructure Australia Delegation + A/CEO + Deputy Mayor + Cr Dziombak + Cr Hooper + Cr Daccache
- Interview FMG Social Impact Assessment Re: Proposed Company Growth Plans + A/CEO
- Attended Art Exhibition Opening – Before The Town Got Big
- Dinner Infrastructure Australia Delegation + A/CEO + Deputy Mayor + Cr Dziombak + Cr Daccache

Saturday, 23rd October

- Mayor Coffee Session (Shana's Cafe, Port Hedland)
- Mayor Coffee Session (Muffin Break, South Hedland)
- Attended Well Womens Centre Womens Banner Handover
- Attended PDC Dinner As Part Of Karratha Regional State Cabinet Sitting + A/CEO

Monday, 25th October

- Attended CEDA Forum, Karratha + A/CEO
- Opening Official Re-Location Event Health & Beauty Shed

Tuesday, 26th October

- Meeting With Hon Premier Colin Barnett and Town of Port Hedland + Deputy Mayor + Cr Martin + Cr Daccache + Cr Gillingham + Cr Hooper + Cr Dziombak + A/DCD + DENG + DREG + DCORP
- Attended Utah Point Official Opening + Cr Daccache
- Meeting BHPBIO Ian Fletcher & Richard O'Connell Re: FI/FO + Deputy Mayor + A/CEO

- Meeting Thinc Projects – Major Projects Update + Deputy Mayor + A/CEO + DCORP + A/DCD + DENG
- Meeting North West Iron Ore Alliance + A/CEO
- Attended Port Hedland Chamber of Commerce AGM

Wednesday, 27th October

- Attended Smith Family “Let’s Read Family Event” Lotteries House
- Weekly Spirit Radio Interview
- Attended BHPBIO/Town of Port Hedland Joint Projects Meeting + Deputy Mayor + A/CEO
- Weekly Media Meeting + Deputy Mayor
- Weekly Catchup Meeting Mayor & Deputy Mayor
- Attended Jaxons Apprentice Graduation
- Chair OCM October 2010

Thursday, 28th October

- Meeting & Phone Link Up Ian Taylor Re: Pilbara To Parliament Workshop + A/CEO
- Visit To Baler Primary School – Role Of Mayor & Council
- Attended Storytime & Breast Cancer Fundraiser Morning Tea, South Hedland Library
- Meeting HSHS Carolyn Cook Re: HSHS Board

Friday, 29th October

- Attended WWC & BHPBIO Pink Ribbon Breast Cancer Fundraiser Breakfast Event
- Interview Spirit Radio – Live Auction & Breast Cancer Fundraiser Event

Saturday, 30th October

- Attended End Of Children’s Book Week Multicultural Activities Event, South Hedland Library
- Visit To YIC Halloween Party Event

Sunday, 31st October

- Attended Cemetery Beach Park Extension Consultation
- Attended Hedland Playgroup Monster Trash & Treasure Event

Monday, 1st November

- Weekly Spirit Radio Interview (Gearing Up Event)
- Meeting Gloria Lockyer Re Many Rivers & Pearl Farming

Tuesday, 2nd November

- Meeting With Local Resident (Bob Neville)

Mayor also added that it has been a very busy fortnight with a visit from Premier Barnett and also a presentation from Infrastructure Australia, where they indicated that they are favouring ports and looking at 50 year time horizons.

On Saturday 30 October Mayor attended the end of Children's Book week event at South Hedland library which was great, the staff worked very hard and did a fantastic job; it was a multicultural event, so many children happily sharing and enjoying the diversity of the environment.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 Councillor A A Carter

Councillor Carter advised that with regard to a detention centre being built in the Town, the Town of Port Hedland has not considered it. The Hedland Future Today document has included it as an option, but at no time has the Town decided upon it. Council will never consider this without extensive community consultation in the first instance.

9.2 Councillor S R Martin

Councillor Martin endorsed the Deputy Mayor's comments and advised that he would like an item to go up to the next Ordinary Council Meeting to address the issue of the detention centre raised in the media.

9.3 Councillor J M Gillingham

Councillor Gillingham attended the Gearing Up event and congratulated all staff for putting up such a great event.

With regard to the detention centre matter, Councillor Gillingham would like to see something going up to Council for consideration shortly, in order to address community concerns.

9.4 Councillor S Coates

Councillor Coates advised that he was surprised to see reports in the North West Telegraph and GWN about the detention centre as he was not aware of any consultation. It came up in the media before Council had actually discussed it. Councillor Coates also advised that it might have been wise for the Mayor to discuss this issue with other Councillors before talks with the media and for the Mayor to suggest that it is not part of Council's current policy. Councillor Coates would like to see this issue to go up to Council as an item soon.

NOTE: Mayor advised that it was the media that contacted her, and that she simply advised them of something that is included as an option in a public document, the Hedland Future Today, which is also available for all to see on the Town's website.

9.5 *Councillor M Dziombak*

Councillor Dziombak would like to clear public perception about the detention centre and have the issue raised at Council's next Ordinary Meeting. Councillor Dziombak advised that last week he was approached by GWN as President of the Chamber of Commerce to comment on the detention centre and that he declined the offer because he was not aware of it and/or consulted by other Councillors about it. Councillor Dziombak was quite embarrassed about this incident as it was an opportunity to air some publicity around Port Hedland. In view of this, he would like to re-endorse that we correct Council's position in the media to say that it is not currently considering a detention centre in Port Hedland.

NOTE: Mayor advised that we will consider this item when presented to Council, however we need to be clear with the messages that we sent out to the public, as a detention centre is currently included in the Hedland Future Today document as an option between 2013 to 2018.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

Since the matter was brought to the Council's attention the following options have been investigated and discussed with the Executive:

- Rear of Gratwick Hall,
- External temporary offices abutting the Civic Centre,
- Council Chambers, and
- External Office / Donga.

All these options are not considered by the Executive as the best short term outcome.

Consultation

Internal consultation has been done with the Executive as well as the Manager Building Services.

The Town requested Robin Salter Consulting Engineers Designers and Project Managers to provide confirmation that it would be feasible and practical to add an extra floor to the Civic Centre, there response is attached as ATTACHMENT 1.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Should Council resolve to pursue the option of replicating an additional floor on the roof of the existing Civic Centre, the initial cost in the preparation of detailed structural assessment would be approximately \$30,000.00 to \$40,000.00.

Initial architectural concepts are likely to cost in the order of \$20,000.00.

On completion of the required studies it would be possible to get an indication from a Quantity Surveyor as to what the overall cost would be.

There is currently an allocation in the 2010/2011 budget in account 402275 for an amount of \$199,000.00.

Officer's Comment

In order to gain maximum efficiency and provide most effective customer service it is considered ideal that all administration staff are based within one location. Currently administration staff are located at the PHIA, Depot and the Civic Centre.

It is acknowledged that in the medium to long term the Civic Centre will be relocated to South Hedland and would be able to accommodate existing and future staff. However, the development of the new Civic Centre is still some time away, in order to be able to function as an organization it is imperative that a viable short term solution be put in place.

Taking into consideration the existing roof of the Civic Centre requires approximately \$200,000.00 to repair, now is the most opportune time to consider replicating an additional floor on the roof.

With regard to the concrete structure it has been certified by Robin Salter Consulting Engineers Designers and Project Managers to be in good condition and perfectly capable of taking considerable extra load with many years of service left in it.

The provision of an additional floor on top of the Civic centre will result in the provision of up to 1000m² of office space which, will be sufficient to accommodate existing and future administration staff until the new Civic Centre has been constructed in South Hedland.

Officers are supportive of this investigation taking place. Advice would be sought as part of the architectural concepts on any potential staging options for development of the third floor.

Attachment

Robin Salter Consulting Engineers Designers and Project Managers.

201011/155 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

1. requests the CEO to investigate an additional floor on the existing Civic Centre by undertaking:
 - a. **a detailed structural assessment of the building's capacity to accommodate a third floor.**
 - b. **preliminary architectural concepts of the third floor (subject to satisfactory structural assessment)**
2. acknowledges that \$60,000 will be used from account 402275 to progress this investigation.

CARRIED 8/0

ATTACHMENT 1



Terry Sargent
Director Regulatory Services
Town of Port Hedland
PO Box 41
Port Hedland WA 6721

CONSULTING ENGINEERS
DESIGNERS AND
PROJECT MANAGERS

Unit 6, 9 Playle Street
Myaree WA 6154

TEL 08 9317 3331
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Info@rsaperth.com.au
www.rsaperth.com.au

RSA Ref: 2010-351-04L

Dear Terry,

RE: Civic Centre Development Potential

Further to our Letter RSA 2010-351-03L sent to Council in June, and following on from our evaluation of the concrete structure and roof of the Civic Centre at the request of the Manager of Building Services.

The TOPH posed the question in discussions with yourself and Officers of the Council, "is it feasible and practical to add an extra floor to the Civic Centre building."

Our response is itemised as follows.

1. Yes, provided the TOPH forgoes the use of the upper floor for a period of 4 to 5 months and can accept full scaffolding, reducing amenity and access for a nine month period, potentially.
2. The existing roof structure would be removed and rebuilt one level higher. A new pre cast unit floor would provide the new floor and support a new suspended ceiling to incorporate new air-conditioning and services. New columns and structural steel frames would be used to create the new floor, walls etc.
3. Modern lightweight wall lining comes complete with non-shrink thick build render skin coats to match existing finish style and colour. (RSA extended offices use exactly this and it is difficult to pick the old rendered brick wall and the new thick build rendered light weight cladding).
4. The existing roof frame and precast units can be reinstalled at the upper level to retain the existing appearance. The roof cladding, purlins and gutters need extreme repair and remediation which is all done at this time.
5. The concrete frame is perfectly capable of taking considerable extra load and as stated in our certified report has many years of service left in it.

To enable the TOPH to develop the building detailing for such a proposal needs the general structural and building detailings of such a proposal given some precise definition. Whilst full documentation could be delayed until the proposal is to become a reality, to enable the TOPH to complete a feasibility study some work on preliminary documentation will be essential to enable some approximate costings' to be developed.

From a commercial standpoint the TOPH needs an approximate cost within 10% to establish the cost parameters to a decent accuracy and thus it needs to invest funds to achieve this goal.

Clearly once the project is proved up there, the TOPH can proceed to decide on a project development approach, be it from selected Project Engineer calling for building tenders or design and construct packages.

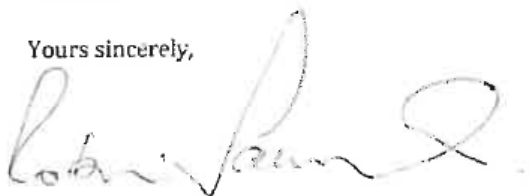
The first step is expending funds on the Engineering feasibility to enable approximate costings. For RSA to provide this service TOPH need to allocate \$30000 to \$40000+GST. The study would take 3 to 4 months maximum.

The next step is clearly for the Council of TOPH to establish,

- a) Is it a sound strategy and could it be on sold if other opportunities for Civic Centres in South Hedland emerged.
- b) Does the proposition add value and is it feasible to add two storeys. (Carparking requirements may become an issue).
- c) What is a sensible development timetable and how much space do TOPH require and how much could be leased out?

We hope this answers all the queries raised and await with interest what the TOPH Council Conclude.

Yours sincerely,



Robin Salter BE (Hons) MIEAust CPEng

30 September 2010.

11.1.2 Planning Services

11.1.2.1 Proposed Development Plan for Lots 6047, 6048 and 6049 Bell Street, Port Hedland (File No.: 18/09/0032)

Officer Ryan Djanegara
Planning Officer

Date of Report 26 October 2010

Application No. 2007/313.01

Disclosure of Interest by Officer Nil

Summary

Council at its Ordinary Meeting held on 9 June 2010 has resolved to adopt Scheme Amendment No. 17 to rezone Lots 6047, 6048 and 6049 Bell Street, Port Hedland from “Local Road” and “Other Purposes – Infrastructure” to “Industry”.

Prior to the amendment being forwarded to the WAPC, Council has required that a development plan be prepared and endorsed. This report seeks Council’s approval to publically advertise the development plan.

Background

Location

Lots 6047, 6048 and 6049 are located along Bell Street.

Current Zoning and Use

The subject sites are currently reserved “Local Road” and “Other Purposes – Infrastructure” however are subject to Scheme Amendment 17 which will amend the zoning to “Industry”. The sites are currently vacant.

The Proposal

Council at its Ordinary Meeting held on 27 February 2008 resolved to initiate Scheme Amendment No. 17 provided that a Development Plan be submitted. In accordance with Council’s resolution the applicant was required to provide a development plan for the subject lots and the surrounding lands.

Due to the restrictive development potential of the surrounding land, the proposed development plan that has been submitted by the applicant relates only to the lots included in the scheme amendment.

The development plan needs to be advertised in accordance with the Scheme prior to the plan being endorsed by Council and the Western Australian Planning Commission.

Consultation Nil

Statutory Implications

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

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

Council at its Ordinary Meeting held on 27 February 2008 resolved to initiate the Scheme Amendment subject to a Development Plan being submitted and addressing the following issues:

- 1) *Provision of a suitable buffer strip, including earthworks and landscaping provision, which adequately screens the proposed uses from the Highway route, and contributes positively to the overall landscaping of the general area;*

A 3m wide landscaping strip along Great Northern Highway has been delineated on the plan. However in order to create an effective screen/buffer between the industrial uses and the Great Northern Highway it is recommended that the 3m wide strip be increased to a 5m wide strip utilizing a landscaped bund to screen/buffer the industrial use from the Great Northern Highway.

- 2) *Any access arrangements are to be from Bell Street;*

This will be re-enforced with the use of a 5m wide landscaping bund.

- 3) *Any recommendations from Main Roads Western Australia (applicant to make direct contact) are to be reflected in the plan; and*

As part of the advertising, the proposed Development Plan will be advertised to all service providers including Main Roads, to obtain any comments of requirements.

- 4) *Any relevant requirements detailed within the Town Planning Scheme No. 5;*

The Development Plan area is subject to Scheme Amendment No. 17 which will ensure that the development is in line with the Port Hedland town Planning Scheme No 5.

Given the restrictive development potential of the surrounding land, it is considered unreasonable to require the applicant to include the "surrounding lands". It is therefore recommended that Council supports the Development Plan proposed subject to the inclusion of a 5m wide landscaped bund and advertises in accordance with the Port Hedland Town Planning Scheme No. 5.

Attachments

Proposed Development Plan

201011/156 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

1. supports the plan submitted by Whelans Town Planners on behalf of IBN Corporation subject to the following amendment:
 - i) the 3m wide landscaping strip be changed to a 5m wide landscaped band to the satisfaction of the Manager Planning; and**
2. on receipt of the amended development plan as required in 1. above the development plan be advertised in accordance with the Port Hedland Town Planning Scheme No. 5 for a minimum period of 14 days; and
3. Advises the applicant that all costs incurred for the advertising of this proposal shall be the responsibility of the applicant.

CARRIED 8/0

NOTES:

Landscape Buffer

- a) The objective of the landscape buffer is to provide a visual screening of any development on the lots from the highway.
- b) The landscape buffer shall consist of an earth bund with native planting of a scale that meets the objective above and is to be demonstrated at the time of development to the satisfaction of the Manager of Planning.
- c) Development applications shall include a landscaping plan with species list to the satisfaction of the Manager of Planning.
- d) The landscape buffer is to be provided within the lot boundary as shown on this plan and is to be a minimum of 10 metres wide.
- e) No buildings or structures whatsoever are to be erected within the landscape buffer.
- f) Fencing of the landscape buffer shall be open farm-type fencing or otherwise as approved by Council.

Land Uses

- a) Land uses permitted on the lots shall be restricted to 'dry industries' and as per the zoning table contained within the Scheme and the provisions set out in clause 6.7.

Subdivision & Development Standards

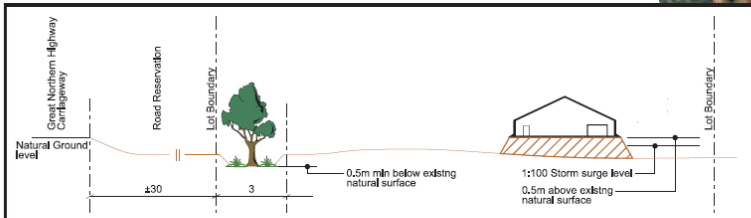
- a) The subdivision and development standards set out in clause 6.7 of the Scheme shall apply. These include provisions relating to:
 - Front setback
 - Site coverage
 - Building materials
 - Car parking

Built Levels / Storm Events

- a) The recommended minimum building floor level is 0.5m above the 1 in 100 storm surge level.
- b) Development on the lots shall be subject to a notification on file advising of the potential for flooding in a 1 in 100 storm surge event.
- c) The issuing of approval to develop the lots is not to be construed as confirmation that the development proposed will not be subject to damage from tidal storm surges and flooding.

Access Requirements / Restrictions

- a) Vehicular access is restricted from Great Northern Highway.
- b) Crossovers to Bell Street shall be sited, designed and constructed to the satisfaction of the Manager Technical Services.



Cross Section at 'A-A'
Not to Scale

<p>ADOPTION [Regulation 13(1)] Adopted by Resolution of the Council of the Town of Port Hedland at the Ordinary Meeting of the Council held on theday of20.....</p> <p>..... Mayor Date</p> <p>..... Chief Executive Officer Date</p>	<p>FINAL APPROVAL [Regulation 21(2), 22(1) and (2)] 1. Adopted for final approval by resolution of the Council held on theday of The Common Seal of the Town of Port Hedland was hereto affixed by authority of a resolution of the Council in the presence of:</p> <p>..... Mayor Date</p> <p>..... Chief Executive Officer Date</p>	<p>2. Recommended for final approval by the Western Australian Planning Commission.</p> <p>For Chairperson Date</p> <p>3. Final approval granted</p> <p>Minister for Planning Date</p>
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Job Number: 12165
 Sheet Name: 12165-1
 Scale: 1:2000 @ A3
 Date: 06 October 2010
 Drawn By: JMc
 Checked by: SJF
 The Council's system adopted for this plan and digital data has been derived from Whelans survey and is based on TM54 Datum, June 2008. This statement must accompany this plan and digital data at all times.



LEGEND

- 3m Wide landscaped swale
- Prohibited Vehicular Access
- Subject Sites
- 6m Frontage Setback

**DEVELOPMENT PLAN
 LOTS 6047, 6048 & 6049 BELL STREET
 PORT HEDLAND**

11.1.2.2 Proposed Partial Closure of Lawson Street Road Reserve. (File No.: 28/01/0017)

Officer **Caris Vuckovic**
Lands Officer

Date of Report 18 October 2010

Disclosure of Interest by Officer Nil

Summary

Council has through the Land Rationalisation Plan identified a number of road reserves located throughout South Hedland that could be permanently closed.

These road closures are required to facilitate the subdivision of the land in accordance with the Land Rationalisation Plan.

This report is with Council to consider the proposed partial closure of Lawson Street Road Reserve adjacent to Lot 1700 Lawson Street, South Hedland.

Background

The purpose of this proposed road closure is to excise unused portions of the existing reserves allowing the portions to be developed in a consistent manner to its surrounds.

None of the proposed partial road reserve closures will adversely affect traffic, pedestrian or cycle networks. For each reserve closure, appropriate applications for rezoning will be lodged to facilitate the Scheme Amendments where necessary to be consistent with the adjoining lots.

Consultation

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.”

Statutory Implications

Section 58 of the *Land Administration Act 1997* and regulation 9 of the *Land Administration Regulations 1998*, establishes the procedure for closing a road. The subsequent sale of the Crown Land is undertaken

by State land Services on behalf of the Minister in accordance with Part 6 of the *Land Administration Act 1997*.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

This portion of land is identified for development by the Land Rationalisation Plan. Approving the closure will facilitate the developments for residential purposes in accordance with the Land Rationalisation Plan.

Options

Council has the following options for responding to the request:

- 1) Support the request for partial closure of Lawson Street Road Reserve, South Hedland.
- 2) Reject the request for partial closure of Lawson Street Road Reserve, South Hedland.

It is recommended that Council support the partial closure of Lawson Street Road Reserve, South Hedland.

Attachments

Locality Plan

201011/157 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

1. supports the permanent closure of a portion of Lawson Street Road Reserve, South Hedland, with the following conditions:
 - a. **The proposed Closure being advertised for a period of 35 days pursuant to section 58(3) of the *Land Administration Act 1997*,**
 - b. **There being no comment received during the statutory advertising period; and**
 - c. **The comments being of an uncontentious nature.**

CARRIED 8/0



11.1.2.3 Proposed Permanent Closure of Various Recreation Reserves, South Hedland. (File No.:28/01/0017)

Officer **Caris Vuckovic**
Lands Officer

Date of Report 15 October 2010

Disclosure of Interest by Officer Nil

Summary

Through the Land Rationalisation Plan a number of reserves have been identified that can be closed, allowing the reserves to either be amalgamated with adjoining properties or developed.

The report before Council is to implement what has been envisaged by the approved Land Rationalisation Plan.

Background

The purpose of the proposed reserve closures is to excise unused portions of the existing reserves to either amalgamate the closed reserve into adjacent residential lots, or to be developed on their own.

None of the proposed recreation reserve closures will adversely affect the Towns Parks Improvement Program. The closure of the reserves would necessitate a rezoning ensuring that any proposed development will be compatible with the surrounding developments.

The reserves identified for closure are as follows: (ATTACHMENT 1)

Recreation Reserve 44830, Lot 2241 Greene Place, South Hedland
Recreation Reserve 44827, Lot 5981 Kennedy Street, South Hedland

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

The reserves have been identified through the Land Rationalisation Plan, as land better suited for development other than for "Parks & Recreation" purposes. The development of the closed reserves for residential purposes will begin to address although in a small manner the housing shortage while at the same time adding to the improvement of the streetscape in their locations.

Reserve 44827

Ultimately Lot 5981 Kennedy Street will be amalgamated into adjoining Lot 6000 Trumpet Way and Lot 3017 Kennedy Street and subdivided into a number of residential lots.

The proposed future realignment of Trumpet Way and closure of excess road reserves adjoining the Trumpet Way will also be involved in the overall subdivision.

Reserve 44830

Ultimately Lot 2241 Greene Place will be amalgamated into the adjoining proposed closure of the Greene Place as well as Lot 2240 Greene Place, South Hedland.

This would result in additional residential properties available to the market and at the same time will enhance the streetscape of the area with new modern residential developments.

From a planning perspective the closure of the reserves will result in infill development within the existing urban footprint, therefore creating a more compact town and controlling the possibility of urban sprawl.

Options

Council has the following options when considering item:

- 1) Support the request for closure of recreation reserves located at Lot 2241 Greene Place and Lot 5981 Kennedy Street, South Hedland, or
- 2) Reject the request for closure of recreation reserves located at Lot 2241 Greene Place and Lot 5981 Kennedy Street, South Hedland.

In light of the Land Rationalisation Plan which has been approved by Council, it is recommended that Council support the closure of the recreation reserves located at Lot 2241 Greene Place and Lot 5981 Kennedy Street, South Hedland.

Attachments

Locality Plans

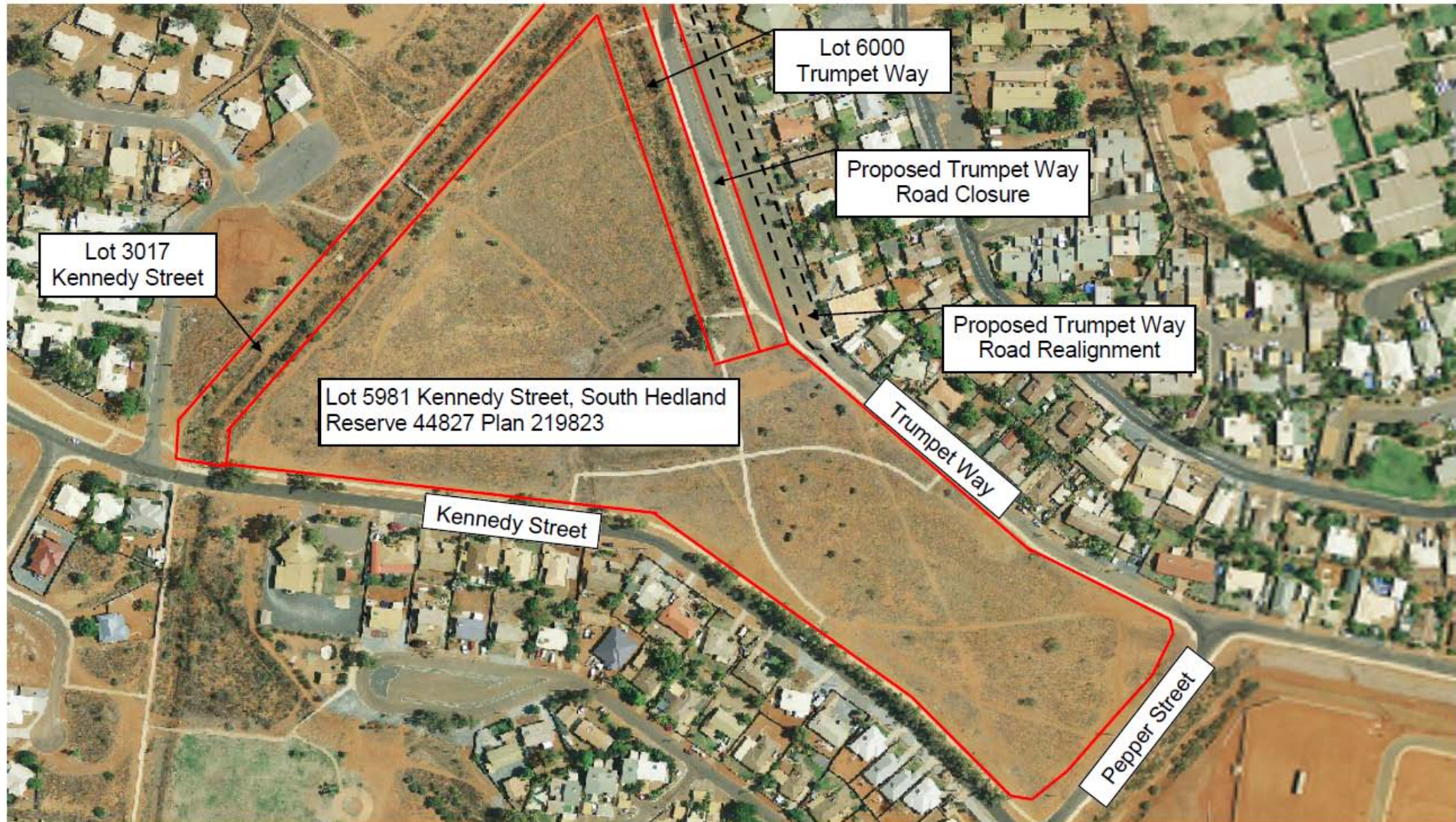
201011/158 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham

That Council notifies Department of Regional Development and Lands that Council has no objection to the cancellation of Reserves 44830 and 44827 "Parks and Recreation", subject to the following:

1. The closed reserves are to be rezoned to the satisfaction of the Manager Planning.

CARRIED 8/0





11.1.2.4 Proposed Change of Use Application from Offices to Take-away Food Outlet at Lot 4 (14) Throssell Road, South Hedland (File No.: 155860G)

Officer	Luke Cervi Senior Planning Officer
Date of Report	2 November 2010
Application No.	
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from Ray Scarce & Associates on behalf of Racing & Wagering WA, for a change of use from offices to take-away food outlet, at Lot 4, Throssell Road, South Hedland.

In terms of the Port Hedland Town Planning Scheme No 5, a "Take-away food outlet" is categorized as a "P" use, a use which is exempted from requiring planning approval when compliant with all planning controls ie. Parking.

The application has been referred to Council for consideration as the current car parking does not comply with Appendix 7 of the Town of Port Hedland Town Planning Scheme No.5 (TPS5).

Background

Locality: (Attachment 1)

The lot is located on the north side of Throssell Road between the Last Chance Tavern and Chicken Treat. The site currently contains the TAB and adjoining vacant premises proposed to be occupied by Subway.

