



AGENDA

Dear Hon. Commissioner Frederick Riebeling AM JP

I respectfully advise that an **ORDINARY COUNCIL MEETING** will be held in the **Civic Centre, McGregor St, Port Hedland**, on **Wednesday, 25 March 2020**, commencing at **5:30pm**

MEETING AGENDA ATTACHED

Yours faithfully

A handwritten signature in black ink, appearing to read "Carl Askew".

Carl Askew
Chief Executive Officer

19 March 2020

DISCLAIMER

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DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

Local Government Act 1995 – Section 5.65, 5.70 and 5.71

Local Government (Administration) Regulation 34C

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Administration) Regulation 34C</i>			
Name			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____ **Date:** _____

Important Note: Should you declare a **Financial or Proximity Interest**, in accordance with the Act and Regulations noted above, you are required to leave the room while the item is being considered.

For an **Impartiality** Interest, you must state the following prior to the consideration of the item:

“With regard to agenda item (read item number and title), I disclose that I have an impartiality interest because (read your reason for interest). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Order Of Business

Item 1	Opening of Meeting	6
Item 2	Acknowledgement of Traditional Owners and Dignitaries	6
Item 3	Recording of Attendance.....	6
3.1	Attendance.....	6
3.2	Attendance by Telephone / Instantaneous Communications	6
3.3	Apologies	6
3.4	Approved Leave of Absence	6
3.5	Disclosure of Interests.....	6
Item 4	Applications for Leave of Absence	6
Item 5	Response to Previous Questions	7
Item 6	Public Time	9
6.1	Public Question Time	9
6.2	Public Statement Time.....	9
6.3	Petitions/Deputations/Presentations/Submissions.....	9
Item 7	Questions from Members without Notice	9
Item 8	Announcements by Presiding Member without Discussion.....	10
Item 9	Declarations of All Members to Have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting	10
Item 10	Confirmation of Minutes of Previous Meeting	11
Item 11	Reports of Officers.....	12
11.1	Corporate Services	12
11.1.1	Statement of Financial Activity for the period ended 31 January 2020.....	12
11.1.2	Adoption Of The 2019/2020 Budget Half Year Review	16
11.1.3	2019 Compliance Audit Return	22
11.1.4	Offer on Lot 3 Kingsford Smith Business Park	26
11.2	Community Services	30
11.2.1	2019 Annual Perception Survey	30
11.3	Regulatory Services	36
11.3.1	Proposed Dedication of Constructed road shoulders of Wallwork Road at Wallwork Road Bridge.....	36
11.3.2.	Adoption of Heavy Vehicle Access Strategy.....	39
11.3.3	Development application for 'Highway Precinct' works - Lot 9008 Great Northern Highway, Port Hedland	43

11.3.4	Draft Local Planning Strategy and Draft Local Planning Scheme No 7 and Resolution to proceed to advertise.....	61
11.4	Infrastructure Services	69
11.4.1	Award of Tender RFT1920-14 – Residential (Staff) House Builds Sutherland Street.....	69
11.4.2	Award of Tender RFT1920-17 Design construct and install modular home.....	73
11.4.3	Endorsement of 'South Hedland Entry Statement' Landscaping Works for Public Comment.....	77
11.4.4	Design and Construction of Seawalls at the West End, Sutherland Street and Goode Street.....	83
11.4.5	Award of Tender RFT1920-11 Shoata Road Reconstruction and Seal	89
11.4.6	Endorsement of 'West End Amenity Upgrade' for public consultation	94
Item 12	Reports of Audit, Risk and Compliance (ARC) Committee.....	99
Item 13	Motions of which Previous Notice has been given	99
Item 14	New Business of an Urgent Nature (Late items)	99
Item 15	Matters for Which Meeting May Be Closed (Confidential Matters)	99
Item 16	Closure	99
16.1	Date of Next Meeting	99
16.2	Closure.....	99

Item 1 Opening of Meeting

The Commissioner is to declare the meeting open at [Enter Time](#).

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The Commissioner acknowledges the Kariyarra people, on whose lands we are meeting, and paid his respects to Elders past, present and emerging.

