



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 26 AUGUST 2009

AT 5.30 PM

IN COUNCIL CHAMBERS
McGREGOR STREET, PORT HEDLAND

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*Chris Adams
Chief Executive Officer*

OUR COMMITMENT

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

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ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the meeting open at 5.33pm and acknowledged the traditional owners, the Kariyarra people.

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

Cr S R Martin
Cr A A Carter
Cr S J Coates
Cr G J Daccache
Cr J E Ford
Cr A A Gear
Cr J M Gillingham
Cr K A Howlett

Mr Chris Adams	Chief Executive Officer
Mr Matthew Scott	Directory Corporate Services
Mr Russell Dyer	Acting Director Engineering Services
Mr Terry Sargent	Director Regulatory and Community Services
Ms Tricia Hebbard	Governance Admin
Members of Public	15
Members of the Media	1

2.2 Apologies

Cr G D Bussell

2.3 Approved Leave of Absence

Nil.

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held Wednesday 22 July 2009**

Nil.

3.2 Questions from Elected Members at Ordinary Council Meeting held Wednesday 22 July 2009

3.2.1 Councillor Howlett

In relation to the swings at Shay Gap Park that have been missing since 6th June, are they getting fixed, or have they been stolen?

The swings were removed as a safety precaution as the softfall surface underneath was damaged. Following repair of softfall, the swings will be replaced.

3.1 Questions from Public at Special Council Meeting held Wednesday 29 July 2009

Nil.

3.2 Questions from Elected Members at Special Council Meeting held Wednesday 29 July 2009

Nil.

ITEM 4 PUBLIC TIME**4.1 Public Questions**

5:34 pm Mayor opened Public Question Time.

4.1.1 Ms Christine Mayberry

My questions refers to land & Accommodation shortages. Would it be in Council's best interest to work with the Local business community to develop a management plan such as:

Allowing businesses to operate and accommodate workers legally, by means of paying higher rates for this privilege, at least until more land becomes available?

This revenue would surely benefit council and take a load pf the minds of many local business people to know that they werwe all above board and legal.

Maybe the revenue could go towards a much needed tourist attraction such as a Marina!

Director for Regulatory & Community Services advised that Council doesn't currently have capacity to have higher rate returns, but any plans or proposals put forward would certainly be considered.

4.1.2 Mr Chris Whalley

Can Council inform Pilbara Waste to collect at least 5 Industrial skips on construction sites bounded by Captains, Masters & Collier Roads that are half full and have materials blowing out from them?

Director for Community & Regulatory Services thanked Mr Whalley for bringing this issue to Council's attention and advised that a strategy was being launched and discussed today with Ranger services to address some of the litter issues around town.

4.1.3 Mrs Arminie MacPherson

Is it true that some properties in South Hedland Rural Estate are being sub divided?

Mayor – Yes

If so, what is the minimum area of the new size properties?

Mayor – Minimum size is 1ha as I know with my property I lodged an application twice in 2002 for Department of Planning & Infrastructure approval, since then DPI's objection has been withdrawn and we are awaiting approval process.

Director of Community & Regulatory Services advised that applications to alter land sizes are the determination of the Western Australian Planning Commission and Council's role is to support the applicants approach and seek further consultation with WAPC.

Some residents are concerned they will be living in Suburbia with smaller block sizes being allowed, when they moved out here to get away from it all.

Was there any consultation with residents of the Rural estate?

Director for Community & Regulatory advised that he isn't aware of any consultation that occurred 8 years ago when the Rural Estate first began.

Why are there several areas fenced off (allowing no access to the public) at the spoilbank?

Chief Executive Officer advised that it is land above high water mark being worked on and some land is council's reserve. But I will ask if the public can have access to the public reserve areas.

5:38 pm Mayor closed Public Question Time.

4.2 Public Statements

5:39 pm Deputy Mayor opened Public Statement Time.

Nil.

5:39 pm Deputy Mayor closed Public Statement Time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE**5.1 Councillor Arthur Gear**

In relation the public question about the spoilbank what legal aspects are involved in fencing off the low water mark?

Chief Executive Officer advised the Port Hedland Port Authority have jurisdiction over the highwater mark and is outside the town's decision.

Can we report the blocked off access to the Authorities.

Chief Executive Officer advised it is only temporary fencing

Port Hedland Port Authority have done this before

Mayor advised we will seek advice

Councillors have received a letter from Tom Stephens MLA in relation to the access to Boodarie Station for fishing can we have this letter tabled.

Chief Executive Officer advised yes.

*[Letter tabled and received by Council on 28th July 2009.
FILE lot 203 Boodarie – File Assessment No. 128870G]*

The Stockpiles of Manganese along the Great Northern Highway is this area zoned for Manganese only as there is Iron Ore stockpiled there as well.

Chief Executive Officer advised this land was approved for any stockpiling.

Dust levels in South Hedland ?

Chief Executive Officer advised an Independent Authority should be engaged to assess the dust levels and produce test results, should be aware that an agreement with Department of Environment & Conservation and dust levels have been approved by them.

The Morgue is full – there has been 11 deaths last week alone and Federal assistance has been cut off to these families.

Chief Executive Officer advised Council will issue a support letter to the Federal Government asking for funding to be reinstated to ease families' distress during this time.

5.2 Councillor Jan Gillingham

Is Department of Housing invited to discuss affordable housing in the future?

Chief Executive Officer confirmed yes invited.

It has been four months since lights have not been working in Barker Crt, Simmons St where I know lots of people walk at night frequently. I have reported them several times to Horizon Power. Can we please see why there is a delay?

Chief Executive Officer advised yes we can seek Horizons Power's advice.

5.3 Councillor Kelly Howlett

Do we have a response for the release of industrial land?

Director Corporate Services advised Landcorp will be in Port Hedland for a briefing on 8 September and we can ask for a public meeting.

Can we organise a venue and offer catering for a public information session.

Chief Executive Officer advised that Council can only encourage Landcorp not direct them.

Mayor also said he would mention this idea when he speaks with representatives in Perth next month.

As a follow up with the incorrect disposal of oil at O& W facility, any progress?

Director Community & Regulatory Services advised the issue has previously been referred to Department of Environment and Conservation who is the regulatory Authority to deal with this issue.

Can we please write to them again about this issue?

Director of Community & Regulatory Services advised yes we can write to them again.

Also it has been noticed the incorrect disposal of oil behind Westrac as well.

How often does Environmental Health go to Blackrock Caravan Park to inspect?

Director of Community & Regulatory Services responded that Environmental Health are required to inspect on an annual basis, but can visit more often if there is particular issues.

I have received complaints through the Port Hedland Visitors Centre where I work about cleanliness and safety issues with the Caravan Park.

Director of Community & Regulatory Services advised that any particular issued can be raised direct to Environmental Health from the public.

I have here a letter from Mark McCormack a resident who has asked me some questions.

Any progress with Sam the Speed trailer?

Acting Director Engineering Services advised we are still awaiting the software to arrive.

Another suggestion can we table statistics?

Acting Director Engineering Services a new technical officer is starting and information will be collected of roadworks for our use.

Does Council have any future plans for Hamilton Road?

Chief Executive Officer advised no immediate plans and there maybe some changes when Multipurpose recreation centre is developing.

5.4 Councillor George Daccache

Is there any further information on the Finucane Island Boat ramp upgrades next month.

Acting Director Engineering Services indicated the Boat ramp will be closed from 18th – 25th September

No rocks?

Acting Director Engineering Services advised correct no rocks at the end it will be concreted.

5.5 Councillor Jan Ford

BHPB have put their rapid growth plans back and didn't need to put in accommodation requirements for construction and permanent workforce when they sought previous expansion approvals. Can we have accommodation needs addressed as part of the approval process in future?

Chief Executive Officer advised yes.

Do we have an alternative site to Wedgefield for the use of Industrial land?

Director Corporate Services – Question will be answered at the September briefing with Landcorp.

Chief Executive Officer advised issues can be answered beforehand.

Yes but the answers seem to take 4 – 6 weeks and this keeps delaying the release of land.

Do we have Funding for the Land Rationalisation Plan for Industrial land?

Chief Executive Officer if Council wishes we can start a budget now for a Industrial land Rationalisation plan.

Will it be a 6 month project?

Director Community & Regulatory Services advised unsure what time frame it will take a consultant to complete.

Chief Executive Officer added that Council can indicate a time frame in the tender documents.

Is there any progress with the Dust Taskforce preventing West End development.?

Chief Executive Officer advised the taskforce meets tomorrow in Perth that Council s representation will be attending.

I have received calls from concerned residents in relation to the west end water pipes which were built in the 1950 to feed the area do not have the capacity to feed a high density development, Can we bring these concerns to WA Water Authority's attention?.

Chief Executive Officer advised yes we will raise this issue with the WA Water Authority. We have previously written to the Honourable Dr Graham Jacobs MLA – Minister for Water to seek their attention about the infill sewerage issues for the West End.

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

The following Members verbally declared to have given due consideration to all matters contained in the Business Paper presented before the meeting, excluding late items.

Cr S R Martin	Cr J E Ford
Cr A A Carter	Cr J M Gillingham
Cr S J Coates	Cr K A Howlett
Cr G J Daccache	Cr AA Gear

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 22 July 2009

200910/034 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That the Minutes of the Ordinary Meeting of Council held on Wednesday 22 July 2009 be confirmed as a true and correct record of proceedings.

CARRIED 8/0

7.2 Confirmation of Minutes of Special Meeting of Council held on Wednesday 29 July 2009

200910/035 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That the Minutes of the Special Meeting of Council held on Wednesday 29 July 2009 be confirmed as a true and correct record of proceedings.

CARRIED 8/0

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

NIL

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**9.1 Councillor Kelly A Howlett**

Councillor Howlett advised Council:

- . she attended tender openings 09/18, 09/19 & 09/20 for the month of August
- . on 19th July she attended the Baler neighbourhood Community BBQ
- . wishes to advise that the Hedland Youth Co-alition was selected as a Finalist for Coastal excellence Awards, winners announced on 3 October ;
- . Tidy Towns Committee and communtiy members came together to meet with the Tidy Town Judges on 17th August and Regional winners will be announced on 19 October and State winners on 19 November

9.2 Councillor Steve Coates

Councillor Coates advised Council:

- . he attended the Community Safety and Crime Prevention working group meeting – current plan expires and a new plan is being formulated and prioritisation will be put on implement short term strategies. CCTV delays have been with poles and tower supplies and the working group has asked the contractors to resolve the issue quickly without affecting the quality of the task.
- . he attended the Astronomy Night and Science Week in Port Hedland at the Civic Centre. It is also the Year of the Astronomy. There was representatives from the Ropyal Society and Scitech to assist with questions and help guide 6 telescopes for 160 people interest4d in learning more about the stars. There presentations, slides of images, talks and want to congratulate all an a good event and if anyone is interested in forming a group to email hedlandstars@gmail.com and I have offered to assist in forming a local group.

9.3 Councillor Jan Ford

- . she attended Local Government week along with many other Councillors and a particular issue raised was the direction of the Regional Council for a vision on paper for 30yrs of sustainable industry for the region. Suggestion that PRC could focus on this vision of government and help secure an outcome.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS

Thomas Pendelbury will sign his indenture papers this week as a first year apprentice and will work in Council's workshop depot.

Tidy Towns Submission – Petunia from Department of Housing presented a copy of the Tidy Towns committee's submission to Tidy Towns WA for the Regional sections.

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

Budget Implications

Nil

200910/036 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That the 'Status of Council Resolutions' Report for be deferred until Council's Ordinary Meeting held next on 23 September 2009.

CARRIED 8/0

11.2 REGULATORY AND COMMUNITY SERVICES**11.2.1 Director Regulatory and Community Services****11.2.1.1 *Monthly Report – Community and Regulatory Services (File No.: 13/04/0001)***

Officer Nellie Mackay
Executive Assistant
Community and Regulatory
Services

Date of Report 17 August 2009

Disclosure of Interest by Officer Nil

Summary

Report on activities for the month of July 2009 within the Community and Regulatory Services directorate for Council's information.

Background

Community and Regulatory Services Monthly report to Council.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

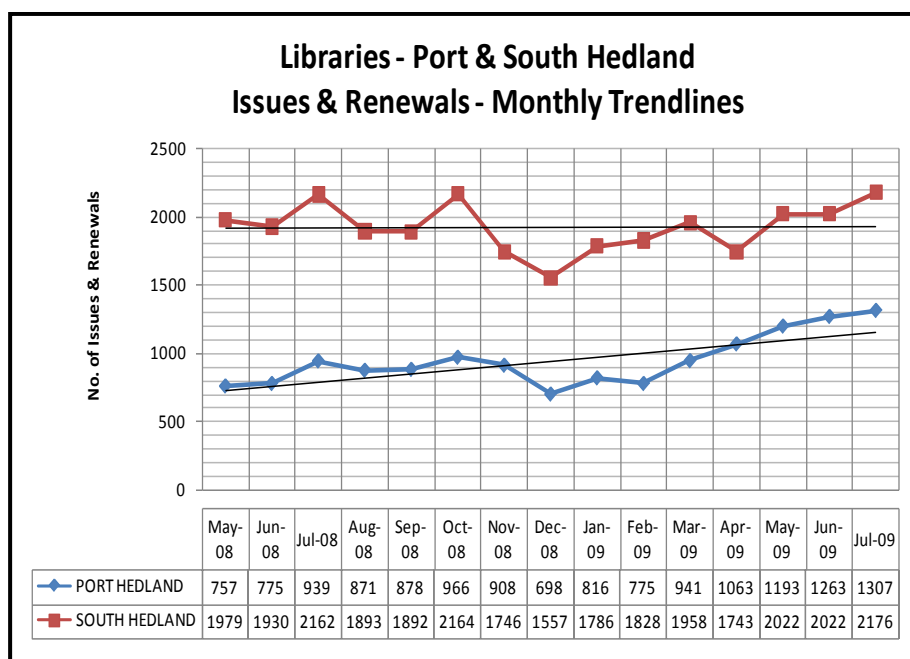
Budget Implications Nil

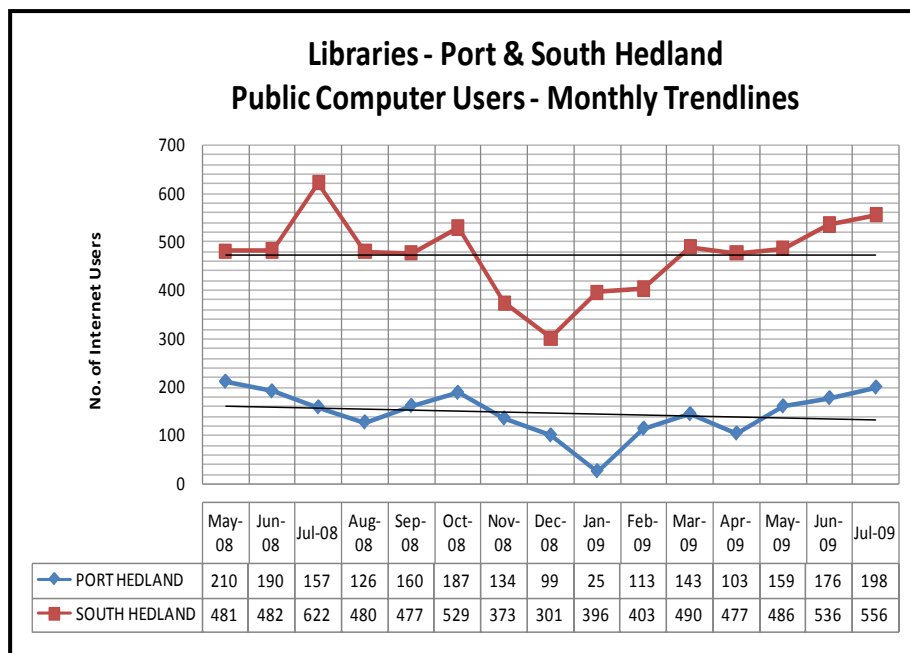
Officer's Comment

Library and Information Services

PORT HEDLAND LIBRARY	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09
Issues & Renewals	775	941	1063	1193	1263	1307
Reservations	15	23	29	25	37	47
New Borrowers	28	23	30	22	31	20
Public Computer Users	113	143	103	159	176	198
Door Count			)	851	865	969
Reference Enquiries	New statistics collected)			70	218	95
General Enquiries	effective May 2009)			15	21	57
Technical/Computer			)	13	7	13
SOUTH HEDLAND LIBRARY	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09
Issues & Renewals	1828	1958	1743	2022	2022	2176
Reservations	85	80	69	88	40	44
New Borrowers	70	69	66	72	66	43
Public Computer Users	403	490	477	486	536	556
Door Count			)	1603	1702	2085
Reference Enquiries	New statistics collected)			74	214	146
General Enquiries	effective May 2009)			34	136	121
Technical/Computer			)	37	37	41

Port Hedland Library was unfortunately forced to close for 16 hours of its normal operating hours over the month of July due to staff shortages.





Human Services

HACC Programme

Since 1st July 2009 the HACC Programme is being managed and operated by Southern Cross Care, therefore no further statistics will be reported on through this monthly report.

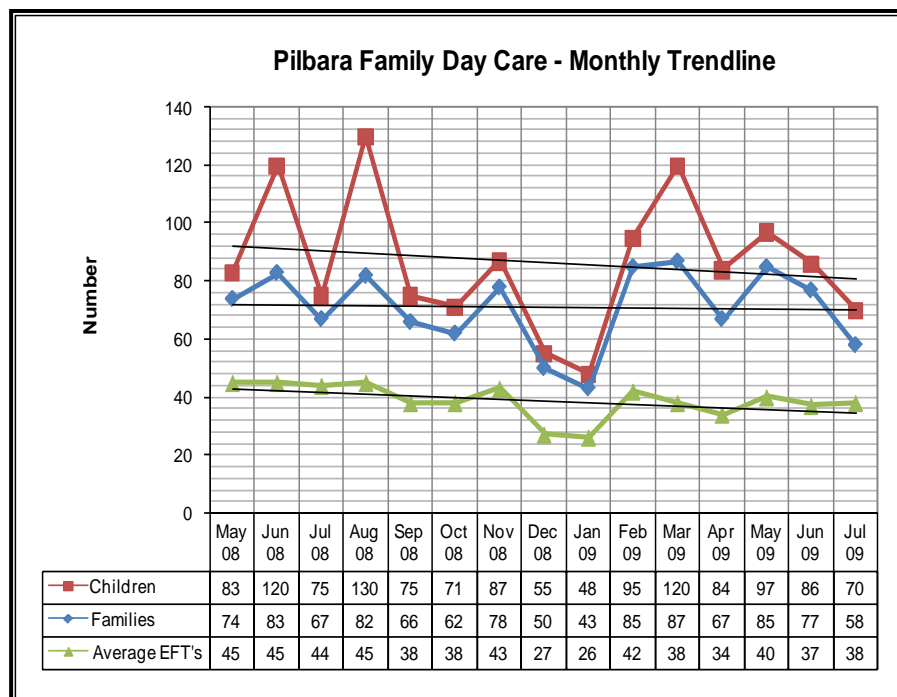
Pilbara Family Day Care (PFDC)

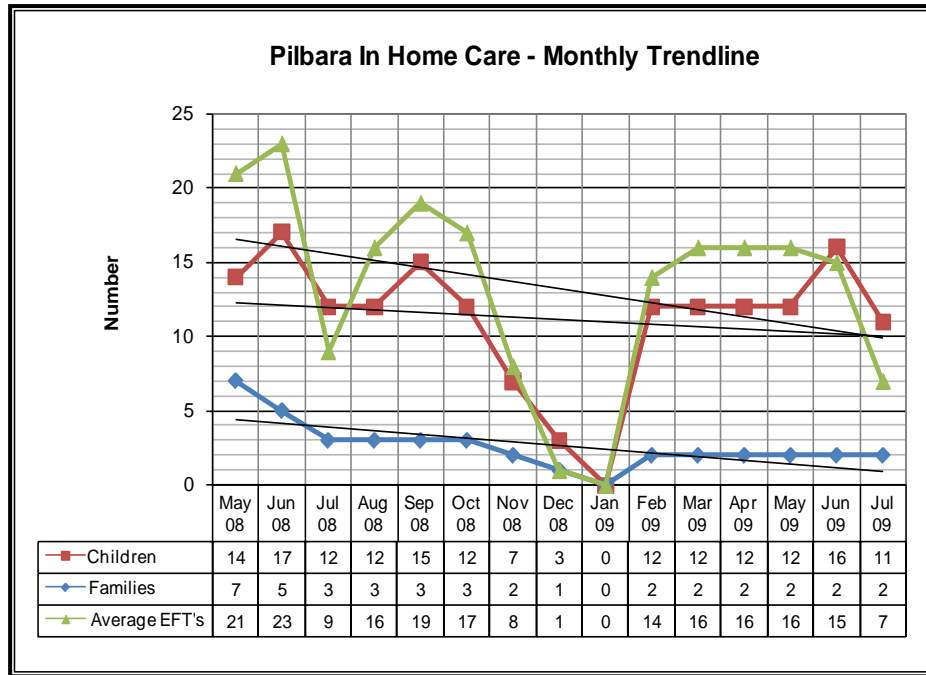
Statistics for the month of July are lower due to school holidays having an effect as well as 4 carers being away during the school holiday period and two on extended leave.

The PFDC Coordinator has visited all Carers during the month of July in order to carry out Home Safety, Health & Hygiene checks. The coordinator has also visited all prospective carers for follow up training.

A great amount of work is being undertaken for the accreditation early study which is due on 16th September 2009.

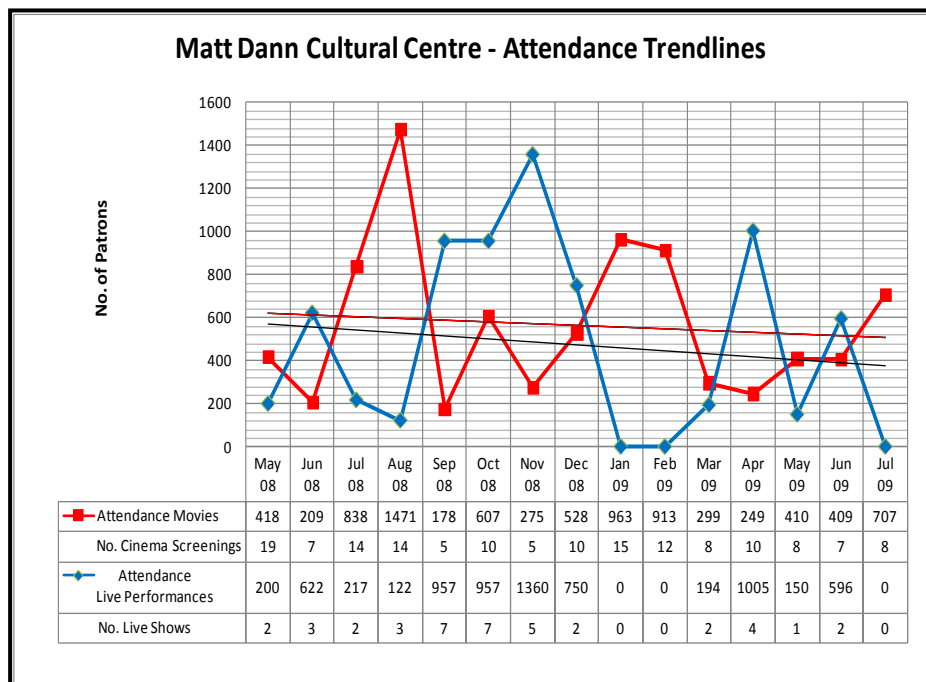
Location	Carers currently within Scheme	Carers currently going through licensing
South Hedland	3	1
Wickham	-	-
Karratha	5	2
Newman	5	1
Tom Price	-	3
Paraburdoo	2	-
Point Samson	-	-
TOTAL	15	7





Events and Matt Dann Cultural Centre

Activity of the events team in the month of July was dominated by the organization of the Spinifex Spree, a two day event which was held on 24 & 25th July 2009. Conservative estimates of attendance over the 2 day event put numbers at 5000. A fireworks display was held on the Friday night and music performers on the Saturday night which drew good crowds.



Courthouse Gallery

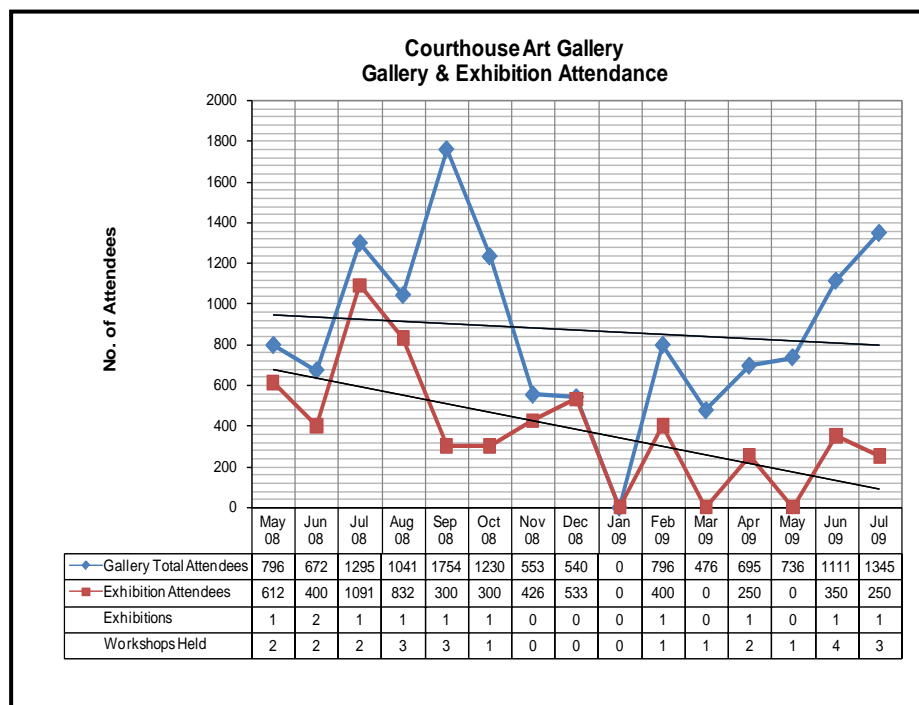
The exhibitions held in July were works from Larry Mitchell and Yinjaa-Barni Artists and an estimated 250 people attended the opening night. This exhibition is running until 29th August 2009.

Workshops held in the month of July were the Advanced and Beginners PHotography workshops 2 & 3 with a total of 103 people participating. Larry Mitchell also held a painting workshop in which 18 people attended.

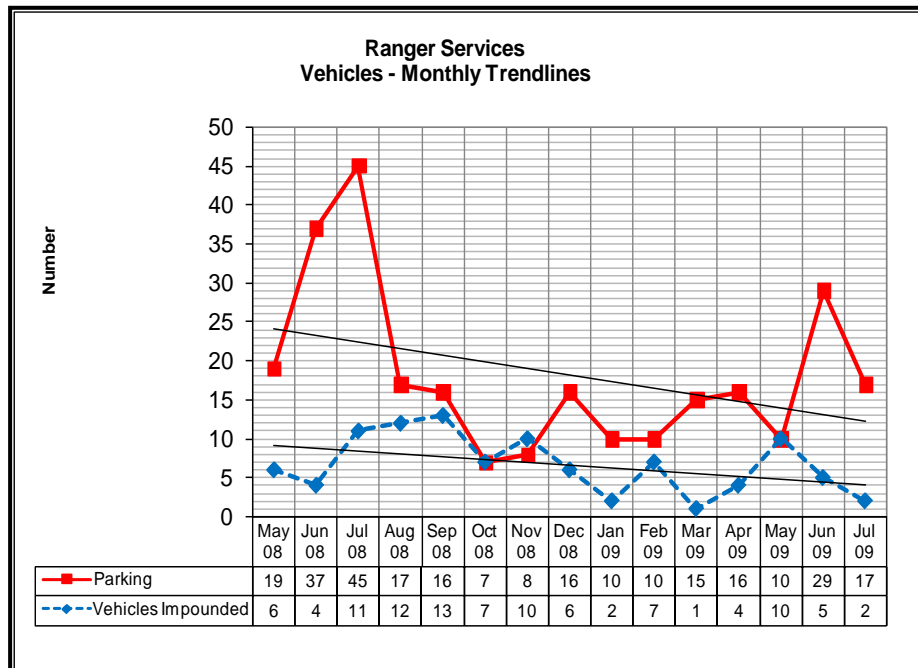
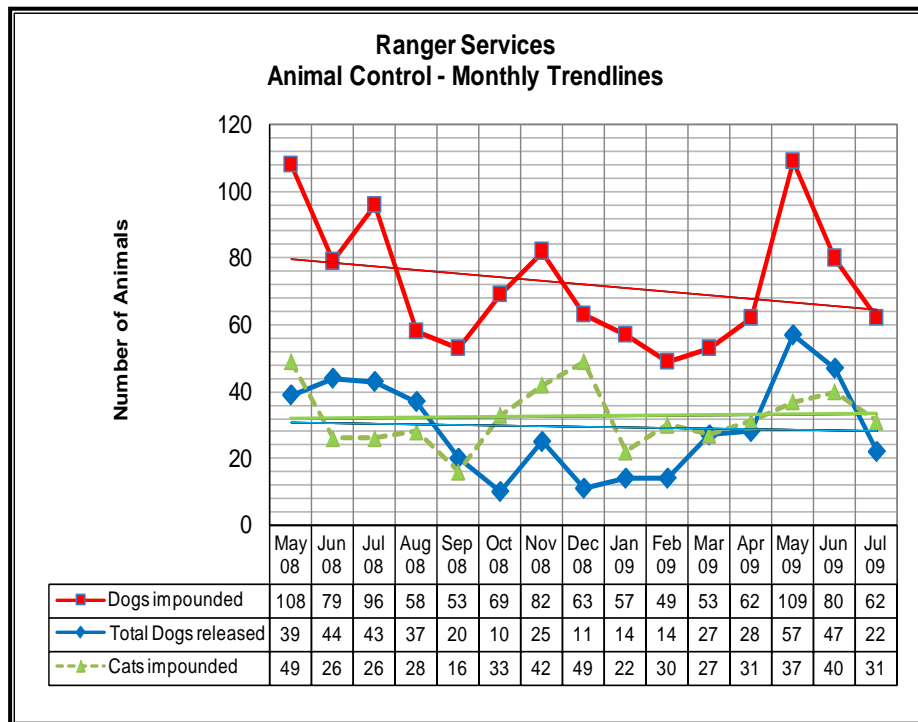
Several functions and visits were held at the Gallery including:-

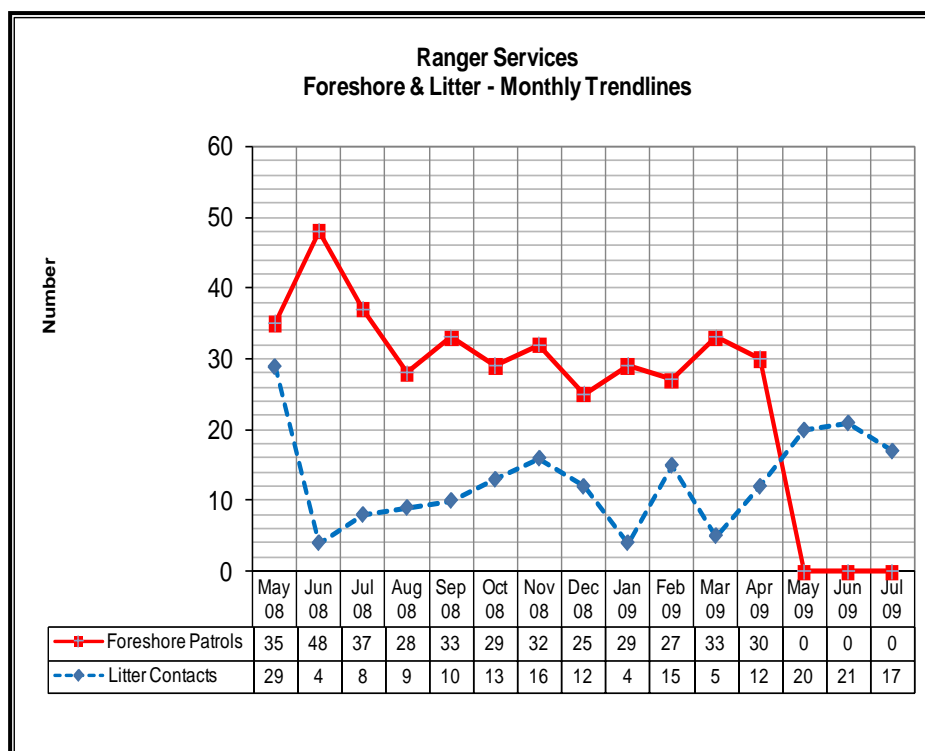
- Premier's visit 50
- Youth Leadership Charter/BHP Billiton 80
- Strelley school/Spinifex Hill Artists visit 45

The "Let's Get Started!" program with the Spinifex Hill Artists is still running and the program was held for 2 separate weeks in July with between 13-16 people at each workshop.



Environmental Health Services – Ranger Statistics

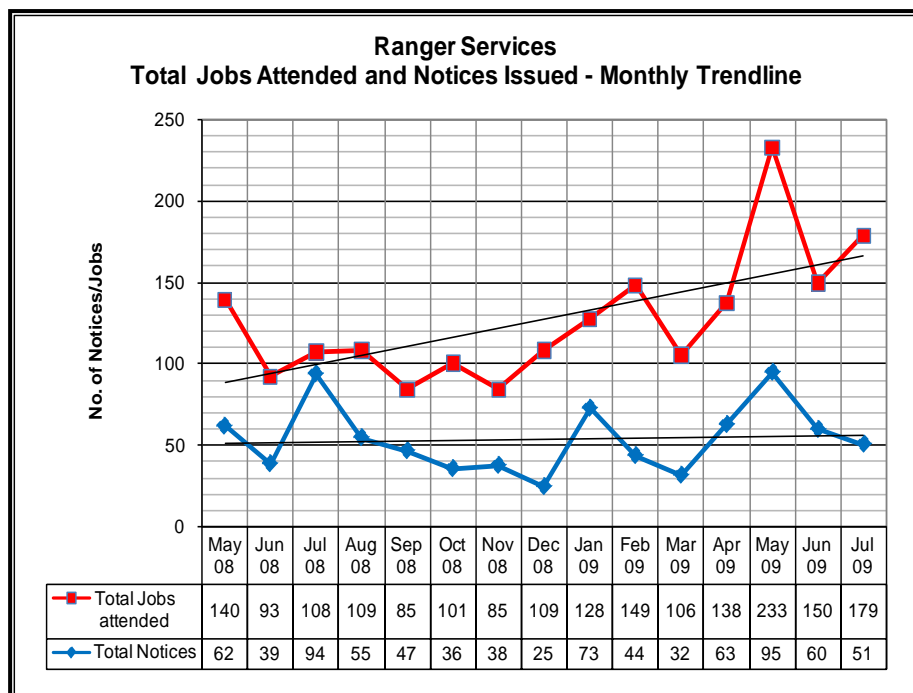




N.B. No dedicated foreshore patrols occurred as Turtle season has ended.

As an indication of the extent of works which the following table covers, "Total Jobs", the following ranger related areas are covered:

- Dogs - complaints, attacks, barking complaints, wandering at large, surrender of dogs
- Feral cat pickups and cat complaints
- Dead dog and cat pickups on roads and roadside
- Applications for a third dog property inspections
- Fox trapping
- Injured wildlife
- Injured or maimed cattle
- Snake calls
- Animal welfare complaints
- Littering complaints including litter on verge
- Drinking and littering in parks and reserves
- Off road vehicle complaints
- Parking complaints
- Abandoned vehicles
- Caravan and camping complaints
- Issue of fire permits
- Firebreak property inspections
- Fire related calls



Plan for the Future 2008-2013 Progress Report

Council’s Community & Regulatory Services Directorate has provided an update on the projects that they are currently managing (48 of the 110 strategies defined) in line with the current Plan for the Future 2008-2013. The attached report provides an update on the progress and status of the strategies within the C&RS Directorate.

Attachments

1. Plan for the Future Works Programme for Community & Regulatory Services for the period 1 July 2009 to 30 June 2010.
2. Royalties for Regions Project Schedule for Community & Regulatory Services.

200910/037 Council Decision/Officer’s Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council receives the Community and Regulatory Services Report for July 2009.

CARRIED 8/0

PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010																	
Legend				Cyclone Watch/Season													
Commenced Project			Project Completed														
Milestones			On-going project														
Officer	Plan for the Future Key Result Area / Goal / Strategy	A/c No.	Strategy	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS	
MCED	KRA 1 - Infrastructure Goal 2 - P&G Strategy 7		Investigate the development of a Community Vegetable Garden.	Start June 2009												Working with YIC and community group to implement garden at SH Shopping Centre - Josh Byrne is involved in project, ToPH represented by CDO and Parks & Gardens	
MCED	KRA 2 - Community Pride Goal 1 - Litter Strategy 1		Work with community groups to develop community programs and initiatives that reduce litter and improving the appearance of Port and South Hedland.	Start Jan 2009												Ongoing.	
DCRS	KRA 2 - Community Pride Goal 1 - Litter Strategy 3		Review legislative alternatives that are available to Council to improve the visual appearances of untidy properties within Town. Implement agreed initiatives.	Start Feb 2009												Review commenced.	
MCED / MRS	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 2		Convert the JD Hardie Centre into a more youth focused facility. 2008 capital works program managed by MRS. Youth Precinct development project now managed by MCED	Start July 2008		to call tenders										Detailed engineering, hydraulics and airconditioning design underway. On target to call tenders by 25 September 2009.	
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 6		Work with Stakeholders on initiatives that improve both the perception and the quality of education within the Town.													Ongoing.	
MEH	KRA 3 - Community Development Goal 2 - Sports & Leisure Strategy 4		Explore opportunities for the development of an appropriate off-road/recreational driving area that is away from sensitive beach and dune areas.	Start Feb 2009	Compl May 2009											Report presented to the May meeting and officers to continue to seek new off road areas – complete	
MLIS	KRA 3 - Community Development Goal 2 - Sports & Leisure Strategy 5		Review library operations and locations develop a plan for the future operations of libraries in the Town.		Report OCM											Report to August meeting with initial recommendations. Detailed review to follow.	
MEH	KRA 3 - Community Development Goal 3 - Health Strategy 3		Review Environmental Health service levels to the Town of Port Hedland and develop a Local Public Health Plan based on risk management principals.	Start Dec 2008												Draft plan completed still being reviewed. This project will become a priority once RFR projects are completed.	
MCED	KRA 3 - Community Development Goal 3 - Health Strategy 5		Review the Town's Disability Service Plan and undertake actions to improve access to services and all facilities.	DAIP Plan Completed 2009												DAIP annual progress report to Disability Services Commission completed. monthly. Priority access issue - rear of Council building for afer hours approved in 09/10 budget	
DCRS/ MCED	KRA 3 - Community Development Goal 4 - CSCP Strategy 1		Work with partners to engage a Community Safety & Crime Prevention Coordinator/Facilitator whose primary responsibility is to ensure the timely implementation of initiatives listed in the Town of Port Hedland Community Safety & Crime Prevention Plan.													CSF Co-ordinator line management changed to from Manager Community & Economic Development to Manager Environmental Health as better fit of activities	

PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010																
Legend		Cyclone Watch/Season														
Commenced Project																
Milestones																
Project Completed																
On-going project																
Officer	Plan for the Future Key Result Area / Goal / Strategy	A/c No.	Strategy	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
DCRS	KRA 3 - Community Development Goal 4 - CSCP Strategy 4		Install CCTV and/or other appropriate security measures for identified crime and safety "hot spots".	Start July 2008												Components sourced and discussions with Telstra ongoing regarding access to tower.
MCED / MRS	KRA 3 - Community Development Goal 4 - CSCP Strategy 5		Work in partnership with government and other stakeholders to develop additional "pro-social" diversionary activities for young people.	Start Jan 2009												Sept will be major youth focus for 0910. Program of youth activities for 2 weeks commencing with YohFest performing arts 4th Sept - Portbound Festival 12th Sept
DCRS	KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 1		Initiate the development of Board of Management to manage and operate Council funded facilities within the Courthouse Art Centre and Gallery precinct.	Start 2007	Comp Aug 2009											Report to August OCM.
MCED	KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 2		Develop a public art policy/strategy and install public art in key locations within the Town.	Start July 2007												Small working group of SHNL, BHPBIO, TOPH MCED and MIS, Creating Communities will include community representation - advise on location and type of public art across town - map of public art locations and interpretation will be developed from budget approved for Community Pride activities 0910.
MCED / MIS / MES	KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 3		Develop a unique entry statement to the Town. MIS developing landscaping for this project	Start Aug 2008		Install Due										Footings for installation underway. Concrete mix with iron ore is being pressure tested for strength compliance. Installation now due early September.
MCED	KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 4		Undertake initiatives that both increase patronage levels and improve the financial performance of the Matt Dann Theatre.	Start July 2008	Complete Mar 2009											New ticketing system - 70-80% of bookings now being made online
DCRS	KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 5		Actively pursue the development of additional arts and cultural facilities within the Town including a new commercial cinema and an aboriginal arts facility.	Start Aug 2008	Complete June 2009											Indigenous Art classes commenced with FORM. Workspace now obtained at Aboriginal Fellowship Church.
MCED	KRA 4 - Economic Development Goal 1 - Tourism Strategy 3		Redevelop the visitor entry bays on the northern and southern roads entrances to the Town.	Start Oct 2008	Complete May 2009											Information bay upgrade underway.
DCRS	KRA 4 - Economic Development Goal 1 - Tourism Strategy 5		Identify sites for the development of new caravan park/eco tourism facilities (both permanent and temporary). Implement key priority projects.	Start Aug 2008												Feature survey of land adjacent to Cooke Point Caravan Park completed. Item raised at Council meeting of January 09 to initiate proceedings to acquire land for use as Caravan Park. Matter laid on the table.
MCED	KRA 4 - Economic Development Goal 3 - Business Development Strategy 1		Work with the BEC, PHCCI and others to investigate the potential development of a Business Incubator and/or other small business development initiatives within the Town.	start Jan 2009												Ongoing.
MCED / DCRS	KRA 4 - Economic Development Goal 3 - Business Development Strategy 2		Develop Council policies and/or incentives that assist in attracting and retaining businesses within the Town of Port Hedland.													Deferred to September/October 2009.

PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010																
Legend		Cyclone Watch/Season														
Commenced Project																
Milestones																
Project Completed																
On-going project																
Officer	Plan for the Future Key Result Area / Goal / Strategy	A/c No.	Strategy	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
MP	KRA 4 - Economic Development Goal 4 - Land Development Projects Strategy 3		Work with the DPI to identify additional crown land that can be released for development in a timely manner.	Start Dec 2009	Complete May 2009											Draft Residential Rationalisation Plan is being finalised for public release end of June. Budget request for Non-Residential component and Lands Officer to facilitate continued action in this goal area. DPI-SLS requested to release several lots in South Hedland.
MP	KRA 4 - Economic Development Goal 5 - Town Planning & Building Strategy 2		Develop Local Planning Scheme No. 6	Start Feb 2009												Drafting work and informal consultation with Council and Community commenced. Budget request for human resources lodged for 09/10 period. Est compl June 2010
MP	KRA 4 - Economic Development Goal 5 - Town Planning & Building Strategy 3		Develop Structure Plans for key precinct areas with a particular focus on the Spoilbank/Hospital/Hotel Precinct.	Start Jan 2009	Mtg to prioritise											<i>Meeting in late August to discuss structure plan priorities in accordance with budget allocation.</i>
DCRS	KRA 6 - Governance Goal 2 - Traditional Owners & Aboriginal people Strategy 1		Work with the State and Federal Government to sustainably progress the implementation of the 2006 Bilateral Agreement on Services to Indigenous Community.	Start July 2008												Currently awaiting outcomes of service level review by State & Federal Government Agencies.
DCRS	KRA 6 - Governance Goal 2 - Traditional Owners & Aboriginal people Strategy 2		Work with relevant agencies to implement an appropriate action plan to address community visitors including the development of a managed campground.	Start Aug 2008	Complete June 2009											Advice has been sought from AAWG as to site needs and design requirements. Access to land to be secured through DPI.
MCED	KRA 6 - Governance Goal 3 - Communication Strategy 3		Install community noticeboards that advertise local services and events.	Start Dec 2009	Complete June 2009											<i>Community noticeboards in place, and events now advertised for August. 5 illuminated boards now received - will be located at ToPH sites and connected to power.</i>
ONGOING KRA'S																
MP / CEO	KRA 2 - Community Pride Goal 1 - Litter Strategy 4		Work with key stakeholders to commence implementation of the south Hedland CBD Structure Plan to significantly improve the appearance and vitality of this area.													Structure Plan has been forwarded to WAPC for endorsement. Council has support the land activities (vesting, subdivision, amalgamations etc) to facilitate the Town Centre Development. LandCorp and the Administration continue to work with key stakeholders (partners) to implement the recommendations of the structure plan.
MCED	KRA 2 - Community Pride Goal 2 - Events Strategy 1		Play an integral role in the coordination, operation and communication of community events via a range of strategies including:- Managing and operating at least six major community events per annum supporting community groups who are operating community events through training, support advice and, where appropriate, financial support.													<i>Spinifex Spree on 24&25 July 09 very successful. Alliance committee overseeing events management is being incorporated: Will be "Celebrate Hedland!" and open to community membership.</i>
MCED	KRA 2 - Community Pride Goal 2 - Events Strategy 2		Work with community groups to implement neighbourhood competitions and events (eg Tidy Towns, Best Maintained Business, Best Gardens, Street Parties, Xmas Lights etc)		Judging											<i>Tidy Towns judging 17th August</i>
MCED	KRA 2 - Community Pride Goal 2 - Events Strategy 3		Develop a well known, all inclusive calendar of community events.													<i>On-line and ongoing.</i>

PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010																
Legend		Cyclone Watch/Season														
Commenced Project																
Milestones																
Project Completed																
On-going project																
Officer	Plan for the Future Key Result Area / Goal / Strategy	A/c No.	Strategy	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
MCED	KRA 2 - Community Pride Goal 2 - Events Strategy 4		Explore and actively seek to attract "draw card" events to the Town of Port Hedland.													Ongoing. Portbound Youth Festival and Hedland's birthday next big events for 09/10.
MBS	KRA 2 - Community Pride Goal 3 - Townscape Strategy 2		Review, update and continue to implement Council's 5 year Civic Buildings Cyclical Maintenance and Captial Development Plan.													Ongoing for presentation as part of budget process.
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 1		Work with stakeholders to develop a consolidated plan to improve the availability of Child Care (both centre based and Family Day Care) places available with the Town. Implement key initiatives in a timely manner.													Started 2006 - Ongoing project. Options for other agencies to host PFDCS being investigated
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 3		Establish regular formalised consultation mechanisms between Council and Young People.													Hedland Youth Plan (HYP) launch 28 July 09 very well attended.
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 4		Ensure that the community has an opportunity to become involved in Council infrastructure projects such as park developments, tree planting, event planning etc.													Ongoing
MCED	KRA 3 - Community Development Goal 1 - Youth & Children Strategy 5		Work with key youth stakeholders to ensure that a range of events/functions are available for local youth including recreation, leisure, adventure and art/craft activities.													Ongoing - MCED mentor role for HYLC; chair of HYSAG
MEH	KRA 3 - Community Development Goal 3 - Health Strategy 4		Monitor commercial and industrial activities that have potential negative impacts on the community, and actively seek Department of Environment and Conservation enforcement of													Ongoing .Working relationship with the DEC in Karratha has been established.
DCRS	KRA 3 - Community Development Goal 4 - CSCP Strategy 2		In conjunction with the Police and other stakeholders, develop initiatives that discourage street drinking, littering, graffiti and other anti-social behaviour in public places and implement appropriate actions.													Introduced "Eyes on the Street" in Sept 07 Ongoing looking at other initiatives.
MEH	KRA 3 - Community Development Goal 4 - CSCP Strategy 3		Adopt a community based emergency risk management process for theTown, and co-ordinate the development of response plans to natural disasters through the Local Emergency Management Committee (LEMC)													Ongoing with regular meetings being held with LEMC & Recovery members

PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010																
Legend		Cyclone Watch/Season														
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Officer	Plan for the Future Key Result Area / Goal / Strategy	A/c No.	Strategy	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
DCRS / CEO	KRA 4 - Economic Development Goal 2 - Mining Strategy 2		Review all mining and port development proposals to ensure that any negative impacts on the community due to either construction or operational activities are minimised.													Ongoing
CEO / DCRS	KRA 4 - Economic Development Goal 4 - Land Development Projects Strategy 1		Fast track the release and development of commercial, industrial and residential land in a sustainable manner including: Pretty Pool Developments South Hedland New Living development various industrial land release programs Moore St and West end Developments South Hedland CBD Developments Redevelopment of the Port Hedland Telstra/Water Corporation site.													Release of Pretty Pool Stage 4 completed. Ongoing release of residential land in South Hedland Concept plan for SH CBD endorsed by Council. Development of industrial land commenced due for completion late 09 Wilson St super lot released for tender July 08 Morgan St development to be released to market Early 2009. Preliminary discussions held with Telstra/Water Corp re release of land in Spinifex Hill/Cooke Point.
MP	KRA 4 - Economic Development Goal 5 - Town Planning & Building Strategy 1		Work with key stakeholders to ensure that the Land Use Master Plan is implemented.													Ongoing.
MP	KRA 5 - Environment Goal 1 - Waste Management Strategy 4		Actively pursue the relocation of the Wedgefield Tox Free facility to a location that does not have the land use conflicts that the existing facility currently presents.													Ongoing.
MEH	KRA 5 - Environment Goal 1 - Waste Management Strategy 5		Support water re-use initiatives including residential grey water reuse.													Ongoing. ToPH recycles 100% of its wastewater received. A new "Re-use Waste Water Manual" has been developed from which a check list for compliance to our DOH approval has been raised and sent to the Manager of Works to ensure compliance with that approval. A comprehensive water sampling programme has been developed and monthly samples are taken for analysis. A comprehensive water sampling programme has been developed and monthly samples taken for analysis. Grey water re-use systems are approved by the Dept of Health and will be considered by the ToPH on application.
MCED	KRA 6 - Governance Goal 1 - Leadership Strategy 2		Investigate options to develop new and emergent leaders in our community.													<i>Young Leaders Program station stay camp 19th & 20th July was very well rated by participants and facilitators; next module on A/V media skills and project management to run 15th August, followed by adventure camp 18th - 20th September. Evaluation criteria established against which program will be measured for effectiveness. Program developed in conjunction with Curtin University's program for International Scholars, giving sound academic base for program and evaluation.</i>
MEH	KRA 6 - Governance Goal 5 - Policy & Legislation Strategy 3		Work with key agencies to review and develop Council policies in relation to fire prevention and fire management.													A new Ranger vehicle which doubles as a fire response unit has been requested in the 09/10 budget for consideration. A close working relationship with the fire services in Hedland has been established.

ATTACHMENT 2 TO AGENDA ITEM 11.2.1.1

C&RS - Royalties for Regions Projects Schedule																
Legend																
Commenced Project		Project Completed														
Milestones		On-going project														
Officer	Description	A/c Number	R4R	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	COMMENTS
2008/09 FUNDING																
MBS	Civic Centre Ballustrade	406450	73,000													Purchase Order for steel rail and infill raised awaiting commencement of works
MBS	Toilet Block for Civic Centre	1010311	150,000													Exceloo commissioned and access pavement installed.
MEH	5 x lids for Re-use Tanks	1011410	150,000													Tender awarded works to commence mid Aug according to Contractor.
MEH	Foreshore Protection/Restoration Project	1105425	90,000													Works completed and main invoice processed. Awaiting other invoices for extra works undertaken.
MBS/MIS	New records facility at Airport	406451	96,000													Scope of works prepared and quotes requested.
2009/10 FUNDING																
MC&ED	J D Hardie Centre Undertake Stage 1 & Stage II development of project. Preliminary QS estimate for project is \$6.5M excluding external works	1104411 & 1104413	2,600,000													Detailed engineering, hydraulics & airconditioning design underway. On target to call tenders by 25 September 2009.
MBS	Grandstand - McGregor Street Racecourse Construction of new community Facility	1111450 & 1109454	600,000													
DCRS	CCTV Stage II	503498 & 503496	500,000													Scope of works being developed for endorsement by CCTV Working Group
MBS	Public Toilets at boat ramps (x2), Cemetery Beach Park (x2) and the Port Hedland Skate Park (x1)	1010311 & 1010410	600,000													Scope of works being developed and prices being sought.
MBS & MRS	Public Furniture: bins, bus shelters, water fountains, seats and public art, including shade as per AAWG	1201439 & 1201412	200,000													

11.2.1.2 Delegated Planning, Building and Environmental Health Approvals and Orders for July 2009 (File No.: 18/07/0002 and 07/02/0003)

Officer Nellie Mackay
Executive Assistant
Community and Regulatory
Services

Date of Report 19 August 2009

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of July 2009. A list of current legal actions is also incorporated.

Background

A listing of Planning, Building and Environmental Health approvals and Orders issued by Council's Planning, Building and Environmental Health Services under Delegated Authority for the month of July 2009 are attached to this report. Further to Council request a listing of current legal actions is also attached to this report.