Current Zoning:

In terms of the TPS5, the lot is zoned "Town Centre", the proposed Subway is classified as a "take-away food outlet" being a "P" use, not require planning approval when compliant with all planning controls.

Historical Approval - Development / Use:

A review of Council records identified that a Building approval was issued in 1980 for a "Concrete Block Shop". The plans identified a "TAB Office" and two other "Offices", requiring the provision of 12 car parking bays.

However, the plans submitted for the current application (subway) indicates that only 10 parking bays are provided on site, this has also been confirmed by a site inspection.

Therefore, prior to the current application being submitted the site did not comply with the approved parking amount, having a shortfall of 2 parking bays.

Consultation

Nil

Statutory Implications

The development of land must be done in accordance with Port Hedland Town Planning Scheme No. 5 (TPS5), in this regard TPS5 currently requires that either parking be provided on site as per Appendix 7 or that a cash-in-lieu payment is made for the parking bays not being provided for.

Policy Implications

- Policy 10/001 Landscaping for Commercial and Industrial Areas.
- Policy 9/007 Roadside, Verge and Reserve Parking Policy.

Strategic Planning Implications

Nil

Budget Implications

An application fee of \$217.00 has been received as per the prescribed fees approved by Council. This application fee has been deposited into the following planning account: 0010063260.

Officer's Comment*Development Controls - Parking*

The TPS5 has numerous provisions relating to car parking. In particular, Appendix 7 specifies the car spaces required for specific uses. The existing TAB (Shop) and proposed Subway (Take-away food outlet) require a total of 14 car spaces. Due to the physical constraints (existing development) the site can only provide 10 spaces, although 12 were originally approved. It would not be possible to meet with current width requirements and provide 12 on site.

The applicant has calculated the parking requirement by defining the proposed use (Subway) as a "restaurant" rather than a "take away food outlet", resulting in 12 parking bays being required. The applicant contends that surrounding properties provide substantial parking and that a reduction of 2 bays would have minimal impact.

Whilst this may be the case at the moment, it is unreasonable to expect neighbouring properties to provide for the parking demands of adjoining properties as this could impact their own development potential.

From a Planning Perspective the proposed use (Subway) is consistent with the definition of a "Take away food outlet" as defined by the Port Hedland Town Planning Scheme No. 5. When calculating the parking requirement for a "Tab Office" and a "Take-away food outlet" (Subway) a total of 14 bays are required. Given that the plans approved in 1980 indicate 12 parking bays, and only 10 bays have been provided on-site, there is a total shortfall of 4 parking bays.

Given the fact that the original approval required a total of 12 bays to be provided on site, and that only 10 have been constructed the Council is placed in a precarious position.

Since the property does not comply with approval the Town could institute legal action against the owner or request cash in lieu payment for the 2 bays that were not provided originally. In addition to the proposed use requires an additional 2 bays (14 bays in total).

Generally, to ensure good and orderly planning, cash in lieu should only be considered in exceptional circumstances. In this instance cash in lieu is considered appropriate. However, Council could give 'credit' for the 2 bays that could have been developed in accordance with the standards of the day when the 1980 approval was given. This is discouraged as in essence it would be rewarding a historic issue of non compliance.

Options

Council has the following options of dealing with the matter:

1. Approve the 10 car parking bays currently provided on site and require a cash in lieu contribution for 4 car parking bays. (2 bays resulting from the non-compliance of the original approval requiring 12 bays, and the additional two required due to the proposed use), or
2. Approve the 10 car parking bays currently provided on site waiving the requirement for a cash in lieu contribution for the required 4 car parking bays.

Option 1 is recommended, as this will ensure the integrity of any planning conditions imposed and at the same time allow the proposed use to go ahead.

Attachments

1. Locality Plan
2. Site Plan

Officer's Recommendation

That Council approves the application from Ray Scarce & Associates on behalf of Racing & Wagering WA, for a change of use from "offices" to "take away food outlet" at Lot 4, Throssell Road, South Hedland subject to the following conditions:

1. This approval relates only to the proposed take-away food outlet (Subway) and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
2. The **unit area** must only be used for purposes, which are related to the operation of a "Take Away Food Outlet" business. Under the Town of Port Hedland's Town Planning Scheme No. 5 a "Take Away Food Outlet" is defined as:

"any land or buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten, without further preparation, primarily off the premises."
3. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
4. The Take-away food outlet shall provide a maximum of accommodate a maximum of 20 seats.
5. A minimum of 10 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.
6. A cash in lieu contribution is required contribution of \$3,108.00 per bay is required for the 4 car parking spaces that cannot be provided on site. (The current (2010/2011) cash in lieu payment is \$3,108.00 per bay. The contribution is reviewed annually and may be subject to change if not made before 30 June 2011)
7. Car parking, landscaping areas and accessways are to be maintained as such at all times, no temporary or permanent storage is permitted at any time.
8. A Rubbish Collection Strategy/Management Plan shall be submitted to and approved by the Town prior to the commencement of the use. 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 Manager Planning.

9. All storage/service areas shall be suitably screened and access doors/gates closed other than when in use to the satisfaction of Manager Planning.
10. An overall signage strategy for the Take Away Food Outlet shall be submitted for approval to the satisfaction 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. With regard to condition 6, a total of 14 car bays are required, however it is acknowledged that a maximum of only 10 parking bays can be provided on site. Therefore, a cash in lieu contribution is required for the remaining 4 car bays.
3. The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993.
4. 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.
5. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

201011/159 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That Council approves the application from Ray Scarce & Associates on behalf of Racing & Wagering WA, for a change of use from “offices” to “take away food outlet” at Lot 4, Throssell Road, South Hedland subject to the following conditions:

1. This approval relates only to the proposed take-away food outlet (Subway) and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
2. The *unit area* must only be used for purposes, which are related to the operation of a “*Take Away Food Outlet*” business. Under the Town of Port Hedland’s Town Planning Scheme No. 5 a “*Take Away Food Outlet*” is defined as:

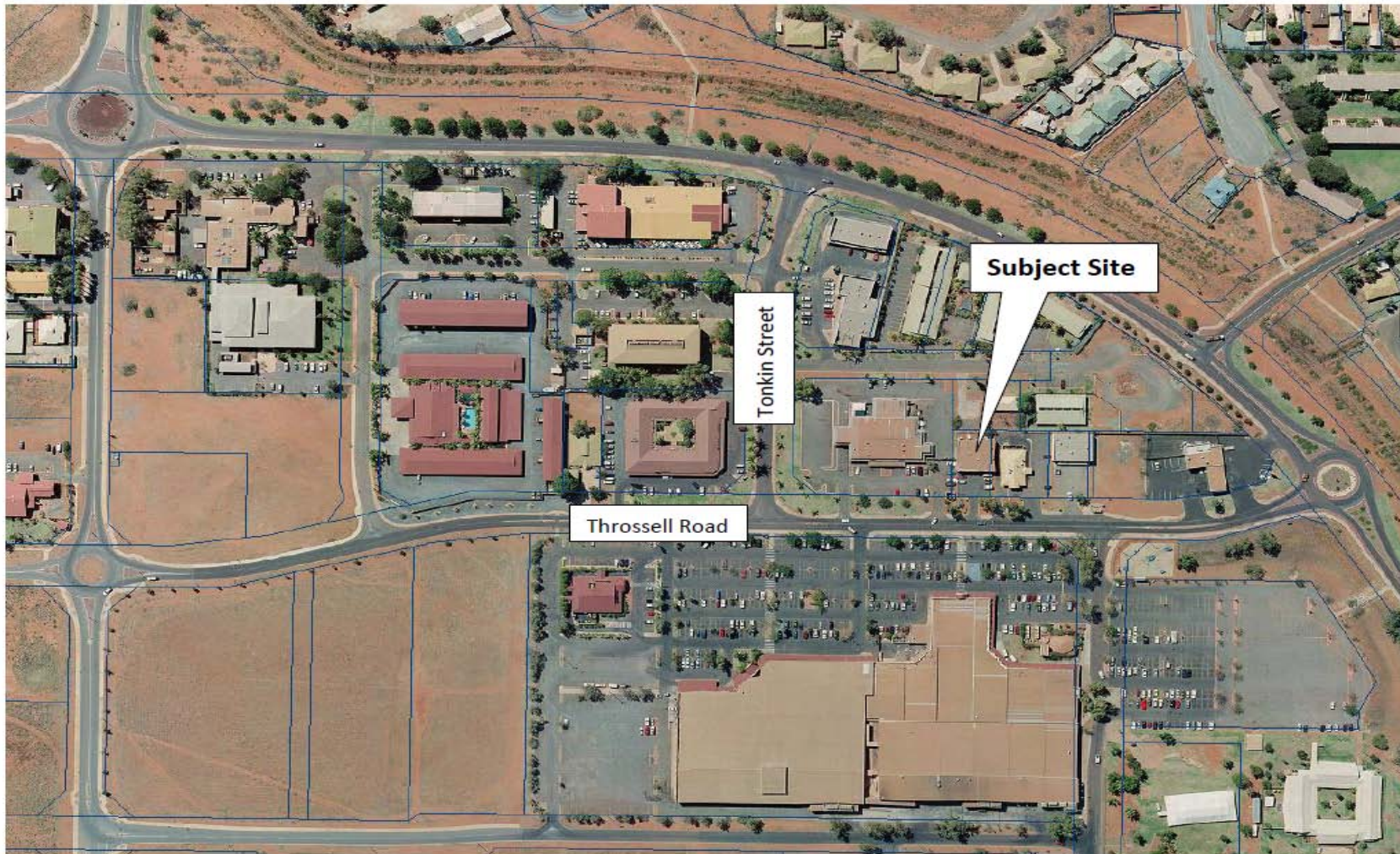
“any land or buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten, without further preparation, primarily off the premises.”
3. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
4. The Take-away food outlet shall provide a maximum of accommodate a maximum of 20 seats.
5. A minimum of 10 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.
6. The cash in lieu contribution required per bay is reviewed annually and may be subject to change if not made before 30 June 2011.
7. Car parking, landscaping areas and accessways are to be maintained as such at all times, no temporary or permanent storage is permitted at any time.
8. A Rubbish Collection Strategy / Management Plan shall be submitted to and approved by the Town prior to the commencement of the use. 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 Manager Planning.
9. All storage/service areas shall be suitably screened and access doors/gates closed other than when in use to the satisfaction of Manager Planning.
10. An overall signage strategy for the Take Away Food Outlet shall be submitted for approval to the satisfaction Manager Planning.

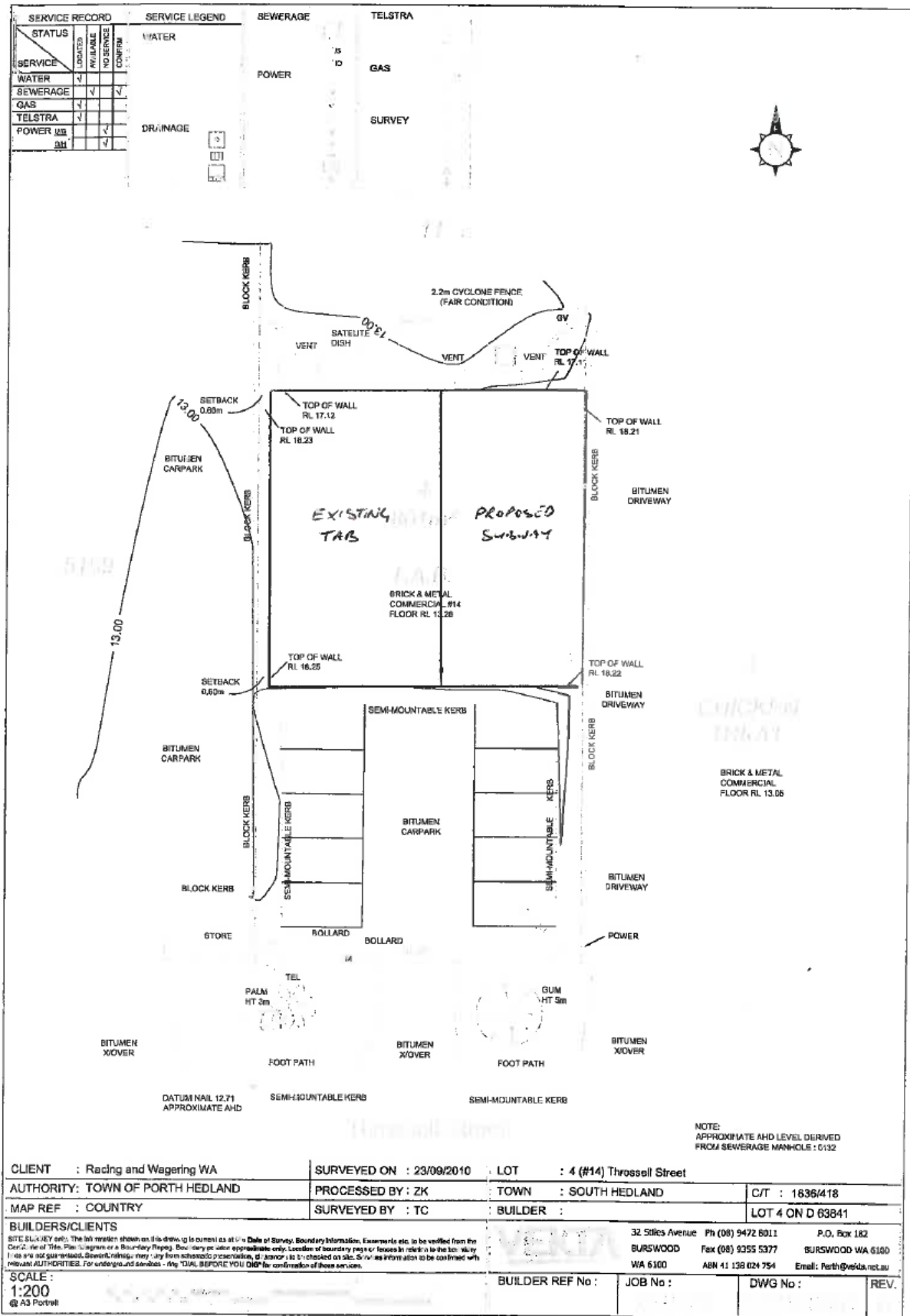
FOOTNOTES:

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. With regard to Condition 6, a total of 14 car bays are required, however it is acknowledged that a maximum of only 10 parking bays can be provided on site. Therefore, a cash in lieu contribution is required for the remaining 4 car bays for a period of 12 months from commencement of trading.
3. The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993.
4. 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.
5. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 8/0

REASON: Council would like to see how this business is going to operate with 10 parking bays, and amended the Condition 6 and Footnote 2 accordingly.





5:59pm Councillor S R Martin declared a Financial Interest in Agenda Item 11.1.2.5 "Proposed Section 70A Notification for Lot 13 & 14 Greenfield Street, Boodarie " as he is owner of land.

Councillor S R Martin left the room.

11.1.2.5 Proposed Section 70A Notification for Lot 13 & 14 Greenfield Street, Boodarie (File No.:154556G)

Officer	Caris Vuckovic Lands Officer
Date of Report	9 September 2010
Application No.	2010/199
Disclosure of Interest by Officer	Nil

Summary

Council has received a request from Whelans on behalf of Stan Martin the owner of Lot 13 and 14 Greenfield Street, Boodarie, to affix the Town's common seal to a section 70A notification form, which will enable the lodgement of the form with the Registrar of Titles.

Background

The subdivision applications (WAPC File: 135699 and 135700) for the subdivision of two rural residential lots to create four rural residential lots was initially refused by the Western Australian Planning Commission on 12th August 2008, on Lot 13 and 14 Greenfield Street, Boodarie.

The application was then appealed to the State Administrative Tribunal, whom decided to approval the subdivision application on 29th July 2010.

The following condition was imposed as part of the approval:

"7. The combined floor area of any building on any lot shall not exceed 10% of the area of that lot and shall be confined to a Building Envelope as determined in liaison with the Town of Port Hedland and shall be delineated on the Diagram of Survey for that lot to the satisfaction of the Western Australian Planning Commission. (Local Government)"

A Section 70A notification is proposed in order to ensure that the conditions imposed by the WAPC and the Tribunal are carried over into the relevant Deed of Title. In order to finalize 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 Comments

A Section 70A notification is an effective way of meeting with the conditions of the subdivision approval and will remain on the title indefinitely. The wording on the section 70A is extremely important in ensuring that the conditions are met. The wording of Condition 7 of the subdivision approval that has been imposed by the Tribunal is considered too restrictive. The Condition states:

"The combined floor area of any building on any lot shall not exceed 10% of the area of that lot and shall be confined to a Building Envelope as determined in liaison with the Town of Port Hedland and shall be delineated on the Diagram of Survey for that lot to the satisfaction of the Western Australian Planning Commission. (Local Government)"

Whilst the Town is the clearing agency for Condition 7, this condition was imposed by the State Administrative Tribunal, and cannot be amended without having to appeal the State Administration Tribunal. Therefore, as the owner of the lot has not appealed the condition, the section 70A needs to be worded as per Condition 7.

In light of the above Council is requested to grant approval for the use of the Town's common seal.

Attachments Nil

201011/160 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

1. approves the use of the Town's common seal for the purposes associated with the registering of a section 70A notification to fulfill conditions associated with the subdivision approval of Lots 13 and 14 Greenfield Street, Boodarie; and
2. 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 7 of the Subdivision Application approval has been satisfactorily complied with.

CARRIED 7/0

6:00pm Councillor S R Martin re-entered the room and resumed his chair
Mayor advised Councillor S R Martin of Council's decision.

11.1.2.6 Proposed Section 70A Notification for Lot 185 (55) Kingsmill Street, Port Hedland (File No.:122020G)

Officer	Ryan Djanegara Planning Officer
Date of Report	29 October 2010
Application No.	2010/199
Disclosure of Interest by Officer	Nil

Summary

Council has received a request from Dallas Kemp the owner of Lot 185 (55) Kingsmill Street, Port Hedland, to affix the Town's common seal to a section 70A notification form, which will enable the lodgement of the form with the Registrar of Titles.

Background

A Development Application approval (2009/394) for six Group Dwellings was granted by Council on 31st August 2009, on Lot 185 (55) Kingsmill Street, Port Hedland.

The following condition has been imposed as part of the approval:

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

- a. The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential casual 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 regard to part "a" or "b", the prospective landowners should contact the Western Australian Department of Health.

In order to finalize 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 Comments

A section 70A notification is an effective way of meeting with the conditions of the development approval and will remain on title indefinitely. The wording on the section 70A is extremely important in ensuring that the conditions are met. It is considered that the wording of the section 70A as proposed by the applicant does not fulfill the requirements of Condition 2 of the development approval issued on the 31st August 2009.

Prior to the approval of the section 70 A documents, it is required that the applicant amend the document wording to reflect the correct wording as required by Condition 2 of the approval.

Condition 2

"Registered proprietors and prospective purchasers of the land described above or any part thereof ("the land") are notified 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 casual 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 regard to part "a" or "b", the prospective landowners should contact the Western Australian Department of Health.

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 condition. 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

201011/161 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That Council:

1. approves the request from Dallas Kemp the owner of Lot 185 (55) Kingsmill Street, Port Hedland and advises the applicant that the s70A submitted is required to be amended as follows:

- i) **“Registered proprietors and prospective purchasers of the land described above or any part thereof (“the land”) are notified 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 casual 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 regard to part “a” or “b”, the prospective landowners should contact the Western Australian Department of Health.”

2. on receipt of the amended S70A documents APPROVES the use of the Town's common seal for the purposes associated with the registering of a section 70A notification Lot 185 (55) Kingsmill Street, Port Hedland, and
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 has been satisfactorily complied with.

CARRIED 8/0

11.1.2.7 Proposed Permanent Closure of Various Parkland Reserves, South Hedland. (File No.:28/01/0017)

Officer **Caris Vuckovic**
Lands Officer

Date of Report 18 October 2010

Disclosure of Interest by Officer Nil

Summary

Through the Land Rationalisation Plan a number of reserves have been identified that can be closed, allowing the reserves to either be amalgamated with adjoining properties or developed.

The report before Council is to implement what has been envisaged by the approved Land Rationalisation Plan.

Background

The purpose of the proposed reserve closures is to excise unused portions of the existing reserves and amalgamate the closed reserve into adjacent proposed residential lots.

None of the proposed parkland reserve closures will adversely affect the Towns Parks Improvement Program. The closure of the reserves would necessitate a rezoning ensuring that any proposed development will be compatible with the surrounding developments.

The reserves identified for closure are as follows: (ATTACHMENT 1):

Parkland Reserve 37553, Lot 3668 Denman Place, South Hedland
Parkland Reserve 35332, Lot 3463 Kwinana Street, South Hedland
Parkland Reserve 35325, Lot 6056 Forrest Circle, South Hedland
Parkland Reserve 35325, Lot 6058 Forrest Circle, South Hedland
Parkland Reserve 35325, Lot 6059 Forrest Circle, South Hedland

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

The reserves have been identified through the Land Rationalisation Plan, as land better suited for development other than for "Parks & Recreation" purposes. The development of the closed reserves for residential purposes will begin to address although in a small manner the housing shortage while at the same time adding to the improvement of the streetscape in their locations.

From a planning perspective the closure of the reserves will result in infill development within the existing urban footprint, therefore creating a more compact town and controlling the possibility of urban sprawl.

Options

Council has the following options for responding to the request:

- 1) Support the request for closure of parkland reserves located at Lot 3668 Denman Place, Lot 3463 Kwinana Street, Lot 6056 Forrest Circle, Lot 6058 Forrest Circle and Lot 6059 Forrest Circle, South Hedland.
- 2) Reject the request for closure of parkland reserves located at Lot 3668 Denman Place, Lot 3463 Kwinana Street, Lot 6056 Forrest Circle, Lot 6058 Forrest Circle and Lot 6059 Forrest Circle, South Hedland.

In light of the Land Rationalisation Plan which has been approved by Council, it is recommended that Council support the closure of the parkland reserves located at Lot 3668 Denman Place, Lot 3463 Kwinana Street, Lot 6056 Forrest Circle, Lot 6058 Forrest Circle and Lot 6059 Forrest Circle, South Hedland.

Attachments

Locality Plans

201011/162 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

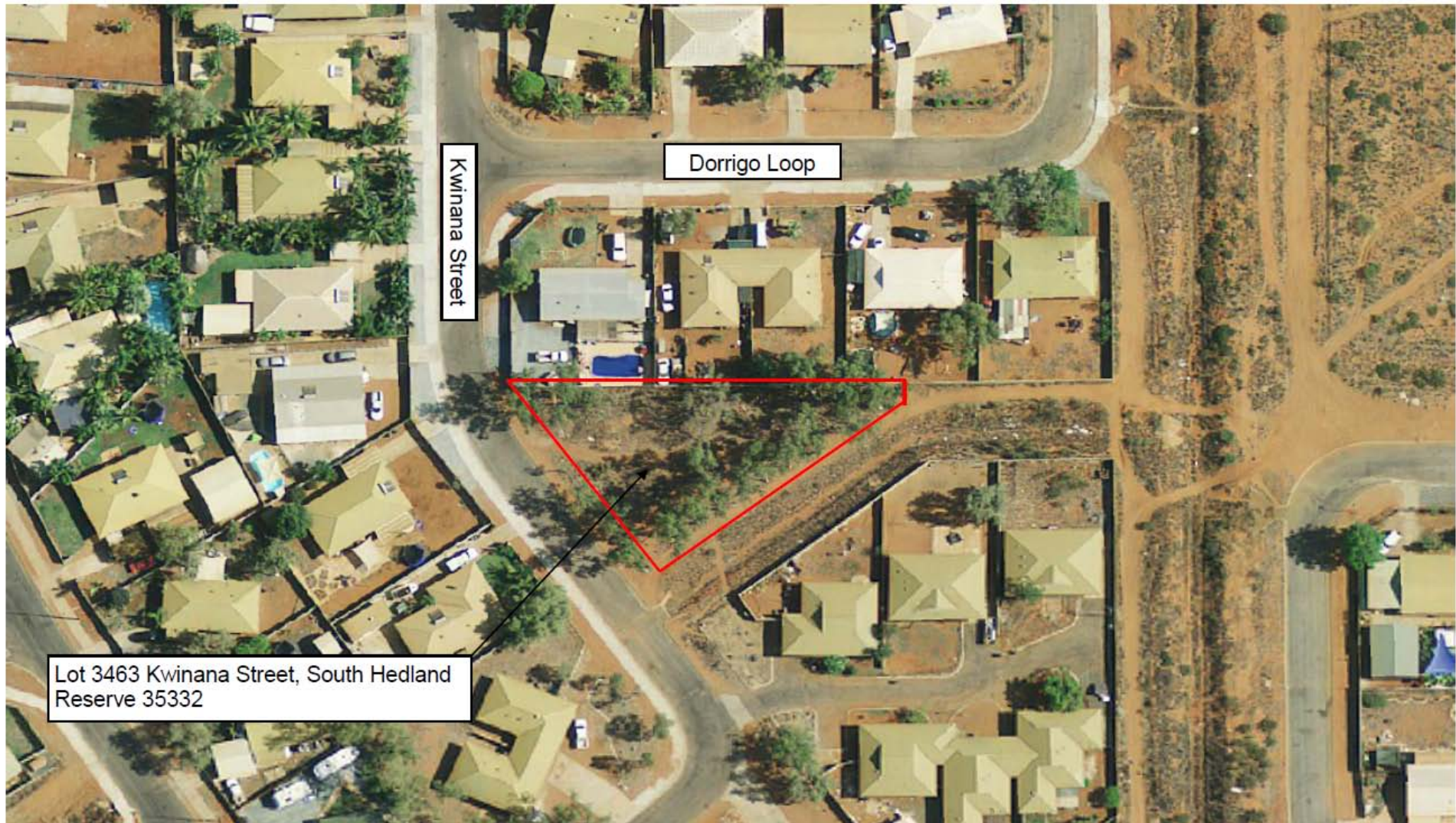
Seconded: Cr S R Martin

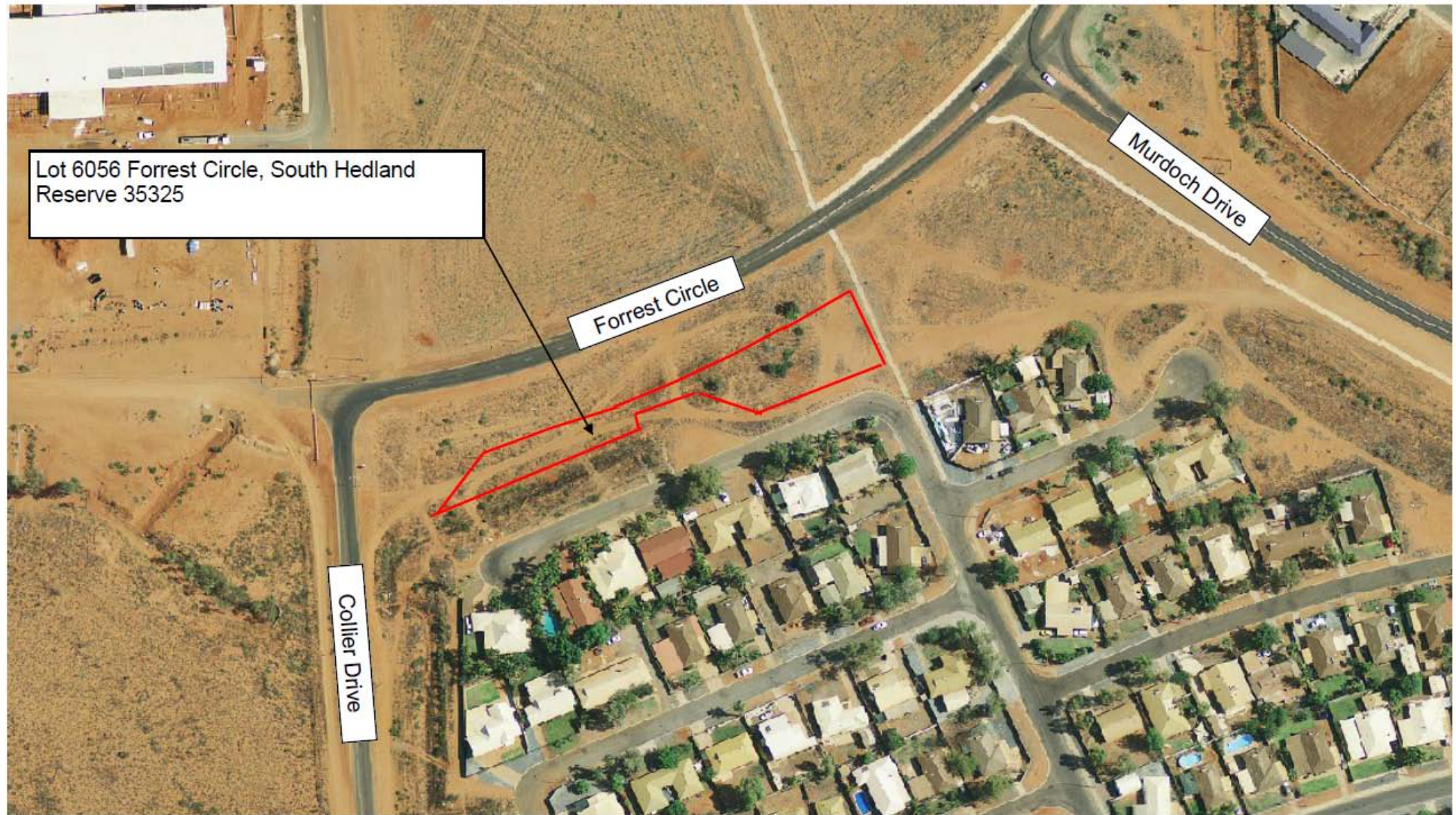
That Council notifies Department of Regional Development and Lands that Council has no objection to the cancellation of Reserves 37553, 35332 and 35325 "Parks & Recreation", subject to the following:

- a. The closed reserves are to be rezoned to the satisfaction of the Town's Manager Planning.