Item 3 Recording of Attendance

3.1 Attendance

Scheduled Present: Commissioner Fredrick Riebeling AM JP
Scheduled for Attendance: Carl Askew (Chief Executive Officer)
Anthea Bird (Director Corporate Services)
Josephine Bianchi (Director Community Services)
Craig Watts (Director Regulatory Services)
Lee Furness (Director Infrastructure Service)
Frances Mowle (Corporate Support Officer/Minute Taker)

3.2 Attendance by Telephone / Instantaneous Communications

3.3 Apologies

3.4 Approved Leave of Absence

3.5 Disclosure of Interests

Item 4 Applications for Leave of Absence

Item 5 Response to Previous Questions

5.1 Response to Questions taken on notice from Public at the Ordinary Council Meeting held on 5 February 2020**5.1.1 MR SCOTT LOWE**

The Chief Executive Officer issued Mr Lowe with a written response to all questions listed below on 10 March 2020.

Item 11.3.2 of tonight's agenda references proposed workforce accommodation position that has a basis in Social Impact Assessments and Social Impact Management Plans. Approximately two years ago I stood in Council Chambers while a process unfolded that can broadly described as an affront to democratic process took place that saw the council approve the 20 year extension of the Port Haven facility. Central in that proposal was that SIA's and SIMP's with measurable, reportable KPI's would be developed by the proponent and reported upon annually.

Has that process been undertaken, are those KPI's available to the community and is the council happy that the community is receiving a sufficient benefit beyond the rating yield gained from that facility?

The Director Regulatory Services provided the following response:

The Town notes that whilst the Council granted the lease extension in December 2017, the lease extension only commenced on 19 March 2019. Also, that lease is for 10 years with an option to extend for a further 10 years. To summarise, Council consented to the lease subject to BHP engaging a suitably qualified and experienced person to prepare a Social Impact Assessment (SIA) and Social Impact Management Plan (SIMP). The SIMP was to include social contributions and commitments to ensure facility management and guests utilise town-based goods, services, local contractors and programs. The SIMP was also to include 'annual monitoring and reporting of the effectiveness of the SIMP' to be submitted to the Town at the end of every financial year during of the term of the lease, the first of which is due July 2020.

Has that process been undertaken?

The Director Regulatory Services provided the following response:

BHP presented the 'Port Haven Village SIA & SIMP' to the Town's elected members in November 2018, which included a baseline for assessing future activities related to the Port Haven facility. The Town advised BHP that it had met the initial obligations of the Council resolution from December 2017. BHP presented an initial response to the SIMP (noting that this was not a full year) at a Confidential Briefing of Council in October 2019.

Are those KPIs available to the community?

The Director Regulatory Services provided the following response:

As the presentation by BHP contains "commercial in confidence" information of its initiatives and programs, and was presented at a Confidential Briefing of Council, it cannot be released

to the public. After Council receives the first full SIMP report, consideration will be given to releasing information to the public, though this may be in a redacted format.

Is the community and is the Council happy that the community is receiving a sufficient benefit beyond ratings yield gained from that facility?

The Director Regulatory Services provided the following response:

As mentioned above, BHP is required to monitor and report on the effectiveness of the SIMP at the end of each financial year during the lease term. No report was required at the end of the 2018-19 financial year as the lease was only three months into its term, however an initial response was presented to Council. This response included commencement of several initiatives which would benefit the Town, in keeping with Councils resolution of 13 December 2017. The first full annual report is due in July 2020, when the Town will be able to assess the effectiveness of its SIMP.

5.2 Response to Questions taken on notice from Public at the Ordinary Council Meeting held on 26 February 2020

5.2.1 MR DEAN DAVIS

The Chief Executive Officer issued Mr Davis with a written response to all questions listed below on 13 March 2020.

Can you please advise why Education Syringe Needle Program does not open during Syringe Needle Program (SNP) or Syringe Needle Exchange Program (NSEP) as to the request for SNP to be closed while SNEP is open?

The Director of Regulatory Services supplied the following response.

The operation of both Needle Supply and Needle Exchange programs are a function of the Department of Health and not that of the Town of Port Hedland. You should direct your question to the Department of Health/WA Country Health Service as the controlling agency.