Consultation Nil

Statutory Implications

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

Policy Implications Nil

Strategic Planning Implications Nil

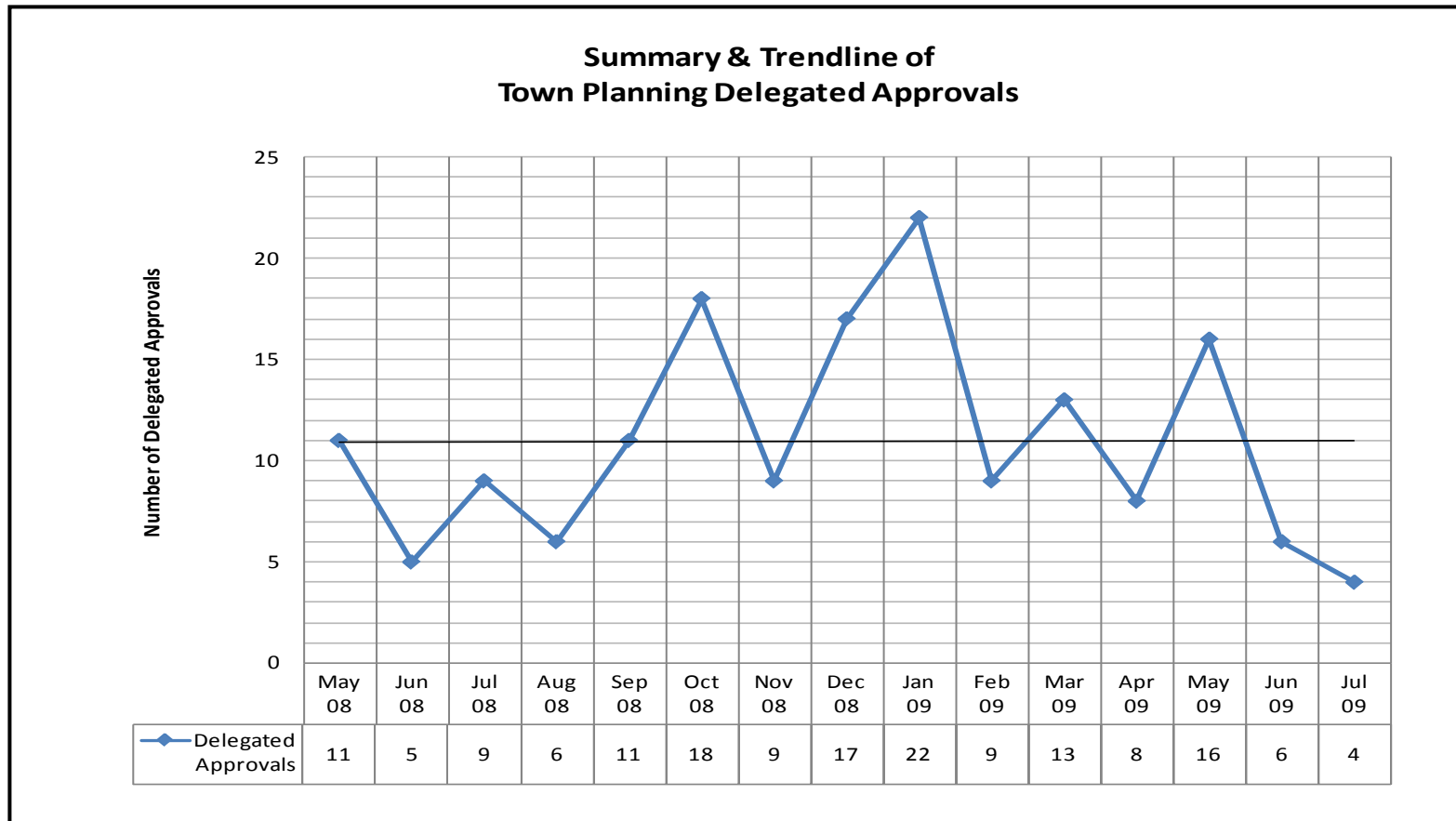
Budget Implications Nil

Officer's Comment Nil

DELEGATED PLANNING APPROVALS FOR JULY 2009

PLANNING APPROVALS						
Application Number	Application Date	Date Determined	Description	Address	Applicants Name	Owners Name
2008/441.01	22/07/2009	27/07/2009	SINGLE HOUSE - R CODE VARIATION - Shed addition 6.2m x 7.6m x 3m - exceeds permissible height of 2.4m	13 LIMPET CRESCENT SOUTH HEDLAND	ROSS NORLING	GUMALA ABORIGINAL CORPORATION
2009/273	27/05/2009	20/07/2009	INDUSTRY LIGHT - SHED ADDITION	8 MOORAMBINE STREET WEDGEFIELD	BRADFORD JOHN YOUNG	CROWN
2009/306	16/06/2009	28/07/2009	INDUSTRY - NOXIOUS - MOBILE ASPHALT PLANT	L370 HARBOUR RESERVE PORT HEDLAND	SIMON ARMSTRONG	CROWN
2009/326	19/06/2009	28/07/2009	AERODROME - Replacement Hangar	LOT 11 GREAT NORTHERN HIGHWAY PORT HEDLAND	CLARK BUTSON	POLAR AVIATION AUSTRALIA

PLANNING APPROVALS SUMMARY



DELEGATED BUILDING APPROVALS FOR JULY 2009

BUILDING LICENCES						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
80571	13.07.2009	SOUTH HEDLAND	Outbuilding	\$2,000	9	Class 10a
80575	14.07.2009	SOUTH HEDLAND	Patio	\$13,300	47	Class 10a
80577	15.07.2009	PORT HEDLAND	Outbuilding	\$6,500	10	Class 10a
80583	16.07.2009	SOUTH HEDLAND	Patio	\$18,000	49	Class 10a
80591	17.07.2009	SOUTH HEDLAND	Carport	\$35,399	35	Class 10a
80592	17.07.2009	PORT HEDLAND	7 X Outbuildings (Storage Sheds)	\$49,831	32	Class 10a
80595	22.07.2009	WEDGEFIELD	Laundry & Ablutions	\$47,484	31	Class 10a
80604	29.07.2009	SOUTH HEDLAND	Outbuilding	\$2,485	12	Class 10a
80605	29.07.2009	PORT HEDLAND	Club Room - McGregor Street	\$35,000	18	Class 10a
80566	07.07.2009	WEDGEFIELD	Plant upgrade to existing facilities	\$2,000,000		Class 10b
85048	16.07.2009	SOUTH HEDLAND	Swimming Pool	\$18,000		Class 10b
71050	06.07.2009	PORT HEDLAND	Dwelling	\$390,000	193	Class 1a
80564	06.07.2009	SOUTH HEDLAND	Dwelling	\$467,042	230	Class 1a
80563	06.07.2009	SOUTH HEDLAND	Dwelling	\$597,599	159	Class 1a
80565	06.07.2009	PORT HEDLAND	Dwelling	\$569,735	165	Class 1a
80567	07.07.2009	SOUTH HEDLAND	Dwelling	\$350,000	198	Class 1a
80568	08.07.2009	SOUTH HEDLAND	Dwelling	\$289,040	126	Class 1a
80570	13.07.2009	PORT HEDLAND	Dwelling	\$200,000	164	Class 1a
80574	14.07.2009	SOUTH HEDLAND	Refurbishment of Existing Dwelling	\$40,000		Class 1a
80573	14.07.2009	SOUTH HEDLAND	Dwelling	\$330,610	146	Class 1a
80572	14.07.2009	SOUTH HEDLAND	Dwelling	\$309,399	194	Class 1a
80579	15.07.2009	SOUTH HEDLAND	Patio & Refurbishment	\$40,000		Class 1a
80580	15.07.2009	SOUTH HEDLAND	Refurbishment of Existing Grouped Dwelling	\$50,000		Class 1a
80576	15.07.2009	PORT HEDLAND	Dwelling	\$576,000	336	Class 1a
80578	15.07.2009	SOUTH HEDLAND	Patio & Refurbishment	\$40,000		Class 1a
80581	16.07.2009	SOUTH HEDLAND	Patio & Refurbishment	\$40,000		Class 1a
80584	16.07.2009	SOUTH HEDLAND	Patio & Refurbishment	\$40,000		Class 1a
80587	16.07.2009	SOUTH HEDLAND	Dwelling	\$475,000	208	Class 1a
80586	16.07.2009	SOUTH HEDLAND	Refurbishment of Existing Dwelling	\$40,000		Class 1a

DELEGATED BUILDING APPROVALS FOR JULY 2009 (CONTINUED)

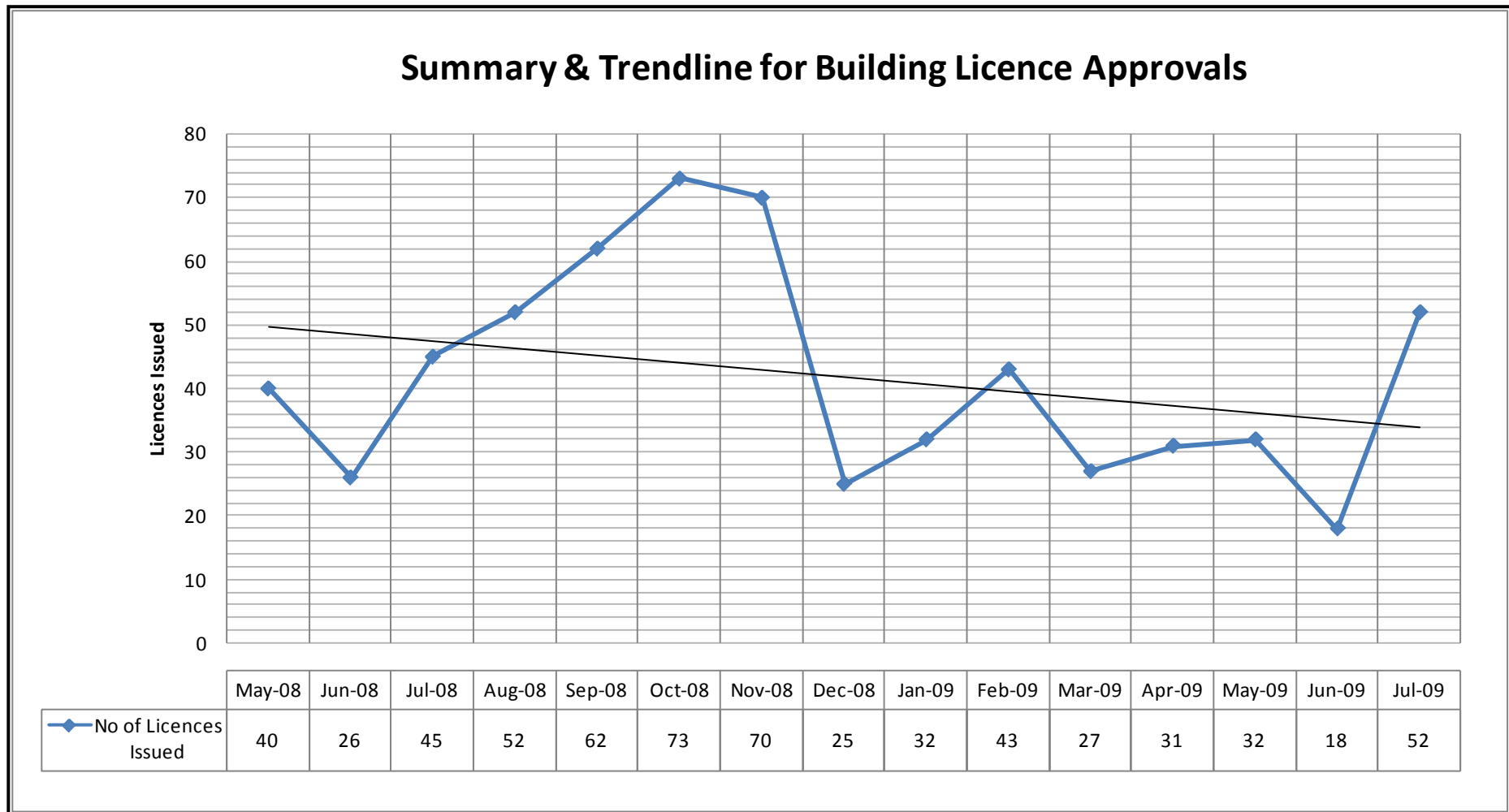
BUILDING LICENCES Cont'd...						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
80588	16.07.2009	SOUTH HEDLAND	Patio & Refurbishment	\$40,000		Class 1a
80590	16.07.2009	SOUTH HEDLAND	Refurbishment of Existing Dwelling	\$50,000		Class 1a
80582	16.07.2009	SOUTH HEDLAND	Dwelling	\$430,755	174	Class 1a
80585	16.07.2009	SOUTH HEDLAND	Dwelling	\$475,000	209	Class 1a
80589	16.07.2009	SOUTH HEDLAND	Patio & Refurbishment	\$40,000		Class 1a
80593	20.07.2009	PORT HEDLAND	7 X Grouped Dwellings	\$2,900,000	1516	Class 1a
80596	22.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	108	Class 1a
80598	27.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	108	Class 1a
80597	27.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	108	Class 1a
80599	27.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	108	Class 1a
80602	28.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	113	Class 1a
80601	28.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	108	Class 1a
80603	28.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	108	Class 1a
80600	28.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	108	Class 1a
80608	30.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	108	Class 1a
80610	30.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	113	Class 1a
80607	30.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	185	Class 1a
80606	30.07.2009	PORT HEDLAND	Dwelling	\$495,000	108	Class 1a
80609	09.07.2009	SOUTH HEDLAND	Dwelling	\$300,000	1090	Class 1a
80569		PORT HEDLAND	Showroom/Warehouse	\$1,600,000		Class 7b
49		TOTAL ESTIMATED CONSTRUCTION VALUE		\$16,703,179		

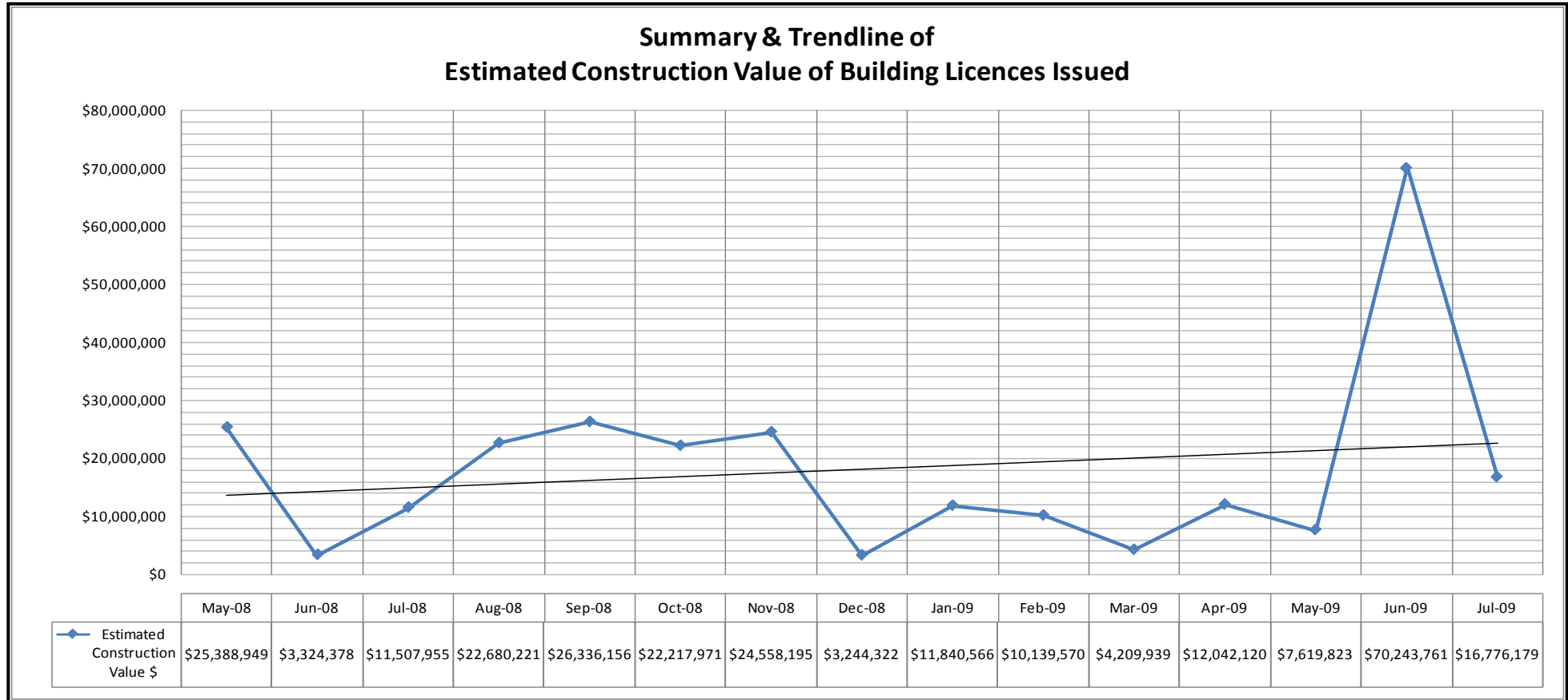
DEMOLITION LICENCES				
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)
83039	02.07.2009	PORT HEDLAND	Demolition of Residence	\$50,000
83040	13.07.2009	SOUTH HEDLAND	Demolition of Residence	\$23,000
			Total	\$73,000

SIGN LICENCES			
Licence Number	Approval Date	Locality	Description of Work
84008	29.07.2009	PORT HEDLAND	Pylon Sign

SUMMARY				
Number of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
2	Demolitions	\$73,000		
37	Dwellings	\$12,875,180	5401	\$2,661
9	Class 10a	\$209,999	225	\$933
2	Class 10b	\$2,018,000		
1	Commercial	\$1,600,000	1090	\$1,468
1	Sign			
52		\$16,776,179		

DELEGATED BUILDING APPROVALS SUMMARY





DELEGATED ENVIRONMENTAL ORDERS FOR JULY 2009

Current Health Orders under Delegated Authority by Environmental Health Services	
30 Weaver Place, South Hedland (Fauntleroy/Mills)	Building Unfit for Human Habitation
207a & 207b Athol Street, Port Hedland (I Yujnovich)	<i>SAT hearing occurred 11/8/09. Residences to be restored in accordance with Structural Engineers Report.</i>

CURRENT LEGAL MATTERS BEING UNDERTAKEN AS AT JULY 2009

CURRENT LEGAL MATTERS					
File No.	Address	Issue	First Return Date	Current Status	Officer
WEDGEFIELD					
121670G	Lot 3 Trig Street (J Yujnovich)	Non-compliance with planning conditions	~ First return date 21/1/09	~ Court hearing date 14/4/09 ~ Adjourned until 25/5/09. ~ Adjourned to 6/7/09 ~ Listed for hearing 23/11/09	MP
803175G	Lot 1402 (34) Pinnacles Street (National Tyres)	Illegal Residential dongas and office		~ Instruction & Docs sent to Solicitors 15 April 09 ~ Further information required prior to prosecution notice to be filed/served.	MP
REDBANK					
116770G	Lot 134 Roche Road (Western Desert)	Illegal laydown area	~ First Return date 21/1/09	~ Adjourned to 27/2/09 ~ Hearing on 27/2/09 adjourned to 28/4/09 ~ Adjourned until 29/5/09. ~ Court hearing date 29/5/09 adjourned until 6/7/09 ~ Entered into a plea to be heard 4/8/09 - adjourned ~ Adjourned until 31/8/09	MP
SOUTH HEDLAND RURAL ESTATE					
154412G	Lot 2 (5-7) Quartz Quarry Road (Macpherson - Sunsum P/L t/as Pilbara Earthmoving)	Earth Moving business & repairs being operated from the property	~ First return date 21/1/09	~ Adjourned to 27/2/09 ~ Adjourned to 20/4/09 ~ Adjourned to 15/6/09 ~ Adjourned to 7/7/09 for plea ~ Listed for hearing 16/11/09 ~ Approach from Macpherson solicitors to ToPH solicitors seeking further adjournment. ToPH declined.	MP
154422G	Lot 11 (39 - 41) Greenfields Street (Outlook Contracting)	Illegal development and storage of heavy vehicles	~ First return date 24/3/09	~ Adjourned until 11/8/09 ~ 11/8/09 Penalty of \$20,000 plus Costs of \$700	MP
SOUTH HEDLAND					
	Nil				
PORT HEDLAND					
400330G	83 Athol Street (P Oldenhuis)	Health - Asbestos removal	~ First Return date 25/2/09	~ No appearance by Mr Oldenhuis ~ Court hearing date 28/4/09 adjourned until 29/5/09. ~ Plea hearing date 13/7/09 ~ Trial set for 16/11/09	MEH

Attachments

Nil

200910/038 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr A A Carter

That the Schedule of Planning, Building and Environmental Health approvals and Orders issued by Delegated Authority for the month of July 2009 be received.

CARRIED 8/0

11.2.1.3 Signs, Hoardings and Bill Posting Local Law (File No.: 19/01/0001)

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 18 August 2009

Disclosure of Interest by Officer Nil

Summary

To consider a Council response in light of recent instances in which temporary signage has been installed in a road reserve in contravention of Main Roads WA policy and Town of Port Hedland Local Law.

Background

Traditionally, community groups and others have installed temporary signage promoting forthcoming events, at high exposure locations in Port and South Hedland. These signs vary in quality and while not generally the subject of action on behalf of Council, many have been installed in contravention of Council's Local Laws.

In July, prior to the Spinifex Spree, a number of printed fabric signs, supported on star pickets, promoting the Spree, were installed in the road reserve along Great Northern Highway between Port and South Hedland.

This initiative by Council's events staff, while well intentioned, was undertaken without appropriate consultation and was in clear breach of Council's Local Law, without the approval of either Main Roads WA or the Town of Port Hedland.

Following the removal of these signs, similar signs were subsequently installed relating to the tidy towns competition judging.

In general, signage is not permitted in Main Roads WA road reserves. An exception is provided for temporary signage promoting events etc. Such signage can only be approved subject to numerous conditions prescribed in Main Roads Advertising Guidelines (Standard 67-08-4c) and local regional variations provided by the regional office. Conditions relevant to recent examples include –

- The signs and their locations comply fully with all the appropriate by-laws and planning schemes made by Council.

- The applicant must have Public Liability Insurance for the signs for a minimum of \$1,000,000. If there is evidence of pedestrian, cyclist, off road motor-bike activity prevalent in the area or the signs are within the clear zone area, then Public Liability Insurance is required.
- Steel star pickets shall not be used to support the proposed signs. Wooden or plastic pickets are recommended.

Of particular concern is the requirement to carry public liability insurance *“if there is evidence of pedestrian, cyclist, off road motor bike activity prevalent in the area..”*. The recently installed banners are only a few metres from tracks frequently used by off-road motor cyclists and other vehicles.

Council carries public liability insurance that covers activities related to community events such as the Spinifex Spree and even the work of the Tidy Towns committee. However in these recent instances the insurer is unlikely to accept liability in the event of any injury etc because Council's insurance cover is limited to lawful activities and the installation of these signs was not consistent with Council's own Local Laws

The relevant provisions of Council's Local Laws require that:

- “• *A person shall not erect, attach, affix or maintain any sign or advertising device ... on or above any land ... except pursuant to a licence issued under this Local Law.*
- *... the Council may refuse a licence if the sign or hoarding would, in its opinion ... be injurious to the amenity or natural beauty or safety of the area.*
- *Notwithstanding anything contained in this Local Law the Council may permit the display of advertisements at churches, theatres and other places of public entertainment, election notices, advertisements of meetings or other matters of public interest upon the terms and for the period the Council in each case decides. Permits will be in letter form and shall be obtained prior to such displays taking place.*
- *A person shall not erect or maintain a sign.... if it would be in a position where, in the opinion of Council, it would be injurious or unsuitable to the amenity or natural beauty of the area.*
- *.... paper, cardboard, cloth or other readily combustible material shall not form part of or be attached to any sign.”*

The recently installed signs are inconsistent with the Local Laws in that –

- No Licences were applied for, or issued. (They would not normally have been issued a license as they were installed in an area that serves as a visual or landscape buffer between the highway and the nearby motocross track, so they are *“injurious and unsuitable to the amenity or natural beauty of the area”*.)
- The materials used are flammable, contrary to requirements of the Local Law.

NB: The signs are not permitted by Main Roads WA as they do not comply fully with Council’s Local Laws.

Consultation

Nil.

Statutory Implications

The Town of Port Hedland Signs Hoardings and Bill Posting Local Law regulates the nature of signage within the municipality with relevant clauses quoted in the text of the report.

Policy Implications

Nil.

Strategic Planning Implications

There are no strategic planning implications in relation to this matter.

Budget Implications

Nil.

Officer’s Comment

Council could amend the Local Laws to accommodate temporary signage not currently permitted under the Town of Port Hedland Signs Hoardings and Bill Posting Local Law. It would however, be very ill-advised to make or amend Local Laws “on the run”, in response to a relatively limited issue.

As there has been no widespread call for changes in the Local Laws it is recommended that community consultation be undertaken if any changes are to be considered.

This is particularly important in circumstances, such as this, where the local laws are very similar to those adopted by the majority of local governments. In the interests of good government any changes need to recognise unique local conditions as it is a serious matter to disregard the experience gained by other local governments involved in drafting the Local Laws subsequently adopted by the Town.

As the Town continues its rapid development it is inevitable that circumstances will arise that cause Councillors and residents to question the applicability of the Local Laws that are in place but rather than “reinventing the wheel” each time, it is wiser to draw from the experience of communities who have already dealt with the particular issue, which is what Council previously did in adopting a set of local laws that were already in force, proven to be effective within a wide range of Local Governments.

Notwithstanding this, if Council were to consider legitimizing the type of signage recently installed it would be necessary to:

1. Repeal the provisions of the Signs Hoardings and Bill Posting Local Law which prohibit the use of flammable materials in temporary signs, and;
2. Repeal provisions of the same local law that allow an application for a sign license to be refused on the basis that it is injurious and unsuitable to the amenity or natural beauty of the area.

The preferred alternative to amending the Local Laws would be to monitor their operation, discouraging any proliferation of unapproved signage and develop a response, only in the event that the Signs Hoardings and Bill Posting Local Law proves, through community response or experience of operational staff to be in need of amendment.

In considering options to limit the proliferation of substandard and inappropriate signage it could be appropriate to install some poles or structures from which community advertising could be suspended. Permanent structures could not be installed in MRWA Road reserves but could be installed on Council controlled land such as recreation reserves, etc.

Attachments

Nil.

200910/039 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That Council:

Continues to discourage any further proliferation of signage on road reserves.

Investigates the installation of suitable structures from which community advertising could be displayed.

Monitors the operation and effectiveness of the Signs Hoardings and Bill Posting Local Law, with the view to adopting suitable amendments.

CARRIED 8/0

11.2.1.4 Library Services Alternative Venues (File No.: .../...)

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 18 August 2009

Disclosure of Interest by Officer Nil

Summary

To consider opportunities for relocation of Library Services Port and South Hedland Libraries

Background

Council has budgeted for development of a plan to review aspects of the library operations and explore opportunities to efficiently provide services more attuned to community needs.

State government policy and potential funding for regional library services has been under review for several years and ultimately there will be changes made which could impact on the shape and form of library services throughout the state. The State governmental review has yet to be finalised and while it is likely to be completed within the current financial year, this cannot be guaranteed.

In the meantime however, a number opportunities have arisen that could potentially enable the relocation of both Port Hedland and South Hedland libraries at little if any additional cost to Council.

Relocation of the current library services offer advantages that seem attractive and do not seem to limit any future changes of direction likely to arise from service reviews at a state or local level.

Port Hedland Library

The Port Hedland branch library is currently located in a building adjoining the Len Taplin Childcare Centre in Dempster Street, Cooke Point. The building is adequate for its current use; however it is not in a very high profile location. The operators of the adjacent Len Taplin Centre have sought access to the building in order to expand their childcare services to meet a great need in the community.

Simultaneously the Department of Health is seeking to find a venue from which it can operate basic clinical services (infant health clinics, etc.) in Port Hedland.

The Department has approached Council with a view to co-locating a clinic building with another Council service in order to lift the exposure of the building and gain construction and operational efficiency. A number of combined Library/clinic buildings have operated effectively, the most recent being in Kelmscott (City of Armadale) which is very well regarded by clients, Library staff and clinicians alike.

Of the land readily available to Council the site preferred by Dept of Health, is underutilized land adjacent to the main building at the Gratwick Aquatic Centre. This has the exposure to passing traffic/clients, and convenience that would benefit both library and clinic services. Such a development would also strengthen the sense of the area being a Civic Precinct in association with the Civic Centre and recreation facilities.

Such a development would provide approximately 90 – 100 square metres of civic space for use as the branch library at a fraction of the cost of construction. Given the potential for changes in readership patterns, demographic trends and the outcomes of the respective reviews into library services such a move could be seen as premature, except that the space provided in partnership with Dept of Health will be constructed in a manner that will enable its future use for any one of a range of future civic uses should circumstances change and library services be better delivered from yet another location.

South Hedland Library

Preliminary discussions with Mr Rob Fry of the South Hedland TAFE have indicated an enthusiasm to provide a joint library facility servicing TAFE students and the public, as occurs in Karratha and other regional centres.

Properly managed relocation of the Public Library collection to the TAFE Campus would offer a number of advantages including:

- Reduced operating costs for both TAFE and ToPH
- Increased exposure to services of TAFE and ToPH
- Release of the current library site which is impacted by the South Hedland CBD redevelopment
- Opportunity for short term use of the current library building for civic purposes (Indigenous arts centre, etc.)

Consultation

Discussions have been undertaken with representatives of TAFE and Department of Health.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Council's intention to review the operations of the Library Service is clearly indicated in its plan for the future

KRA 3 - Community Development
Goal 2 - Sports & Leisure
Strategy 5

Review library operations and locations develop a plan for the future operations of libraries in the Town.

While the actions proposed fall short of a review of the Library operations, they do constitute a marked improvement which capitalizes on the current opportunities without locking Council into operations that are not able to respond to the outcomes of future reviews.

Budget Implications

Council's Library Services currently cost approximately \$645,500 per annum to operate. In addition to this, Council has provided \$96,000 for Library upgrades, which could be applied, along with the land component as Council's contribution to a joint use facility with the Department of Health to replace the Port Hedland Library. The Department of Health may be able to provide a contribution of up to \$500,000.

Savings resulting from the operation of a library in partnership with TAFE are yet to be fully quantified but nett savings of up to \$200,000 are anticipated.

Officer's Comment

While not forming part of a specific review of Library operations, the opportunities that have arisen may enable

- significant improvement in operational efficiency
- potential increase in exposure of library services in Port and South Hedland
- the release of much needed building and land to enable expansion of the Len Taplin Childcare Centre.
- the early vacating of land and building that will ultimately need to be relocated as part of the South Hedland CBD redevelopment

At the same time, seizing these opportunities does not prevent Council from responding in the future to the outcomes of the State Governments review of Library Services or the outcomes of the

town's own review as relocation of both Libraries is required in order to advance the South Hedland CBD redevelopment and to facilitate expansion of the Len Taplin Childcare Centre.

The use of space within the TAFE campus provides a suitable location with reduced operating costs (shared with TAFE) and operation from a shared facility within the "Civic Precinct", adjacent to the Gratwick Aquatic Centre will facilitate the development of a more flexible, potentially multi use, space in conjunction with the establishment of a clinical facility that will be required when the hospital relocates from Port to South Hedland.

With a budget of approximately \$600,000 it is possible to have a suitable to construct and locate a suitable transportable building with on-site installation of building elements to address the site features. The project could be completed well within the time required to allow relocation of the hospital.

Given the lengthy delays in the State Government's review of Library Services it is recommended that Council proceed to gain the benefits of these initiatives rather than delay further pending the outcome of a review.

Specifically it is recommended that Council authorise the Chief Executive Officer to:

- a) commence negotiations with TAFE to potentially jointly operate shared public and student library services from the South Hedland TAFE campuses.
- b) continue to negotiate an agreement with the Department of Health to construct a shared facility from which a clinic and library can operate adjacent to, and on land currently occupied by the Gratwick Aquatic Centre.
- c) proceed with an in-house operational review of library services in conjunction with the State Government's review of library services across the state to determine the most effective model of Library Service provision in the Town.

Attachments

Nil

200910/040 Council Decision/Officer's Recommendation

Moved: Cr A A Gear **Seconded:** Cr J E Ford

That Council authorise the Chief Executive Officer to:

- a) **commence negotiations with TAFE to potentially jointly operate shared public and student library services from the South Hedland TAFE campuses.**
- b) **continue to negotiate an agreement with the Department of Health to construct a shared facility from which a clinic and library can operate adjacent to, and on land currently occupied by the Gratwick Aquatic Centre.**
- c) **proceed with an in-house operational review of library services in conjunction with the State Government's review of library services across the state to determine the most effective model of Library Service provision in the Town.**
- d) **Results inhouse will be reviewed and be put to community consultation**

CARRIED 8/0

11.2.2 Planning Services**11.2.2.1 Public Land Availability as Identified Within the Residential Land Rationalisation Plan (File No.: Various)**

Officer Richard Bairstow
Manager Planning

Date of Report 17 August 2009

Application No: Nil

Disclosure of Interest by Officer Nil

Summary

As part of the Land Rationalisation Plan it is proposed that the Town requests the Department Regional Development and Lands – State Land Services formerly the Department of Planning and Infrastructure State Land Services (DPI-SLS) to release additional land within both Port Hand South Hedland by way of Expressions of Interest (EOI), Tender, Local Government Purchase, Joint Venture Arrangements and other methods as appropriate.

A Council resolution is required to activate the processes. The recommendation is consistent with the Land Use Master Plan and the Parks Improvement Plan.

Background

At its 11 August 2009 Informal Briefing Session, Council discussed the Draft Land Rationalisation Plan (LRP). The LRP identifies all vacant land in Port and South Hedland, and summarises development opportunities and constrains for each site. As a component of these discussions sites were identified that were 'high priority' development sites. It is recommended land release be initiated immediately for these high priority sites via a variety of mechanisms.

Land proposed for release via public Expressions of Interest (EOI), Tender, and/or other suitable process:

MAP REF.	LOT NO.	ADDRESS	AREA	OWNERSHIP	VESTING	ZONING
SOUTH HEDLAND						
87	5977	Hamilton Road	7237m ²	State of Western Australia		Parks & Recreation
88	2939	Roberts Street	9839m ²	State Energy Commission		Parks & Recreation
24 and 101	6159 6160	Barrow Place 2 Godrick Place	855m ² 7369m ²	State of WA Unknown		Residential R20 Residential R30
135	2907	72 Limpet Crescent	3134m ²			Residential R20
PORT HEDLAND						
14	414	Moore Street	765m ²	State of WA		Residential R12.5/30
15	415	Moore Street	778m ²	State of WA		Residential R12.5/30
16	416	Moore Street	790m ²	State of WA		Residential R12.5/30
42	2469	Frewer Street	4048m	State of WA		Residential R50
43	1399	14 Moore Street	2.167ha			Residential R12.5/30
44		Anderson Street	2185m			Residential R30
45		Beart Street				Road Reserve
46	6173	4 Beart Street	2815m	State of WA		Parks and Recreation
48	3830	Moore Street	1338m	ToPH		Other Public Purpose
73		Cooke Point Drive	13.359ha			Rural
Portion 77	300		8.2360ha			Parks and Recreation

Note: Where sites are shown in the same box it is because these sites should be amalgamated.

Land proposed for freehold tenure with the Town of Port Hedland:

MAP REF.	LOT NO.	ADDRESS	SIZE	OWNERSHIP	VESTING	ZONING
SOUTH HEDLAND						
59	1693	30 Parker Street	10.526ha	UCL		Community
73	2241	McDonald Street	1.0579ha	Crown	ToPH 5/1997	R20 Residential
87	5977	Hamilton Road	7237m ²	State of WA		Parks & Recreation
88	2939	Roberts Street	9839m ²	State Energy Commission		Parks & Recreation
37, 68 and 69	5833 5973 5972	Traine Crescent Traine Crescent Greene Place	4107m 2248m 1625m	State of WA	ToPH 2/1990	Other Public Purpose Residential R20 Residential R20
Portion 116, 117, 252, 118, and 16	2984 59682 & 2975 2934 2994	Kennedy Street Acacia Way Boronia Close Boronia Close	1.311ha 140m & 1185m 2999m 1709m	State of WA UCL State of WA	ToPH 9/2001	Other Public Purpose Road Reserve Residential R20 Residential R20 Residential R20
74 and 259	2240	99 Greene Place	2167m			Residential R20 Road Reserve
Portion 116, 32, 33 and 45	2984 2927 2912 2912	Kennedy Street Kennedy Street	1.3118ha 1158m 941m 941m	State of WA State of WA	ToPH 9/2001	Other Public Purpose Residential R20 Residential R20 Residential R20

Note: Where sites are shown in the same box it is because these sites should be amalgamated.

Land proposed for joint venture between the Town of Port Hedland and Department of Housing:

MAP REF.	LOT NO.	ADDRESS	SIZE	OWNERSHIP	VESTING	ZONING
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SOUTH HEDLAND						
155, 156 and 253	6160 3747 5453 & 5454	Godrick Place Godrick Place Godrick Place	7369m 655m 741m & 741m	Dept of Housing		Residential R30

Note: Where sites are shown in the same box it is because these sites should be amalgamated.

Land proposed for sale to adjoining land owners:

MAP REF.	LOT NO.	ADDRESS	SIZE	OWNERSHIP	VESTING	ZONING
PORT HEDLAND						
19	5827	Anderson Street	3871m	State of WA		Community
20	5828	Anderson Street	2337m	State of WA		Community

Land with potential issues but which is recommended for release in the future, therefore efforts should commence to address these issues:

MAP REF.	LOT NO.	ADDRESS	SIZE	OWNERSHIP	VESTING	ZONING
PORT HEDLAND						
63	1607	McGregor Street	6.3723ha	State of WA		Parks and Recreation
64	6022	McGregor Street	2.4873ha	State of WA		Parks and Recreation
65	6023	Clark Street	2219m	State of WA		Parks and Recreation
66	1796	Clark Street	982m	State of WA		Parks and Recreation
67	952	Tindale Street	12.994ha	State of WA		Other Public Purpose
68	2046	Tindale Street	1.5392ha	State of WA		Other Public Purpose
69		Cooke Point Drive	27.836ha	UCL		Parks and Recreation

70	5987	Cooke Point Drive	6.8891ha	UCL		Parks and Recreation
79	5474	Thompson Street	3371m	State of WA		Residential

Consultation

This report is the result of a request from the Minister of Regional Development and Lands for suitable land to be identified for release by the Department of Regional Development and Lands – State Land Services.

Statutory Implications

The sale of Crown land is dealt with by Part 6 of the *Land Administration Act 1997*.

Policy Implications

- Nil

Strategic Planning Implications

KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT

Goal Number 4 – Land Development Projects

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

- South Hedland New Living Developments
- South Hedland CBD developments

KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT

Goal Number 4 – Land Development Projects

Strategy 2 – Work with the DPI to identify additional crown land that can be released for development in a timely manner

KEY RESULT AREA 2 – COMMUNITY PRIDE

Goal Number 1 - Litter

Strategy 4 – Work with key stakeholders to commence implementation of the South Hedland CBD Structure Plan to significantly improve the appearance and vitality of this area

Budget Implications

Nil

Attachments

- 1 Sites for release via Expressions of Interest (EOI), Tender, and/or other suitable process;

- 2 Sites to be negotiated with the Town, for the freehold tenure;
- 3 Sites for release via negotiate with the Town, for the potential joint venturing with other Agencies;
- 4 Sites for release via negotiate with adjoining landowners; and
- 5 Sites constrained by the Port Hedland Waste Water Treatment Plant.

A copy of the Port Hedland Public Land Rationisation Plan is available to Councillors upon request.

Officer's Comment

The recommended actions are consistent with the recommendations of both the Land Use Master Plan and the Parks Improvement Plan and whilst the Land Rationalisation Plan is yet to be completed, these lots are considered suitable for release prior to its finalisation.

The release of these lots of land will free up land for both residential and non-residential activities. Council will be able to control further development of these lots by either the Subdivision and/or the Development Applications.

200910/041 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr A A Carter

That Council:

1. **requests the Department Regional Development and Lands - State Land Services to, in accordance with the provisions of the Land Administration Act 1997:**
 - a) **release the sites as included in Attachment No. 1 via Expressions of Interest (EOI), Tender, and/or other suitable process as soon as practicable;**
 - b) **negotiate with the Town, for the freehold tenure of sites as included in Attachment No. 2;**
 - c) **negotiate with the Town, on sites as included in Attachment No. 3 for development with suitable joint venture partners;**
 - d) **negotiate with adjoining landowners of the sites as included in Attachment No. 4 for their amalgamation into these lots;**
 - e) **initiate investigations into the resolution of issues surrounding the possible relocation of the Port Hedland Water Treatment Plant in consultation with the relevant Authorities, Agencies and the Town of Port Hedland to enable the release of site identified in Attachment No. 5;**

2. **authorises the Chief Executive Officer or his nominated representative to negotiate with the Department Regional Development and Lands – State Land Services in regard to the freehold tenure and/or joint venturing of sites identified within this report.**
3. **Include Area A – Lot 406 Moore Street and two blocks adjacent to Telstra site on Kingsmill Street.**

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.1

Attachment No: 1 - Land proposed for release via Expressions of Interest (EOI), Tender, and/or other suitable process:

MAP REF.	LOT NO.	ADDRESS	SIZE	OWNERSHIP	VESTING	ZONING
SOUTH HEDLAND						
87	5977	Hamilton Road	7237m ²	State of Western Australia		Parks & Recreation
88	2939	Roberts Street	9839m ²	State Energy Commission		Parks & Recreation
24 and 101	6159 6160	Barrow Place 2 Godrick Place	855m ² 7369m ²	State of WA Unknown		Residential R20 Residential R30
135	2907	72 Limpet Crescent	3134m ²			Residential R20
PORT HEDLAND						
14	414	Moore Street	765m ²	State of WA		Residential R12.5/30
15	415	Moore Street	778m ²	State of WA		Residential R12.5/30
16	416	Moore Street	790m ²	State of WA		Residential R12.5/30
42	2469	Frewer Street	4048m	State of WA		Residential R50
43	1399	14 Moore Street	2.167ha			Residential R12.5/30
44		Anderson Street	2185m			Residential R30
45		Beart Street				Road Reserve
46	6173	4 Beart Street	2815m	State of WA		Parks and Recreation
48	3830	Moore Street	1338m	ToPH		Other Public Purpose
73		Cooke Point Drive	13.359ha			Rural
Portion 77	300		8.2360ha			Parks and Recreation

Note: Where sites are shown in the same box it is because these sites should be amalgamated.

ATTACHMENT 2 TO AGENDA ITEM 11.2.2.1

Attachment No: 2 - Land proposed for negotiated freehold tenure with the Town of Port Hedland:

MAP REF.	LOT NO.	ADDRESS	SIZE	OWNERSHIP	VESTING	ZONING
SOUTH HEDLAND						
59	1693	30 Parker Street	10.526ha	UCL		Community
73	2241	McDonald Street	1.0579ha	Crown	ToPH 5/1997	R20 Residential
87	5977	Hamilton Road	7237m ²	State of WA		Parks & Recreation
88	2939	Roberts Street	9839m ²	State Energy Commission		Parks & Recreation
37, 68 and 69	5833 5973 5972	Traine Crescent Traine Crescent Greene Place	4107m 2248m 1625m	State of WA	ToPH 2/1990	Other Public Purpose Residential R20 Residential R20
Portion 116, 117, 252, 118, and 16	2984	Kennedy Street Acacia Way	1.311ha 140m & 1185m	State of WA UCL	ToPH 9/2001	Other Public Purpose Road Reserve Residential R20 Residential R20 Residential R20
	59682 & 2975 2934 2994	Boronia Close Boronia Close	2999m 1709m	State of WA		
74 and 259	2240	99 Greene Place	2167m			Residential R20 Road Reserve
Portion 116, 32, 33 and 45	2984	Kennedy Street Kennedy Street	1.3118ha	State of WA	ToPH 9/2001	Other Public Purpose Residential R20 Residential R20 Residential R20
	2927		1158m	State of WA		
	2912		941m			
	2912		941m			

Note: Where sites are shown in the same box it is because these sites should be amalgamated.

ATTACHMENT 3 TO AGENDA ITEM 11.2.2.1

Attachment No: 3 - Land proposed for joint venture between the Town of Port Hedland and Department of Housing:

MAP REF.	LOT NO.	ADDRESS	SIZE	OWNERSHIP	VESTING	ZONING
SOUTH HEDLAND						
155, 156 and 253	6160 3747 5453 & 5454	Godrick Place Godrick Place Godrick Place	7369m 655m 741m & 741m	Dept of Housing		Residential R30

Note: Where sites are shown in the same box it is because these sites should be amalgamated.

ATTACHMENT 4 TO AGENDA ITEM 11.2.2.1

Attachment No: 4 - Land proposed for sale to adjoining land owners:

MAP REF.	LOT NO.	ADDRESS	SIZE	OWNERSHIP	VESTING	ZONING
PORT HEDLAND						
19	5827	Anderson Street	3871m	State of WA		Community
20	5828	Anderson Street	2337m	State of WA		Community

ATTACHMENT 5 TO AGENDA ITEM 11.2.2.1

Attachment No: 5 - Land impacted upon by the Port Hedland Waste Water Treatment Plant. Initiate investigations into the resolution of issues surrounding the possible relocation of the Port Hedland Water Treatment Plant in consultation with the relevant Authorities, Agencies and the Town of Port Hedland to enable the release of identified sites:

MAP REF.	LOT NO.	ADDRESS	SIZE	OWNERSHIP	VESTING	ZONING
PORT HEDLAND						
63	1607	McGregor Street	6.3723ha	State of WA		Parks and Recreation
64	6022	McGregor Street	2.4873ha	State of WA		Parks and Recreation
65	6023	Clark Street	2219m	State of WA		Parks and Recreation
66	1796	Clark Street	982m	State of WA		Parks and Recreation
67	952	Tindale Street	12.994ha	State of WA		Other Public Purpose
68	2046	Tindale Street	1.5392ha	State of WA		Other Public Purpose
69		Cooke Point Drive	27.836ha	UCL		Parks and Recreation
70	5987	Cooke Point Drive	6.8891ha	UCL		Parks and Recreation
79	5474	Thompson Street	3371m	State of WA		Residential

11.2.2.2 Proposed Section 70A Notification for Lot 14 (5) Ashburton Court, South Hedland. (File No.: 800874G)

Officer	Leonard Long Planning Officer
Date of Report	10 August 2009
Application No.	2008/390.03
Disclosure of Interest by Officer	Nil

Summary

Council is requested to resolve 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 approval granted under Delegated Authority, on Lot 14 (5) Ashburton Court, South Hedland for the development of a Single House and ancillary accommodation was granted on 10 March 2009. One of the conditions imposed as part of the approval reads as follows:

"A notification under section 70A of the Transfer of Land Act is to be prepared in a form acceptable to the Town and lodged with the Registrar of Titles for endorsement on the certificate of title for the subject lot, prior to the commencement of development works. This notification is to be sufficient to alert prospective landowners of the use restrictions of the ancillary accommodation as stipulated under condition 4 of this approval"

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 Comment

The required section 70A notification is an important way of being able to ensure that any prospective owner / buyers of the lot are eluded to the restrictions / conditions pertaining to the "Ancillary Accommodation" approved on the lot.

The use of the section 70A notification as a condition of approval is standard when approving "Ancillary Accommodation" as this ensures that there is no confusion on the actual permitted use.

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

200910/040 Council Decision/Officer's Recommendation

Moved: Cr A A Carter Seconded: Cr J M Gillingham

That Council:

- i) approves the use of the Town's common seal for the purposes associated with the registering of a section 70A notification on Lot 14 (5) Ashburton Court, South Hedland, and**
- ii) 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 5 of Planning Approval 2008/390 has been satisfactorily been complied with.**

CARRIED 8/0

6:11 pm Councillor George J Daccache declared an impartiality interest in Agenda Item 11.2.2.3 'Proposed Caretaker's Dwelling' and he will consider this matter on its merits and vote accordingly. Councillor Daccache did not leave the room.

11.2.2.3 Proposed Caretaker's Dwelling – Lot 201 (10) Byass Street, South Hedland (File No.: 120715G)

Officer Luke Cervi
Planning Officer

Date of Report 13 August 2009

Application No. 2009/271

Disclosure of Interest by Officer Nil

Summary

Council has received an application from Vathjunker Contractors on behalf of the owner Richard Smirke, to construct a caretakers dwelling on Lot 201 (10) Byass Street, South Hedland.

The application has been reported to Council for determination as an 'IP' use is not included in delegations approved by Council on 13 December 2006. This report also recommends that determination of future applications for 'IP' uses be delegated to the Director Regulatory and Community Services.

Background

The Site

The site is included in the Mixed Business zone under the Town of Port Hedland Planning Scheme No' 5 (TPS 5), and has an area of 2226m². Land to the south and west of the site is also within the Mixed Business zone and land to the north and east is reserved for other public purposes (water and drainage).

The site is currently developed with a 35m x 17.5m (612.5m²) building that is approved for warehouse (approx 210m²) and shop purposes (approx 400m², Smirkey's Sports). The remainder of the site is vacant and used for car parking and vehicle maneuvering.

The Proposal

The caretaker's dwelling is proposed to be a conversion of two sea containers, a 12m container and a 6m container. The conversion will include the cladding of the exterior and adding of a pitched roof (see attachment 2). The caretaker's dwelling will comprise an area of 43.2m and be located in the south eastern corner of the site, which is located behind the building when entering the property from Byass Street.

Consultation

The application has been referred internally to the Building Services and Environmental Health departments. No objections were voiced however, Building Services advised that the dwelling will need to meet BCA requirements which has not yet been demonstrated.

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.

As 'IP' uses are not included in the delegations approved by Council, a decision of Council is required. It is recommended that 'IP' uses be delegated to the Director Community & Regulatory Services.

Policy Implications

Nil.

Strategic Planning Implications

The proposed application has no implications for Strategic Planning.

Budget Implications

An application fee of \$156.60 was paid on lodgement and deposited into account 1006326.

Officer's Comment

A caretaker's dwelling is an 'IP' use under TPS5 and therefore is not permitted unless incidental to the predominate use of the land. TPS5 defines incidental use as follows:

A use which is incidental to the predominant use on a lot due to its less frequent use or less importance compared to the operations of the predominant use and may involve smaller structures or less land area.

The warehouse and shop will remain the predominant use with the owner contending the caretaker's dwelling is only for security purposes. During a site inspection it was observed where thieves had used a grinder to cut out a hole and obtain entry to the premises just days before.

Being satisfied that the caretaker's dwelling is in fact an incidental use, the development can then be assessed. The development is generally consistent with the R Codes with some minor areas of non-compliance such as lack of open space, store room and clothes drying facilities. These minor issues of non-compliance can be adequately catered for on site and it is considered appropriate to deal with them through permit conditions. The caretaker's dwelling will have to obtain a building licence, at which time they will need to demonstrate how the caretaker's dwelling will comply with BCA requirements.

Although the caretaker's dwelling will be constructed from two sea containers, the applicant has incorporated design elements to improve the appearance of the dwelling. Cladding the exterior of the dwelling and adding a pitched roof will provide significant improvement and remove the identifiable aspects of those sea containers that are being converted.

Council has the following options of dealing with the application for a caretaker's dwelling:

1. Approve the application with or without conditions
2. Refuse the application

In this instance, it has been assessed that the proposed caretaker's dwelling is an incidental use and having due regard to the design and siting, is appropriate for the site. It is expected that Council will not have concerns with the proposal and as such it is considered appropriate to review the need for a Council determination for future applications of a similar nature.

Delegation No.40 (Town Planning Scheme No.5) Delegates many powers to the Director Community and Regulatory Services including Uses. There are 5 distinct categories of uses under the TPS5, they are as follows:

- P the development is permitted by the scheme
- AA the development is not permitted unless the Council has granted planning approval
- SA the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3
- IP the development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council
- ~ a development that is not permitted by the Scheme

Delegation 40 provides either conditional or unconditional delegation to determine P, AA, SA and ~ uses but does not include IP uses. It is recommended that Council amend the delegation to include IP uses.

Council has the following options of dealing with the review of Delegation 40:

1. Make no change to the delegation
2. Amend Delegation 40 to include all IP uses
3. Amend Delegation 40 to include IP uses where certain conditions are met.

It is recommended that option 2 be adopted and this is reflected in part ii) of the recommendation.

Attachments

1. Site plan
2. Elevation plans
3. Delegation 40 (Town Planning Scheme No.5)

200910/043 Council Decision/Officer's Recommendation

Moved: Cr K A Howlett Seconded: Cr J M Gillingham

That Council:

i) APPROVES the planning application for a CARETAKER'S DWELLING at Lot 201 (10) Byass Street, South Hedland, subject to the following conditions:

- a) **This approval relates only to the proposed CARETAKER'S DWELLING and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.**
- b) **The caretaker's dwelling must only be used for purposes, which are related to the operation of a "caretaker's dwelling". Under the Town of Port Hedland's Town Planning Scheme No. 5 a "caretaker's dwelling" is defined as:**

"a building used as a dwelling by a person, and an associated household, having the care of buildings, plant, equipment or land used for any development category in the zoning table carried out on or existing on the same site, with a maximum floor space of 50m²."

- c) **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.**

- d) **An outdoor living area that is a minimum of 16m² in area and 3 m in width must be provided for the caretaker's dwelling to the satisfaction of the Manager Planning.**
- e) **A store room and clothes drying facilities must be provided in accordance with the Residential Design Codes of Western Australia and be to the satisfaction of the Manager Planning.**
- f) **A minimum of 19 car bays must be provided on site to the satisfaction of the Manager Planning.**
- g) **The car parking bays and access way shall be designed in accordance with the requirements of Town Planning Scheme No. 5 – Appendix 8.**
- h) **Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the Manager Planning.**

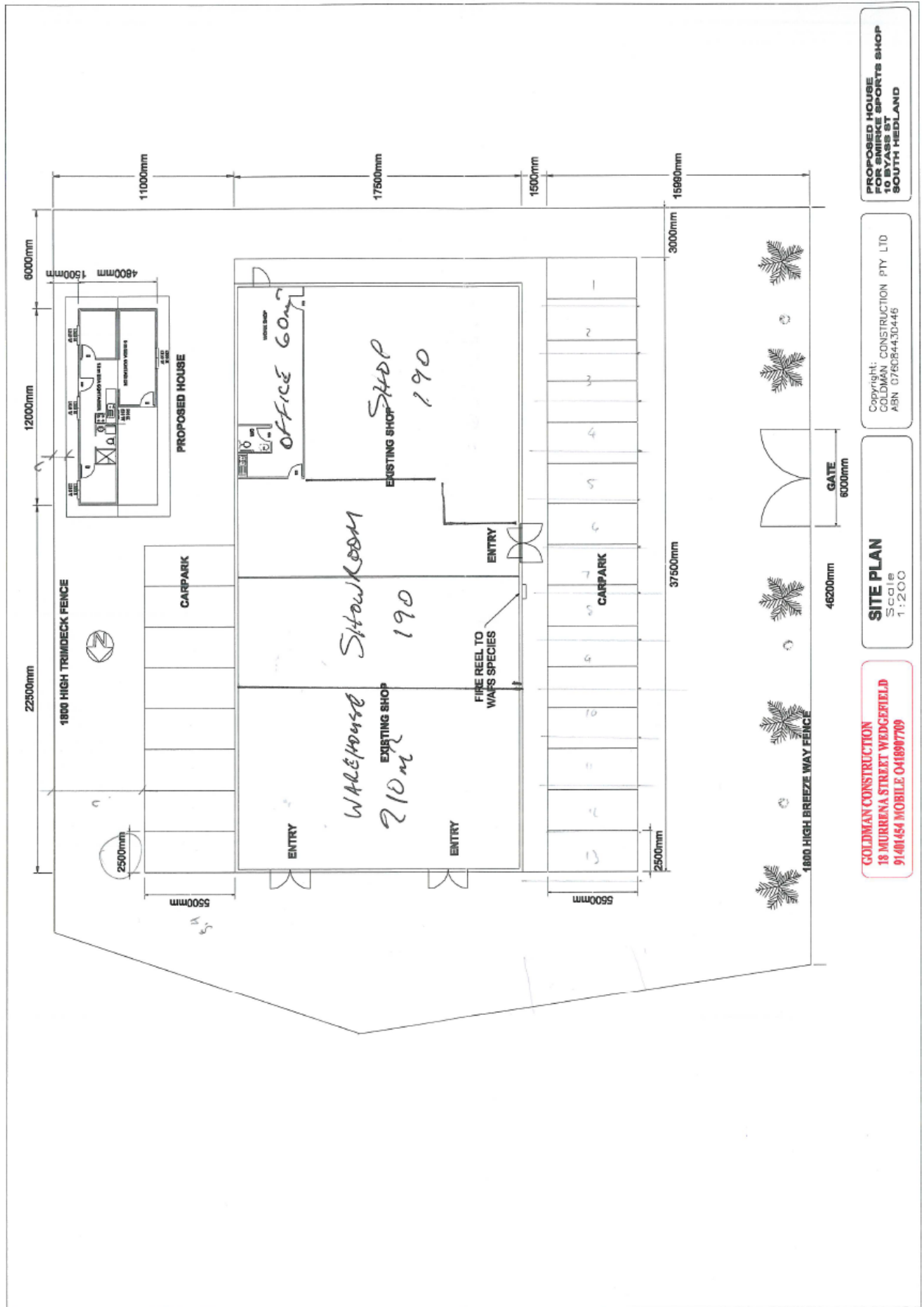
FOOTNOTES:

1. **You are advised that this is a Planning Approval only and the Developer is responsible for complying with all relevant building, health and engineering requirements.**
2. **The development must be connected to reticulated mains sewer.**
3. **At Building Licence application stage, the applicant will be required to demonstrate compliance with the Building Code of Australia for a Class 1a dwelling.**
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 to comply with the provisions of Worksafe Western Australia in the carrying out of all works associated with this approval; and**
- ii) Amend Delegation 40 (Town Planning Scheme No.5) by including 1. e) Determine all applications to commence development where the proposed use is a “IP” use listed in the Zoning Table of the Town Planning Scheme.**

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.3



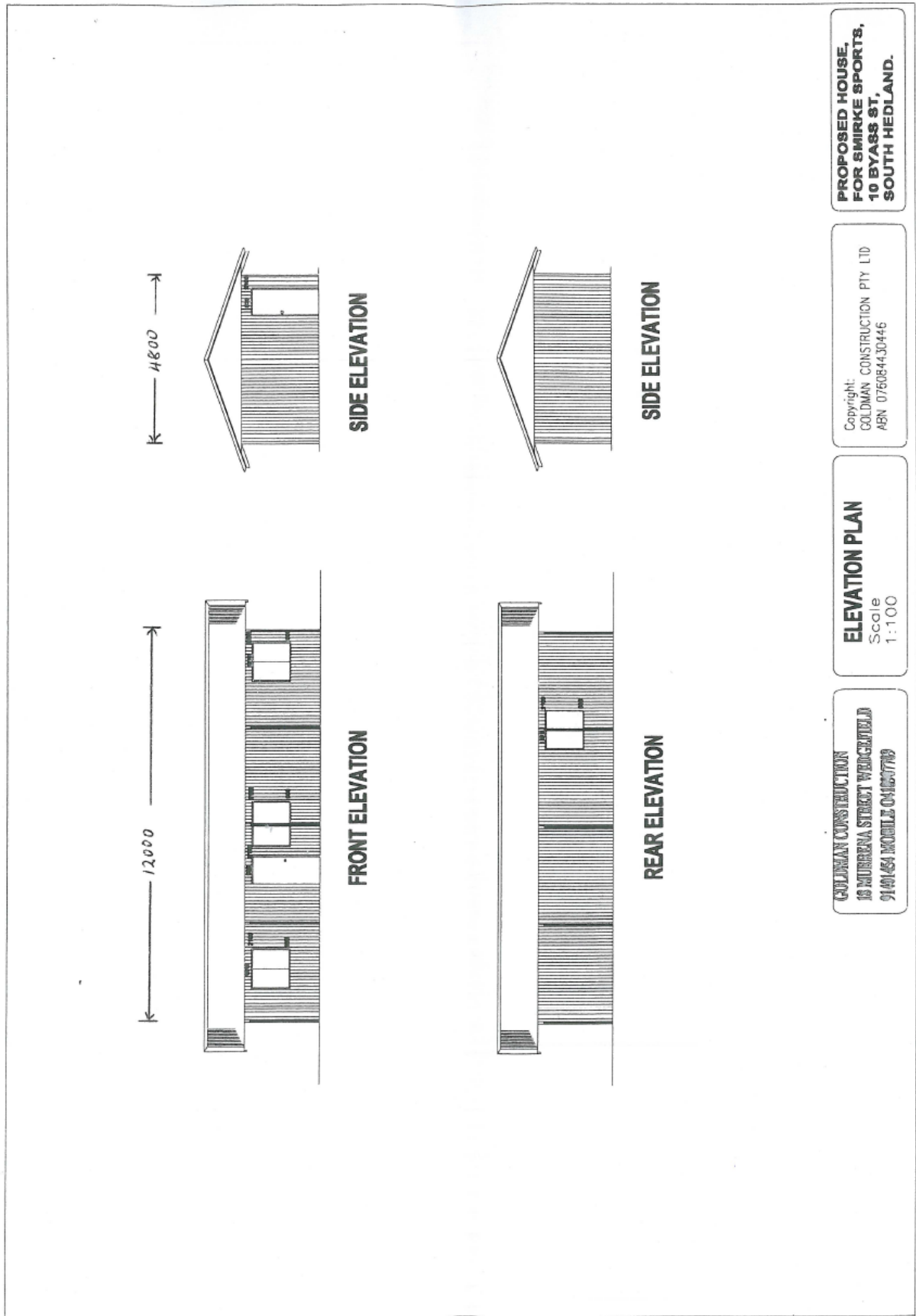
PROPOSED HOUSE FOR SMIRKE SPORTS SHOP 10 BYASS ST SOUTH HEDLAND

Copyright: GOLDMAN CONSTRUCTION PTY LTD
 ABN 0760284430446

SITE PLAN
 Scale 1:200

GOLDMAN CONSTRUCTION
 18 MURENA STREET WEDGEFIELD
 91401454 MOBILE 0418997709

ATTACHMENT 2 TO AGENDA ITEM 11.2.2.3



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.3

TOWN OF PORT HEDLAND

DELEGATION REGISTER

DELEGATION NUMBER	40 (Town Planning Scheme No. 5)
LEGISLATIVE POWER	Town Planning Scheme No. 5 - Clause 9.2
DELEGATION SUBJECT	Town Planning Scheme No. 5
DELEGATE	Director Regulatory and Community Services

1. For the purposes of carrying out and completing the Town Planning Scheme and to ensure its observance, the Council may delegate to the Director Regulatory and Community Services any of the powers which it is entitled to exercise by virtue of the Scheme.
2. Any officer of the Council who exercises any power delegated pursuant to the preceding provision shall exercise such power strictly in conformity with the provisions of the Scheme and in particular any policy made by the Council thereunder.
3. A list of planning applications approved under this delegation is to be provided to Council through the Councillors Information Bulletin.

THE FOLLOWING FUNCTIONS OF COUNCIL ARE, IN ACCORDANCE WITH CLAUSE 9.2 OF TOWN PLANNING SCHEME NO. 5, DELEGATED TO THE DIRECTOR COMMUNITY DEVELOPMENT SERVICES:

1. Uses

The Director Regulatory and Community Services may:

- a) Determine all applications to commence development where the proposed use is a "P" use listed in the Zoning Table of the Town Planning Scheme;
- b) Determine all applications to commence development where the proposed use is "AA" use listed in the Zoning Table of the Town Planning Scheme; and
- c) Refuse all applications to commence development where the proposed use is and "-" use listed in the Zoning Table of the Town Planning Scheme
- d) Approve all applications to commence development where the use is an "SA" use listed in the Zoning Table of the Town Planning Scheme provided that:
 - . Advertising has been completed on accordance with the scheme.
 - . All Councillors have been advised (in writing) prior to the advertising of the development proposal during the prescribed advertising period.
 - . No objections are raised during the advertising period.

Where any objection is received by a Councillor or a member of the public, or the proposal may have an effect on the amenity or the orderly and proper planning of the locality then the application is to be referred to Council for determination.

2. Conditions

The Director Community Development Services has the authority to impose conditions on any approval to commence development that relates to the proper and orderly planning of the locality.

3. Internal Appeals System

Should an applicant or an owner of land the subject of an application be aggrieved by a decision of the Director Community Development Services exercising a discretionary power under the Scheme, the applicant or an owner of the land the subject of an application may appeal to Council for a consideration of the decision.

4. Residential Planning Codes

The Director Community Development Services may determine all requests for variation of development requirements conferred to Council pursuant to the provisions of the Residential Planning Codes.

5. Grouped Dwellings

The Director Community and Regulatory Services may approve or refuse all applications for grouped dwelling developments within the "Residential" zones comprising up to ten (10) grouped dwelling units.

(Clause 5 amended by Council at its Ordinary Council Meeting held on 26 March 2008)

6. Outbuildings

The Director Community Development Services may approve all applications for outbuildings not exceeding a maximum combined floor area of 100M².

For the purpose of this delegation an "outbuilding" means an incidental detached building appurtenant to be used in conjunction with a dwelling as:

- i) A storage shed;
- ii) A carport / garage;
- iii) A stable; and
- iv) A combination of the above,

but not as a residential or a workshop for commercial purposes.

7. Building Setbacks

The Director Community Development Services may approve or refuse all applications for a variation to building setback requirements.

8. Car Ports on Corner Lots for Single Residential Dwellings

The Director Community Development Services may determine that the setback for a carport on a corner lot on the following basis notwithstanding any requirement of the Residential Planning Codes:

- i) On the primary street frontage, the carport shall be setback not less than 3.0 metres; and
- ii) On the secondary street frontage, the carport shall be setback not less than 1.5 metres.

9. Home Occupations

The Director Community Development Services may grant Planning Consent for a Home Occupation where:

- i) The proposal complies with the Town Planning Scheme and any Council Policy;
- ii) No submissions are received during the advertising period; and
- iii) The proposal is of a non-contentious nature.

All other Home Occupation proposals to be referred to Council.

10. Scheme Requirement

The Director Community Development Services may forward Town Planning Scheme Amendments to the Planning Commission for final approval in the case of:

- i) There being no submissions received during the statutory advertising period; and
- ii) The proposal being of an uncontentious nature.

The date of adoption of Council's final approval shall be the date of the next Council Ordinary Meeting following the closing date of the advertising period.

11. Endorsement Of Statutory Documents

The Director Community Development Services is the delegated officer for the purposes of endorsing the following statutory documents:

- i) Planning Consent Approval and Refusal Notices.

12. Road Closure Actions

The Director Community Development Services may forward Road Closure Applications direct to the Department of Land Administration in the event of:

- (i) there being no comment received during the statutory advertising period; and
- (ii) the proposal being of an uncontentious nature.

The date of Council's adoption of the Road Closure Action following conclusion of the advertising period shall be the date of the next Council Ordinary Meeting.

11.2.2.4 Proposed SINGLE HOUSE – R Code Variation shed addition 12m x 9m x 4.5m, Lot 68 (171) Greenfield Street, South Hedland Rural Estate (File No.: 154446G)

Officer	Leonard Long Planning Officer
Date of Report	12 August 2009
Application No.	2009/354
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from Northwest Shedmasters on behalf of the owners Sandy and Melissa McPherson, to construct a 12m x 9m x 4.5m shed on Lot 68 (171) Greenfield Street, South Hedland Rural Estate.

In terms of the delegations approved by Council on 13 December 2006, the Director Regulatory and Community Services may not approve any shed that exceeds 100m². The current application is for a 108m² shed. Therefore, this application is being submitted before Council for consideration.

Background

The Site

The site is included in the Rural Residential zone under the Town of Port Hedland Planning Scheme No' 5 (TPS 5), and has an area of 10 832m². All the properties within the South Hedland Rural Estate fall within the same Rural Residential zone.

The lot is currently developed with an existing dwelling and carport, with the remainder of the lot being vacant.

Council at its Ordinary Meeting held on 23 November 2005 resolved to approve a 15m x 20m barn style shed on the lot. However, the shed was never constructed within the timeframe of the approval and has therefore lapsed.