CARRIED 8/0











6:01pm Councillor G J Daccache declared a Financial Interest in Agenda Item 11.1.2.8 "Proposed Change to Management Order from Recreation to Health Services Housing at Lot 5551 Part Reserve 30768 – Dempster Street, Port Hedland" as he lives in Dempster Street.

Councillor G J Daccache left the room

6:01pm Councillor J M Gillingham declared and Impartiality Interest in Agenda Item 11.1.2.8 "Proposed Change to Management Order from Recreation to Health Services Housing at Lot 5551 Part Reserve 30768 – Dempster Street, Port Hedland".

Councillor J M Gillingham did not leave the room.

11.1.2.8 Proposed Change to Management Order from Recreation to Health Services Housing at Lot 5551 Part Reserve 30768 – Dempster Street, Port Hedland (File No.: 15/01/0020)

Officer	Luke Cervi Senior Planning Officer
Date of Report	29 October 2010
Application No.	n/a
Disclosure of Interest by Officer	Nil

Summary

This report seeks to amend the management order of part of Reserve 30768 from recreation to health services housing. The change to management order is sought to facilitate a joint venture to provide accommodation for much needed health professionals.

Background

Council has been working with BHP Billiton and the Royalties for Regions program looking at options and funding arrangements for the development of housing for essential Health Services employees. To facilitate the project it is intended that Council will provide the land for the housing to be developed on. Part Reserve 30768 has been identified as a potential site and Council support is sought.

Current Zoning

In terms of the Port Hedland Town Planning Scheme No. 5, the subject Reserve is identified for "Parks and Recreation".

Current Land Use

The land is owned by the Department of Regional Development and Lands and vested in the Town of Port Hedland for recreation. The land has not been developed with any recreation infrastructure.

Proposal

Amend the management order of the reserve from recreation to health services housing.

Consultation

Council has been liaising with BHP Billiton and Royalties for Regions regarding the proposed joint venture to provide Health Services Housing.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

The following sections of Council's Plan for the Future 2008-2013 are considered relevant to the proposal:

Key Result Area 1 – Infrastructure

Goal Number 4 – Land Development Projects

Strategy 1 – Fast-track the release and development of commercial, industrial and residential land in a sustainable manner.

Budget Implications

Nil

Officer's Comment

The proposal to amend the management order if approved will enable approval of the Department of Regional Land and Development (RLD) to be sought. Assuming RLD consent is given, Council can continue with negotiations with stakeholders to further a joint venture proposal that will provide for the construction of the intended housing for Health Services employees. As the venture is still in early stages, the number of houses that would be provided and the funding structure is currently unavailable.

Options

Council has the following options for dealing with the proposal:

1. Support the proposed change to vesting as reported.
2. Refuse the proposal to change part of the vesting and retain it exclusively for recreation purposes.

It is recommended that Council support the proposal to change part of the vesting to Health Services Housing.

Attachments

Site plan of land proposed to be revested as 'health services housing'

201011/163 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That Council:

1. requests the Department of Regional Lands and Development amend the management order of Part Reserve 30768 from 'recreation' to 'health services housing' or other appropriate purpose with the intent of providing housing for health service employees.
2. delegates authority to the Director Regulatory Services to prepare/undertake any actions necessary to facilitate item 1.

CARRIED 7/0

6:03pm Councillor G J Daccache re-entered the room and resumed his chair

Mayor advised Councillor G J Daccache of Council's decision



BASE PLAN
Pt Lot 5551 Dempster Street, PORT HEDLAND

LEGEND

--- Site Boundary

Base data supplied by Landgate
Aerial Photography dated January 2009, accuracy +/- 4m, Projection MGA Zone 50
Areas and dimensions shown are subject to final survey calculations.
All cartageways are shown for illustrative purposes only and are subject to detailed engineering design.

- : CLIENT
1:1,000@A3 : SCALE
18 October 2010 : DATE
3774-b-001.dgn : PLAN No
- : REVISION
D.M. : PLANNER
R.F. : DRAWN
R.S. : CHECKED



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11.1.2.9 Proposed Temporary Floating Hotel Located in the Proposed Marina, Port Hedland (File No.: 800874G)

Officer Leonard Long
Manager Planning Services

Date of Report 5 November 2010

Disclosure of Interest by Officer Nil

Summary

At its Ordinary Meeting held on 25 August 2010, Council resolved to inform the applicant Doug Gould on behalf of Bloomoons Pty Ltd, that Council is not opposed to having the floating hotel moored in the proposed marina, subject to a number of matters been clarified.

Doug Gould on behalf of Bloomoons Pty Ltd has provided additional information and is now requesting Council's 'in principle' support for the proposed floating Hotel.

At its meeting held on 5 November 2010, the Spoilbank Project Working Group considered this item and now seeks Council's consideration of its recommendation.

Background

At its Ordinary Meeting held on 25 August 2010 Council resolved as follows:

"That Council advises Doug Gould of Bloomoons Pty Ltd that while it is not opposed to the proposed development it requires the following matters to be addressed in more detail before approval in principle can be granted.

- a. Demonstration that the proposal meets the requirements of the Port Hedland Port Authority, the Department of Transport and Department of Regional Development and Lands*
 - b. That the proposal will not restrict future development of the marina*
 - c. Confirmation that the engineering of the vessel and moorings will not result in unacceptable risk in occupants and surrounding property in a cyclonic event (Cyclone Management Plan)*
 - d. Proposal will not cause unacceptable visual amenity issues*
 - e. That there has been adequate consultation with the users or occupants of surrounding land including but not limited to: Port Hedland Yacht Club, Port Hedland branch of the RSL and TS Pilbara."*
-

Consultation

Spoilbank Project Working Group Members – met Friday 5 November 2010.

Statutory Implications

Council giving in principle support will not negate the applicant's need to obtain statutory approvals, or bind Council to approve any application submitted.

Since it is proposed to have the floating hotel moored instead of dry docked it is not considered development as such, the use of the reserve for any purpose must first be approved by Council.

In this regard the applicant will be required to submit a formal Development Application to the Town requiring Council approval.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

Comments are provided in response to the additional information requested by Council at its meeting of 25 August 2010.

a. Demonstration that the proposal meets the requirements of the Port Hedland Port Authority, the Department of Transport and Department of Regional Development and Lands

The applicant has advised that no approval is necessary from the Department of Transport (DoT) in relation to the mooring of the vessel but approval is required from the Department of Regional Land and Development (DRLD) with an application having now been submitted. However, approval from DoT will be required for the vessel to enter Australian waters.

In principle support has been obtained from Port Hedland Port Authority (PHPA) and LandCorp for the proposal. At the time of writing written confirmation has not been received from either organization however, the applicant has advised that the written confirmation will be submitted prior to the meeting.

It is the officer's understanding that the PHPA has some concerns relating to potential damage to PHPA assets/infrastructure in the event of the barge/hotel being displaced in a cyclonic event. In this regard, PHPA have identified possible alternative locations.

b. That the proposal will not restrict future development of the marina

As the final approvals for the marina have not been obtained it is difficult to confirm that the proposed location for the hotel would not impact on those plans. The applicant has been liaising with M P Rogers (Engineers for the marina) and if in principle support is provided, will engage M P Rogers to further assist in refining the design and location of the mooring for the vessel.

It is noted that the information provided by the applicant includes the following comments from M P Rogers:

"2. The current plan for the first stages of development for the marina pens would need to be revised. This option would require the pen layout to be changed which could have implications on the possible staging of the marina. It was previously discussed that one development option would be to only construct the eastern half of the marina to full depth initially and then upgrade the western side as the demand dictates, however under this hotel option more of the western side of the marina would need to be dredged. This may reduce the potential for staging of the marina."

Having regard to the comments from M P Rogers, if the hotel proposal were to be approved by Council, it would have impacts on the marina including design and staging.

c. Confirmation that the engineering of the vessel and moorings will not result in unacceptable risk in occupants and surrounding property in a cyclonic event (Cyclone Management Plan)

The applicant has stated that the vessel can be designed and engineered in a manner that will not cause unacceptable risk to occupants and surrounding properties in a cyclonic event. The owners of the vessel are currently finalising design having regard to PHPA requirements.

d. Proposal will not cause unacceptable visual amenity issues

The applicant has provided two montage concepts to demonstrate the appearance of the vessel from the balcony of the new yacht club and the corner of Howe and Sutherland Streets. It has been further contended that the proposal is consistent with the forecast bulk and scale proposed for the marina precinct.

e. That there has been adequate consultation with the users or occupants of surrounding land including but not limited to: Port Hedland Yacht Club, Port Hedland branch of the RSL and TS Pilbara.'

Letters of 'in principle' support have been provided from the Port Hedland Yacht Club, RSL and Navy Cadets (TS Pilbara). Should Council give in principle support, it will be required to undertake public advertising to gauge feedback from the community.

In summary, the proponent has provided some additional information, but has not addressed all items requested by Council. Of particular concern is the potential for impacts on the proposed marina. It is therefore recommended that if Council wishes to support the application, alternative locations be investigated.

Options

Council has the following options of dealing with the request:

1. Provide in principle support to the proposed hotel in the current location, which may have an impact on the marina development
2. Advise the applicant that the proposal is still not apposed but requires further investigation.

It is recommended that Council provide 'in principle' support to the proposed hotel subject to being able to resolve any design issues with LandCorp prior to the submission of a planning application.

Attachments

1. Mooring Location Plan, and
2. Reserve Plan.
3. Montage Concepts
4. New Reserve Plan

Spoilbank Project Working Group Recommendation

That Council:

1. advises the applicant Doug Gould from Bloomoons Pty Ltd that the Town does not oppose the development but prior to being able to give "in principle support" the following needs to be confirmed:
 - a. the design of the mooring is acceptable to the Port Hedland Port Authority; and
 - b. written confirmation from LandCorp advising that it supports the proposed location of the floating hotel with regard to the design of the marina; and
2. advises the applicant to proceed with public advertising to obtain the views of the residents within the area

Alternative Officer's Recommendation

That Council:

1. supports Bloomoons proposal for a floating hotel to be located in South West Creek subject to the following conditions:
 - a. The approval is for a two year term at which point a review can be undertaken to determine accommodation demands in town; and
 - b. Bloomoons obtain all relevant approvals with the Port Hedland Port Authority for the proposal; and
 - c. The CEO negotiates an agreement between Bloomoons, Port Hedland Port Authority and the Town of Port Hedland for a contribution to community amenity/offsets in and around the Port Area.

NOTE: Please refer to new attachment number 4.

201011/164 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr M Dziombak

That Council suspends Standing Orders .

CARRIED 7/0

6:04pm Mayor advised that Standing Orders were suspended.

201011/165 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That Council resumes Standing Orders .

CARRIED 7/0

6:24pm Mayor advised that Standing Orders were resumed.

201011/166 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr G J Daccache

That Council supports Bloomoons proposal for a floating hotel to be located in South West Creek subject to the following conditions:

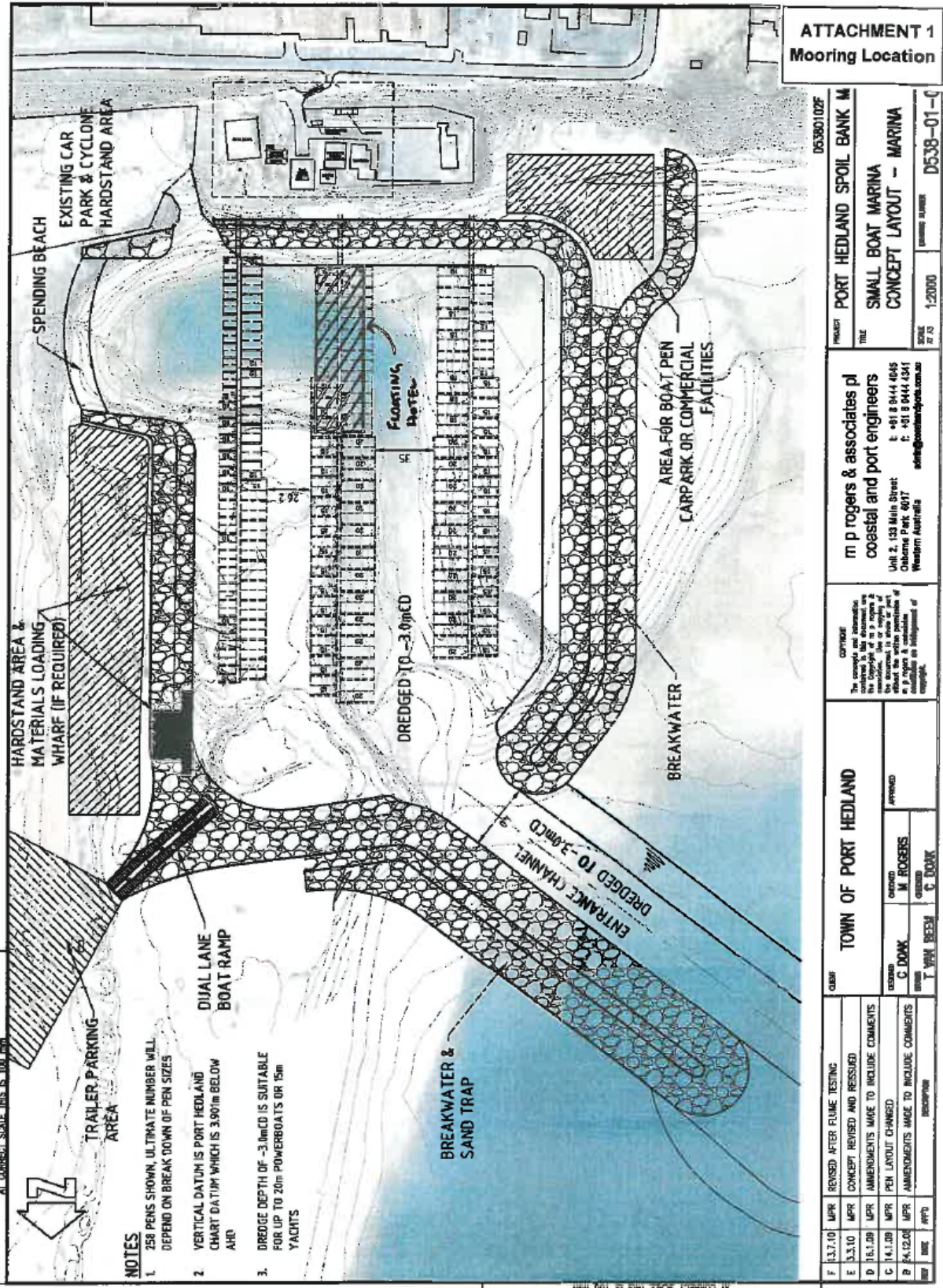
- a. The approval is for a two year term at which point a review can be undertaken to determine accommodation demands in town; and
- b. Bloomoons obtain all relevant approvals with the Port Hedland Port Authority for the proposal; and
- c. The CEO negotiates an agreement between Bloomoons, Port Hedland Port Authority and the Town of Port Hedland for a contribution to community amenity/offsets in and around the Port Area, with a report back to the Town of Port Hedland with financial contributions; and
- d. Subject to the provision of an agreed cyclone evacuation plan to the satisfaction of the Port Hedland Port Authority.

CARRIED 6/2

Record of Vote:

FOR	AGAINST
Cr A A Carter	Cr S R Martin
Cr S J Coates	Cr M Dziombak
Cr J Gillingham	
Cr G J Daccache	
Mayor Kelly Howlett	
Cr D W Hooper	

REASON: Council believes it needs to address and solve some of the problems related to the housing shortage in Town.



ATTACHMENT 1
Mooring Location

PROJECT: D5380102F
 PORT HEDLAND SPOIL BANK M
 TITLE: SMALL BOAT MARINA
 CONCEPT LAYOUT - MARINA
 SCALE: 1:2000
 DRAWING NUMBER: D538-01-C

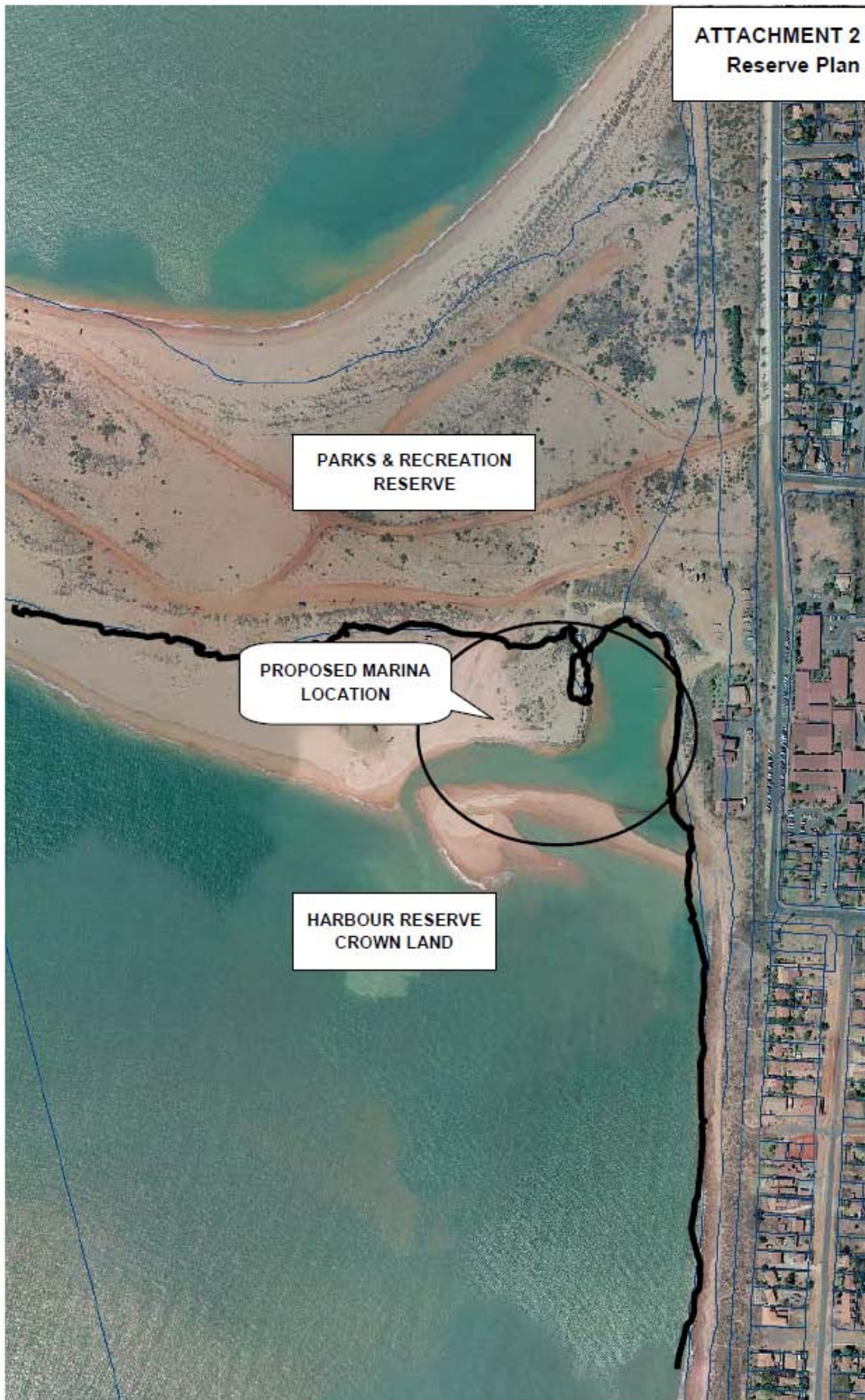
m p rogers & associates pl
 coastal and port engineers
 Unit 2, 133 Main Street
 Chatterbox Park, 807
 Westport, Westland
 t: 431 8 8444 1045
 f: 431 8 8444 1041
 info@mprogers.co.nz

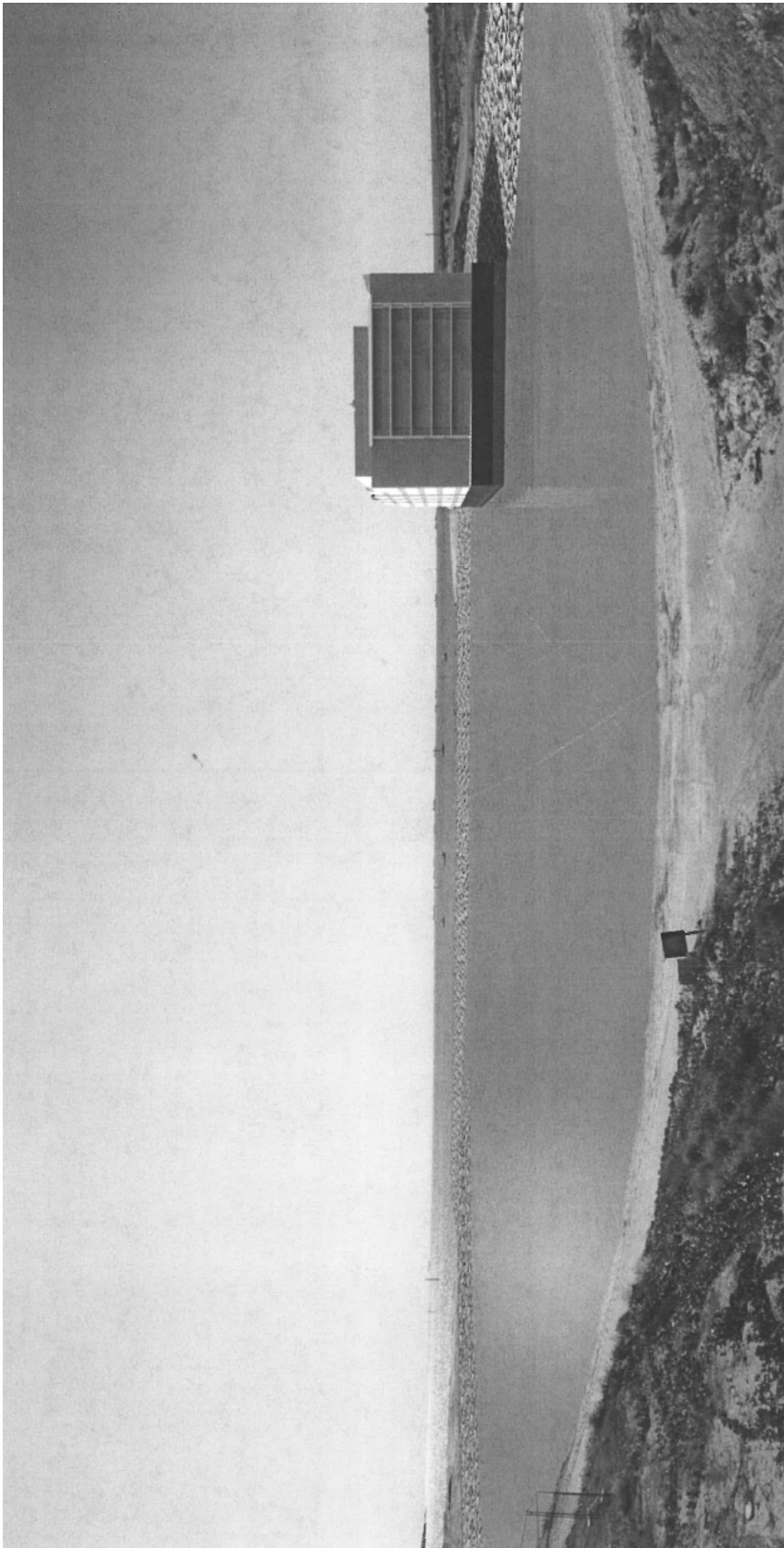
CONTRACT
 The contents and information contained in this document are the property of m p rogers & associates and shall not be disclosed to any other party without the written permission of m p rogers & associates. This is a preliminary design and subject to change without notice.