With WA Health revises it return rate of 95% to 75% we would like to know how many Syringe disposal locations will be closed as they will no longer be needed with this return rate?. As the community, we would like a list and will favour these locations for children play, over ones that the local government to people who inject drugs?

The Director Regulatory Services provided the following response:

As previously stated to you in correspondence dated 10th September 2019, the town ensures an inclusive approach to all public facilities and views the installation of needle disposal points as a positive safety outcome and not as an attractant as you describe. As a measure to reduce the inappropriate disposal of sharps the town is installing and maintaining sharps disposal points across the majority of town operated locations to ensure adequate coverage and abundant opportunities for safe disposal. The Town does not intend to remove disposal points from these locations.

Please see attached the Town of Port Hedland pamphlet in relation to public locations equipped with sharps disposal points. These disposal opportunities include Koombana Park, Daylesford Park, South Hedland Town Square, Marquee Park and Shay Gap Park.

Item 6 Public Time

Important note:

'This meeting is being recorded on audio tape and streamed live online as an additional record of the meeting and to assist with minute-taking purposes which may be released upon request to third parties. If you do not give permission for recording your participation please indicate this at the meeting. The public is reminded that in accordance with Section 6.16 of the Town of Port Hedland Local Law on Standing Orders nobody shall use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the chairperson to do so. Members of the public are also reminded that in accordance with section 6.17(4) of the Town of Port Hedland Local Law on Standing Orders mobile telephones must be switched off and not used during the meeting.'

In accordance with section 6.7(3) of the Town of Port Hedland Local Law on Standing Orders, members of the public are required to complete a question form and place the completed form in the tray provided.

If the Presiding Member determines that questions and statements are out of order due to the use of an offensive or objectionable expression or are defamatory, they will not be recorded or responded to.

6.1 Public Question Time

6.2 Public Statement Time

6.3 Petitions/Deputations/Presentations/Submissions

6.3.1 DEPUTATION: PORT HELDAND ALCOHOL AND OTHER DRUG MANAGEMENT PLAN 2020-2022

The Council received a deputation on 4 March 2020 from Kelly Howlett, Chief Executive Officer of Bloodwood Tree Association Inc and Chair of the Port Hedland Alcohol and Other Drug Management Plan Working Group. The deputation is to request Council's support for the 'Port Hedland Alcohol and Other Drug Management Plan 2020-2022'.

Item 7 Questions from Members without Notice

Item 8 Announcements by Presiding Member without Discussion

Date	Meeting	Topic
04/02/20	Confidential Briefing	Internal Agenda
05/02/20	CEO Welcome Meeting	Carl Askew
05/02/20	OCM	As per agenda
06/02/20	ABC Radio	Radio Interview
06/02/20	Spirit Radio	Radio Interview
07/02/20	Farewell Morning Tea – WA Country Health Service	Farewell for Brian Wilson (Operations Manager)
11/02/20	TOPH/PHCCI Business after hours event	TOPH 2020 vision and CEO Introduction
12/02/20	TOPH/PDC Meeting	Terry Hill (PDC CEO)
12/02/20	PHIC Meeting	Kirsty Danny – CEO introduction meeting
13/02/20	RCAWA Meeting	As per agenda
13/02/20	WAPC meeting	IP50/Scheme
15/02/20	Cemetery Beach Playground Opening	Official Park Opening
17/02/20	Pilbara Stakeholders Engagement Forum	As per agenda
18/02/20	Spirit Radio	Radio Interview
19/02/20	East Pilbara District Health Advisory Board	As per agenda
20/02/20	Site visit to Spoilbank	Meeting with relevant stakeholder
20/02/20	Local Emergency Management Committee Meeting	As per agenda
24/02/20	Meeting with Roy Hill	General Update on Operations
25/02/20	Spirit Radio	Radio Interview
25/02/20	Coastal Forshore Erosion Meeting	Briefing with consultants
25/02/20	OCM meeting	As per agenda
27/02/20	St Cecelia's Primary School Leadership Ceremony	Attended as special guest

Item 9 Declarations of All Members to Have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting

Item 10 Confirmation of Minutes of Previous Meeting

Disclaimer

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

OFFICER'S RECOMMENDATION

That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday 26 February 2020 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