The Proposal

The proposed shed has an area of 108m² and a wall height of 4.5m. The applicant has provided the following justification for the proposed shed with regard to the proposed size and height.

"We wish to use this shed for housing of our new 7.1m boat, 3.9m dingy, lawn mowers and other household equipment currently being stored on our verandah and is dangerous in cyclone season as there is nowhere else to store our equipment"

In addition to the above justification the applicant has included a floor plan of the proposed shed indicating the proposed usage of the shed.

Consultation

The application has been forwarded to the Towns Building Services sections who have indicated that there is no objection to the proposed shed subject to the submission of a Building Licence application.

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

Currently Council does not have any policy that would regulate the size of proposed sheds.

Strategic Planning Implications

The proposed application has no implications for Strategic Planning.

Budget Implications

An application fee of \$195.75 was paid on lodgement and deposited into account 1006326.

Officer's Comment

The proposal would normally be determined under delegation of powers however, as the shed is in excess of 100m² (108m²), Council determination is required.

The proposal does not comply with the acceptable development standards of the Residential Design Codes of Western Australia (R Codes) for sheds (outbuildings). The R Codes specify acceptable development standards for a shed are met when the floor area is no greater than 60m², wall height is no greater than 2.4m and the ridge height is no greater than 4.2m. As the proposed shed exceeds these requirements Council needs to be satisfied that the performance criteria have been met if approval is to be given.

The performance criterion for a shed is:

“Outbuildings (Sheds) that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.”

In this instance, it has been assessed that the performance criteria will be achieved. The shed would be located well off the primary street and would not detract from the streetscape or impact on the visual amenity of the surrounding residents.

In regard to the wall height the proposed shed is setback far enough not to create a negative impact on the visual amenity of the adjoining owners.

In recognition of the above, Council has the following three options, that Council:

1. Refuses the application,
2. Approves the application subject to conditions, or
3. Approves the application.

It is recommended that the application be approved subject to the conditions detailed within the recommendation.

Attachments

1. Locality Plan
2. Site Plan
3. Elevation Plan
4. Floor Plan

200910/044 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That Council:

APPROVES the planning application for a SINGLE HOUSE – R Code variation shed addition 12m x 9m x 4.5m, subject to the following conditions:

1. **This approval relates only to the proposed shed 12m x 9m x 4.5m and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.**
2. **This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.**

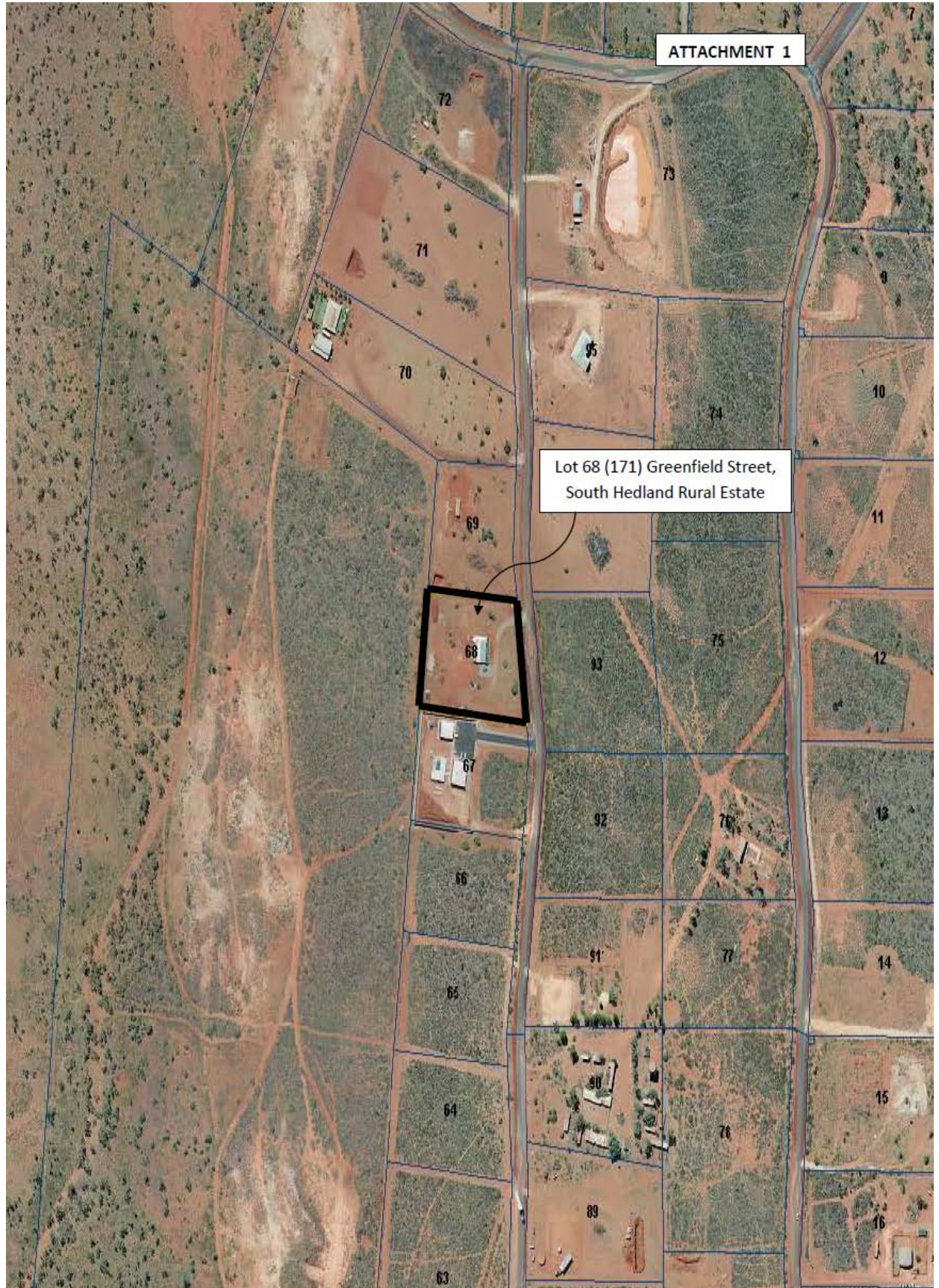
3. The shed shall only be used for domestic storage and/or activities as outlined by the owner in the application submission dated 17 June 2009, and not be used for commercial or industrial purposes or human habitation.
4. The colours of the proposed shed are to blend with those of the existing dwelling or environment to the satisfaction of the Manager Planning.
5. Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the Manager Planning.

FOOTNOTE:

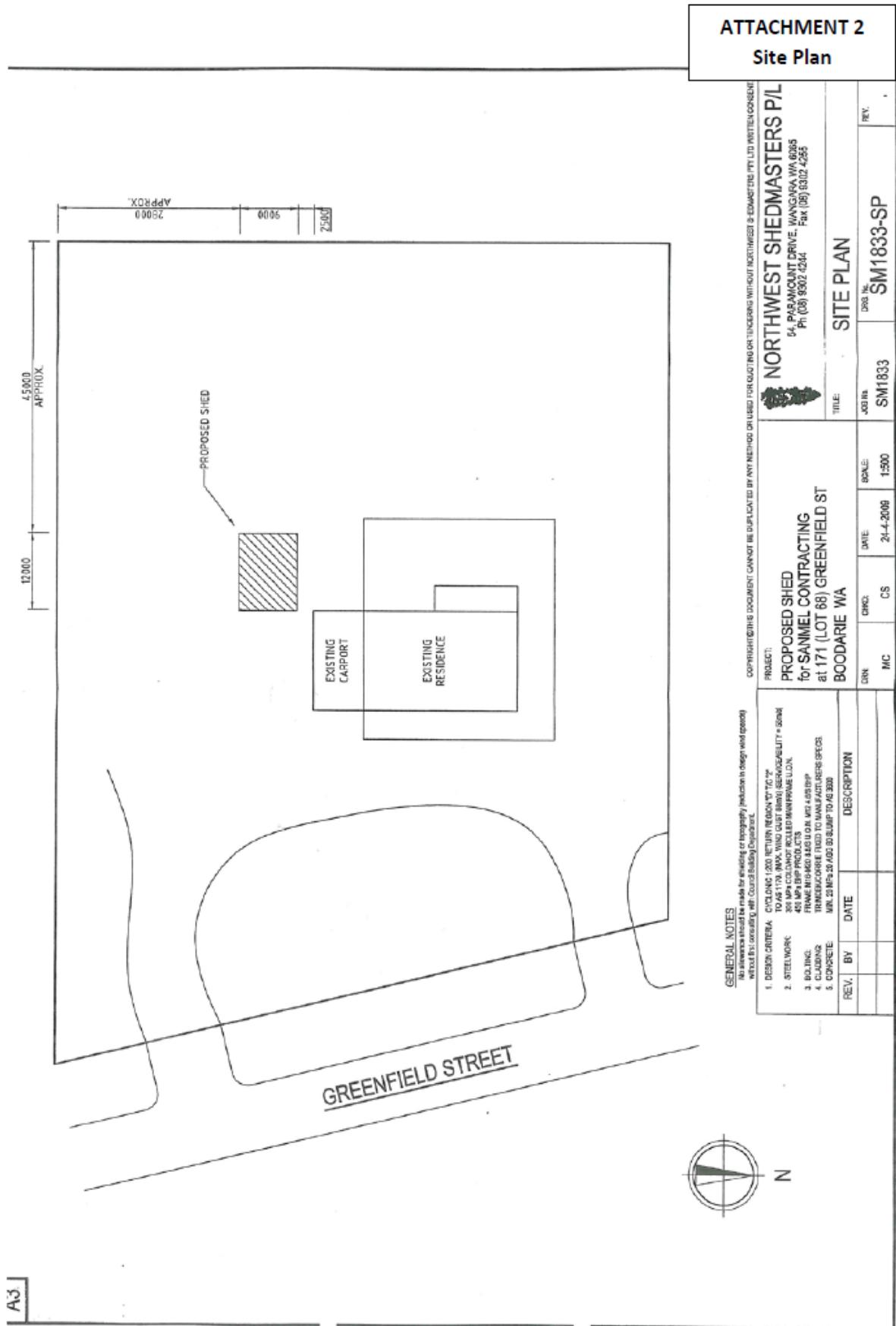
1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. The applicant/owner is required to lodge an application for a Building Licence under the provisions of the Building Regulations and approval from the Town before commencing any works whatsoever.
3. You are advised that drawings submitted for Building License are to be properly drawn and signed by a practicing structural engineer.
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

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.4



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.4



ATTACHMENT 2
Site Plan

NORTHWEST SHEDMASTERS P/L
 54, PARAMOUNT DRIVE, WANGARUA WA, 6095
 Ph: (08) 9302 4234 Fax: (08) 9302 4285

TITLE: **SITE PLAN**
 JOB No: **SMT1833** DATE IN: **SM1833-SP**

PROJECT:
PROPOSED SHED
 for **SANMEL CONTRACTING**
 at **171 (LOT 68) GREENFIELD ST**
BOODARIE WA

DATE: **24-4-2008** SCALE: **1:500**

DRN: **MC** CHRG: **CS**

GENERAL NOTES
 1. All work to be in accordance with the existing site topography (reference to design yield spreads)
 2. All work to be in accordance with Council Building Regulations.

1. DESIGN CRITERIA: CYCLONIC (200 RETURN PERIOD) 170 KPa
 2. STEELWORK: 304S170 (MAX) (WIND LOAD 8800) (PERVIOUSLY 7 + 5000)
 400 MPa BFP PRODUCTS
 3. BOLTING: FRAME NUT AND WASHERS TO AS 408 BFP
 4. CLADDING: TRIMBOCORRE (FIXED TO MANUFACTURERS SPEC)
 5. CONCRETE: MIN. 20 MPa 20 / 0.5 @ SLUMP TO AS 3000

REV.	BY	DATE	DESCRIPTION

A3

ATTACHMENT 4 TO AGENDA ITEM 11.2.2.4

ATTACHMENT 4
Floor Plan

FLOOR PLAN

JOB NO. SM1833 DRAWING NO. SM1833-FP REV. C

GENERAL NOTES
No reference should be made for siting or topography (indicated in single wind graphs) without first consulting with Coastal Building Department.

1. DESIGN CRITERIA: CYCLONIC LOADS RE: UPON REGION 10 TO 12
TO AS PER MAX. WIND GUST MAX. (SERVICABILITY = 50YR)
2. STEELWORK: 300MM DEEP RIB ROLLED I BEAM FRAME (L.O.L.)
3. ROOFING: FRAM IN 1000 X 300 X 100 LVL W/ 4.5 BRP
4. CLADDING: THERMOCLAY FINISHED TO MANUFACTURERS SPEC.
5. CONCRETE: MIN. 20 MPa TO AREA TO SLIMP TO AS 2000

REV.	BY	DATE	DESCRIPTION

PROJECT:
PROPOSED SHED
for SANMEL CONTRACTING
at 171 (LOT 68) GREENFIELD ST
BOODARIE WA

CLIENT: MC **SCALE:** 1:25
DATE: 7-7-2009

CLIENT'S DOCUMENT CANNOT BE REPLICATED BY ANY METHOD OTHER THAN COPYING OR REPRODUCING WITHOUT PERMISSION FROM NORTHWEST SHEDMASTERS P/L

NORTHWEST SHEDMASTERS P/L
54, PARAMOUNT DRIVE, WANGARA WA 6365
Ph (08) 9302-4244 Fax (08) 9302-4255

NOTE: REMAINING SPACE FLOORING IS FOR CYCLONE STORAGE.

A3

11.2.2.5 Proposed Surrender of a Drainage Easement Over Lots 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783 Goode Street and Lot 1785 Taylor Street, Port Hedland. (File No.: 128510G)

Officer	Leonard Long Planning Officer
Date of Report	10 August 2009
Disclosure of Interest by Officer	Nil

Summary

A request has been received from Mr. John Laney being the owner of Lot 1776 (60) Goode Street, to have the 3m wide drainage easement located along the western boundary of his lot cancelled.

As Lots 1776 – 1783 Goode Street and Lot 1785 Taylor Street, are traversed by the same 3m wide drainage easement. Council is requested to grant its consent to surrender the entire easement as it is no longer required.

Background

An easement was registered over Lots 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783 Goode Street and Lot 1785 Taylor Street in 1974.

The easements was reserved for the purpose of exercising certain drainage rights and granted to the then Shire of Port Hedland.

Consultation

As the easement is in favour of the Council, the request to surrender the easement over the mentioned lots was forwarded to the Manager Infrastructure Development who in turn has indicated no objection to the proposed surrender of the easement. In addition hereto both Horizon Power and the Water Corporation was requested to provide comments on the proposed surrender, they have also indicated no objection to the surrender.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

From a Planning and Engineering perspective easements which are no longer required should be surrendered to allow the individual lot owners to be able to develop their lots to its full potential. It is therefore recommended that Council:

1. Informs the owners of Lot 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783 Goode Street and Lot 1785 Taylor Street, Port Hedland, that Council surrenders the drainage easement registered over the lots,
2. Informs the lot owners that should they wish to lift the easement off title, that the owners approach a Solicitor or Landgate and submit the necessary application to have the easement lifted, and
3. Informs the lot owners that any cost associated with the lifting of the easement will be for the lot owners cost.

Attachments

1. Attachment 1 – Locality plan
2. Attachment 2 - Easement diagram

200910/045 Council Decision/Officer's Recommendation

Moved: Cr J E Ford

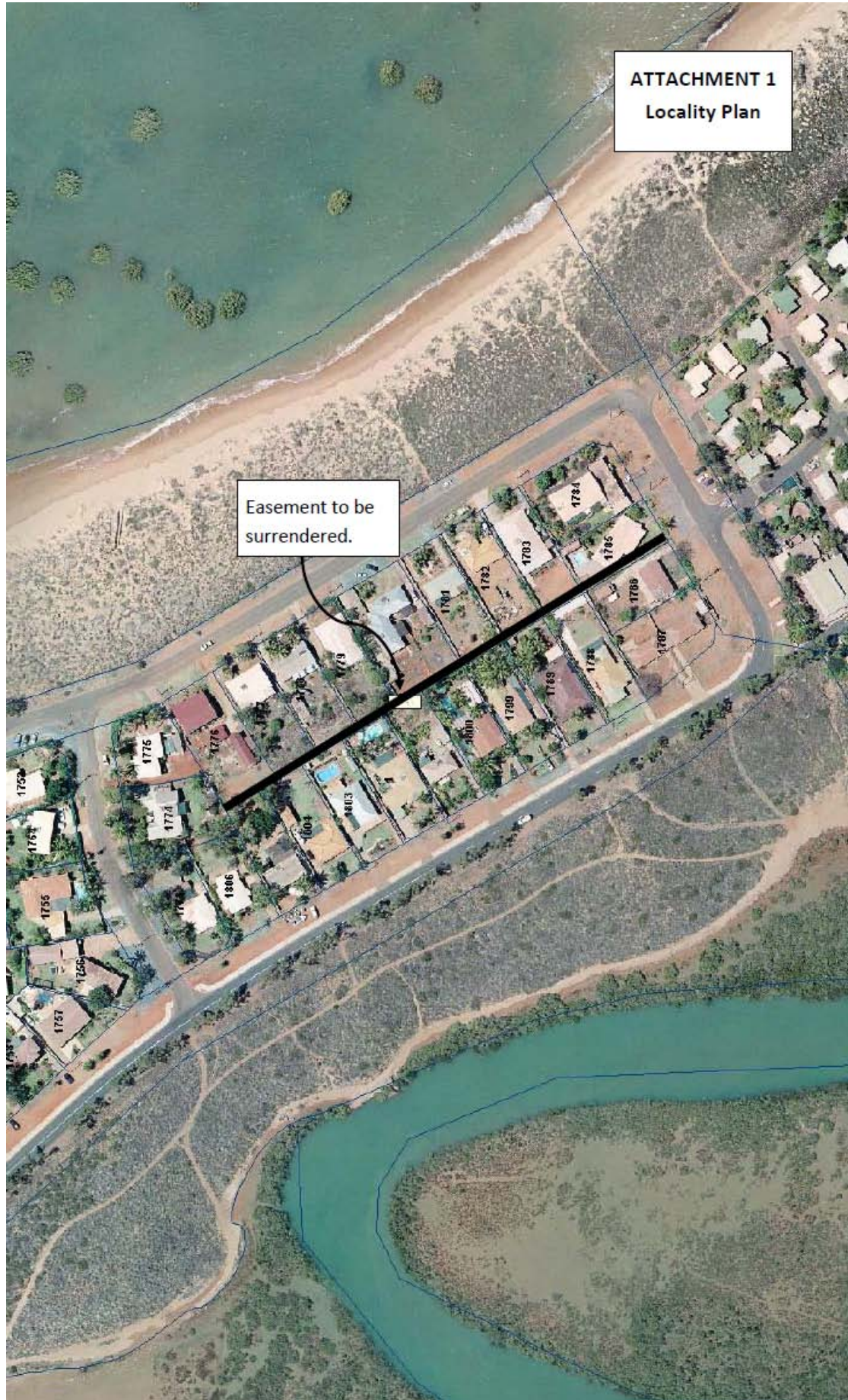
Seconded: Cr A A Gear

That Council:

- i) **Informs the owners of Lot 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783 Goode Street and Lot 1785 Taylor Street, Port Hedland, that Council surrenders the drainage easement registered over the lots,**
- ii) **Informs the lot owners that should they wish to lift the easement off title, that the owners approach a Solicitor or Landgate and submit the necessary application to have the easement lifted,**
- iii) **Informs the lot owners that any cost associated with the lifting of the easement will be for the lot owners cost.**

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.5



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.5

09-03618

A 908092 E



FBES (office use)	*	*
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Parties
 107A DEC 24 AM 9 11 4

Lodged by SHC
 Address
 Phone No. 2 30171

Use this space for instructions if any documents are to issue to other than lodging party.

[Signature]
 Registrar of Titles
PRIORITY
 20.12.74

Titles, Crown Leases, Declarations, etc., lodged with this document. (To be filled in by person lodging.)

- | | |
|------------------------------|--|
| 1. Prop. Act of Emancipation | Received Items
No's 1-6
Rec. Clerk. <i>[Signature]</i> |
| 2. Prop. Ct. / T. 344/200A | |
| 3. 355/1A, 355/2A | |
| 4. 355/2A, 355/2A | |
| 5. 355/5A, 355/6A | |
| 6. 355/7A, 355/9A | |

BELOW THIS LINE FOR OFFICE USE ONLY

Encumbrances not notified on face.

Registered 24th December 1974
 at 9:14 o'clock and
 particulars entered in the Register Book.

New Titles to issue or Endorsing Instruction *(NE (applies))*

Initials of Signing Officer
[Signature]

EXAMINED. *[Signature]*
[Signature]

[Signature]
 REGISTRAR OF TITLES
 End

9 2010/10/69-10M-07M00

THE COMMON SEAL of the STATE HOUSING COMMISSION was hereunto affixed in the presence of :

M. Mann
SENIOR CLERK SECRETARIES

A. P. ...
GENERAL MANAGER

THE COMMON SEAL of the SHIRE of PORT HEDLAND WAS HEREUNTO affixed by :

R. Rogers
SHIRE CLERK

Robert G. ...
SHIRE PRESIDENT



Form B2

WESTERN AUSTRALIA
Transfer of Land Act 1993 as amended

No.

A908092

Blank Instrument Form (see footnote)

5. Insert type of document here.

DEED OF EASEMENT

A DEED OF EASEMENT made this 23rd day of ~~December~~ One thousand nine hundred and seventy four BETWEEN : THE STATE HOUSING COMMISSION Having its offices at 197 St. George's Terrace, Perth in the State of Western Australia (hereinafter called "the grantor" which term shall include its transferees and successors in title) of the one part AND THE SHIRE OF PORT HEDLAND having its Offices at Civic Centre McGregor Street PORT HEDLAND in the said State (hereinafter called "the grantee") of the other part

WHEREAS the grantor is registered as the proprietor of an estate in fee simple in all that piece or parcel of land being:-

Port Hedland Lots 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783 and 1785 and being the whole of the land in Certificates of Title Volume 349 Folio 200A Volume 355 Folio 4A Volume 355 Folio 2A Volume 355 Folio 3A Volume 355 Folio 4A Volume 355 Folio 5A Volume 355 Folio 6A Volume 355 Folio 7A Volume 355 Folio 9A respectively

AND WHEREAS the grantor has agreed to grant an easement to the grantee over that portion of the said land delineated and coloured blue on the plan endorsed hereon (hereinafter called "the land")

NOW THIS DEED WITNESSETH as follows:-

- 1. The grantor hereby grants to the grantee full and free right and liberty to enter upon the land of the grantor (by its agents, engineers, servants, workmen and others) and to construct thereon such drains and works associated therewith as it sees fit and at all times to discharge and to convey storm and other waste water along the drains so constructed and for this purpose to enter upon the land of the grantor (by its agents, engineers, servants, workmen and others) and to inspect cleanse take up and re-construct the drains and works or any part thereof
- 2. The grantor hereby covenants with the grantee so as to bind the land of the grantor
 - (a) That the said drains and works shall remain on the land of the grantor for such period as the grantee requires to use the land for the purpose aforesaid
 - (b) That the grantor shall allow the grantee to clear any trees, shrubs or undergrowth on the said land or to remove any obstruction as may be necessary in the course of carrying out any of the works
 - (c) That the grantor shall not without the prior written permission of the grantee and subject to such conditions as the grantee may impose erect any building or structure of any kind whatsoever on the land
- 3. The grantee hereby covenants with the grantor as follows :-

NOTE: This Form may be used only when the "Deed Type" Form is not suitable. It may be completed in narrative style.

- (a) That any work from time to time commenced on the land shall be completed with all convenient speed and any holes or trenches that are made shall be filled in and consolidated and earth or rubbish occasioned by the work shall be carried away as expeditiously as possible
- (b) The grantee shall affix adequate warning signs or notices in and around the land whilst the grantee (by its agents, engineers, servants, workmen and others) construct, alter repair or maintain the said drains
- (c) The grantee will indemnify and keep indemnified the grantor from and against all damage to the buildings or other improvements erected or to be erected on the said land caused by a break in the said drain or flooding of water from the said drain
- (d) The grantee will exercise the easement hereby granted in such manner as to cause as little inconvenience as practicable to the land of the grantor.

IN WITNESS whereof the grantor and the grantee have affixed their common seals the day and year first hereinafore written

THE COMMON SEAL of the STATE HOUSING COMMISSION was hereunto affixed in the presence of:

[Handwritten signature]

SENIOR CLERK SECURITIES

[Handwritten signature]

GENERAL MANAGER

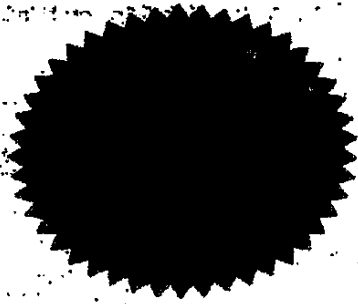
THE COMMON SEAL of the SHIRE of PORT HEDLAND WAS HEREUNTO affixed by

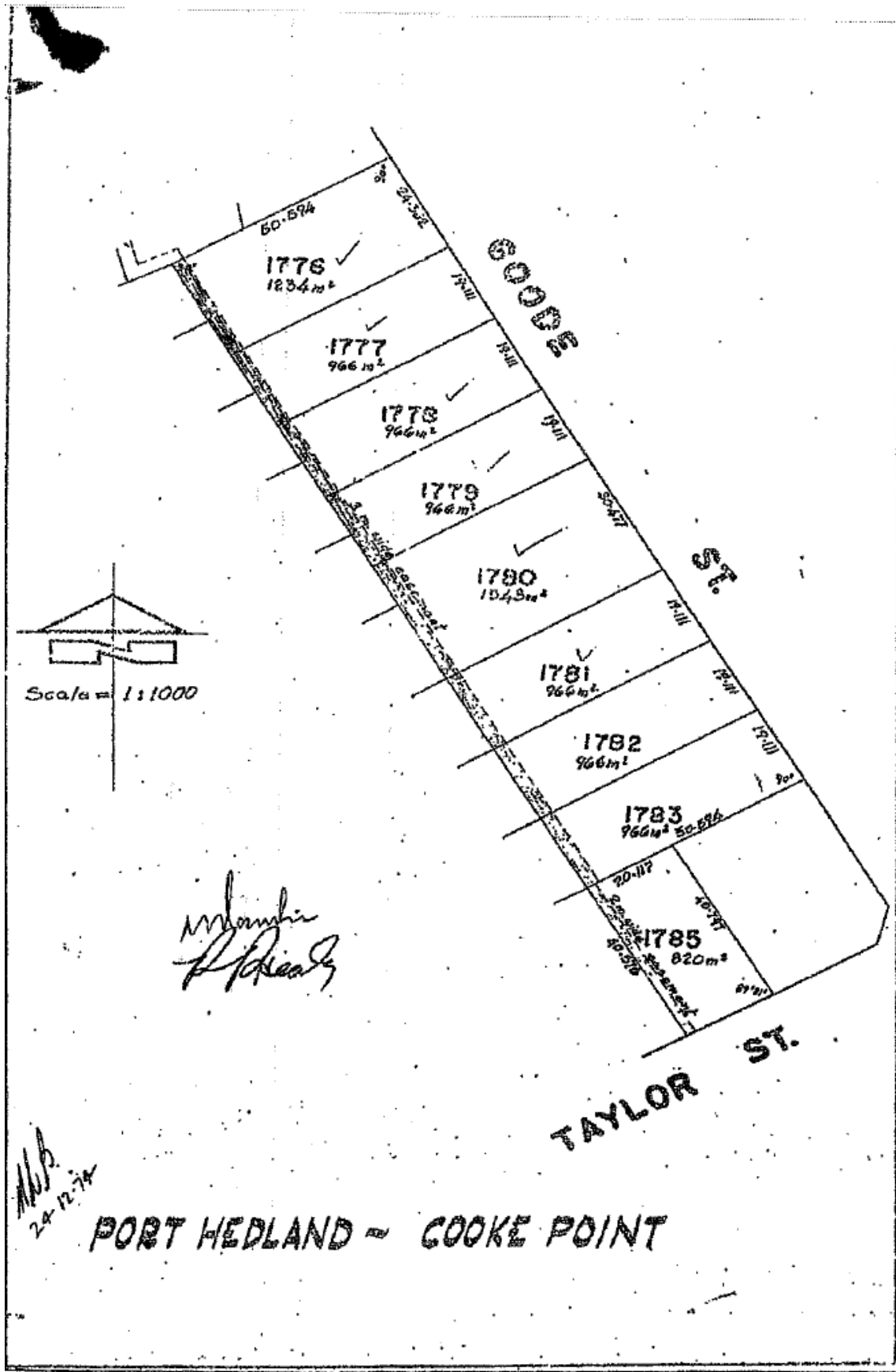
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SHIRE CLERK

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SHIRE PRESIDENT





11.3 ENGINEERING SERVICES**11.3.1 Director Engineering Services****11.3.1.1 Engineering Services Monthly Report (File No.: 13/04/0001)**

Officer Russell Dyer
Acting Director Engineering Services

Date of Report 19 August 2009

Disclosure of Interest by Officer Nil

Summary

Council's Engineering Directorate has provided an update on the projects that they are currently managing.

Background

The Engineering Department is currently managing over 60 projects. The attached report is project management focused.

Consultation

Engineering Services officers.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

The projects within the monthly report reflect the priorities of the Town's Plan for the Future 2008-2013.

Budget Implications

The projects listed in the Engineering Monthly report have been included in Council's 2009/10 budget.

Officer's Comment

Nil.

Attachments

1. Works Schedule
2. Airport PAX numbers

3. Recreation Update

200910/046 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That Council:

That Council receives the Engineering Services monthly report for July 2009.

CARRIED 8/0

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

Legend

	Concept & design development
	Approvals/Services/Community Consultation
	Procurement/Tender
	Construction/works undertaken

Cyclone Watch/Season

A/c Number	A/c Description	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
1108420	Hawks Clubrooms Scope: Installation of temporary clubhouse at McGregor Street Reserve													Building installed. Connecting all services week of 17th August.
	Diamond 1 Backnet Scope: Replacement of backnet at Diamond 1 following Cyclone George													All components delivered. Construction to commence late August pending interruption of sporting seasons.
1107430	SHAC Upgrade Scope: Design, purchase and installation of 7 x shade sails at SHAC													All orders placed, awaiting arrival. Shades will all be installed prior to end of September.
	SHAC Upgrade Scope: Replacement of filters, installation of lockers and changetables.													Complete
1106430	GAC Upgrade Scope: Replacement of filters and installation of shade structures													Complete
1109451	McGregor Street Oval Upgrade Scope: Completion of Master Plan for McGregor St Reserve													Carry Forward Project. Final Master Plan completed. Stakeholder meeting to be scheduled prior to presentation to Council for endorsement or otherwise.
1111437	Recreation Reserve Redevelopment Scope: Upgrade of oval and irrigation at Colin Matheson Oval													C/F Project. Designs being undertaken as approved at May 09 OCM. Turf report received, and quotations and selection of turf currently occurring. Final report due September 09, with construction expected to commence Oct 09
1108269	Multi-Purpose Rec. Centre - Architectural Design Scope: Completion of Architectural Designs													C/F Project. Architectural Designs being completed and due October 2009. Schematic design endorsed by Council at OCM May 09.
1109455	Colin Matheson Clubrooms Scope: Design and Construction of Colin Matheson Clubrooms													C/F Project. D&C tender presented to OCM June, with decision deferred. Agenda to August OCM recommending calling for new tenders due to significant change in scope.
1201440	Cycleway Development													C/F Project. Royalties for Regions

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

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Cyclone Watch/Season

A/c Number	A/c Description	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
	Scope: Year 1 component of the Town Cycle Plan													application denied, so Town Cycle plan Year 1 only to be undertaken. Tender specifications being developed for the Design of the path from Port to South Hedland. Other projects being timed.
1107239	SHAC Design Scope: Detailed designs for complete upgrade at SHAC													Quotes have been received for the design, with selections to be undertaken week of 17th August.
1108420 1108421	Multi Purpose Recreation Centre - construction Scope: Construction of MPRC - Stage 1													Project due to commence late 2009. Advertisement for Project Manager to appear Saturday 22nd August.
1109454	McGregor St Reserve Rehab Scope: Upgrading surfaces of sports fields													Staff are determining the works that are to be undertaken at McGregor St, which will be scheduled according to sporting schedules and availability of contractors.
1104420	JD Hardie Centre P&E Scope: Updating of P&E at JDHC													Staff are determining Plant and Equipment needs at JD Hardie Centre
1107430	SHAC Upgrades Scope: Minor upgrade works at SHAC													Priorities are being determined.
1109456	Cricket Net Upgrades Scope: Upgrade to existing cricket nets in Port and South Hedland													Audit to be undertaken at each cricket net to determine requirements at each before quotes will be requested. Works will be undertaken outside the cricket season.
NEW	Overhead Lighting Plan Scope: Commencement of recommendations as per OCM endorsement	TBD												All lighting recommendations received for each reserve. Request for upgrade to GAC is being presented to August OCM. Maintenance plans are being developed based on these recommendations and will be presented to Council.
1111446	Shadesails - Pulley system Scope: Installation of pulley system to shadesails at Cemetery Beach and Pretty Pool parks													Pulley system has been installed at Pretty Pool park. Cemetery Beach park system on hold until all shade sails have been repaired and replaced so that tensioning can be

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

Legend

	Concept & design development
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Cyclone Watch/Season

A/c Number	A/c Description	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
														accurate. Expect significant cost savings to project.
1009480	Old Port Hedland Cemetery Scope: Landscaping and verge treatment along Sutherland street adjacent to Old PH Cemetery													Project complete pending receipt of final invoices.
1201487 & 1201422 (R4R)	Street Lighting Upgrades Scope: 0809 stage 2 - Captains, Dongara, Dulverton, Koolama, Scadden, plus 0910													0809 lighting is complete pending receipt of final invoices. Quotes requested from Horizon Power for 0910 program.
1201411	Richardson street Parking Scope: Design and installation of street parking on Richardson street (kerbing, linemarking, tree planting)													Initial comments from designers indicate that central parking as per concept is not good practice. Design being reviewed - may impact on number of bays achieved. Survey complete.
new	Finucane Island Boat Ramp shade Scope: Installation of 1 shade structure													Order placed for additional shelter adjacent to existing. To be installed by Council staff.
1105410	Finucane Island Boat Ramp Scope: Shade, seating, tables, bins, parking, solar lighting													Scope has been reviewed considering R4R funding application was unsuccessful. Priority to improve lighting and car parking. Other elements can be incorporated into different projects such as public infrastructure.
1105410	Finucane Island Boat Ramp Scope: Completion of ramp reconstruction													Works to be completed 18th to 25th September at lowest tide.
new	Playground Shade Scope: Installation of shade at Daylesford and Marapikurrinya parks													Order placed for 5 shade shelters, to be installed by Council staff.
new	Disabled Beach Access Scope: installation of disabled access to Finucane Island boat ramp shelters/beach													CLGF have confirmed scope change approval - provision of disabled access to beach and shade structures at Finucane Island boat ramp. Change due to scheduling issue with Turtle Loop project. Works scheduled to compliment boat ramp

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

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Cyclone Watch/Season

A/c Number	A/c Description	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
														upgrade.
1105424	Port Hedland Boat Ramp Scope: Installation of channel beacons, replace/repairs jetty railings													Channel beacons have been installed. Repairs/replacement of jetty railings/steps to be carried out by Depot staff.
1009481	Cemetery Upgrade Scope: Main Cemetery, concrete lintels, replace plot markers, fencing, landscaping, to be reviewed													Plot markers still not arrived and contractor unreachable to date. First stages of concrete lintels have been constructed. Stakeholder group to be reviewed to determine scope of 2009/10 project prior to Council approval.
1201481 & 1201418 (R4R)	Walkway/Park Lighting Scope: Baler car park, Lions park, Koombana Lookout, Greene place and Civic Centre walkway													Walkway lighting program being developed further to determine Horizon Power scope of works versus independent installation.
1111448	Kevin Scott Oval Reservoir Flushing System Scope: Installation of flushing system to re-use water tanks (Tender 09/01)													Project timeframe has been extended due to the requirement to install a new fresh water tank to flush the system. This is required as the existing water pressure off the main line is not adequate.
1203440	Floodwater Pump Upgrade Scope: Design and installation of new electrical cabinet at West End Flood Pumps													Works not yet commenced on separate design component. Anticipate completion prior to wet season.
1201439	Public Infrastructure Scope: Bins, seating, shade, water fountains, etc. Inc shade as per AAWG													Finalising procurement prior to placing orders. Bus shelters have arrived, installation pending contractor quotes. New program to be developed as per budget approval.
1111436	Bore Installations Scope: Investigation and installation of bores at McGregor street and KSO re-use tanks													Initial bore testing results indicate that water is adequate at Kevin Scott oval however inadequate at McGregor street oval. Findings to be presented to Council once an official report has been received.
1201458	Throssell Street Streetscape Scope: median planting, street trees, turf, banner poles, garden planting													Works progressing as scheduled. Banner poles have arrived, pending installation and banner designs. Water meter requirements being finalised.
1201438	West End Greening Stage 2 Scope: Shrub, tree planting and retic - Frewer to Short street													Works progressing as scheduled. Successful 'Plant a Tree Day' held with school students on 31st July.

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

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Cyclone Watch/Season

A/c Number	A/c Description	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
1111435	Stairway to the Moon Scope: Viewing platform construction near Taylor street, dune rehab, interpretive signage, car park													Works on hold until further funding is secured.
1105426	Turtle Interpretive Loop Scope: Pavillion & nodes from Cemetery beach/GAC/All Seasons loop, interpretive signage													Minor design modifications to be finalised following selection of pavilion location in consultation with Care for Hedland. Likely that construction will commence Feb 2010 following peak turtle nesting period.
1201437	Hedditch - Forrest Circle Rd Scope: Design and construction of road link from Hedditch to Forrest circle													Contract for design awarded. Survey expected within the next 2 weeks with site visit and design work commencing end of August.
1201461	Town Entry Statement Scope: Landscaping component at GNH information bay sculpture													Project is construction ready however can't progress until the installation of the sculpture at the Visitors Bay.
1111439 & 1111402 (R4R)	Marquee Park Development Scope: Development of an iconic park on Cottier drive, South Hedland. Water play, playgrounds, kiosk, cctv, caretaker, landscaping, etc													Detailed design progressing.
1201483	Nth Circular Rd East Culverts Scope: Widen culverts to A.S., install new headwall													Culvert installation commenced.
1201435	Cottier road (Blackspot) Scope: Remove hazards (various) as per RSA													Confirming deletion of this project due to conflict with other projects (future SHNL subdivisions, Marquee park, etc). Funding to be reallocated to another project (to be approved by Main Roads WA and Council). Review ongoing.
1201450 & 1201415 (R4R)	Boulevard Tree Planting Scope: Planting of street trees to Murdoch drive													Trees ordered for planting along Murdoch drive. Planting scheduled for April 2010 due to propagation timeframes and cyclone season.
1201419	Parks Upgrades Scope: Upgrade of existing parks (fencing, planting, seats, retic, etc) as per audit. Includes drainage swale													Reviewing scope of works for scheduling and determining resource requirements.

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

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Cyclone Watch/Season

A/c Number	A/c Description	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
1111446 & 1111403 (R4R)	Playground Equipment Scope: To be confirmed													Reviewing scope of works in consultation with sporting associations prior to presenting to Council for approval.
1201423 & 1201424 (R4R)	Shade Structures Scope: permanent shade structures at SH skate park and other locations													Require confirmation on scope of works and project responsibilities - pending.
1010311 & 1010410 (R4R)	Public Toilets Scope: Town & Finucane island boat ramps, Cemetery Beach x 2, PH skate park													Reviewing project requirements in consultation with Building department. Timeframes and responsibilities to be determined once MBS returns from leave.
1201475 & 1201416 (R4R)	PH Footpath Construction Scope: Kingsmill, Harper, Butler													Construction commenced on Butler way and will progress to Harper street. Kingsmill path on hold pending clarification of adjacent property development.
1201476 & 1201471 (R4R)	SH Footpath Construction Scope: Clam, Cone, Dorrigo, Kwinana, Lovell and Mauger													Program to be reviewed to determine any obstacles or works required by Council prior to contract commencing.
1201413 & 1201414 (R4R)	Murdoch drive Nodes Scope: Construction of 2 'nodes' along pathway similar to Sutherland street													Project development scheduled to commence September.
1201420 (R4R)	Recycling Project Scope: Crushing concrete for re-use in footpaths													Approaching R4R for modification of scope - as crushed concrete may not be compliant with AS for footpath construction it is proposed to use it as a base course (non structural).
1202400	Depot Security System Scope: New installation of alarm system													Clarifying project responsibilities (Building or Engineering?)
1202401	Depot Flammable Storage Cpb Scope: For workshop													Finalising specification and procurement.
1111401	Replace Effluent Line													

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

Legend

	Concept & design development
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	Construction/works undertaken

Cyclone Watch/Season

A/c Number	A/c Description	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
	Scope: SH Oval main reticulation line to be replaced with polypipe													
1102415	Civic Centre Verge Landscaping Scope: Retaining & native planting of steep embankment													
1201401	Manhilinha drive Reconstruction Scope: Repair potholes and apply sand seal													Scheduling pending awarding of sealing tenders and negotiation with contractors
1011410	Waste Water Re-Use System Scope: Install flushing system following trial of new system at KSO													Pending completion and evaluation of stage 1 at Kevin Scott Oval.
1201447	Buttweld road Scope: Partial repairs/mtc													
1201489	Hillside-Woodstock road Scope: Resheeting and formation improvements													Scheduled after cyclone season.
1201486	Wedgefield Upgrades Scope: Pinga street/Cajarina intersection upgrades, turning lane and reconstruction													Currently obtaining quotes so works can commence while MRWA works are ongoing.
1201457	Yandeyarra road Scope: Resheeting and formation improvements													Staff with consult with Yandeyarra Community prior to finalising works scope. Scheduled to commence after cyclone season.
1201473	Drainage Construction Scope: Spot improvements													Throssell road improvements (adjacent to Wankga Maya) scheduled for October. Remainder of spot improvements will be determined during wet season.
1201473	Drainage Construction Scope: Survey, design and cost estimates for 5 year plan of PH LIA drainage improvements													Scope to be finalised and consultant engaged.

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

Legend

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Cyclone Watch/Season

A/c Number	A/c Description	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
1201478	Reseals Scope: To be reviewed													Scope and timeframes to be determined after awarding of tenders 09/13 & 09/17.
1208443	Light Vehicle Replacement Scope: PH9639, PH9681, PH10018, PH9083, PH9689, PH10069, PH9782, PH10290, PH9383, PH9582, PH9912													Will liaise with relevant managers/directors to determine appropriate vehicles prior to procurement process.
1201480	Kerbing Construction Scope: To be reviewed													Scope and timeframes to be determined after awarding of tenders 09/14.
1210410	Terminal Extensions													Concept designs for extending terminal 50m East. Quotes to be sourced
1210403	Depot Development													Concept designs for relocating wedgfield depot to airport. Airport staff and depot will also need to be relocated to the Airservices workshop and office facility. Quotes to be sourced
1210402	Parking/ Hire car development													Refer to Airport Parking review compiled by Bob Couzens. Costings sourced for relocation establishment of base blocks
	Northern Apron Extension													To facilitate the RFDS hangar extension. Requires resiting access gate 10
1213420	Café Modifications													Concept design completed. Quotes being sourced to resite café walls
1210407	Common user Check-in Facilities													Goods to be ordered and installed.
1210405	Flight Information Display screens													Goods to be ordered and installed.

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

Legend

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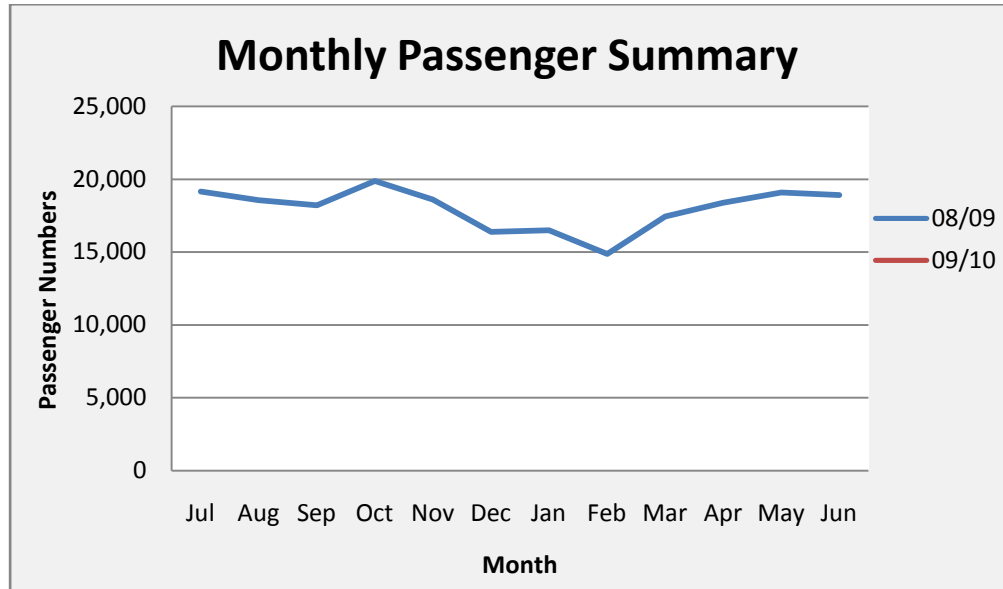
Cyclone Watch/Season

A/c Number	A/c Description	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
1210406	International Carousel													Goods to be ordered and installed. In tandem with common user check-in facilities.
	Solar Lights-Landside													Quotes sourced and lights to be supplied prior to September. Trial of landside solar power lights. R4R funded
1210401	Solar Lights-Taxiway and runway													Approval for Solar installation to be sourced from CASA
1210440	Automated Weather information Broadcast													Quotes sourced. Goods ordered and to be installed in September
1210440	PA & CCTV													Quotes being sourced
1210473	Electrical Upgrades													Stage 2 ring road connection. Tender to be arranged
1210477	Grading of Drains													On hold til weather compatible.
901424	Airport Housing													Research for design and type being undertaken. Location for 5 houses identified.

ATTACHMENT 2 TO AGENDA ITEM 11.3.1.1

Port Hedland International Airport

Monthly Passenger Numbers



NOTE: These do not include Skywest figures

11.3.2 INFRASTRUCTURE DEVELOPMENT**11.3.2.1 *Tender 09-01 Design & Construction of the Kevin Scott Oval Reservoir Flushing System (File No.: 21/07/0005)***

Officer Lynne Nanini
Project Development Officer

Date of Report 27th July 2009

Disclosure of Interest by Officer Nil

Summary

This report provides a summary on the progress of the project to date and a request for further funding to enable the project to be completed.

Background

Tenders were called for the design and construction of the Kevin Scott Oval Reservoir Flushing System, which closed on 4th March 2009.

From February 2008, there have been ongoing issues and complaints regarding the re-use reticulation water used at Kevin Scott Oval. Complaints have mainly focused on the quality of the re-use water, particularly in relation to the odour.

As a result of numerous discussions held with the various stakeholders it was decided in the short term to irrigate the Kevin Scott Oval using potable water. This system is not considered viable in the medium or long term with the cost of potable water estimated to cost \$2000/week. Currently, this is the way that Council is irrigating the Kevin Scott Oval.

At the May Ordinary Council Meeting, Council resolved to:

“That Council:

- i) award Tender 09-01 Kevin Scott Oval Reservoir Flushing System to Water Dynamics for Tender 1 for the value of \$152,100 + gst.;*
- ii) note that there may be a requirement to install a 240kl freshwater storage tank as a component of this project at a cost of \$67,900; and*
- iii) allocate a total of \$240,000 for this project, being \$200,000 from the Regional and Local Government Infrastructure Program (RLCIP) 2008/09 funding round, and \$40,000 of 2009/10 Council funds with the project*

funds being used for the water dynamics contract, tank installation (if required) and project management costs.”

The resolution did not correctly calculate the costs required for the full project.

The design for Tender 1 was based on the capability of the contractor being able to utilize the existing 100mm pressurized town mains with an RPZD backflow irrigation mains and laterals freshwater flushing features straight to the re-use tanks. This would eliminate the need for a freshwater storage tank.

If the pressurised town water supply proved to be inadequate to direct operating pressure and the required flow rates/duty points, then a new 240kl freshwater storage tank would be required.

This would result in the cost of the project being \$267,900 plus GST to install a 240kl freshwater storage tank.

This figure did not include the cost of project management costs in engaging a suitably qualified Super's Representative to oversee the construction of the Flushing System – estimated to be in the vicinity of 10% of the total project cost. (\$30 - \$40,000)

Consultation

- Council staff
- Water Corporation
- Shire of Broome

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.”*

Other statutory implications:

- Health Act 1984
- Guidelines for Effluent Reuse in Western Australia 2007
- Environmental Protection Act 1986 (License conditions)

Policy Implications

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

Strategic Planning Implications

KEY RESULT AREA 1 - INFRASTRUCTURE

Goal 2 - Parks & Gardens (That Council's parks are recognized by the community as being well maintained, well utilised, safe and accessible)

KEY RESULT AREA 5 - ENVIRONMENT

Goal 2, Strategy 2 – Ensure that all available non-potable wastewater is being re-used appropriately on Council reserves and school ovals.

Budget Implications

\$200,000 of the funding for this project has been allocated from the Australian Government through its \$250 million Regional & Local Government Infrastructure Program (RLCIP).

A further \$40,000 was allocated out of 2009/10 Council funds towards the project at the May Ordinary Council Meeting. This provides a total project budget of \$240,000. However, the amount allocated is still short of what is required to construct Tender 2, being the 240kl water tank and Super's Representative costs.

Officer's Comment

The ability to design the system in accordance with Tender 1 depended on the pressure being adequate.

On the 14th July 2009, the Water Corporation undertook stepped flow rate and pressure tests of the 100mm town lines supplying the re-use tanks.

The tests were undertaken several times and confirmed the static meter head of pressure was between 22 to 38mh and was too low for what was required by the contractor to utilise the design of connecting straight to the re-use tank to flush the tanks after each irrigation cycle. Water Dynamics required a pressure of 40-50mh to be able to utilise this design.

As a result, Tender 2 provided by Water Dynamics will have to be undertaken, which will involve the construction of a new 240kl freshwater storage tank using the existing decommissioned chlorine dosing pump station to flush the re-use tanks following the irrigation cycle.

This will require an extra \$27,900 plus GST to be allocated by Council to proceed with this component of the project.

Council's Engineering staff have also received quotes from suitably qualified Super Representative's to oversee the construction of the project – and quotes received ranged from \$27,900 through to \$45,000. Due to the highly technical nature of the project and the risk of variations being sought during the contract, it is considered to be a suitable risk management strategy to employ a Super's Representative during the construction of the project. This was approved at Council's Ordinary Meeting held in May; however, no budget was allocated.

An extra \$10,000 will also need to be allocated to the project to pay for project development and staff costs. Approximately \$6,000 has been expended on the project to date and it is envisaged that an extra \$4,000 will be expended until the finalisation of the project is achieved.

Water Dynamics are presently awaiting the approval of the Town of Port Hedland to commence with the designs incorporating the new 240kl water storage tanks.

Attachments

Nil

200910/047 Council Decision/Officer's Recommendation

Moved: Cr K A Howlett

Seconded: Cr Jan E Ford

That Council:

- i) approve the allocation of extra funding of \$27,900 plus GST to the project to allow the installation of 240kl freshwater storage tank;**
- ii) approve the allocation of an extra \$40,000 to allow for the engagement of a suitably qualified Super's Representative to oversee the construction due to the technical nature and for project development and staff costs; and**
- iii) Prepare an item for council consideration of installation of other such similar reservoir flushing systems for other effluent watered ovals in town, following the receipt of information from water dynamics.**

CARRIED 8/0

11.3.2.2 Tender 09/11 Supply & Delivery of Premixed Concrete (File No.: 23/08/0047)

Officer Jenella Voitkevich
Manager Infrastructure
Development

Date of Report 31 July 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 09/11 Supply & Delivery of Premixed Concrete to enable Council to award the Tender.

Background

Council's previous contract for supply of premixed concrete with Hanson Construction Materials expired on 30th June 2009. As a result new tenders were called for the Supply & Delivery of Premixed Concrete to the Town of Port Hedland for various construction projects, with the main requirements being for the construction of concrete in-situ paths. The tender is for a contract period of 18 months, commencing 1st September 2009 and ending on 1st March 2011.

Consultation

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

Statutory Implications

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

"3.57. Tenders for providing goods or services

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

Policy Implications

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

Strategic Planning Implications

The supply and delivery of premixed concrete is an integral part of many of Council's capital and maintenance programs. Sections of Council's Plan for the Future specific to this contract include:

KEY RESULT AREA 1 – INFRASTRUCTURE

Goal 1 - Roads, Footpaths and Drainage

Strategy 1 - Ensure that Councils core community infrastructure assets are being managed appropriately through the Implementation of the following Council Five-Year programs:

- Footpath development program
- Resealing program
- Kerb development/replacement program
- Drainage upgrade Program
- Playground upgrade Program

Strategy 5 - Implement high priority strategies that are listed in the Town's Cycle Plan

KEY RESULT AREA 2 – COMMUNITY PRIDE

Goal 3 – Townscape

Strategy 1 - In conjunction with industry, business and the community, develop improved verge and streetscape treatments throughout the Town

Strategy 3 - Provide additional shade through the installation of trees and formal shade structures in strategic locations

KEY RESULT AREA 3 – COMMUNITY DEVELOPMENT

Goal 2 - Sports & Leisure

Strategy 2 - Provide improved boating facilities at Finucane Island and the Town Boat Ramp

Goal 5 - Arts & Culture

Strategy 3 - Develop a unique entry statement to the Town

KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT

Goal 1 – Tourism

Strategy 2 - Redevelop the visitor entry bays on the northern and southern roads entrances to the Town

Strategy 5 - Implement both the Turtle Boardwalk project and the Stairway to the Moon project and work with stakeholders to identify other tourism product development initiatives

Budget Implications

A budget allocation for concrete is included in the cost estimates of each project. Projects requiring the supply of concrete consist of kerbing construction and maintenance, footpath construction and maintenance and drainage construction and maintenance. Many of Council's new capital projects will have a concrete component for items such as footings and infill panels.

The submitted tendered rates are approximately 14% higher than the previous contract rates, which is consistent with past increases. This will have a minor impact on Council's approved capital and maintenance budgets; however concrete is only one component of these projects. All project scopes will be reviewed to determine this impact.

Officer's Comment

Tender 09/11 closed at 2.30pm on Wednesday 29th July 2009. Tenders were opened and recorded by the Deputy Mayor, Acting Chief Executive Officer and Council staff members.

Tender submissions were received from 2 companies, Hanson Construction Materials and Concrete Logistics Pty Ltd. Table 1 below shows a comparison of the submissions based on the schedule of rates submitted.

Table 1:

Description	Unit	Hanson Construction Materials	Concrete Logistics Pty Ltd
N20 Concrete	m3	\$270.00	\$338.00
N25 Concrete	m3	\$275.00	\$330.00
N25 Kerb Concrete	m3	\$275.00	\$350.00
N32 Concrete	m3	\$290.00	\$359.00
Delivery – PH	m3	\$54.00	\$20.00
Delivery – SH	m3	\$45.00	\$20.00
Compressive strength testing	Each	\$350.00	\$250.00
Slump testing	Each	\$80.00	\$80.00
Minimum delivery charge	Each	\$68.00	\$0
Minimum quantity to be supplied	Each	0.4	1.0
Early payment discount	Each	Nil	5% - 7 working days
Other notes		Schedule of rates supplied for surcharges such as operating outside normal hours, cancellations and standby fees	Contract rates are fixed for 12 months, with CPI adjustment applying for remainder of the contract

To enable accurate comparison of costs, table 2 below describes the typical requirements for supply of concrete for a 200m long, 2m wide concrete path in South Hedland.

Table 2:

Description	Hanson Construction Materials	Concrete Logistics Pty Ltd	Concrete Logistics Pty Ltd (with CPI increase-4%)
N20 concrete – 40m ³	\$10,800	\$13,520	\$14,060.80
Delivery – South Hedland	\$1,800	\$800	\$832
Compressive strength test	NA	NA	NA
Slump test (1 off)	\$80	\$80	\$83.20
Minimum delivery charge	NA – quantities sufficient	NA – quantities sufficient	NA – quantities sufficient
Total	\$12,680	\$14,400	\$14,976

Table 3 below indicates the evaluation criteria as described in the tender documentation:

Table 3:

Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
Price		50	50
Experience	2	5	10
Resources (supervisory, plant and equipment)	4	5	20
Demonstrated understanding of <i>WUC</i>	2	5	10
Local Industry Development	2	5	10
Max Loaded Score			100

Each non-price criterion is awarded a score from 0 to 5. However, to reflect a particular criterion's relative importance, a "loading factor" is applied to each criterion's score to generate a "loaded score" for that criterion. Loaded scores are then summed to give a total score to a maximum of 100.

Each non-price criterion shall be scored out of 5 in increments of 0.5 as described below:

- A score of 4-5 shall be awarded where the Tenderer's credentials are judged to exceed the minimum requirements for that criterion
- A score of 3.5 shall be awarded where the Tenderer's credentials are judged to satisfy the minimum requirements for that criterion
- A score of 0-3 shall be awarded where the Tenderer's credentials are judged inadequate to meet the minimum requirements for that criterion

The comparison of each of the assessment criteria for the tender submissions received is as follows and is summarized in Table 4 below:

Table 4:

Assessment Criteria	Loading Factor	Max Score	Hanson Construction Materials		Concrete Logistics Pty Ltd	
			Score	Loaded Score	Score	Loaded Score
Price	1	50	50	50	42	42
Experience	2	5	4	8	3.5	7
Resources (supervisory, plant and equipment)	4	5	3.5	14	3.5	14
Demonstrated understanding of WUC	2	5	3.5	7	3	6
Local Industry Development	2	5	4.5	9	3.5	7
Totals	100		88		76	

Price

The lowest price Tender (T_{lp}) shall be awarded a score of 50 for the Price criterion. The second-lowest price Tender (T_{slp}) shall be awarded a score determined in the following manner:

$$\text{Tslp Score} = 50 - \left[\frac{(\$T_{slp} - \$T_{lp})}{\$T_{lp}} \times 50 \right]$$

The score for Concrete Logistics was calculated based on the average price over the full 18 month contract period (the prices submitted for 2/3 of the contract plus CPI increase for 1/3 of the contract). Concrete Logistics has stated that a 5% discount will be applicable if full payment is received within 7 working days, however given the internal processes to authorize payment it is unlikely that this will be possible.

The price submitted by Hanson Construction Materials is approximately 10% cheaper than their advertised price.

Experience

Both tender submissions have provided information to determine satisfactory experience of its key staff members. Hanson Construction Materials have received a higher score due to its previous experience as a contracted concrete supplier to the Town of Port Hedland.

Resources

Both tender submissions have demonstrated acceptable levels of supervisory staff, plant and equipment.

Demonstrated Understanding of Works under Contract

Concrete Logistics have received a lower score due to the submission of a 12 month fixed rate tender, where the tender documentation specifically requests an 18 month contract. The operating hours for both tenderers are suitable for normal concreting projects.

Local Industry Development

Hanson Construction Materials has advised that all staff, aggregates and contractors are sourced locally except for some specialist contractors or for staff relief or major project work. Concrete Logistics have advised that 80% of employees are locally based, all subcontractors are Pilbara based and all plant maintenance is carried out locally.

Attachments

Nil

200910/048 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That Council:

awards Tender 09/11 Supply & Delivery of Premixed Concrete to Hanson Construction Materials for the period 01/09/2009 to 01/03/2011 according to the following schedule of rates:

Description	Unit	Hanson Construction Materials
N20 Concrete	m3	\$270.00
N25 Concrete	m3	\$275.00
N25 Kerb Concrete	m3	\$275.00
N32 Concrete	m3	\$290.00
Delivery – PH	m3	\$54.00
Delivery – SH	m3	\$45.00
Compressive strength testing	Each	\$350.00
Slump testing	Each	\$80.00
Minimum delivery charge	Each	\$68.00
Minimum quantity to be supplied	Each	0.4
Early payment discount	Each	Nil

CARRIED 8/0

11.3.2.3 Tender 09/12 Supply & Delivery of Quarry Products (File No.: 23/08/0048)

Officer	Jenella Voitkevich Manager Infrastructure Development
Date of Report	6 August 2009
Disclosure of Interest by Officer	Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 09/12 Supply & Delivery of Quarry Products and to gain a Council resolution.

Background

Quarry products, including roadbase, gravel, rock, crackerdust, fill sand and aggregates are used for many of Council's civil infrastructure capital and maintenance programs. To ensure compliance with the procurement policy and to enable accurate cost estimates a tender was called for the supply and delivery of quarry products. The tender is for a contract period of 18 months, commencing 1st September 2009 and ending on 1st March 2011.