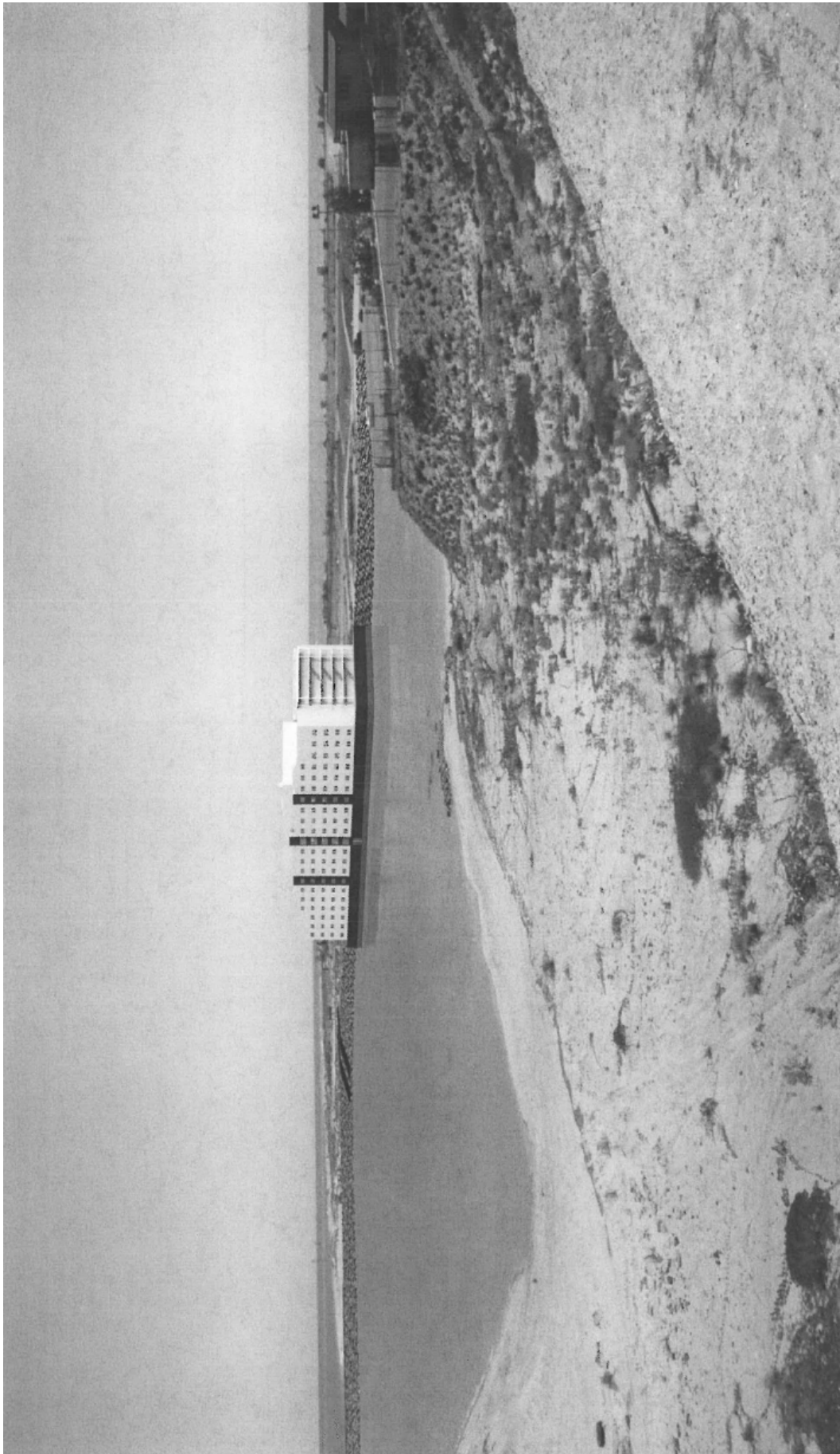
TOWN OF PORT HEDLAND
 DESIGNED: C. DUNK, M. ROGERS
 CHECKED: T. VAN BEEEM, C. DUNK
 APPROVED: [Signature]

- NOTES**
- 250 PENS SHOWN, ULTRATE NUMBER WILL DEPEND ON BREAK DOWN OF PEN SIZES
 - VERTICAL DATUM IS PORT HEDLAND CHART DATUM WHICH IS 3.00m BELOW AHD
 - DREDGE DEPTH OF -3.0mCD IS SUITABLE FOR UP TO 20m POWERBOATS OR 15m YACHTS

REV	DATE	DESCRIPTION
F	13.7.10	MPPR REVISED AFTER FLUME TESTING
E	13.3.10	MPPR CONCEPT REVISED AND REISSUED
D	16.1.09	MPPR AMENDMENTS MADE TO INCLUDE COMMENTS
C	14.1.09	MPPR PEN LAYOUT CHANGED
B	14.12.08	MPPR AMENDMENTS MADE TO INCLUDE COMMENTS
REV	DATE	DESCRIPTION









11.1.3 Environmental Health Services

11.1.3.1 Town of Port Hedland Trading in Public Places Policy Implementation (File No.: 19/04/0001)

Officer Michael Cuvalo
Coordinator of Environmental
Health Services

Date of Report 3 November 2010

Disclosure of Interest by Officer Nil

Summary

This report will detail the proposed Trading in Public Places Policy which will provide Town of Port Hedland staff with guidance in regards to the assessment of Trading in Public Places applications where complaints have been received.

Background

After a recent objection to an issued Trading in Public Places licence from a member of the public, a review of the Towns Trading in Public Places approval process was requested. The objective of the review was to assess the strength of the Trading in Public Places Local Law in relation to resolving complaints relating to proposed or current licences and the method in which complaints are resolved.

As it stands the local law does not provide any detail on whether complaints can be used as grounds for the refusal or amendment of a licence. This provides no assistance to staff when faced with aggrieved members of the public.

With the increased number of Trading in Public Places applications, more complaints from the public are inevitable. Previously complaints regarding the setup or location of a stall were easily resolved by the attending environmental health officer but with the occurrence of complaints relating to competition with local business and the loss of earnings due to itinerant vendors providing the same product at lower prices, the matter becomes difficult to resolve and clear direction is required.

Consultation Nil

Statutory Implications

The Town of Port Hedland Trading in Public Places Local Law currently regulates street vending in the Port Hedland area.

The following sections of the local law are the key points of interest which provide Council its discretionary powers in relation to approving, amending or cancelling Trading in Public Places licences.

Section 7,8 and 9 of the Town of Port Hedland Trading in Public Places Local Law

7. *In considering an application for a licence or renewal of a licence, the Local Government shall have regard to—*
 - (a) *any relevant policy statements;*
 - (b) *the desirability of the proposed activity;*
 - (c) *the location of the proposed activity;*
 - (d) *the circumstances of the case;*
 - (e) *the principles set out in the Competition Principles Agreement executed by each State and Territory of the Commonwealth and the Commonwealth of Australia on 11 April 1995.*

8. *The Local Government may grant the licence or renewal, or may refuse to grant the licence or renewal and it may so be refused on any of the following grounds—*
 - (a) *the applicant is not a desirable or suitable person to hold the licence;*
 - (b) *the applicant has committed a breach of this local law;*
 - (c) *the needs of the district or a portion thereof for which the licence is sought is adequately catered for by established shops or by persons to whom licences have been issued; or*
 - (d) *there is inadequate means of access to or from, or inadequate parking space for a person(s) trading in a public place; or*
 - (e) *such other grounds as may be relevant in the circumstances.*

9. *The Local Government may issue a licence specifying such requirements terms and conditions as in the opinion of the Local Government are appropriate, including—*
 - (a) *the place to which the licence applies; which in the event of mobile traders may include a predetermined approved route or area;*
 - (b) *the days and hours when trading may be carried on;*
 - (c) *the number, type, form and construction as the case may be of any stand, table, structure or vehicle which may be used for trading;*
 - (d) *the particulars of the goods, wares, merchandise, produce, services or transactions which trading may be carried on;*
 - (e) *the number of persons and the name of persons permitted to carry on trading, and any requirements concerning personal attendance at the place of trading and the nomination of assistants, nominees or substitutes;*

As can be seen, there is no clear direction in the local law on what measures are to be taken in the result of complaints being received.

Policy Implications

By implementing a Trading in Public Places Policy clear direction can be provided but an assessment of the advantages and disadvantages should be discussed.

Included as Attachment 1 is a Draft Trading in Public Places Policy that will provide clear direction to staff in licencing matters where complaints are received.

With the implementation of this policy there will be some issues that could be considered as disadvantages. These are as follows.

- Time – The process of reporting to Council can be drawn out depending on when the next Council meeting is scheduled.
- Irate complainants – relating back to time frames. Complainants and stall holders will be aggrieved if the matter cannot be resolved quickly.

Though the above issues could be thought of as significant there remains the fact that the implementation of this policy will yield considerable benefits.

- It will allow the Director of Regulatory Services and the Environmental Health Staff to retain the power to approve or refuse applications based on the provisions of the Local Law.
- It will provide clear direction to staff in what course of action to take when complaints are received.
- It will provide Councilors the opportunity to deliberate on disputed applications allowing for resolutions that best serve the community.

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

The implementation of this policy will provide clear direction for complaint resolution where the local law fails to cover the topic. By allowing Council to resolve disputed licence applications the policy allows for the community's best interest to be placed at the core of the decision making process where previously the staff were only able to make a determination on a Trading in Public Places application based on the limited provisions of the Local Law.

Attachments

Draft Trading in Public Places Policy

Officer's Recommendation

That Council endorse the Draft Trading in Public Places Policy

201011/167 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council endorse the Trading in Public Places Policy with the following amendment:

“DRAFT TRADING IN PUBLIC PLACES POLICY

Trading in Public Places applications are assessed as per the requirements of the Town of Port Hedland Trading in Public Places Local Law 1999.

Where complaints are received regarding the operation of a Trading in Public Places Applicant the Town's Environmental Health Services team will investigate the matter and take any required action to resolve any problems in accordance with the Town of Port Hedland Trading in Public Places Local Law 1999.

If objections to a proposed or current permit are received or complaints have been raised in the past concerning a Trading In Public Places permit that is due for renewal the matter will be referred to the Chief Executive Officer for resolution. If the matter cannot be resolved by the CEO the matter will then be referred to Council, in the form of a detailed report, for determination.”

CARRIED 8/0

REASON: Council amended the second paragraph of the Trading in Public Places Policy by replacing the word “stall” with “Applicant”.

Attachment 1 –**Draft Trading In Public Places Policy**

Trading in Public Places applications are assessed as per the requirements of the Town of Port Hedland Trading in Public Places Local Law 1999.

Where complaints are received regarding the operation of a Trading in Public Places stall the Town's Environmental Health Services team will investigate the matter and take any required action to resolve any problems in accordance with the Town of Port Hedland Trading in Public Places Local Law 1999.

If objections to a proposed or current permit are received or complaints have been raised in the past concerning a Trading In Public Places permit that is due for renewal the matter will be referred to the Chief Executive Officer for resolution. If the matter cannot be resolved by the CEO the matter will then be referred to Council, in the form of a detailed report, for determination.

11.1.3.2 Town of Port Hedland Draft Public Health Plan (File No.: 25/08/0001)

Officer Michael Cuvalo
Coordinator Environmental
Health Services

Date of Report 2 November 2010

Disclosure of Interest by Officer Nil

Summary

On the 25th of August 2010 Council resolved to release the Town of Port Hedland Draft Public Health Plan for advertising to seek public feedback before considering it for adoption.

After advertising the plan and forwarding copies of the plan to key stakeholders and allowing them an extensive period to provide feedback, no feedback was received.

Background

The success of local public health strategies leads to prevention and reduction of infectious disease, and to the creation of communities and environments in which people can lead healthy productive and satisfying lives.

It is acknowledged that patterns of public health have changed, and that there is a need for new strategies and structures to reflect this change. The overall health status of Western Australians has improved over the past 20 years, but still varies according to where people live. There is increasing recognition that greater effort is needed in preventing poor environmental health standards to create better health and wellbeing in the community.

The Town's Public Health Plan is the mechanism for representatives of the community and the various levels of government and other agencies to identify both environmental health priorities and activities.

Consultation

Consultation with various parties including the Department of Health was undertaken to ensure that the objectives, and methods of achieving those objectives, both reflected State Governments goals and was compliant with legislative requirements in regards to the methods proposed for achieving those goals.

The draft plan has been available to the public and has been sent to key stakeholders allowing them the opportunity to provide input into the plan however, no feedback has been received.

Statutory Implications

The proposed actions established in the Town of Port Hedland Draft Public Health Plan outline the functions to be undertaken by Councils Environmental Health Department which have been developed to ensure compliance with State Environmental Health legislation such as the Health Act 1911, Environmental Protection Act 1987, Food Act 2008 and subsidiary legislation.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area – Community Development

Goal 4 – Health Community

Priority 3 - Implement the Public Health Plan, including the Town's Mosquito Management Plan.

Budget Implications

Nil

Officer's Comment

The Town of Port Hedland Draft Public Health Plan has been extensively advertised and distributed to key stakeholders to provide comment and input. As no feedback was received it is recommended that Council endorse the Health Plan.

Attachments

Town of Port Hedland Draft Public Health Plan.

201011/168 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council endorse the Town of Port Hedland Draft Public Health Plan.

CARRIED 8/0



Town of Port Hedland
Environmental Health Services

Draft Public Health Plan

DRAFT





The Town of Port Hedland Draft Public Health Plan is a key initiative of Environmental Health Services and the Health Department of Western Australia.

The development of the Town's Draft Public Health Plan has created a vision for the people of Hedland and other stakeholders to work together to enhance Environmental Health, community well-being and quality of life in Port Hedland.

The Plan aims to set the framework for:

- Enhancing integrated and collaborative planning for improved environmental health & well-being in the Town by implementing effective programs, which identify and respond to local environmental health needs.
- Maintain and enhance established environmental health programs.
- Identifying how services can be better accessed by the community for their environmental health needs.
- Engaging the community in decision-making towards a safe and healthy lifestyle.
- A social model of health participation and sense of community.
- Have a close relationship with the local community and support the consultation with and the active participation of local community members in public health programs.

Recognition has been given to the importance of linking strategies contained in the Town's Public Health Plan with support from the 'Plan for the Future 2008 -2013' (TOPH Strategic Plan), Community & Economic Development Strategic Plan & the Recreation Business Plan.

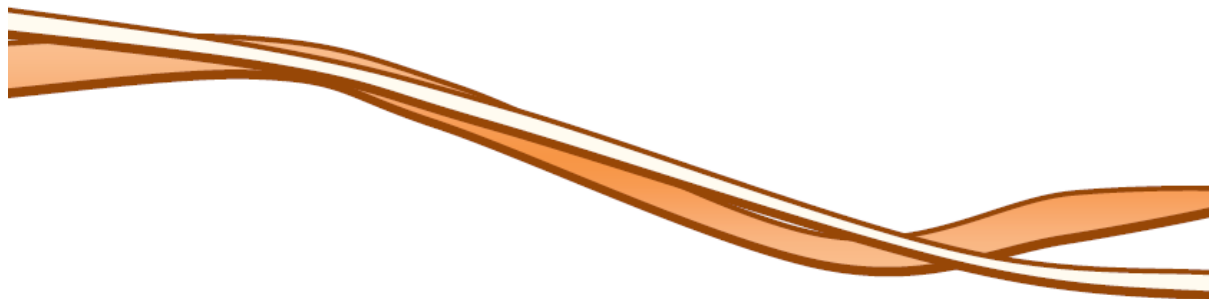
During the implementation of the Town's Public Health Plan, the linkages with the various levels of government and other forums, such as the Environmental Health Directorate, Department of Local Government & Regional Development and the industry sector, will be further strengthened to facilitate cooperative working relationships for the future.

The approach clearly provides for information flow to other higher order planning mechanisms, and allows a participative approach to rolling out new public health initiatives.



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Introduction

The success of local public health strategies leads to prevention and reduction of disease and disability, and to the creation of communities and environments in which people can lead productive and satisfying lives.

It is acknowledged that patterns of public health have changed, and that there is a need for new strategies and structures to reflect this change. The overall health status of Western Australians has improved over the past 20 years, but still varies according to where people live. There is increasing recognition that greater effort is needed in preventing ill health and creating wellbeing, especially among those who are most disadvantaged.

The Town's Public Health Plan is the product of which representatives of the community and the various levels of government and other agencies can identify both health priorities and solutions.

Environmental Health is defined to as:

"...Aspects of human health and disease that are determined by factors in the environment. It also refers to the theory and practice of assessing and controlling factors in the environment that can potentially affect health.

Environmental Health includes both the direct pathological effects of chemicals, radiation and some biological agents and the effects (often indirect) on health and wellbeing of the broad physical, psychological, social, and aesthetic environment, which includes housing, urban development, land use and transport. "

The Town of Port Hedland's Mission Statement:

"To enhance social, environmental and economical well-being through leadership and working in partnership with the community."

Social Profile

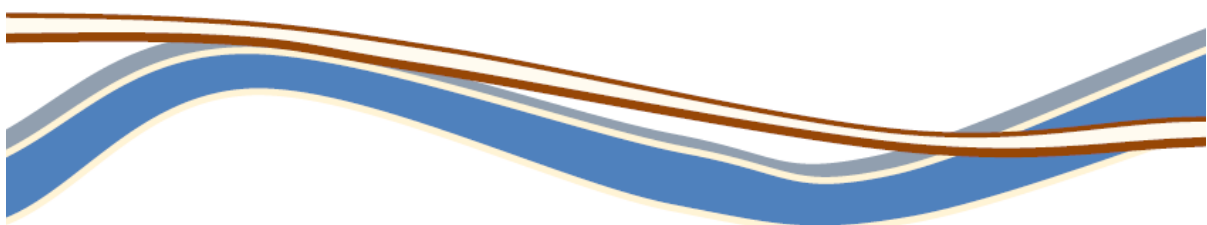
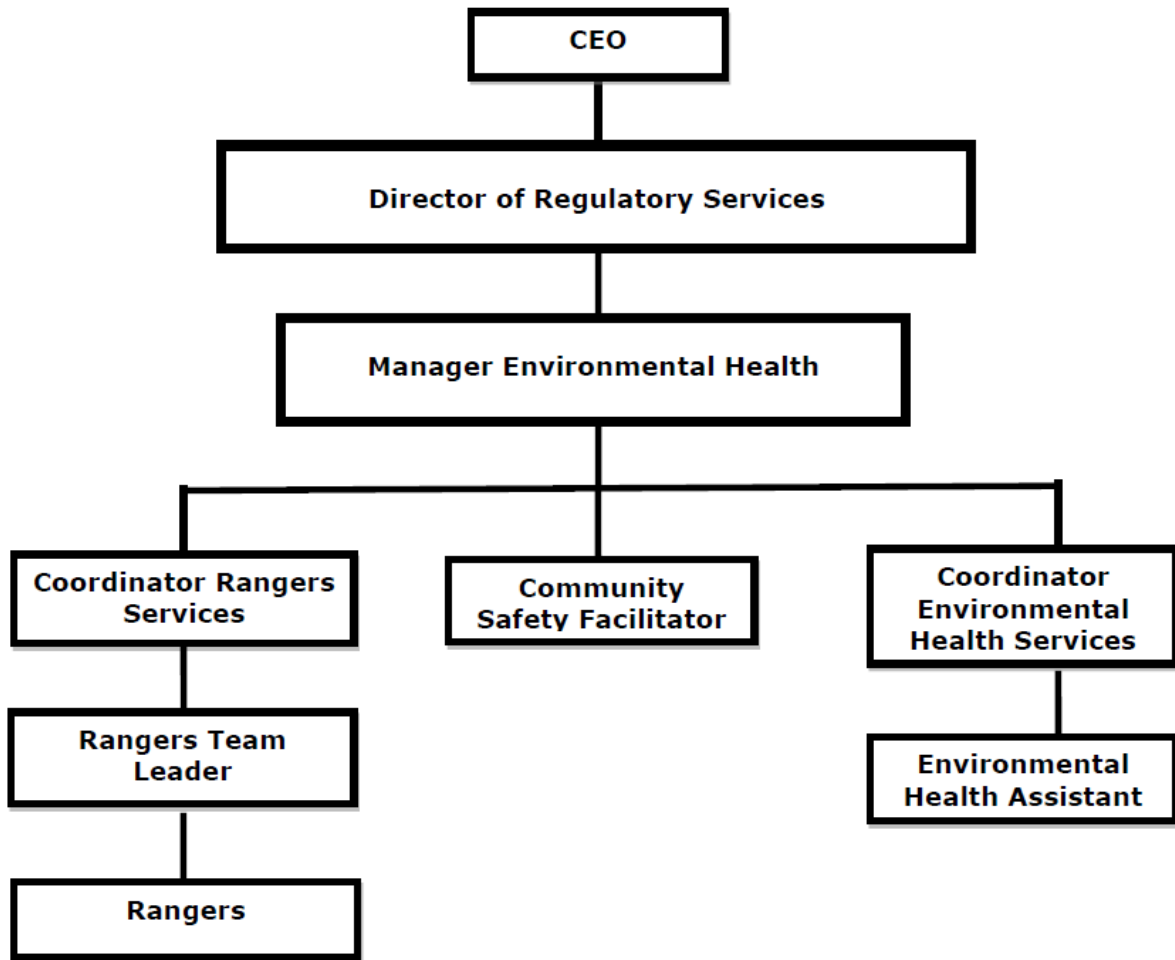
Port Hedland is an area which consists of sandy plains, scrub and mangrove tidal creeks located on W.A.'s north-west coast. It is approximately 1,700 kilometres north of Perth on the sealed Great Northern Highway or 2 hours north of Perth by air.

Port Hedland is an administrative centre for the east Pilbara region of WA which is particularly noted for its rich iron ore deposits and exports.

Population

The permanent residential population of Port Hedland is approximately 17,500 people (ABS 2007) with an estimated population of 40,000 by 2025.

Environmental Health & Ranger Services Management Structure



Service Capacity

Human Resources & Service Capacity

Proposed workload based on an estimate of 2007/08 financial year.

Service Area	Percentage 1 MEH	Percentage 1 EHO	Percentage 1 EHA
Field Inspections	26%	40%	59%
Food Premises	0.5%	12%	5%
Public Buildings	2%	2%	
Accommodation Premises	3%	2%	5%
Aquatic Facility Monitoring	2%	2%	22%
Event Inspection/Participation	0.5%	0.5%	
Septic Tank Inspections	0.5%	4%	2%
Mosquito Management	5%	5%	22%
Pest Control Operators	0.5%	0.5%	1%
Health Nuisance Complaints	8%	10%	2%
Asbestos Regulation	4%	2%	
Customer Service	17%	15%	6%
Counter	2%	5%	1%
Telephone/Fax/Email	15%	10%	5%
Administration	47%	35%	25%
Field Reports	5%	10%	10%
Letters / Correspondence	12%	10%	10%
Meetings (Staff, CS, RM, OH&S, DCU, Regional Group, HIA)	12%	5%	5%
Plan Assessments (buildings, apparatus, fit-out).	20%	10%	
Professional Development			
Other	10%	10%	10%

Stakeholders

Internal

- Mayor and Councillors
- Chief Executive Officer
- Executive Team
- Area Managers
- All Staff

External

- Ratepayers / Residents
- Community Associations
- Visitors
- Federal Government
- State Government
 - Health Department of Western Australia
 - Water Corporation
 - Department for Planning & Infrastructure
 - Department of Local Government & Regional Development
 - WALGA
 - Department of Environment
- Food Premises Proprietors / Owners
- Trades
 - Developers
 - Builders
 - Plumbers
- Architects
- Australian Institute of Environmental Health/ Environmental Health Australia
- Universities
- Local Media
- Western Australian Local Government Association
- Local Businesses
- Local Emergency Services
- Neighbouring Local Authorities
- Aboriginal Corporations

S.W.O.T Analysis

An essential part of a Public Health Plan is the identification and analysis of the strength and weaknesses and any future potential influence of its activities. An analysis of this nature is known as a 'S.W.O.T. Analysis' representing 'Strengths', 'Weaknesses', 'Opportunities' and 'Threats'.

The following S.W.O.T. Analysis of Council's Environmental Health Services identified the following issues, which were useful in the development of this Health Plan. Strengths and weaknesses usually relate to internal aspects of the organisation whilst the Opportunities and Threats relate to the external aspects.

Strengths	Weaknesses
<ul style="list-style-type: none"> • Teamwork from professional and committed staff • Commitment of staff to keep up-to-date with legislative and technical changes • Developed local knowledge • Strong links with other EHO networks around the state • Orientation towards action and innovation • Adequate funding 	<ul style="list-style-type: none"> • Staff Turn-over • Budgetary restraints • Inability to attract qualified staff • Lack of historical statistical data • Lack of specific records
Opportunities	Threats
<ul style="list-style-type: none"> • Increased level of compliance with statutory health requirements • Greater involvement in health promotion and community education programs • Greater relationship with community and other key stakeholders 	<ul style="list-style-type: none"> • Lack of qualified staff to effectively conduct statutory requirements • Issues may arise due to lack of frequent inspections of health related premises (public buildings and food premises) • Additional workload placed on LG's from new legislation

Key Programs & Sub Programs

1. Food Safety

Food Premises / Vehicle Inspections
Food Sampling
Food Safety Education
Temporary Stall Approvals

2. Disease Control

Notifiable Disease Investigations

3. Waste Management

Monitoring Landfill Activities
Asbestos Disposal
Hazardous Waste Disposal Approvals
Contaminated sites

4. Waste Water

Effluent Disposal Approvals & Advice

5. Water Quality

Public Swimming Pool Monitoring
Landfill Bore Monitoring
Effluent Re-Use System
Community Water Supplies

6. Accommodation

Public Building Inspections
Accommodation Inspections (Caravan Parks, Lodging Houses & Chalets)

7. Pest Control

Mosquito Management
Sentinel Chicken Program
Vermin

8. Health Promotion

Health Promotion – Schools, newsletters etc.

9. Aboriginal Environmental Health

Health Promotion - Community Visits & Dog Health Program

10. Administration

Office Duties – Registrations, Letters, enquiries, record keeping etc.
Complaint Resolution
Conferences & Seminars

11. Other

Keeping of Animals
Environmental Protection
Emergency Management
Development Assessment
Air Quality Monitoring

1. Food Safety

Food Premises / Vehicle Inspections & Licensing

RISK RATING:

High

Number of Food Premises: 73 - Number of Food Vehicles: 3

DESCRIPTION:

Ensure that food for sale to the public meets the prescribed standard and is sold and prepared in a manner and in premises that complies with the *Food Act 2008*.

GOAL:

To ensure food is prepared by adhering to food safe practices in well maintained premises, to prevent food borne illness in the community.

STRATEGIES:

- Regular assessments & inspections.
- Assessments may include training of food handlers.
- Update & issue annual licenses.
- Mobile food vehicles are inspected once a year and temporary food premises are inspected as requested, so as to ensure compliance with the *Food Act 2003*, *Food Regulation 2004*, *Food Standards Code* and other relevant legislation.

ENVIRONMENTAL HEALTH INDICATORS:

Number of food premises assessed per annum.

Number of food premises implementing HACCP and Food Safety Plans.

Number of Work Orders issued.

Under the *Food Act 2003* authorised officers are permitted to enter and inspect any premises that are believed to be used in connection with the handling or sale of food. Whilst carrying out inspections Environmental Health Officers focus on a wide range of issues including cleanliness, temperature control, hygiene and food handling practices, pest control, construction and maintenance of the premises, waste storage and general compliance with the Food Standards Code.

Should non-compliance matters be found, improvement notices or infringements may be issued or immediate court action undertaken. Follow up inspections will be conducted until compliance is achieved. The Town conducts a minimum of two inspections per annum of all food premises within the local government area.

Food Sampling

RISK RATING:

Medium/High

DESCRIPTION:

Council participates in the Local Government Analytical Committee food sampling program. Regular sampling and analysis of food is carried out to prevent adulteration of foods.

GOAL:

That food provided to the public is safe, free from adulteration, properly described and complies with legislation. Food is sampled for two main purposes. Microbiological testing is used to ensure that food is safe to eat. Chemical testing is conducted to confirm that foods comply with the Food Standards Code and Food Labelling Requirements.

STRATEGIES:

- Devise a food sampling program which utilises all allocated analytical units.
- Aid in the development & conduct risk based assessments on HACCP and Food Safety.
- Conduct annual food sampling or as required.

**ENVIRONMENTAL HEALTH INDICATORS:**

Number of food samples.
Results of food sample analysis.
Number of warnings/prosecutions.

Food Safety Education**RISK RATING:**

Medium/High

DESCRIPTION:

Food safety is an important part of any business or home, and the Town' is committed to educating business owners and residents on important elements of food safety.

GOAL:

To ensure food is prepared using high standards of hygiene in premises which comply with the Food Safety Standards

STRATEGIES:

- The Town of Port Hedland can provide a Guide to Food Hygiene for businesses, and compiled food safety tips for around the home.
- Training of food handlers.

Temporary Stall Approvals**RISK RATING:**

Medium/High

DESCRIPTION:

Event organisers are required to gain approval from Council prior to serving food to the public.

GOAL:

To ensure food is prepared using high standards of hygiene and comply with legislation.

STRATEGIES:

- Council will approve applications & aim to inspect each food stall to ensure that stall's comply with the food handling guidelines for temporary food premises and the *Food Act 2008*.

2. Disease Control

Notifiable Disease Investigations

RISK RATING:

Medium

DESCRIPTION:

This area involves the investigation of notifiable communicable diseases (such as Salmonella, Giardiasis, Campylobacter, Ross River Virus) pursuant to legislative requirements and the Towns Public Health Plan.

GOAL:

To work with the community to reduce health issues and promote healthy lifestyles.

STRATEGIES:

- Conduct investigations to try to ascertain the origin of the disease in the community, provide the patient with educational material and where possible implement prevention programs.

3. Waste Management

Monitoring Landfill Activities

RISK RATING:

Medium

DESCRIPTION:

To monitor Landfill activities for compliance to our department of environment approval.

GOAL:

Ensure working compliance with Dept. of Environment approval whilst developing waste minimisation strategies.

STRATEGIES:

- Commence monitoring bore sampling.
- Investigate waste minimisation strategies in collaboration with engineering services.
- Investigate recycling options in collaboration with engineering services.
- Conduct audits of the landfill facility for compliance to Dept. of Environment approval.