OFFICER'S RECOMMENDATION

That Council confirm that the Minutes of the Special Council Meeting held on Wednesday 18 March 2020 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

Item 11 Reports of Officers

11.1 Corporate Services

11.1.1 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 JANUARY 2020
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Author: Senior Financial Accountant
Authorising Officer: Director Corporate Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council, pursuant to section 6.4 of the *Local Government Act 1995*:

1. Receive the Statement of Financial Activity for the period ended 31 January 2020;
2. Receive the Material Variance Report;
3. Note the Accounts paid under delegated authority for period ended 31 January 2020; and
4. Receive the Credit Card Statements for period ended 31 January 2020.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to present to Council the Statement of Financial Activity for the period ended 31 January 2020. Supplementary information is also presented to Council to provide further information regarding the Town's activities.

DETAIL

The information provided in this report is for the period ended 31 January 2020, with financial results included in *Attachment 1. Statement of Financial Activity Notes 1-11* prepared by the Town of Port Hedland.

The Town of Port Hedland financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.

As part of the 2019/20 original budget, Council adopted the following thresholds as levels of material variances for financial reporting.

1. With regards to expenditure classified as capital projects, a variance of 10% or \$10,000, whichever is greater, of the year to date budget, with individual project as the level that requires explanation.
2. With regards to all other items excluding capital projects identified above, a variance of 10% or \$50,000, whichever is greater, of the year to date budget, with Nature and Type as the level that requires explanation.

Commentary is provided on variances as details above as per *Attachment 2 NOTE 12*.

Explanation of Material Variances.

The opening funding surplus of \$2.5M presented in audited annual financial statements and presented in the 27 November 2019 Ordinary Council Meeting.

The net current asset position as at 31 January 2020 was \$23.8M. The breakdown of the cash position is displayed below:

	2019/20 Actuals
Current Assets: Cash and Investments	\$5.5M
Restricted Cash – Reserves	\$241.5M
Unrestricted Cash Position as at 31 January 2020	\$23.8M

Previous Decisions

The Statements of Financial Activity are presented to Council each month for noting.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because this report is presented to Council for information purposes only.

CONSULTATION

Internal

- All consultation and engagement is conducted internally.

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* detail the form and manner in which a local government is to prepare its statement of financial activity.

FINANCIAL AND RESOURCES IMPLICATIONS

The statement of financial activity is to be supported by such information as is considered relevant by the local government containing;

- a. an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- b. an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- c. supporting information as is considered relevant by the local government.

Reserves:

Ensure compliance will section 6.11 of the *Local Government Act 1995* when reserve accounts are utilised.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following section of the Council's *Strategic Community Plan 2018-2028* is applicable in the consideration of this item:

- 4.b.1 Sound long-term financial planning is implemented
- 4.b.2 Transparent and regular financial reporting and communication to the community is undertaken
- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken

There are no significant identifiable environmental, social or economic impacts relating to this item.

RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be Medium (6) .

There is a risk rating of medium (6) assigned in 2019/20 budget to the risk that a reduction in income or increase in expense throughout the 2019/20 financial year is likely to have an impact on the Town's ability to meet service levels or asset renewal funding requirements. The risk action plan is to monitor revenue and expenditure on a regular basis ensure in line with budget and amend as needed.

OPTIONS

Option 1 – Adopt officer’s recommendation

- Note the Statement of Financial Activity and reports for the period ended 31 January 2020 in accordance with regulation 34(1) of the Local Government (*Financial Management*) Regulations 1996.

Option 2 – Amend officer’s recommendation

- That Council receive the Statement of Financial Activity for the period ended 31 January 2020 and request further information or clarification.

Option 3 – Do not adopt officer’s recommendation

- That Council do not note or receive the Statement of Financial Activity for the period ended 31 January 2020.

CONCLUSION

The opening funding surplus of \$2.5M presented in YTD Actual on the Statement of Financial Activity is as per the closing surplus presented in the audited financial statements. The net current asset position was \$23.8M.

Variances in operating revenue and expenditure are addressed in detail in *Attachment 2 NOTE 12. Explanation of Material Variances*. The net current asset position will decrease as operating and capital budgets are expended throughout the year.