Consultation

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

Statutory Implications

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

"3.57. Tenders for providing goods or services

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

Policy Implications

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

Strategic Planning Implications

The supply and delivery of quarry products is an integral part of many of Council's capital and maintenance programs. Sections of Council's Plan for the Future specific to this contract include:

KEY RESULT AREA 1 – INFRASTRUCTURE

Goal 1 - Roads, Footpaths and Drainage

Strategy 1 - Ensure that Council's core community infrastructure assets are being managed appropriately through the Implementation of the following Council Five-Year programs:

- Footpath development program
- Resealing program
- Kerb development/replacement program
- Drainage upgrade Program
- Playground upgrade Program

Strategy 5 - Implement high priority strategies that are listed in the Town's Cycle Plan

KEY RESULT AREA 2 – COMMUNITY PRIDE

Goal 3 – Townscape

Strategy 1 - In conjunction with industry, business and the community, develop improved verge and streetscape treatments throughout the Town

KEY RESULT AREA 3 – COMMUNITY DEVELOPMENT

Goal 2 - Sports & Leisure

Strategy 2 - Provide improved boating facilities at Finucane Island and the Town Boat Ramp

Goal 5 - Arts & Culture

Strategy 3 - Develop a unique entry statement to the Town

KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT

Goal 1 – Tourism

Strategy 2 - Redevelop the visitor entry bays on the northern and southern roads entrances to the Town

Budget Implications

A budget allocation for materials is included in the cost estimates for each project.

Officer's Comment

Tender 09/12 closed at 2.30pm on Wednesday 29th July 2009. Tenders were opened and recorded by the Deputy Mayor, A/CEO and Council staff members.

Although tender packages were sent to 6 companies, only 1 tender submission was received from Boral Quarries WA. Table 1 below shows the schedule of rates submitted.

Table 1:

Boral Quarries WA				
Description	Rate (ex pit)	Delivery	Source	Conversion Factor
Roadbase – Grade A	\$24.64/t	\$15.00/t	Tabba Tabba	1.7t/m ³ (loose)
Roadbase – 40mm Heavy Duty	\$24.20/t	\$15.00/t	Tabba Tabba	1.7t/m ³ (loose)
Gravel	NA	NA	NA	NA
Rock – Rip Rap	\$38.50/t	\$15.00/t	Tabba Tabba	Not provided
Crackerdust	\$14.40/t	\$15.00/t	Tabba Tabba	1.2t/m ³ (loose)
Fill Sand	\$9.00/t	\$15.00/t	Turner River	1.4t/m ³ (loose)
Blue Metal	NA	NA	NA	NA
14mm Aggregates	\$52.36/t	\$15.00/t	Tabba Tabba	1.4t/m ³ (loose)
10mm Aggregates	\$57.20/t	\$15.00/t	Tabba Tabba	1.4t/m ³ (loose)
7mm Aggregates	\$56.28/t	\$15.00/t	Tabba Tabba	1.4t/m ³ (loose)
20mm Aggregates	\$52.36/t	\$15.00/t	Tabba Tabba	1.4t/m ³ (loose)

Table 2 below indicates the evaluation criteria as described in the tender documentation:

Table 2:

Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
Price		50	50
Experience	2	5	10
Resources (supervisory, plant and equipment)	4	5	20
Demonstrated understanding of <i>WUC</i>	2	5	10
Local Industry Development	2	5	10
Max Loaded Score			100

Each non-price criterion is awarded a score from 0 to 5. However, to reflect a particular criterion's relative importance, a "loading factor" is applied to each criterion's score to generate a "loaded score" for that criterion. Loaded scores are then summed to give a total score to a maximum of 100.

Each non-price criterion shall be scored out of 5 in increments of 0.5 as described below:

- A score of 4-5 shall be awarded where the Tenderer's credentials are judged to exceed the minimum requirements for that criterion

- A score of 3.5 shall be awarded where the Tenderer's credentials are judged to satisfy the minimum requirements for that criterion
- A score of 0-3 shall be awarded where the Tenderer's credentials are judged inadequate to meet the minimum requirements for that criterion

The tender submission has been assessed and is summarized in Table 3 below:

Table 3:

Assessment Criteria	Loading Factor	Max Score	Boral Quarries WA	
			Score	Loaded Score
Price	1	50	50	50
Experience	2	5	3.5	7
Resources (supervisory, plant and equipment)	4	5	3.5	14
Demonstrated understanding of <i>WUC</i>	2	5	3.5	7
Local Industry Development	2	5	3.5	7
Totals	100		85	

Price

The lowest price Tender (T_{lp}) shall be awarded a score of 50 for the Price criterion. The second-lowest price Tender (T_{slp}) shall be awarded a score determined in the following manner:

$$\text{Tslp Score} = 50 - \frac{(\$T_{slp} - \$T_{lp}) \times 50}{\$T_{lp}}$$

Boral Quarries WA has received a score of 50 for price as a default, however with no alternative submissions for comparison this may not be a true reflection of the score.

Experience

Boral Quarries WA has demonstrated an acceptable level of experience in supplying materials.

Resources

Boral Quarries WA has demonstrated acceptable levels of supervisory staff, plant and equipment.

Demonstrated Understanding of Works Under Contract

Boral Quarries WA are considered competent in this area.

Local Industry Development

Boral Quarries WA has advised that they employ locally based staff and contract a local company to deliver their materials.

It is difficult to assess this tender for value for money as only one tender submission was received. Upon investigating previous expenditure on quarry products it was determined that the majority of purchases were made with another company, which may suggest better value for money or availability of materials. The Officer recommends that all tenders are rejected and that quarry materials are purchased following standard procurement procedures on each occasion. If quarry materials for a particular project are in excess of \$100,000 a separate tender may be called for the specific project.

Attachments

Nil

200910/049 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That Council:

- i) rejects all tenders submitted for Tender 09/12 Supply & Delivery of Quarry Products; and**
- ii) acknowledges that procurement of quarry materials will be sourced following Council's Procurement Policy 2/015**

CARRIED 8/0

**11.3.2.4 Tender 09/13 Supply & Delivery of Asphaltic Concrete
(File No.: 23/08/0049)**

Officer	Jenella Voitkevich Manager Infrastructure Development
Date of Report	13 August 2009
Disclosure of Interest by Officer	Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 09/13 Supply & Delivery of Asphaltic Concrete to enable Council to award the Tender.

Background

Council's previous contract with Pioneer Road Services for supply and delivery of asphaltic concrete expired on 30th June 2009. As a result new tenders were called for the Supply & Delivery of Asphaltic Concrete to the Town of Port Hedland for various road construction and maintenance projects. The tender is for a contract period of 18 months, commencing 1st September 2009 and ending on 1st March 2011.

Consultation

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

Statutory Implications

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

"3.57. Tenders for providing goods or services

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

Policy Implications

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

Strategic Planning Implications

KEY RESULT AREA 1 – INFRASTRUCTURE

Goal 1 - Roads, Footpaths and Drainage

Strategy 1 - Ensure that Councils core community infrastructure assets are being managed appropriately through the Implementation of the following Council Five-Year programs:

- Footpath development program
- Resealing program
- Kerb development/replacement program
- Drainage upgrade Program
- Playground upgrade Program

Budget Implications

The cost of asphaltic concrete is included in the project budget, whether it is for road construction or reseals. The new tendered rates have remained consistent with the previous contract prices, based on the calculations in table 2 below.

Officer's Comment

Tender 09/13 closed at 2.30pm on Wednesday 29th July 2009. Tenders were opened and recorded by the Deputy Mayor, A/CEO and Council staff members.

Tender submissions were received from 3 companies, BGC Contracting, Downer EDI Works Pty Ltd and Pioneer Road Services. Table 1 below shows a comparison of the submissions based on the schedule of rates submitted.

Table 1:

Mass-T	BGC Contracting	Downer EDI Works	Pioneer Road Services
Class 170 Bitumen, 50 Blow (25mm) per tonne			
25-100	\$529.25	\$385.00	\$405.00
101-200	\$310.56	\$285.00	\$330.00
201-300	\$293.50	\$285.00	\$280.00
301-500	\$266.50	\$285.00	\$280.00
501-1000	\$266.50	\$285.00	\$275.00
1000 Plus	\$266.50	\$285.00	\$274.00
Class 320 Bitumen, 75 Blow (25mm) per tonne			
25-100	\$529.25	\$385.00	\$405.00
101-200	\$310.56	\$285.00	\$330.00
201-300	\$293.50	\$285.00	\$280.00
301-500	\$266.50	\$285.00	\$280.00
501-1000	\$266.50	\$285.00	\$275.00
1000 Plus	\$266.50	\$285.00	\$274.00
Depth (m ² /T)			
15mm	24.0	27.8	25.0
20mm	20.0	20.8	20.5

25mm	16.0	16.7	16.0
30mm	14.5	13.9	14.0
35mm	11.4	11.9	12.0
40mm	10.0	10.4	10.5
Batching plant location	Wedgefield	Karratha and Wedgefield	Wedgefield
Mobilisation	\$10,000.00	Included in rate	\$12,500.00
Demobilisation	\$10,000.00	Included in rate	\$12,500.00
Early Payment Discount	NA	2% within 14 working days from end of month	NA
Other Information Provided			
	Rates exclude traffic control & management (+\$265/hr) and plans (+\$1800/plan)	Local laying gear mobilisations more than 2km - \$400/shift	Rates subject to rise and fall relevant only to bitumen
Minimum quantity	25T/day	24T	Council discretion
Availability	Not available December to March	Readily available	Within 1-2 weeks notice
Max & min activity duration in days	1-2 weeks	Min 1 day. Max as required	Min 3 days. Max 30 days
Frequency of visits to Port Hedland	Once every 2 months	As required	As required, average 3-4 per year

To enable accurate comparison of costs, table 2 below describes a typical works program. Early payment discounts have not been calculated as these may not always be practical.

Table 2:

Product	Mass (T)	BGC Contracting	Downer EDI Works	Pioneer Road Services
Class 170 Bitumen (50 blow) Asphaltic Concrete (nom 25mm depth)	1000	\$266,500.00	\$285,000.00	\$275,000.00
Class 320 Bitumen (75 blow) Asphaltic Concrete (nom	250	\$73,375.00	\$71,250.00	\$70,000.00

25mm depth)			
Mobilisation	\$10,000.00	NA	\$12,500.00
Demobilisation	\$10,000.00	NA	\$12,500.00
Local mobilization (6 off)	NA	\$2,400.00	NA
Traffic management (5 days 8hrs/day)	\$10,600	NA	NA
Area covered (m2)	20,000	20,875	20,000
TOTAL	\$370,475.00	\$358,650	\$370,000

Table 3 below indicates the evaluation criteria as described in the tender documentation:

Table 3:

Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
Price		50	50
Experience	4	5	20
Resources (supervisory, plant and equipment)	4	5	20
Demonstrated understanding of <i>WUC</i>	1	5	5
Local Industry Development	1	5	5
Max Loaded Score			100

Each non-price criterion is awarded a score from 0 to 5. However, to reflect a particular criterion's relative importance, a "loading factor" is applied to each criterion's score to generate a "loaded score" for that criterion. Loaded scores are then summed to give a total score to a maximum of 100.

Each non-price criterion shall be scored out of 5 in increments of 0.5 as described below:

- A score of 4-5 shall be awarded where the Tenderer's credentials are judged to exceed the minimum requirements for that criterion
- A score of 3.5 shall be awarded where the Tenderer's credentials are judged to satisfy the minimum requirements for that criterion
- A score of 0-3 shall be awarded where the Tenderer's credentials are judged inadequate to meet the minimum requirements for that criterion

The comparison of each of the assessment criteria for the tender submissions received is as follows and is summarized in Table 4 below:

Table 4:

Assessment Criteria	Load Factor	Max Score	BGC Contracting		Downer EDI Works Pty Ltd		Pioneer Road Services	
			Score	Loaded Score	Score	Loaded Score	Score	Loaded Score
Price	1	50	48	48	50	50	48.5	48.5
Experience	4	5	3.0	12	4.0	16	4.0	16
Resources (supervisory, plant and equipment)	4	5	3.0	12	3.5	14	3.5	14
Demonstrated understanding of <i>WUC</i>	1	5	3.0	3.0	3.5	3.5	3.0	3.0
Local Industry Development	1	5	3.0	3.0	3.5	3.5	3.5	3.5
Totals	100		78.0		87.0		85.0	

Price

The lowest price Tender (T_{lp}) shall be awarded a score of 50 for the Price criterion. The second-lowest price Tender (T_{slp}) shall be awarded a score determined in the following manner:

$$\text{Tslp Score} = 50 - \frac{(\$T_{slp} - \$T_{lp}) \times 50}{\$T_{lp}}$$

Experience

Both Downer EDI Works and Pioneer Road Services demonstrated their capabilities and experience. Pioneer Road Services were Council's previous contractors for supply and delivery of asphaltic concrete. Downer EDI Works are currently completing projects for other Pilbara Councils. Although BGC Contracting is a reputable company they did not supply any supporting documentation of their experience or current contracts with their tender submission.

Resources

All tenderers demonstrated satisfactory levels of resources however BGC Contracting has stated that they will not be available December to March. This has resulted in a minor score reduction only as the majority of road construction works are not scheduled in this period.

Demonstrated Understanding of Works Under Contract

BGC Contracting has not included traffic management within their tender submission (separate item) therefore has received a lower score. Pioneer Road Services has received a lower score due to the rates being subject to rise and fall for the bitumen component. The contract rates should be fixed.

Local Industry Development

BGC Contracting has stated that their batching plant is located in Wedgefield however has not provided additional information regarding local industry development. Downer EDI Works has advised that 80-100% of their workforce are Pilbara based, employing locally for their Wedgefield depots. Materials and subcontractors are also sourced from the Pilbara region. Pioneer Road Services has advised that their Wedgefield depot employs locally and sources local materials and contractors.

In consideration of the above assessment against the selection criteria it is recommended to award Tender 09/13 Supply & Delivery of Asphaltic Concrete to Downer EDI Works.

Attachments

Nil

200910/050 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That Council:

awards Tender 09/13 Supply & Delivery of Asphaltic Concrete to Downer EDI Works for the period 1 September 2009 to 1 March 2011, according to the following schedule of rates:

Mass-T	Downer EDI Works
Class 170 Bitumen, 50 Blow (25mm) per tonne	
25-100	\$385.00
101-200	\$285.00
201-300	\$285.00
301-500	\$285.00
501-1000	\$285.00
1000 Plus	\$285.00
Class 320 Bitumen, 75 Blow (25mm) per tonne	
25-100	\$385.00
101-200	\$285.00
201-300	\$285.00
301-500	\$285.00
501-1000	\$285.00
1000 Plus	\$285.00
Depth (m ² /T)	
15mm	27.8

20mm	20.8
25mm	16.7
30mm	13.9
35mm	11.9
40mm	10.4
Batching plant location	Karratha and Wedgefield
Mobilisation	Included in rate
Demobilisation	Included in rate
Early Payment Discount	2% within 14 working days from end of month

CARRIED 8/0

11.3.2.5 Tender 09/14 Construction of Extruded Concrete Kerbing (File No.: 23/08/0050)

Officer Jenella Voitkevich
Manager Infrastructure
Development

Date of Report 5 August 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 09/14 Construction of Extruded Concrete Kerbing to enable Council to award the Tender.

Background

Council's previous contract for the construction of extruded concrete kerbing expired on 30th September 2008. At this stage the kerbing construction program was complete and any additional kerbing requirements were sourced under normal procurement procedures. The adopted 2009/10 budget includes a kerbing construction and maintenance program, as well as several projects where kerbing is a component, therefore this tender was called. The tender is for a contract period of 18 months, commencing 1st September 2009 and ending on 1st March 2011.

Consultation

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

Statutory Implications

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

"3.57. Tenders for providing goods or services

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

Policy Implications

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

Strategic Planning Implications

Key Result Area 1 – Infrastructure

Goal 1 - Roads, Footpaths and Drainage

Strategy 1 - Ensure that Councils core community infrastructure assets are being managed appropriately through the Implementation of the following Council Five-Year programs:

- Footpath development program
- Resealing program
- Kerb development/replacement program
- Drainage upgrade Program
- Playground upgrade Program

Budget Implications

The 2009/10 \$256,200 kerbing construction program has been developed using at rate of \$35/m, inclusive of concrete, kerbing construction (contractor) and backfilling (by Council staff). The tenders submitted equate to complete construction costs of approximately \$42.50/m (based on cheapest rate only). This would result in a reduction in the amount of kerbing completed within the program, from 7,320m to 6,028m.

All other projects that include an element of kerbing will be reviewed to ensure that budget implications are minimal.

Officer's Comment

Tender 09/14 closed at 2.30pm on Wednesday 29th July 2009. Tenders were opened and recorded by the Deputy Mayor, A/CEO and Council staff members.

Tender submissions were received from 3 companies, Riverlea Corporation, Downer EDI Works Pty Ltd and Kerbing West Extruded Concrete Kerbing. Table 1 below shows a comparison of the submissions based on the schedule of rates submitted.

Table 1:

Description	Unit	Riverlea Corporation	Downer EDI Works Pty Ltd	Kerbing West Extruded Concrete Kerbing
Semi mountable kerb – new	m	\$59.02	\$17.85	\$18.50
Semi mountable kerb - replacement	m	\$66.86	\$18.90	\$25.95
Mountable kerb – new	m	\$59.36	\$17.85	\$18.50
Mountable kerb	m	\$67.20	\$18.90	\$25.95

– replacement				
Barrier kerb – new	m	\$60.48	\$17.85	\$18.50
Barrier kerb – replacement	m	\$68.32	\$18.90	\$25.95
Mobilisation to Port Hedland	Ea	\$4,000.00	\$3,250.00	\$9,000.00
Demobilisation from Port Hedland	Ea	\$4,000.00	\$3,250.00	\$9,000.00
Frequency of Visits to Port Hedland		7 per year	10	As required
Length of Visits to Port Hedland		7 days per visit	1-2 weeks	As required
Minimum length of Kerb required per visit	m	600	400	1000
Length of Kerb constructed daily	m	800-900	600-700	300
Early payment discount		Nil	Nil	Nil
Other notes		NA	Kerb repairs 0-30m length - \$59.00/m, Island buffer \$20.00/m	NA

To enable accurate comparison of costs, table 2 below describes a typical scenario for the Contractors cost component for the construction of 5km of mountable kerbing. Generally Council depot staff removes the old kerbing therefore the 'new' costs are used.

Table 2:

Description	Qty	Riverlea Corporation	Downer EDI Works Pty Ltd	Kerbing West Extruded Concrete Kerbing
Mountable kerb	5000 m	\$296,000	\$89,250	\$92,500
Mobilisation to Port Hedland	1	\$4,000.00	\$3,250.00	\$9,000.00
Demobilisation from Port Hedland	1	\$4,000.00	\$3,250.00	\$9,000.00
Early payment discount		Nil	Nil	Nil

Total		\$304,000	\$95,750	\$110,500
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Table 3 below indicates the evaluation criteria as described in the tender documentation:

Table 3:

Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
Price		50	50
Experience	4	5	20
Resources (supervisory, plant and equipment)	4	5	20
Demonstrated understanding of WUC	1	5	5
Local Industry Development	1	5	5
Max Loaded Score			100

Each non-price criterion is awarded a score from 0 to 5. However, to reflect a particular criterion’s relative importance, a “loading factor” is applied to each criterion’s score to generate a “loaded score” for that criterion. Loaded scores are then summed to give a total score to a maximum of 100.

Each non-price criterion shall be scored out of 5 in increments of 0.5 as described below:

- A score of 4-5 shall be awarded where the Tenderer’s credentials are judged to exceed the minimum requirements for that criterion
- A score of 3.5 shall be awarded where the Tenderer’s credentials are judged to satisfy the minimum requirements for that criterion
- A score of 0-3 shall be awarded where the Tenderer’s credentials are judged inadequate to meet the minimum requirements for that criterion

The comparison of each of the assessment criteria for the tender submissions received is as follows and is summarized in Table 4 below:

Table 4:

Assessment Criteria	Load Factor	Max Score	Riverlea Corporation		Downer EDI Works Pty Ltd		Kerbing West Extruded Concrete Kerbing	
			Score	Loaded Score	Score	Loaded Score	Score	Loaded Score
Price	1	50	15	15	50	50	42.5	42.5
Experience	4	5	3.5	14	3.5	14	4	16
Resources	4	5	3	12	3.5	14	3.5	14

(supervisor y, plant and equipment)									
Demonstrat ed understandi ng of <i>WUC</i>	1	5	3.5	3.5	3.5	3.5	4	4	
Local Industry Developme nt	1	5	0	0	3	3	0	0	
Totals	100		44.5		84.5		76.5		

It should be noted that Riverlea Corporation failed to submit schedules B to H. Adequate information was submitted to enable assessment of schedules C to H, however the Collusive Tendering Declaration (schedule B) was not submitted.

Price

The lowest price Tender (Tlp) shall be awarded a score of 50 for the Price criterion. The second-lowest price Tender (Tslp) shall be awarded a score determined in the following manner:

$$\text{Tslp Score} = 50 - \frac{(\$Tslp - \$Tlp)}{\$Tlp} \times 50$$

Experience

All tenderers demonstrated satisfactory experience in kerbing works, although only Kerbing West Extruded Concrete Kerbing is dedicated to kerbing construction specifically. The Town of Port Hedland has not contracted kerbing construction works to any of the tenderers in recent years. Downer EDI Works indicated that they are currently contracted to the Shire of East Pilbara.

Resources

Both Kerbing West Extruded Concrete Kerbing and Downer EDI Works demonstrated appropriate resources to undertake the works under contract. Riverlea Corporation indicated that subcontractors would be chosen from an experienced panel, however did not specify plant or resources.

Demonstrated Understanding of Works Under Contract

All tenderers demonstrated an understanding of the works under contract, however Kerbing West Extruded Concrete Kerbing also submitted a works method statement.

Local Industry Development

Downer EDI Works advised that 2 of its employees would be sourced locally. Kerbing West Extruded Concrete Kerbing and Riverlea Corporation did not specify any local content.

Attachments

Nil

200910/051 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

awards Tender 09/14 Construction of Extruded Concrete Kerbing to Downer EDI Works for the period 1 September 2009 to 1 March 2011 according to the following schedule of rates:

Description	Unit	Downer EDI Works Pty Ltd
Semi mountable kerb – new	m	\$17.85
Semi mountable kerb - replacement	m	\$18.90
Mountable kerb – new	m	\$17.85
Mountable kerb – replacement	m	\$18.90
Barrier kerb – new	m	\$17.85
Barrier kerb – replacement	m	\$18.90
Mobilisation to Port Hedland	Ea	\$3,250.00
Demobilisation from Port Hedland	Ea	\$3,250.00
Frequency of Visits to Port Hedland		10
Length of Visits to Port Hedland		1-2 weeks
Minimum length of Kerb required per visit	m	400
Length of Kerb constructed daily	m	600-700
Early payment discount		Nil
Other notes		Kerb repairs 0-30m length - \$59.00/m, Island buffer \$20.00/m

CARRIED 8/0

11.3.2.6 Tender 09/15 Provision of Plant Hire (File No.: 23/08/0051)

Officer Jenella Voitkevich
Manager Infrastructure
Development

Date of Report 17 August 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 09/15 Provision of Plant Hire to enable Council to award the Tender.

Background

Council's previous contract for the provision of plant hire expired on 30th June 2009. As a result new tenders were called for the Provision of Plant Hire for various Town of Port Hedland projects. These include plant hire for road construction and maintenance, in particular, the movement of earth/vegetation, haulage of road making materials, compaction plant, excavation, drainage and slashing plant. The tender is for a contract period of 18 months, commencing 1st September 2009 and ending on 1st March 2011. The tender shall be awarded as a panel contract, whereby acceptable tenderers shall form a panel of preferred contractors to the Town of Port Hedland for the provision of plant hire.

Consultation

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

Statutory Implications

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

"3.57. Tenders for providing goods or services

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

Policy Implications

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

Strategic Planning Implications

Key Result Area 1 – Infrastructure

Goal 1 - Roads, Footpaths and Drainage

Strategy 1 - Ensure that Councils core community infrastructure assets are being managed appropriately through the Implementation of the following Council Five-Year programs:

- Footpath development program
- Resealing program
- Kerb development/replacement program
- Drainage upgrade Program
- Playground upgrade Program

Budget Implications

The budget allocation for plant hire is included in the relevant capital or operational budget. Each project or maintenance operation is assessed to determine what resources in terms of plant hire is required. Plant may be hired when Council does not have the plant available within its own fleet.

Officer's Comment

Tender 09/15 closed at 2.30pm on Wednesday 29th July 2009. Tenders were opened and recorded by the Deputy Mayor, A/CEO and Council staff members.

Tender packages were sent to 35 companies and submissions were received from 15 companies as listed below:

- CICIBIN Pty Ltd (local)
- Mine Site Construction Services
- Arrowsmith Transport (local)
- Pilbara Earthmoving & Contracting (local)
- Downer EDI Works Pty Ltd (local depot)
- Youngs Earthmoving (local)
- Trackers Backhoe Services Pty Ltd (local)
- Will Contracting (local)
- PHS Pty Ltd (local depot)
- Ranger Crane Hire (local)
- Conplant
- Alliance Contracting (local)
- Australian Civils (local depot)
- Coates Pty Ltd (local depot)
- BJ Young Earthmoving Pty Ltd (local)

Companies that are locally based have been identified in the list above. All tenderers have provided rates on various plant items depending on the type of plant available within their fleet. Table 1 below shows a comparison of rates for different types of plant based on the tenders submitted. The majority of plant hire rates include operators; however dry hire rates are included for some companies as indicated.

Table 1:

Item / Contractor	Make	Model	Size / Capacity	Hourly Rate	Daily Rate
Grader					
Mine Site Construction Services	Caterpillar	140H	138kW / 14.7t	\$235.00	\$2,350.00
	Caterpillar	130G	101kW / 13t	\$215.00	\$2,150.00
	Caterpillar	16G	205kW / 24.5t	\$265.00	\$2,650.00
Pilbara Earthmoving & Contracting	Caterpillar	140G 12H	14t	\$165.00	\$1,650.00
Young's Earthmoving	Caterpillar	140H	138kW	\$180.00	
Downer EDI Works	Caterpillar	14H	160kW	\$181.50	\$1,815.00
	Caterpillar	140H	123kW	\$175.45	\$1,754.50
Coates Pty Ltd (Dry hire only)	Caterpillar	12G/H			\$525.00, \$12,000/m th
	Caterpillar	140G/H			\$575.00, \$13,500/m th
	Caterpillar	12H			\$575.00, \$12,000/m th
Alliance Contracting	Caterpillar	12G	140HP	\$176.00	\$1,408.00
	Caterpillar	140H	180HP	\$210.00	\$1,680.00
Australian Civils	Caterpillar	12G/140G		\$159.00	\$1500.00
PHS Pty Ltd (Dry hire only)	Caterpillar	140G		\$65.00	\$650.00
	Caterpillar	140H		\$80.00	\$850.00
	Caterpillar	16G		\$90.00	\$900.00
	Caterpillar	16H		\$110.00	\$1,100.00
BJ Young Earthmoving	Komatsu	GD655-3A	142kW / 16t	\$195.00	
Rigid Water Tanker					
Mine Site Construction Services	Caterpillar	773B	509kW / 40kL	\$280.00	\$2,800.00
Pilbara Earthmoving & Contracting	U/D + Merc	2002	14t	\$110.00	\$1,100.00
Youngs Earthmoving	Mercedes	2632	14,000L	\$130.00	
Downer EDI Works	Various	Various	10,000L	\$124.30	\$1,243.00

Coates Pty Ltd (Dry hire only)			11,000L		\$300.00, \$8,500/mt h
			15,000L		\$375.00, \$10,500/m th
			18,000L		\$425.00, \$12,500/m th
Alliance Contracting	Hino	2627 FM8J	15,000L	\$160.0 0	\$1,280.00
Ranger Crane Hire	Mitsubishi	FM515	3,000L	\$60.00	\$500.00
Australian Civils	Internation al	Acco	10,000L	\$120.0 0	\$1,100.00
BJ Young Earthmoving	Hino	FMJ Series	14,000L	\$130.0 0	
Semi Water Tanker					
Pilbara Earthmoving & Contracting	Kenworth	1998	30,000L	\$140.0 0	\$1,400.00
Youngs Earthmoving	Kenworth	SAR	32,000L	\$160.0 0	
Downer EDI Works	Various	Various	20,000L	\$199.6 5	\$1,996.50
Alliance Contracting	Mack	R-Series	20,000L	\$176.0 0	\$1,408.00
BJ Young Earthmoving	Tristar	N/A	32,000L	\$150.0 0	
4x2 Tip Truck					
Pilbara Earthmoving & Contracting	Hino	2007	4t	\$100.0 0	\$1,000.00
Will Contracting	Nissan	UD	4.5t	\$100.0 0	\$800.00
Ranger Crane Hire	Nissan	Condor	6t	\$110.0 0	\$880.00
Australian Civils	Internation al	Acco	4x2	\$120.0 0	\$1,100.00
BJ Young Earthmoving	Isuzu			\$105.0 0	
Youngs Earthmoving	Mitsubishi		5t	\$115.0 0	

Item / Contractor	Make	Model	Size / Capacity	Hourly Rate	Daily Rate
6x4 Tip Truck					
Pilbara Earthmoving & Contracting	Mercedes	1998	14t	\$110.00	\$1,100.00
Trackers Backhoe Services Pty Ltd	Nissan	UD TIP TK	12t	\$110.00	\$1,100.00
Downer EDI Works	Various	Various	10m ³	\$121.00	\$1,210.00
Australian Civils	International	Acco		\$120.00	\$1,100.00
BJ Young Earthmoving	Isuzu			\$130.00	
Semi Tipper					
Pilbara Earthmoving & Contracting	Kenworth	1995	25t	\$140.00	\$1,400.00
Youngs Earthmoving	Kenworth	908		\$160.00	
Downer EDI Works	Various	Various	24t	\$148.50	\$1,485.00
Arrowsmith Transport	Mack	CLR 6x4	23t / 16m ³	\$210.00	\$2,310.00
Alliance Contacting	Mack	R-Series	20t	\$176.00	\$1,408.00
BJ Young Earthmoving	RWT		Side Tipper	\$160.00	
Double Tipper Road Train					
Pilbara Earthmoving & Contracting	Kenworth	2006	50t	\$160.00	\$1,600.00
Youngs Earthmoving	Kenworth	908		\$195.00	
Downer EDI Works	Various	Various	48t	\$259.60	2,596.00
Arrowsmith Transport	Mack	CLR 6x4	46t / 32m ³	\$260.00	\$2,860.00
BJ Young Earthmoving	RWT		Side Tipper	\$195.00	
Triple Tipper Road Train					
Pilbara Earthmoving & Contracting	Kenworth	2006	75t	\$200.00	\$2,000.00
Arrowsmith Transport	Mack	CLR 6x4	72t / 48m ³	\$300.00	\$3,300.00
4x2 Tray Truck					
Pilbara Earthmoving & Contracting	Hino	2008	4t	\$100.00	\$1,000.00

Will Contracting	Mitsubishi	Fuso	5t	\$100.00	\$800.00
Ranger Crane Hire	Mitsubishi	FM 515	6t	\$110.00	\$900.00
6x4 Tray Truck (no submissions received)					
8x4 Tray Truck					
Pilbara Earthmoving & Contracting	Kenworth	1999	18t Tipper	\$125.00	\$1,250.00
CICIBIN Pty Ltd	Mack	1994	15t Tipper	\$110.00	
Flat Top Semitrailer					
Pilbara Earthmoving & Contracting	Kenworth	1999	16t	\$125.00	\$1,250.00
Youngs Earthmoving	Mack	Trident		\$155.00	
Arrowsmith Transport	Mack	CLR 6x4	24t	\$190.00	\$2,090.00
Alliance Contracting	Mack	R-Series	20t	\$176.00	\$1,408.00
Flat Top Double Road Train					
Youngs Earthmoving		Trident		\$190.00	
Arrowsmith Transport	Mack	CLR 6x4	48t	\$260.00	\$2,860.00
Flat Top Triple Road Train (no submissions received)					
Road Maintenance Vehicle "Flocon" (no submissions received)					
2 Axle Low Loader					
Pilbara Earthmoving & Contracting	Kenworth	1995	23t	\$125.00	

Item / Contractor	Make	Model	Size / Capacity	Hourly Rate	Daily Rate
3 Axle Low Loader					
Youngs Earthmoving	Kenworth	908	30t	\$170.00	
BJ Young Earthmoving	GTE	N/A	N/A	\$165.00	
Downer EDI Works	Western Star & Airride	2002	30t	\$195.25	\$1,952.50
4 Axle Low Loader					
Pilbara Earthmoving & Contracting	Kenworth	1995	30t	\$150.00	
Youngs Earthmoving	Kenworth	908	40t	\$205.00	
3 Axle Low Loader & Dolly					
Youngs	Mack	Trident	40t	\$205.00	

Earthmoving				0	
4 Axle Low Loader & Dolly					
Pilbara Earthmoving & Contracting	Kenworth	1995	50t	\$230.00	
Youngs Earthmoving	Mack	Trident	50t	\$230.00	
Excavator					
Mine Site Construction Services	Caterpillar	312B	63kW/12.4t/ 0.46m ³	\$195.00	\$1,950.00
	Komatsu	PC300	235kW/31.2 t/1.5m ³	\$245.00	\$2,450.00
	Caterpillar	330C	184kW/33.2 t/1.8m ³	\$250.00	\$2,500.00
	Komatsu	PC350	235kW/32.6 t/1.8m ³	\$255.00	\$2,550.00
	Komatsu	PC400	310kW / 41.7t/ 2m ³	\$265.00	\$2,650.00
	Komatsu	PC450	310kW / 43t / 2m ³	\$280.00	\$2,800.00
	Komatsu	PC600	287kW/ 57.3t/ 3m ³	\$345.00	\$3,450.00
	Komatsu	PC850	370kW/78.8 t/34.m ³	\$410.00	\$4,100.00
Pilbara Earthmoving & Contracting	Caterpillar	330C	30t	\$185.00	\$1,850.00
	Caterpillar	E200	26t	\$150.00	\$1,500.00
Youngs Earthmoving	Caterpillar	330DL	36t	\$195.00	
Will Contracting	Tekuchi	TB23R	2.5t	\$110.00	\$880.00
Downer EDI Works	Caterpillar	330	165kW/ 30t Std	\$186.45	\$1,864.50
	Caterpillar	330	165kW / 30t Long	\$217.80	\$2,178.00
	Caterpillar	345	216kW / 45t	\$230.45	\$2,304.50
Coates Pty Ltd (Dry hire only)		301.5C	Under 10t		\$239.00, \$4,507/mt h
		303.5C	Under 10t		\$246.00, \$5,190/mt h
		307C	Under 10t		\$384.00, \$8,035/mt h
		311C	10t – 19t		\$394.00, \$8,283/mt h
		320C/D	20t – 29t		\$563.00, \$11,800/m

					th
		325C	20t – 29t		\$711.00, \$15,300/m th
		320C	20t – 29t		\$563.00, \$11,800/m th
		325C	20t – 29t		\$711.00, \$15,300/m th
		330C/D	Over 30t		\$945.00, \$17,500/m th
		330C	Over 30t		\$945.00, \$17,500/m th

Item / Contractor	Make	Model	Size / Capacity	Hourly Rate	Daily Rate
Excavator (continued)					
Alliance Contracting	Samsung	280E-2	28t / 0.7cm ³	\$190.00	\$1,520.00
Ranger Crane Hire	Yanmah	VIO-15	1.5t	\$100.00	\$800.00
Australian Civils	Kobelco	SK-850SR-2	8.5t	\$139.00	\$1,230.00
	Kobelco	SK-135SR2	13.5t	\$145.00	\$1,290.00
	Komatsu	PC200-7	20t	\$172.00	\$1,570.00
PHS Pty Ltd (Dry hire only)	Caterpillar	325CL	25t	\$65.00	\$650.00
	Caterpillar	330CL	36t	\$75.00	\$750.00
	Caterpillar	330DL	38t	\$85.00	\$850.00
	Caterpillar	345CL	45t	\$110.00	\$1,100.00
BJ Young Earthmoving	Komatsu	PC300-7	180kW/32t	\$210.00	
	Komatsu	PC450L C-8	257kW/45t	\$285.00	
Excavator & Rock Breaker					
Youngs Earthmoving	Caterpillar	Rammer 80	185kW	\$255.00	
Downer EDI Works	Caterpillar	330	165kW	\$229.35	\$2,293.50
Ranger Crane Hire	Yanmah	VIO-40	4t	\$140.00	\$1,000.00
Australian Civils	Kobelco	SK-135SR-3	13.5t	\$175.00	\$1,750.00
BJ Young Earthmoving	Komatsu	PC300-7	G80 Rammer Hammer	\$280.00	
Front End Loader					

Mine Site Construction Services	Caterpillar	IT28G	111kW/12.1 t/1.9m ³	\$210.00	\$2,100.00
	Caterpillar	IT38G	134kW/13t / 2.4m ³	\$225.00	\$2,250.00
	Caterpillar	980G	236kW/29.7 t/5.4m ³	\$290.00	\$2,900.00
	Caterpillar	980H	293kW/30.5 t / 6m ³	\$300.00	\$3,000.00
Pilbara Earthmoving & Contracting	Caterpillar	966		\$165.00	\$1,650.00
	Caterpillar	936		\$145.00	\$1,450.00
Downer EDI Works	Caterpillar	950	134kW	\$152.90	\$1,529.00
	Caterpillar	966	164kW	\$171.05	\$1,710.50
	Komatsu/Cat	WA500/980	224kW	\$203.50	\$2,035.00
	Komatsu	WA600	321kw	\$246.40	\$2,464.00
Coates Pty Ltd (Dry hire only)		914	60 – 69kW		\$486.00, \$10,000/m th
		924G	90 – 99kW		\$545.00, \$10,500/m th
		928G	90 – 99kW		\$588.00, \$11,000/m th
		938	100 – 119kW		\$629.00, \$12,000/m th
		950G/H	120 – 139kW		\$646.00, \$12,500/m th
		960G	140 – 159Kw		\$819.00, \$15,500/m th
		966G/H	Over 160kW		\$819.00, \$15,500/m th
		972G/H	Over 160kW		\$927.00, \$16,500/m th
Alliance Contracting	Caterpillar	950E	2.1 M ³ Bucket	\$176.00	\$1,408.00
	Caterpillar	950B	2.0 m ³ Bucket	\$176.00	\$1,408.00
	Caterpillar	IT28G	2.3cu ³ / 11T Op	\$185.00	\$1,480.00
PHS Pty Ltd (Dry hire only)	Caterpillar	IT28G		\$42.00	\$420.00
	Caterpillar	IT38G		\$45.00	\$450.00

	Caterpillar	972G		\$85.00	\$850.00
	Caterpillar	980H		\$95.00	\$950.00
BJ Young Earthmoving	Komatsu	WA250P T-5H	101kW / 11.5t	\$165.00	
	Komatsu	WA380-5H	140kW / 18t	\$185.00	

Item / Contractor	Make	Model	Size / Capacity	Hourly Rate	Daily Rate
Front End Loader / Backhoe					
Youngs Earthmoving	Caterpillar	432E	69kW	\$125.00	
Trackers Backhoe Services Pty Ltd	New Holland	LB115	2t bucket 52: 1.2t	\$120.00	\$1,200.00
Coates Pty Ltd (Dry hire only)		428D			\$450.00, \$9,500/mt h
		432D			\$470.00, \$9,900/mt h
Australian Civils	Caterpillar	416B	4x4	\$135.00	\$1,250.00
Multi Wheel Roller					
Pilbara Earthmoving & Contracting	Moore			\$110.00	\$1,100.00
Downer EDI Works	BOMAG	BW24R	24t	\$130.35	\$1,303.50
Coates Pty Ltd (Dry hire only)	N/A	VP2400/PS300	Under 20t		\$310.00, \$1,860/week
Australian Civils	Caterpillar	VP14H	14t	\$110.00	\$1,110.00
PHS Pty Ltd (Dry hire only)	Bomag	BW24R		\$38.00	\$380.00
Conplant (Dry hire only)		AP240	16,000 – 18,000 kg	\$32.425	
Vibrating Roller					
Mine Site Construction Services	Caterpillar	CS563E	112kW/11.1t	\$160.00	\$1,600.00
	Caterpillar	CP683E	134kW/18.8t	\$185.00	\$1,850.00
Youngs Earthmoving	Caterpillar			\$135.00	
Downer EDI Works	Various	Various	18t/16t	\$132.00	\$1,320.00
Coates Pty Ltd (Dry hire only)		CA312/CS533E	Under 10t		\$285.00, \$1,710/week

		CS512/ CS563	Over 10t		\$285.00, \$1,710/we ek
Alliance Contracting	Dynapac	CA310	12t	\$140.0 0	\$1120.00
Australian Civils	Caterpillar	CS12	12t	\$115.0 0	\$1,150.00
PHS Pty Ltd (Dry hire only)		Smooth Drum	14t	\$35.00	\$350.00
		Smooth Drum	16t	\$38.00	\$380.00
		Pad Foot	14t	\$36.00	\$360.00
		Pad Foot	16t	\$40.00	\$400.00
BJ Young Earthmoving	Bomag	BW212D -3	90kW / 12t	\$130.0 0	

Item / Contractor	Make	Model	Size / Capacity	Hourly Rate	Daily Rate
Vibrating Roller (continued)					
Conplant (dry hire only)		Smooth Drum ASC 70D	7,000 kg	\$36.80	
		Smooth Drum ASC 110D	12,000 kg	\$37.42 5	
		Smooth Drum ASC 130D	14,000 kg	\$42.42 5	
		Smooth Drum ASC 150D	16,000 kg	\$43.05	
		Smooth Drum ASC 200D	22,000 kg	\$59.30	
		Smooth Drum ASC 250D	25,000 kg	\$68.67 5	
		Padfoot ASC 110PD	12,000 kg	\$41.17 5	
		Padfoot ASC 150PD	16,000 kg	\$45.55	
		Padfoot ASC 200PD	22,000 kg	\$65.55	

		Padfoot ASC 250PD	25,000 kg	\$76.17 5	
Skid Steer Loader					
Pilbara Earthmoving & Contracting	Mustang x2			\$105.0 0	\$1050.00
Youngs Earthmoving	Caterpillar	257B	46kW	\$115.0 0	
Will Contracting	Positrac	RC50	50hrsp	\$100.0 0	\$800.00
Downer EDI Works	Bobcat			\$115.5 0	\$1,155.00
Coates Pty Ltd (Dry hire only)		226B CAT			\$165.00, \$1,000/we ek
Alliance Contracting	Bobcat	S160	7.26kg	\$135.0 0	\$1080.00
Ranger Crane Hire	ASV Positrack	RC50	50HP	\$100.0 0	\$800.00
Australian Civils	Mustang	M20/24		\$115.0 0	\$1,150.00
Bulldozer					
Mine Site Construction Services	Caterpillar	D3C	52kW / 7.3t	\$220.0 0	\$2,200.00
	Caterpillar	D3G	52kW / 7.3t	\$225.0 0	\$2,250.00
	Caterpillar	D6H	123kW / 18t	\$255.0 0	\$2,550.00
	Caterpillar	D6R	138kW / 18.7t	\$265.0 0	\$2,650.00
	Caterpillar	D7H	171kW / 25t	\$275.0 0	\$2,750.00
	Caterpillar	D8N	212kW / 36.8t	\$300.0 0	\$3,000.00
	Caterpillar	D9N	276kW / 42.8t	\$330.0 0	\$3,300.00
	Caterpillar	D9L	343kW / 52t	\$370.0 0	\$3,700.00
	Caterpillar	D10N	388kW / 59.8t	\$390.0 0	\$3,950.00
Pilbara Earthmoving & Contracting	Caterpillar	D7R+N		\$175.0 0	\$1,750.00
	Caterpillar	D9R+N		\$295.0 0	\$2,950.00
	Caterpillar	D7G		\$145.0 0	\$1,450.00
Youngs Earthmoving	Caterpillar	D8R	228kW	\$265.0 0	
Downer EDI Works	Caterpillar	D9T	302kW	\$273.3 5	\$2,733.50
Alliance	Caterpillar	D9T	4.3 m Blade	\$320.0	\$2,560.00

Contracting				0	
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Item / Contractor	Make	Model	Size / Capacity	Hourly Rate	Daily Rate
Generator					
Coates Pty Ltd (Dry hire only)		Petrol	5kva		\$45.00, \$225/week
		Petrol	6kva		\$50.00, \$250/week
		Petrol	7kva		\$55.00, \$275/week
		Diesel	10kva		\$65.00, \$325/week
		Diesel	12.5kva		\$65.00, \$325/week
		Diesel	14kva		\$65.00, \$325/week
		Diesel	16.5kva		\$65.00, \$325/week
		Diesel	20kva		\$75.00, \$375/week
		Diesel	30kva		\$80.00, \$400/week
		Diesel	40kva		\$86.00, \$430/week
		Diesel	50kva		\$95.00, \$475/week
		Diesel	60kva		\$100.00, \$500/week
		Diesel	75kva		\$125.00, \$625/week
		Diesel	100kva		\$145.00, \$725/week
		Diesel	135kva		\$155.00, \$775/week
		Diesel	150kva		\$175.00, \$875/week
		Diesel	200kva		\$220.00, \$1,100/we ek
		Diesel	225kva		\$245.00, \$1,225/we ek
	Diesel	250kva		\$245.00, \$1,225/we ek	
	Diesel	300kva		\$265.00, \$1,325/we ek	
	Diesel	313kva		\$265.00, \$1,325/we	

				ek
		Diesel	400kva	\$300.00, \$1,500/we ek
		Diesel	500kva	\$400.00, \$2,000/we ek

The tender for Plant Hire can't be assessed using conventional evaluation criteria as the submitted rates are not comparable due to:

- Dry hire versus operator included hire
- All items of plant are not available through a single contractor

All tender submissions were deemed compliant in terms of tender documentation, experience and understanding of the contract requirements. The rates submitted are specifically for hire only and do not include additional fees for delivery, servicing, repairs, etc.

It is likely that Council may require several items of plant at any one time which may not be available through a single contractor. Previous plant hire tenders have been awarded to multiple contractors as preferred tenderers, therefore the recommendation will be consistent with previous tenders.

Attachments

Nil

200910/052 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That Council:

awards Tender 09/15 Provision of Plant Hire to various contractors for the period 01/09/2009 to 01/03/2011 according to the following schedule of rates:

Item / Contractor	Make	Model	Size / Capacity	Hourly Rate	Daily Rate
Grader					
Mine Site Construction Services	Caterpillar	140H	138kW / 14.7t	\$235.00	\$2,350.00
	Caterpillar	130G	101kW / 13t	\$215.00	\$2,150.00
	Caterpillar	16G	205kW / 24.5t	\$265.00	\$2,650.00
Pilbara Earthmoving & Contracting	Caterpillar	140G 12H	14t	\$165.00	\$1,650.00
Youngs	Caterpillar	140H	138kW	\$180.00	

Earthmoving				0	
Downer EDI Works	Caterpillar	14H	160kW	\$181.50	\$1,815.00
	Caterpillar	140H	123kW	\$175.45	\$1,754.50
Coates Pty Ltd (Dry hire only)	Caterpillar	12G/H			\$525.00, \$12,000/m th
	Caterpillar	140G/H			\$575.00, \$13,500/m th
	Caterpillar	12H			\$575.00, \$12,000/m th
Alliance Contracting	Caterpillar	12G	140HP	\$176.00	\$1,408.00
	Caterpillar	140H	180HP	\$210.00	\$1,680.00
Australian Civils	Caterpillar	12G/140G		\$159.00	\$1500.00
PHS Pty Ltd (Dry hire only)	Caterpillar	140G		\$65.00	\$650.00
	Caterpillar	140H		\$80.00	\$850.00
	Caterpillar	16G		\$90.00	\$900.00
	Caterpillar	16H		\$110.00	\$1,100.00
BJ Young Earthmoving	Komatsu	GD655-3A	142kW / 16t	\$195.00	
Rigid Water Tanker					
Mine Site Construction Services	Caterpillar	773B	509kW / 40kL	\$280.00	\$2,800.00
Pilbara Earthmoving & Contracting	U/D + Merc	2002	14t	\$110.00	\$1,100.00
Youngs Earthmoving	Mercedes	2632	14,000L	\$130.00	
Downer EDI Works	Various	Various	10,000L	\$124.30	\$1,243.00
Coates Pty Ltd (Dry hire only)			11,000L		\$300.00, \$8,500/mt h
			15,000L		\$375.00, \$10,500/m th
			18,000L		\$425.00, \$12,500/m th
Alliance Contracting	Hino	2627 FM8J	15,000L	\$160.00	\$1,280.00
Ranger Crane Hire	Mitsubishi	FM515	3,000L	\$60.00	\$500.00
Australian	Internation	Acco	10,000L	\$120.00	\$1,100.00

Civils	al			0	
BJ Young Earthmoving	Hino	FMJ Series	14,000L	\$130.00	

Semi Water Tanker					
Pilbara Earthmoving & Contracting	Kenworth	1998	30,000L	\$140.00	\$1,400.00
Youngs Earthmoving	Kenworth	SAR	32,000L	\$160.00	
Downer EDI Works	Various	Various	20,000L	\$199.65	\$1,996.50
Alliance Contracting	Mack	R-Series	20,000L	\$176.00	\$1,408.00
BJ Young Earthmoving	Tristar	N/A	32,000L	\$150.00	
4x2 Tip Truck					
Pilbara Earthmoving & Contracting	Hino	2007	4t	\$100.00	\$1,000.00
Will Contracting	Nissan	UD	4.5t	\$100.00	\$800.00
Ranger Crane Hire	Nissan	Condor	6t	\$110.00	\$880.00
Australian Civils	International	Acco	4x2	\$120.00	\$1,100.00
BJ Young Earthmoving	Isuzu			\$105.00	
Youngs Earthmoving	Mitsubishi		5t	\$115.00	
6x4 Tip Truck					
Pilbara Earthmoving & Contracting	Mercedes	1998	14t	\$110.00	\$1,100.00
Trackers Backhoe Services Pty Ltd	Nissan	UD TIP TK	12t	\$110.00	\$1,100.00
Downer EDI Works	Various	Various	10m ³	\$121.00	\$1,210.00
Australian Civils	International	Acco		\$120.00	\$1,100.00
BJ Young Earthmoving	Isuzu			\$130.00	
Semi Tipper					
Pilbara Earthmoving & Contracting	Kenworth	1995	25t	\$140.00	\$1,400.00
Youngs Earthmoving	Kenworth	908		\$160.00	
Downer EDI Works	Various	Various	24t	\$148.50	\$1,485.00

Arrowsmith Transport	Mack	CLR 6x4	23t / 16m ³	\$210.00	\$2,310.00
Alliance Contracting	Mack	R-Series	20t	\$176.00	\$1,408.00
BJ Young Earthmoving	RWT		Side Tipper	\$160.00	
Double Tipper Road Train					
Pilbara Earthmoving & Contracting	Kenworth	2006	50t	\$160.00	\$1,600.00
Youngs Earthmoving	Kenworth	908		\$195.00	
Downer EDI Works	Various	Various	48t	\$259.60	2,596.00
Arrowsmith Transport	Mack	CLR 6x4	46t / 32m ³	\$260.00	\$2,860.00
BJ Young Earthmoving	RWT		Side Tipper	\$195.00	
Triple Tipper Road Train					
Pilbara Earthmoving & Contracting	Kenworth	2006	75t	\$200.00	\$2,000.00
Arrowsmith Transport	Mack	CLR 6x4	72t / 48m ³	\$300.00	\$3,300.00
4x2 Tray Truck					
Pilbara Earthmoving & Contracting	Hino	2008	4t	\$100.00	\$1,000.00
Will Contracting	Mitsubishi	Fuso	5t	\$100.00	\$800.00
Ranger Crane Hire	Mitsubishi	FM 515	6t	\$110.00	\$900.00
6x4 Tray Truck (no submissions received)					
8x4 Tray Truck					
Pilbara Earthmoving & Contracting	Kenworth	1999	18t Tipper	\$125.00	\$1,250.00
CICIBIN Pty Ltd	Mack	1994	15t Tipper	\$110.00	

Flat Top Semitrailer					
Pilbara Earthmoving & Contracting	Kenworth	1999	16t	\$125.00	\$1,250.00
Youngs Earthmoving	Mack	Trident		\$155.00	
Arrowsmith Transport	Mack	CLR 6x4	24t	\$190.00	\$2,090.00
Alliance Contracting	Mack	R-Series	20t	\$176.00	\$1,408.00

Flat Top Double Road Train					
Youngs Earthmoving		Trident		\$190.00	
Arrowsmith Transport	Mack	CLR 6x4	48t	\$260.00	\$2,860.00
Flat Top Triple Road Train (no submissions received)					
Road Maintenance Vehicle "Flocon" (no submissions received)					
2 Axle Low Loader					
Pilbara Earthmoving & Contracting	Kenworth	1995	23t	\$125.00	
3 Axle Low Loader					
Youngs Earthmoving	Kenworth	908	30t	\$170.00	
BJ Young Earthmoving	GTE	N/A	N/A	\$165.00	
Downer EDI Works	Western Star & Airride	2002	30t	\$195.25	\$1,952.50
4 Axle Low Loader					
Pilbara Earthmoving & Contracting	Kenworth	1995	30t	\$150.00	
Youngs Earthmoving	Kenworth	908	40t	\$205.00	
3 Axle Low Loader & Dolly					
Youngs Earthmoving	Mack	Trident	40t	\$205.00	
4 Axle Low Loader & Dolly					
Pilbara Earthmoving & Contracting	Kenworth	1995	50t	\$230.00	
Youngs Earthmoving	Mack	Trident	50t	\$230.00	

Excavator					
Mine Site Construction Services	Caterpillar	312B	63kW/12.4t/ 0.46m ³	\$195.00	\$1,950.00
	Komatsu	PC300	235kW/31.2 t/1.5m ³	\$245.00	\$2,450.00
	Caterpillar	330C	184kW/33.2 t/1.8m ³	\$250.00	\$2,500.00
	Komatsu	PC350	235kW/32.6 t/1.8m ³	\$255.00	\$2,550.00
	Komatsu	PC400	310kW / 41.7t/ 2m ³	\$265.00	\$2,650.00
	Komatsu	PC450	310kW / 43t / 2m ³	\$280.00	\$2,800.00
	Komatsu	PC600	287kW/ 57.3t/ 3m ³	\$345.00	\$3,450.00
	Komatsu	PC850	370kW/78.8	\$410.00	\$4,100.00

			t/34.m ³	0	
Pilbara Earthmoving & Contracting	Caterpillar	330C	30t	\$185.00	\$1,850.00
	Caterpillar	E200	26t	\$150.00	\$1,500.00
Youngs Earthmoving	Caterpillar	330DL	36t	\$195.00	
Will Contracting	Tekuchi	TB23R	2.5t	\$110.00	\$880.00
Downer EDI Works	Caterpillar	330	165kW/ 30t Std	\$186.45	\$1,864.50
	Caterpillar	330	165kW / 30t Long	\$217.80	\$2,178.00
	Caterpillar	345	216kW / 45t	\$230.45	\$2,304.50
Coates Pty Ltd (Dry hire only)		301.5C	Under 10t		\$239.00, \$4,507/mt h
		303.5C	Under 10t		\$246.00, \$5,190/mt h
		307C	Under 10t		\$384.00, \$8,035/mt h
		311C	10t – 19t		\$394.00, \$8,283/mt h
		320C/D	20t – 29t		\$563.00, \$11,800/m th
		325C	20t – 29t		\$711.00, \$15,300/m th
		320C	20t – 29t		\$563.00, \$11,800/m th
		325C	20t – 29t		\$711.00, \$15,300/m th
		330C/D	Over 30t		\$945.00, \$17,500/m th
		330C	Over 30t		\$945.00, \$17,500/m th
Alliance Contracting	Samsung	280E-2	28t / 0.7cm ³	\$190.00	\$1,520.00
Ranger Crane Hire	Yanmah	VIO-15	1.5t	\$100.00	\$800.00
Australian Civils	Kobelco	SK-850SR-2	8.5t	\$139.00	\$1,230.00
	Kobelco	SK-	13.5t	\$145.00	\$1,290.00

		135SR2		0	
	Komatsu	PC200-7	20t	\$172.00	\$1,570.00
PHS Pty Ltd (Dry hire only)	Caterpillar	325CL	25t	\$65.00	\$650.00
	Caterpillar	330CL	36t	\$75.00	\$750.00
	Caterpillar	330DL	38t	\$85.00	\$850.00
	Caterpillar	345CL	45t	\$110.00	\$1,100.00
BJ Young Earthmoving	Komatsu	PC300-7	180kW/32t	\$210.00	
	Komatsu	PC450L C-8	257kW/45t	\$285.00	
Excavator & Rock Breaker					
Youngs Earthmoving	Caterpillar	Rammer 80	185kW	\$255.00	
Downer EDI Works	Caterpillar	330	165kW	\$229.35	\$2,293.50
Ranger Crane Hire	Yanmah	VIO-40	4t	\$140.00	\$1,000.00
Australian Civils	Kobelco	SK- 135SR-3	13.5t	\$175.00	\$1,750.00
BJ Young Earthmoving	Komatsu	PC300-7	G80 Rammer Hammer	\$280.00	

Front End Loader					
Mine Site Construction Services	Caterpillar	IT28G	111kW/12.1 t/1.9m ³	\$210.00	\$2,100.00
	Caterpillar	IT38G	134kW/13t / 2.4m ³	\$225.00	\$2,250.00
	Caterpillar	980G	236kW/29.7 t/5.4m ³	\$290.00	\$2,900.00
	Caterpillar	980H	293kW/30.5 t / 6m ³	\$300.00	\$3,000.00
Pilbara Earthmoving & Contracting	Caterpillar	966		\$165.00	\$1,650.00
	Caterpillar	936		\$145.00	\$1,450.00
Downer EDI Works	Caterpillar	950	134kW	\$152.90	\$1,529.00
	Caterpillar	966	164kW	\$171.05	\$1,710.50
	Komatsu/ Cat	WA500/9 80	224kW	\$203.50	\$2,035.00
	Komatsu	WA600	321kw	\$246.40	\$2,464.00
Coates Pty Ltd (Dry hire only)		914	60 – 69kW		\$486.00, \$10,000/m th
		924G	90 – 99kW		\$545.00,

					\$10,500/m th
		928G	90 – 99kW		\$588.00, \$11,000/m th
		938	100 – 119kW		\$629.00, \$12,000/m th
		950G/H	120 – 139kW		\$646.00, \$12,500/m th
		960G	140 – 159Kw		\$819.00, \$15,500/m th
		966G/H	Over 160kW		\$819.00, \$15,500/m th
		972G/H	Over 160kW		\$927.00, \$16,500/m th
Alliance Contracting	Caterpillar	950E	2.1 M ³ Bucket	\$176.0 0	\$1,408.00
	Caterpillar	950B	2.0 m ³ Bucket	\$176.0 0	\$1,408.00
	Caterpillar	IT28G	2.3cu ³ / 11T Op	\$185.0 0	\$1,480.00
PHS Pty Ltd (Dry hire only)	Caterpillar	IT28G		\$42.00	\$420.00
	Caterpillar	IT38G		\$45.00	\$450.00
	Caterpillar	972G		\$85.00	\$850.00
	Caterpillar	980H		\$95.00	\$950.00
J Young Earthmoving	Komatsu	WA250P T-5H	101kW / 11.5t	\$165.0 0	
	Komatsu	WA380- 5H	140kW / 18t	\$185.0 0	
Front End Loader / Backhoe					
Youngs Earthmoving	Caterpillar	432E	69kW	\$125.0 0	
Trackers Backhoe Services Pty Ltd	New Holland	LB115	2t bucket 52: 1.2t	\$120.0 0	\$1,200.00
Coates Pty Ltd (Dry hire only)		428D			\$450.00, \$9,500/mt h
		432D			\$470.00, \$9,900/mt h
Australian Civils	Caterpillar	416B	4x4	\$135.0 0	\$1,250.00
Multi Wheel Roller					
Pilbara Earthmoving &	Moore			\$110.0 0	\$1,100.00

Contracting					
Downer EDI Works	BOMAG	BW24R	24t	\$130.35	\$1,303.50
Coates Pty Ltd (Dry hire only)	N/A	VP2400/PS300	Under 20t		\$310.00, \$1,860/week
Australian Civils	Caterpillar	VP14H	14t	\$110.00	\$1,110.00
PHS Pty Ltd (Dry hire only)	Bomag	BW24R		\$38.00	\$380.00
Conplant (Dry hire only)		AP240	16,000 – 18,000 kg	\$32.425	

Vibrating Roller					
Mine Site Construction Services	Caterpillar	CS563E	112kW/11.1t	\$160.00	\$1,600.00
	Caterpillar	CP683E	134kW/18.8t	\$185.00	\$1,850.00
Youngs Earthmoving	Caterpillar			\$135.00	
Downer EDI Works	Various	Various	18t/16t	\$132.00	\$1,320.00
Coates Pty Ltd (Dry hire only)		CA312/CS533E	Under 10t		\$285.00, \$1,710/week
		CS512/CS563	Over 10t		\$285.00, \$1,710/week
Alliance Contracting	Dynapac	CA310	12t	\$140.00	\$1120.00
Australian Civils	Caterpillar	CS12	12t	\$115.00	\$1,150.00
PHS Pty Ltd (Dry hire only)		Smooth Drum	14t	\$35.00	\$350.00
		Smooth Drum	16t	\$38.00	\$380.00
		Pad Foot	14t	\$36.00	\$360.00
		Pad Foot	16t	\$40.00	\$400.00
BJ Young Earthmoving	Bomag	BW212D-3	90kW / 12t	\$130.00	
Conplant (dry hire only)		Smooth Drum ASC 70D	7,000 kg	\$36.80	
		Smooth Drum ASC 110D	12,000 kg	\$37.425	
		Smooth Drum ASC 130D	14,000 kg	\$42.425	

		Smooth Drum ASC 150D	16,000 kg	\$43.05	
		Smooth Drum ASC 200D	22,000 kg	\$59.30	
		Smooth Drum ASC 250D	25,000 kg	\$68.675	
		Padfoot ASC 110PD	12,000 kg	\$41.175	
		Padfoot ASC 150PD	16,000 kg	\$45.55	
		Padfoot ASC 200PD	22,000 kg	\$65.55	
		Padfoot ASC 250PD	25,000 kg	\$76.175	

Skid Steer Loader

Pilbara Earthmoving & Contracting	Mustang x2			\$105.00	\$1050.00
Youngs Earthmoving	Caterpillar	257B	46kW	\$115.00	
Will Contracting	Positrac	RC50	50hrsp	\$100.00	\$800.00
Downer EDI Works	Bobcat			\$115.50	\$1,155.00
Coates Pty Ltd (Dry hire only)		226B CAT			\$165.00, \$1,000/week
Alliance Contracting	Bobcat	S160	7.26kg	\$135.00	\$1080.00
Ranger Crane Hire	ASV Positrack	RC50	50HP	\$100.00	\$800.00
Australian Civils	Mustang	M20/24		\$115.00	\$1,150.00

Bulldozer

Mine Site Construction Services	Caterpillar	D3C	52kW / 7.3t	\$220.00	\$2,200.00
	Caterpillar	D3G	52kW / 7.3t	\$225.00	\$2,250.00
	Caterpillar	D6H	123kW / 18t	\$255.00	\$2,550.00

	Caterpillar	D6R	138kW / 18.7t	\$265.00	\$2,650.00
	Caterpillar	D7H	171kW / 25t	\$275.00	\$2,750.00
	Caterpillar	D8N	212kW / 36.8t	\$300.00	\$3,000.00
	Caterpillar	D9N	276kW / 42.8t	\$330.00	\$3,300.00
	Caterpillar	D9L	343kW / 52t	\$370.00	\$3,700.00
	Caterpillar	D10N	388kW / 59.8t	\$390.00	\$3,950.00
Pilbara Earthmoving & Contracting	Caterpillar	D7R+N		\$175.00	\$1,750.00
	Caterpillar	D9R+N		\$295.00	\$2,950.00
	Caterpillar	D7G		\$145.00	\$1,450.00
Youngs Earthmoving	Caterpillar	D8R	228kW	\$265.00	
Downer EDI Works	Caterpillar	D9T	302kW	\$273.35	\$2,733.50
Alliance Contracting	Caterpillar	D9T	4.3 m Blade	\$320.00	\$2,560.00
Generator					
Coates Pty Ltd (Dry hire only)		Petrol	5kva		\$45.00, \$225/week
		Petrol	6kva		\$50.00, \$250/week
		Petrol	7kva		\$55.00, \$275/week
		Diesel	10kva		\$65.00, \$325/week
		Diesel	12.5kva		\$65.00, \$325/week
		Diesel	14kva		\$65.00, \$325/week
		Diesel	16.5kva		\$65.00, \$325/week
		Diesel	20kva		\$75.00, \$375/week
		Diesel	30kva		\$80.00, \$400/week
		Diesel	40kva		\$86.00, \$430/week
		Diesel	50kva		\$95.00, \$475/week
		Diesel	60kva		\$100.00, \$500/week
		Diesel	75kva		\$125.00, \$625/week
	Diesel	100kva		\$145.00,	

				\$725/week
	Diesel	135kva		\$155.00, \$775/week
	Diesel	150kva		\$175.00, \$875/week
	Diesel	200kva		\$220.00, \$1,100/we ek
	Diesel	225kva		\$245.00, \$1,225/we ek
	Diesel	250kva		\$245.00, \$1,225/we ek
	Diesel	300kva		\$265.00, \$1,325/we ek
	Diesel	313kva		\$265.00, \$1,325/we ek
	Diesel	400kva		\$300.00, \$1,500/we ek
	Diesel	500kva		\$400.00, \$2,000/we ek

CARRIED 8/0

11.3.2.7 Tender 09/17 Supply & Delivery of Spray Bitumen Surfacing (File No.: 23/08/0053)

Officer Jenella Voitkevich
Manager Infrastructure
Development

Date of Report 13 August 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 09/17 Supply & Delivery of Spray Bitumen Surfacing to enable Council to award the Tender.