Asbestos Disposal

RISK RATING:

Medium/High

DESCRIPTION:

Promote & enforce safe disposal of asbestos waste.

GOAL:

To work with the community to reduce health issues and promote safe work practices.

STRATEGIES:

- Conduct investigations to try to confirm asbestos is present at a reported site.

- Offer an asbestos testing service to builders/demolition contractors in the Town.
- Provide information on how to safely dispose of asbestos waste prior to demolition, construction or removal.

Hazardous Waste Disposal Approvals

RISK RATING:

Low/medium

DESCRIPTION:

The South Hedland Landfill Facility is a Class 2 landfill facility, which means that it is authorised to accept certain hazardous wastes including asbestos, hydrocarbon impacted earth, synthetic mineral fibres and some potentially hazardous industrial materials.

STRATEGIES:

- Conduct compliance audits of landfill.
- Assess all hazardous waste for disposal at South Hedland Landfill against legislative standards.
- Enforce Health Local Laws for waste collection issues as necessary.

Council's Landfill is audited and licensed annually by the Department of Environment & Conservation (DEC). There is a legislated acceptance criterion for all landfills in Western Australia and this information is available from the DEC.

Contaminated Sites

RISK RATING:

Low

DESCRIPTION:

The Contaminated Sites Act 2003 defines contaminated sites as -
"...in relation to land, water or a site, having a substance present in or on that land, water or site at above background concentrations that presents, or has the potential to present, a risk of harm to human health, the environment or any environmental value."

Where activities conducted at a location involve, or have involved, the storage of chemicals such as flammable and combustible goods, pesticides or industrial solvents etc. there is a heightened risk of that location being contaminated through improper storage and use or spills.

Though the DEC is lead agency when dealing with contaminated sites, the Town of Port Hedland maintains a regularly updated register of all reported contaminated sites within the district. The DEC can provide detailed advice in relation to management and remediation of such locations.

STRATEGIES:

- Maintain contaminated sites register.

4. Waste Water

Effluent Disposal Approvals & Advice

RISK RATING:

Low/Medium

DESCRIPTION:

Environmental Health Services provides an auditing service for properties within the Town that require an effluent disposal system (septic tanks). Septic tanks have the potential to threaten the environment and pose a public health risk and therefore must be regulated.

GOAL:

An application to construct an effluent disposal system must be received by Council's Health Officers accompanied by the prescribed fee prior to installation. A final inspection must be carried out before a Certificate of Approval can be issued.

STRATEGIES:

- Inspect and assess each application thoroughly, provide feedback to the applicant as soon as possible.
- Provide accurate and helpful advice.
- Retain the "as constructed" configuration of the installation in plan form on our central records system for future reference.

5. Water Quality

Public Swimming Pool Monitoring

RISK RATING:

Medium

Number of aquatic facilities: 15

DESCRIPTION:

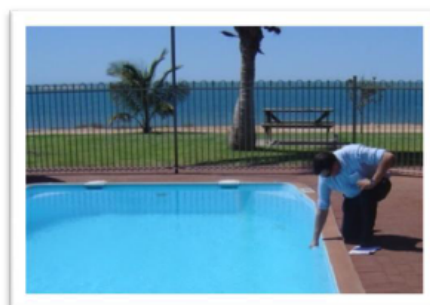
An Aquatic Facility is classified to be; a man made body of water used for sport, recreation or educational water activities, as defined in the Code of Practice for the Design, Construction, Operation, Management and Maintenance of Aquatic Facilities (which includes caravan parks, resorts, motels, hotels and body corporate facilities of 30 units or more).

GOAL:

Maintain high water quality standards at each Aquatic Facility

STRATEGIES:

- Sample all Aquatic Facilities on a monthly basis.
- Interpret monthly water sampling results and close facilities if required.
- Sample & interpret analysis of private or recreational waters as necessary.
- Provide clear advice.



Landfill Bore Monitoring

RISK RATING:

Low

DESCRIPTION:

The Town of Port Hedland's Class 2 Waste Management Facility is a declared Contaminated Site and regularly receives hazardous waste for disposal. The Town intends to undertake detailed monitoring of ground water on the borders of the facility every 6 months; to ensure that any underground water contamination is identified at an early stage in order to consider remediation options.

GOAL:

By implementing such a program the Town of Port Hedland is able to both meet its state government licensing requirements and ensure that any possible groundwater contamination is quickly identified and remediated.

STRATEGIES:

The Town has installed five ground water monitoring bores in and around the landfill which allows for a detailed analysis of groundwater to be undertaken.

- Regularly monitor groundwater every 6 months and this task will now be undertaken by the Environmental Health Department.

Effluent Re-Use SystemRISK RATING:

Medium/High

DESCRIPTION:

The Town of Port Hedland operates an effluent re-use scheme for supplying recycled water to parks, gardens & sports fields throughout the town. This scheme recycles 100% of the Towns' wastewater.

GOAL:

Continue to work with stakeholders to reduce any possible health issues and promote safe work practices.

STRATEGIES:

- The scheme is to be audited annually.
- Monthly sampling is carried out to ensure that the effluent water quality is in accordance with National Guidelines for Reclaimed Water.
- The Reuse Operational & Maintenance Manual has now been updated and should be reviewed every 12 months.
- Complete Annual Reuse Scheme Checklist & undertake required maintenance.

Community Water Supplies

Remote community water supplies are predominantly regulated by Remote Area Essential Services Program (RAESP) administered by the Department of Health. Council, as a support agency, can provide advice to concerned members of the public in relation to water matters, sampling, sterilisation, and vector (mosquito) control in water storages.

6. Accommodation

Public Building InspectionsRISK RATING:

Medium

DESCRIPTION:

Public Buildings are defined as buildings or places where people assemble for a certain event (entertainment, social, educational, religious, etc) i.e. hotels, clubs, sporting facilities, halls, etc.

GOAL:

To work with stakeholders and reduce potential health issues and promote safe work practices.

STRATEGIES:

- Routine inspections and licensing of all lodging houses, caravan parks to ensure compliance with legislative standards.
- Take enforcement action against any operation not in compliance with relevant legislation.
- Liaise with planning and building services to examine new public accommodation/ public building proposals.
- Process approvals for all identified public buildings.

- Process applications for temporary events.

Accommodation Inspections (Caravan Parks, Lodging Houses & Chalets)

RISK RATING:

Low/Medium

DESCRIPTION:

This area covers approvals of all types of temporary accommodation, which includes backpackers, caravan parks, hotels and motels, construction camps, bed & breakfasts and short stay apartments.

GOAL:

To work with other stakeholders to reduce potential health issues and promote clean, safe and hygienic accommodation.

STRATEGIES:

- Conduct annual inspections; and issue annual licence.

7. Pest Control

Mosquito Management

RISK RATING:

Medium/High

DESCRIPTION:

Mosquito borne disease such as Australian Encephalitis, Ross River Virus and Barmah Forrest Virus are prevalent in the Pilbara region especially during the wet season. Environmental Health Services conduct routine mosquito surveillance of breeding sites throughout the town and in conjunction with State Health Authorities who maintain sentinel chicken flocks.

It is important to remember that mosquitoes are a natural member of the salt marsh ecosystem and an important link in the environmental food chain; they are also endemic to the Pilbara especially in the wet season. Tidal inundation and the ponding of water pose the greatest challenge to mosquito management, as the range of tidal movement is vast in the northwest and physical prevention measures are sometimes not possible. Chemical preventative measures assist greatly in reducing mosquito populations however cannot stand alone.

GOAL:

To work with the community to reduce health issues and the spread of infectious disease which will promote healthy lifestyles;

STRATEGIES:

Operate a risk-based treatment program for mosquitoes that has the following priorities:-

- Achieving a permanent engineering solution to known breeding sites.
- Treating breeding sites of mosquitoes in a manner that is environmentally acceptable.
- Keep records of mosquito complaints for purpose of measuring performance.
- Monitor known breeding sites & apply chemical preventative measures when required.



- Encourage residents of the Pilbara to contribute to their own safety by protecting themselves from being bitten.
- Issue press releases in the local newspaper to keep the public up to date.
- Participate in radio information sessions.
- Support & update the Mosquito Management Plan.

Sentinel Chicken Program

RISK RATING:

Low/Medium

DESCRIPTION:

The Arbovirus Surveillance and Research Laboratory at the University of Western Australia, Department of Health and Pilbara Population Health monitor MVEV activity in the Town using sentinel chicken flocks.

If a mosquito carrying the virus bites a chicken, the chicken does not get sick but does produce antibodies to MVEV. Blood samples are taken from chickens by Pilbara Population Health staff members and are sent to Perth and are tested for the presence of MVE antibodies. The Department of Health issue a warning to residents and visitors to the regions to avoid mosquito in times of high virus activity.

Vermin

Environmental Health Services can advise the public on any issues in respect to vermin control.

There is specific advice and conditions applied to the demolition of houses that requires the houses to be baited prior to demolition to avoid the spread of vermin.

8. Health Promotion

Health Promotion – Schools, Newsletters etc.

The Town of Port Hedland is strongly committed to spreading awareness throughout the community in relation to health matters which can include advice on public swimming pools, water, food safety, mosquito protection and health promotion. Council does this by providing detailed information to the public via pamphlets/flyers, press releases, information stands at events in Port Hedland, presentations at schools and via the Town of Port Hedland website.



9. Aboriginal Environmental Health

Health Promotion - Community Visits & Dog Health Program

RISK RATING:

Low/Medium

DESCRIPTION:

Liaise with Pilbara Meta Maya, Dept. of Health, and Aboriginal communities within the Town to provide environmental health advice to the indigenous community.

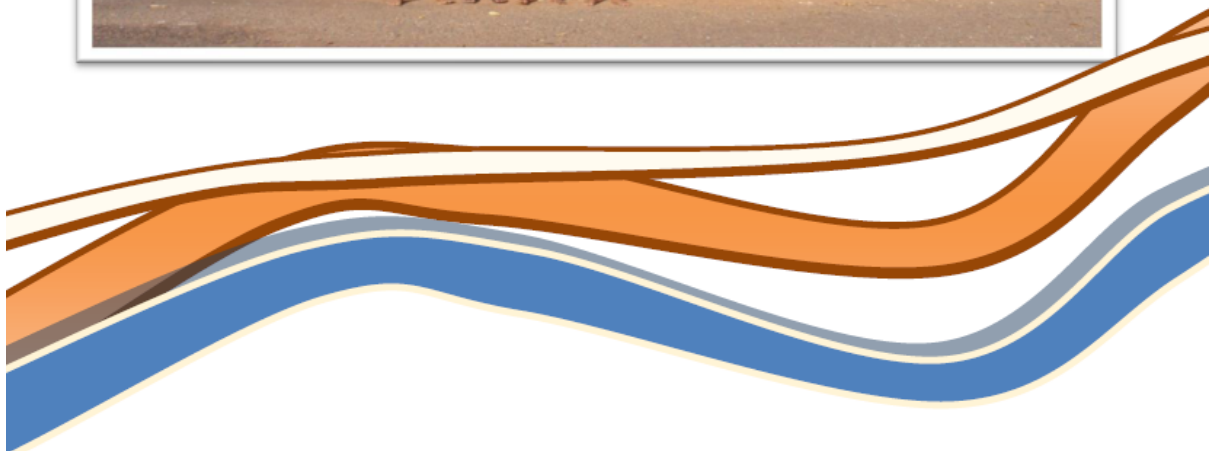
GOAL:

Assist in maintaining acceptable levels of environmental health in Aboriginal communities.

STRATEGIES:

The Town of Port Hedland will have an increasing role in relation to Aboriginal communities due to the development of the Code of Practice for Housing & Environment Infrastructure Development in Aboriginal Communities in WA.

- Provide training & support for community members in Environmental Health
- Assist Pilbara Meta Maya to conduct their dog health programs in Port Hedland communities.



10. Administration

Office Duties – Registrations, Letters, enquiries, record keeping etc.

GOAL:

The aim of Environmental Health Services is to provide an effective administration and enforcement service that ensures acceptable public health and environmental standards are being met in the Port Hedland community.

STRATEGIES:

- Investigate various public concerns and assess each request for service thoroughly.
- Provide feedback to the customer as soon as possible.
- Provide accurate and helpful advice.

Complaint Resolution

Environmental Health Services will investigate all concerns/complaints that are received in accordance with Councils policy.

Conferences & Seminars

The Council promotes further education and development for all Environmental Health programs. Courses and seminars are often organized and offered to stakeholders and community groups with a view of better educating the public on key programs.

Seminars have been conducted on the following topics:

Aquatic Facility Regulations
Cyclone Preparedness
Mosquito Management

11. Other

Keeping of Animals

Keeping of animals should be in accordance with the Towns *Health Local Laws 1999*.

The control of dogs is the responsibility of Council's Ranger Services under the *Dog Act 1976*.

Environmental Protection

Councils Environmental Health Services team is committed to the protection of the environment from potential threats such as industrial contamination, illegal disposal of waste, damaged waterways and foreshores, air and noise pollution etc.

By responding to complaints, regulating industry and other activities, taking action against those found to be committing an offence against Environmental Health Legislation, providing input on various committees focused on environmental issues and providing support to State Government agencies the Town of Port Hedland further demonstrates its dedication to protecting both the environment and the health and wellbeing of the community.

The Towns Environmental Health Service also undertake environmental protection projects to protect the Towns sand dunes and foreshore areas.

Emergency ManagementRISK RATING:

Medium

DESCRIPTION:

Council's Environmental Health Services play an important role in relation to emergency/disaster management.

GOAL:

The following issues are key areas that involve Environmental Health:

- Provision of safe food and water;
- Sewerage, waste management and disposal;
- Monitoring of health issues in relation to notifiable diseases; and
- Assisting in evaluating and accessing safe accommodation for evacuees;

STRATEGIES

- Membership of the Local Emergency Management Committee (The Towns Environmental Health Manager is the Coordinator of the LEMC).
- Participate in annual review of the Recovery Plan and local emergency management arrangements.
- Participate in emergency management training when available.



Development Assessment

Councils Environmental Health team regularly acts as a referral agency when new developments are proposed throughout the district. By ensuring that environmental concerns are addressed during the initial stages of development potential threats to the environment can be mitigated to ensure that industry and the public can operate without negatively impacting on the surroundings.

Air Quality MonitoringRISK RATING:

Medium

GOAL:

To ensure that all practicable measures are being undertaken to minimise dust emissions and other sources of air pollution in the Town of Port Hedland.

STRATEGIES:

Environmental Health is a member of the Port Hedland Air Quality Reference Group and has an active role in their meetings. The committee's objectives are as follows:

- To provide advice on practical measures to improve air quality within the Town.
- To provide a monitoring service which will indicate the extent to which the air quality of Port Hedland complies with nationally accepted standards.
- To ensure that Port Hedland residents have air quality which complies with nationally accepted standards.
- To ensure that Port Hedland residents are kept fully informed on the actions of the committee.
- Conduct quarterly meetings with industry groups for the purpose of monitoring compliance with legislative standards for air pollution.
- Assist with the implementation of the Air Watch program in all Hedland schools.
- To provide a submission on draft air quality legislation in the Pilbara.

Trends

The current trend is for Port Hedland to undergo a quantum shift in development with major iron ore companies in the region expanding their operations significantly. This growth will place a huge demand on the resources of the Town to meet the immediate challenges ahead. Therefore, the Towns "Plan for the Future" needs to be a living document capable of change to meet the immediate growth phase that the Town is currently enjoying. This plan needs to address the social, economic, environmental, and public health trends that are emerging as a result of this rapid growth.

The reality is that Port Hedland is located in a harsh climatic environment and there is a need for sustainable regional development and planning by higher levels of government to assist in this rapid growth.

Strong leadership by this Council for sustainable regional development can improve and safeguard the environmental health status of the community through the provision of public health infrastructure and improved community-based vigilance of environmental and health standards.

Customer Profile

The Town of Port Hedland identifies the customers in its Strategic Plan, including:

- Residents & ratepayers
- Community groups
- Local businesses
- Industry
- State and Federal Government agencies
- Tourists and visitors
- Non government agencies
- Developers
- Employees & Colleagues
- Elected members
- Educational institutions
- Suppliers of goods and services
- People with disabilities
- Aged
- Youth
- Indigenous and ethnic groups
- Families
- Media

All groups mentioned above will benefit from a community-based approach to Environmental Health Planning. Specifically, education and effective Environmental Health governance are the keys to improving and safeguarding standards.

References

ToPH Environmental Health Business Plan 2003-04

ToPH Health Service Plan 2006-07

Team Plan Geraldton July 2007

Logan Public Health Plan 2003 -2008

City of Melbourne 2005-2009 Municipal Public Health Plan

Rockingham Community Health & Wellbeing Plan 2007-2011

Web:

Public Documents - Strategic Plan 2007-2012

<http://toph-wsus/intranet/Home/CorporateKnowledge/tabid/56/ItemId/57/Default.aspx>
24/7/2008

Town of Port Hedland - Services

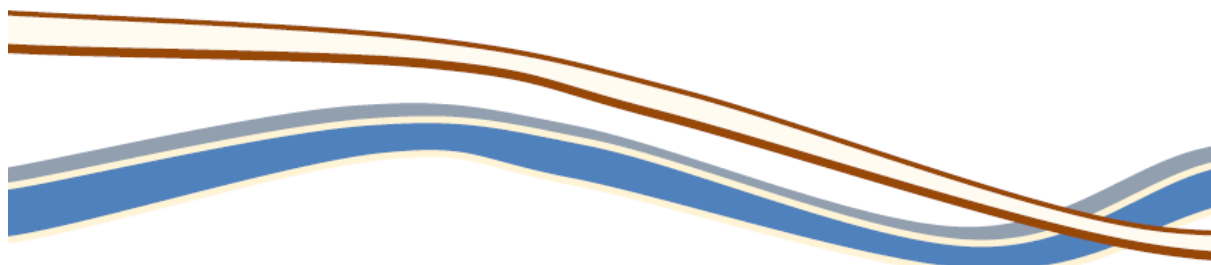
http://www.porthedland.wa.gov.au/services_facilities/environmental_health
10/10/2008

A Guide to an Environmental Health Plan

http://www.health.wa.gov.au/envirohealth/planning/docs/Model_LocalGov_EH_Plan.pdf
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Australian Bureau of Statistics: Local Government Area populations - Port Hedland

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11.2 Engineering Services

Nil.

6:31pm Councillor G J Daccache declared a Financial Interest in Agenda Item 11.3.1 "Port Hedland Community Garden " as he owns FMG shares over \$10,000.

Councillor G J Daccache left the room.

11.3 Community Development**11.3.1 Port Hedland Community Garden (File No.:03/01/0026)**

Officer Sheila Cleaver
Community Development
Officer

Date of Report 1 November 2010

Disclosure of Interest by Officer Nil

Summary

A strategy in the Plan for the Future 2008-2013 was to investigate the development of a community vegetable garden. To undertake this investigation a forum held in July 2010 was facilitated by Josh Bryne Associates (JBA) and hosted through a partnership established between FMG and The Town of Port Hedland. JBA also completed an initial site assessment.

This report presents to the Council the findings from these activities and makes recommendations for developing the community garden.

Background

The ToPH and FMG jointly contracted JBA to undertake further investigation into the development of a community garden through a community forum held on 27 July 2010. The forum was attended by 34 individuals including Council staff, industry representatives and community members. The data obtained from this forum was used to summarise the following aspects of the project:

- Objectives and important functions

Although community members identified environmental and economic outcomes as important, social outcomes were seen as the main objective of the community garden. Specific functions that community members hoped the garden would fulfill included food production, recycling and education.

- Key design elements

The community had clear ideas about the design of the garden which will provide strong guidance for the concept design phase.

- Challenges and opportunities

Security, access, longevity and climate were identified as potential challenges.

These were not seen as insurmountable and a range of strategies to overcome these were discussed and can be considered during the design phase.

- Community involvement

There are a range of local organizations and community groups that have the potential to provide a diverse partnership base. The project provides a unique opportunity to build local capacity in new landscaping skills and techniques.

- Garden management

A community committee has been advocated as the most appropriate management model. In conjunction, there is also a strong case for developing instrumental partnerships with the ToPH and Care for Hedland to provide ongoing support

Another deliverable from the work to be undertaken by JBA in association with key stakeholders was the identification of potential sites for the garden. 22 sites were identified in a preliminary assessment with four key sites identified as suitable for further investigation being:

- Adjacent to the Boulevard Shopping Centre
- JD Hardie Youth Centre precinct
- Adjacent to the Cassia Primary school
- Within the Shay Gap Memorial Park

Consultation

Fortesque Metals Group Ltd
 ToPH Manager Economic and Land Development
 ToPH Manager Planning
 ToPH Project Development Officer
 ToPH Project Officer
 ToPH Coordinator of Waste
 Care for Hedland
 Josh Bryne & Associates
 Broader consultation detailed in report

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area (KRA)3 – Community Development
 Goal 2 – Sports and Leisure

Strategy 4 -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

Key Result Area (KRA)5 – Environment

Goal 1 – Waste Management

Strategy 2- Develop strategies that encourage separation of waste by ratepayers to promote more effective and efficient landfill management and additional reuse/recycling opportunities.

Budget Implications

Should the Officers recommendations be endorsed project costs would be considered during the 2011/2012 budget development process.

Attachments

Port Hedland Community Garden: Community Forum Summary Report (Josh Byrne and Associates).

Officer's Comment

There are five recommendations derived from the community engagement activities and site assessment. These recommendations are actually a series of steps to facilitate the stages in the design and development of a community garden in Port Hedland.

Recommendation One: Further investigation is undertaken into the four identified sites including consultation with relevant stakeholders to secure the preferred location for the garden

Recommendation Two: Begin the design concept phase based on the feedback presented in the report

Recommendation Three: Establish ongoing management arrangements of the community garden from the two options presented in the report.

Recommendation Four: Explore and develop partnerships that fit with design, ongoing use, maintenance stages etc

Recommendation Five: Identify funding sources and secure project budget.

As agreed by forum participants the Council will be asked to release the report for public comment and this comment is presented back to Council with recommendations for a timeline to action the steps, with as associated budget, to develop a community garden from the report as outlined above.

201011/169 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham

That Council:

1. receives the "Port Hedland Community Garden: Community Forum Summary Report"; and
2. requests the Chief Executive Officer or his nominated delegate to seek public comment on the recommendations within the report and presents the outcome of this consultation back to the Council in the next quarter of the financial year to determine what (if any) support the Town of Port Hedland might provide to this project in the future.

CARRIED 7/0

6:32 pm Councillor G J Daccache re-entered room and resumed his chair.

Mayor advised Councillor Daccache of Council's decision.



JOSH BYRNE
& Associates



PORT HEDLAND COMMUNITY GARDEN COMMUNITY FORUM SUMMARY REPORT

prepared by
JOSH BYRNE & ASSOCIATES

prepared for
TOWN OF PORT HEDLAND & FORTESCUE METALS GROUP

project
C-10-07

date
7 SEPTEMBER 2010

Environment • Design • Communication

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1. INTRODUCTION

In Western Australia (WA) there has been growing interest in community gardens. Recent research indicates that there are currently 27 established community gardens in the Perth metropolitan area and greater WA (Goodall, 2010a). Of these, fifty-two percent were funded in the last four years and a further 12 are under construction or in development (ibid.). This suggests that there is growing understanding of, and desire for, the benefits community gardens can offer.

There are a wide range of social, environmental and economic benefits associated with community gardens (see Figure 1). As articulated by Nettle (2010:2) "community gardens are a great way to grow food, foster good health, green urban environments, support lifelong learning, and cultivate vibrant communities."

Over the past year, the Town of Port Hedland (ToPH), Fortescue Metals Group Limited (FMG) and Care for Hedland, have begun discussions about the benefits of a community garden in Port Hedland. To explore this idea further in June 2010 Josh Byrne & Associates (JBA) were contracted to implement a range of community consultation activities including a community forum and targeted stakeholder meetings. JBA also completed an initial site assessment. This report presents the findings from these activities and makes recommendations for developing Port Hedland's first community garden.

It is important to note that approximately 46 individuals participated in the community consultation process. This included residents, council staff, industry groups and community groups. These participants may not be representative of the needs and wishes of the entire community and subsequent community consultation and engagement activities should aim to engage more broadly with the Port Hedland community.

2. SCOPING ACTIVITIES AND KEY FINDINGS

Staff from Josh Byrne & Associates visited Port Hedland on July 27 and 28 2010. The two day visit included a stakeholder forum, meetings with key stakeholders and site assessment. The objective of these activities was to capture the ideas, aspirations and concerns of the community to help direct and prioritise recommendations for the project.

Section 3.1 describes the community consultation activities and provides a synthesis of the feedback obtained from stakeholders during these activities. An overview of the sites assessed, including discussion about the criterion used to rank the appropriateness of each site, is presented in Section 3.2. In Section 3.3, the key findings that informed the recommendations presented in Section 4 of this report are summarised.

3.1 Community consultation

2.1.1 Community forum

The community forum 'Growing Communities' took place in Port Hedland on Tuesday July 27 2010. The forum was attended by 34 individuals including council staff, community groups, industry representatives and local residents (Appendix A). A presentation was given by Josh Byrne about how shared garden space can benefit communities (Appendix B). This was followed by a breakout session and discussion around three questions:

1. What are the five objectives of a community garden project in Port Hedland?
2. What do you see as the five most important functions of a community garden in Port Hedland?
3. List three main challenges for a community garden in Port Hedland and how these may be overcome.
4. How do you see the community garden being managed (e.g., by a community group, elected management committee, other)?

After the forum community members were given the opportunity to provide further feedback on the project using a feedback form (Appendix C) or by contacting the Town of Port Hedland and/or JBA directly.

The data obtained from the breakout sessions, feedback forms and community correspondence was analysed using qualitative methods. This process involved sorting responses according to themes and prioritising information based on the number of responses. The results of this analysis relate to the following aspects of the project:

- Objectives and important functions
- Key design elements
- Challenges and opportunities
- Community involvement
- Garden management

The themed raw data is presented in Appendix D.



Figure 1: Community members participating in the breakout session

Objectives and important functions

Overwhelmingly, community members identified social outcomes as the main objective and function of the community garden. Words used to express this included community- "ownership" "engagement" "spirit" "interaction" and "pride." One community member described this as "creating a sense of wanting to stay in Hedland" or a "home." There was also a strong sense that the garden should act as a community hub that encouraged "cross-community" engagement for all ages, abilities and cultures.

Secondary objectives related more to specific functions that the garden could provide. Three main functions were identified:

- 1) **Food production** : to provide people with space to grow food that is "fresh" "local", "sustainable" and "diverse" (e.g., reflects different cultures). A supply role was also seen as part of this e.g., selling produce and seedlings.
- 2) **Recycling**: to provide recycling facilities as well as promote recycling and waste management based on the principles of reduce, recycle and reuse in the community.
- 3) **Education**: a vehicle for volunteering, workshops, presentations and information sharing on topics such as "growing local species" "healthy eating" and "healthy lifestyles."

These functions were further reflected in the design elements discussed in the following section.

Key design elements

Community members were asked to identify what they saw as key design elements for the community garden. Broad responses were provided which included ideas about the style of the garden, types of plants and garden practices, in addition to specific design features.

Design elements

There were four strong themes identified from community members' feedback on design elements that suggest that the design of the community garden needs to:

1. **Be inclusive and accessible:** for families, youth, elderly, people with disabilities and people from different cultures.
2. **Encourage community interaction:** through the provision of cooking facilities, gathering places, education facilities, meeting rooms and event spaces.
3. **Be climate sensitive:** ensuring sufficient shelter and shade for year round use.
4. **Emphasise recycling:** through the use of local and recycled materials in the construction and the provision of recycling facilities.

The specific design suggestions made for each of these is presented in Table 1 along with the range of other suggestions that relate to specific functions, enterprise opportunities, artistic elements and other features.

Style of the garden

As articulated by Goodall (2010a:4)

There are two main styles of community gardens – *communal or shared* gardens (where people garden collectively and share any produce) and *allotment* gardens (where people pay a fee for exclusive use of a small plot of land in the garden). Many gardens combine the two.