ATTACHMENTS

1. Statement of Financial Activity (under separate cover)
2. Material Variances Report (under separate cover)
3. Accounts Paid Under the Delegated Authority (under separate cover)
4. Credit Card Statements (under separate cover)

11.1.2 ADOPTION OF THE 2019/2020 BUDGET HALF YEAR REVIEW

Author: Manager Financial Services
Authorising Officer: Director Corporate Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

COMMITTEE / OFFICER'S RECOMMENDATION

That Council adopts the 2019/2020 Budget Half-Year Review for the period ended 31 December 2019, resulting in a projected closing municipal surplus of \$843,592 as at 30 June 2020.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider and adopt the 2019/2020 budget half-year review. Budget reviews are required to be completed covering 1 July to no later than 31 December as per *Section 33A of Local Government (Financial Management) Regulations 1996*. A review of the annual budget must be completed between 1 January and 31 March for the applicable budget year. The review is an opportunity to evaluate the current budget and allocate funding for emerging community and social priorities, allowing the organisation to respond and provide the best result for the Town.

DETAIL

This budget review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

The budget review is an opportunity to evaluate and update the current budget which may have been impacted by various factors since the budget 2019/2020 first quarter review was adopted on by Council on 27 November 2019. The projected closing municipal surplus of \$843,592 is an increase from the original budget surplus of \$449,611. This is mainly attributable to an increase in funds transferred from the Financial Risk Reserve as they are no longer considered at risk and are required to cover a potential non-reimbursement for disaster recovery works. The operating surplus has increased by \$10,031,093. This increase predominately relates to Council's decision on 5 February 2020 to proceed with back rating of certain properties at a waived rate of 25%.

The budget review was presented and endorsed by the Audit, Risk and Compliance Committee ('ARC') on 10 March 2020. At the ARC, Council has requested an additional \$800,000 be added to the Staff housing construction/acquisition capital project.

Between the report being presented to the ARC and Council an additional \$100,000 has been added to the Staff housing renewal and upgrade program for additional works. This change is immaterial in respect to the total Capital budget.

Council adopted the reporting of the following material variances to be used in the statements of financial activity and the annual budget review.

1. With regards to expenditure classified as capital projects, a variance of 10% or \$10,000, whichever is greater, of the year to date budget, with individual project as the level that requires explanation.
2. With regards to all other items excluding capital projects identified above, a variance of 10% or \$50,000, whichever is greater, of the year to date budget, with Nature and Type as the level that requires explanation.

Features of the half-year budget review include:

Operational Program Amendments - Revenue	
Increase in budgeted rates as per council decision "Retrospective rating of certain port and associated land" on 5 February 2020 and a general reduction in rates revenue due to changes in valuations for certain properties within the Local Government area.	\$11,338,561
Increase in insurance proceeds budgeted from Cyclone Veronica works	\$300,000
Operational Program Amendments - Expenses	
Increase in budgeted recruitment costs and salaries and wages, directly attributed to Councils increased commitment to capital projects over the next five years.	(\$521,972)
Increase in budgeted repairs and maintenance costs at Town managed recreational sites.	(\$332,078)
Increase in material and contract costs relating to Tropical Cyclone Damien works (assumption is costs will be reimbursed by DFES next financial year)	(\$750,000)
Increase in budgeted costs relating to Landcorp WA development.	(\$100,000)
Reduction in budgeted allowances for Member of Council due to suspension of elected members.	\$195,645
Port Hedland Library budget transferred to capital budget due to accounting standard changes on treatment of leases.	\$80,000
Depot Master plan budget transferred to capital budget to begin detail design works.	\$200,000
Operational Program – New Initiatives	
Repairs and maintenance costs on properties made available to Steven St residents during demolition works onsite.	(\$275,000)
Arts and Culture Strategy – new event as per outcomes of community consultation.	(\$45,000)
Improvements to Civic Centre gardens	(\$200,000)

Investing and Finance Activities Amendments	
Reduction in budgeted reimbursement to be received following Tropical Cyclone Veronica works.	(\$3,689,760)
Proceeds from self-supporting loans budget reduced to match deferral of loan payments by Port Hedland Yacht Club for six months.	(\$38,776)