Background

Council's previous contract with Boral Asphalt WA for supply and delivery of spray bitumen surfacing expired on 30th June 2009. As a result new tenders were called for the Supply & Delivery of Spray Bitumen Surfacing to the Town of Port Hedland for various road construction and maintenance projects. The tender is for a contract period of 18 months, commencing 1st September 2009 and ending on 1st March 2011.

Consultation

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

Statutory Implications

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

"3.57. Tenders for providing goods or services

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

Policy Implications

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

Strategic Planning Implications

KEY RESULT AREA 1 – INFRASTRUCTURE
Goal 1 - Roads, Footpaths and Drainage

Strategy 1 - Ensure that Councils core community infrastructure assets are being managed appropriately through the Implementation of the following Council Five-Year programs:

- Footpath development program
- Resealing program
- Kerb development/replacement program
- Drainage upgrade Program
- Playground upgrade Program

Budget Implications

The cost of spray bitumen surfacing is included in the project budget, whether it is for road construction or reseals. The tendered rates of the recommended contractor are approximately 4% higher than previous contract prices, based on the calculations in table 2 below.

Officer's Comment

Tender 09/17 closed at 2.30pm on Wednesday 29th July 2009. Tenders were opened and recorded by the Deputy Mayor, A/CEO and Council staff members.

Tender submissions were received from 4 companies, Boral Asphalt, Downer EDI Works Pty Ltd, Bitumen Surfacing and Pioneer Road Services. Table 1 below shows a comparison of the submissions based on the schedule of rates submitted.

Table 1:

Specification	Boral Asphalt	Downer EDI Works	Bitumen Surfacing	Pioneer Road Services
Aggregates				
14mm (\$/t)				
Ex 6 mile	\$75.46	\$72.03	NA	NA
Ex plant	\$61.60	\$58.80	\$67.20	NA
Ex Wedgefield	\$73.15	\$70.93	\$87.36	\$78.00
10mm (\$/t)				
Ex 6 mile	\$86.46	\$82.53	NA	NA
Ex plant	\$72.60	\$69.30	\$79.20	NA
Ex Wedgefield	\$84.15	\$81.43	\$99.36	\$78.00
7mm (\$/t)				
Ex 6 mile	\$87.56	\$83.58	NA	NA
Ex plant	\$73.70	\$70.35	\$80.40	NA
Ex Wedgefield	\$85.25	\$82.48	\$100.56	\$80.00
5mm (\$/t)				
Ex 6 mile	NA	NA	NA	NA
Ex plant	NA	NA	NA	NA
Ex Wedgefield	NA	NA	NA	\$85.00
Dust (\$/t)				
Ex 6 mile	\$28.16	\$26.88	NA	NA
Ex plant	\$14.30	\$13.65	\$15.60	NA

Ex Wedgefield	\$25.85	\$25.78	\$35.76	NA
Rock Spalls (\$/t)				
Ex 6 mile	\$67.76	\$64.68	NA	NA
Ex plant	\$53.90	\$56.60	NA	NA
Ex Wedgefield	\$65.45	\$63.58	NA	NA
Delivery charges \$/t/km to other sites	\$1.20	\$0.20	\$0.20	NA
Source of aggregate	Cemex, Port Hedland	Cemex, Port Hedland	Turner River Quarry	Cemex, Port Hedland
Conversion Factors: Stockpile (loose) cubic metres to dry tones of crushed aggregate (density)				
14mm	1.47	1.47	1.47	1.5
10mm	1.48	1.48	1.48	1.5
7mm	1.45	1.45	1.45	1.5
5mm	NA	NA	NA	1.5
Dust	1.73	1.73	1.73	NA
Spray Bitumen Surfacing				
Primer to AMCO 55/45 (\$/L)				
0 - 2000	\$8.73	\$8.98	\$3.61	\$8.60
2001 – 5000	\$2.01	\$3.55	\$2.47	\$2.68
5001 – 15000	\$1.64	\$2.50	\$1.91	\$2.22
15001 – 30000	\$1.60	\$2.07	\$1.74	\$2.18
> 30000	\$1.55	\$1.99	\$1.71	\$2.18
Medium – Heavy Primer AMC3 80/20 (\$/L)				
0 – 2000	\$8.62	\$8.26	\$3.42	\$8.60
2001 – 5000	\$1.83	\$3.13	\$2.28	\$2.68
5001 – 15000	\$1.46	\$2.08	\$1.72	\$2.22
15000 – 30000	\$1.43	\$1.62	\$1.55	\$2.18
> 30000	\$1.39	\$1.60	\$1.52	\$2.18
Binder 100/00 with adhesion agent (\$/L)				
0 - 2000	\$8.64	\$8.31	\$4.28	\$8.80
2001 – 5000	\$1.68	\$2.98	\$2.13	\$2.70
5001 – 15000	\$1.31	\$1.98	\$1.58	\$2.25
15001 – 30000	\$1.28	\$1.54	\$1.41	\$2.20
> 30000	\$1.24	\$1.46	\$1.38	\$2.20
Additives (\$/L)				
5% Polymer	\$0.78	NA	\$0.46- \$0.82	\$1.10
7% Polymer	\$0.89	NA	\$0.50- \$0.93	\$1.22
10% Polymer	\$1.00	NA	\$0.34- \$0.75	\$1.38
15% Polymer	\$1.20	NA	\$0.33- \$0.74	\$1.52
Enrichment Seals (\$/L)				
0 - 2000	\$8.83	\$8.06	\$4.25	\$8.90
2001 – 5000	\$1.54	\$2.73	\$2.10	\$2.10
5001 – 15000	\$1.23	\$1.71	\$1.55	\$2.80
15001 – 30000	\$1.10	\$1.28	\$1.38	\$2.45

> 30000	\$1.08	\$1.20	\$1.35	\$2.45
Precoat Aggregate (\$/stockpile m3)				
0 – 20m ³	\$76.76	\$13.46	\$75.00	\$85.00 ^{*1}
21 – 50 m ³	\$47.34	\$9.00	\$55.00	\$42.00 ^{*1}
51 – 150 m ³	\$21.85	\$8.95	\$27.00	\$21.50 ^{*1}
> 300 m ³	\$12.70	\$7.78	\$15.00	\$18.60 ^{*1}
7mm Medium Primer Coat (\$/m2)				
0 – 2000m ²	\$8.73	\$15.40	\$4.30	\$8.90 ^{*1}
2001 – 5000 m ²	\$3.06	\$4.40	\$1.23	\$4.40 ^{*1}
5001 – 15000 m ²	\$1.25	\$1.66	\$0.56	\$2.28 ^{*1}
15001 – 30000 m ²	\$1.17	\$0.89	\$0.25	\$2.16 ^{*1}
> 30000 m ²	\$1.04	\$0.89	\$0.23	\$2.15 ^{*1}
10mm Aggregate Sealing (\$/m2)				
0 – 2000 m ²	\$8.73	\$15.40	\$4.30	\$8.80 ^{*1}
2001 – 5000 m ²	\$3.06	\$4.40	\$1.23	\$4.80 ^{*1}
5001 – 15000 m ²	\$1.17	\$1.66	\$0.56	\$2.90 ^{*1}
15001 – 30000 m ²	\$1.04	\$0.89	\$0.25	\$2.22 ^{*1}
> 30000 m ²	\$1.04	\$0.81	\$0.23	\$2.21 ^{*1}
14mm Aggregate Sealing (\$/m2)				
0 – 2000 m ²	\$8.73	\$15.40	\$4.30	\$8.85 ^{*1}
2001 – 5000 m ²	\$3.06	\$4.40	\$1.23	\$4.85 ^{*1}
5001 – 15000 m ²	\$1.17	\$1.66	\$0.56	\$3.00 ^{*1}
15001 – 30000 m ²	\$1.04	\$0.89	\$0.25	\$2.28 ^{*1}
> 30000m ²	\$1.04	\$0.81	\$0.23	\$2.26 ^{*1}
Protection of kerbs \$ per linear metre	\$2.50	\$1.00	\$2.00	\$3.50
Mobilisation	\$15,000	\$16,500	\$10,860	\$12,500
Demobilisation	\$15,000	\$16,500	\$10,860	\$12,500
Location of operational premises	Welshpool WA	Maddington WA	Carlisle WA	Wedgefield
Early payment discount	NA	2% within 14 working days	NA	NA
Availability	As required	In region October – January, plus as required	Prefer to complete reseals in one visit. 14 days notice for other works	As required, 2-4 weeks notice. Min 2 days program, max 30 days
Other information	Subject to rise & fall	Are able to discount		Subject to rise & fall

provided	in bitumen costs	mob/demob when already in region		in bitumen costs
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Note *1 – Price includes aggregates, to be calculated at submitted rate for table 2. Rates submitted by other companies to be adjusted accordingly to include aggregate.

Table 2 below was produced as a means of comparison and is only a proportional reflection of the quantities that may be required. Early payment discounts have not been calculated as these may not always be practical.

Table 2:

Product	Quantity	Boral Asphalt	Downer EDI Works	Bitumen Surfacing	Pioneer Road Services
7mm Aggregate, ex Wedgefield	50 tonnes	\$4,262.50	\$4,124.00	\$5,028.00	\$4,000.00
10mm Aggregate, ex Wedgefield	200 tonnes	\$16,830.00	\$16,286.00	\$19,872.00	\$15,600.00
14mm Aggregate, ex Wedgefield	450 tonnes	\$32,917.50	\$31,918.50	\$39,312.00	\$35,100.00
Binder 100/00 with adhesion agent	20,000m2 @ 2.01L/m2	\$49,848.00	\$58,692.00	\$55,476.00	\$88,440.00
Enrichment Seals	2,000m2 @ 1.01L/m2	\$3,110.80	\$5,514.60	\$4,242.00	\$4,242.00
Precoat Aggregate	100 m ³	\$10,600.00	\$9,038.00	\$12,636.00	\$2,150.00
10mm sealing aggregate	40,000 m ²	\$89,685.83	\$78,931.54	\$65,977.28	\$88,400.00
14mm sealing aggregate	35,000 m ²	\$87,605.00	\$78,001.00	\$69,202.00	\$79,100.00
Mobilisation/ Demobilisation	1 Each	\$30,000.00	\$33,000.00	\$21,720.00	\$25,000.00
Total		\$324,859.63	\$315,505.64	\$293,465.28	\$342,032.00

Table 3 below indicates the evaluation criteria as described in the tender documentation:

Table 3:

Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
Price		50	50
Experience	4	5	20
Resources (supervisory, plant and equipment)	4	5	20
Demonstrated understanding of WUC	1	5	5
Local Industry Development	1	5	5
Max Loaded Score			100

Each non-price criterion is awarded a score from 0 to 5. However, to reflect a particular criterion’s relative importance, a “loading factor” is applied to each criterion’s score to generate a “loaded score” for that criterion. Loaded scores are then summed to give a total score to a maximum of 100.

Each non-price criterion shall be scored out of 5 in increments of 0.5 as described below:

- A score of 4-5 shall be awarded where the Tenderer’s credentials are judged to exceed the minimum requirements for that criterion
- A score of 3.5 shall be awarded where the Tenderer’s credentials are judged to satisfy the minimum requirements for that criterion
- A score of 0-3 shall be awarded where the Tenderer’s credentials are judged inadequate to meet the minimum requirements for that criterion

The comparison of each of the assessment criteria for the tender submissions received is as follows and is summarised in Table 4 below:

Table 4:

Assessment Criteria	Load Factor	Max Score	Boral Asphalt		Downer EDI Works		Bitumen Surfacing		Pioneer Road Services	
			Score	Loaded Score	Score	Loaded Score	Score	Loaded Score	Score	Loaded Score
Price	1	50	44.5	44.5	46	46	50	50	41.5	41.5
Experience	4	5	4.0	16	4.0	16	2.5	9	4.0	16
Resources (supervis	4	5	3.5	14	3.5	14	3.5	14	3.5	14

or, plant and equipment)										
Demonstrated understanding of WUC	1	5	3.0	3.0	3.5	3.5	3.5	3.5	3.0	3.0
Local Industry Dvlpmt	1	5	3.0	3.0	3.5	3.5	2.0	2.0	3.0	3.0
Totals	100		80.5		83		78.5		77.5	

Price

The lowest price Tender (Tlp) shall be awarded a score of 50 for the Price criterion. The second-lowest price Tender (Tslp) shall be awarded a score determined in the following manner:

$$\text{Tslp Score} = 50 - \frac{[(\$Tslp - \$Tlp) \times 50]}{\$Tlp}$$

Experience

Boral Asphalt, Downer EDI Works and Pioneer Road Services demonstrated their capabilities and experience, particularly within the Pilbara working for Councils and Main Roads WA. Boral Asphalt were Council's previous contractors for supply and delivery of spray bitumen surfacing. Bitumen Surfacing advised of the experience of their staff members, however did not provide supporting documentation, company profile or details on works undertaken.

Resources

All tenderers demonstrated satisfactory levels of resources.

Demonstrated Understanding of Works Under Contract

Boral Asphalt and Pioneer Road Services have advised that their rates are subject to rise and fall of the bitumen component therefore have received a lower score. The contract should be for fixed rates.

Local Industry Development

Boral Asphalt have indicated that their local component equates to approximately 45% of their workforce and materials. Both Boral Asphalt and Pioneer Road Services have advised that crews will be mobilized from Perth to their Wedgefield yard, with accommodation, supporting contractors and materials being sourced locally. Downer

EDI Works has advised that their operations in Port Hedland and Karratha endeavour to employ local contractors and that materials will be sourced locally. Bitumen Surfacing has stated 'not applicable' on the local industry development schedule although materials will be locally sourced.

In consideration of the above assessment against the selection criteria it is recommended to award Tender 09/17 Supply & Delivery of Spray Bitumen Surfacing to Downer EDI Works.

Attachments

Nil

200910/053 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That Council:

That Council awards Tender 09/17 Supply & Delivery of Spray Bitumen Surfacing to Downer EDI Works for the period 01/09/2009 to 01/03/2011 according to the following schedule of rates:

Specification	Downer EDI Works
Aggregates	
14mm (\$/t)	
Ex 6 mile	\$72.03
Ex plant	\$58.80
Ex Wedgefield	\$70.93
10mm (\$/t)	
Ex 6 mile	\$82.53
Ex plant	\$69.30
Ex Wedgefield	\$81.43
7mm (\$/t)	
Ex 6 mile	\$83.58
Ex plant	\$70.35
Ex Wedgefield	\$82.48
5mm (\$/t)	
Ex 6 mile	NA
Ex plant	NA
Ex Wedgefield	NA
Dust (\$/t)	
Ex 6 mile	\$26.88
Ex plant	\$13.65
Ex Wedgefield	\$25.78
Rock Spalls (\$/t)	
Ex 6 mile	\$64.68
Ex plant	\$56.60

Ex Wedgefield	\$63.58
Delivery charges \$/t/km to other sites	\$0.20
Source of aggregate	Cemex, Port Hedland
Conversion Factors: Stockpile (loose) cubic metres to dry tones of crushed aggregate (density)	
14mm	1.47
10mm	1.48
7mm	1.45
5mm	NA
Dust	1.73
Spray Bitumen Surfacing	
Primer to AMCO 55/45 (\$/L)	
0 - 2000	\$8.98
2001 – 5000	\$3.55
5001 – 15000	\$2.50
15001 – 30000	\$2.07
> 30000	\$1.99
Medium – Heavy Primer AMC3 80/20 (\$/L)	
0 – 2000	\$8.26
2001 – 5000	\$3.13
5001 – 15000	\$2.08
15000 – 30000	\$1.62
> 30000	\$1.60
Binder 100/00 with adhesion agent (\$/L)	
0 - 2000	\$8.31
2001 – 5000	\$2.98
5001 – 15000	\$1.98
15001 – 30000	\$1.54
> 30000	\$1.46
Additives (\$/L)	
5% Polymer	NA
7% Polymer	NA
10% Polymer	NA
15% Polymer	NA
Enrichment Seals (\$/L)	
0 - 2000	\$8.06
2001 – 5000	\$2.73
5001 – 15000	\$1.71
15001 – 30000	\$1.28
> 30000	\$1.20
Precoat Aggregate (\$/stockpile m3)	
0 – 20m ³	\$13.46
21 – 50 m ³	\$9.00
51 – 150 m ³	\$8.95
> 300 m ³	\$7.78
7mm Medium Primer Coat (\$/m ²)	
0 – 2000m ²	\$15.40
2001 – 5000 m ²	\$4.40

5001 – 15000 m ²	\$1.66
15001 – 30000 m ²	\$0.89
> 30000 m ²	\$0.89
10mm Aggregate Sealing (\$/m ²)	
0 – 2000 m ²	\$15.40
2001 – 5000 m ²	\$4.40
5001 – 15000 m ²	\$1.66
15001 – 30000 m ²	\$0.89
> 30000 m ²	\$0.81
14mm Aggregate Sealing (\$/m ²)	
0 – 2000 m ²	\$15.40
2001 – 5000 m ²	\$4.40
5001 – 15000 m ²	\$1.66
15001 – 30000 m ²	\$0.89
> 30000m ²	\$0.81
Protection of kerbs \$ per linear metre	\$1.00
Mobilisation	\$16,500
Demobilisation	\$16,500
Early payment discount	2% within 14 working days

CARRIED 8/0

11.3.2.8 Tender 09/18 Provision of Professional Consultancy Services (File No.: 23/08/0054)

Officer Jenella Voitkevich
Manager Infrastructure
Development

Date of Report 18 August 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 09/18 Provision of Professional Consultancy Services to enable Council to award the Tender.

Background

Council has had a significant increase in capital projects over the last few years. The majority of these projects have required the engagement of consultants to undertake one or more components of the project, generally specialized design services. In the past this has been achieved by individual request for quote or tender which is a lengthy process. Budget allocations are often difficult to estimate unless quotes are received first.

Tender 09/18 has been called as a preferred consultants panel to enable staff to predetermine the suitability of consultants and estimate adequate budgets for their services. Utilising a preferred consultants list will significantly reduce the timeframes required for procurement of services. It also enables Council to expand its database on the wide range of companies that are available to undertake these services.

The panel of services specified within tender 09/18 are:

- Landscape Architecture
- Civil Engineering
- Geotechnical Services
- Structural Engineering
- Project and Contract Management
- Electrical Engineering
- Traffic Engineering
- Hydraulic / Hydrological Engineering

The tender is for a contract period of 18 months, commencing 1st September 2009 and ending on 1st March 2011.

Consultation

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

Other departments within Council were consulted during the compilation of the panel of 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.

Policy 14/002 Preferred Contractors Register is specifically targeted at the procurement of contractors for general and priority maintenance on Council buildings and amenities. The aim of tender 09/18 is to compile a panel of preferred consultants specifically for design and project management of capital projects.

Strategic Planning Implications

The panel of services within tender 09/18 will perform tasks specific to many civil infrastructure capital projects. Sections of Council's Plan for the Future specific to this contract may include:

KEY RESULT AREA 1 – INFRASTRUCTURE

Goal 1 - Roads, Footpaths and Drainage

Strategy 1 - Ensure that Council's core community infrastructure assets are being managed appropriately through the Implementation of the following Council Five-Year programs:

- Footpath development program
- Resealing program
- Kerb development/replacement program
- Drainage upgrade Program
- Playground upgrade Program

Strategy 3 - Undertake road works in South Hedland to improve road permeability.

Strategy 4 - Progressively implement the recommendations from road safety audits that have been completed.

Goal 2 - Parks & Gardens

Strategy 4 - Review existing maintenance levels at all parks and reserves and present costed options for alternate maintenance regimes.

KEY RESULT AREA 2 – COMMUNITY PRIDE

Goal 3 – Townscape

Strategy 1 - In conjunction with industry, business and the community, develop improved verge and streetscape treatments throughout the Town

Strategy 3 - Provide additional shade through the installation of trees and formal shade structures in strategic locations

KEY RESULT AREA 3 – COMMUNITY DEVELOPMENT

Goal 2 - Sports & Leisure

Strategy 2 - Provide improved boating facilities at Finucane Island and the Town Boat Ramp

Goal 5 - Arts & Culture

Strategy 3 - Develop a unique entry statement to the Town

KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT

Goal 1 – Tourism

Strategy 2 - Redevelop the visitor entry bays on the northern and southern roads entrances to the Town

Budget Implications

The budget allocation for resources is included in the relevant capital budget. This will include engaging consultants and/or using internal staff. Each project is assessed to determine what resources, in terms of staff and consultants are required. Although hourly rates have been submitted for the purpose of this tender Council staff will still liaise with the preferred consultants to determine the amount of time required, therefore the total budget allocation.

Officer's Comment

Tender 09/18 closed at 2.30pm on Tuesday 11th August 2009. Tenders were opened and recorded by Councilor Howlett and Council staff members.

Tender packages were sent to 95 companies and submissions were received from 26 companies as listed below:

- Opus International Consultants
- Shawmac Pty Ltd
- McNally Newton Landscape Architects
- MP Rogers & Associates Pty Ltd
- APP Corporation Pty Ltd
- SMEC Urban
- GHD Pty Ltd
- CNF & Associates
- Worley Parsons Services Pty Ltd
- BCA Consultants
- WSP Group
- Thompson McRobert Edgeloe
- MAKJap Pty Ltd

- ARUP Pty Ltd
- Urbis
- Parsons Brinckerhoff Australia Pty Ltd
- Ecoscape Australia Pty Ltd
- Blackwell & Associates Pty Ltd
- Red Dirt Services
- EPCAD Pty Ltd
- Aurecon Australia Pty Ltd
- Porter Consulting Engineers
- Norman Disney & Young
- Jim Davies & Associates Pty Ltd
- Landscape Planners Pty Ltd
- Thinc Projects

Table 1 below indicates the rates submitted by the above tenderers for each panel service within the contract. Due to the currently unknown quantity of work and how it will be distributed across the organization, an average rate has been calculated to assist in tender price evaluation.

Table 1:

Company Name	Position/Qualification	Hourly Rate	Average Rate
Landscape Architectural Services Panel			
Landscape Planners Pty Ltd	Senior Landscape – Architect	\$125	\$125
EPCAD Pty Ltd	Director – Landscape Architect	\$220 - \$125	\$173.33
Blackwell & Associates Pty Ltd	Managing Director – Junior Landscape Architects	\$200 - \$90	\$155
Urbis	Director – Consultant	\$225 - \$120	\$152.22
Ecoscape Australia Pty Ltd	Managing Director – Landscape Architects	\$240 - \$140	\$170.00
GHD Pty Ltd	Senior Planner – Planning Officer	\$155 - \$101	\$125.50
McNally Newton Landscape Architects	Director – Landscape Architects	\$95 - \$65	\$82.50
Civil Engineering Services Panel			
Porter Consulting Engineers	Director – CAD Drafter	\$250 - \$95	\$156.88
Aurecon Australian Pty Ltd	Executive Civil Engineer – Civil Drafter	\$280 - \$135	\$200.83
Parsons Brinckerhoff Australia Pty Ltd	Principal Engineer - Civil Drafter	\$265 - \$125	\$185
ARUP Pty Ltd	Associate – Engineer	\$260 - \$135	\$182
Thompson McRobert Edgeloe	Director Engineering – Administrator	\$230 - \$100	\$183.33
MAKJap Pty Ltd	Survey Crew – Engineer	\$230 -	\$168.3

	Draftsperson	\$130	3
Worley Parsons Services Pty Ltd	Principal Engineer – Engineer Civil	\$171 - \$122	\$137.20
GHD Pty Ltd	Principal Civil Engineer – Civil Engineer	\$217 - \$94	\$153.80
SMEC Urban	Regional Manager – Civil Engineer	\$310 - \$125	\$196.43
MP Rogers & Associates Pty Ltd	Senior Principal Eng - Drafter	\$237 - \$108	\$173.75
Shawmac Pty Ltd	Director – Draftsperson	\$180 - \$80	\$137.50
Opus International Consultants	Team Leader – Draftsperson	\$160 - \$90	\$130

Geotechnical Services Panel			
Parsons Brinckerhoff Australia Pty Ltd	Principal Geotechnical Eng – Geo Eng	\$280 - \$195	\$237.50
ARUP Pty Ltd	Senior Associate – Graduate Engineer	\$310 - \$125	\$214
Thompson McRobert Edgeloe	Director Geotechnical	\$230	\$230
MAKJap Pty Ltd	Soil Lab Test (report) – Civil Engineer	\$1,200 - \$145	\$145
Worley Parsons Services Pty Ltd	Senior manager – Graduate Engineer	\$202 - \$101	\$150
GHD Pty Ltd	Principal Eng Geologist – Senior Civil Eng	\$217 - \$134	\$188
Structural Engineering Services Panel			
Aurecon Australian Pty Ltd	Executive – Structural Drafter	\$280 - \$105	\$231.43
Parsons Brinckerhoff Australia Pty Ltd	Structural Engineer	\$150 - \$145	\$147.50
ARUP Pty Ltd	Principal – CAD	\$295 - \$140	\$193.75
Worley Parsons Services Pty Ltd	Senior Manager – Engineer Structural	\$202 - \$122	\$145.20
GHD Pty Ltd	Senior Structural Eng – Architect	\$155 - \$112	\$133.75
SMEC Urban	Infrastructure Manager – Civil Engineer	\$207 - \$96	\$131.40
Opus International Consultants	Structure Manager – Senior Draftsman	\$225 - \$135	\$183
Project and Contract Management Services Panel			
Thinc Projects	Regional Director – Consultant	\$210 - \$140	\$161
Red Dirt Services	Director – Project Manager	\$150	\$150
Parsons Brinckerhoff Australia	Project Manager	\$305 - \$175	\$240

ARUP Pty Ltd	Senior Associate – Project Manager	\$310 - \$220	\$273.3 3
Thompson McRobert Edgeloe	Managing Engineer – Senior Professional	\$190 - \$180	\$185
MAKJap Pty Ltd	As-Con Survey – Supervisor	\$230 - \$130	\$158.7 5
WSP Group	Principal Engineer - Project Manager	\$200 - \$110	\$162.5 0
Worley Parsons Services Pty Ltd	Senior Manager – Lead Engineer	\$202 - \$163	\$182.5 0
CNF & Associates	Project Director – Project Manager	\$175 - \$165	\$172.5 0
GHD Pty Ltd	Project Director – Project Engineer	\$217 - \$94	\$173.4 0
SMEC Urban	Principal Civil Engineer – Structural Eng	\$220 - \$96	\$157.1 7
APP Corporation Pty Ltd	State Manager – Project Manager	\$250 - \$170	\$200
Shawmac Pty Ltd	Director – Senior Technical Officer	\$180 - \$150	\$165
Opus International Consultants	Business Manager – Senior Tech Officer	\$160 - \$120	\$148
Ecoscope Australia Pty Ltd	Managing Director – Landscape Architect	\$240 - \$140	\$173.7 5
Aurecon Australian Pty Ltd	Civil Engineer – Senior Engineer	\$225	\$225
Electrical Engineering Services Panel			
Norman Disney & Young	Associate Director – Electrical CAD Drafter	\$280 - 145	\$199
Worley Parsons Services Pty Ltd	Senior Engineer – Engineer	\$142 - \$122	\$137
BCA Consultants	General Manager – Electrical Eng Drafting	\$200 - \$110	\$147.5 0
CNF & Associates	Senior Electrical Engineer – Designer Drafts	\$165 - 125	\$150.7 1
GHD Pty Ltd	Principal Electrical Eng – Electrical Tech Officer	\$217 - \$101	\$159

Traffic Engineering Services Panel			
Porter Consulting Engineers	Director - Designer	\$250 - \$105	\$175.8 3
Parsons Brinkerhoff Australia	Senior Civil Engineer - Civil Drafter	\$175 - \$125	\$146.2 5
ARUP Pty Ltd	Director – Traffic Engineer	\$310 - \$160	\$245
Worley Parsons Services Pty Ltd	Lead Engineer – Senior Engineer	\$163 - \$142	\$149
GHD Pty Ltd	Principal Transport Engineer – Civil Eng	\$217 - \$112	\$170.4 0
SMEC Urban	Project Director – Transport Planner	\$310 - \$100	\$157.5 0

Shawmac Pty Ltd	Director – Draftsperson	\$180 - \$80	\$148
Opus International Consultants	Transportation Leader – Engineering Cadet	\$160 - \$90	\$130
Aurecon Australian Pty Ltd	Executive Civil Engineer – Civil Drafter	\$280 - \$135	\$200.8 3
Hydraulic/Hydrological Services Panel			
Jim Davies & Associates Pty Ltd	Managing Director – Senior Env Hydrologist	\$360 - 210	\$266.6 7
Norman Disney & Young	Associate – Hydraulic CAD Drafter	\$230 - \$145	\$187.5 0
Red Dirt Services	Director	\$150	\$150
Parsons Brinkerhoff Australia	Principal – Civil Drafter	\$265 - \$125	\$191.2 5
Thompson McRobert Edgeloe	Director Engineering – Senior Professional	\$230 - \$180	\$200
Worley Parsons Services Pty Ltd	Principal Engineer – Engineer	\$171 - \$122	\$149.5 0
GHD Pty Ltd	Principal Hydrologist – Environmental Eng	\$217 - \$94	\$168.8 3
SMEC Urban	Mngr Contamination Waste – Team Leader	\$260 - \$150	\$180
Shawmac Pty Ltd	Director – Draftsperson	\$180 - \$80	\$137.5 0
Opus International Consultants	Water Manager – Design Drafting Officer	\$225 - \$90	\$148
Aurecon Australian Pty Ltd	Executive – Civil Engineer	\$280 - \$160	\$201.6 7

It is noted that CNF & Associates and Thompson McRobert Edgeloe submitted 2 tenders each, with 1 being a revised submission. The table above identifies the revised tender submission only.

Each of the tender submissions included a separate schedule of rates for additional costs such as administration, travel and accommodation should the need arise.

CNF & Associates have also submitted rates for mechanical and environmental services that were not specified within the tender. These rates have not been assessed however Council may consider a separate tender for these services at a later date.

Table 2 below indicates the evaluation criteria as described in the tender documentation:

Table 2:

Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
Price		50	50
Knowledge and Experience	9	5	45
Local Industry Development	1	5	5
Max Loaded Score			100

Each non-price criterion is awarded a score from 0 to 5. However, to reflect a particular criterion's relative importance, a "loading factor" is applied to each criterion's score to generate a "loaded score" for that criterion. Loaded scores are then summed to give a total score to a maximum of 100.

Each non-price criterion shall be scored out of 5 in increments of 0.5 as described below:

- A score of 4-5 shall be awarded where the Tenderer's credentials are judged to exceed the minimum requirements for that criterion
- A score of 3.5 shall be awarded where the Tenderer's credentials are judged to satisfy the minimum requirements for that criterion
- A score of 0-3 shall be awarded where the Tenderer's credentials are judged inadequate to meet the minimum requirements for that criterion

It must be noted that panel contracts are assessed firstly on the non-price criterion to determine whether the tenderers are suitably qualified to be accepted on the panel. The price component of the assessment is carried out once tenderers are deemed suitable.

The comparison of each of the assessment criteria for the tender submissions received for each panel is as follows and is summarized in Table 3 below. The final column indicates a ranking (1-5 only) based on the average price submitted.

Table 3:

Contractor/Assessment Criteria	Knowledge & Experience		Local Industry Development		Suit Y/N	Price Score	Total	Rank
	Score	Loaded	Score	Loaded				
Landscape Architectural Services Panel								
Landscape Planners Pty Ltd	4	36	0	0	Y	33	69	3
EPCAD Pty Ltd	4	36	2	2	Y	24	62	
Blackwell &	4	36	2	2	Y	26.	64.	5

Associates Pty Ltd						5	5	
Urbis	4	36	2	2	Y	27	65	4
Ecoscope Australia Pty Ltd	4	36	2	2	Y	24.5	62.5	
GHD Pty Ltd	4	36	3	3	Y	33	72	2
McNally Newton Landscape Architects	4	36	4	4	Y	50	90	1
Civil Engineering Services Panel								
Porter Consulting Engineers	4	36	2	2	Y	41.5	79.5	5
Aurecon Australian Pty Ltd	4	36	3	3	Y	32.5	71.5	
Parsons Brinckerhoff Australia Pty Ltd	4	36	1	1	Y	35	72	
ARUP Pty Ltd	4	36	2	2	Y	35.5	73.5	
Thompson McRobert Edgeloe	4	36	1	1	Y	35.5	72.5	
MAKJap Pty Ltd	4	36	4	4	Y	38.5	78.5	
Worley Parsons Services Pty Ltd	4	36	1	1	Y	47.5	84.5	3
GHD Pty Ltd	4	36	3	3	Y	42.5	81.5	4
SMEC Urban	4	36	1	1	Y	33	70	
MP Rogers & Associates Pty Ltd	4	36	1	1	Y	37.5	74.5	
Shawmac Pty Ltd	4	36	1	1	Y	47.5	84.5	2
Opus International Consultants	4	36	1	1	Y	50	87	1
Geotechnical Services Panel								
Parsons Brinckerhoff Australia Pty Ltd	4	36	1	1	Y	30.5	67.5	
ARUP Pty Ltd	4	36	2	2	Y	34	72	4
Thompson McRobert Edgeloe	4	36	1	1	Y	31.5	68.5	5
MAKJap Pty Ltd	4	36	4	4	Y	50	90	1
Worley Parsons Services Pty Ltd	4	36	1	1	Y	48.5	85.5	2
GHD Pty Ltd	4	36	3	3	Y	38.5	77.5	3
Structural Engineering Services Panel								
Aurecon Australian Pty Ltd	4	36	3	3	Y	28.5	67.5	
Parsons Brinckerhoff Australia Pty Ltd	4	36	1	1	Y	44.5	81.5	4
ARUP Pty Ltd	4	36	2	2	Y	34	72	

Worley Parsons Services Pty Ltd	4	36	1	1	Y	45	82	3
GHD Pty Ltd	4	36	3	3	Y	49	88	1
SMEC Urban	4	36	1	1	Y	50	87	2
Opus International Consultants	4	36	1	1	Y	36	73	5
Project and Contract Management Services Panel								
Thinc Projects	4	36	2	2	Y	46	84	4
Red Dirt Services	4	36	3	3	Y	49.5	88.5	1
Parsons Brinkerhoff Australia	4	36	1	1	Y	31	68	
ARUP Pty Ltd	4	36	2	2	Y	27	65	
Thompson McRobert Edgeloe	4	36	1	1	Y	40	77	
MAKJap Pty Ltd	4	36	4	4	Y	46.5	86.5	3
WSP Group	4	36	1	1	Y	45.5	82.5	
Worley Parsons Services Pty Ltd	4	36	1	1	Y	40.5	77.5	
CNF & Associates	4	36	2	2	Y	43	81	
GHD Pty Ltd	4	36	3	3	Y	42.5	81.5	
SMEC Urban	4	36	1	1	Y	47	84	5
APP Corporation Pty Ltd	4	36	1	1	Y	37	74	
Shawmac Pty Ltd	4	36	1	1	Y	45	82	
Opus International Consultants	4	36	1	1	Y	50	87	2

Ecoscope Australia Pty Ltd	4	36	2	2	Y	42.5	80.5	
Aurecon Australian Pty Ltd	4	36	3	3	Y	33	72	
Electrical Engineering Services Panel								
Norman Disney & Young	4	36	1	1	Y	34.5	71.5	5
Worley Parsons Services Pty Ltd	4	36	1	1	Y	50	87	1
BCA Consultants	4	36	1	1	Y	46.5	83.5	2
CNF & Associates	4	36	2	2	Y	45.5	83.5	3
GHD Pty Ltd	4	36	3	3	Y	43	82	4
Traffic Engineering Services Panel								
Porter Consulting Engineers	4	36	2	2	Y	37	75	
Parsons Brinkerhoff Australia	4	36	1	1	Y	44.5	81.5	2
ARUP Pty Ltd	4	36	2	2	Y	26.5	64.5	

Worley Parsons Services Pty Ltd	4	36	1	1	Y	43.5	80.5	4
GHD Pty Ltd	4	36	3	3	Y	38	77	
SMEC Urban	4	36	1	1	Y	41.5	78.5	5
Shawmac Pty Ltd	4	36	1	1	Y	44	81	3
Opus International Consultants	4	36	1	1	Y	50	87	1
Aurecon Australian Pty Ltd	4	36	3	3	Y	32.5	71.5	
Hydraulic/Hydrological Services Panel								
Jim Davies & Associates Pty Ltd	4	36	0	0	Y	26	62	
Norman Disney & Young	4	36	1	1	Y	36.5	73.5	
Red Dirt Services	4	36	3	3	Y	46	85	2
Parsons Brinkerhoff Australia	4	36	1	1	Y	36	73	
Thompson McRobert Edgeloe	4	36	1	1	Y	34.5	71.5	
Worley Parsons Services Pty Ltd	4	36	1	1	Y	46	83	4
GHD Pty Ltd	4	36	3	3	Y	40.5	79.5	5
SMEC Urban	4	36	1	1	Y	38	75	
Shawmac Pty Ltd	4	36	1	1	Y	50	87	1
Opus International Consultants	4	36	1	1	Y	46.5	83.5	3
Aurecon Australian Pty Ltd	4	36	3	3	Y	34	73	

Price

Considering this tender is not for a specific project and is simply to create a panel of preferred contractors, the price component has been assessed using the average of the rates submitted by each company. The total value of works and the distribution of these works within the companies are not known at this time, therefore averaging the rates is the fair way to assess.

The lowest price average rate shall be awarded a score of 50 for the Price criterion. The remaining rates shall be awarded a proportional score based on their relevance to the lowest score.

Knowledge and Experience

All companies have demonstrated excellent knowledge and experience within the relevant field, including within the North West. There are some companies with a greater amount of expertise than others for specific fields within the same panel, therefore it is important that Council staff review the company profiles prior to engaging a company to work on a specific project.

Local Industry Development

Companies that have not stated any local industry development have received a score of 0. Companies that are based in the WA metropolitan area and have stated that the only local industry development is the use of transport and accommodation while in Port Hedland have received a score of 1.

Companies that are based in the WA metropolitan area and have stated that the local industry development is the use of transport and accommodation while in Port Hedland, plus engaging a local contractor if required have received a score of 2.

Companies with offices in the North West (not in Port Hedland) have received a score of 3. Companies with offices in Port Hedland that are locally managed have received a score of 4.

The purpose of Tender 09/18 is to develop a suite of preferred consultant panels for a variety of capital infrastructure projects. Due to the high response of tender submissions it is recommended to award membership on the panels to the 5 highest ranked companies within each panel.

It should be noted that the consultants will be nominated as preferred consultants only. Engagement of these consultants will still be subject to availability, total quoted price where applicable and the suitability to undertake a specific task.

Attachments

Nil

200910/054 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That Council:

awards Tender 09/18 Provision of Professional Consultancy Services to various consultants for the period 1 September 2009 to 1 March 2011 according to the following panel listing, in conjunction with the submitted rates, specifications and conditions of contract:

Landscape Architectural Services Panel
Landscape Planners Pty Ltd
Blackwell & Associates Pty Ltd
Urbis
GHD Pty Ltd
McNally Newton Landscape Architects
Civil Engineering Services Panel
Porter Consulting Engineers
Worley Parsons Services Pty Ltd

GHD Pty Ltd
Shawmac Pty Ltd
Opus International Consultants
Geotechnical Services Panel
ARUP Pty Ltd
Thompson McRobert Edgeloe
MAKJap Pty Ltd
Worley Parsons Services Pty Ltd
GHD Pty Ltd
Structural Engineering Services Panel
Parsons Brinckerhoff Australia Pty Ltd
Worley Parsons Services Pty Ltd
GHD Pty Ltd
SMEC Urban
Opus International Consultants
Project and Contract Management Services Panel
Thinc Projects
Red Dirt Services
MAKJap Pty Ltd
SMEC Urban
Opus International Consultants
Electrical Engineering Services Panel
Norman Disney & Young
Worley Parsons Services Pty Ltd
BCA Consultants
CNF & Associates
GHD Pty Ltd
Traffic Engineering Services Panel
Parsons Brinckerhoff Australia
Worley Parsons Services Pty Ltd
SMEC Urban
Shawmac Pty Ltd
Opus International Consultants
Hydraulic/Hydrological Services Panel
Red Dirt Services
Worley Parsons Services Pty Ltd
GHD Pty Ltd
Shawmac Pty Ltd
Opus International Consultants

CARRIED 8/0

11.3.2.9 Tender 09/19 Provision of Labour, Building & Maintenance Services (File No.: 23/08/0055)

Officer Jenella Voitkevich
Manager Infrastructure
Development

Date of Report 17 August 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 09/19 Provision of Labour, Building & Maintenance Services to enable Council to award the Tender.

Background

Council has had a significant increase in capital projects over the last few years. This has not only increased the need for additional resources during the actual construction period, but also to maintain the infrastructure until Council staffing levels can increase. Tender 09/19 has been called as a preferred contractors panel to enable staff to predetermine the suitability of contractors and estimate adequate budgets for their services. Utilising a preferred contractors list will significantly reduce the timeframes required for procurement of services.

The panel of services specified within tender 09/19 are:

- Line Marking
- Masonry Works
- Surveying
- Labour Hire
- Earthworks/Civil General
- Traffic Management
- Electrical
- Plumbing
- Concrete General
- Landscaping Maintenance
- Security
- Mulching

The tender is for a contract period of 18 months, commencing 1st September 2009 and ending on 1st March 2011.

Consultation

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

Other departments within Council were consulted during the compilation of the panel of 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.

Policy 14/002 Preferred Contractors Register is specifically targeted at the procurement of contractors for general and priority maintenance on Council buildings and amenities. The aim of tender 09/19 is to compile a panel of preferred contractors for civil construction, general labour, maintenance of landscaping and other services specific to the Engineering department.

Strategic Planning Implications

The panel of services within tender 09/19 will perform tasks specific to many civil infrastructure capital projects and maintenance operations. Sections of Council’s Plan for the Future specific to this contract may include:

KEY RESULT AREA 1 – INFRASTRUCTURE

Goal 1 - Roads, Footpaths and Drainage

Strategy 1 - Ensure that Councils core community infrastructure assets are being managed appropriately through the Implementation of the following Council Five-Year programs:

- Footpath development program
- Resealing program
- Kerb development/replacement program
- Drainage upgrade Program
- Playground upgrade Program

Strategy 3 - Undertake road works in South Hedland to improve road permeability.

Strategy 4 - Progressively implement the recommendations from road safety audits that have been completed.

Goal 2 - Parks & Gardens

Strategy 4 - Review existing maintenance levels at all parks and reserves and present costed options for alternate maintenance regimes.

KEY RESULT AREA 2 – COMMUNITY PRIDE

Goal 3 – Townscape

Strategy 1 - In conjunction with industry, business and the community, develop improved verge and streetscape treatments throughout the Town

Strategy 3 - Provide additional shade through the installation of trees and formal shade structures in strategic locations

KEY RESULT AREA 3 – COMMUNITY DEVELOPMENT

Goal 2 - Sports & Leisure

Strategy 2 - Provide improved boating facilities at Finucane Island and the Town Boat Ramp

Goal 5 - Arts & Culture

Strategy 3 - Develop a unique entry statement to the Town

KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT

Goal 1 – Tourism

Strategy 2 - Redevelop the visitor entry bays on the northern and southern roads entrances to the Town

KEY RESULT AREA 5 – ENVIRONMENT

Goal 1 – Waste Management

Strategy 3 - Implement a green waste/mulching program that aims to service both Council and the community's need for mulch.

Budget Implications

The budget allocation for resources is included in the relevant capital or operational budget. This will include engaging contractors and/or using internal staff. Each project or maintenance operation is assessed to determine what resources in terms of staff, contractors and labour is required. Although hourly rates have been submitted for the purpose of this tender Council staff will still liaise with the preferred contractors to determine the amount of time required, therefore the total budget allocation, in accordance with Councils procurement policy.

Officer's Comment

Tender 09/19 closed at 2.30pm on Tuesday 11th August 2009. Tenders were opened and recorded by Councilor Howlett and Council staff members.

Tender packages were sent to 23 companies and submissions were received from 5 companies as listed below:

- ANG WA Bobcat Hire
- Australian Civils
- Stay Kool A/C & Electrical Services
- Survey 21 Pty Ltd
- CCR Group

Table 1 below indicates the rates submitted by the above tenderers for each panel service within the contract.

Table 1:

Company Name	Position/Qualification	Hourly Rate
Line Marking Services Panel (no tender submissions received)		
Masonry Works Services Panel		
Australian Civils	Bricklayer	\$90.00
	Limestone Block Layer	\$90.00
	Skidsteer bobcat (dry)	\$400/day
	FL310 Wheel loader (dry)	\$490/day
	Water cart (dry)	\$420/day
	6 x 4 tip truck (dry)	\$420/day
	Utility /4WD vehicle (dry)	\$180/day
	Dual axle trailer	\$105/day
	Fence panels – each	\$15/day
	Water barriers – each	\$35/day
	Concrete/cement mixer	\$130/day
	Machine Operator – B Class licence	\$75.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Leading Hand	\$90.00
	Supervisor	\$100.00
	Labourer – no skills	\$67.00
	Labourer – civil skills	\$72.00
	Concrete Grano worker	\$85.00
	Project Manager	\$150.00
Administration	\$75.00	
CCR Group	Branch Manager	\$130.00
	Supervisor	\$115.00
	Trades/Labourers – see table 2	
Surveying Services Panel		
Survey 21 Pty Ltd	Surveyor/Field	\$160.00
	Surveyor/Office	\$100.00
	Surveyor Assistant	\$60.00
	Cadastral Surveyor	\$160.00
Labour Hire Services Panel		
Australian Civils	Labourer – no skills	\$67.00
	Labourer – civil skills	\$72.00
	Machine Operator – B Class licence	\$75.00
	Excavator Operator	\$85.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Grader Operator	\$100.00
	Leading Hand	\$90.00
	Supervisor	\$100.00
	Fencing worker	\$80.00
	Project Manager	\$150.00

	Administration	\$75.00
CCR Group	Branch Manager	\$130.00
	Trades/Labourers – see table 2	
Earthworks Civil/General Services Panel		
Australian Civils	8.5T Track Excavator (dry)	\$450/day
	15T Track Excavator (dry)	\$490/day
	20T Track Excavator (dry)	\$720/day
	FL310 Wheel loader (dry)	\$490/day
	Water cart (dry)	\$420/day
	6 x 4 tip truck (dry)	\$420/day
	12T Vibrating Roller (dry)	\$400/day
	Pneuvibe Compactor (dry)	\$295/day
	Utility /4WD vehicle (dry)	\$180/day
	Dual axle trailer	\$105/day
	Fence panels – each	\$15/day
	Water barriers – each	\$35/day
	Laser Level equipment	\$185/day
	Concrete/cement mixer	\$130/day
	Road signs/excavation signs	\$28/day
	High visibility bunting x 30m roll	\$30/day
	Machine Operator – B Class licence	\$75.00
	Excavator Operator	\$85.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Grader Operator	\$100.00
	Leading Hand	\$90.00
	Supervisor	\$100.00
	Labourer – no skills	\$67.00
	Labourer – civil skills	\$72.00
	Bricklayer	\$90.00
	Limestone Block Layer	\$90.00
	Concrete Grano worker	\$85.00
	Pipe Layer/drainer	\$90.00
	Carpenter/form worker	\$95.00
	Plumber – commercial/industrial	\$95.00
	Fencing worker	\$80.00
	Project Manager	\$150.00
Administration	\$75.00	
Traffic Management Services Panel (no tender submissions received)		
Electrical Services Panel		
Stay Kool A/C & Electrical Services	Managing Director	\$120.00
	Senior Electrician	\$120.00
	Electrician – 2 nd in charge	\$120.00
	Apprentice Electrician	\$100.00
CCR Group	Branch Manager	\$130.00
	General Manager	\$130.00

	Trades/Labourers – see table 2	
Plumbing Services Panel		
Australian Civils	Plumber – Commercial, industrial	\$95.00
	8.5T Track Excavator (dry)	\$450/day
	15T Track Excavator (dry)	\$490/day
	20T Track Excavator (dry)	\$720/day
	FL310 Wheel loader (dry)	\$490/day
	Pneuvibe Compactor (dry)	\$295/day
	Utility /4WD vehicle (dry)	\$180/day
	Dual axle trailer	\$105/day
	Fence panels – each	\$15/day
	Water barriers – each	\$35/day
	Laser Level equipment	\$185/day
	Concrete/cement mixer	\$130/day
	Road signs/excavation signs	\$28/day
	High visibility bunting x 30m roll	\$30/day
	Machine Operator – B Class licence	\$75.00
	Excavator Operator	\$85.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Supervisor	\$100.00
	Labourer – no skills	\$67.00
Labourer – civil skills	\$72.00	
Pipe Layer/drainier	\$90.00	
Project Manager	\$150.00	
Administration	\$75.00	
Concrete Services Panel		
ANG WA Bob Cat Hire	Owner/Manager	\$110.00
	Foreman/Overseer	\$95.00
	Form Setter	\$80.00
	Labourer	\$69.00
Australian Civils	Concrete Grano Worker	\$85.00
	8.5T Track Excavator (dry)	\$450/day
	15T Track Excavator (dry)	\$490/day
	20T Track Excavator (dry)	\$720/day
	FL310 Wheel loader (dry)	\$490/day
	6 x 4 tip truck (dry)	\$420/day
	Utility /4WD vehicle (dry)	\$180/day
	Dual axle trailer	\$105/day
	Concrete/cement mixer	\$130/day
	Machine Operator – B Class licence	\$75.00
	Excavator Operator	\$85.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
Supervisor	\$100.00	
Labourer – no skills	\$67.00	

	Labourer – civil skills	\$72.00
	Carpenter/form worker	\$95.00
	Project Manager	\$150.00
	Administration	\$75.00
CCR Group	Branch Manager	\$130.00
	Supervisor	\$115.00
	Trades/Labourers – see table 2	
Landscaping Maintenance Services Panel		
ANG WA Bob Cat Hire	Owner/Manager	\$110.00
	Foreman	\$93.50
	Labourer	\$69.00
Australian Civils	8.5T Track Excavator (dry)	\$450/day
	15T Track Excavator (dry)	\$490/day
	20T Track Excavator (dry)	\$720/day
	FL310 Wheel loader (dry)	\$490/day
	Water cart (dry)	\$420/day
	6 x 4 tip truck (dry)	\$420/day
	12T Vibrating Roller (dry)	\$400/day
	Pneuvibe Compactor (dry)	\$295/day
	Utility /4WD vehicle (dry)	\$180/day
	Dual axle trailer	\$105/day
	Laser Level equipment	\$185/day
	Concrete/cement mixer	\$130/day
	Road signs/excavation signs	\$28/day
	High visibility bunting x 30m roll	\$30/day
	Machine Operator – B Class licence	\$75.00
	Excavator Operator	\$85.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Leading Hand	\$90.00
	Supervisor	\$100.00
	Labourer – no skills	\$67.00
	Labourer – civil skills	\$72.00
	Bricklayer	\$90.00
	Limestone Block Layer	\$90.00
	Carpenter/form worker	\$95.00
	Plumber – Commercial, industrial	\$95.00
	Project Manager	\$150.00
	Administration	\$75.00
CCR Group	Branch Manager	\$130.00
	Supervisor	\$115.00
	Trades/Labourers – see table 2	
Security Services Panel (no tender submissions received)		
Mulching Services Panel (no tender submissions received)		

Table 2 below has been provided for Councils information and itemizes the scale of fees for other resources, travel and accommodation as submitted by the tenderers.

Table 2:

Description	ANG WA Bobcat Hire	Australian Civils	Stay Kool A/C & Electrical Services	Survey 21 Pty Ltd	CCR Group
Word Processing (per hour)	\$90.00	\$65.00	NA	NA	\$60
Specialist (per hour)	NA	Admin/ Contract Mgr \$100	Aircond/ Refrigeration \$120, Security Alarm install, mtc \$135, Data & Coms \$135	Stat charges for cadastral lodgement at cost	Supervision \$115, Trades \$95, Skilled labourers \$70
Travel to Port Hedland (return trip)	\$800 in Perth travel required	\$950 in Perth travel required	NA	NA	\$1250 in Perth travel required
Travel within the Pilbara area (per km)	\$2.15	\$5.00	\$2.00 plus hourly rate	\$1.70	\$60.00, vehicle usage \$130/day
Accommodation & meals (per night)	\$105.00	\$300.00	\$350.00 per person	\$200	Cost plus 15%

Table 3 below indicates the evaluation criteria as described in the tender documentation:

Table 3:

Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
Price		50	50
Knowledge and Experience	9	5	45
Local Industry Development	1	5	5
Max Loaded Score			100

Each non-price criterion is awarded a score from 0 to 5. However, to reflect a particular criterion's relative importance, a "loading factor" is applied to each criterion's score to generate a "loaded score" for that criterion. Loaded scores are then summed to give a total score to a maximum of 100.

Each non-price criterion shall be scored out of 5 in increments of 0.5 as described below:

- A score of 4-5 shall be awarded where the Tenderer's credentials are judged to exceed the minimum requirements for that criterion
- A score of 3.5 shall be awarded where the Tenderer's credentials are judged to satisfy the minimum requirements for that criterion
- A score of 0-3 shall be awarded where the Tenderer's credentials are judged inadequate to meet the minimum requirements for that criterion

It must be noted that panel contracts are assessed firstly on the non-price criterion to determine whether the tenderers are suitably qualified to be accepted on the panel. The price component of the assessment is carried out when it is determined that a panel contractor is required for a particular project.

The comparison of each of the non-price assessment criteria for the tender submissions received for each panel is as follows and is summarized in Table 4 below. The panels for line marking, traffic management, security and mulching have been omitted as no tender submissions were received.

Table 4:

Contractor/Assessment Criteria	Knowledge & Experience		Local Industry Development		Total
	Score	Loaded	Score	Loaded	
Masonry Works Services Panel					
Australian Civils	4	36	3.5	3.5	39.5
CCR Group	3	27	4	4	31
Surveying Services Panel					
Survey 21 Pty Ltd	4	36	3.5	3.5	39.5
Labour Hire Services Panel					
Australian Civils	4	36	3.5	3.5	39.5
CCR Group	3	27	4	4	31
Earthworks Civil/General Services Panel					
Australian Civils	4	36	3.5	3.5	39.5
Electrical Services Panel					
Stay Kool A/C Electrical Services	4	36	5	5	41
CCR Group	3	27	4	4	31
Plumbing Services Panel					
Australian Civils	4	36	3.5	3.5	39.5
Concrete Services Panel					
ANG WA Bobcat Hire	4	36	5	5	41
Australian Civils	4	36	3.5	3.5	39.5
CCR Group	3	27	4	4	31
Landscaping Maintenance Services Panel					
ANG WA Bobcat Hire	4	36	5	5	41
Australian Civils	4	36	3.5	3.5	39.5
CCR Group	3	27	4	4	31

Knowledge and Experience

The tender submission from CCR Group has included documentation on the experience of the management and supervisory personnel only and has not identified any specific trades people. CCR undertake their own processes to ensure that staff and contractors employed are suitably qualified, however due to the uncertainty of the trades experience CCR Group has received a reduced score.

All other tenderers submitted excellent information on the experience and knowledge pertaining to the relevant services panels.

Local Industry Development

Both ANG WA Bobcat Hire and Stay Kool A/C & Electrical Services are locally owned and operated businesses employing Port Hedland staff, therefore have received the highest score.

CCR Group has indicated that they employ locally for their Port Hedland branch however may need to seek contractors from other areas.