There was no consensus about what the style of garden in Port Hedland should be, but the varied responses suggest that a combination of communal and allotment style gardens (for individuals and groups) would be appropriate.

Types of plants

Aside from general suggestions that the garden should include, fruit, vegetables and tree, feedback on the types of plants focused on two main themes. Firstly, natives, in particular bush tucker and to a lesser extent bush medicine, were identified as important. Secondly, community members emphasised the value in plantings that reflect the cultural diversity in community. One specific suggestion relating to this was to have "set areas to grow food for the various cultural groups in town e.g., Aboriginal, Torres Strait, Fijian, New Zealand, Malay, South African."

Garden practices

Gardening practices that are appropriate for the climatic conditions, in particular hot dry summers, and sustainability principles were suggested by a number of individuals. These included:

- Designing the gardening on "permaculture principles"
- Designing the garden to encourage and "ecosystem style approach rather than species approach"
- Encouraging "companion planting"
- Making use of "innovative growing techniques for the climate"
- Establishing "waterwise plantings"
- Powering the site via "solar" energy
- Designing a garden that "recycle[s] water" and promotes "smart [water] use"

Table 1: Key design elements identified by community members

<p>Inclusive and accessible</p> <ul style="list-style-type: none"> • Inclusion of young, elderly, disabled, indigenous, multicultural etc. • Family friendly including playground areas and child-care • Ensure elderly can have meaningful social areas i.e., make cups of tea • Provision for access/involvement of persons with varying disabilities, including access for people with wheelchairs and walkers • Good public access • Parking 	<p>Encourages community interaction</p> <ul style="list-style-type: none"> • Cooking facilities <ul style="list-style-type: none"> ○ Bush kitchen ○ Large scale kitchen ○ Barbecues ○ Pizza oven ○ Solar oven • Gathering place <ul style="list-style-type: none"> ○ Fire pit ○ Corroboree • Meeting/education facilities • Event space <ul style="list-style-type: none"> ○ Amphitheatre/open air activities ○ Open space for smaller events ○ Auditorium/stage ○ Venue for hire
<p>Climate sensitive</p> <ul style="list-style-type: none"> • Shade • Shelter 	<p>Emphasises recycling</p> <ul style="list-style-type: none"> • Recycled materials <ul style="list-style-type: none"> ○ The use of recycled materials throughout – planter boxes, garden walls, compost etc. • Recycling facilities <ul style="list-style-type: none"> ○ Recycling depot ○ Composting facility ○ Composting units ○ Compost for sale ○ Worm farms
<p>Functional areas and enterprise opportunities</p> <ul style="list-style-type: none"> • Nursery • Cafe • Sale of produce • Sale of seeds/seedlings • Alternative technologies park • Music/art area • Outer perimeter to have artisans sheds for local artists • Workshop area/shed • Bird aviary • Poultry yard • Bee hives 	<p>Artistic elements and features</p> <ul style="list-style-type: none"> • Art/sculpture • Water features • Lots of colour • Sensory garden • Young people to paint/decorate using all sorts of different media • Historical content that reflects the character of the place

Challenges and opportunities

Five potential challenges for a community garden in Port Hedland were identified:

1. Security issues, in particular vandalism
2. Identifying a location that is accessible and perceived as "neutral ground"
3. Longevity of the garden given the transient community
4. All year gardening in a location with "harsh environmental conditions"
5. Who would provide funding, maintenance and insurance

The issue of security and vandalism were perhaps seen as the main obstacle. However, community members also saw ways to overcome this. For example, building a "sense of ownership" was identified as one way to address this through activities such as "hav[ing] a wall for street art and workshops for the teenagers to contribute" and "invit[ing] groups to dress up (concrete) with their tags etc." An appropriate location was also seen as a part of the solution. This is consistent with best practice in urban design which suggests that locations that have good passive surveillance are more likely to be secure. One other suggestion was to have opening and closing times, although this may be at odds with ideas about inclusivity.

There was a general sense that there were many opportunities to work with community groups, indigenous organisations, churches, schools¹ and sports clubs. Three groups were highlighted:

- 1) **Care for Hedland including the Garden Club:** members could "help administrate/assist the project" and the garden could build on cash for trash program.
- 2) **Wangka Maya Pilbara Aboriginal Language Centre:** for "indigenous support and knowledge of local bush tucker and storytelling/education."
- 3) **FORM:** "there is an amazing opportunity for people/groups to add value [to planned courthouse markets] and create for example preserves etc that can be marketed at this market.

Other opportunities identified included: involving youth and linking in with the youth precinct; connecting with existing programs e.g., vocational education and work for dole; and, establishing new programs e.g., for crime rehabilitation and healthy living.

Community involvement

The individuals that participated in the community consultation activities provided feedback on how they would like to be involved in the community garden. Of the 28 individuals that provided feedback:

- Fifteen wanted to be involved in the design, construction and maintenance of the garden
- Nine individuals wanted to be involved as gardeners/growers
- Nine offered their services in the areas of education, community development and promotion
- Six people expressed an interested in being part of the management committee
- Five individuals said they would utilise the site for education, recycling, recreation and other activities

The responses provided suggest that there is a strong basis for action and support for the project.

¹ A deputy principle from one of the local primary schools cautioned that schools are overloaded with partnerships and programs. This would need to be taken into consideration if working with a school was pursued.

Garden management

Community members advocated for management of the garden by a community committee with the ToPH and/or industry support. In terms of establishing the committee two propositions were made: 1) forming a sub-committee of Care for Hedland; or, 2) seeking "expressions of interest from community and existing organisations."

Recent research on community garden success factors in Western Australia (Goodall, 2010b:9-10) indicates that gardens are "enriched and strengthened through engaging as wide and diverse a range of community members as possible" and "through having partnerships with a diverse range of organisations and groups." Establishing a community committee that is supported by council and industry would be consistent with this finding. In addition, seeking expressions of interest could be a good way to establish further partnerships and facilitate diverse community involvement.

2.1.2 Targeted stakeholder meetings

The Town of Port Hedland and FMG provided the impetus for the activities described in this report. Through early discussions with these organisations it was also established that Care for Hedland would potentially play an important role in the project. On this basis, interviews were conducted with each of these organisations to further understand their visions and potential ongoing involvement in the project.

The ToPH and Care for Hedland reiterated the opportunities discussed at the community forum and made specific comments about management and funding of the garden. It was suggested that council take a lead role with commitments from ToPH and Care for Hedland "to be firmed up." It was also proposed that a working group be established and expressed the importance of identifying a local champion. These comments were consistent with the ideas about management presented by community members. Funding was not seen as an issue with potential avenues of funding including industry and government grants.

FMG's VTEC Services expressed a strong interest in a two way partnership where maintenance and construction services are exchanged with training in new skills. This could include training in best practice irrigation techniques, retaining walls, construction techniques, geotextiles, basic rock work and different soil stabilisers. This would have additional benefits for local industry and town generally in terms of developing capacity in these areas.

2.2 Site assessment

The Town of Port Hedland's Manager of Economic and Land Development and community members identified 22 potential locations for the community garden (see Figures 2 and 3). Each site identified was visited and assessed against a range of criteria. These criteria were selected based on: the expertise and experience of the Town of Port Hedland's Manager of Economic and Land Development and JBA's landscape design team; reference material (e.g., Community and Neighbourhood Houses and Centres (CANH) Associations 2009 community garden site assessment checklist); and, community feedback. Table 2 presents a matrix that compares each site against the criterion. It is important to note that if a site is earmarked for development it was eliminated on that basis and not assessed against subsequent criteria.

Through this process four sites were identified as appropriate:

1. Boulevard Shopping Centre (map reference P1)
2. JD Hardie Youth Centre Precinct (map reference S1)
3. Cassia Primary School (map reference S2)
4. Shay Gap Memorial Park (map reference S3)

Photographs of each of these sites are presented in Figure 4.

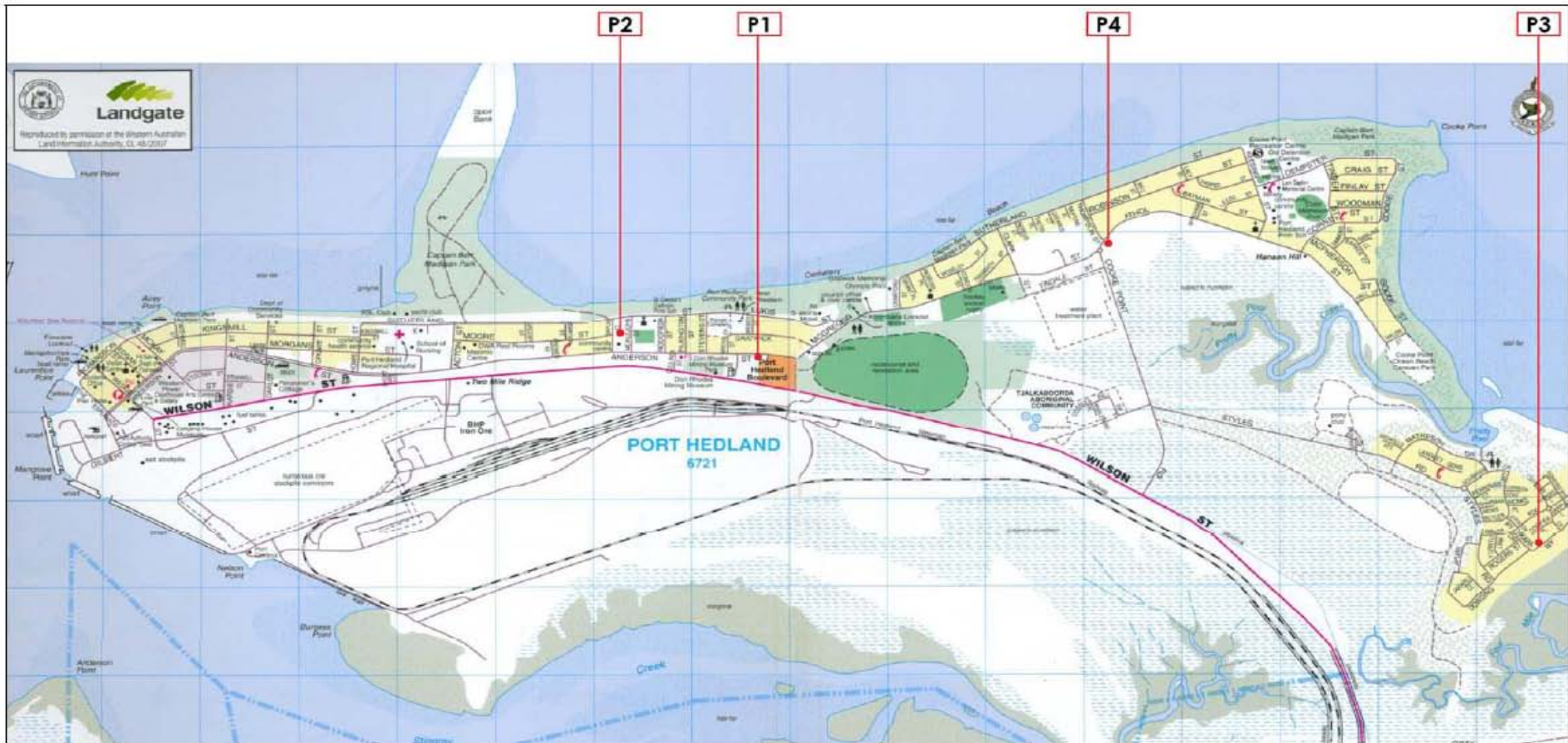


Figure 2: Site locations assessed – Port Hedland

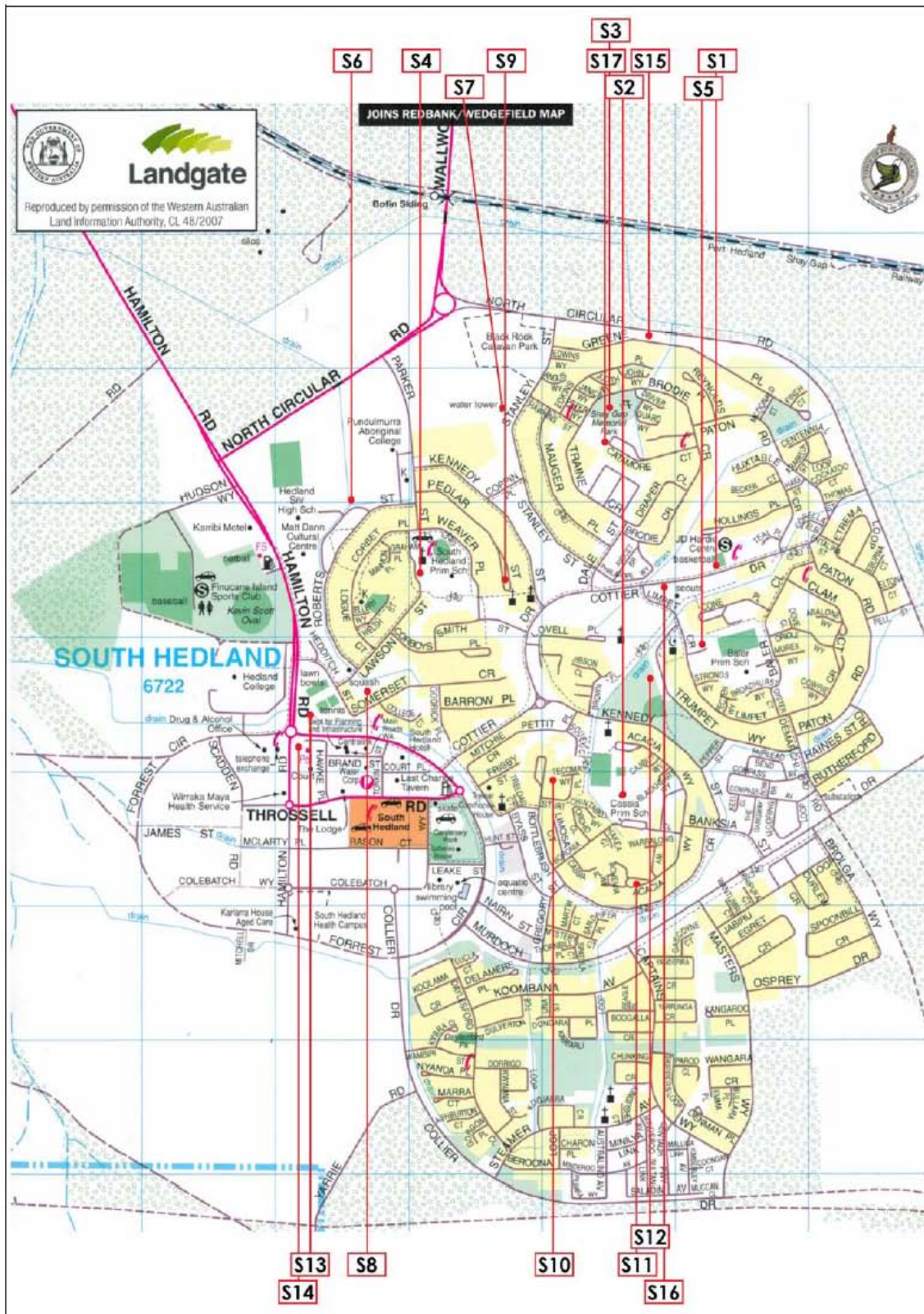


Figure 3: Site locations assessed – South Hedland

Table 2: Matrix assessing potential community garden sites against selection criteria

LOCATION	MAP REFERENCE	Land <u>not</u> earmarked for development	Appropriate size (approx. 2000 m ²)	Land available immediately	Land potentially available (1+ years)	Able to secure tenure	Walkable	Permeable	Passive surveillance	Iconic location	Other unique location features	Parking available onsite or nearby	Access to water	Access to electricity	Native title	Heritage survey clearance	NOTES
ANDERSON ST NR BOULEVARD SHOPPING CENTRE	P1	•	•	•		•	•	•	•		•	•	○	○			Tenure could be difficult to secure. Land owned by the Department of Regional Development and Lands. Good location in terms of accessibility.
JD HARDIE YOUTH CENTRE PRECINCT	S1	•	•	•		•	•	•	•		•	•	○	○			This would be the quickest site to develop in terms of securing tenure. Site doesn't currently have passive surveillance.
CASSIA PRIMARY SCHOOL	S2	•	•	•		•	•	•	•		•	•	○	○			Major infrastructure planned for this area. As this site is close to the school it would potentially be more of a school garden than community garden.
SHAY GAP MEMORIAL PARK	S3	•	•	•		•	•	•	•		•	•					Very popular park that is well utilised and hosts lots of events.
BETWEEN MEIKLEJOHN ST & TAPLIN ST	P2	•	•		•		•	•	•	•	•	•					Complex cultural significance and heritage issues that could lead to time delays.
SH PRIMARY SCHOOL	S4	•	•		•		•	•	•		•	•					Limited passive surveillance. Potential issues with tenure. Land earmarked for housing development.
INDIGENOUS RETIREMENT VILLAGE	S5	•	•	•		•	•	•	•			•					Potential ownership issues as access likely to be through the school/village which could limit participation.
BETWEEN SH SENIOR HIGH SCHOOL & PUNDELMARRA CAMPUS	S6	•	•	•			•				•	•					Limited permeability and passive surveillance.
STANLEY ST NEAR WATER TOWER	S7	•	•		•					•		•					This site has potential, but is not available immediately.
CNR ROCHE RD REDBANK	-	•	•	•							•	•					Limited permeability.

• Fulfills this criterion ○ Assumption that this criterion will be met

Table 2: Matrix assessing potential community garden sites against selection criteria [Continued]

LOCATION	MAP REFERENCE	Land <u>not</u> earmarked for development	Appropriate size (approx 2000 m ²)	Land available immediately	Land potentially available (1+ years)	Able to secure tenure	Walkable	Permeable	Passive surveillance	Iconic location	Other unique location features	Parking available onsite or nearby	Access to water	Access to electricity	Native title	Heritage survey clearance	NOTES
RADBURN PLAN ENCLAVE: SOMERSET ST	S8	•	○	•		○	•					•					Limited permeability.
RADBURN PLAN ENCLAVE: PEDLAR ST	S9	•	○	•		○	•				•	•					Limited permeability.
RADBURN PLAN ENCLAVE: TECOMA WY	S10	•	○	•		○	•					•					Limited permeability.
RADBURN PLAN ENCLAVE: ACACIA WY	S11	•	○	•		○	•					•					Limited permeability.
CNR YIKARA DR & DOWDING DR	P3																Earmarked for development.
MARQUEE PARK	S12																Earmarked for development.
CNR ATHOL ST & MCGREGOR ST	P4																Earmarked for development.
SH LAWN BOWLS/TENNIS CLUB	S13																Earmarked for development.
SH POLICE STATION	S14																Earmarked for development.
BETWEEN GREENE PLCE & NORTH CIRCULAR RD	S15																Earmarked for development.
GIRL GUIDE LOT	S16																Earmarked for development.
OLD PRE-SCHOOL SITE	S17																Earmarked for development.



Boulevard Shopping Centre Site



Cassia Primary School Site



JD Hardie Youth Centre Site



Shay Gap Memorial Park Site

Figure 4: Potential community garden sites

2.3 Key findings

The following provides a summary of the key findings presented in this report:

- Although community members identified environmental and economic outcomes as important, social outcomes were seen as the main objective of the community garden.
- Specific functions that community members hoped the garden would fulfil included food production, recycling and education.
- The community had clear ideas about the design of the garden which will provide strong guidance for the concept design phase.
- Security, access, longevity and climate were identified as potential challenges. These were not seen as insurmountable and a range of strategies to overcome these were discussed and can be considered during the design phase.
- There are a range of local organisations and community groups that have the potential to provide a diverse partnership base.
- The project provides a unique opportunity to build local capacity in new landscaping skills and techniques. Working with FMG VTEC Services would provide a good platform for this.
- There is strong support for the garden with individuals willing and able to be involved in all stages of the design, development, management and ongoing maintenance of the garden.
- A community committee has been advocated as the most appropriate management model. In conjunction, there is also a strong case for developing instrumental partnerships with the ToPH and Care for Hedland to provide ongoing support.

3. RECOMMENDATIONS

There are five recommendations derived from the community engagement activities and site assessment. These recommendations are presented as a series of steps intended to facilitate the design and development of a community garden in Port Hedland within the next six months to one year.

- **Recommendation 1:** four sites (map references P1, S1, S2 and S3) have been identified as potentially appropriate. It is recommended that the final documentation checks on these sites are completed and meetings are held with any relevant stakeholders (e.g., Hedland Christian Church, Cassia Primary School and JD Hardie Youth Centre). Site selection would be finalised based on these outcomes.
- **Recommendation 2:** begin the concept design phase based on the feedback presented in this report.
- **Recommendation 3:** in parallel with the concept design phase, establish ongoing management arrangements for the community garden project. Two steps are recommended: 1) formalising long-term support from the ToPH and Care for Hedland, and, 2) setting up community management committee along with protocols for committee participation, terms and roles.
- **Recommendation 4:** explore and formalise partnership opportunities that fit with design, ongoing use, maintenance stages e.g., FMG VTEC Services, FORM and Wangka Maya.
- **Recommendation 5:** identify funding opportunities and secure the necessary finances to undertake the project. As a guiding figure, a project of this type in the north-west of WA will require a construction budget of between \$300,000 - \$400,000 (depending on site conditions, existing services and security requirements), plus design services and project management fees.

The five recommendations presented here relate directly to the design and development of Port Hedland's first community garden. Through the development of this report it became evident that there are several locations that would be suitable for development as pocket community

gardens. The final recommendation of this report is for the ToPH to explore ways to develop pocket gardens in the radburn plan enclaves (map references S8, S9, S10 and S11) and Yikara Drive site in Pretty Pool (map reference P3) currently under development by Landcorp.

4. CONCLUSIONS

This report has presented a summary of the community consultation activities used to capture the ideas, aspirations and concerns of the community to help identify and prioritise recommendations for Port Hedland's community garden project. The report also presents an assessment of potential sites. It was found that there was strong community support for the project and clear ideas regarding objectives, function, design and management and presents recommendations based on these findings.

As agreed with Town of Port Hedland and FMG, this report will be made publically available for feedback. Once the community has made comment it is suggested that as a next step a timeframe is agreed upon between the Town of Port Hedland and FMG and a service provider to action these recommendations. If the report was made available for comment in September 2010, assuming resources are available, implementation of these recommendations could begin as early as October 2010, and completed in early to mid 2011.

5. REFERENCES

- Goodall, A. (2010a). *Profile of W A C ommunity Gardens*. Perth: Growing Communities WA. Available to download from: http://communitygardenswa.org.au/media/articles/Resources---Resources-To-Download/Profile-of-WA-Community-Gardens_30-June-2010.pdf
- Goodall, A. (2010b). *Community Gardening Succ ess Fa ctors: Th e 9Ps of growing vibrant and viable com munity gardens*. Perth: Growing Communities WA. Available to download from: www.communitygardenswa.org.au
- Nettle, C. (2010). *Growing Community: S tarting and Nurturing C ommunity Gardens*. Adelaide: Government of Australia and Community and Neighbourhood Houses and Centres Association Inc.

6. APPENDICES

A: Participants list

Community forum

No.*	Name
1	Sheila Cleaver – ToPH
2	Lisa Maher – FMG
3	Will Alston – FMG
4	Rebecca Alston – FMG
5	Elizabeth Thomas – Care for Hedland
6	Abigail Cox – Garden Club
7	Jane Ablett – Garden Club
8	Barry Yardley – Garden Club
9	Christine Picks
10	Gail Stuart
11	Lisa Jones – Red Rock Nursery
12	Tracey Siggers
13	Catherine Duce
14	Louise Newbery Starling – Hedland Down to Earth
15	Mike Cheney
16	Nina Pangahas – Port Hedland Port Authority
17	Amber Martin
18	Andrew Griffin – Spinifex Hill Artist
19	J. Balasso
20	Susan Olsthoorn – Baler Primary
21	Brendon Cleaver

* This list is based on consent given by participants to disclose their names. An additional 13 individuals who attended the forum are not identified here.

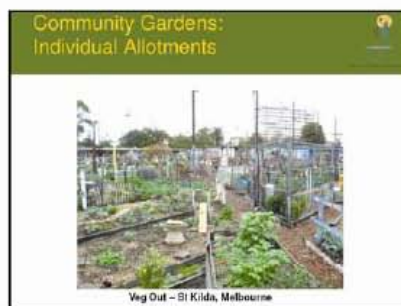
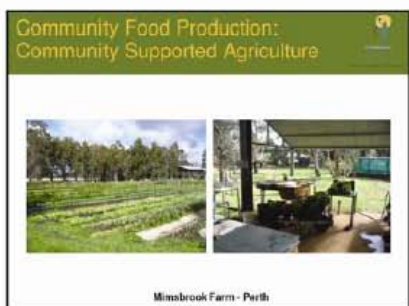
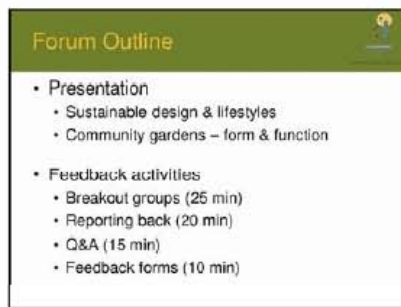
Care for Hedland – Ideas Day

No.	Name
1	Harriet Davie
2	Julie Hunt
3	Nina Pangahas
4	Zabia Chmielewski
5	Betty Goedhart
6	Matthew Ravenscroft
7	Georgia Cutting
8	John Moore
9	Jean Moore
10	Renaë Coles
11	Louise Savvy
12	Kelly Howlett
13	Jen Thomas

B: Community forum: presentation

Growing Communities Presentation
by Josh Byrne

July 2010

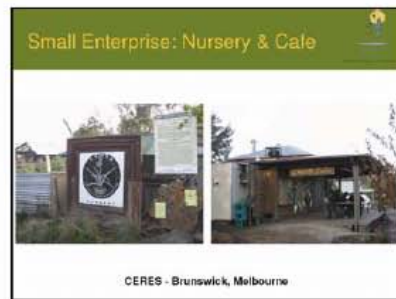


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Growing Communities Presentation
by Josh Byrne

July 2010

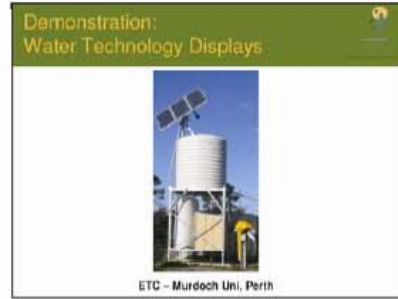
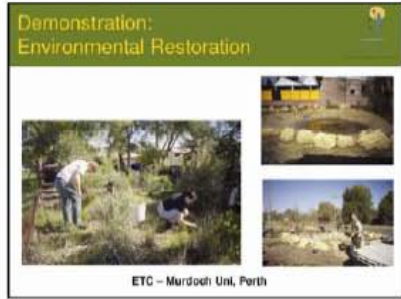


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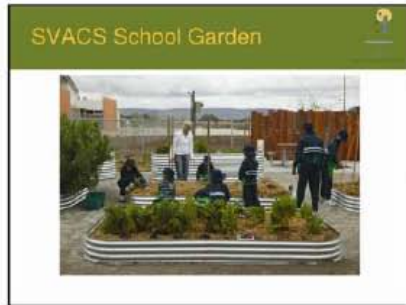


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- Activities**
- Break into groups of 6-8 people
 - Group brainstorming - write down key points on butchers paper (25 min)
 - Report back to group (20 min)
 - Q&A (15 min)
 - Feedback forms (10 min)

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Group Brainstorming Session

1. What are the five objectives of a community garden project in Port Hedland?
2. What do you see as the five most important functions of a community garden in Port Hedland?
3. List three main challenges for a community garden in Port Hedland and how these may be overcome.
4. How do you see the community garden being managed (e.g., by a community group, elected management committee, other)?

Where to From Here?