Increase in transfer from cash back reserves following Council's assessment of rates quarantined in the financial risk reserve.	\$1,833,044
Increased transfer to cash back reserves following Council's decision to place retrospective rates into a reserve.	(\$14,965,556)

Capital Program Amendments	
Plant replacement program – Transfer of budget to Light vehicles replacement program to cover 2019 costs not accrued.	\$428,803
Light vehicles replacement program – Increase in budget due to 2019 costs not accrued and extra cars required.	(\$473,803)
Telecommunications renewal & upgrade project – Works delayed to 2020/2021 financial year.	\$570,000
Synergy replacement and systems review – Works delayed to 2020/2021 financial year.	\$350,000
Transfer station/Community Recycling centre – Works delayed to 2020/2021 financial year.	\$750,000
Irrigation Tank Replacement McGregor St – Increase in budget due to both tanks requiring more work than anticipated.	(\$145,095)
Port Hedland Community Facilities (Turf club) - Detailed Design – Increase in scope and shortening of delivery of masterplan following community consultation.	(\$200,000)
South Hedland Sports Precinct Stage 1 - Detailed Design - Increase in scope and shortening of delivery of masterplan following community consultation.	(\$600,000)
JD Hardie Youth Zone - Detailed Design - Increase in scope and shortening of delivery of masterplan following community consultation.	(\$200,000)
Depot Works Masterplan implementation - Increase in scope and shortening of delivery of masterplan.	(\$1,000,000)
Creche to SHAC – project removed and funds allocated to fencing.	\$200,000
Desktop phone system – Works delayed to 2020/2021 financial year.	\$155,000
South Hedland Main Street – Throssell Road verge upgrade – project delivered under budget	\$24,700
Staff Housing Renewal and upgrade program – additional works Scheduled to be completed to existing asset base.	(\$100,000)
Housing Construction/Land Acquisition – Council has adopted to purchase additional properties.	(\$800,000)
Capital Program – New Initiatives	
Cooke Point bridge implementation (as presented at 26 February 2020 council meeting).	(\$85,000)
Fencing upgrade at South Hedland Aquatic Centre to reduce vandalism.	(\$250,000)
Local area traffic management - This project was included in the budget for FY19. Additional costs incurred to finalise project.	(\$62,036)
Kerb And Disability Ramp Improvements And Renewal - This project was included in the budget for FY19. Additional costs incurred to finalise project.	(\$70,000)

Building Renewal And Upgrade Program - This project was included in the budget for FY19. Additional costs incurred to finalise project.	(\$100,000)
Lighting And Safety Upgrades At Pretty Pool Car Park - This project was included in the budget for FY19. Additional costs incurred to finalise project.	(\$6,084)
Port Hedland Library - Operational project transferred to capital budget due to accounting standard changes on treatment of leases.	(\$90,000)
JD Hardie Outdoor Basketball Courts Backboards Upgrade - This project was included in the budget for FY19. Additional costs incurred to finalise project.	(\$40,894)

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because budget reviews are vital to ensure the Town is forecasting expected expenditure and revenue in line with current conditions and commitments. Budget reviews are used as a tool for decision making for current and future activities and they are a key component of prudential financial management practices in order to mitigate financial risk exposure to Council.

CONSULTATION

Internal

The 2019/20 current budget has been reviewed by all Managers and the Executive Leadership Team. They have collectively considered the impact of the budget amendments presented, to benefit the community as a whole and keep within the budget guidelines of a balanced budget.

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

A local government is required to carry out a budget review between the 1 January and 31 March of each financial year in accordance with regulation 33A (1) of the *Local Government (Financial Management) Regulations 1996*. The review must consider the financial performance between 1 July to 31 December, the financial position at the date of the review, and review the outcomes for the end of financial year forecast as stipulated in regulation 33A(2A).

Any budget review must be submitted to Council within 30 days of completion, with Council to determine whether or not to adopt the review by absolute majority as required by regulation 33A (2) and (3). The budget review will be presented to Council for adoption at the Ordinary Council Meeting scheduled for 25 March 2020.