Both Australian Civils and Survey 21 Pty Ltd have indicated that they employ both locally and from Perth, however have demonstrated an acceptable level of local development by having a locally based office/depot.

The purpose of Tender 09/19 is to develop a suite of preferred contractor panels for a variety of building, maintenance and general labour works. All tenderers have demonstrated their suitability for each panel therefore it is recommended to approve all submissions. It should be noted that the contractors will be nominated as preferred contractors only. Engagement of these contractors will still be subject to availability, total quoted price where applicable and the suitability to undertake a specific task.

Attachments

Nil

200910/055 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

That Council awards Tender 09/19 Provision of Labour, Building & Maintenance Services to various contractors for the period 1 September 2009 to 1 March 2011 according to the following schedule:

Company Name	Position/Qualification	Hourly Rate
Line Marking Services Panel (no tender submissions received)		
Masonry Works Services Panel		
Australian Civils	Bricklayer	\$90.00
	Limestone Block Layer	\$90.00
	Skidsteer bobcat (dry)	\$400/day
	FL310 Wheel loader (dry)	\$490/day
	Water cart (dry)	\$420/day
	6 x 4 tip truck (dry)	\$420/day
	Utility /4WD vehicle (dry)	\$180/day
	Dual axle trailer	\$105/day
	Fence panels – each	\$15/day
	Water barriers – each	\$35/day
	Concrete/cement mixer	\$130/day
	Machine Operator – B Class licence	\$75.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Leading Hand	\$90.00
	Supervisor	\$100.00
	Labourer – no skills	\$67.00
	Labourer – civil skills	\$72.00
	Concrete Grano worker	\$85.00
	Project Manager	\$150.00
Administration	\$75.00	
CCR Group	Branch Manager	\$130.00
	Supervisor	\$115.00
	Trades/Labourers – see table 2	
Surveying Services Panel		
Survey 21 Pty Ltd	Surveyor/Field	\$160.00
	Surveyor/Office	\$100.00
	Surveyor Assistant	\$60.00
	Cadastral Surveyor	\$160.00
Labour Hire Services Panel		
Australian Civils	Labourer – no skills	\$67.00
	Labourer – civil skills	\$72.00
	Machine Operator – B Class licence	\$75.00
	Excavator Operator	\$85.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Grader Operator	\$100.00
	Leading Hand	\$90.00
	Supervisor	\$100.00
	Fencing worker	\$80.00
	Project Manager	\$150.00
	Administration	\$75.00
CCR Group	Branch Manager	\$130.00
	Trades/Labourers – see table 2	

Earthworks Civil/General Services Panel		
Australian Civils	8.5T Track Excavator (dry)	\$450/day
	15T Track Excavator (dry)	\$490/day
	20T Track Excavator (dry)	\$720/day
	FL310 Wheel loader (dry)	\$490/day
	Water cart (dry)	\$420/day
	6 x 4 tip truck (dry)	\$420/day
	12T Vibrating Roller (dry)	\$400/day
	Pneuvibe Compactor (dry)	\$295/day
	Utility /4WD vehicle (dry)	\$180/day
	Dual axle trailer	\$105/day
	Fence panels – each	\$15/day
	Water barriers – each	\$35/day
	Laser Level equipment	\$185/day
	Concrete/cement mixer	\$130/day
	Road signs/excavation signs	\$28/day
	High visibility bunting x 30m roll	\$30/day
	Machine Operator – B Class licence	\$75.00
	Excavator Operator	\$85.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Grader Operator	\$100.00
	Leading Hand	\$90.00
	Supervisor	\$100.00
	Labourer – no skills	\$67.00
	Labourer – civil skills	\$72.00
	Bricklayer	\$90.00
	Limestone Block Layer	\$90.00
	Concrete Grano worker	\$85.00
	Pipe Layer/drainer	\$90.00
	Carpenter/form worker	\$95.00
	Plumber – commercial/industrial	\$95.00
	Fencing worker	\$80.00
Project Manager	\$150.00	
Administration	\$75.00	
Traffic Management Services Panel (no tender submissions received)		
Electrical Services Panel		
Stay Kool A/C & Electrical Services	Managing Director	\$120.00
	Senior Electrician	\$120.00
	Electrician – 2 nd in charge	\$120.00
	Apprentice Electrician	\$100.00
CCR Group	Branch Manager	\$130.00
	General Manager	\$130.00
	Trades/Labourers – see table 2	

Plumbing Services Panel		
Australian Civils	Plumber – Commercial, industrial	\$95.00
	8.5T Track Excavator (dry)	\$450/day
	15T Track Excavator (dry)	\$490/day
	20T Track Excavator (dry)	\$720/day
	FL310 Wheel loader (dry)	\$490/day
	Pneuvibe Compactor (dry)	\$295/day
	Utility /4WD vehicle (dry)	\$180/day
	Dual axle trailer	\$105/day
	Fence panels – each	\$15/day
	Water barriers – each	\$35/day
	Laser Level equipment	\$185/day
	Concrete/cement mixer	\$130/day
	Road signs/excavation signs	\$28/day
	High visibility bunting x 30m roll	\$30/day
	Machine Operator – B Class licence	\$75.00
	Excavator Operator	\$85.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Supervisor	\$100.00
	Labourer – no skills	\$67.00
Labourer – civil skills	\$72.00	
Pipe Layer/drainier	\$90.00	
Project Manager	\$150.00	
Administration	\$75.00	
Concrete Services Panel		
ANG WA Bob Cat Hire	Owner/Manager	\$110.00
	Foreman/Overseer	\$95.00
	Form Setter	\$80.00
	Labourer	\$69.00
Australian Civils	Concrete Grano Worker	\$85.00
	8.5T Track Excavator (dry)	\$450/day
	15T Track Excavator (dry)	\$490/day
	20T Track Excavator (dry)	\$720/day
	FL310 Wheel loader (dry)	\$490/day
	6 x 4 tip truck (dry)	\$420/day
	Utility /4WD vehicle (dry)	\$180/day
	Dual axle trailer	\$105/day
	Concrete/cement mixer	\$130/day
	Machine Operator – B Class licence	\$75.00
	Excavator Operator	\$85.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Supervisor	\$100.00
Labourer – no skills	\$67.00	
Labourer – civil skills	\$72.00	
Carpenter/form worker	\$95.00	

	Project Manager	\$150.00
	Administration	\$75.00
CCR Group	Branch Manager	\$130.00
	Supervisor	\$115.00
	Trades/Labourers – see table 2	

Landscaping Maintenance Services Panel		
ANG WA Bob Cat Hire	Owner/Manager	\$110.00
	Foreman	\$93.50
	Labourer	\$69.00
Australian Civils	8.5T Track Excavator (dry)	\$450/day
	15T Track Excavator (dry)	\$490/day
	20T Track Excavator (dry)	\$720/day
	FL310 Wheel loader (dry)	\$490/day
	Water cart (dry)	\$420/day
	6 x 4 tip truck (dry)	\$420/day
	12T Vibrating Roller (dry)	\$400/day
	Pneuvibe Compactor (dry)	\$295/day
	Utility /4WD vehicle (dry)	\$180/day
	Dual axle trailer	\$105/day
	Laser Level equipment	\$185/day
	Concrete/cement mixer	\$130/day
	Road signs/excavation signs	\$28/day
	High visibility bunting x 30m roll	\$30/day
	Machine Operator – B Class licence	\$75.00
	Excavator Operator	\$85.00
	Loader Operator	\$85.00
	Bobcat Operator	\$75.00
	Leading Hand	\$90.00
	Supervisor	\$100.00
	Labourer – no skills	\$67.00
	Labourer – civil skills	\$72.00
	Bricklayer	\$90.00
	Limestone Block Layer	\$90.00
	Carpenter/form worker	\$95.00
	Plumber – Commercial, industrial	\$95.00
	Project Manager	\$150.00
Administration	\$75.00	
CCR Group	Branch Manager	\$130.00
	Supervisor	\$115.00
	Trades/Labourers – see table 2	
Security Services Panel (no tender submissions received)		
Mulching Services Panel (no tender submissions received)		

CARRIED 8/0

11.3.2.10 Tender 09/20 Supply of Street Trees (File No.: 23/08/0056)

Officer Jenella Voitkevich
Manager Infrastructure
Development

Date of Report 6 August 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 09/20 Supply of Street Trees and to gain a Council resolution.

Background

In recent years Council has focused many of its capital programs on the beautification of the Town, including the planting of trees within verges and public open space areas. Council has also encouraged residents to plant trees on their verge by providing free trees on application. These programs have resulted in the likelihood that tree purchases in the financial year will be in excess of \$100,000 therefore this tender was called. The tender is for a contract period of 18 months, commencing 1st September 2009 and ending on 1st March 2011.

Consultation

Council's Engineering staff

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 2 – COMMUNITY PRIDE
Goal 3 – Townscape

Strategy 1 - In conjunction with industry, business and the community, develop improved verge and streetscape treatments throughout the Town

Strategy 3 - Provide additional shade through the installation of trees and formal shade structures in strategic locations

Budget Implications

A budget allocation for tree purchases is included in the cost estimates of each project. The most significant project that involves the purchase of trees is Boulevard Tree Planting (1201450) with a budget of \$779,000. A separate budget account (1204279) is for the supply of free verge trees to residents. This budget amount will vary with demand and is reviewed during the quarterly budget review process.

Officer's Comment

Tender 09/20 closed at 2.30pm on Wednesday 5th August 2009. The tender opening process was witnessed and recorded by Councillor Howlett and Council staff members.

Although tender packages were sent to 5 companies, no tenders were received at the closing time. It is possible that the lack of tender submissions reflects the fact that tree supplies are in high demand and it is difficult for suppliers to guarantee large quantities, particularly if they are required in a short timeframe.

Since the tender period closed Council has received information on the standard rates for tree supply, although quantities and delivery timeframes could not be guaranteed.

The Officer recommends that Council acknowledge that the tender process has been unsuccessful and authorize staff to purchase trees through the normal procurement processes with the exclusion of undergoing further tender processes.

Attachments

Nil

200910/055 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr J M Gillingham

That Council:

That Council authorises the Chief Executive Officer or his delegated officer to purchase trees in accordance with Council's Procurement Policy 2/015, excluding the requirement for further tender processes.

CARRIED 8/0

11.3.2.11 Street & Walkway Lighting Expenditure (File No.: 28/11/0002 & 28/03/0003)

Officer Jenella Voitkevich
Manager Infrastructure Development

Date of Report 17 August 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is for Council to consider the approval of Horizon Power as sole suppliers for the Street Lighting and Walkway Lighting upgrade programs in lieu of a formal tender process.

Background

The 2009/10 street lighting upgrades are programmed for various locations in South Hedland, focusing on the Koombana area where underground power already exists but the lighting is not compliant to Australian Standards. This program will not conflict with the proposed South Hedland underground power project. The current street lighting is a Horizon Power asset and all new street lighting becomes a Horizon Power asset once installed.

The 2009/10 walkway lighting upgrades involves upgrading the lighting throughout parks and walkways to current Australian Standards. Horizon Power will be approached to take over the lighting assets once installed.

In previous years Council's street and walkway lighting programs have been undertaken by Horizon Power outside of normal tendering conditions as approved at the following Council meetings:

Ordinary Council Meeting held on 23rd January 2008: Resolution No. 200708/141

"That Council set aside the provisions in Council's Procurement Policy 2/007 and authorise street lighting upgrade projects to be undertaken by Horizon Power in accordance with the Local Government Functions and General) Regulations 1996 part 11 (2) (f)."

Ordinary Council Meeting held on 22nd October 2008: Resolution No. 200809/100

"That the Council set aside the provisions in Council's Procurement Policy 2/007 'Procurement' and authorise walkway lighting upgrade contract to be awarded to Horizon Power for the programmed works up to the 2008/09 budgeted expenditure total of \$333,950; in accordance with the Local

Government (Functions and General) Regulations 1996 par 11 (2) (f)."

Consultation

Horizon Power

Statutory Implications

Tenders would normally be 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."*

However, the Local Government (Functions and General) Regulations 1996 states:

"11. Tenders to be invited for certain contracts

- ...(2) Tenders do not have to be publicly invited according to the requirements of this Part if -*
- ...(f) The local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason; it is unlikely that there is more than one potential supplier."*

Policy Implications

Council's Procurement Policy 2/007 states that:

"Where possible, unless by Council resolution, or by requirement of legislation, Officers will follow the following guidelines for inviting quotes prior to purchasing any good or service.

Purchase Value	Quotes Required (minimum)
Less than \$2,000	1 Verbal Quote
\$1,000 to \$4,999	1 Written Quote
\$5,000 to \$14,999	2 Written Quotes
\$15,000 to \$49,999	3 Written Quotes
\$50,000 to \$99,999	3 Detailed Written Quotes, Authorised CEO & Mayor
\$100,000 and over	Tender

It is the Officer's responsibility to provide evidence that a reasonable attempt has been made to meet the above guidelines."

- The legislation listed in the Statutory Implications section above outlines that this policy could be overwritten for goods or services provided by a sole supplier.

Strategic Planning Implications

KEY RESULT AREA 1

Goal 4 – Lighting

Strategy 2 – Work with key stakeholders to fast track the implementation of projects listed within the Council's Walkway Lighting program and the Street Lighting development programs

Budget Implications

Nil. Horizon Power will be requested to provide quotes on the 2009/10 street and walkway lighting programs. Expenditure will be approved to the limit allocated in the 2009/10 budget.

Officer's Comment

The 2009/10 budget for walkway lighting upgrades is \$210,000 and street lighting upgrades is \$850,000. In accordance with Council's procurement policy this would require that a tender be called for the project, however Horizon Power have demonstrated that they are the sole authorized supplier of this service to ensure that the project is completed to Australian Standards and Horizon Power requirements.

Both the street and walkway lighting infrastructure become a Horizon Power asset once installed. Council is not permitted to award a contract to upgrade these assets but can approach Horizon Power to upgrade the assets. Horizon Power is the consent authority for all works on their asset and it would only delay and complicate both Council's and Horizon Power's operations should a third party become involved. Furthermore it is likely that a third party would be highly profit motivated, whereas discussions with Horizon Power have indicated that their pricing policy is neither predatory nor indulgent in makeup.

Council has developed an excellent working relationship with Horizon Power. They have regularly altered their construction program to accommodate Council's requests without complaint or additional charges. Their service has been exceptional and they have been transparent with all business dealings with the Town of Port Hedland.

Street and walkway lighting upgrades undertaken by Horizon Power will effectively increase the budget allocation to the actual works, as they require minimal administration and no supervision or project management on Council's behalf. These costs would normally be borne by the project budget. Furthermore, Horizon Power harbors their own risk during project design and

construction, eliminating the responsibility of Council in the event of an incident.

It is therefore recommended to set aside the provisions in Council's Procurement Policy 2/007 and authorize the contract to be awarded in accordance with the Local Government (Functions and General) Regulations 1996 part 11 (2) (f).

200910/056 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr A A Carter

That Council:

set aside the provisions in Council's Procurement Policy 2/007 and authorise street and walkway lighting upgrade projects to be undertaken by Horizon Power to the extent of the adopted 2009/10 budget and subsequent reviews, in accordance with the Local Government (Functions and General) Regulations 1996 part 11 (2) (f).

CARRIED 8/0

11.3.3 Port Hedland International Airport**11.3.3.1 Mobil Oil Lease for RFDS Extension (File No.: AIRLSE11)**

Officer Laura Jackson
Airport Landside
Development Officer

Date of Report 20 July 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider a new lease with Mobil Oil for the Royal Flying Doctor Services (RFDS) hangar extensions.

Background

Mobil Oil currently has an underground tank on airside next to the existing RFDS hangar. There is currently no lease arrangement for this area.

As part of the RFDS extensions, the existing tank needs to be removed. Mobil oil would like to position a new above ground 55kl tank airside on the opposite side of the Northern Apron (refer attachment).

A lease area of 16.4m x 24.5m is required to accommodate the tank and fueling operations. A concrete slab of 4.4m x 12.5m is required for the tank. The tank must also be positioned a minimum of 6.5m from protected works.

Mobil Oil currently has a contract with RFDS until the 30th June 2011 with a one (1) year option to extend. Mobil Oil would like to set up a lease with the Town Of Port Hedland to parallel this.

The intention is to install the new tank and have this operating prior to the decommissioning of the underground tank. This therefore impacts on the timing of the extensions to the RFDS hangar.

Consultation

John Maartensz: Mobil Oil, General Aviation & Military Territory
Manager
Gary Townsend: Architect for RFDS
Bob Couzens: Manager of Airport Operations

Statutory Implications

Section 3.58 of the Local Government Act 1995 (in part) states:

“3.58. *Disposing of property*

- (1) *In this section -*
dispose~ includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property~ includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) *Except as stated in this section, a local government can only*
dispose of property to -
 - (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property-*
 - (a) *it gives local public notice of the proposed disposition -*
 - (i) *describing the property concerned;*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;...*

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

Account Number 1210326- Leases and rentals

	Revenue
Per Month(ex GST)	\$636.18
Per Annum(ex GST)	\$7634.20

Officer’s Comment

Nil.

Attachments

RFDS Hangar Extension Plans

200910/057 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That Council:

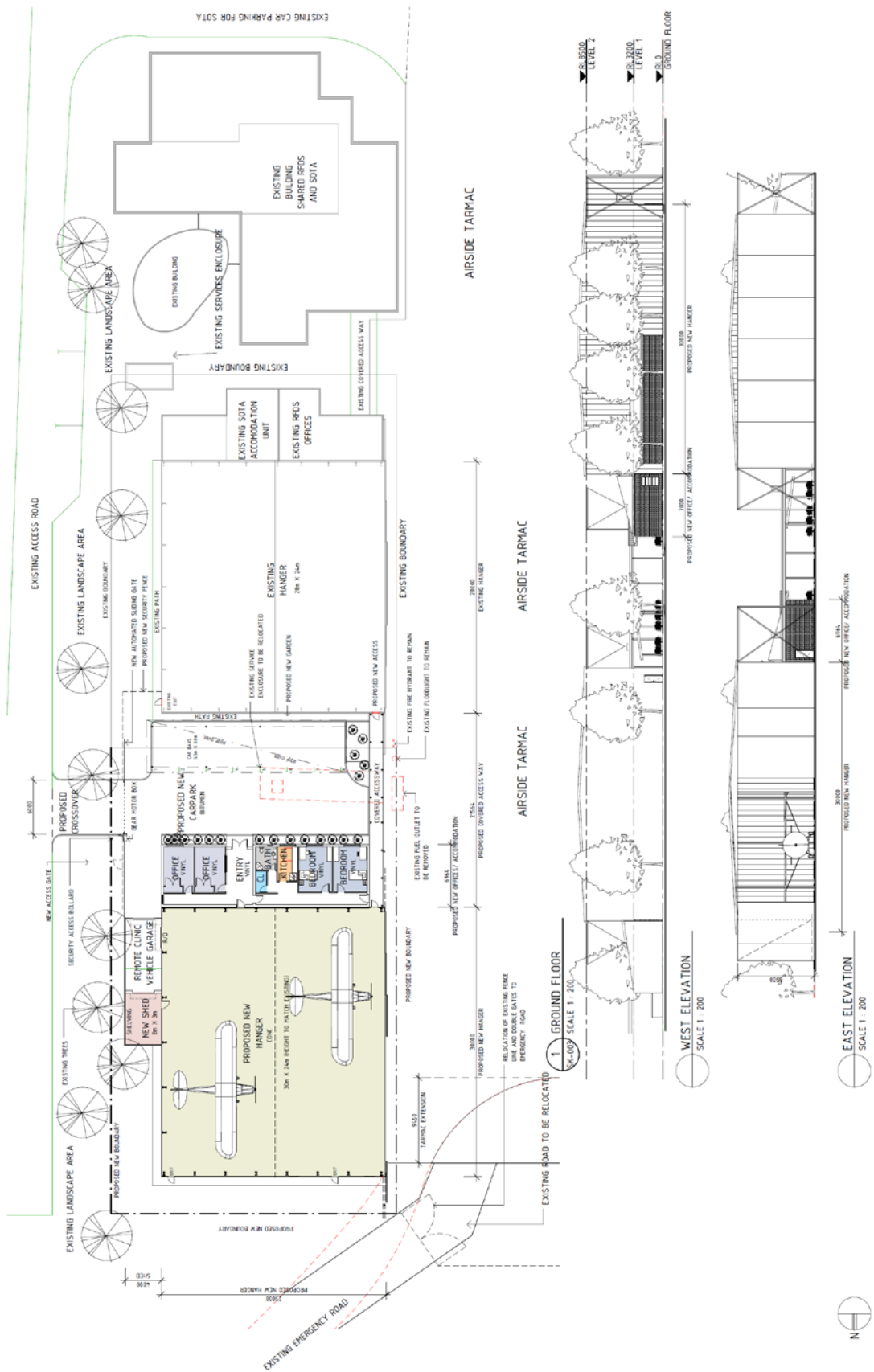
authorise the Chief Executive Officer or his delegate to enter into negotiations with Mobil Oil into a lease agreement in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions:

- a) **The lease term being for one year and nine months plus one (1) year option; and**
- b) **The lease rental being set at the current market value of \$7,634.20 plus GST, increased annually by CPI;**

subject to any submissions being received by Council.

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.3.3.1



GHD
 date 13/10/08
 job no. 61-19153
 drawing SK-003
 CONCEPT DESIGN

ROYAL FLYING DOCTOR SERVICE
PROPOSED HANGER ADDITION

0 2000 4000 6000 8000 10000
 SCALE 1:500 AT GROUND LEVEL

PG 028 - 20/08/08 4:52:21 PM 1/9 PWS © 1975-2008 GHD SYSTEMS INC. ALL RIGHTS RESERVED

11.3.3.2 Funding for Extension of Northern Apron for the Royal Flying Doctor Services: Port Hedland International Airport (File No.: AIRLSE 03)

Officer Laura Jackson
Airport Landside
Development Officer

Date of Report 10 August 2009

Disclosure of Interest by Officer Nil

Summary

To seek Council approval for additional funds to be made available to extend the Northern Apron to facilitate the Royal Flying Doctor Services (RFDS) extension at the Port Hedland International Airport.

Background

The RFDS intend basing an additional two aircraft at the Port Hedland International Airport in order to provide a better evacuation service for the Pilbara.

A new hangar is therefore required to house these two aircraft as well as provide storage for the Primary Health Care vehicle and offices.

At the March 2008 Ordinary Council Meeting, Council resolved the extension of lease for the RFDS hangar which includes the apron frontage from the existing RFDS hangar and fuel bowser to Gate 10, as follows (Council Decision 200708/124):

“That Council:

- i) advises the Royal Flying Doctor Service (RFDS) that it agrees in principle to the extension of the current lease area subject to survey;*
- ii) approves that the additional lease area be incorporated into the current lease agreement between the Royal Flying Doctor Services and the Town of Port Hedland, maintaining all current terms and conditions, excepting that:*
 - a) the additional lease area be charged at a rate of \$12.276 per square metre per annum;*
- iii) the proposal to extend the lease area be advertised and submissions sought, in accordance with section 3.58 of*

the Local Government Act 1995, following the completion of the survey of the area:

- a) *if no submissions are received during the submission period the Mayor and Chief Executive Officer be authorised to enter into an amended lease agreement between the Royal Flying Doctor Services and the Town of Port Hedland, and*
- b) *the Common Seal be affixed.”*

While Council has agreed to the hangar extension, it has not formally considered the extension to the Northern Apron that are required to make the additional hangar space useful. Without additional apron space, the additional hangar is superfluous.

Consultation

John Maartensz: Mobil Oil, General Aviation & Military Territory Manager
Gary Townsend: Architect for RFDS
Bob Couzens: Manager of Airport Operations

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

KEY RESULT AREA 1 INFRASTRUCTURE

Goal Number 3 Airport

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

Budget Implications

There was no budget allocation for works in the 2009/10 budget for the Northern Apron extension required for the RFDS project. Given the imminent need for this project, it is proposed that funding to extend the Northern Apron be sourced from the Airport Reserve Account. The current balance of the Reserve Account is \$4,698,707.85. The estimated cost of the works is as follows:

Cost to extend Apron:

Bitumen	\$250,000
Fencing	\$30,000
Re-site water tap	\$3,000
Re-site Power distribution board	\$4,000
Re-site street light	\$1,500
Move Access-way	\$19,000
Concrete slab for Mobil fuel facility	\$8,500
Total cost	\$316,000

Officer's Comment

The RFDS extensions cannot be undertaken without extending the Apron. Fundamentally, the Apron provides access for the aircraft to and from the hangar. Additionally, the approve extended lease area requires re-sitting Access Gate 10, which is required to front the Apron.

The Apron is and will remain a Council asset while the airport is Council managed, and should therefore be funded by Council.

Attachments

Apron Extension Diagram

200910/058 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That Council:

approves funding of \$316,000 to be allocated from the Airport Reserves Account for the Northern Apron Extension in order to accommodate the Royal Flying Doctor Services new Hangar.

CARRIED 8/0

11.3.3.3 Golden Eagle Freight Hangar (File No.: AIRLSE/06)

Officer Laura Jackson
Airport Landside
Development Officer

Date of Report 11 August 2009

Disclosure of Interest by Officer Nil

Summary

To update council on the progress of the lease of the Airfreight Hangar at the Port Hedland International Airport.

Background

At the September 2008 Ordinary Council Meeting, Council resolved the following (Council Decision 200809/083):

“That Council enters into a Lease Agreement with Golden Eagle Aviation for the Air Freight Hanger at the Port Hedland International Airport, in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions:

- i) the term of the Lease Agreement being for five (5) years, plus an additional five (5) years option; and*
- ii) the Lease rental being set at market value, increased annually by CPI, market value; and being reviewed after the first five (5) years;*

subject to any submissions being received by Council.”

A new lease has not yet been finalised. The location of the current freight shed is directly adjacent to the terminal building. During the discussions about the development of the Airport Master Plan, it was identified that the current location of the freight shed inhibits the possible future extension of the airport terminal.

Discussions have been held with the Director of Golden Eagle Aviation and a one year lease plus a one year option has been put forward. If, or when, the terminal extensions commence, it is intended that the freight operations move to a more suitable location. I.e. Where the Polar Aviation Southern Hangar is currently situated.

Golden Eagle Aviation currently act as an agent for Air Services Australia, and there manages all airfreight that is sent to the Port Hedland International Airport. To provide this service, Golden Eagle Aviation has leased the “Air Freight” hangar from Council since the collapse of Ansett Airlines in 2001/2002.

The initial lease commenced on 1 July 2002, which expired on 30 June 2007 with a final annual rental of \$6,830.76 per annum. Since the lease end, Golden Eagle has continued to utilise the Air Freight hangar, and pay a monthly rental, based on the old lease rental, as a 'tenant at will'.

Golden Eagle Aviation has been the contracted agent with Australian Air Express since 1994, who coordinates the majority of the domestic Air Freight in Australia.

Consultation

Keith Russell- Manager Golden Eagle Aviation Pty Ltd
Bob Couzens- Manager Airport Operations

Statutory Implications

Sections 3.58 and 10 of the Local Government Act 1995 (in part) states:

“3.58. Disposing of property

- (1) *In this section -*
dispose~ includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property~ includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) *Except as stated in this section, a local government can only*
dispose of property to -
 (a) *the highest bidder at public auction; or*
 (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property-*
 (a) *it gives local public notice of the proposed disposition -*
 (i) *describing the property concerned;*
 (ii) *giving details of the proposed disposition; and*
 (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;...”*

“10. Revoking or changing decisions made at Council or Committee meetings – s5.25(e)

1. *If a decision has been made at a council or committee meeting then any motion to revoke or change the decision must be supported –*
 (a) *Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by*

- members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover; or*
- (b) *in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover*
2. *If a decision has been made at a council or a committee meeting then any decision to revoke or change the first mentioned decision must be made –*
- (a) *In the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority;*
- (b) *In any other case, by an absolute majority.*
3. *This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.”*

Policy Implications

Nil

Strategic Planning Implications

KEY RESULT AREA 1- 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.

Strategy 3: Upgrade terminal facilities, including baggage screening and departure lounges.

Budget Implications

1210326- Leases and rentals

Golden Eagle currently pays council \$6,830.76 per annum (ex GST)

Current market valuation is \$20,800 per annum (ex GST)

Officer's Comment

If council were to enter into a contract with Golden Eagle for a five (5) year, plus five (5) year option lease, it would hinder potential terminal extensions. Council has allocated funds in its 2009/10 financial budget to determine a plan for the airport extension.

It is possible to move the freight operations to a more suitable location, for example near where the current Polar Aviation Southern Hangar is situated on the Southern Apron.

Attachments

Nil

Officer's Recommendation 1

That Council revokes resolution 200809/083 of Agenda Item 12.1.1 'Golden Eagle Airlines lease of the Airfreight Hanger at the Port Hedland International Airport' of its Ordinary Meeting held on Wednesday 24 September 2008, and recorded on page 196 of those Minutes, as follows:

"That Council enters into a Lease Agreement with Golden Eagle Aviation for the Air Freight Hanger at the Port Hedland International Airport, in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions:

- i) the term of the Lease Agreement being for five (5) years, plus an additional five (5) years option; and*
- ii) the Lease rental being set at market value, increased annually by CPI, market value; and being reviewed after the first five (5) years;*

subject to any submissions being received by Council."

NOTE: to revoke the decision made in accordance with the Local Government (Administration) Regulations 1996:

Voting Requirements

- 1. To consider – 1/3 of members (3).**
- 2. To revoke – absolute majority.**

A A CARTER / A A GEAR / S J COATES

200910/057 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That Council:

Move a motion That Council revokes resolution 200809/083 of Agenda Item 12.1.1 'Golden Eagle Airlines lease of the Airfreight Hanger at the Port Hedland International Airport' of its Ordinary Meeting held on Wednesday 24 September 2008, and recorded on page 196 of those Minutes, as follows:

"That Council enters into a Lease Agreement with Golden Eagle Aviation for the Air Freight Hanger at the Port Hedland International Airport, in accordance with section 3.58(3) of the

Local Government Act 1995, with the following terms and conditions:

- i) the term of the Lease Agreement being for five (5) years, plus an additional five (5) years option; and*
- ii) the Lease rental being set at market value, increased annually by CPI, market value; and being reviewed after the first five (5) years;*

subject to any submissions being received by Council.”

200910/060 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council:

That Council authorises the Chief Executive Officer or his delegate to enter into negotiations with Golden Eagle Airlines into a lease agreement 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 one (1) year with a one (1) year option**
- b) The lease rental being set at the current market value of \$20,800 plus GST, increased annually by CPI.**

subject to any submissions being received by Council

CARRIED 8/0

11.3.4 Recreation Services**11.3.4.1 Regional Aquatic Centre Management Contract (File No.: 26/13/0006)**

Officer	Bec Pianta Manager Services	Recreation
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Date of Report	24 July 2009
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Disclosure of Interest by Officer	Nil
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Summary

The Town of Port Hedland accepted the YMCA's tender bid for the Management and Operation of the Gratwick Aquatic Centre and South Hedland Aquatic Centre in April 2009, and is now awaiting approval to attach the Town of Port Hedland seal.

Background

The Pilbara Regional Council (PRC) called tenders for the Management and Operation of all Aquatic centres within the Town of Port Hedland, Shire of Roebourne and Shire of East Pilbara in September 2008. The contract period for the proposed tender was from 1st July 2009 – 30th June 2011.

Information with regards to the Regional Aquatic Tender was presented at the Ordinary Council Meeting in both November 2008 and at the Special Council Meeting in March 2009, and, at the Ordinary Council Meeting on the 22nd April 2009 it was resolved that Council advise the YMCA that:

- "i) the tender submission in response to the Pilbara Regional Council Tender 08/09 – T1 [Town of Port Hedland element] by the YMCA Inc. for the Management and Operation of the Gratwick and South Hedland Aquatic Centres be accepted pending the following:*
 - a) agreement between the Chief Executive Officer and his nominated representative/s on performance measures (to be based on the YMCA tender submission), where any non-achievement can be considered a breach of contract; and**
 - b) alterations to the tender submission and contract to include provision of housing at SHAC and updated budget;**
- ii) the negotiated budget submission as part of the Pilbara Regional Council 08/09 – T1 [Town of Port Hedland*

element] by accepted at the following rate (to be invoiced on a monthly basis):

- a) \$489,962 for 1st Jan – 30th June 2009;**
- b) \$980,831 for 2009/10 financial year;**
- c) \$1,010,256 for 2010/11 financial year**

- iii) the contract documents are to be forwarded to Council prior to the signing of the Management Agreement.”*

The documents have been altered according to the resolution above, and performance measures have been developed. At the Ordinary Council Meeting on the 22nd July 2009, the Management Agreement was forwarded to Council for signing, however was laid on the table pending discussion of operational hours at the aquatic centre.

Consultation

The clarifications and completion of the Management Contract was undertaken by:

Manager Recreation Services
Director Engineering Services
Chief Executive Officer

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

KEY RESULT AREA 3

Goal 2 – Sports and Leisure

Identify and implement opportunities to sustainably upgrade programs and services at the Town Aquatic Facilities.

Budget Implications

The budget for the operation and management of Gratwick and South Hedland Aquatic Centres has already been endorsed by Council; should Council endorse the officer's recommendation there will be no additional expense to Council.

Officer's Comment

At the Special Council Meeting in April 2009, Council endorsed the acceptance of the YMCA tender bid for the management and operation of Gratwick and South Hedland Aquatic Centres,

providing minor changes to the management agreement were made. These alterations have since been undertaken.

As per the tender documentation, the YMCA submitted a tender bid based on the requested minimum operating hours at each aquatic centre. These were:

	Summer	Winter
Gratwick Aquatic Centre	76	20
South Hedland Aquatic Centre	73	0

As per the agreement, operational hours are determined by consultation with the contractor (YMCA) and the contract superintendant, providing the minimum hours of operation (as stated by the tender specifications) are met.

Hours of operation are considered operational items, and as such, are required to be discussed following endorsement (signing) of the management agreement.

200910/061 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

endorses the attaching of the Common Seal of the Town of Port Hedland in accordance with its articles of association, in the presence of the Mayor and Acting Chief Executive Officer, to the Management Agreement for the Management and Operation of the Gratwick and South Hedland Aquatic Centres. Operational matters will be forwarded to Council for Council information following agreement between both parties.

CARRIED 8/0

6.55pm Councillor George J Daccache declared an impartiality interest in Agenda Item 11.3.4.2 'Design and Construction of Colin Matheson Oval club house' as he is social member of the Rovers football club and umpires football frequently on this oval, but he will consider this matter on its merits and vote accordingly. Councillor Daccache did not leave the room.

11.3.4.2 Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse (File No.: Tender 09/07)

Officer	Bec Pianta Manager Recreation Services
Date of Report	17 th August 2009
Disclosure of Interest by Officer	Nil

Summary

This report provides a summary of the tenders received for Tender 09/07: Design and Construction of the Colin Matheson Oval Clubhouse, and the reasoning behind the recommendation to reject all tenders and re-tender the project.

Background

At the Ordinary Council Meeting on the 28th May 2008 Council endorsed the Design and Construction of the Colin Matheson Oval Clubhouse, and funds were allocated as part of the standard budget process through the BHP Billiton Sustainability Partnership and the Department of Sport and Recreation's Community Sport and Recreation Facilities Fund.

Tenders were called for the Design and Construction of the Colin Matheson Oval Clubhouse in May 2009, and closed on the 10th June 2009. Two (2) tender bids were received (both conforming) from Georgiou Building and Pilbara Constructions.

At the Special Council Meeting on the 29th June 2009, the evaluation of each tender was presented. It was resolved at this meeting (in part) that Council defer the decision as to the outcome of the tender in order to consult with all stakeholders and to consider the required inclusions within the clubhouse.

In line with this resolution, various meetings and discussions were held with stakeholders involved in this project, including the Rovers Football Club, Town of Port Hedland staff, Department of Sport and Recreation and BHP Billiton Iron Ore.

Consultation

The following stakeholders have been involved in the discussions with regards to the Colin Matheson Oval Clubhouse project:

- Manager Recreation Services
- Director Engineering Services
- Chief Executive Officer
- Director Corporate Support

- Rovers Football Club
- BHP Billiton Iron Ore
- Department of Sport and Recreation

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 3: Community Development

Goal 2: Sports and Leisure

Strategy 1: Progressively implement the recommendations of the Sports Facility Audit with a particular focus on:

- ...upgrading all existing facilities to an appropriate standard
- The development of additional quality facilities at Colin Matheson Oval...

Budget Implications

The total budget allocation for the Recreation Reserve Redevelopment is \$1,750,000. \$1,300,000 has been allocated from the BHP Billiton Iron Ore Sustainability Partnership Fund for 2008/09, with an additional \$450,000 obtained from the Department of Sport and Recreation’s Community Sport and Recreation Facilities Fund.

Should Council endorse the officer’s recommendation there will be no immediate expense to the Town of Port Hedland as the project will be retendered.

Officer’s Comment

At the Special Council Meeting in June it was resolved that the inclusions within the Colin Matheson Oval Clubhouse should be considered. Following discussions with all stakeholders it was recommended that the commercial kitchen/restaurant be removed from the facility, and the scope within the tender be altered accordingly.

As the commercial kitchen / restaurant was a major component of the tender documentation, removal of this component reflects a major change in scope. To ensure fair practices are withheld, it is therefore considered necessary to re-tender this project.

200910/062 Council Decision/Officer's Recommendation

Moved: Cr J E Ford

Seconded: Cr A A Gear

That Council:

- i) reject all tenders submitted for Tender 09/07: Design and Construction of the Colin Matheson Oval Clubhouse due to change in scope;**
- ii) consult with all stakeholders with regards to the required elements of the Colin Matheson Oval Clubhouse;**
- iii) re-tender for the Design and Construction of the Colin Matheson Oval Clubhouse with the amended scope; and,**
- iv) advise all tenderers of the outcome.**

CARRIED 8/0

11.3.4.3 Overhead Lighting at the Aquatic Facilities (File No.: ...)

Officer Bec Pianta
Manager Recreation
Services

Date of Report 19th August 2009

Disclosure of Interest by Officer Nil

Summary

This report provides recommendations to assist meeting required LUX Levels at both the South Hedland Aquatic Centre (SHAC) and the Gratwick Aquatic Centre (GAC).

Background

In July 2009 the Town of Port Hedland recreation staff received an audit detailing the lighting recommendations and conceptual reports for both aquatic facilities. The report states that neither of the centres meets the required lighting levels during non-daylight hours due to the integrity of the overhead lights and the shade sails over each water body.

Consultation

The reports have been reviewed by the Recreation Services team, and the recommendations provided in this report have been discussed with the Chief Executive Officer, Director Engineering Services and the Department of Sport and Recreation.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications**Key Result Area 3****Goal 2 – Sports and Leisure**

Identify and implement opportunities to sustainably upgrade programs and services at the Town Aquatic Facilities.

Budget Implications

Should Council endorse the Officer's Recommendation, funds will be allocated to the installation of temporary lighting at SHAC from the SHAC Maintenance Account (estimated at \$12,000), and \$91,000 of surplus funds will be allocated towards the installation of overhead lights at GAC, with an additional \$91,000 requested from the State Government.

Officer's Comment

During non-daylight hours, both aquatic facilities do not meet the required LUX levels over the main pool body according to the Code of Practice for the Operation of Aquatic Facilities. The reports received indicate strategies that can be implemented to ensure compliancy at each centre.

During the peak season at each centre, the standard operational non-daylight hours at SHAC are a minimum of 11 hours per week, and at GAC is a minimum of 8 hours per week. Visitations during these hours are significantly high as the early evening is the peak lap-swimming and swimming club times, as well as the Water Polo session times.

South Hedland Aquatic Centre

As part of the projects being undertaken in 2009/10 the SHAC is currently in the process of having detailed designs undertaken which precedes a potential refurbishment in 2010/11. Due to the redesign and potential redevelopment of SHAC, it is considered reasonable to provide a temporary solution to the lighting requirements at this facility, as the solution will only be required for a seven-month period. (SHAC reopens to the public in late September and closes in April 2010).

Quotes are currently being obtained for this temporary improvement to the overhead lighting at SHAC, and will be tested prior to the authorisation of the operation of the aquatic facility in non-daylight hours. The reduction in risk to operate the SHAC in non-daylight hours is mandatory due to the current non-compliance with the Code of Practice. Should the temporary lighting at SHAC not be installed, operation of the facility during non-daylight hours will not be permitted to occur, meaning that water polo, swimming club training and lap-swimming will not be possible during this time.

Gratwick Aquatic Centre

With regards to GAC, the overhead lighting requirements must be upgraded to comply with the required Code of Practice for operation of the facility in non-daylight hours. Due to the peak swimming season commencing on the 12th October 2009, an immediate upgrade is recommended, as currently, the pool cannot be operated in non-daylight hours with the existing infrastructure. Non-daylight hours at GAC comprise standard 5:30 am opening times, and 7 pm closure times, as well as any additional aquatic operations prior to 7 am and 6 pm.

As per the recommendations within the audit, the preferred options is to install indirect lighting within shaded areas (utilising existing structures) to ensure uniformity in terms of lighting levels and low glare to swimmers and lifeguards. Initial estimates for these anticipated capital works are \$182,000 (refer report for further details). Should the overhead lighting at GAC not be installed, operation of the facility during non-daylight hours will not be permitted to occur, meaning that water polo and swimming club training and lap-swimming will not be possible during this time.

The Manager Recreation Services has sought the advice of the Department of Sport and Recreation (DSR) for funding opportunities to allow this non-compliance to be rectified as soon as possible, with a relatively low cost to the Town of Port Hedland. They have advised that the current round of Small Grants Scheme could potentially cover 50% of these costs. For this grant application to be approved, the remaining 50% would be required to be funded from the Town of Port Hedland (\$91,000).

Should Council endorse this grant application for \$91,000 to the DSR, the application must be submitted by 31st August 2009 and notification as to the success will be received in mid-October 2009. As per the Small Grants Scheme Guidelines, works cannot commence prior to the notification of success of the application, therefore, it is anticipated that should contractors be available and the grant be successful, the required upgrade to the overhead lights could be completed by November 2009. These timeframes mean that realistically, minimum disruption to the swimming season will occur.

Options

Council therefore has the opportunity to consider a few options with regards to the overhead lights at the aquatic facilities:

- SHAC
 - Install temporary lighting at SHAC to allow for adequate lighting levels and operation of the centre in non-daylight hours in the upcoming peak season, and prior to the potential refurbishment

- Undertake no action and close the facility in non-daylight hours
- Undertake installation of permanent lighting
- GAC
 - Undertaken no action and close the facility during non-daylight hours
 - Undertake installation of permanent lighting

Attachments

LightPlan audit and recommendations for the Gratwick and South Hedland Aquatic Centre

200910/063 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That Council:

- i) undertakes the following in relation to the overhead lights at the South Hedland Aquatic Centre (SHAC):**
 - a) install temporary lighting to allow for operation of the facility during non-daylight hours; and**
 - a) consider the lighting requirements as part of the SHAC design.**
- ii) undertakes the following in relation to the overhead lighting at Gratwick Aquatic Centre (GAC):**
 - a) submit a grant application to the Department of Sport and Recreation's Small Grants Scheme for the Overhead Lighting at Gratwick Aquatic Centre for 50% of the project cost, for the amount of \$91,000;**
 - b) consider Council funding of \$91,000 for this project as a component of the first quarterly budget review process (October 2009);**
 - c) install temporary lighting at GAC prior to the installation of permanent overhead lights to allow for operation during non-daylight hours; and subject to confirmation of funding Council call for tenders**
 - d) subject to confirmation of funding for the design and installation of the overhead lights at GAC to allow for operation of the facility in non-daylight hours.**

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.3.4.3



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SPORTS LIGHTING RECOMMENDATIONS & CONCEPTUAL DESIGN REPORT

PERTAINING TO

GRATWICK AQUATIC CENTRE & SOUTH HEDLAND AQUATIC CENTRE

CLIENT:

NICOLE ROUKENS
SPORTS & RECREATION OFFICER
TOWN OF PORT HEDLAND

Prepared by:

LightPlan

ISSUE	FOR	DATE	APPROVED
162-6-01	1 st draft for client review	23/07/2009	jdw



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE & SOUTH HEDLAND AQUATIC CENTRE

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This document has been submitted in electronic PDF format only.



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE & SOUTH HEDLAND AQUATIC CENTRE

INTRODUCTION

LightPlan has been engaged by the Town of Port Hedland to prepare Sports Lighting Recommendations relating to existing services located at the following 7 reserves and facilities:-

1. Marie Marland Reserve
2. Kevin Scott Oval
3. Colin Matheson Oval
4. Faye Gladstone Netball Courts
5. McGregor Street Reserve
6. Gratwick & South Hedland Aquatic Centres
7. JD Hardie Recreation Centre

This Report deals with the Gratwick & South Hedland Aquatic Centres, and has been initiated in response to concerns that existing night-time floodlighting at both facilities is inadequate when sun shades are in place over the main pool.

AIMS OF REPORT

The aims of this report are to:-

1. Summarise observations recorded during the site visit
2. Provide preliminary remedial design advice with a view to upgrading the existing lighting installations to an acceptable level
3. Include a technical summary, conceptual design considerations and a preliminary capital works estimate of costs

This report should be used as a basis for considering, prioritising, and programming future remedial works. It contains data analysis, information, opinion and general recommendations relevant to the initial planning of capital works. The report is not intended as a detailed design and installation document.



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE & SOUTH HEDLAND AQUATIC CENTRE

EXECUTIVE SUMMARY

Here are the key findings and recommendations contained in this report:-

1. The quality and quantity of existing night-time floodlighting at Gratwick Aquatic Centre (GAC) and South Hedland Aquatic Centre (SHAC) is inadequate when sun shades are in place over the main pool.
2. We recommend that appropriate steps be taken to schedule and initiate Design Development for the upgrading of exterior lighting systems at GAC and SHAC in order to provide adequate lighting to meet Recreation level requirements.
3. Recommended conceptual designs are put forward in this Report.
4. At this early stage, indications of the anticipated capital works costs are:-

Gratwick Aquatic Centre	-	\$182,000 + GST
South Hedland Aquatic Centre	-	\$208,110 + GST



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE & SOUTH HEDLAND AQUATIC CENTRE

BASIS OF REPORT

This Report is based on the following sources:-

- Initial briefing and requirements by Nicole Roukens, Sports & Recreation Officer, Town of Pt Hedland
- Assistance and direction from Sarah Cunningham, Acting Sports & Recreation Officer, Town of Pt Hedland
- Liaison with Bec Pianta, Manager Recreation Services, Town of Port Hedland
- Site photographs provided by the client
- Observations and on-site meetings with the respective Centre personnel
- Australian Standard AS 2560.1-2002 - Sports Lighting - General Principles
- Australian Standard AS2560.2.5 – 2007 - Lighting for Swimming Pools
- The expertise and experience of the consultant

A handwritten signature in black ink, appearing to read 'J Wallace'.

James Wallace FIES, PLDA
Director
LightPlan



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE & SOUTH HEDLAND AQUATIC CENTRE

LIGHTING ASSESSMENT

LightPlan conducted an assessment of the existing lighting scenarios at the Aquatic Centres on 19, 20 and 21st May 2009. The assessment of the site essentially consists of two parts, being:-

1. **inventory and condition assessment** – a daytime site review of the installed lighting equipment noting general location, type, wattage and overall condition.
2. **performance assessment** - a night-time observation of the lighting performance. It is to be noted that based on the brief provided, the assessment was limited only on observation and does not include measuring the existing lighting levels.

Inventory and Condition Assessment

Our findings are set out in the Technical Summary.

Performance Assessment

During the assessment period, the overall illumination pattern was observed on site. Existing scenarios such as inadequate lighting levels on the water surface below the canvas shading was noted. From the assessment it can be derived that the lighting levels under the canvas is highly unlikely to confirm to Australian Standards.

Visual Task

Australian Standard AS 2560 recommends a number of different light-technical parameters dependant on many influential factors such as the type of sport, standard of play, number of spectators, etc. Generally both the aquatic centres have been assessed for Recreation or Training levels.

For reference and clarity, relevant extracts from AS 2560 have been included in the Appendix.



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE & SOUTH HEDLAND AQUATIC CENTRE

TECHNICAL SUMMARY

GENERAL LIGHTING RECOMMENDATIONS:

For the purpose of the assessment the following standards have been used as a reference:-

- AS2560.2.5 – 2007 - Lighting for Swimming Pools
- AS2560.1-2002 - Sports Lighting – General Principles
- AS3000 - 2007 - Electrical Installations (known as the Wiring Rules)

DEGREE OF COMPLIANCE

The lighting upgrade will conform to the minimum requirements mentioned below for Recreation or Training purposes.

Lighting Criteria for Swimming Pools (Table 1 – AS2560.2.5)

Level of use	Maintained average horizontal illuminance	Minimum horizontal uniformities		Minimum colour rendering index (Ra min)
		(U1)	(U2)	
	Lux	(U1)	(U2)	
Recreation or Training	120	0.5	0.3	65

LIGHTING OBJECTIVES RECOMMENDED BY AUSTRALIAN STANDARDS:

The main objective of the lighting installation is that it provides an adequate visual environment for each of the activities to be undertaken, e.g. swimming, diving, water polo or recreational activities. This will involve the following:

- An appropriate level of illuminance to cater for the visual requirements of the participants, officials and spectators, and to ensure safety.
- Uniformity of illuminance over the total water area and the pool surrounds.
- Control of glare and veiling reflections from luminaires within the range of normal viewing directions of participants and, where applicable, of officials and spectators.
- For outdoor pools, control of stray light and glare beyond the boundaries of the pool complex.
- Use of light sources with colour rendering properties that will ensure a satisfactory colour appearance of people and the surroundings.
- Selection of lighting equipment of appropriate type and the location and arrangement of such equipment in a manner that will facilitate necessary maintenance during the life of the installation.

In recreational pools safety attendants must be able to see swimmers or other pool users who may be in distress clearly, in any part of the pool.



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE & SOUTH HEDLAND AQUATIC CENTRE

LIGHTING OBJECTIVES SPECIFICALLY APPLICABLE TO THE SHAC & GAC:

- To provide adequate lighting levels for the safety of the users
- To provide adequate lighting levels for visual comfort (with minimal glare)
- To provide a lighting scheme pertinent to the site location (such as selection of light source with minimum interruption to the Turtle nesting areas where close to the beach).
- To provide luminaire selections with non corrosion and ingress protection properties.
- To provide a lighting design with ease of maintenance and allow flexibility in switching
- To provide a sustainable lighting design solution.

GENERAL LIGHTING TERMINOLOGIES & ACRONYMS USED IN THE REPORT:

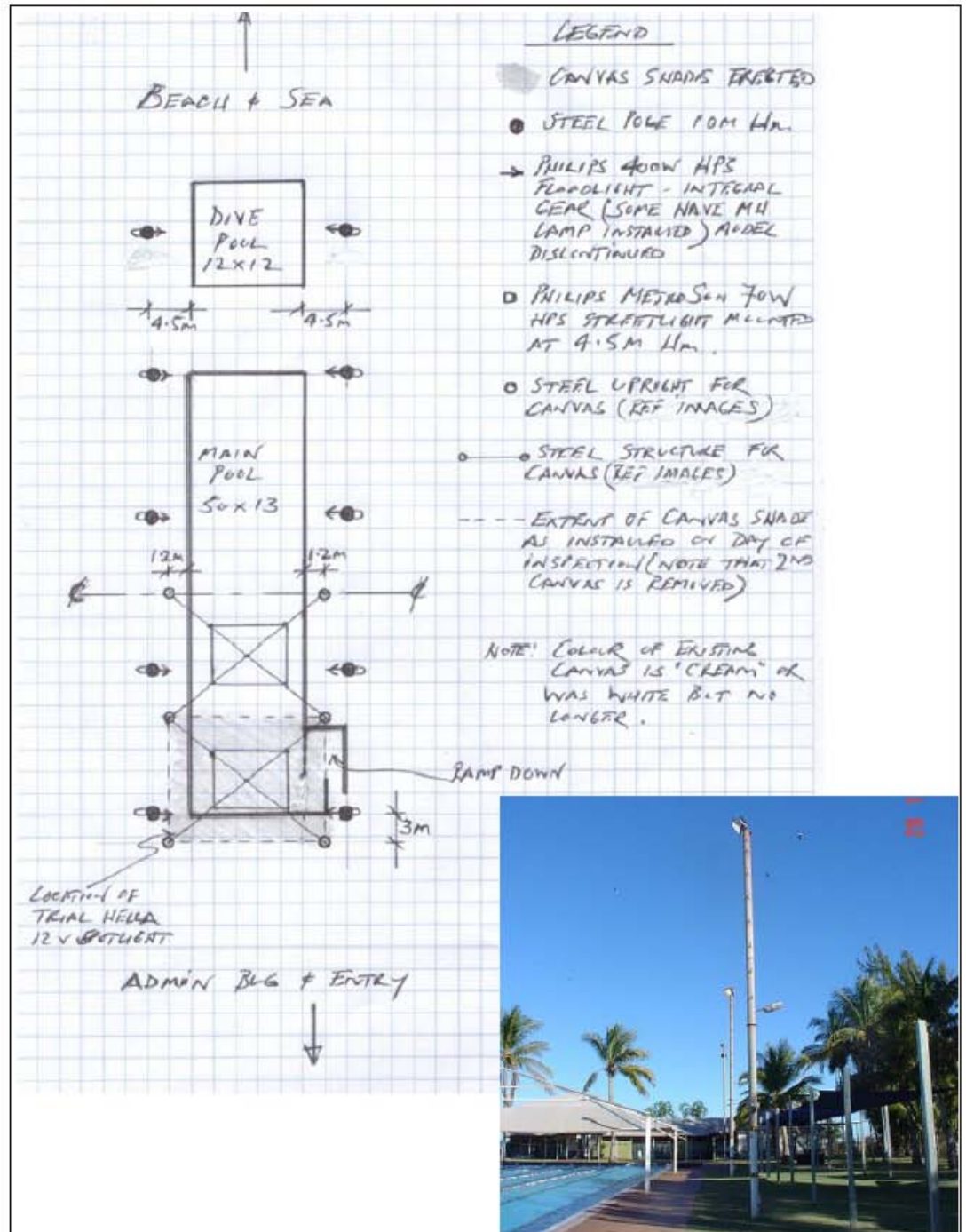
- **Luminaire** - Equipment which houses the lamp(s) and directs the light in desired directions. It includes items necessary for fixing, protecting and operating the lamp(s).
- **MH** – metal halide light source
- **HPS** - high pressure sodium light source
- **E** – symbol for “illuminance” (lux) being a measure of incident light on a surface
- **U1** = the ratio of the minimum illuminance to the average illuminance (i.e. E_{min} / E) on the relevant plane within the calculation/measurement area.
- **U2** = the ratio of the minimum illuminance to the maximum illuminance (i.e. E_{min} / E_{max}) on the relevant plane within the calculation/measurement area.
- **Hm** – mounting height of luminaires.
- **IP rating** – ingress protection rating (dust & moisture)



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE



GRATWICK AQUATIC CENTRE (GAC)

Site visit date: 20/05/09 (3:00 pm to 4:00pm & 6:30 pm to 7:00 pm)
Accuracy of information: The dimensions recorded are estimates only.
Sketch Plan :







LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE

GRATWICK AQUATIC CENTRE – EXISTING LIGHTING SCENARIO & OVERALL RECOMMENDATIONS		
	EXISTING SCENARIO	RECOMMENDATION
Pool type	Main Swimming & Dive Pool	
Approximate dimensions	Main pool – 50 x 13 m Dive pool – 12 x 12 m Other features: Ramp down at the end of the main pool.	
Shading	Partially shaded (supported by circular columns which are approx. 3.5 m high)	
Shading material	Cream or White canvas	Retain the existing canvas.
Existing light source 1	<p>Poles</p> <ul style="list-style-type: none"> • 10m high with climbing rungs • Water pipe; direct buried • J box external at base • Generally 1 x 400HPS floodlight per pole except a pair close to offices. • 1 x Philips MetroSon located at 4.5 m high favouring property boundary. 	
	<p>Luminaires: G1: Philips 400W HPS – integral control gear.</p>		Replace luminaires G1 with a selected new luminaire. • Luminaire to have good cut off angle to reduce glare. • Luminaire to have a minimum IP66 rating with high corrosion resistance and water sealing properties.

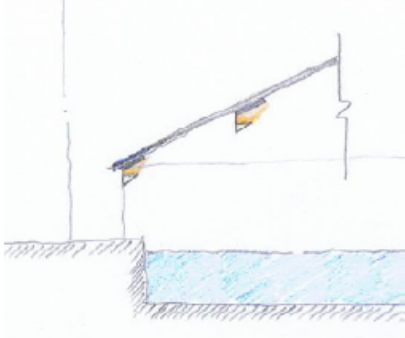
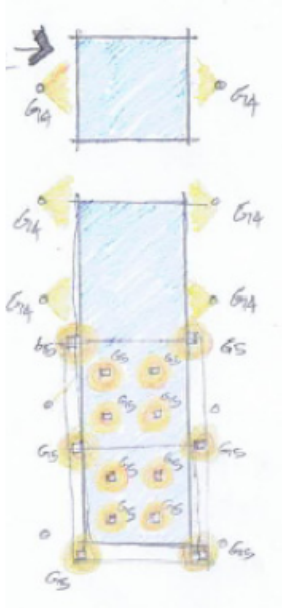
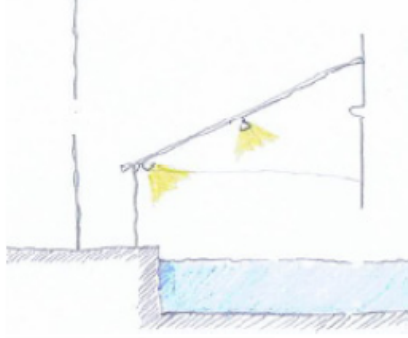
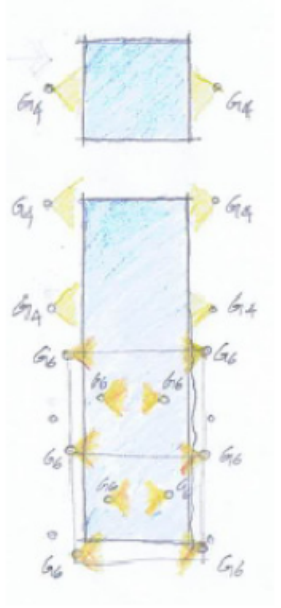




LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE

	<p>Lamps; Eye NHT 400w/ I. 5 new lamps being installed at time of inventory by ODG.</p>	<p>Use a lamp with high efficacy.</p> <ul style="list-style-type: none"> Lamp type and wattage to be confirmed. Reportedly HPS is preferred due to proximity to turtle nesting areas. Lighting standards to comply with AS2560.5 for swimming pools & AS3000 wiring rules
Existing light source 2	<p>Luminaires G2; Philips MetroSon street lighting luminaire located at 4.5 m heigh.</p> 	<p>This luminaire is currently providing illumination to the periphery of the public area. The suitability of this luminaire within the new design will be reviewed based on the lighting system confirmed for the swimming pools.</p>
Existing light source 3	<p>Luminaire G3: ODG have selected and installed 1 x 12v MH spotlight (under canopy) for trial purposes.</p> 	<p>Our observations found G3 to be ineffective in placing any substantial degree of light on the water. We cannot recommend the use of this product in its current application.</p>



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE

GRATWICK AQUATIC CENTRE – LIGHTING WITHIN SHADED AREA	
Lighting Concept 1	Lighting Concept 2
<p>Indirect uplighting within shaded areas.</p>   <p>G5 indicates the probable location of indirect uplighting luminaires.</p>	<p>Direct lighting within shaded areas.</p>   <p>G6 indicates the probable location of direct lighting luminaires.</p>
	



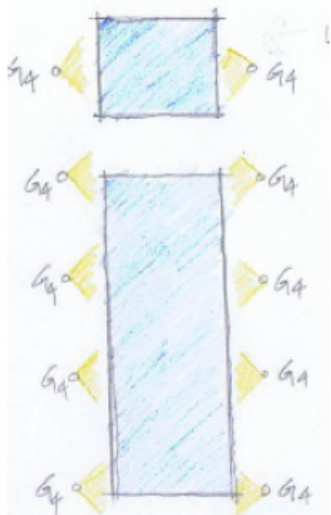
LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE

Lighting Concept 1	Lighting Concept 2
<p>Advantages</p> <ul style="list-style-type: none"> • Uniform lighting levels can be achieved in the pool area. • Low glare to the swimmers. <p>Disadvantages</p> <ul style="list-style-type: none"> • Notionally more luminaires required • Wattage utilised may be higher • Additional design innovation to reduce potential for tampering to luminaires. 	<p>Advantages</p> <ul style="list-style-type: none"> • Use of few luminaires to illuminate the pool area. <p>Disadvantages</p> <ul style="list-style-type: none"> • The light source can be glary to swimmers • Uniform illumination may not be achieved. • Additional design innovation to reduce potential for tampering to luminaires.
<p>Luminaire type recommended</p> <ul style="list-style-type: none"> • Indirect lighting - uplighting luminaire with a custom built secondary reflector. • Recommended mounting location for luminaires – below the shading – mounted to the steel structure holding the canvas. • Luminaire to have minimum IP66 rating. • Luminaire Housing and Fixings - to be non-corrosive (polymer or stainless steel) construction and easy to clean. • Number of luminaires required is to be confirmed. 	<p>Luminaire type recommended</p> <ul style="list-style-type: none"> • Direct lighting – low-height floodlighting. • Recommended mounting location for luminaires – below the shading – mounted to the steel structure holding the canvas. • Luminaire to have minimum IP66 rating. • Luminaire Housing and Fixings - to be non-corrosive (polymer or stainless steel) construction and easy to clean. • Number of luminaires required is to be confirmed.
<p>Lamp type recommendation</p> <ul style="list-style-type: none"> • Use a lamp with high efficacy light source. • Use of a single light source rather than a combination of sources (eg. combination HPS & MH lamps). • Lighting standards to comply with AS2560.5 for Swimming Pools & AS3000 wiring rules. • Luminaires will be extra low voltage to comply with AS3000. • Lamp control gear locations to be confirmed. • Lamp type and wattage to be confirmed. 	