- Feedback collated
- Report to ToPH
 - Opportunities & constraints
 - Key design elements
 - Site options
- Community review
- Ongoing stakeholder meetings

- Secure funding
- Design phase
 - Draft Concept Design for community comment
 - Detailed Design
- Staged construction

Additional Feedback

Email:
community@joshbyrne.com.au

Post to:
Josh Byrne & Associates
1866, Fremantle WA 6959

C: Community forum: feedback form

PORT HEDLAND COMMUNITY GARDEN FORUM FEEDBACK FORM

TUESDAY 27 JULY 2010 – GRATWICK HALL, PORT HEDLAND

Sector – one only (best fit)			
Community group	<input type="checkbox"/>	NGO staff	<input type="checkbox"/>
General community	<input type="checkbox"/>	Resource manager	<input type="checkbox"/>
Industry representative	<input type="checkbox"/>	Consultant	<input type="checkbox"/>
		Local govt staff	<input type="checkbox"/>
		State govt staff	<input type="checkbox"/>
		Federal govt staff	<input type="checkbox"/>

QUESTIONS

Is there anything you would like to add to the questions addressed in the group (e.g. in relation to objectives, functions, challenges and management of the community garden)?

What key design features would the community garden include?

Are there any existing initiatives or opportunities that could be meaningfully linked to the community garden project?

How would you like to be involved in the community garden?

Any other comments?

Thank you for your time.
If you have any questions or additional feedback about the community garden
please email Davina Boyd at community@joshbyrne.com.au

D: Community forum: themed raw data**Objectives****Social cohesion**

G1	Community hub
G1	Community ownership/engagement
G1	Fun @ enjoy
G2	Creation of community – spirit, interaction, engagement/ownership
G3	Community engagement/pride/sense of accomplishment
G3	Cross-community/cultural engagement
G4	To create a social hub for all ages and abilities
G4	Create a sense of wanting to stay in Hedland (ownership/home)

Sustainable food production

G2	Sustainable living – food production
G1	Local sustainable food production
G3	Availability fresh local produce/space to produce it
G4	Empower and encourage young people to feed themselves

Recycling

G2	Environmental management – water, organic waste recycling and some recycling
G4	Provide alternative options for recycling
G3	Raising awareness/recycling point

Education

G1	Community education
G2	Promote education – growing local species, healthy eating, adaptable, growable, suitable
G3	Education/community involvement

Other

G4	Own id of native plants (bush tucker)
G2	Land use – amenity, town space

Function**Food production (growing and selling)**

G2	Garden areas/food production – various/diverse food growing/Aboriginal foods/Malay/European/...
G1	Food (local production) food miles
G2	Supplier/production/nursery
G3	Provide space for people to garden
G4	Food production
G4	Promoting healthy eating/lifestyle
CGCH	Selling of produce
CGCH	Selling seedlings

Social interaction/engagement

G2	Social hub/meeting place/kitchen/eating/meeting/socialising/engage cultural groups
G3	Bringing people together a community hub
G4	Social engagement
G1	Interaction
G3	Opportunity to use social resources in our town

Recycling

G1	Recycle
G2	Vehicle to promote recycling/waste management
G3	Recycling

G4	Recycling
C15	Focus on green recycling and raising awareness in community
CCG27	Specific to recycling, reuse, renew program

Education

G3	Education
G4	Education/volunteering opportunity
G2	Vehicle for workshops/information sharing
C20	Regular (monthly) presentations. My criteria in another life was – related to sustainable living; general interest; must have element of 'show and tell'

Other

G1	Event space
G1	Beauty

Design features**Gathering area – kitchen, fire pit, corroboree**

C&I2	Community kitchen
C11	Community large scale kitchen
C11	BBQ area
C12	Cooking facilities
C5	Central gathering area could be open bush kitchen or fire pit
CGCH	Kitchen
I19	Fire pit
C11	Fire pit/corroboree area
CG24	BBQ area
C28	Fun/space/meeting inc. Bush kitchen
I19	Place for cultural behaviours i.e. corroboree
C22	Food distribution – cooking
C15	Community cooking area and food prep area including pizza oven and BBQs
CGCH	Solar ovens

Meeting space and education facilities

LG10	Community space
CG18	Community space
C12	Relaxation facilities
C12	Meeting facilities
CGCH	Meeting/education area
C20	Educational/presentation facility (open and/or closed)
C28	Space for education/training, link with local area/groups/space, inclusion of other activities i.e., libraries are being relocated with possible cafes
I19	Art workshops
CCG27	Community nutrition weekly or daily?

Bush tucker & medicine

C5	Native bush tucker garden and seed bank
C4	Use of bush tucker
CG24	Bush tucker
C28	Local bush food
C3	Set areas to grow food for the various cultural groups in town e.g., Aboriginal, Torres Strait, Fijian, New Zealand, Malay, South African
7	Multicultural and indigenous involvement, so reflect our community. Herbs etc. from ethnic groups, lots of productive food
I19	Bush medicine

Event space

C&I2	Amphitheatre/area for community theatre/outdoor movie nights
I19	Amphitheatre
CG18	Open air activities, films, space to play, music

LG26	Open space for smaller scale events
CCG27	Venue location – hire e.g., weddings, parties, business
C22	Auditorium/stage

Nursery

C5	Nursery – veg, ornamental and trees
C&I2	Nursery for local plants/ growing information and purchase and sustainable, energy efficient, waterwise designs
C22	Nursery
CGCH	Native nursery and seedbank
C22	Nursery

Inclusive – families, kids, elderly, people with disabilities, people from different cultures

CG21	Provision for access/involvement of persons with varying disabilities
LG9	Ensure elderly can have meaning social areas i.e., make cups of tea
C1	Children and pensioners involved
LG10	Multi/mixed age friendly
LG9	Include generous playground areas to make family friendly
C11	Play area
CG24	Family outings
C28	Area for kids play/care
N14	Create inclusiveness as a first principle. PH is already too 'gated' – a gated garden will reinforce barriers (both real and imagined) between groups
C28	Inclusion of young, elderly, disabled, indigenous, multicultural etc.
C22	...also work in relation to community orders perhaps school participation, elderly groups, disabled groups
C	...access for elderly and disabled people - including those with wheelchairs and walkers. No doubt this will be taken into consideration but I think it is these people who could get the most joy out of the garden.

Accessible

C16	Public access
CCG27	Location will be the most important issue for the "first" community garden, easy access for all people, possibly near the shopping centre precinct – CBD

Shade and shelter

C12	Shade
I19	Shade
C20	Shaded seating areas
C16	Shelters
C12	Wind/heat protection for year round use
C25	Location – wind protection

Use of local recycled materials

CG23	Recycled materials
CG23	Local materials where possible
C16	High use of recycled components
LG26	The use of recycled materials throughout – planter boxes, garden walls, compost etc.
N17	A combination of the 'winning' ideas Josh put forward. Recycling element is very important love St Kilda love Onslow

Recycling (organic and inorganic) facilities

C6	Organic recycling initiative
C12	Recycling ability
C5	Recycling – large scale compost
C22	Recycling depot
C22	Compost sale
CG24	Worm farms
CG24	Compos units
C28	Recycling centre

Functional areas

C22	Music/art area
C22	Workshop area/shed
CGCH	Alternative technologies park
C5	Outer perimeter to have artisans sheds for local artists
C28	HARTZ art group looking for new space
CGCH	Propagation areas and glasshouse

Sensory garden

C11	Sensory garden
CG23	Sensory garden for people with memory loss, like Alzheimer's
CGCH	Link with or include sensory garden (e.g., at hospital)

Communal gardens and allotments for food production

C13	Individual lots for different cultures
C6	Food production for area
C5	Vegetable gardens
CGCH	Allotments
CGCH	Communal vegetable gardens and fruit trees
C28	Group allotment and some individual
CG18	Garden
CG24	Veg & fruit
C15	Food forest
LG26	Fruit forest
C16	Tree crops

Garden practices

LG10	Permaculture
C20	Permaculture principles and zones
C5	Water recycling and smart use
CGCH	Solar powered
C4	Something that will encourage "ecosystem style approach" rather than species approach kind of presentation – this will allow community garden users to think broadly
C16	Innovative growing techniques for the climate
CGCH	Companion planting
CG24	Natives
C25	Native – waterwise plantings

Features – art, water and colour

LG10	Art/sculpture
CG23	Young people to paint/decorate using all sorts of different media
C15	Water feature
C22	Water feature – frogs
C22	Lots of colour

Business opportunities

C&I2	Small business opportunities to engage community e.g., café
C22	Cafe
CG24	Cheap sales of fruit and veg to go towards the project

Other design features

C5	Open space with native vegetation with shade, and benches, stables
C6	Aesthetically pleasing to the eye – not another junk yard
C15	'Green' boundaries
C20	Info/labelling of sections/functional areas
C4	Historical content that reflects the character of the place

Birds and bees

C22	Bird aviary
C22	Poultry yard
C22	Bee hives

Other

C1	Parking
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Opportunities**Working with community groups, schools, churches and sports clubs – Care for Hedland, Wangka Maya & Hedland Art**

C13	Care for Hedland Group – Hedland Garden Club
7	Yik, Care for Hedland
C28	Care for Hedland inc. Garden Club (Liz from garden club would be great to help administrate/assist the project)
LG26	Build on cash for trash, garden club, lots and lots – Care for Hedland
C2	Engage and utilize local groups and knowledge and support/contribution
CCG27	All the current community groups
C&I2	Wangka m aya for indigenous support and use for local bush tucker and storytelling/education
C15	Local art groups, including indigenous art
I19	Hedland art
N17	We are setting up 'niche' makers markets that will operate 4x a year, these are very upmarket markets situated in the grounds of the courthouse gallery 'West End' Port Hedland, Edgar Street. There is an amazing opportunity for people/groups to add value and create for example preserves etc that can be marketed at this market "Product from Pilbara" the opportunity then to sell even export with our 'Iron Ore' it could be called "I and Or" or 'AWE' Some.... Totally Awesome!
C25	Various sporting groups
C25	Various church groups
C25	Various schools
LG10	School gardens
C6	If garden to be linked with schools, careful consideration as to which school and management – Hedland schools currently overloaded with 'partnerships' and 'programs' could be seen as 'not another one'
CGCH	Link with school(s) gardens

Youth involvement

C&I2	Youth precinct – council initiatives
CG18	Youth involvement – build it from the ground up!
C25	Youth involvement

Linking with existing programs – education, rehabilitation

CG23	Health/eating growing nutritious food programs with community health
CG23	Work for dole
C6	HSHS has a work place component to the voc ed program which could be incorporated
I19	Crime rehabilitation

Other comments

C16	Thousands ☺
C4	There is strong community support, optimism and desire to have a community garden. We only to tap on these opportunities.
CCG27	Possible sponsorship opportunities

Involvement**Grower**

CG24	Gardening / growing
LG10	Gardening
C12	I would also like to utilise the garden for food production
C16	Growing
CG18	Grower
C13	As a grower and assistance in helping to establish the centre
C4	I would like to be part of the management committee, volunteer, grower
C5	Hands on – building, growing, designing, deciding
C15	By having involvement with maintenance of main gardens (opportunity to grow plants I wouldn't grow at home) + having own plot. Retail opportunities – would be interested in assisting with marketing garden produce.

Design, construction, maintenance, management

C5	Hands on – building, growing, designing, deciding
7	Hands on
C3	Setup, maintenance
C12	In any way possible, initial design, construction, ongoing management/maintenance
C13	As a grower and assistance in helping to establish the centre
C16	Design
C&I2	Industry/training support by FMG to develop and maintain
I8	Construction and ongoing maintenance from Fortescue VTEC Services
C15	By having involvement with maintenance of main gardens (opportunity to grow plants I wouldn't grow at home) + having own plot. Retail opportunities – would be interested in assisting with marketing garden produce.
LG9	Local government employee working in infrastructure development (ToPH), qualified in permaculture design & landscape practitioner (30 yrs)
C11	Volunteer, any form
LG26	Giving it legs ☺
CCG27	On any level
C16	Consultation
C20	Assist with set-up. Have been involved with other community groups – Earthcare, Henry Doubleday Research Association, Alternative Technology Association (ATA). Visited various community gardens – CERES, Yalding (UK), Brunswick.

Committee member

C4	I would like to be part of the management committee, volunteer, grower
C20	Committee
CG23	Long term committee member
C12	In any way possible, initial design, construction, ongoing management/maintenance
C5	Hands on – building, growing, designing, deciding
C22	In whatever capacity I can – committee member of group, community member of any kind – general

Community development, education and promotion

CG23	Promoting the benefits of being involved to the community, especially FIFO people, new residents
C6	General education of and at site
C&I2	Support and involvement in community workshops
C6	Liaison to schools for education
LG10	Youth community development
CG23	Showing people how to grow vegetables
C28	Community artwork, fun, assist with kids/volunteer, planting etc as a group and/or maintenance, propagation etc.
N17	Marketing
C15	By having involvement with maintenance of main gardens (opportunity to grow plants I wouldn't grow at home) + having own plot. Retail opportunities – would be interested in assisting with marketing garden produce.

Utilise facilities

CG21	To keep informed – participate in activities according to abilities/skills
I19	Attend workshops
I19	Use as meeting place
I19	Recycling
C25	Purely recreational
C16	Community/social input as scheme grows
CG18	Learn more about utilizing native plants

Challenges**Security**

G1	Vandalism	
G2	Security	Sense of ownership, specific open and close times, location, location, location opposite police station
G3	Security	
G4	Vandalism	
G2	Minimise risk – vandalism, illegal harvesting	
C3		Have a wall for street art and workshops for the teenagers to contribute and take ownership of it instead of vandalizing it.
C22		In relation to vandalism – maybe invite groups to dress up (concrete) with their tags etc...

Longevity

G1	Longevity
G1	Population stability
G4	Longevity/commitment
G2	Transient community/burnout

Climate

G1	Climate	
G2	Working with harsh environmental conditions – heat, pests/termites, cyclones, water	Soil in some places/ Education workshops to teach people how to run it and set it up
7	Huge challenge, I personally see will be a problem is regarding climate. Five months of the year the community is inside, who will put their hand up to work in a garden where it's 45 day in day out. Management issue.	

Location

C&I2	Location will be a major factor – needs to be accessed easily
C12	I can't see myself (as a Port Hedland resident) travelling to South Hedland to utilize the community garden.
C28	Would like to see in both Port and South so issues/interest of each area addressed and proximity taken into account and ownership – also be great other small centres i.e. Redbank
C11	Put in the middle to start with and branch from there
G3	Neutral ground
G4	Distance (daily commute)

Funding and insurance

G2	Public liability
G2	Maintenance and funding (prelim/set-up)
G3	Sponsorship/Local Govt.

Management

G1	Community group + industry support groups
G2	C4H sub-committee or similar to be set-up
G2	ToPH support – using existing
G3	Community group – “managed” by core group, supported by ToPH
G4	Expression of interest from community and existing organisations to be part of a committee (C4H, churches, multicultural groups, youth organisations etc.)
CGCH	Have a person/position to give advice/security/education role

Additional information

C4	I think the establishment of a community [garden] might be [a] good starting. The management can follow.
LG9	Covered points well
LG10	Excited about the possibility of pomegranates
CGCH	Have fruit trees across Hedland

Other comments

CCG27	Possible community consultation can be a “competition to design” or the best “idea” for the garden – Ask community where and what is most popular – agreed is then the foundation
C6	I’m quite happy to liaise with group regarding relations to schools in area – Baler Primary School, Deputy Principal.
N14	Keep the question of the radical possibility alive. What I mean is that this, is at core, about alternative economic, social and environmental models. Being able to grow your own food is a potentially dangerous thing, something that could bring down the whole cycle of consumption waste and ecological disembodiment that is one of the hallmarks and signifiers our culture makes. Of course you would never mention this, lest the trojan horse be exposed! Imagine if people started working 10 hrs for Twiggy Forest and 2 hrs for another kind of Forrest. What kind of new health, social and economic patterns would emerge?
C16	Thanx for your time look forward to hearing from you
N17	Thanks Josh for coming all the way here. I love your passion for what you do.
CG18	Learn to be productive not destructive
CG18	Using it as an environmental hub for sustaining an environment for humans and animals. Attract more wildlife as an advantage to plants and beautifying
C22	Thanks for coming
CG23	Promote/broadcast the contact details for Sheila, so people can get in touch for any questions etc. Let’s get the support of other community gardens and association who have been there and done that. Thank you for helping us make our gardens.
LG26	Thank you for taking the time to help us start our journey. Community garden is actually a vehicle to approach many issues in the Hedland community
7	Hope to see this happen. It would be great for the community.
LG9	Good stuff!
LG10	How exciting
C4	Excellent workshop, lots of ideas/thoughts generated
C4	Use the acronym FMG “For My Garden” – only if FMG pays substantial funding to make the community garden a reality. Can be used or a name of one of the gardens!

Key to identifiers

C	General community
CG	Community group
I	Industry representative
LG	Local government staff
N	NGO staff
G	Forum group
CH	Care for Hedland Ideas Day

NOTE: The Department of Local Government advised that Councillors are not required to declare an interest in Agenda Item 11.3.2 "Site Assessment and Housing Accommodation Model for Provision of General Practitioners Housing throughout the Town of Port Hedland" as it is considered to be an interest in common irrespective of the fact that BHP Billiton are contributing to the project, as it is benefiting all ratepayers across the Town and not only BHP Billiton.

6:33pm Councillor J M Gillingham declared an Impartiality Interest in Agenda Item 11.3.2 "Site Assessment and Housing Accommodation Model for Provision of General Practitioners Housing throughout the Town of Port Hedland".

Councillor J M Gillingham did not leave the room.

6:33pm Councillor G J Daccache declared a Financial Interest in Agenda Item 11.3.2 "Site Assessment and Housing Accommodation Model for Provision of General Practitioners Housing throughout the Town of Port Hedland" as he owns BHP shares over \$10,000 and lives in Dempster Street.

Councillor G J Daccache left the room.

11.3.2 Site Assessment and Housing Accommodation Model for Provision of General Practitioners Housing throughout the Town of Port Hedland (File No.: 15/01/0020)

Officer	Debra Summers Acting Director Community Development
Date of Report	2 November 2010
Disclosure of Interest by Officer	Nil

Summary

An assessment of potential sites for the provision of General Practitioners (GP) housing within the Town of Port Hedland has been undertaken and a recommended site is presented to Council for its consideration. This report also suggests a configuration of accommodation types to provide the estimated number of houses required for GP Housing within the current project budget.

Background

At the Ordinary Council Meeting of 14 July 2010 the Council considered a report outlining an indicative timeline to deliver sufficient housing for GP's required to provide medical services to the Town of Port Hedland. This project was supported by a Business Case which proposed a funding model whereby BHPB Iron Ore and the State Government through Royalties For Regions each contribute \$1.5 million in cash and the Town of Port Hedland contributes \$1.5 million via a self supporting loan (repaid from rental income) to a fund to construct housing on vacant crown land in Port Hedland. At this meeting Council resolved (201011/023) to:

"note the funding provided and the indicative timeline associated with the GP Housing Project"

The first milestone in this timeline was a site assessment and agreement on a preferred site by October 2010. To progress to this stage in the project, RPS Group was appointed to develop a matrix against which to assess identified potential sites. The work of RPS was overseen by a Project Control Group (PCG) comprising ToPH officers, representation from BHP and Foundation Housing. 10 sites were originally identified and assessed against various criteria including estimated cost, development potential and potential for expansion (future-proofing), timeliness of ready-to-develop land, preparedness for construction and desirability / exclusivity of the area. Once this preliminary assessment was complete, the PCG selected three sites (Attachment One) for a preliminary engineering assessment. These sites were:

- 5551 Dempster St (Land area 3,000m²)
- 5474 Thompson Street (Land area 3.371m²) and:
- Corner of Styles road and Johnson Lane (Reserve39832)

The purpose of this engineering report (Attachment Two) was to aid in canvassing as much preliminary information as possible regarding the preferred sites. The engineering report assessed the proximity to and capacity of key services – sewer, water, storm water, power and civil infrastructure for each site. Assumptions were made regarding the yield of each site and a preliminary costing of services upgrades was produced in relation to the assumed yield. This report was presented to the PCG for its consideration. At this meeting, the PCG selected an alternative portion approximately 4,000m² of the Dempster St site as its preferred site to be recommended to Council for the provision of housing for medical practitioners (Attachment Three). In consultation with Manager - Planning and Manager - Economic Development this site has been agreed to by both officers as the preferred site for recommendation to the Council although slightly more expensive to service, it is easier and cheaper to procure, provide maximum yield and be ready for construction within the project timeline. It also offers opportunities for expansion past the initial project should this provide necessary into the future.

In a parallel process, the PCG considered various configurations of accommodation types. To assist with this process, advice was sought from Foundation Housing and consultation was undertaken with various medical practices represented in the ToPH including Gemini Medical, OSH Medical and the WACHS. The response in the main was that 4 bedroom 2 bathroom executive style housing was the preferred stock to be delivered. However there was an indication from all consulted that an increased number of single doctors were being located in Port Hedland and as such a mix of accommodation types should be investigated to cater for this broader cross-section of end users.

Throughout the consultation phase, the medical service providers indicated having a site in Port Hedland was more preferable to a location in South Hedland. However given the impending upgrade to the South Hedland CBD and the need for a mix of accommodation types, the PCG decided to explore the opportunity to purchase two 2 bed, 1 bathroom units in the Humfrey Land Development's first stage EOI as part of an accommodation model.

The above culminated in RPS Group producing an indicative costing model / static development budget based on the information received (Attachment Four). It should be noted that this was based on the assumptions made in consultation with Planning and Regulatory staff at TOPH and the assumptions made within the BCH Engineering assessments and is to be refined with further investigation upon endorsement and resolution of this agenda item.

Consultation

To undertake the site assessment and development of the accommodation configuration and preliminary costing, consultation has been undertaken with the following:

PCG

Manager Planning, ToPH

Manager Economic and Land Development, TopH

WA Country Health Services

OHS Medical

RFDS

Gemini Medical Practice

First National Real Estate, Port Hedland

ToPH Executive

Statutory Implications

The development of the recommended site and the construction of recommended accommodation will require a Business Plan to be produced in accordance with Section 3.59 of the Local Government Act 1995.

Policy Implications

Nil

Strategic Planning Implications

Goal 4 - Healthy Community

Immediate Strategies-Implement plans for the development of subsidized housing for General Practitioners within the Town

Budget Implications

As mentioned above the model being proposed requires the Council to take out a self supporting loan for the value of \$1.5 million. This loan has been reflected in the 2010/11 financial year budget. Further work on the accommodation costing model will need to be undertaken to demonstrate the ability of the loan to be self funding. This model will be presented to the Council prior to any requirements for accessing this loan facility.

Attachments

1. GP Housing Assessment Matrix
2. Site Development Comparison Report – attached separately
3. Indicative Structure Plan
4. GP Housing Preliminary Cost Breakup

Officer's Comment

The PCG considered all information necessary to confidently present to the Council a preferred site for the provision of GP housing, taking into consideration the budget available, potential for future growth of the housing model and the timelines associated with the current project. The Dempster St site in Cooke Point as represented in Attachment Four is the preferred site. Should Council resolve to endorse the preferred location, it will be necessary to have the management order changed from "Parks and Recreation" to "Health Services Housing". In this regard a report has been prepared by Regulatory Services to address the matter.

The PCG had a desire to support the inclusion of two "townhouses" within the Humfrey Land Development in the South Hedland CBD as part of Accommodation model Option 1 as per Attachment Four. This option is not the recommended option due to the continuing uncertainty around the timeline for construction and the inability to secure even indicative costings.

Therefore the recommended option for the accommodation model to be progressed to the design and detailed costings stage to confirm the yield is Option Three on the Dempster St site as per Attachment Four.

Officer's Recommendation

That Council:

1. endorse the Dempster St site as indicated in Attachment Three as the preferred location for the provision of General Practitioners Housing throughout the Town of Port Hedland; and
2. endorse Option Three as outlined in Attachment Four as the preferred accommodation model for the provision of General Practitioners housing to be progressed to the design, approvals and detailed costing stage to confirm the exact accommodation yield; and
3. request the CEO to develop a Business Plan in accordance with Section 3.59 of the Local Government Act to facilitate the development of the recommended site and the construction of the recommended accommodation model.

201011/170 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr D W Hooper

That Council:

1. endorse the Dempster Street site as indicated in Attachment Three as the preferred location for the provision of General Practitioners Housing throughout the Town of Port Hedland; and
2. endorse Option Three as outlined on the GP Housing Preliminary Cost Breakup attachment on page 148 as the preferred accommodation model for the provision of General Practitioners housing to be progressed to the design, approvals and detailed costing stage to confirm the exact accommodation yield and report back to Council; and
3. request the Chief Executive Officer to develop a Business Plan in accordance with Section 3.59 of the Local Government Act to facilitate the development of the recommended site and the construction of the recommended accommodation model.
4. request the Chief Executive Officer to consult with nearby residents and property owners about this proposal.

CARRIED 7/0

Reason: Council believes that the correct figures are on page 148 and they need to be highlighted in the officer's recommendation.

6:36pm Councillor G J Daccache re-entered the room and resumed his chair.

Mayor advised Councillor Daccache of Council's decision.



GP Housing Assessment Matrix
(condensed version)



Weighting Scale	1	Very Poor
	2	Poor
	3	Average
	4	Good
	5	Very Good

Address	Area m ²	Location (20%)			Design (20%)			Development Potential (50%)			Stakeholders (10%)			TOTALS	RANK
		Amenity	Proximity	Desirability	Statutory	Services	Design	Program	Cost	Future Yield	TOPH	GP	BHP		
Dempster Street	3000	4.80	2.60	4.33	2.40	refer to report	4.25	3.25	3.25	2.25				8.05	
Pretty Pool / Pony Club	3000	3.40	1.80	3.67	2.20	refer to report	3.75	2.75	2.75	2.50				6.96	
Athol / Thompson	3371	3.20	3.00	3.33	2.20	refer to report	4.25	3.25	3.25	2.00				7.45	

Note - other assessed sites removed from this version

Criteria Definition

Amenity	The location has good general amenity
Proximity	The site is in close proximity to key services ie. shops, activity nodes
Desirability	The site is in an area which is desirable for GPs to reside (Port vs South)
Statutory	The site is zoned correctly under the Planning Scheme for residential purposes
Services	The site is located in an area well serviced by necessary utilities and infrastructure
Design	The site is able to accommodate the intended design outcome
Program	The site is not significantly encumbered in any means and can be developed to meet the required program
Cost	The cost to develop the site is not perceived to be expensive
Future	The site has the capacity for future expansion potential
TOPH	Town of Port Hedland Preference
GP	General Practitioner Preference
BHP	BHP Billiton Preference

Matrix Qualifications

1. The assessment matrix will be an evolving document.
2. The matrix is to be used as a discussion tool - not as final recommendation.
3. No one particular housing type has been considered - assessments have been undertaken with the aim of achieving the best value for money outcome.
4. Sites which had State / Local Government ownership were rated highly land cost components because of the reasonable ability to internally transfer title (TOPH advice).
5. Services have not been rated at this time as an engineer has not been engaged.
6. It should be noted that discussion with OSH medical has indicated a preference to having doctors located in Port Hedland as opposed to South Hedland.
7. Individual house lots were not assessed in this matrix as they would fail the majority of the criteria. House lots should be considered in conjunction with a development site.
8. The areas for Site 1, 2 & 3 have been assumed as they are part of much larger land holdings. It has been assumed that only a portion will be released.
9. Lots 21 & 23 in South Hedland have already been purchased and conversations would need to be held with the developer to obtain a number of units / house.



BASE PLAN
Pt Lot 5551 Dempster Street, PORT HEDLAND

LEGEND

--- Site Boundary

Base data supplied by Landgate

Aerial Photography dated January 2008, accuracy +/- 4m, Projection MGA Zone 50

Areas and dimensions shown are subject to final survey calculations. All cartlegways are shown for illustrative purposes only and are subject to detailed engineering design.