FINANCIAL AND RESOURCES IMPLICATIONS

The 2019/2020 Budget Half Yearly Review for the period ended 31 December 2019 has identified increased operating revenue of \$11,363,611 and increased operating expenditure of

\$1,332,518, resulting in a net increase to the operating surplus of \$10,031,093. Capital programmes have decreased by \$6,303,032 to a total estimated \$35,695,489.

The majority of the increased operating revenue relates to retrospective rates that are to be placed into a reserve as per a previous Council decision and has resulted in an increased transfer to cash back reserves of \$14,965,556. Council has also assessed rates quarantined in the financial risk reserve as no longer at risk and this has increased the transfers from cash backed reserves by \$1,833,044.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 4.b.1 Sound long-term financial planning is implemented
- 4.b.2 Transparent and regular financial reporting and communication to the community is undertaken
- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken

Environmental

- Nil

Economic

There are significant benefits to the local economy including investment in local infrastructure and the utilisation of local trades and businesses where possible, practical and available.

Social

Significant social impacts will be achieved including investment into community infrastructure and programs and the promotion of the Town as a great place to live and work.

Corporate Business Plan

The following actions of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 4.b.2.1 Ensure the Town's finances are managed efficiently and effectively in line with legislated requirements.
- 4.b.3.1 Ensure governance information provided to the community is in line with legislated requirements.

RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', there is a risk rating of medium (6) assigned to the risk that the review not be submitted to Council within 30 days after the review has been finalised. This risk has an unlikely (2) possibility and a moderate (3) impact in relation to compliance with significant regulatory requirements imposed. This risk will be eliminated by endorsing the officer's recommendation.

There is a risk rating of medium (9) assigned to the risk that the Council do not adopt the 2019/2020 Budget Half Yearly Review for the period ended 31 December 2019, resulting in the delay or inability to perform specific capital works which are essential but do not currently have an approved budget item line. This risk is possible (3) with a moderate (3) impact in relation to compliance with significant regulatory requirements imposed.

This risk will be eliminated by endorsing the 2019/2020 budget half-year review for adoption by Council.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

This report presents a summary of the 2019/2020 budget half-yearly review for the period ended 31 December 2019.

A number of variations are proposed as part of this review to meet community and organisational requirements. The outcome of the review presents an estimated municipal surplus of \$843,592 as at 30 June 2020.

ATTACHMENTS

1. Statement of Financial Activities (under separate cover)
2. Capital Projects Worksheet (under separate cover)
3. Operational Project Worksheet (under separate cover)
4. Reserves (under separate cover)

11.1.3 2019 COMPLIANCE AUDIT RETURN

Author:	Governance Advisor
Authorising Officer:	Director Corporate Services
Disclosure of Interest:	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

COMMITTEE/ OFFICER'S RECOMMENDATION

That Council:

1. Note the areas of non-compliance in the 2019 Compliance Audit Return;
2. Note the actions the Town will undertake to ensure future compliance;
3. Adopt the 2019 Compliance Audit Return; and
4. Request the CEO to organise for the Town's 2019 Compliance Audit Return to be submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2020.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the Town's 2019 Compliance Audit Return (CAR).

DETAIL

The 2019 CAR was presented to the Town's Audit, Risk and Compliance (ARC) Committee on 10 March 2020 for consideration. The ARC Committee recommended that Council adopt the Town's 2019 CAR. Upon Council adoption, the Town will then notify the Department of Local Government, Sport and Cultural Industries (the Department) with relevant CAR documentation by 31 March 2020.

Each year all Western Australian Local Government Authorities are required to undertake a compliance audit and forward the results to the Department of Local Government, Sport and Cultural Industries (the Department) by 31 March. The CAR is a self-assessment of a local government referring to its levels of compliance with the *Local Government Act 1995* and its subsidiary regulations.

The CAR is one of the tools utilised by the Department to monitor how the local government functioned throughout the previous calendar year from a compliance perspective. It identifies areas of non-compliance that provide guidance to officers as to where processes may be reviewed to ensure improved compliance.

The Governance team undertook a thorough review to carry out the compliance audit and the findings have been issued throughout the CAR as per attachment 1.