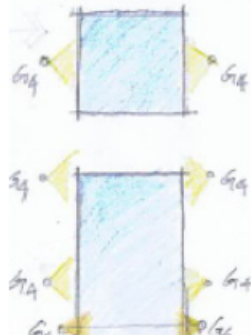


LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE

GRATWICK AQUATIC CENTRE - LIGHTING OUTSIDE SHADED AREA/ WHILE THE POOL IS UNSHADED



When the pool is unshaded G4 pole mounted luminaires can be used for illumination.



Also during the periods of using the shades over the pools, the unshaded portion of the pool can be illuminated by pole mounted luminaires G4.





LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE

<p>Poles</p> <ul style="list-style-type: none"> • Retain and reuse the existing poles where applicable. The poles to be refurbished and made good. • The outreach will probably be modified to suit the new luminaires. Outreach length and shape to be confirmed.
<p>Advantages of pole mounted luminaires</p> <ul style="list-style-type: none"> • Uniform lighting levels can be achieved in the pool area. • Low glare to the swimmers.
<p>Luminaire type recommended</p> <ul style="list-style-type: none"> • Direct lighting - floodlighting. • Recommended mounting location for luminaires – Mounted on existing steel columns. Outreach arm will be modified to suit the new luminaire. • Luminaire to have a minimum IP66 rating. • Luminaire Housing and Fixings - to be non-corrosive (polymer, s/steel, or other approved material or coating) construction, and easy to clean. • Number of luminaires required is to be confirmed.
<p>Lamp type recommendation</p> <ul style="list-style-type: none"> • Use a lamp with high efficacy light source. • Lighting Standards to comply with AS2560.5 for Swimming Pools & AS3000 wiring rules. • Lamp control gear locations to be confirmed. • Lamp type and wattage to be confirmed.



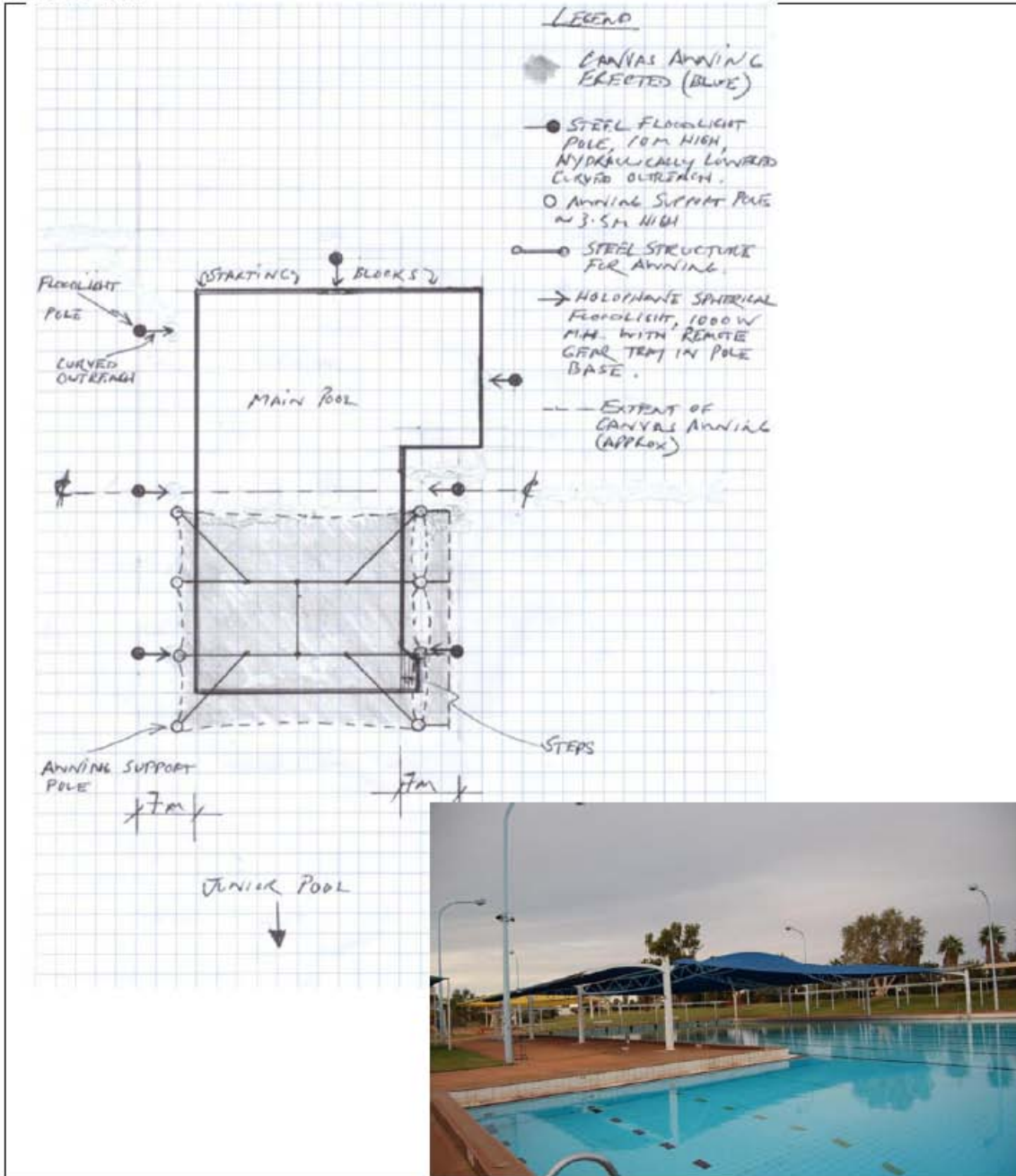
LIGHTING RECOMMENDATIONS
SOUTH HEDLAND AQUATIC CENTRE

SOUTH HEDLAND AQUATIC CENTRE (SHAC)

Site visit date: 21/05/09 (2:50 pm to 4:20pm)




Accuracy of information: The dimensions recorded are estimates only.

Sketch Plan:



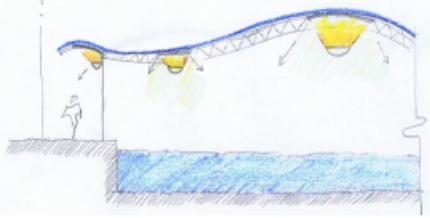
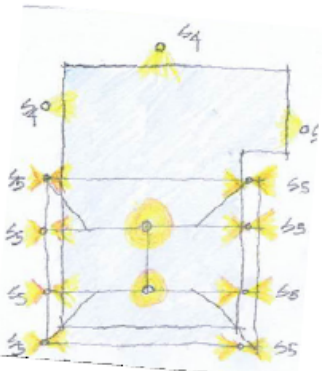

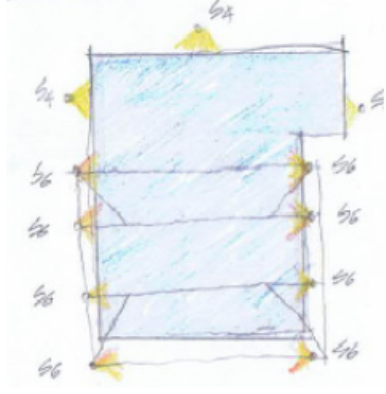

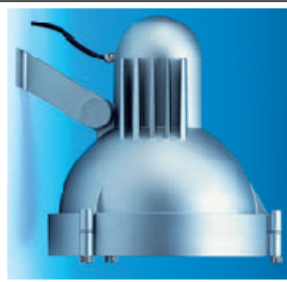


LIGHTING RECOMMENDATIONS
SOUTH HEDLAND AQUATIC CENTRE

SOUTH HEDLAND AQUATIC CENTRE – EXISTING LIGHTING SCENARIO & OVERALL RECOMMENDATIONS		
	EXISTING SCENARIO	RECOMMENDATION
Pool type	Main Swimming Pool	
Dimensions	Approximately 25 m x 50 m	
Shading	Partially shaded (Supported by circular columns which are approx. 3.5 m high)	
Shading material	Blue canvas (Low reflectance & light penetration)	Retain the existing canvas or replace with high reflective material.
Existing Poles	<ul style="list-style-type: none"> Type - Circular steel poles, direct buried, 10 m high with curved outreach Set back 7m from the pool edge Hydraulically lowerable Manufacturer - unknown Condition – appears satisfactory 	Retain and reuse the existing poles where applicable. The poles to be refurbished and made good. <ul style="list-style-type: none"> The outreach to be modified to suit the new luminaires. Outreach length and shape to be confirmed.
Existing luminaires	Luminaires : S1: 1000w Holophane spherical floodlight 	Replace the luminaire S1 with a new luminaire.
	Lamps : 1000w clear Metal Halide	Use a lamp with high efficacy white light source
	Control gear: Gear tray is currently located behind a door in the pole 	Existing gear tray to be replaced with a new tray suitable for the proposed luminaire.



LIGHTING RECOMMENDATIONS
SOUTH HEDLAND AQUATIC CENTRE

SOUTH HEDLAND AQUATIC CENTRE – PROPOSED CONCEPTS	
LIGHTING WITHIN SHADED AREA	
Lighting Concept 1	Lighting Concept 2
<p>Indirect uplighting within shaded areas.</p>  <p>Plan indicating the notional locations of S5 indirect uplight luminaires.</p> 	<p>Direct lighting within shaded areas.</p>  <p>Plan indicating the notional locations of S6 direct lighting luminaires.</p> 
	
<p>Advantages</p> <ul style="list-style-type: none"> • Uniform lighting levels can be achieved in the pool area. • Low glare to the swimmers. <p>Disadvantages</p> <ul style="list-style-type: none"> • Notionally more luminaires required • Wattage utilised may be higher. • Due to the low mounting height, there would be a possibility of tampering and vandalism to luminaires. 	<p>Advantages</p> <ul style="list-style-type: none"> • Use of fewer luminaires to illuminate the pool area. <p>Disadvantages</p> <ul style="list-style-type: none"> • The light source can be glary to the swimmers • Uniform illumination may not be achieved with this type of installation. • Due to the low mounting height, there would be a possibility of tampering and vandalism to luminaires.



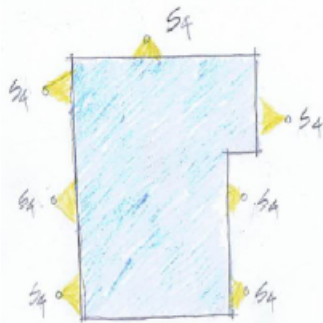
LIGHTING RECOMMENDATIONS
SOUTH HEDLAND AQUATIC CENTRE

<p>Luminaire type recommended</p> <ul style="list-style-type: none"> • Indirect lighting - uplighting luminaire with a custom-made secondary reflector. • Recommended mounting location for luminaires – below the shading – mounted to the steel structure holding the canvas. • Luminaire to have minimum IP66 rating. • Luminaire Housing and Fixings - to be non-corrosive (polymer or stainless steel) construction and easy to clean. • Number of luminaires required is to be confirmed. 	<p>Luminaire type recommended</p> <ul style="list-style-type: none"> • Direct lighting- floodlight. • Recommended mounting location for luminaires – Mounted on vertical steel columns holding the shading structure. • Luminaire to have minimum IP66 rating. • Luminaire Housing and Fixings - to be non-corrosive (polymer or stainless steel) construction and easy to clean. • Number of luminaires required is to be confirmed.
<p>Lamp type recommendation</p> <ul style="list-style-type: none"> • Use a lamp with high efficacy white light source. • Lighting Standards to comply with AS2560.5 for Swimming Pools & AS3000 wiring rules. • Luminaires will be extra low voltage to comply with AS3000. • Lamp control gear locations to be confirmed. • Lamp type and wattage to be confirmed. 	

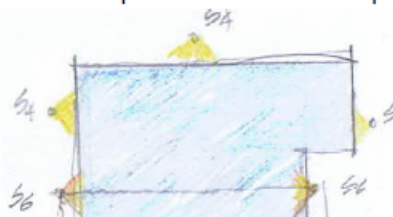


LIGHTING RECOMMENDATIONS
SOUTH HEDLAND AQUATIC CENTRE

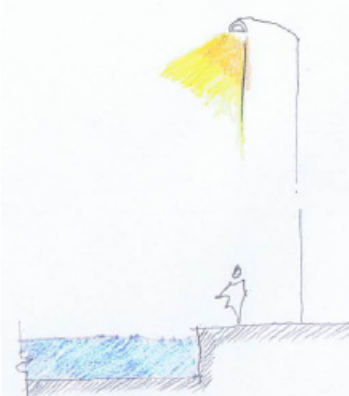
**SOUTH HEDLAND AQUATIC CENTRE
LIGHTING OUTSIDE SHADED AREA/ WHILE THE POOL IS UNSHADED**



When the pool is unshaded S4 pole mounted luminaires can be used for illumination.



Also during the periods of using the shades over the pools, the unshaded portion of the pool can be illuminated by pole mounted luminaires S4.



Poles

- Retain and reuse the existing poles where applicable. The poles to be refurbished and made good.
- The outreach to be modified to suit the new luminaires. Outreach length and shape to be confirmed.





Advantages

- Uniform lighting levels can be achieved in the pool area.
- Low glare to the swimmers.



LIGHTING RECOMMENDATIONS
SOUTH HEDLAND AQUATIC CENTRE

<p>Luminaire type recommended</p> <ul style="list-style-type: none"> • Direct lighting - floodlight. • Recommended mounting location for luminaires – Mounted on existing steel columns. Outreach arm will be modified to suit the new luminaire. • Luminaire to have an IP66 rating. • Luminaire Housing and Fixings - to be non-corrosive (polymer or s/steel) construction and easy to clean. • Number of luminaires required is to be confirmed. 	
<p>Lamp type recommendation</p> <ul style="list-style-type: none"> • Use a lamp with high efficacy white light source. • Lighting standards to comply with AS2560.5 for swimming pools & AS3000 wiring rules. • Lamp control gear locations to be confirmed. • Lamp type and wattage to be confirmed. 	
<p>Existing luminaire : S1: 1000w Holophane spherical floodlight</p> 	<p>Replace the luminaire S1 with a new luminaire.</p> <ul style="list-style-type: none"> • Luminaire to have good cut off angle to reduce glare. • Luminaire to have a minimum IP rating of IP66 (with high corrosion and water sealing properties).
<p>Lamps : 1000w clear Metal Halide</p>	<p>Use a lamp with high efficacy white light source</p> <ul style="list-style-type: none"> • Lamp type and wattage to be confirmed. • Lighting standards to comply with AS2560.5 for swimming pools & AS3000 wiring rules
<p>Control gear : Gear tray is currently located behind a door in the pole</p> 	<p>Existing gear tray to be replaced with a new tray suitable for the proposed luminaire.</p> <ul style="list-style-type: none"> • Reuse existing gear tray location or provide another location as the design requires. • Lighting installation to comply with AS3000 wiring rules



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE & SOUTH HEDLAND AQUATIC CENTRE

PRELIMINARY CAPITAL WORKS ESTIMATES

Gratwick Aquatic Centre

Lighting Concept 1 - \$181,890 + GST

Lighting Concept 2 - \$110,370 + GST

South Hedland Aquatic Centre

Lighting Concept 1 - \$208,110 + GST

Lighting Concept 2 - \$102,210 + GST

Reference can be made to the spreadsheet issued as Appendix #3 of this Report, where a breakdown of total costs is set out.

CONCLUSIONS & RECOMMENDATIONS

We confirm that the quality and quantity of existing night-time floodlighting at Gratwick Aquatic Centre and South Hedland Aquatic Centre is inadequate when sun shades are in place over the main pool.

LightPlan has put forward two conceptual lighting design solutions for consideration pertaining to each Aquatic Centre.

Each conceptual design comes with its advantages and disadvantages, however in each case our "Lighting Concept 1" (indirect uplighting) is our recommended concept. We believe that the visual comfort of swimmers, observers, and attendants should be a high priority and as such "Lighting Concept 1" appears to satisfy this requirement over "Lighting Concept 2".

We therefore recommend that appropriate steps be taken to initiate Design Development for the upgrading of exterior lighting systems at GAC and SHAC in order to provide adequate lighting to meet Recreation level requirements:-

- Refer to LightPlan's "Lighting Concept 1" as a basis for design
- Upgrade the lighting to the pool areas to meet AS2560.2.5 recommendations
- Utilise the existing infrastructure and lighting hardware locations to obtain financial savings, where possible.



LIGHTING RECOMMENDATIONS
GRATWICK AQUATIC CENTRE & SOUTH HEDLAND AQUATIC CENTRE

Appendix # 1 – Recommended Light-Technical Parameters for Swimming Pools

Extract from AS2560.2.5-2007

TABLE 1
LIGHTING CRITERIA FOR SWIMMING POOLS

Level of use	Maintained average horizontal illuminance (\bar{E}_{mh}) ^{a)} lux	Minimum horizontal uniformities ^{b)}		Minimum colour rendering index ($R_{a\ min}$)
		(U_1)	(U_2)	
Recreation or training	120	0.5	0.3	65
Club, interclub or district competition	240	0.6	0.4	65
International, national or state competition	600	0.7	0.5	65 ^{c)}

6.3 Calculation details

6.3.1 Height above PPA

All calculations of horizontal illuminance levels, including those for horizontal illuminance uniformity, shall be made at the level of the surface of the water in the pool.

6.3.2 Location of calculation points

To check the conformance of the lighting design with the relevant illuminance parameters by means of calculation, the illuminance levels shall be calculated at points located on a 5 m x 5 m grid, covering the whole of the water area and extending not less than 0.5 m and not more than 3.0 m beyond the water's edge in all directions. (See also Appendix B of AS 2560.1.)

Appendix # 2 – Lighting Concept Sketches

Refer attached sketches for lighting concepts.

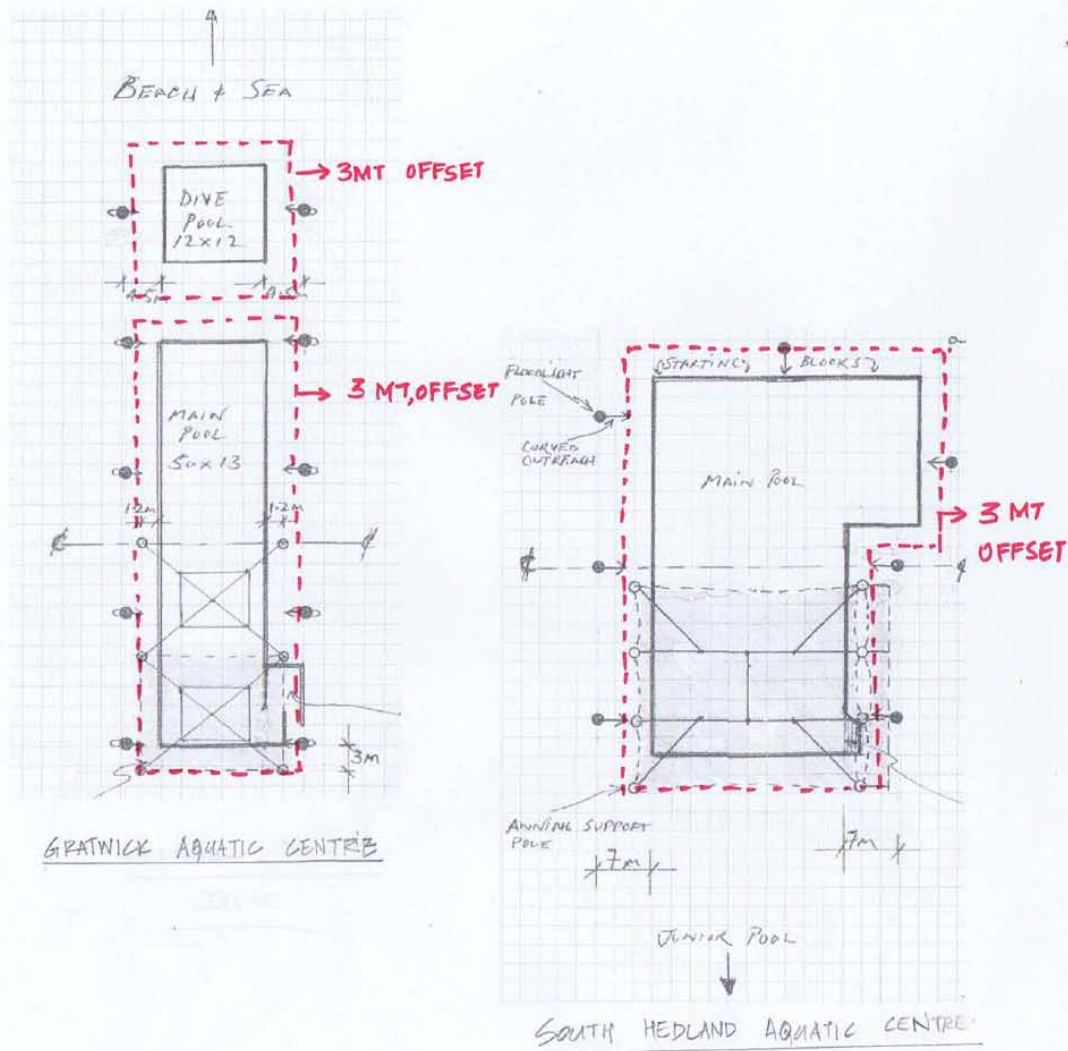
Appendix # 3 – Preliminary Capital Works Budget Estimate

Refer attached spreadsheet for a preliminary estimate of the envisaged capital works


DRAWING NUMBERS

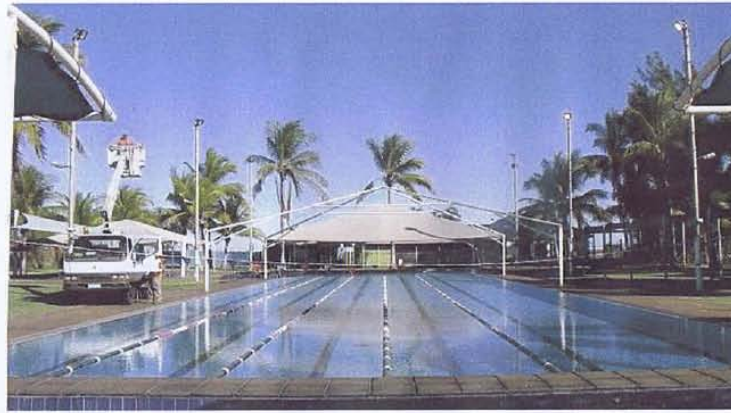
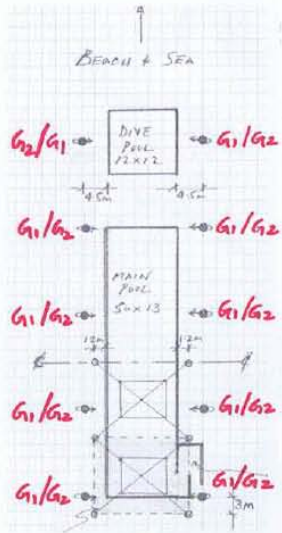
- SK 01 COVER SHEET
- SK 02 LIGHTING CRITERIA FOR AQUATIC CENTRES
- SK.GAC.01 EXISTING LIGHTING - GAC
- SK.GAC.02 LIGHTING CONCEPT 1 - GAC
- SK.GAC.03 LIGHTING CONCEPT 2 - GAC
- -
- -
- SK.SHAC.01 EXISTING LIGHTING - SHAC
- SK.SHAC.02 LIGHTING CONCEPT 1 - SHAC
- SK.SHAC.03 LIGHTING CONCEPT 2 - SHAC

South Hedland & Gratwick Aquatic Centre	Ref. Drawing nos.	SK.01	SKETCH NUMBERS	LIGHT PLAN
COVER PAGE				



ZONES OF CALCULATION / MEASUREMENT OF LIGHTING CRITERIA

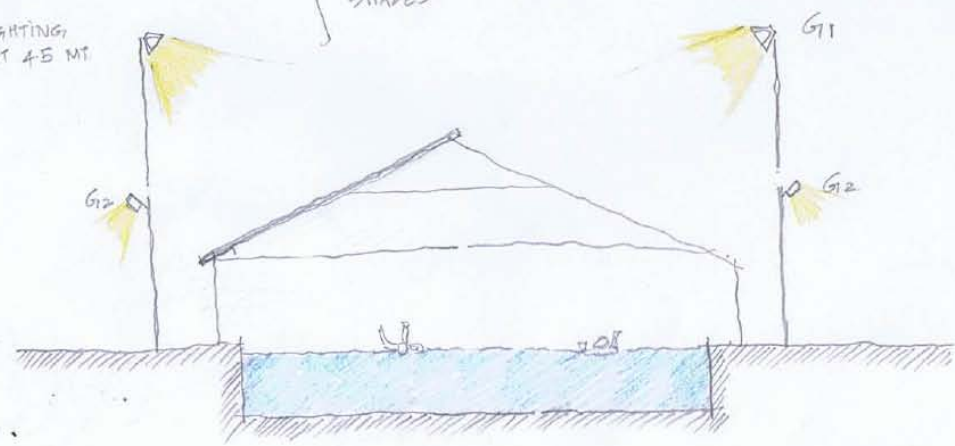
South Hedland & Gratwick Aquatic Centre	Ref. Drawing nos.	SK.02	SKETCH NUMBERS	LIGHT PLAN
LIGHTING CRITERIA FOR SWIMMING POOLS				



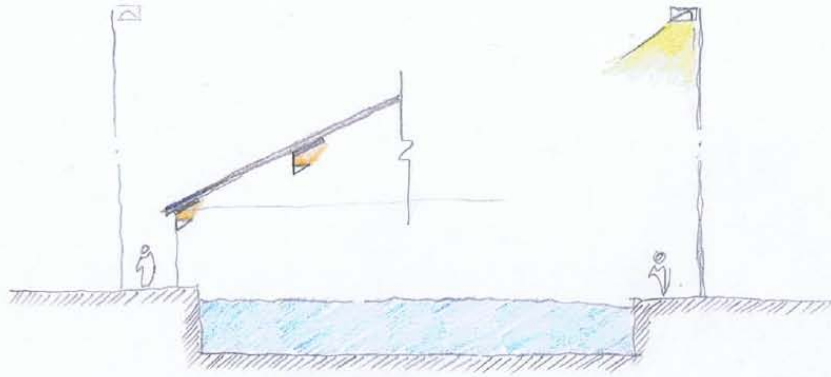
GAC POOL PLAN

- G1 - POLE MOUNTED FLOODLIGHT 400W
- G2 - STREET LIGHTING MOUNTED AT 4.5 MT

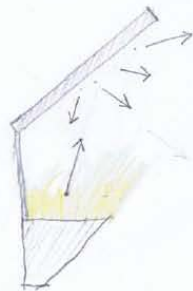
UNIFORM LIGHTING REQUIRED WITHIN SHADES.



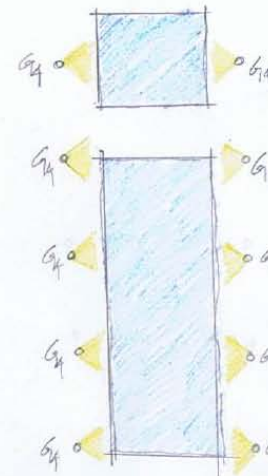
Gratwick Aquatic Centre EXISTING LIGHTING - GAC	Ref. Drawing nos.	SK.GAC.01	SKETCH NUMBERS	LIGHT PLAN



CONCEPT 1 INDIRECT UPLIGHTING WITHIN SHADES DIRECT LIGHTING OUTSIDE SHADES



INDIRECT UPLIGHTING

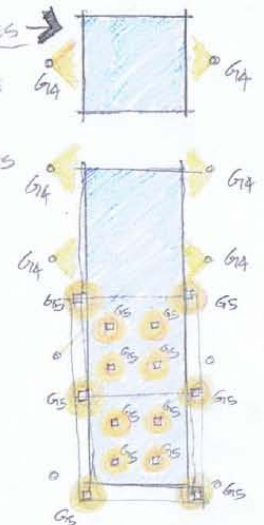


← LIGHTING CONCEPT WITHOUT SHADES

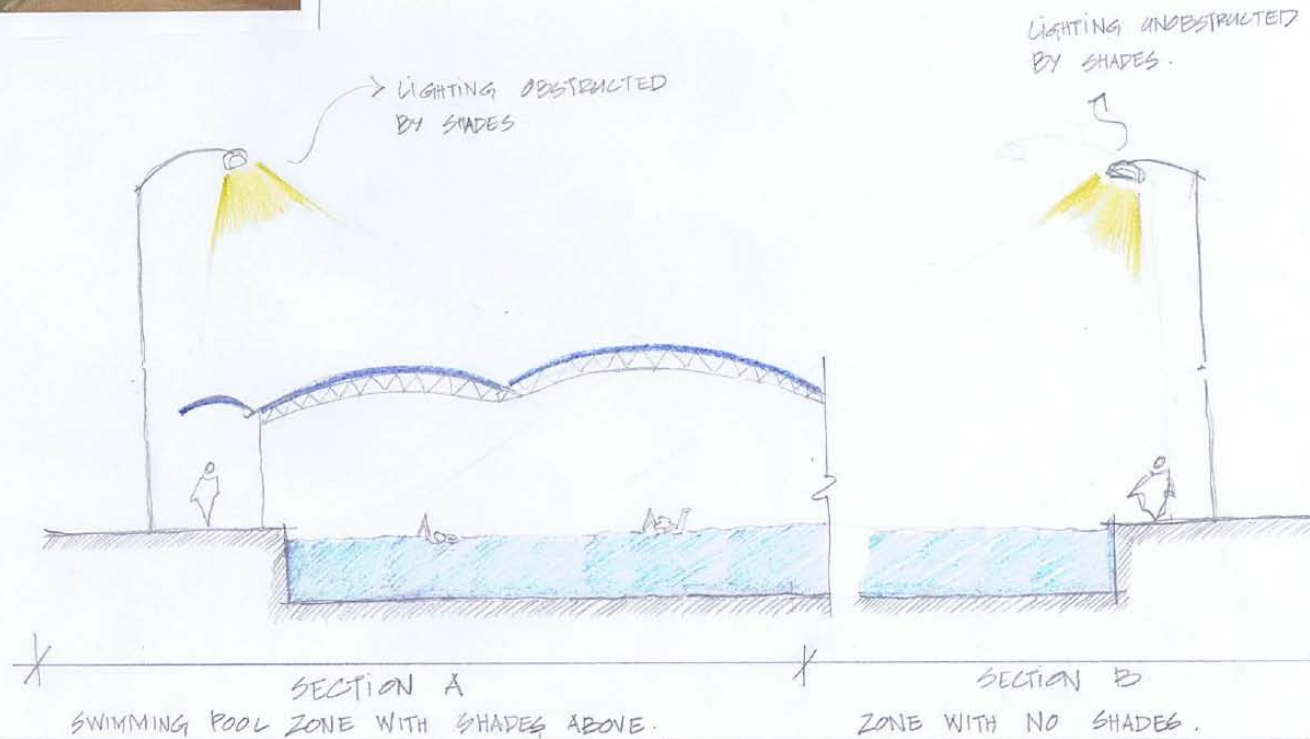
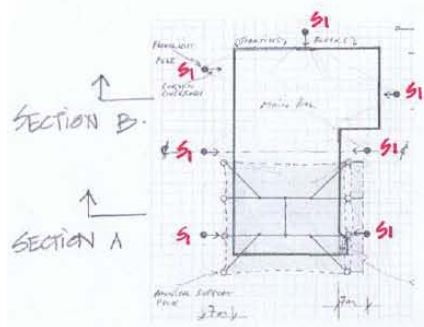
- REPLACE LUMINAIRES & REUSE EXISTING POLES

LIGHTING CONCEPT WITH SHADES →

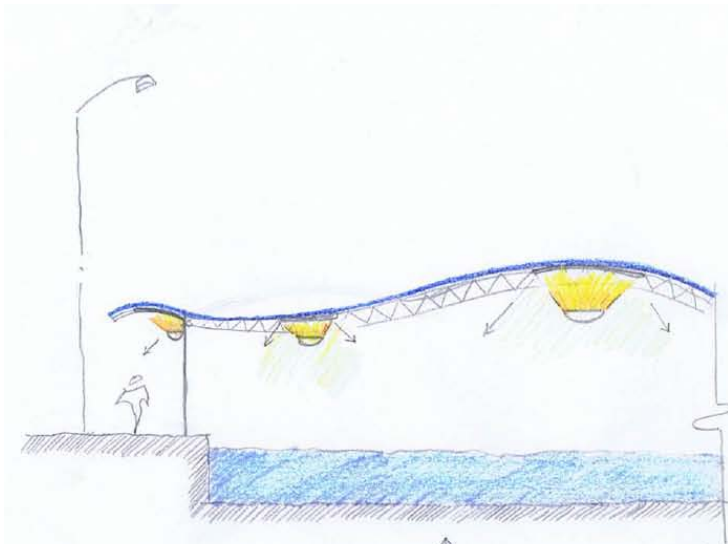
- REPLACE LUMINAIRES & REUSE EXISTING POLES
- USE NEW INDIRECT LUMINAIRES WITHIN SHADES



Gratwick Aquatic Centre LIGHTING CONCEPT 1 - GAC.	Ref. Drawing nos.	GK.GAC.02	SKETCH NUMBERS	LIGHT PLAN

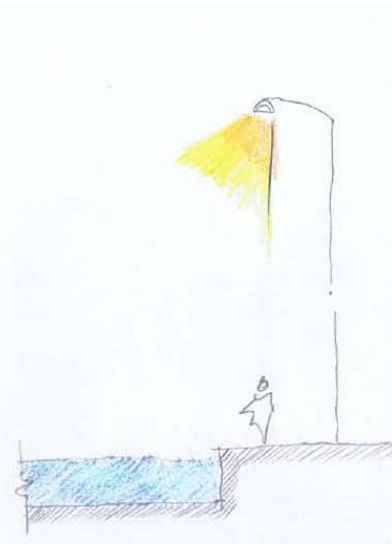


South Hedland Aquatic Centre EXISTING LIGHTING - SHAC	Ref. Drawing nos.	SKL.SHAC.01	SKETCH NUMBERS	LIGHT PLAN



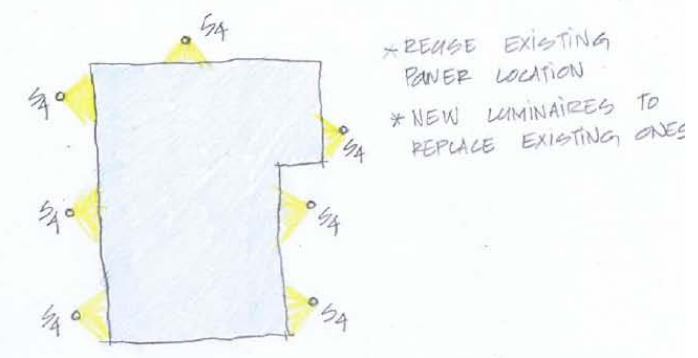
CONCEPT 1
INDIRECT UP LIGHTING BELOW SHADES
SECTION OF THE POOL WITH SHADE

- MATERIAL TO BE CONSIDERED
- LUMINAIRE HOUSING - EASY TO CLEAN
- LUMINAIRE PROTECTED - WHITE
- LAMP TYPE TO BE CONSIDERED

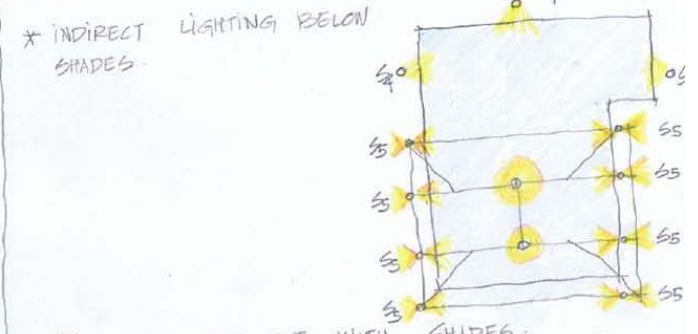


DIRECT LIGHTING IN OPEN
SECTION OF POOL WITHOUT SHADE

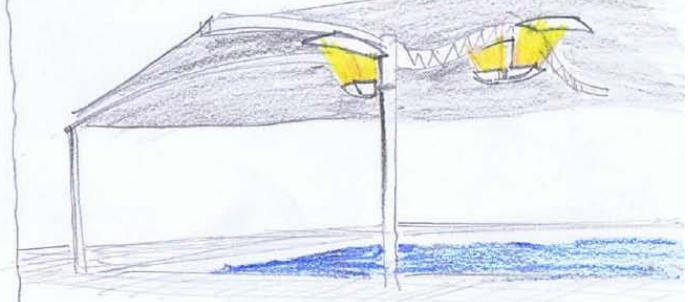
- S4 - POLE MOUNTED LIGHTING (DIRECT FLOODLIGHTING)
- S5 - AWNING / SHADE MOUNTED LIGHTING (INDIRECT UP LIGHTING)



LIGHTING CONCEPT WITHOUT SHADES

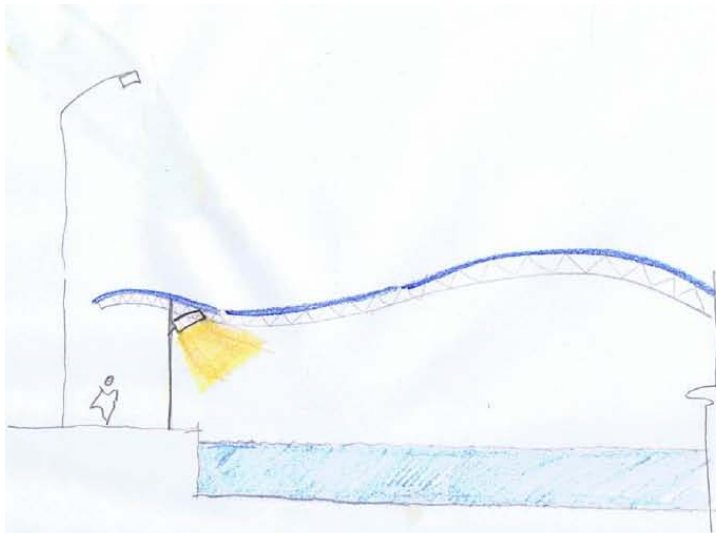


LIGHTING CONCEPT WITH SHADES

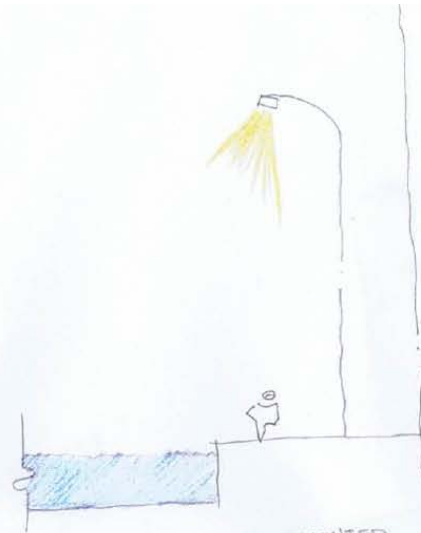


VIEW OF THE LIGHTING BELOW SHADES

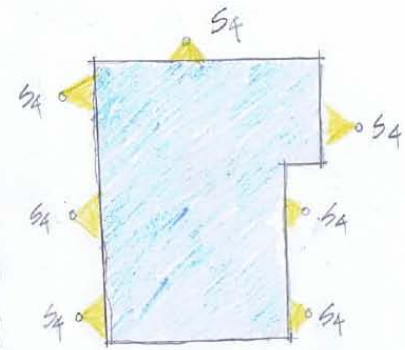
South Hedland Aquatic Centre LIGHTING CONCEPT 1 - SHAC	Ref. Drawing nos.	SK-SHAC-02	SKETCH NUMBERS	LIGHT PLAN



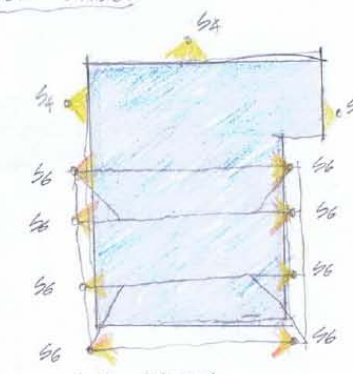
CONCEPT 2 DIRECT FLOODLIGHTING MOUNTED
BELOW AWNING
SECTION OF POOL WITH SHADING



DIRECT FLOODLIGHT MOUNTED
ON POLE
SECTION OF POOL WITHOUT SHADE




LIGHTING CONCEPT WITHOUT SHADES



LIGHTING CONCEPT WITH SHADES

- S4 - FLOODLIGHTING MOUNTED ON POLES (DIRECT LIGHTING)
- S6 - FLOODLIGHTING MOUNTED BELOW SHADES (DIRECT LIGHTING)

South Hedland Aquatic Centre LIGHTING CONCEPT 2 - SHAC	Ref. Drawing nos.	SK SHAC 03	SKETCH NUMBERS	LIGHT PLAN
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www.lightplan.net										
PRELIMINARY BUDGET ESTIMATE OF CAPITAL WORKS										
PROJECT :	Lighting Refurbishment									
LOCATION :	Gratwick Aquatic Centre & South Hedland Aquatic Centre, Town of Port Hedland									
REF DRWG. NO :	-									
REVISION :	1 - Rev 23/07/2009									
AREA	LOCATION	QTY	TYPE	TRADE PRICE	MARGIN (15%) ea	INSTALL PRICE ea	ESTIMATE LESS GST	GST (10%) ea	ESTIMATE INCL GST	NOTES
AQUATIC CENTRES										
STAGE 1										
POWER										
Western Power Headworks							others	others	others	
Western Power Liason							others	others	others	
GRATWICK AQUATIC CENTRE										
LIGHTING SERVICES (Concept 1) Main Swimming Pool & Diving Pool										
Luminaires G4	Pool perimeter	10	Floodlight	\$1,500	\$225	\$1,500	\$32,250	\$323	\$35,475	New flood light installation
Extension arm for G4	Pool perimeter	10	Mounting arm	\$1,000	\$150	\$1,000	\$21,500	\$215	\$23,650	Mounting arm requirement will be based on the lighting calculations & the mechanical strength requirement to hold the new luminaire in place.
10 m high column (made good)	Pool perimeter	10	Pole / Column	\$200	\$30	\$300	\$5,300	\$53	\$5,830	The existing pole when reused will be made good to suit new installation
Luminaires G5	Below canvas	14	Indirect uplight	\$1,500	\$225	\$1,000	\$38,150	\$273	\$41,965	
G5 - Secondary reflector & mounting assembly	Below canvas	14	Indirect uplight	\$2,000	\$300	\$1,000	\$46,200	\$330	\$50,820	We envisage the secondary reflector to attract a price premium since it may have to be custom made to suit the geometry of the shading.
Reuse luminaire G2	Pool perimeter	10	Streetlight	\$100	\$15	\$100	\$2,150	\$22	\$2,365	The existing Philips MetroSon if reused will be cleaned and relamped. Hence a labour price & lamp price has been allowed for the same.
SUB-TOTAL							\$145,550		\$160,105	
Cable & Conduit							\$4,000	\$400	\$4,400	At this stage the configuration of existing lighting circuits are unknown. The estimate is provided on the assumption that only the new lighting requires circuiting and can be esily linked to the existing circuit.
Trench & Backfill							\$2,025	\$203	\$2,228	
SUB-TOTAL							\$6,025		\$6,628	
GAC CONCEPT 1 Total							\$151,575		\$166,733	
LIGHTING SERVICES (Concept 2) Main Swimming Pool & Diving Pool										
Luminaires G4	Pool perimeter	10	Floodlight	\$1,500	\$225	\$1,500	\$32,250	\$323	\$35,475	New flood light installation
Extension arm for G4	Pool perimeter	10	Mounting arm	\$1,000	\$150	\$1,000	\$21,500	\$215	\$23,650	Mounting arm requirement will be based on the lighting calculations & the mechanical strength requirement to hold the new luminaire in place.
10 m high column (made good)	Pool perimeter	10	Pole / Column	\$200	\$30	\$300	\$5,300	\$53	\$5,830	The existing pole when reused will be made good to suit new installation
Luminaires G6	Below canvas	10	Direct lighting	\$1,500	\$225	\$750	\$24,750	\$248	\$27,225	
Reuse luminaire G2	Pool perimeter	10	Streetlight	\$100	\$15	\$100	\$2,150	\$22	\$2,365	The existing Philips MetroSon if reused will be cleaned and relamped. Hence a labour price & lamp price has been allowed for the same.
SUB-TOTAL							\$85,950		\$94,545	
Cable & Conduit							\$4,000	\$400	\$4,400	At this stage the existing lighting circuit is unknown. The estimate is provided on the assumption that only the new lighting requires circuiting and can be esily linked to the existing circuit.
Trench & Backfill							\$2,025	\$203	\$2,228	
SUB-TOTAL							\$6,025		\$6,628	
GAC CONCEPT 2 Total							\$91,975		\$101,173	

AREA	LOCATION	QTY	TYPE	TRADE PRICE	MARGIN (15%) ea	INSTALL PRICE ea	ESTIMATE LESS GST	GST (10%) ea	ESTIMATE INCL GST	NOTES	
SOUTH HEDLAND AQUATIC CENTRE											
LIGHTING SERVICES (Concept 1)	Main Swimming Pool										
Luminaires S4	Pool perimeter	7	Floodlight	\$1,500	\$225	\$1,500	\$22,575	\$323	\$24,833	New flood light installation Mounting arm requirement will be based on the lighting calculations & the mechanical strength requirement to hold the new luminaire in place.	
Extension arm for S4	Pool perimeter	7	Mounting arm	\$1,000	\$150	\$1,000	\$15,050	\$215	\$16,555		
10 m high column (made good)	Pool perimeter	7	Pole / Column	\$500	\$75	\$750	\$9,275	\$133	\$10,203	The existing pole when reused will be made good to suit new installation	
Luminaires S5	Below canvas	20	Indirect uplight	\$1,500	\$225	\$1,000	\$54,500	\$273	\$59,950	We envisage the secondary reflector to be expensive since it may have to be custom made to suit the geometry of the shading.	
S5 - Secondary reflector & mounting assembly	Below canvas	20	Indirect uplight	\$2,000	\$300	\$1,000	\$66,000	\$330	\$72,600		
SUB-TOTAL							\$167,400		\$184,140		
<u>Cable & Conduit</u>							\$4,000	\$400	\$4,400	At this stage the existing lighting circuit is unknown. The estimate is provided on the assumption that only the new lighting requires circuiting and can be easily linked to the existing circuit.	
<u>Trench & Backfill</u>							\$2,025	\$203	\$2,228		
SUB-TOTAL							\$6,025		\$6,628		
SHAC CONCEPT 1 Total							\$173,425		\$190,768		
LIGHTING SERVICES (Concept 2)	Main Swimming Pool										
Luminaires S4	Pool perimeter	7	Floodlight	\$1,500	\$225	\$1,500	\$22,575	\$323	\$24,833	New flood light installation Mounting arm requirement will be based on the lighting calculations & the mechanical strength requirement to hold the new luminaire in place.	
Extension arm for S4	Pool perimeter	7	Mounting arm	\$1,000	\$150	\$1,000	\$15,050	\$215	\$16,555		
10 mt high column (made good)	Pool perimeter	7	Pole / Column	\$500	\$75	\$750	\$9,275	\$133	\$10,203	The existing pole when reused will be made good to suit new installation	
Luminaires S6	Below canvas	10	Direct lighting	\$1,500	\$225	\$1,500	\$32,250	\$323	\$35,475		
SUB-TOTAL							\$79,150		\$87,065		
<u>Cable & Conduit</u>							\$4,000	\$400	\$4,400	At this stage the existing lighting circuit is unknown. The estimate is provided on the assumption that only the new lighting requires circuiting and can be easily linked to the existing circuit.	
<u>Trench & Backfill</u>							\$2,025	\$203	\$2,228		
SUB-TOTAL							\$6,025		\$6,628		
SHAC CONCEPT 2 Total							\$85,175		\$93,693		
Gratwick Aquatic Centre											As with the practicality of all existing installation upgrades, there are always unknown factors. Hence an additional 20% contingency has been allowed to the estimated total. .
	Concept 1						\$181,890		\$200,079		
	Concept 2						\$110,370		\$121,407		
South Hedland Aquatic Centre											
	Concept 1						\$208,110		\$228,921		
	Concept 2						\$102,210		\$112,431		
Note : The above costs are preliminary and an estimate only. The estimates can vary in line with changes to the lighting concept.											

11.3.4.4 Amendments to 2009/10 Schedule Fees and Charges for JD Hardie Centre (File No.: ...)

Officer	Bec Pianta Manager Recreation Services;
	Natalie Octoman Manager Finance
Date of Report	21 st August 2009
Disclosure of Interest by Officer	Nil

Summary

The 2009/10 Schedule of Fees and Charges as adopted at the Special Council Meeting in July 2009 contained minor errors. This report details the amended fees and charges for this schedule.

Background

At the Special Council Meeting on the 29th July 2009, Council adopted the proposed Fees and Charges as part of the standard budget process. Errors have since been realised for the JD Hardie Centre programming section.

Consultation

Manager Recreation Services
Manager Financial Services

Statutory Implications

Section 6.19 of the Local Government Act 1995 states:

*“6.19. Local government to give notice of fees and charges
If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —
(a) its intention to do so; and
(b) the date from which it is proposed the fees or charges will be imposed.”*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

It is anticipated that the correction in the JD Hardie Centre Fees and Charges will lead to increased revenue and patronage at the JD Hardie Centre.

Officer's Comment

The JD Hardie Centre is currently operating under the newly adopted Fees and Charges, excluding the programming component. The fees and charges under the programming banner are not reasonable or logical, as they charge an additional fee for opting to attend classes on a term basis, rather than a casual basis. Previous, current and recommended Fees and Charges (GST inclusive) for this element at the JD Hardie Centre are:

Fee and Charge	Type	2008/09	2009/10 adopted	Amendment required
Certified Program – Casual	Child	\$ 7.50	\$ 5.00	\$ 8.00
	Adult	\$ 9.00	\$ 6.00	\$ 9.00
Certified Program – Term	Child	\$ 6.00	\$ 6.00	\$ 5.00
	Adult	\$ 7.20	\$ 5.00	\$ 6.00
General Program – Casual	Child	\$ 6.00	\$ 4.00	\$ 7.00
	Adult	\$ 7.20	\$ 5.00	\$ 8.00
General Program – Term	Child	\$ 4.80	\$ 4.00	\$ 4.00
	Adult	\$ 5.80	\$ 5.00	\$ 5.00

Councillor K A Howlett moved and Councillor J E Ford seconded that the fees and charges for children attending the JD Hardie Centre are reduced to encourage their attendance. Proposed charges should be set to the following inserted in the table below:

Fee and Charge	Type	Total Fee (GST Inc.)
Certified Program – Casual	Child	\$ 5.00
	Adult	\$ 9.00
Certified Program – Term	Child	\$ 6.00
	Adult	\$ 6.00
General Program – Casual	Child	\$ 4.00
	Adult	\$ 8.00
General Program – Term	Child	\$ 4.00
	Adult	\$ 5.00

LOST 5/3

200910/064 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council

- 1) approves the following amendments to the 2009/10 Schedule of Fees and Charges, and advertises for two (2) weeks prior to their implementation, in accordance with section 6.19 of the Local Government Act 1995:**

Fee and Charge	Type	Total Fee (GST Inc.)
Certified Program – Casual	Child	\$ 8.00
	Adult	\$ 9.00
Certified Program – Term	Child	\$ 5.00
	Adult	\$ 6.00
General Program – Casual	Child	\$ 7.00
	Adult	\$ 8.00
General Program – Term	Child	\$ 4.00
	Adult	\$ 5.00

CARRIED 6/2

11.4 GOVERNANCE AND ADMINISTRATION

11.4.1 Corporate Services

11.4.1.1 Polar Aviation Northern Hanger– Tender to Demolish and Remove (File No.: ...)

Officer Matthew Scott
Director Corporate Services

Date of Report 14 August 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider approving a tender to demolish and remove the Northern Hanger, currently being used by Polar Aviation, at the Port Hedland International Airport.

Background

In June 2008, Council approved a new land lease on the Northern Hanger, at the Port Hedland International Airport, with Polar Aviation. At that meeting Council resolved as follows (Decision 200809/015):

“That Council authorises the Chief Executive Officer or his nominated officer to enter into negotiations with Polar Aviation in relation to the redevelopment of the northern hangar site, with a 15 year + 15 year option lease in accordance with the Local Government Act, and utilise the valuation received by consultants in January 2008 as a guide. “

This lease is now being finalised, and Polar Aviation intend to construct a new hanger on the site to better service their business. A conditional planning application was approved by Town Planning in July 2009. Given that the district is about to enter the Cyclone Season, Polar Aviation has indicated that it now intends to commence construction in six (6) months time.

Prior to construction of this new hanger, the old, existing hanger needs to be demolished and removed. Council has the option to either demolish the hanger itself, or tender out this activity.

Consultation

A proposal to sell the existing hangar via tender has been discussed with Polar Aviation (13 August 2009). Polar Aviation agrees with the proposal, subject to there being minimal disruption to their operations.

Statutory Implications

Section 3.58 of the Local Government Act 1995 (in part) states:

“3.58. Disposing of property

(1) In this section —

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

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

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.”

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

The proposal is to effectively sell the existing hanger, by way of tender. If Council is unable to dispose of the hanger, it will need to consider demolishing the hanger and relocate Polar Aviation, which was estimated to cost \$75,000, in July 2008.

Officer's Comment

Polar Aviation is a local business, intending to improve its operation by a significant development at the Port Hedland International Airport. It now has Planning Approval, and effective tenure of the land. To achieve its goal, the existing hanger needs to be removed. Council has effectively two options, being:

1. Demolish the hanger at Council's cost: or
2. Sell the hanger, and require the purchaser to remove it as part of the deal.

Option 2 is appealing, as Council may receive some proceeds for a structure that effectively has little to no value (due to it's current condition). In order to dispose of the hanger, the Local Government Act provides three options:

1. Public Auction;
2. Public Tender;
3. Private Treaty.

Of these options, a Public Tender seems the most applicable. Polar Aviation has indicated that the removal needs to be coordinated with the construction of their new hanger. This can be included as part of the tender specifications. All proceeds (if any) can be transferred to the Airport Reserve, to help fund future infrastructure works at the Airport.

Should Council receive no tenders, it stills has the ability demolish the hanger.

Attachments

Nil.

200910/065 Council Decision/Officer's Recommendation

Moved: Cr S J Coates

Seconded: Cr J E Ford

That Council:

- i) approve the disposal of the Northern Hanger, at the Port Hedland International Airport by way of Public Tender in accordance with Section 3.58(2)(b) of the Local Government Act 1995);**
- ii) approve the Chief Executive Officer (or his delegate) to prepare and advertise a tender to dispose, demolish and remove the Northern Hanger, at the Port Hedland International Airport, within the next 6 months; and**
- iii) require the tender scope to include a condition that the demolition and removal does not impact on the operations of Polar Aviation, or the construction of the new hanger by Polar Aviation.**
- iv) in the event of no tenders received the item is to be reconvened by Council at the next council meeting.**

CARRIED 8/0

14.4.1.2 Access Licence – Port Haven (File No.: ...)

Officer Matthew Scott
Director Corporate
Services

Date of Report 18 August 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider approving a license for the Compass Group to connect the Port Haven lease site to the Great Northern Highway.

Background

At the June Ordinary Meeting of Council, Council approved a temporary license for the Compass Group for a portion of land next to the Port Heaven Lease for carparking.

Subsequently, Compass has approached Council in providing a similar license to connect the Port Haven lease site to the Great Northern Highway. There is currently a 65m gap between the Port Haven lease boundary and the southern edge of the Great Northern Highway road reserve. This land has been reserved for a future slip road, which would ultimately connect Port Haven, the SES shed and the new Auzcorp TWA (previously FMG).

Consultation

Compass has indicated a willingness to construct the road access, and is prepared to pay a license fee until such time the slip road is built.

Statutory Implications

As it is proposed only to issue Compass with a license, and not tenure will be transferred, Section 3.58 of the Local Government Act is not applicable.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

As per the license for the Carpark area, the proposed area will need to be valued to determine a market valuation. Previously airport land has been valued at \$6.30 per m², which would equate to \$20,966 for the area in question. This would be additional income for Council, which has not been budgeted.

Officer's Comment

Compass needs access from the Great Northern Highway to the Port Haven Facility. Council could consider either a lease or license in this situation. A lease would however provide exclusive access to Compass, and could create future problems, especially if Council was to create the slip road in the future, however was unable to connect this road to the Port Haven entrance. Main Roads has already raised a preference for minimal highway access in the area.

A license however does not create an exclusive use, and the license fees could be used to build the proposed slip road. As Compass is obviously conscious on how their entrance will interface with the Highway, this ultimately could also form secondary access point, via the slip road, to the Airport Terminal. Once the slip road is built, there would no longer be any reason to continue the license arrangement with Compass.

Attachment

Diagram identifying the Highway access.

200910/066 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

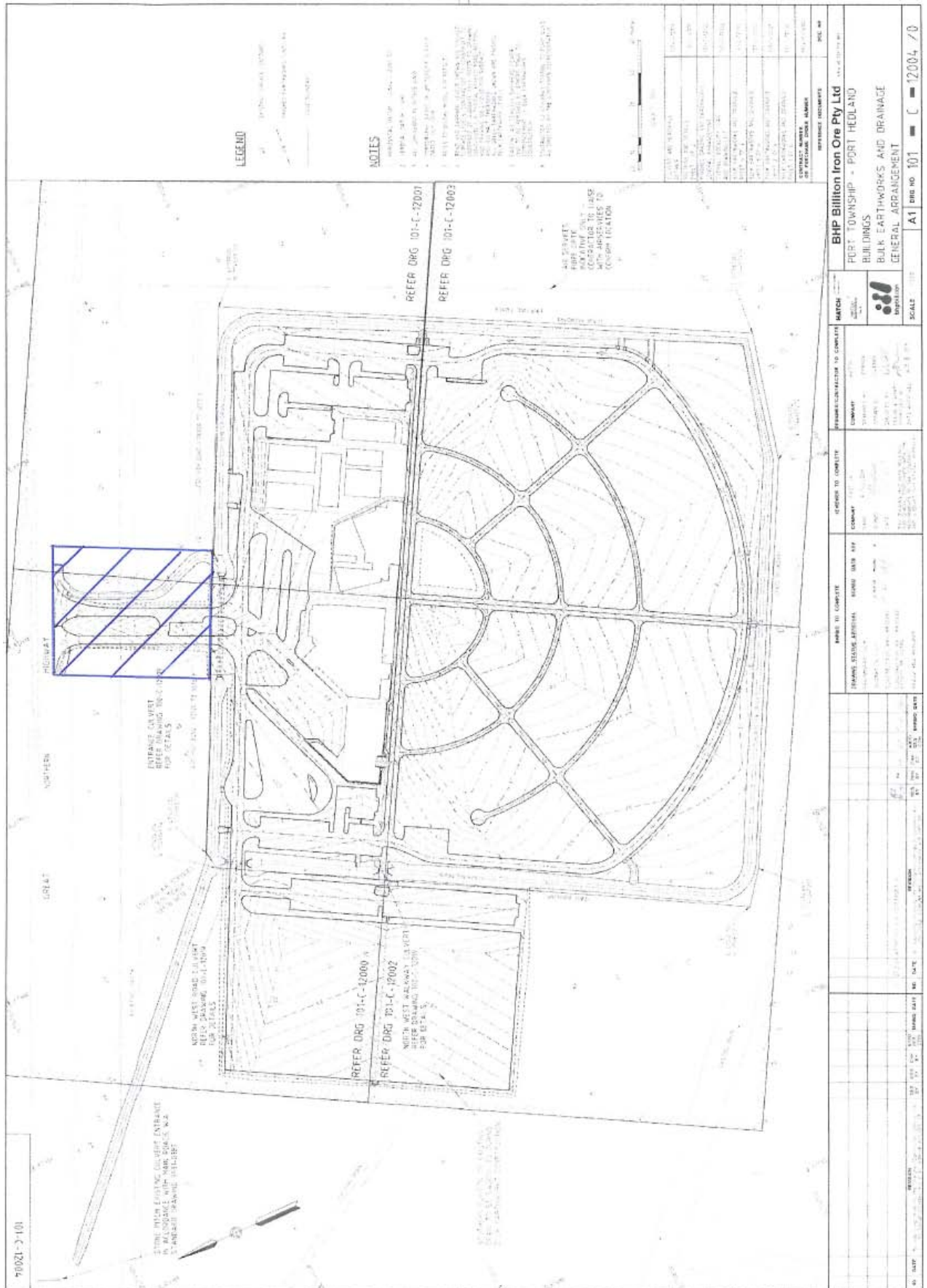
Seconded: Cr J M Gillingham

That Council:

- i) issue a license to the Compass Group to build an access road connecting the Port Haven lease site to the Great Northern High Way, subject to approval by Main Roads;**
- ii) authorise Chief Executive Officer (or his delegate) to negotiate the terms and conditions of the above license, however the term to be no longer than either the term of the connecting Compass lease, or until such time an slip road is built, which-ever is sooner;**
- iii) advises the Compass Group that any access road that is build on the site, be designed and built by Compass Group, at no cost to Council; and**
- iv) require any access road developed on the site to meet both Council's Engineering and Town Planning requirements.**

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.4.1.2



7.14 pm Councillor Kelly A Howlett declared an financial interest in Agenda Item 11.4.2.1 'Management of the Courthouse Art Gallery and Port Hedland Visitor Centre (File No.: 20/01/0026)' as she is employed by the Port Hedland Visiors Centre. Cr Kelly Howlett left the room.