: CLIENT
 1:1,000@A3 : SCALE
 18 October 2010 : DATE
 3774-b-001.dgn : PLAN No
 : REVISION
 D.M : PLANNER
 R.F. : DRAWN
 R.S. : CHECKED



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GP HOUSING PRELIMINARY COST BREAKUP

Town of Port Hedland \$ 1,500,000.00
 BHP Billiton \$ 1,500,000.00
 Royalties for Regions \$ 1,500,000.00

GP BUDGET

\$ 4,500,000.00

	OPTION 1 2 x Units in South Hedland 3 x 4Bed, 2Bath Houses @ Dempster St	OPTION 2 2 x Units in South Hedland, 3 x Pretty Pool Houses & Balance Development Dempster Street	OPTION 3 Dempster Street Development Only	NOTES
Cost Summary	Cost Summary	Cost Summary	Cost Summary	
1) Humphrey Units (South Hedland)	\$ 1,400,000.00	\$ 1,400,000.00	\$ -	Valuation for Humphrey units not available at time of this preliminary costing
2) Pretty Pool Lots				
Land Costs Allowance (including transfer duty)	\$ -	\$ 900,000.00		Preliminary valuations based on availability of potential surplus lots
Housing Allowance (\$550k each)	\$ -	\$ 1,650,000.00		Standard low-set executive style homes
3) Dempster Street Development				
Site Preparation				
Road	\$ 125,000.00	\$ 125,000.00	\$ 125,000.00	Figures based on preliminary servicing report provided by BCH Engineering
Sewer	\$ 110,000.00	\$ 110,000.00	\$ 110,000.00	Figures based on preliminary servicing report provided by BCH Engineering
Water	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	Figures based on preliminary servicing report provided by BCH Engineering
Power	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	Figures based on preliminary servicing report provided by BCH Engineering
Earthworks	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	Figures based on preliminary servicing report provided by BCH Engineering
Authority Charges				
Development Application	\$ 6,550.00	\$ 6,550.00	\$ 6,550.00	Preliminary Allowance
Building Licence	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	Preliminary Allowance
Utilities Connection	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	Preliminary Allowance
Consultant Costs / Professional Fees				
Project Manager	\$ 96,500.00	\$ 96,500.00	\$ 96,500.00	Allowance based on initial RPS scope and proposal
Town Planner	\$ 15,000.00	\$ 10,000.00	\$ 10,000.00	Preliminary Allowance
Surveyor	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	Preliminary Allowance
Geotech	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	Preliminary Allowance
Engineering (detailed design & approvals)	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	Based on preliminary advice from BCH engineering
Environmental	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	Preliminary Allowance
Other	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	Preliminary Allowance
Project Contingency @ 2.5%	\$ 36,527.50	\$ 36,277.50	\$ 36,277.50	2.5% Contingency
Sub-Total Costs	\$ 2,167,077.50	\$ 4,711,827.50	\$ 761,827.50	
Budget Balance for Dempster Street Construction	\$ 2,332,922.50	-\$ 211,827.50	\$ 3,738,172.50	
Dempster Street Housing Options (average 250m2)	No. Dwellings	No. Dwellings	No. Dwellings	Notes
Low Cost (\$2,000/m2)	4.67	NA	7.48	Housing options including preliminary design solutions and costings will be investigated further for the Dempster Street site upon its formal endorsement by the Town of Port Hedland.
Medium Cost (\$2,500/m2)	3.73	NA	5.98	
High Cost (\$3,000/m2)	3.11	NA	4.98	

11.4 Governance and Administration

11.4.1 Finance and Corporate Services

11.4.1.1 *Hire Car Leasing Arrangements and Proposed Building Demolition (File No.: ...)*

Officer Natalie Octoman
Director Corporate Services

Date of Report 4 November 2010

Disclosure of Interest by Officer Nil

Summary

This report will provide Council with an overview on the progress of the leasing arrangements between the Town of Port Hedland and the hire car companies, namely Avis, Hertz, Thrifty and Budget and to consider the proposed demolition of buildings on their current leased sites.

Background

In late 2006, Council resolved to investigate the relocation of the three (3) hire car company lease facilities (Avis, Budget and Hertz) from their current location to an area located near the entrance of the airport.

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

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

Avis, Budget, Hertz and Thrifty also have eight (8) to ten (10) licensed bays each in the short term carpark. The short-term carpark accommodates around 150 vehicles including these licensed bays. During peak times, there are not enough bays to accommodate for public parking. Therefore, as part of the negotiations, it was recommended that these leases be relinquished, and was subsequently put to Council at the 27 January 2010 Ordinary Council Meeting, whereby Council approved to:

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

- ii) *authorise the Chief Executive Officer or his delegate to enter into negotiations with Avis, Budget, Thrifty and Hertz, into lease agreements by private treaty in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions:*
- a) *the lease term being for ten years plus ten year option;*
 - b) *the lease rental being based on the current market value and increased annually by CPI;*
 - c) *the lease being re-valued every five (5) years to market value; and*
- iii) *extend the development of the hire car area for additional hire car operators within six (6) months.”*

As these leases are commercial in nature, the Town's solicitors have been heavily involved in their drafting. Since January, there has been a significant amount of correspondence between the hire car companies and the Town (including the solicitors) in relation to the new leases.

Many of the issues initially identified have been resolved and the few that are remaining are well on their way to being finalised. The key items that remain outstanding include the hire car company's obligations in relation to the previous leased area and the environmental contamination clauses.

Obligations in Relation to the Previous Area

The key obligations for each lessee are to:

- Comply with the obligations under the original lease
- Decommission the fuel facility
- Remove any improvements, buildings and fixtures constructed or located on the Maintenance Area and Car Parking Area
- Restore the Maintenance Area and Car Parking Area to a condition consistent with the original lease
- Provide the Town with an environmental contamination report for the Maintenance Area. If there is contamination present, Avis is required to remediate the area at their cost.

Comments have been received from both Avis and Budget in relation to the requirement to remove the buildings on their particular sites. The comments indicate that they do not own the buildings and therefore they should not be responsible for their demolition.

It is proposed to remove the buildings in any case in order to expand the parking facilities at the airport, and as the buildings are not owned by the car hire companies, it is reasonable that the Town be responsible for their demolition. While the buildings have not been inspected, it is possible that they contain asbestos given their age.

After discussions with the Director Engineering Services and based on recent building demolitions, it is anticipated that the demolition of the buildings would cost in the order of up to \$150,000.

It is therefore proposed to fund the demolition works through the Airport Reserve, with any remaining funds to be transferred back to the Reserve upon completion, and to remove this particular requirement in the hire car company's leases.

Environmental Contamination

The key requirements for each lessee are outlined below:

- The lessee is responsible for all environmental contamination caused as a result of their use of the new location.
- Prior to the commencement of the new lease, the lessee can obtain a benchmark report outlining the level of contamination, if any, on the new site. If they choose not to obtain a report then it is assumed that the new site is uncontaminated.
- If the lessee knows or suspects any environmental contamination on the new site, that they must inform the DEC and the Town.
- The lessee must take all reasonable steps to prevent and remedy environmental contamination both occurring on, in or under the new site and from entering neighbouring land.
- If any environmental contamination occurs, it must be immediately remediate the area to the satisfaction of the Town, and if they fail to do so, then the Town is permitted to remediate the area and oncharge the associated costs.
- The lessee must provide the Town with an environmental contamination report no more than 6 months and no less than 1 month prior to the termination or expiry of the lease. If the report demonstrates contamination has occurred, the lessee must remediate the area to the satisfaction of the Town, and if they fail to do so then the Town is permitted to remediate the area and oncharge the associated costs.

Comments have been received from Avis, Budget and Hertz in relation to these requirements, particularly in regard to the benchmark reports being sourced and future monitoring possibilities for each of the sites. Legal advice is currently being sought as to whether or not some of the requirements can be removed from the leases on the basis that the *Site Contamination Act* is the key legislation that would require some of these issues to be addressed in any case.

It is anticipated that the site contamination legislation will incorporate all requirements with the exception of the reports that the Town would require. If this is confirmed by the Town's solicitors, it is proposed to remove any clause within the lease that is covered by the legislation.

Consultation

Acting Chief Executive Officer
Director Regulatory Services
Director Engineering Services
George Proos, Vice President & Managing Director, Avis
Russell Chapman, Managing Director, Budget
James Whealing, BradyWhealing, Solicitors acting on behalf of Hertz
McLeods Barristers & Solicitors

Statutory Implications

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.”

Policy Implications

Nil

Strategic Planning Implications

KRA1 – Infrastructure

Goal 3 – Airport

Strategy 1: Developing and implementing an Airport Master Plan

Strategy 2: Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising, freight and any other means.

Budget Implications

It is estimated that the demolition of the buildings would cost in the order of \$150,000. It is proposed to fund the cost of the demolition works from the Airport Reserve, with any unused funds being returned to the Reserve upon completion. Quotes will be sought in the coming weeks in order to determine whether a tender is required to be called for these works.

Officer's Comment

The development of an appropriate lease that satisfies the requirements of both the Town and each of the hire car companies has been a lengthy process. It is intended that the leases will be reasonably consistent across the total leased area therefore after comments are received from one of the companies, if appropriate, they have been incorporated into each lease and returned to the hire car companies for review.

It is believed that the leases are reasonably close to being finalized and with the proposal for the Town to take responsibility for the demolition of the buildings, and to remove some of the environmental contamination clauses that aren't believed to be necessary should result in the leases being finalised within the next month or so.

This report was provided to the Airport Working Committee on 21 October where the Airport Working Committee recommendations were that the Committee:

- “...1. notes the current status of the leasing arrangements between the hire car companies (Avis, Budget, Hertz and Thrifty) and the Town of Port Hedland; and*
- 2. request Council to consider the demolition of the buildings on the current sites occupied by the hire car companies in principal, and allocates \$150,000 for the demolition works to be sourced from the Airport Reserve with any unspent funds being returned to the Reserve upon completion; and*
- 3. notes that if the quotes received for the demolition works are in excess of \$100,000 that a tender is required to be called, and consideration of the Airport Working Committee will be sought in accordance with the Town of Port Hedland Airport Committee approved delegations at a subsequent Committee meeting; and*
- 4. notes that if the demolition works and funding are approved in principal, that subsequent demolition permits, advertising and environmental approvals will be sought as per the usual process.”*

This recommendation is now put to Council for consideration.

Attachment

Nil

201011/171 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr M Dziombak

That Council:

1. notes the current status of the leasing arrangements between the hire car companies (Avis, Budget, Hertz and Thrifty) and the Town of Port Hedland; and
2. approves the demolition of the buildings on the current sites occupied by the hire car companies in principal, and allocates \$150,000 for the demolition works to be sourced from the Airport Reserve with any unspent funds being returned to the Reserve upon completion; and
3. notes that if the quotes received for the demolition works are in excess of \$100,000 that a tender call will be required and the Airport Working Committee will be asked to approve this process as per the delegations at a subsequent Committee meeting; and
4. notes that if the demolition works and funding are approved in principal, that subsequent demolition permits, advertising and environmental approvals will be sought as per the usual process.

CARRIED 8/0

11.4.1.2 Request to Waiver Late Payment Fee and Penalty Interest for Assessment A402695, 55 Daylesford Close, South Hedland

NOTE: Item 11.4.1.2 "Request to Waiver Late Payment Fee and Penalty Interest for Assessment A402695, 55 Daylesford Close, South Hedland" was removed from the Agenda.

11.4.2 Governance

11.4.2.1 Airport Committee – Meeting Dates for December 2010 to December 2011 (File No.: ...)

Officer Gaye Stephens
Executive Assistant

Date of Report 4 November 2010

Disclosure of Interest by Officer Nil

Summary

Report seeks Council's consideration to set the meeting dates for the Town's Airport Committee Meetings from December 2010 through to December 2011.

Background

The Local Government (Administration) Regulations require that at least once each year "...a local government is to give local public notice of the dates on which and the time and place at which the ordinary meetings and committee meetings are to be held in the next 12 months".

At its Special Meeting held on 10 March 2010, Council determined the following Airport Committee meeting dates up to and including the November Meeting; and will need to consider meeting dates for the next 12 months:

Date	Time	Location
15 April 2010	5.30pm	Port Hedland Civic Centre
20 May 2010	5.30pm	Port Hedland Civic Centre
17 June 2010	5.30pm	Port Hedland Civic Centre
15 July 2010	5.30pm	Port Hedland Civic Centre
19 August 2010	5.30pm	Port Hedland Civic Centre
16 September 2010	5.30pm	Port Hedland Civic Centre
21 October 2010	5.30pm	Port Hedland Civic Centre
18 November 2010	5.30pm	Port Hedland Civic Centre

Consultation Nil

Statutory Implications

Division 2 of Section 5 of the Local Government Act (1995) specifically relates to the establishment and operations of committees of Council.

The requirements of Committee Meetings are largely the same as those that apply to formal Council meetings.

Council is required to determine at least once each year the Airport Committee meeting program, and this is to be set and advertised in the local newspaper.

Local Government (Administration) Regulations 1996

“12. Public notice of council or committee meetings (s. 5.25(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and*
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*
*are to be held in the next 12 months.**
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).”*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Budget allocation for advertising Council Meetings is included in Administration General Expenses, General Ledger Account Number 404287 ‘Advertising and Promotions’.

Officer’s Comment

Council has previously determined that the Airport Committee will meet on the fourth Thursday of each month.

It is recommended the December 2010 and December 2011 meetings occur on the third Thursday, being 16 December 2010 and 15 December 2011 respectively.

Attachments Nil

201011/172 Council Decision/Officer’s Recommendation

Moved: Cr G J Daccache

Seconded: Cr S R Martin

That the Airport Committee Meeting be held at 5:30 pm in Council Chambers on the following dates:

- Thursday 16 December 2010
- Thursday 27 January 2011
- Thursday 24 February 2011
- Thursday 24 March 2011

- Thursday 28 April 2011
- Thursday 26 May 2011
- Thursday 23 June 2011
- Thursday 28 July 2011
- Thursday 25 August 2011
- Thursday 22 September 2011
- Thursday 27 October 2011
- Thursday 24 November 2011
- Thursday 15 December 2011

and be advertised accordingly.

CARRIED 8/0

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

12.1 Tender 10/30: Design, Supply & Installation of Irrigation System, Kevin Scott Oval, South Hedland. (File No.: 28/16/0004).

Officer Rob Baily
Project Officer Infrastructure
Development

Date of Report 5 November 2010

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 10/30 - Design, Supply and Installation of Irrigation System to Kevin Scott Oval, South Hedland, to enable Council to award the Tender.

Background

As part of the recently awarded Multi Purpose Recreation Centre (MPRC) project by the ToPH on 28 July 2010, the Town is undertaking all civil works outside the scope of the building tender awarded to Doric Constructions.

As part of the civil works, the priority requirement is to establish a new oval that is being relocated from its original position to allow for the new MPRC building.

To ensure the oval will be ready for the next football season in April / May 2011, there is a requirement to install an irrigation system by early January 2011 on a new oval site to allow for the completion of turf by the end of January 2011 and the subsequent 3 month establishment period prior to the start of the football season.

Consultation

The tender specification consultation and assessment was carried out by:

- Jenella Voitceвич (Manager Infrastructure Development)
- Pip Jarkiewicz (Supervisor Parks & Gardens)
- Grant Voss (Reticulation Officer)
- Rob Baily (Project Officer)
- Peter Muir (A/Manager Engineering Services)

Statutory Implications

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

3.57. Tenders for providing goods or services

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

(2) Regulations may make provision about tenders.

Policy Implications

This tender was called in accordance with Council's Procurement Policy 2/015. A decision to call for public tenders was progressed as the original budget estimated the cost of works may exceed \$100,000.

Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 1 – Sports and Leisure

Immediate Priority 1 – Build the Multi Purpose Recreation Centre

Budget Implications

The Multi Purpose Recreation Centres budget to provide civil works outside the awarded Doric Construction works is \$2.8m. The budget estimate covers the infrastructure requirements to build the oval and surrounding areas inclusive of irrigation to the oval. The original irrigation cost estimate was for \$180,000; however this included other landscaped areas beyond the oval that will need to be progressed following oval completion as a first priority.

Officer's Comment

Tender 10/30 closed at 2.30pm on Wednesday 3rd November 2010. Tenders were opened and recorded by Councillor Carter and Council staff members. A total of 8 tender packages were requested, with two tender submissions received by the following companies:

- Total Eden
- Pilbara Irrigation

The tender assessment identified Total Eden failed to meet the requirements of the tender for the following reasons:

- Schedule B Collusive Tendering Declaration was not submitted and;
- Total Eden's tender submission clearly states that the required 6 months maintenance period is excluded from the tender submission.

TOPH tender documentation clearly states the following:

“6.0 MAINTENANCE

The awarded tenderer must undertake full time operation and maintenance of the irrigation system inclusive of the controller for a period of six (6) months from the date of Practical Completion.

As part of the full time operation and maintenance of the irrigation system the awarded tenderer shall train Town of Port Hedland staff in the use of the system and rectify and/or replace any faults that may hinder the day to day use of the irrigation system as part of the maintenance obligations.

Contractor to allow a response time of 24 hours where damage, maintenance or other faults stops the programmed water cycle to the oval.

Contractor to set out inspection program for a period of 6 months to provide confidence in management and maintenance of the system”.

The maintenance period within the contract is an integral part of ensuring that the playing surface is ready for use at the start of the season and is maintained in the critical first few months of the grounds operation. This also allows for training and handover to Council staff. After consultation with Executive staff it was decided that Total Eden’s tender is considered non-conforming and therefore will not be assessed further.

Table 1 below indicates the lump sum price submitted by the conforming tender.

Table 1:

Tenderer	Lump Sum Price (excluding GST)
Pilbara Irrigation	\$81,595.00

Table 2 below indicates the evaluation criteria as described in the tender documentation for both tenders.

Table 2:

Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
Price		35	35
Organisation and Experience	6	5	30
Technical Capacity	6	5	30
Local Industry Development	1	5	5
Max Loaded Score			100

The comparison of each of the assessment criteria for the tender submissions received is as follows and is summarised in Table 3 below:

Table 3:

Contractor/ Assessment Criteria	Price (35%)	Organisation and Experience (20%)	Technical Capacity (30%)	Local Industry Development (5%)	Total Score (100%)
	Score	Score	Score	Score	
Pilbara Irrigation	35	23.50	23.25	3.85	85.60

Price

As Pilbara Irrigation submitted the only conforming tender they received the maximum score. The price has been assessed and is consistent with current market rates. A request for information was sent to Pilbara Irrigation regarding some elements in their submission that may affect price as per below.

ToPH RFI 1

Response to Schedule C – section 1.2 Sleeves: Stated that sleeves if required for the mainline and laterals are to be installed by the Civil Contractor. Pilbara Irrigation to clarify their understanding that the contract requires delivery of irrigation system from pump to oval; therefore management and costs associated with ‘Civil Contractor’ are included within the tender submission.

Pilbara Irrigation Response RFI 1

All sleeves etc required will be provided and installed by Pilbara Irrigation and are included in our tender submission.

ToPH RFI 2

TOPH requests that Pilbara Irrigation provide an alternative cost for consideration of upgrading the filter to filtomat automatic flushing filter (min. 200 micron filter) or equivalent, including associated headworks.

Pilbara Irrigation Response RFI 2:

Additional cost associated with providing Triangle automatic filter model M 104LP (Same as Colin Matheson) in place of manual filter \$ 9,250 + GST

The assessment panel accepted Pilbara Irrigation’s responses and have addressed the additional cost for the automatic filtration system in the Officer’s Recommendation.

Organisation and Experience

Pilbara Irrigation and the owner /director Peter Hanney has over 35 years in the industry and Peter has worked on similar ovals in Joondalup and City of Canning together with other personnel that have combined experience of 43 years.

Technical Capacity

Pilbara Irrigation has demonstrated suitable technical capacity in the Work Methodology statement provided in the tender submission. This also notes that Pilbara Irrigation is locally operated and provides irrigation services on existing projects for the ToPH.

Local Industry Development

Pilbara Irrigation has a workforce of two in Port Hedland but also states that they are providing development and training opportunities for several other wages staff.

Summary

Pilbara Irrigation are the only company who have submitted a conforming tender with a competitive price and has demonstrated that they're capable of delivering the project within the timeframes as set out in the Tender Contract 10/30 for completion of works by 15/1/11.

The assessment panel has also recommended the upgrading of the existing pump filtration system to an automatic system and has requested Pilbara Irrigation provide a changeover cost to install an automatic filter system. The tender documentation included replacing the existing pump and filter however did not specify updating to an automatic system over the existing manual system.

Attachments

Nil

201011/173 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S Coates

That Council:

1. Award Tender 10/30 Design, Supply and Installation of Irrigation to Kevin Scott Oval, South Hedland to Pilbara Irrigation for a total lump sum price of \$81,595.00 (ex GST) inclusive of maintenance; and
2. Approve the contract variation of \$9,250 (ex GST) for the installation of an automatic filtration system in lieu of replacing the existing manual system.

CARRIED 8/0

*12.2 Growth Plan Lead Consultant Appointment, Tender 10/31
(File 08/03/0002)*

Officer Leonard Long
Acting Director Regulatory
Services

Date of Report 7 November 2010

Disclosure of Interest by Officer Nil

Summary

In order to realize the vision of Council and Pilbara Cities to transform the Town into a City with a population of 40 000 to 50 000, it is necessary to prepare a City Growth Plan and an Implementation Plan.

The report is before Council to approve the appointment of the Lead Consultant who will be responsible for the preparation of the Growth Plan and the Implementation Plan.

Background

The need for a Growth Plan has arisen due to a number of factors:

- The Port Hedland Air Quality and Noise Management report recommends that the development potential of the eastern end of Port Hedland for permanent residential purposes be investigated,
- The Planning and Development Act 2005 (s. 88) requires the local authority to review its Town Planning every 5 years,
- The Land Use Master Plan (LUMP) endorsed by the Western Australian Planning Commission in 2007, as the Towns Strategic Plan was to be the pre-cursor to the scheme review, however, due to the exceptional growth of the Town the LUMP has become outdated.

Both Pilbara Cities and the Council have a vision to develop Port Hedland into a City, with a population of 40 000 to 50 000. In order to realize this vision it is necessary to prepare both a Growth Plan and an Implementation Plan to guide the transformation into a City.

In October 2010 Council resolved to create a steering committee to begin the process of appointing a Lead Consultant who will be responsible for the provision of a Growth Plan and Implementation Plan.

Tender Process

Submissions were sort through an open tender process (Tender No 10-31). A total of 11 tenders where received of which one was determined to be non-compliant.

- RPS
- The Planning Group (TPG)
- Urbis
- Aecom
- Aurecon
- Greg Rowe and Associates
- Robertsday
- Cardno
- GHD
- Hames Sharley

Non-compliant

- Hassel

The tender has been determined to be non-compliant as it did not address the consultant brief but rather proposed to workshop the brief with Council.

Consultation

The tenders received have been reviewed and assessed by representatives from:

- Pilbara Cities
- LandCorp
- Department of Planning (WAPC)
- Town of Port Hedland

Statutory Implications

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

3.57. Tenders for providing goods or services

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

(2) Regulations may make provision about tenders.

Policy Implications

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

Strategic Planning Implications

Key Result Area 4: Economic Development

Goal 5: Town Planning & Building

Strategy 1: Develop Local Planning Scheme No 6, ensuring that opportunities for the following initiatives are considered:

- a. Identification of new areas for future Growth (Urban and industrial)
- b.

Budget Implications

The Town has set aside \$200,000.00 for the preparation of the Growth Plan, of which approximately \$105,000.00 has been allocated for additional resources within the Planning Department for the duration of the project.

A request has been made to the Department of Planning to provide additional funding through the North West Planning Program. The Department has indicated that an amount of approximately \$850,000.00 will be set aside for the project, and is to be signed off by the Minister within a couple of weeks.

Given the tender is above the budgeted amount, Council has two options if it wishes to award the tender as follows:

1. award the tender subject to formal notification of funding being received
2. award the tender without confirmation of funding being received and source funds at the 1st quarter budget review

An overall budget for the project cannot yet be determined, an indicative budget will only be able to be developed once all the sub-consultants have been able to provide a quote / tender. This has been discussed with Pilbara Cities and Department of Planning, both of who has indicated that additional funds may acquired if necessary.

Officer's Comment

The preparation of the Growth Plan and Implementation Plan is considered to be one of the most important documents that will be prepared by the Town of Port Hedland. The Growth Plan is required to ensure that the transition of Port Hedland from a Town to a City is sustainable and advocates proper and orderly planning. To achieve this outcome it is important to engage consultants that have a clear understanding of the critical issues that face the development of the Town into a City.

Table 1 below indicates the project fees submitted by all compliant tenderers.

Table 1:

Tender 10/31	Lump Sum Price (excluding GST)
RPS	\$367,035.00
TPG	\$367,268.00
Aecom	\$142,880.00
Urbis	\$1,064,784.00
Robertsday	\$495,340.00
Greg Rowe	\$224,440.00
Cardno	\$212,399.00
GHD	\$617,152.00
Aurecon	\$324,030.00
Hames Sharley	\$180,000.00

Table 2 below indicates the evaluation criteria as described in the tender documentation the selected panel used to assess the complaint tenders.

Table 2:

Assessment Criteria	Weighting Factor	Max Score
Approach / Methodology	35%	35
Track record and understanding of project / key issues	30%	30
Key personnel	25%	25
Fee proposal (10%)	10%	5
Max Score	100%	100

The comparison of each of the assessment criteria for the tender submissions received is as follows and is summarised in Table 3 below:

Table 3:

Consultant Assessment Criteria	Approach / Methodology 35%	Track record and understanding of project / key issues 30%	Key personnel 25%	Fee proposal (10%)	Total Score (100%)
	Score	Score	Score	Score	
Tender 10/31					
RPS	28	25	24	7	84
TPG	26	25	25	7	83
Aecom	15	10	14	8	47
Urbis	20	14	14	1	49

Robertsday	21	15	17	5	58
Greg Rowe	15	10	10	6	41
Cardno	15	12	12	6	45
GHD	20	15	17	3	55
Aurecon	15	10	10	6	41
Hames Sharley	15	15	12	7	49

The outcome of the above scoring places two consultants ahead of the others, RPS and TPG. Their tenders can be summarised as follows:

Approach / Methodology

Both RPS and TPG has addressed the approach and methodology in a logical manner, indicating a clear understanding of what the outcome of the project is.

Track record and understanding of project / key issues

Understanding the key issues affiliated with a project of this nature is regarded to be of utmost importance. Whilst TPG has prepared a similar plan for Karratha, the two towns have their own characteristics and resulting issues. Unlike TPG, RPS has had a long time presence in Port Hedland and have a good understanding of the critical issues the Town would have in the successful planning and implementation of the Growth Plan. This attribute places RPS in a favourable position, having a detailed knowledge of the area at the outset of the project will enable the quicker deliverance of the project. A consultancy that does not have the detailed knowledge of the Town will be required to first familiarise themselves with the area and its unique issues.

Key personnel

Both RPS and TPG have indicated that they have suitably qualified and experienced personnel that would be used to prepare and manage the project.

Summary

Whilst both consultants are capable of providing the Growth Plan as well as the Implementation Plan, it is the opinion of the selected panel that due to the "value add" that RPS brings to the project with their intimate knowledge of Port Hedland that RPS be awarded the tender.

As indicated previously, Council has two options in respect to funding this tender. Officers recommend that awarding of the tender be subject to confirmation of funding being received from the State government for this project.

Attachments

Nil

201011/174 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S Coates

That Council:

1. awards Tender 10/31 (Port Hedland City Growth Plan) to RPS for the amount of \$367,035.00 subject to confirmation from the Department of Planning that funding through the North West Planning Program has been approved; and
2. allocates \$367,035.00 to Planning Account 1006282 (TPS Review and Amendments).

CARRIED 8/0

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

ITEM 14 CONFIDENTIAL ITEMS

Nil.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE**201011/175 Council Decision/Officer's Recommendation****Moved:** Cr J M Gillingham**Seconded:** Cr A A Carter

That the following Application for Leave of Absence:

- Councillor S Coates from 14 November to 15 November

be approved

CARRIED 8/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 24 November, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 6:40 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of _____

CONFIRMATION:

MAYOR

DATE