11.4.2 Governance**11.4.2.1 Management of the Courthouse Art Gallery and Port Hedland Visitor Centre (File No.: 20/01/0026)**

Officer Chris Adams
Chief Executive Officer

Date of Report 12 August 2009

Disclosure of Interest by Officer Nil

Summary

This report:

- Updates Council on the current status of implementation of its February 2009 decision in relation to the future management of the Courthouse Arts Centre and Gallery and the Port Hedland Visitor Centre: and
- Seeks Council consideration of alternatives in relation to progressing this matter.

Background

At its 25th February 2009 meeting Council considered a report on options for the future management of the Courthouse Arts Centre and Gallery. At that meeting the Council resolved the following:

“That Council:

- a) *advises the current management bodies of the Port Hedland Visitor Centre and the Courthouse Art Centre and Gallery that its preferred future direction is for the two facilities to be managed under one single board of management with Council directing its contribution for the operation of both facilities to that Board;*
- b) *authorises the Chief Executive Officer or his delegate to continue negotiations with the Port Hedland Visitor Centre Committee and FORM for the extension of their existing management arrangements until 30 December 2009 to allow appropriate time for the Board to be established; and*
- c) *authorises the Chief Executive Officer, or his delegate to commence discussions with relevant stakeholders regarding:*
 - *the composition and structure of the proposed new board.*
 - *The funding commitment that may be required/requested by the Board in the post 30 December 2009 period.”*

Both of the current management groups were subsequently advised of the Council's decision. A brief summary of the status of financial negotiations for the 2009 calendar year are listed below.

Port Hedland Visitor Centre (PHVC) Committee

- Have indicated an intention to 'wind up' the committee effective from 1 January 2010.
- Have requested Council provide a total subsidy of \$100,000 (plus GST) for the 1/7/09 – 31/12/09 period to assist with operating costs. Council's contribution to the PHVC for 2008/09 was \$90,000 (plus GST). For the previous three financial years the contribution was \$180,000 (plus GST).

Courthouse Art Gallery

- FORM (the management body) has noted the Council's decision.
- Have requested a subsidy of \$93,333 (plus GST) to operate the centre for the 1/9/09 -31/12/09 period. (Note: Current contract with FORM expires 31/8/09). The current annual contract cost to manage the Courthouse Gallery is \$280,000 (plus GST).

Council's Strategic Projects Consultant, Mr Ian Taylor, was tasked with reviewing models for the development of the proposed new board of management. Discussions were held with various key players who are currently involved with the management of the facilities. In summary, the consultant's advice was that the facilities are currently very different in nature and, while there are some obvious location similarities, the services, products and clientele currently being serviced from the buildings are different. While noting the Council's desire to form a Board of Management, the consultant indicated he believed that Council should reconsider this direction. The consultant recommended that Council reach separate management agreements for the management of each individual facility. This option and others are discussed in the 'officer's comment' section of this report.

Consultation

As outlined above discussions have been held regarding management contract extensions and management

Statutory Implications

Nil

Policy Implications

11/001 'Tourism Policy' (in part) states:

"The Town of Port Hedland will guide the development of tourism within the Town of Port Hedland District through planning, development and marketing. To do this it will:

*...
Support the provision of a high quality visitor information service at the Port Hedland Visitor Information Centre."*

Strategic Planning Implications

Developing a consolidated board of management for the two facilities is a specific strategy that is listed within the Town's Plan for the Future.

Key Result Area 3 – Community Development

Goal 7 - Arts and Culture

Strategy 1- Complete the redevelopment of the Courthouse Art Gallery precinct including the development of a Board of Management to operate Council funded facilities within the precinct.

Budget Implications

A total of \$240,000 (GST exclusive) has been requested from the PHVC committee (\$100,000) and FORM (\$140,000) to manage the respective facilities for the 1/7/09 – 31/12/09 period. These costs are reflective of the actual costs incurred for the preceding six months and are considered to be reasonable.

Council's Adopted 2009/10 Budget has the following allocation for the operation of these facilities:

PHVC	\$180,000
CAG	<u>\$280,000</u>
Total	\$460,000

If Council accepts the two budget requests, the total budgeted funding available to operate the facilities for the remainder of 2009/10 (ie the first half of 2010) is \$220,000.

(Note: These costs exclude depreciation; insurance and building maintenance costs that are borne by Council and have been separately budgeted for.)

Officer's Comment

The budget requests by the respective managements of the Port Hedland Visitor Centre and the Courthouse Art Gallery to continue operating the facilities for the remainder of the 2009 calendar year are considered reasonable.

Given the extreme difficulty in accessing alternative management in such a short time period, it is recommended that Council accept these requests, with specific conditions being placed on the proposed funding arrangements.

In relation to the future management of the facility, three alternatives have been identified:

Option 1: Progress with Board of Management Concept

While this option has been Council's preferred direction on this issue, closer examination has revealed some potential issues, being:

- Management layers: Some Councillors have indicated a desire for Council/community to retain a degree of control over the facilities. A board of management model is likely to lead to lesser control/input into the operations and strategic direction of the facilities by Council/community.
- Timeframe: Given the 1/1/10 handover date, there is limited timeframe for the establishment of a board and the subsequent engagement of management by that board.

If this alternative is to be progressed, additional time will be required to allow for establishment of the Board and associated management.

Option 2: Seek Separate Management of the Two Facilities.

Given that the facilities do offer different services, there may be some merit in engaging separate specialist firms to manage the Art Gallery and Visitor Centre operations. This option was recommended by Council's Strategic Projects Consultant and could be achieved by the 1/1/10 deadline but does eliminate any potential economies of scale that may exist between the centers and potentially reduces the collaboration that Council has indicated that it is interested in achieving.

Option 3: Undertake a Prescribed Management Tender for the Facilities

A prescribed management tender could be undertaken whereby Council specifies the financial and minimum service delivery arrangements for the facilities. Community input into the management of the facility could be mandated into the contract arrangement. The tender could require regular reporting on the operations of the facility so that Council has a clear understanding of the issues and trends associated with the facility management. The officer's recommendation includes reference to how this may be achieved.

Tender processes similar to this have been recently undertaken with Council's swimming pools, and at the recently tendered Airport Work camp that was awarded to Auzcorp.

Option 3 is recommended as it:

- a) Allows potential synergies and economies of scale to be realised.
- b) Permits entrepreneurship at the facilities whilst retaining a level of Council and community control over the facilities.
- c) Provides a higher level of financial certainty for Council.
- d) Is achievable within the timeframes that are available.

Attachments

Nil

200910/067 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

- 1) **agrees to providing the Port Hedland Visitor Centre Committee Inc. a total of \$100,000 (plus GST) to operate the Visitor Centre Service for the period from 1 July 2009 to 31 December 2009, with the following conditions:**
 - **The service shall be operated in accordance with a management agreement that shall be negotiated to by the Town's Chief Executive Officer and the Port Hedland Visitor Centre Management Committee.**
 - **Monthly payments in advance will be made to the Port Hedland Visitor Centre Committee Inc. upon the provision of a management report for the previous month.**
 - **Any surplus funds at the winding up of the committee (i.e. 1 January 2010) shall be returned to the Town of Port Hedland.**

- 2) **Agrees to extend the existing management contract with FORM for the management of the Courthouse Art Gallery for the period from 1 September 2009 to 31 December 2009, with the following conditions:**
 - **The service shall be operated in accordance with the terms and conditions contained within the current management agreement between the Town of Port Hedland and FORM.**
 - **Monthly payments in advance will be made to the FORM upon the provision of a management report for the previous month.**

- 3) **develops and a five (5) year contract for the management and operation of both the Courthouse Art Gallery and Port Hedland Visitor Centre with the following key contractual terms:**
- a) **the Town will pay the successful contractor a fixed annual management fee for the management and operation of both facilities. The fee shall be paid quarterly in advance and will not exceed the following:**
- 2010 calendar year: \$450,000 (plus GST)**
2011 calendar year: \$400,000 (plus GST)
2012 calendar year: To be negotiated
2013 calendar year: 2012 fee plus CPI
2014 calendar year: 2013 fee plus CPI
- b) **any nett surplus from the operation of the facilities in any given calendar year shall be divided equally between the Town and the successful contractor.**
- c) **the successful contractor will be required to provide a monthly report that details:**
- **financial performance;**
 - **patronage;**
 - **customer/consumer trend analysis;**
 - **safety issues;**
 - **preventative maintenance that has been undertaken;**
 - **marketing initiatives that have been undertaken and/or have been planned;**
 - **special programs/activities that have been programmed or undertaken;**
 - **continuous improvement initiatives; and**
 - **any other information that is mutually agreed as being relevant to the operations of the facilities.**
- d) **the successful contractor shall be required to establish a community and industry based advisory board. The composition of this committee shall be approved by the Town of Port Hedland prior to its initiation. The contractor shall be required to coordinate meetings with this group on at least a quarterly basis and provide a written report to the Town on issues, initiatives and actions that are proposed from this group.**

- 4) **The tender assessment criteria for the selection of the contractor shall be as follows:**
- a) **Acceptance of mandated financial arrangements. (Pass/Fail)**
 - b) **Service delivery model proposed (50%)**
 - c) **Previous experience at operating similar facilities (40%)**
 - d) **Local supplier/contractor (10%)**

CARRIED 7/0

7.16 pm Councillor Kelly A Howlett entered the room.

11.4.2.2 Kerbside Recycling: Community Survey Results (File No.: ...)

Officer Chris Adams
Chief Executive Officer

Date of Report 21 August 2009

Disclosure of Interest by Officer Nil

Summary

To consider the results of a random telephone survey of owner/occupiers to gauge community opinion in relation to Kerbside Recycling.

Background

In late January 2009 the PRC advertised an Expression of Interest (EOI) for the potential delivery of kerbside recycling throughout the Pilbara via a consolidated service contract with the Regional Council. The purpose of the EOI was to determine:

- Who was willing to provide a service.
- What service/s they were willing to offer.
- Which Town's communities they were willing to offer services to.
- What products they were willing to recycle
- An indication of the likely costs for the service

The submission period closed in late February with four submissions being received – two of which were deemed to be compliant. The compliant submissions offered similar services with both offering fortnightly collection of

- Paper
- Steel
- Aluminium
- Cardboard
- Plastics
- Glass (if it can be reused locally)

Under the proposals from the tenderers, residents would be provided with a recycling bin at their home. The fortnightly bin collections would be sorted at materials recovery facilities (MRF's) that would be established in Karratha, Port Hedland and/or Newman, depending on the successful tenderer. The estimated service costs varied depending on the tenderer and the township location with some localities being more expensive to provide recycling services to than others. In the Town of Port Hedland's case, the anticipated service cost is in the middle-range of costs when compared to other localities.

At its Ordinary Meeting held on 27 May 2009, Council considered whether to be involved in a Regional Kerbside Recycling Request for Tender. Council resolved as follows:

“That Council advises the Pilbara Regional Council that:

i) the Town of Port Hedland is proposing to consult widely with the local community prior to making a decision on whether to participate in the proposed Pilbara Kerbside Recycling Tender; and

ii) Council is likely to make a decision on this matter at its July Ordinary Council Meeting (scheduled for 29 July 2009).”

A community consultation survey was undertaken via telephone to assist Council to collate views and opinions from local residential property owners/occupiers, on the Pilbara Regional Council’s proposal to implement a kerbside recycling service in the Region.

Consultation

The Town has conducted a random phone survey to seek the opinion of residents on whether they would like to see the introduction of kerbside recycling service. The survey also sought to determine the willingness of ratepayers to pay extra for this service.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

The following statements from the Town’s Plan for the Future support the development and implementation of a kerbside recycling service.

Waste Management Goal: That the Town of Port Hedland is recognised as a regional leader in Waste Management.

Strategy 1: Progressively develop the South Hedland Landfill Facility in accordance with the Landfill Strategic Plan.

Strategy 2: In conjunction with other Pilbara Regional Council, implement the Pilbara Regional Waste Management Strategy with a particular focus on opportunities for the development of sustainable reuse and/or recycling of waste materials.

Strategy 3: Implement a green waste/mulching program that services both Council and the community’s need for mulch.

Leadership Strategy 4: Work with other Pilbara Regional Council to implement agreed actions that achieve measurable benefits to the Town of Port Hedland community.

Budget Implications

While the actual cost to Council and ratepayers would ultimately be determined through the proposed tender process, the EOI did provide some indication of the likely costs of providing the proposed service. In the Town of Port Hedland's circumstance, the EOI proponents indicated that the service would cost up to **\$215** per property per annum to operate.

If Council wishes to pursue this matter it needs to recognize that the cost to Council is likely to be in the vicinity of **\$1,300,000** per annum. These figures are also contingent on economies of scale being achieved through a joint tender process with other Pilbara local government authorities.

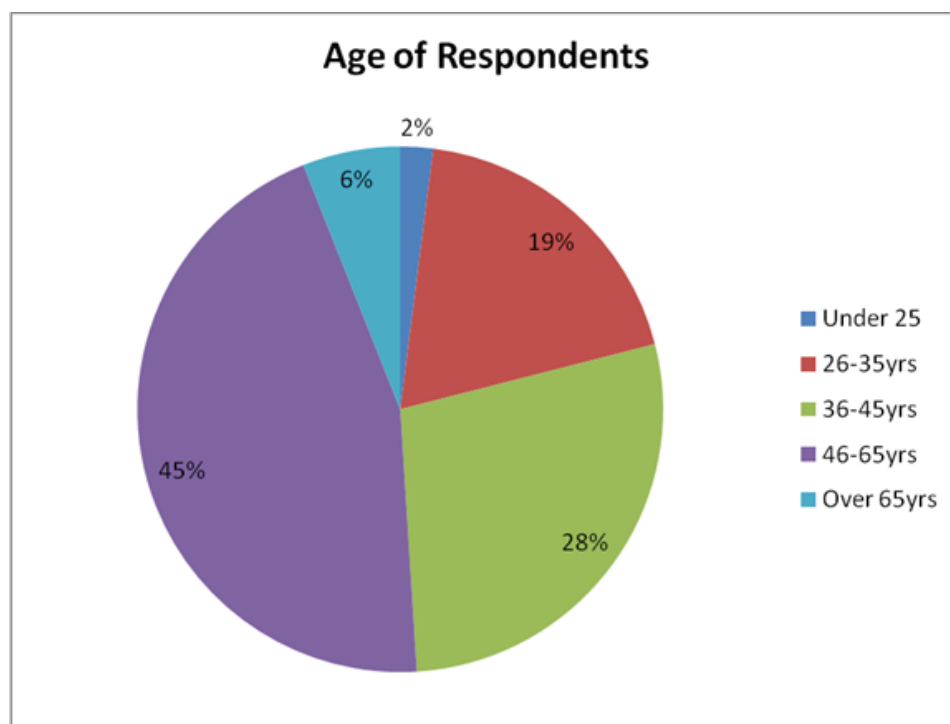
Officer's Comment

Survey Results

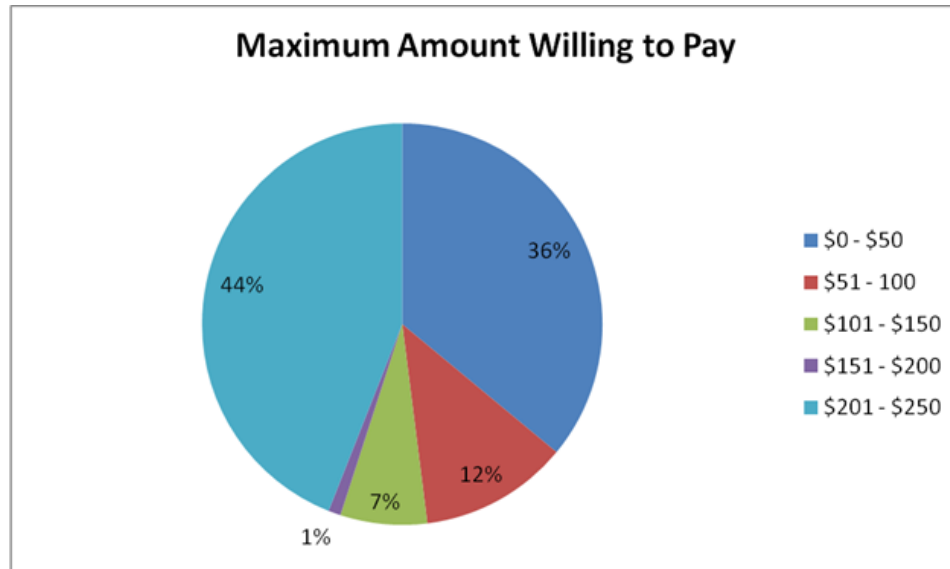
200 homeowner/occupiers of the Town of Port Hedland were randomly selected from Council's rates data base, to be surveyed by telephone. The survey was conducted on both week days and weekends, and at various times of the day. 144 responses were received.

Key statistics from Kerbside Recycling Survey include:

- The ratio of respondents was 54% Male, 46% female.
- 50% of respondents came from Port Hedland/Pretty Pool, 49% lived in South Hedland and 1% lived in other locations
- The following graph indicates the age profile of respondents:



- **97%** of respondents indicated that they supported the introduction of kerbside recycling within the Town. This number fell to **55%** if it meant a 12% increase in rates.
- The following graph indicates the maximum amount that the respondents indicated that they were willing to pay for kerbside recycling:



Where to From Here – Progress of Kerbside Recycling

To progress the Expression of Interest (EOI) Process for Kerbside Recycling in the Pilbara by the Pilbara Regional Council, a decision is required from each of the four Pilbara Council's indicating if they are willing to be involved with the proposed PRC tender process. The other Pilbara Council's have indicated the following:

- Shire of Ashburton: Are not interested in being involved with the proposed regional kerbside recycling tender.
- Shire of East Pilbara (SOEP): May be interested in being involved if economies of scale can be achieved. Note: SOEP has a limited fortnightly kerbside recycling service already in operation and existing contractual relationships would need to be considered.
- Shire of Roebourne: Have demonstrated some interest in the proposal but are yet to confirm their formal position.

If agreement can be reached around what style of recycling service can/should be operated regionally, appropriate contract documents will need to be drafted with contract management responsibilities being determined.

A key challenge facing the process is the fact that there are differing levels of support for this concept within the region. Additionally, there is debate whether this is the sort of role that the PRC should be playing or not.

Options that Council has in relation to this matter include:

- Option 1: Council resolves to not pursue the concept of kerbside recycling at this stage.
- Option 2: Council advises the PRC and other Pilbara Councils that:
 - It is interested in pursuing the concept of a regional or sub-regional kerbside recycling tender.
 - It is willing to work through either the PRC or with direct relationships with other Council's to examine alternatives to achieve kerbside recycling.
 - The earliest possible date for introduction of the service (from a Town of Port Hedland perspective) would be 1/7/2010, so as to align the process with a rating year.
- Option 3: That Council resolves to develop its own tender for the provision of a kerbside recycling service (ie with no regional cooperation.)

Given the level of community support for the proposed service, Option 2 is recommended. While Option 3 may be considered, research undertaken in the Pilbara Regional Waste Management Plan indicates that recycling on a local municipal level is unlikely to be economically viable at this stage.

Attachments

Copy of Survey Questions asked.

200910/068 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: CrA A Gear

That Council:

advises the Pilbara Regional Council (PRC) and other Pilbara Councils that:

- i) **the Town of Port Hedland is interested in pursuing the concept of a regional or sub-regional kerbside recycling tender;**
- ii) **the Town of Port Hedland is willing to work through either the PRC or with direct relationships with other Council's to examine alternatives to achieve kerbside recycling; and**
- iii) **the earliest possible date for introduction of the service (from a Town of Port Hedland perspective) would be 1/7/2010, so as to align the process with a rating year.**

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.4.2.2

COMMUNITY SURVEY : KERBSIDE RECYCLING

SECTION 1 – BACKGROUND

This community consultation survey is to assist Council to collate views and opinions from local residential property owners/occupiers, on the Pilbara Regional Council’s proposal to implement a kerbside recycling service in the Region.

200 homeowner/occupiers of the Town of Port Hedland have been randomly selected from Council’s rates data base, to be surveyed by telephone. Your views and opinions are important to Council.

It is anticipated that the results of this survey will provide Council with the level of willingness from the Town’s residential owner/occupiers to pay for a new kerbside recycling service.

SECTION 2 – BACKGROUND

1. Do you support the introduction of kerbside recycling throughout the Town of Port Hedland?

Yes

No

2. Are you willing to support kerbside recycling if it means an increase of up to 12% to annual rates charges?

Yes

No

3. Up to how much would you be prepared to pay per annum for a new kerbside recycling service?

\$0 to \$50

\$51 - \$100

\$101 - \$150

\$151 - \$200

\$201 - \$200

SECTION 3 – ABOUT YOU

To assist us in analysing this survey, please answer the following questions about yourself and your household.

4. Are you

Male

Female

5. Into which of the following age groups do you fall?

Under 18 yrs

18-25 yrs

26-35 yrs

36-45 yrs

46-65 yrs

Over 65 yrs

6. In which part of the Town do you live? *(Please tick one box only)*

Aboriginal Community (e.g. Yandeyarra)		Pretty Pool	
Cassia		Rural Property	
Cooke Point		Shellborough	
Koombana		Walnut Grove	
Lawson		Wedgefield	
Port Hedland		Other (Please Specify)	

7. Please tick the box below that most accurately describes your ethnicity.

Aboriginal/
Torres Strait Islander

Non – Aboriginal

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

12.1 Regulatory and Community Services

12.1.1 *Membership of the Pilbara Regional Planning Committee (File No.: 18/07/0002)*

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 20 August 2009

Disclosure of Interest by Officer Nil

Summary

Council has been requested to nominate a representative to the regional planning committee currently being proposed by the Western Australian Planning Commission and so a nomination is proposed.

Background

In December 2008 the Western Australian Planning Commission (WAPC) resolved to establish regional planning committees for the Kimberley, Pilbara and Mid-West Regions. These committees are aimed at achieving *“A simplified, staged and decentralized approach to regional planning, focusing on key priorities and strategic areas or activities [that] can lead to faster decisions and actions.”*

While the role of the committees has not been described in detail, it is anticipated that they will initially develop a regional planning strategy for the region, (with the support of the Department of Planning) and provide advice to the WAPC on the establishment of a simplified regional planning scheme. In the medium term it is anticipated the committees will play on a development assessment role, where regionally significant developments are proposed.

The committees will all be chaired by the chairman of the WAPC and membership of the Pilbara Regional Planning Committee will include a member each from two local governments, of which the Town of Port Hedland is one. The two local governments not requested to provide a committee member will be asked to provide “an alternative”.

Additional nominees can be suggested to WALGA which has been asked to put forward a list of nominees.

Consultation

Nil

Statutory Implications

Membership of Regional Planning Committees is prescribed in clause 8(2) of the Planning and Development Act 1995, which states:

- “(2) A regional planning committee is to consist of—*
- (a) the chairperson, or a person nominated by that person and approved by the Minister;*
 - (b) the chief executive officer, or a person nominated by that person and approved by the Minister;*
 - (c) a person approved by the Minister and appointed by the Commission as having practical knowledge of and experience in community affairs;*
 - (d) not less than 2 persons approved by the Minister and appointed by the Commission from a list of the names of persons representing the interests of the local governments within the whole or part of the regions for which the regional planning committee is established submitted to the Commission by WALGA;*
 - (e) a person nominated by the Regional Minister, approved by the Minister and appointed by the Commission to represent the interests of the commission or commissions as defined in the Regional Development Commissions Act 1993 within the whole or part of the region for which the regional planning committee is established;*
 - (f) a person approved by the Minister and appointed by the Commission as having practical knowledge of and experience in one or more of the fields of urban and regional planning, commerce and industry, engineering, surveying, valuation, transport, housing, heritage, environmental conservation, natural resource management, urban design, the planning and provision of community services or infrastructure, or community affairs; and*
 - (g) such other person or persons as the Commission, after obtaining the approval of the Minister, appoints from time to time”*

The invitation in this instance, is to nominate a person whose name will be submitted to WALGA for consideration under clause (d). WALGA will then submit names to the commission in accordance with the Act.

Policy Implications

Nil

Strategic Planning Implications

While not specifically addressed in Council's "Plan for the Future", support for this committee is consistent with the plan's objectives.

Budget Implications

The proposal does not entail any direct expenditure; however it is likely that many of the committee meetings will be held elsewhere in the Pilbara, or in Perth. Attendance costs associated with meetings will not exceed provisions within Council's operating budget.

Officer's Comment

It is clearly appropriate for the Town of Port Hedland to be properly represented on a regional planning committee as it could be detrimental to the future development of the Town to not have the town's interests put clearly and vigorously before the committee when regionally significant decisions are being taken.

While there has been no specific request for nominees to be either members of Council or professional staff, it is recommended that a member of staff be nominated as the committee's work has the potential to impact on, or closely align with the town's own strategic town planning activities and a more detailed understanding of planning legislation and practice will benefit the town's position.

It is anticipated that membership of the committee will include elected members when nominations are considered under clauses 8(c) (g) and (f) of schedule 2 of the Act.

In this instance however, it is recommended that a staff member be nominated. This is important, in part because the work of the committee will align with the work of the Pilbara Infrastructure Planning Committees, in which the CEO and Director Regulatory and Community Services participate.

The other advantage of representation by an officer of Council rather than a member or a nominee from the general public, relates to accountability. A nominee who is a Council employee is bound to work at all times within the objects of Council's policy and strategic plan etc. Unless a member of Council's nomination is conditional upon remaining on Council i.e. nomination is withdrawn should the member not be re-elected, the Council has no assurance that the Town's representative will be working in a direction that is totally consistent with Council's objectives.

It is suggested that the Director Regulatory and Community Services, as Council's senior officer responsible for urban planning, is the most appropriate person to be nominated to represent the Town of Port Hedland on the Pilbara Regional Planning Committee.

Attachments

WAPC's letter calling for nominations to regional planning committees.

- 7.28pm - Cr Kelly A Howlett moved and Cr Arthur A Gear seconded to suspend standing orders.
- 7.29pm - Cr Jan E Ford moved and Cr Arnold A Carter seconded to resume standing orders.

200910/069 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr J M Gillingham

That Council:

nominates the Director Regulatory and Community Services to represent the Town of Port Hedland on the Pilbara Regional Planning Committee in accordance with Clause 8(2)(d) of Schedule 2 of the Planning and Development Act 1995.

CARRIED 8/0



Enquiries: Stacey Towne (9264 7621)
Our Ref: WAPC/09/0088

Mr Chris Adams
Chief Executive Officer
Shire of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

2009/403

TOWN OF PORT HEDLAND	
RECORD No.	09/04/64
OFFICER	MIP
16 JUL 2009	
FILE No.	18/07/0002
ACTION DATE	RRP Council

Reports

Dear Mr Adams

Regional Planning Committees

I am writing to inform you of the recent decisions and progress towards establishment of new regional planning committees of the Western Australian Planning Commission (WAPC).

Project approvals are the primary drivers for land, housing and infrastructure in the regions of Western Australia. A simplified, staged and decentralised approach to regional planning focusing on key priorities and strategic areas or activities can lead to faster decisions and actions.

Regional planning is a key reform for the WAPC and the Department of Planning (DoP). In December 2008, the WAPC resolved to establish regional planning committees for the Kimberley, Pilbara, and Mid-West Regions. The WAPC further resolved in April 2009 to replace the Ningaloo Sustainable Development Committee within a regional planning committee for the Gascoyne, to build on and broaden the work of the Ningaloo Sustainable Development Committee.

Expressions of interests for membership nominations are currently being invited, with regional planning committee members being sourced from across State and local governments, industry and the community with a preference for people working in or for that region. Each regional planning committee will be chaired by me, as Chairman of the WAPC.

In accordance with Clause 8(2)(d) of Schedule 2 of the Planning and Development Act 2005, membership of each committee is to include at least two persons representing the interests of the local governments within the region for which the regional planning committee. The Western Australian Local Government Association (WALGA) has been asked to put forward a list of recommended nominees in this regard. If you are interested in nominating, or would like to suggest the nomination of another local government representative, you may wish to contact Ms Ricky Burges at WALGA.

It is anticipated that two of the local governments in each of the Kimberley, Pilbara and Gascoyne Regions will provide a member each, with the other two providing alternates. In the Mid-West a member will be drawn from each of the Batavia North, Midlands and Murchison groups of councils (three members altogether) with alternates for each.



wa.gov.au

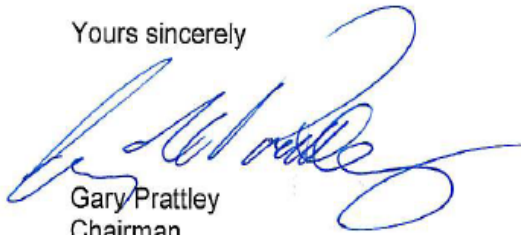
Albert Facey House, 469 Wellington Street (cnr Forrest Place), Perth, Western Australia 6000
Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infoline: 1800 626 477
e-mail: corporate@planning.wa.gov.au; web address: <http://www.planning.wa.gov.au>
ABN 35 482 341 493

Devolution and collaborative leadership are strong regional governance themes at the centre of each regional planning committee. They will consolidate strategic planning across government in order to develop firstly a regional planning strategy for their region with support from the Department of Planning. They will then give consideration to the merits of establishing a simplified region planning scheme for the whole region or sub regions (containing priorities, controls and actions) and provide advice on this matter to the WAPC.

In the medium term, the regional planning committees in the Kimberley, Pilbara and Mid-West are expected to take on a development assessment role for matters of regional significance. The Gascoyne Regional Planning Committee will have delegated decision-making powers with respect to the Ningaloo Coast Regional Interim Development Order currently held by the Ningaloo Sustainable Development Committee.

The committees are to plan for matters of a more regional and strategic significance. They are to deal with major regional planning policy issues as well as guide, assist and provide broad direction for local government. I assure you that their role is not to usurp local planning decision making, but to ensure more regional influence in broader regional strategic planning.

Yours sincerely



Gary Prattley
Chairman
Western Australian Planning Commission

10107189

12.2.1 **Staff Housing at the Port Hedland International Airport**

Officer Laura Jackson
Airport Landside
Development Officer

Date of Report 20 August 2009

Disclosure of Interest by Officer Nil

Summary

Council has allocated funds in the 2009/10 Budget for the construction of housing at the Port Hedland International Airport. Council needs to determine a suitable location for the housing that considers the overall plans and directions of the future development of the airport.

Background

At its January 2009 meeting Council considered a report on Staff Housing issues and developments. One project that was discussed was the proposal to construct caretakers style housing at the Airport to accommodate Council and other staff who are based at the airport (i.e. hire car companies, RFDS, etc.) The report included the following commentary.

“Airport Housing

Current Status

Airport Master plan being developed. This plan will identify the preferred location for proposed development. Geotechnical investigations being undertaken

Options

Wait for Airport Master Plan to be completed to determine best location then advertise design/construct tender; or Reallocate funds for other project.

Financial Considerations

Budget of \$1.5M in 2008/09

Unsure at this stage whether this amount will pay for 6 houses as servicing costs are likely to be high

Highly unlikely that the \$1.5M will be spent by June 2009.

Recommended Action

Wait for Airport Master Plan completion before determining direction.”

At that time the Council resolved (in part) to ‘Note the status of the proposed Airport Housing development and the Morgan’s Street Unit development.’

The Airport Master Plan is still in development and requires a final consultation with the planning consultant and the airport working group prior to finalization.

At the Airport working group held on the 19th August 2009, clearer direction was obtained on the preferred land uses and developments on the various tracts of vacant airport land. These directions are being drafted and will be presented back to the working group, airport stakeholder and Council prior to final adoption of the plan.

While progress is being made on the development of the final plan, an issue that can be resolved relatively quickly is the location of the proposed housing. Given the intent to build these houses in 2009/10, it is necessary to identify a preferred location in the short term.

The working group identified two possible locations for staff housing as identified in Appendix 1.

Consultation

Airport Working Group
Manager of Planning

Statutory Implications

Housing and or Caretakers Dwelling's on the Airport land are currently '**not permitted**' within the Town's Planning Scheme. This issue will need to be addressed as a component of the proposed development. This will require a Scheme Amendment.

Policy Implications

The provision of Staff Housing is a component of the Council's Code of Conduct for staff.

Strategic Planning Implications

KEY RESULT AREA 1- 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.

KEY RESULT AREA 4- ECONOMIC DEVELOPMENT

Goal 4- Land Development Projects

Strategy 6: Progress implementation of the Town of Port Hedland Staff Housing Strategy with the aim of making staff housing more self-supporting.

Budget Implications

In the 2009/10 budget council has allocated \$1,470,000 for staff housing at the airport. (Account No. 901424 - Airport Housing). As Council owns the land, this development involves the purchase and delivery of housing units.

Officer's Comment

The proposal to construct housing at the Port Hedland International Airport has been agreed to by Council for at least 18 months. The development of the project has been delayed due to uncertainty regarding the overall development plans for the airport. While these plans are yet to be finalized, there is clearer direction on where housing could/should be constructed. The need for housing still remains critical and prompt attention to this issue is required.

As per the attached map, two potential areas for airport staff housing have been identified.

Area 1:

The benefits of selecting area 1 for the airport housing is that there is a large enough area to accommodate more houses than are proposed to be built therefore allowing potential expansion. Access to the site is somewhat constrained as access from the Great Northern Highway is unlikely to be granted.

Area 2:

Two airport houses are currently situated in this area. This site offers the opportunity to co-locate all of the housing in the one locale rather than spreading the location of the houses out. It is, however, a smaller site meaning that fewer houses could be developed in that location at a later date.

Attachments

Map indicating the alternate locations for staff housing at the Port Hedland International Airport

200910/069 Council Decision/Officer's Recommendation

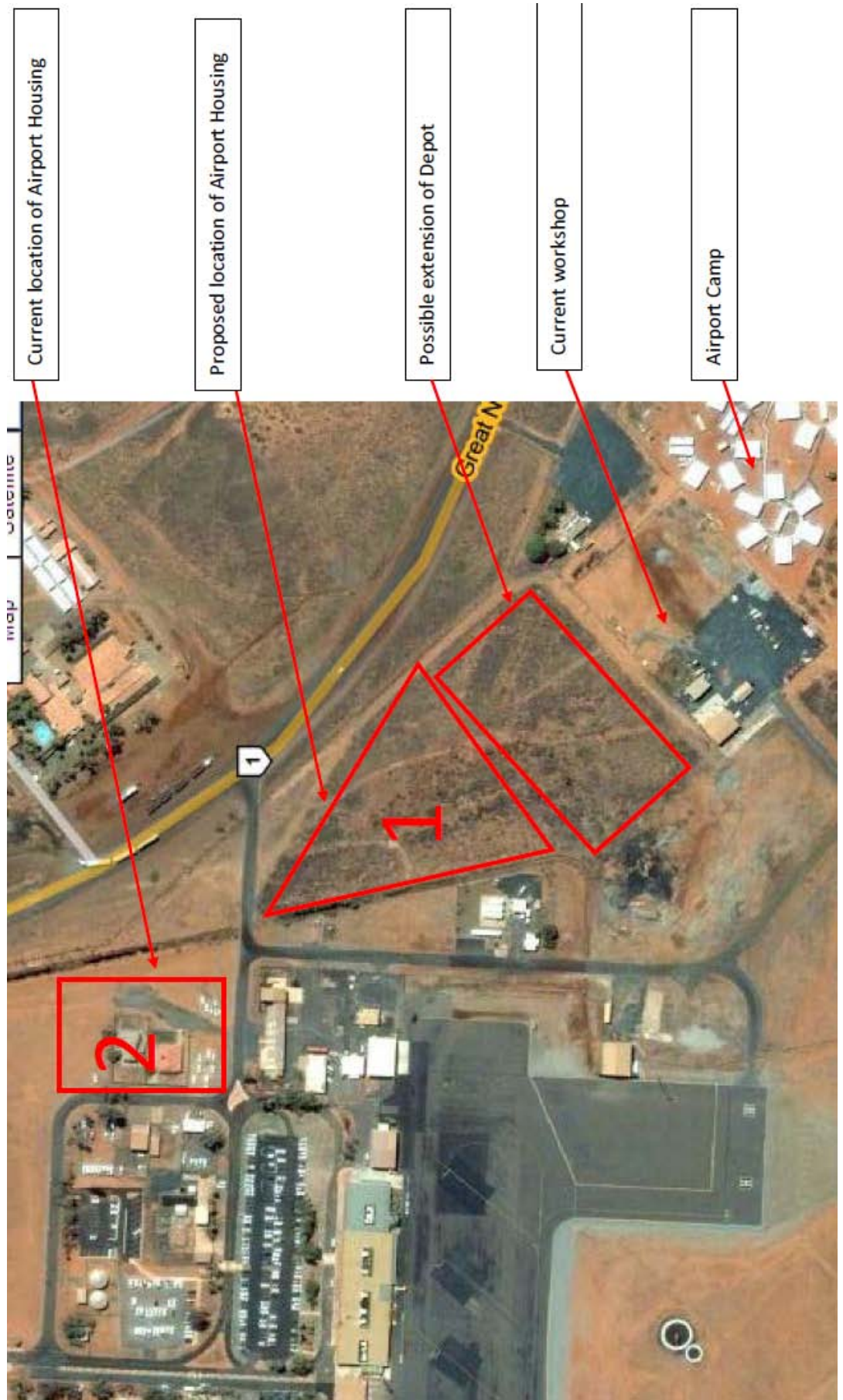
Moved: Cr A A Gear

Seconded: Cr G J Daccache

That Council:

Selects Area 2 (as per the attached map) as the preferred site for Airport Staff housing.

CARRIED 8/0



12.3 Regulatory and Community Services

12.3.1 Proposed Artwork – Marrapikurinya Park (File No.: 21/05/0004)

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 26 August 2009

Disclosure of Interest by Officer Nil

Summary

To consider granting approval in principle for the installation of public artwork at Marrapikurinya Park, Richardson Street, Port Hedland.

Background

Council has received an application from Elke Rhodes of Port Hedland Education Partnership (PHEP) requesting approval for The Hedland Harmony Tree Project to be installed at Marrapikurinya Park on the commencement of the grass strip leading to the harbor, adjacent to Wedge Street near the Robinson Street frontage.

Marrapikurinya Park is situated over three reserves and three lots. Reserve 30534 (Lot 6182) is the portion which the artworks is proposed to be erected and this is vested in the Town of Port Hedland for the purpose of Parking, Public Amenities & Club Room. The lots which house the playground equipment and park area are in the ownership of BHP and leased by the Town of Port Hedland.

It is understood that the structure would be constructed at no cost to Council and that the Town of Port Hedland would assume ownership upon completion.

Structural engineer drawings have been provided which also depict the design of the artwork. (Refer attachment 1)

The proposal is not in conflict with Council's Town Planning requirements or the effective functioning of the park. If the proposal is approved by Council a planning application will be sought and determined under delegated authority without direct reference back to Council.

Consultation

The applicant advises that:

“I have had discussions with Mike Jose from BHP regarding the sculpture being placed in Marapikurrinja Park as Marapikurrinja Park has great aboriginal significance to the Kariyarra people. BHP would be very happy with this as would the Kariyarra people.”

As the land is of significance to the traditional owners, appropriate comment will be sought in considering a planning application. A formal letter or other instrument transferring ownership of the artwork to the Town of Port Hedland, will also be sought.

Statutory Implications

Nil

Policy Implications

Council policy 7/002 Acquisition and Management of Artworks is generally silent on this matter but Council has indicated its desire to see donated artworks considered by the Development approvals process, with fees waived.

Strategic Planning Implications

KRA 3 Community Pride

Goal 5 Arts and Culture

Strategy 2.- “Develop a public art policy/strategy and install art in key locations within the town”

Budget Implications

There is no direct cost to Council in accepting this proposed development of Marrapikurrinja Park. There is unlikely to be an onerous maintenance burden in the future.

Officer’s Comment

At the commencement of this project students involved in the “Follow the Dream Project” at the South Hedland Senior High School created their first drawings and suggestions of their ideas of harmony, reconciliation and the community working together. Randall Canning, the sculpture artist, provided railway spikes which were used as the community of people on the tree. The spikes were sandblasted and bent into shapes. The remainder of the sculpture was produced from recycled steel, donated steel pipes and parts of steel which came from old Goldsworthy railcars and a light pole.

The sculpture tree stands at a height of 4 metres and has a width also of 4 metres. PHEP are proposing to unveil the sculpture on

19th September inviting various dignitaries and members of the community.

A summary of the project as advised by PHEP is as follows:

“.....The [Hedland Harmony Tree] Project was initiated in 2009 by indigenous students who participate in the after school education project delivered at the local Enrichment Centre (Kurtakalku Maya or Learning Home for Kids) by the Port Hedland Education Partnership (PHEP).

The partnership is comprised of BHP Billiton Iron Ore, The Graham (Polly) Farmer Foundation, The Western Australian Department of Education and Training and the Department of Education, Employment and Workplace Relations.

There are forty aspirant aboriginal students at Hedland Senior High School from Years 8-12 enrolled in the PHEP project, which is part of the state-wide “Follow the Dream/Partnerships for Success” program.

The Harmony Tree project is a collaborative sculpture that addresses the lack of pride and self esteem prevalent among indigenous students and the indigenous community in relation to Aboriginal culture and working with people of other cultures. The project is also about changing the negative perceptions of non-indigenous students and community members in general about indigenous people and their culture.

..... In reflecting on the Partnership, Acceptance, Learning and Sharing as a reconciliation initiative students looked at where we are now, what has been achieved and what remains to be done to take reconciliation forward. The Harmony Tree project is built on this foundation.

.....The sculpture with the tree symbol and the variety of people positioned on the tree depict our whole community in Hedland as a caring and sharing local community: people are reaching out and working, walking and playing together. In traditional Aboriginal culture all family members are related in their position in the community and the tree shows that indigenous kinship structures have never disappeared. The decorated symbolic tree depicts the old and the new community with the Indigenous society and contemporary society in a working together union.....”

The Hedland Harmony Tree is significant in its cultural heritage and design purpose and Marrapikurinya Park is seen as an appropriate place for the installation of this sculpture.

The proposed placement which is adjacent and central to Wedge Street when looking northwest towards the harbor would be a main feature and further improve the Town Centre and West End development.

The safety of the sculpture has yet to be assessed, in light of the short time available to consider the proposal; however this matter can be addressed during determination of a planning application.

The Harmony Tree project has resulted in the design and construction of a locally significant, quality artwork that is felt to be very suitable for installation in Marrapikurinya Park. Subject to finalization of the exact site and clarification of other matters to be addressed in a planning application the proposal is fully supported.

Attachments

- Drawing and Structural Engineer details of The Hedland Harmony Tree.
- Site plan indicating the proposed location of the sculpture.

200910/070 Council Decision/Officer's Recommendation

Moved: Cr J M Gillingham

Seconded: Cr A A Carter

That Council:

That Council grants in-principle approval for the installation of the artwork "The Hedland Harmony Tree Project" on Reserve 30534 (Lot 6182) Richardson Street, Port Hedland with the intention of having specific details relating to the installation addressed in a planning application.

CARRIED 8/0

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Refer to Item 14.1.2 'Confidential Item – Legal Matter: Notice of Motion'

7.32pm - Cr Arthur A Gear moved and Cr Jan M Gillingham seconded that Council be moved into camera for Confidential items.

ITEM 14 CONFIDENTIAL ITEMS

14.1 Infrastructure Development

14.1.1 *Confidential Item: Appointment of New Directors (File No.: ...)*

200910/071 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That Council:

- i) endorse the appointment of Mr Russell Dyer as the Director Engineering Services with a salary of \$135,000 per annum and a total package of \$191,490 per annum including superannuation, housing allowances, private vehicle usage and a uniform allowance; and**
- ii) endorse the creation of the positions of Director of Community Services and Manager Economic Development.**

CARRIED 8/0

14.1.2 Confidential Item – Legal Matter : Notice of Motion

Moved: Cr G D Bussell

That staff negotiate with Pilbara Earthmoving to prepare a final draft management plan for Council's consideration at the September Council Meeting.

Officers Comment

The Notice of Motion refers to current legal action between Sunsatin regarding long standing non-compliance with the Town's Planning Scheme. The non compliance matter has been raised several times over but the most recent action commenced in March 2008.

Key dates associated with this current action have been listed below:

13 March 2008: 30 days letter regarding unauthorised dumping of material and unauthorised use of the land.
13 June: 2008 Memo to Elected Members informing of legal action against owners of Lot 2 Quartz Quarry Road, South Hedland Rural Estate – illegal development operation of home business & earth moving storage of equipment.
17 June 2008: David Macpherson – 7 day letter requesting that bulk earthworks application be submitted.
6 November 2008: Alleged illegal matter handed to Town's Solicitors.
24 November 2008: Signed Court Hearing & Prosecution Notices forwarded to Towns Solicitors.
20 January 2009: Correspondence between Towns Solicitors and Sunsatin Holdings Pty Ltd (Pilbara Earth Moving & Contracting).
27 May 2009: Council advised of Court hearing date.
7 July 2009: Hearing date. Applicants pleaded not guilty. Court hearing date set down for November 2009

While the applicant has pleaded not guilty and is preparing to go to court on this matter to defend their position, they have concurrently proposed developing a management plan for Council's consideration on how it will comply with the Town Planning Scheme over time. This option is at odds with the plea of not guilty. An incomplete draft management plan has been provided to the Town. The applicant has been advised/requested to provide Council with a completed plan so that legal and operation implications of the plan can be considered. This is yet to be received.

The Town's lawyers have been briefed on this matter and have advised the following:

- "1) I note that officers are being requested to complete a draft "management plan" which has some 12 blank spaces.*
- 2) I have grave reservations about officers giving advice that*
 - might be of a legal nature;*
 - may compromise legal proceedings; and*
 - should in any event be proposals from McPherson to cease the illegal use.*
- 3) The continued proposals from McPherson are totally at odds with the plea of "not guilty".*
- 4) I am concerned that representations are being made on behalf of MacPherson's when they are continuing to openly breach the Planning and Development Act for purely commercial reasons. They have no defence and if their behaviour continues to be tolerated it will create an unfortunate precedent for future enforcement actions by the Town."*

More detailed advice has also been provided to Council on Councillor representations and statements on this matter. A further copy of this advice has been appended to this Notice of Motion.

While a negotiated settlement may be achievable on this matter, it is the proponent's responsibility to come up with a proposal on how they believe that they can comply with the TPS requirements. Recent actions undertaken by the proponent (ie. Failure to provide a draft management plan and entering a plea of not guilty) would seem to suggest that they are not interested in resolving this matter via agreement and are more interested in resolving this matter in court.

Attachments

- 1 McLeods legal advice to ToPH 8/7/09
- 2 McLeods ltr to Avon Legal 5/8/09
- 3 McLeods ltr to Avon Legal 11/8/09

200910/072 Council Decision/Officer's Recommendation

Moved: Cr KA Howlett

Seconded: Cr A A Gear

That Council:

notes the status of current legal proceedings between the Town and Sunsatin Holdings.

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 13.2



Our Ref
Your Ref

PW:MK:PORT-24541

8 July 2009

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

Attention: Mr R Bairstow/Mr T Sargent

Dear Sir

Briefing to Councillors: 30 June 2009

I refer to my briefing to Councillors on 30 June 2009. I confirm:

Prosecution: Lot 2 (No. 545) Quartz Quarry Road, South Hedland

1. The Town's Administration took the view that there was insufficient benefit in the "Management Plan" prepared by Insite Planning to make it worthwhile to report to Council on the option of departing from the present course of action endorsed by Council. That course of action is to proceed with the prosecution against Sunsatin Pty Ltd in the ordinary way, and to seek a conviction and as high a penalty as the Magistrates Court is prepared to impose.
2. Whilst the briefing session was not a decision-making forum, none of the Town's Councillors present had any difficulty with Administration's position in that regard, and all Councillors present expressed their confidence in the judgment of Administration that the Management Plan did not justify returning the matter to Council for further consideration.
3. However it was noted that procedures did exist under the Local Government Act for interested Councillors to request a special meetings of Council.
4. The briefing did fully cover the merits and demerits of the 2 options that we considered reasonably open to Council, namely:
 - to proceed with the prosecution against Sunsatin Pty Ltd in the ordinary course, with no attempt to invite the Magistrate to mitigate the penalty; or
 - to amend the accused from Sunsatin Pty Ltd to Mr MacPherson; to accept a plea of guilty from Mr MacPherson, but in return to make submissions on sentencing which would encourage the Magistrate to mitigate the penalty. Also, to enter into an agreement providing for a Management Plan with an somewhat indefinite period for cessation, indicatively 2011.

RECORD No. 09-03741
OFFICER... MIP
13 JUL 2009
FILE No. 154412G
ACTION DATE... N.P.
PREVIOUSLY TRANSMITTED



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David Nicholson (Associate)
Peter Gillett (Associate)

(24541-09.07.02-Port Hedland doc)

MIDLAND OFFICE: 85 SPRING PARK ROAD, MIDLAND
ALL CORRESPONDENCE TO CLAREMONT OFFICE

8 July 2009
Town of Port Hedland
Briefing to Councillors: 30 June 2009

McLeods
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5. We respectfully agree with Administration's judgment that the Defendant's proposed winding down period¹ at this site makes the second option, on balance, unattractive, and we have no difficulty with Administration's judgment that it provides insufficient justification for Council to alter its position. Nevertheless, as mentioned, the merits of each of these options were outlined.

Councillor Bussell's questions

6. I also spoke to Councillor Bussell's written questions:
- (1) What are the restrictions on Staff or Councillors speaking on a without prejudice basis, to the Defendants with a view to arriving at an out of Court settlement?
 - (2) What are the risks of excluding Councillors from carrying out their statutory duties under the LGA in liaison with residents and ratepayers, particularly with respect to procedural fairness or due process?
7. As this was a briefing rather than a request for written advice, it is beyond the scope of this letter to traverse the detailed briefing that I gave on these questions. However I will attempt to summarise very briefly some of the key points.
8. The concept of "without prejudice" is fraught with difficulties in the context of legal proceedings for offences, as opposed to civil proceedings. The doctrine of "without prejudice", strictly speaking, doesn't apply in relation to offences.
9. That said, in practical terms there need to be ways of attempting to negotiate outcomes where offences are either on foot or contemplated. With the doctrine of "without

¹ Advantages/justifications for the compromise approach:

- achieves certainty of result as to conviction;
- possibly some saving of legal costs;
- the penalty might be more conducive to actual relocation and continuity of business, although the penalty is always at the discretion of the Magistrate;
- The agreement for cessation represents at least a memorandum of understanding for cessation, although its legal enforceability is questionable. After all, if the agreement is breached, the Town's remedy is probably to commence further prosecution, which is the case with the alternative option anyway.

Advantages/justifications for proceeding with prosecution in the normal course:

- More likely to result in higher penalty;
- Higher penalty is appropriate for the commercial scale of the breach;
- Several warnings issued over a long period;
- Alleged oppressive financial impact of large penalty has not been substantiated – enquiries by Council staff suggest other industrial land reasonably available;
- Have been several quite long adjournments and still no plea, which does not give great confidence of a good faith approach by the accused;
- Problems with the enforceability of Deed or Management Plan;
- Inviting Magistrate to impose low penalty could set adverse precedent for other commercial scale breaches within the Town.

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prejudice” being inapplicable in an offence context, it is even more vital than ever that negotiations are carried out through the proper channels. This is the case for any kind of legal action, whether civil or for an offence, but for the reasons mentioned, it is even more acute in the case of an alleged offence.

10. The underlying premise of Councillor Bussell’s questions that a Councillor should liaise with residents and ratepayers, is quite clearly correct, *up to a point*. However, in the context of offences, particularly where proceedings are already on foot, the matter is *sub judice*, whereupon the local government needs to speak with one voice and needs to do so through proper channels. That will usually be Council’s solicitors, who in turn are instructed by Council Administration. Council employs professional staff precisely because they have expertise in relevant disciplines, which includes enforcement of local laws and town planning schemes. Council Administration in turn implements positions adopted by proper resolutions of Council.
11. Liaison with stakeholders quintessentially applies to the setting of policy, rather than the implementation of decisions, least of all decisions in relation to legal disputes and legal proceedings.
12. A number of the problems with individual Council members speaking with a defendant, were mentioned in the briefing. By way of example, if a defendant speaks with a single Councillor, and a Councillor deliberately or inadvertently acknowledges a contestable point in a manner unfavourable to the Town’s interests, then the defendant could give damaging evidence of what that Councillor said, or the Councillor could even be called as a witness.
13. Council members are required to “avoid damage to the reputation of the local government”: *Local Government (Rules of Conduct) Regulations 2007, Regulation 3(1)(d)*. Taking independent steps which could compromise the Town’s position in legal proceedings might potentially be a breach of that provision.
14. None of the above represents a discouragement of local governments achieving negotiated positions where possible and appropriate. However it is not appropriate for Councillors acting independently to attempt to negotiate resolutions of legal disputes.
15. I also mentioned that another vice of individual Councillor consultation in relation to legal disputes, is that Councillors do not have equality of information when it comes to making formal decisions on that legal dispute. Relatedly, the decision-making process lacks accountability, because the factors actuating Councillors’ decisions (such as discussions with the defendant) may not be documented (or not adequately documented) within Council’s record of deliberations.

Protection of pundul trees

16. I also addressed the question of protection of pundul trees. In broad terms, I confirm that a Local Planning Policy might be the most appropriate way of advancing

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Briefing to Councillors: 30 June 2009

McLeods
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protection. New subdivisions of previously-undeveloped areas were identified as the key opportunity for protection of pundul trees. However I confirm that I did not see any way that protection of pundul trees that could legally or practically be achieved for pundul trees in any sort of blanket way. A Local Planning Policy could only ever be applied on a discretionary basis, and the final decision on its application would not lie with Council. In the case of subdivisions, the decision would lie with the Western Australian Planning Commission, and there would be a further right of review to the State Administrative Tribunal. Despite this, I advised that Council would stand a greater chance of having pundul tree protection objectives met through having a Local Planning Policy, than through not having such a Policy.

17. Finally, such a Local Planning Policy would probably not be *confined* to pundul trees. It would probably include other native flora, however it is quite open to Council to give pundul trees a special degree of prominence within such a Local Planning Policy.

I trust that the above serves as an adequate summary of confirmation of matters addressed at the briefing, and if you require any specific written advice in relation to any of these matters, please contact my partner Geoff Owen who is resuming conduct of the file.

Yours faithfully



Peter Wittkhun
Partner

Contact: Peter Wittkhun
Direct line: 9424 6220
Email: pwittkuhn@mcleods.com.au

ATTACHMENT 2 TO AGENDA ITEM 13.2



Our Ref

Your Ref

GO:JC:PORT 24541

5 August 2009

Avon Legal
PO Box 89
MIDLAND WA 6936

Dear Sir

Prosecution: Town of Port Hedland v Sunsatin Pty Ltd

We refer to your letter of 29 July 2009.

We had considered as to whether that letter warranted a response and would strongly counsel reflection on your part and consideration of the relevant law before any further correspondence is sent.

The threshold concern of your client and your office appears to be alleged entry onto property without 'lawful purpose'. We assume you meant 'lawful excuse'.

Clause 9.1(c) of the Town of Port Hedland Town Planning Scheme No. 5 provides:

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

Our client is at a loss to understand the allegations in your letter. It is correct that an officer of the Town took photographs of your client's property at Lot 2 Quartz Quarry Road, South Hedland on 27 July 2009. The photographs were taken while the officer was standing on the gravelled shoulder. He was located no more than 1 metre off the bitumen paved carriageway.

The officer did enter Lot 2 Quartz Quarry Road. It was to respond to being hailed by the person (presumably an employee of your client). The officer walked some 20 to 30 metres into your client's property solely for the purpose of entering into conversation. No photographs were taken in the course of that conversation. As far we can ascertain greetings were exchanged and our client tendered a business card.

If in the event future entry is required into any property within the scheme area of our client's Local Planning Scheme No. 5, and is opposed, then a warrant will first be obtained pursuant to the provisions of Part 3 of the *Local Government Act 1995*.

We must say we have some difficulty understanding the combative nature of correspondence which are you are instructed to send. It is apparent from your client's letter of 20 July 2009



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5 August 2009

Town of Port Hedland

McLeods

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Prosecution: Town of Port Hedland v Sunsatin Pty Ltd

that the concern was in regard to the breach of the planning scheme that was drawn to your client's attention on 18 February 2009. Indications from the second paragraph of your letter of 29 July 2009 are that the cessation of the illegal use was a relatively recent occurrence.

We are instructed that an application has been received for planning approval for certain activities on Lot 3787 Munda Way, Wedgefield and can only assume that activities prior to the grant of an approval remain illegal.

Yours faithfully

**Geoff Owen
Partner**

Contact: Geoff Owen
Direct line: 9424 6208
Email: gowen@mcleods.com.au

ATTACHMENT 3 TO AGENDA ITEM 13.2



Our Ref
Your Ref

GO:bd:PORT 24541

11 August 2009

Avon Legal
PO Box 89
MIDLAND WA 6936

Dear Sir

Prosecution: Town of Port Hedland v Sunsatin Pty Ltd

We are instructed by the Town to write to you to ensure that no misunderstanding arises in the future in relation to a certain document.

We are instructed that a draft management plan was submitted to the Director Regulatory and Community Services of the Town of Port Hedland on 4th June 2009 seeking comment.

A further document still in draft and manifestly incomplete was sent to the CEO on 6th July 2009. It is understood that document was also directed to members on or about that date.

It is not open to either members or officer of the Town to provide any advice as to the contents of that management plan. Mr Broughton is an experienced and respected planner and if he or your client has any proposals then they should be put to the Town in a complete form.

Further, it is quite inappropriate to send incomplete documents to members. The functions of an elected member are set out in section 2.10 of the Local Government Act 1995 to which you may care to refer.

More relevantly the standards for members are included in the Local Government (Rules of Conduct) Regulations 2007. Regulation 9 contains a prohibition against a council member undertaking a task that contributes to the administration of the local government unless authorised by the Council or by the CEO to undertake that task.

It seems to us that to expect an elected member to somehow deal with an incomplete draft document is inviting a member to contribute to administration.

We cannot of course prohibit you or your client from addressing documents directly to elected members however, we felt it only appropriate to point out the two areas of concern presently expressed by the Town.

Yours faithfully

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7.40pm - Cr Jan E Ford moved and Cr Arnold A Carter seconded to resume out of camera.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

200910/073 Council Decision

Moved: Cr A A Carter **Seconded:** Cr A A Gear

That the following Applications for Leave of Absence:

- i) Councillor K A Howlett from Friday 18 to Tuesday 22 September 2009, inclusive; and
- ii) Councillor G J Daccache from Friday 18 to Wednesday 30 September, inclusive;

be approved.

CARRIED 6/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 23 September 2009, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 7.45pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 23 September 2009.

CONFIRMATION:

MAYOR

DATE