For the 2019 calendar year, the Town of Port Hedland was non-compliant in three areas:

1. *Disclosure of Interest*

Question 7 relates to whether all designated employees lodged their primary return within three months of their start date. There were two officers of the Town that did not lodge their primary returns on time. They have since lodged their primary returns. The reason for this was due to an administrative oversight as the relevant officers were not notified of the requirement to lodge their returns and Governance team failed to identify. The Town has implemented checklists which streamlines the delegation process and mitigates the risk of this happening again. The Corruption and Crime Commission (CCC) and the Department were notified.

Question 8 relates to whether all continuing elected members lodged their annual return by 31 August 2019. There were two elected members that did not lodge their annual return by 31 August 2019. The due date for this return occurred during the suspension period of the Council. The Corruption and Crime Commission (CCC) and the Department were notified for the year ended 30 June 2019.

2. *Integrated Planning and Reporting*

Question 7 relates to whether the local government has developed a Workforce Plan. The Town developed a Workforce Plan and the Council endorsed this plan in principle at the Ordinary Council Meeting held on 24 October 2012. The Town has not presented a Workforce Plan to Council since 2012 and due to the content within this plan being out of date this is deemed non-compliant in accordance with regulation 19DA(3) of the Local Government (Administration) Regulations 1996. To satisfy this non-compliance, a new Workforce Plan is under development.

3. *Tenders for Providing Goods and Services*

Question 24 relates to whether the local government fulfilled its statutory requirements in relation to its intention to adopt a regional price preference policy as outlined in regulation 24E of the Local Government (Functions and General) Regulations 1996.

The Town did not advertise its intention to adopt the amended regional price preference policy in 2018. This was an administrative oversight. To address this non-compliance, this requirement has been included in the Town's checklist for adopting a new or amended regional price preference policy in the future.

Question 25 relates to whether the local government has fulfilled its statutory requirements in relation to the adoption of a Regional Price Preference policy as outlined in regulation 24F of the Local Government (Functions and General) Regulations 1996.

The Town did not advertise the adoption of the amended regional price preference policy in 2018. This was an administrative oversight. To satisfy this non-compliance, this requirement has been included in the Town's checklist for adopting a new or amended regional price preference policy in the future.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, due to likely consequences arising from non-compliance, potential to impact the Town's ability to deliver services, impact to the reputation of the Town of Port

Hedland and general interest by the community in the compliance capability of the business operations of the Town of Port Hedland.

CONSULTATION

Internal

- The CAR was completed internally by the Governance team, who consulted with all responsible officers throughout the organisation.

External Agencies

- WALGA was contacted for advice on a question listed in the CAR.

Community

- Nil.

LEGISLATION AND POLICY CONSIDERATIONS

Policy 2/016 'Regional Price Preference was considered in the completion of the compliance audit review.

Section 7.13(1)(i) of the *Local Government Act 1995* require local governments to carry out an audit of compliance with such statutory requirements. Regulation 14 of the *Local Government (Audit) Regulations 1996* outlines the period of time, the form and the process on the compliance audit. The compliance audit is required to be reviewed by an Audit Committee and then reported to Council.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial implications related to this item. Strategic and Sustainability Implications

The following section of the Town's Strategic Community Plan 2018-2028 is applicable in the consideration of this item:

- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken

There are no significant identifiable environmental, social or economic impacts relating to this item.

RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item because the Town will not be compliant if the CAR is not adopted by Council and submitted to the Department by 31 March 2020. The risk rating is considered to be low (4), which is determined by a likelihood of unlikely (2) and a consequence of minor (2).

This risk will be eliminated by the adoption of the officer's recommendation.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Do not adopt officer’s recommendation

CONCLUSION

The CAR is a fundamental mandatory obligation required from all local governments for statutory compliance. The CAR provides the Town an opportunity to check its processes and determine whether it is compliant and as a result the Town is accountable for its actions within the local government framework. It is recommended that Council adopt the 2019 CAR.

ATTACHMENTS

1. 2019 Compliance Audit Return (under separate cover)

11.1.4 OFFER ON LOT 3 KINGSFORD SMITH BUSINESS PARK

Author: Senior Governance Advisor
Authorising Officer: Director Corporate Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council accept the offer from 'Christine Vimbikai Goneke ATF The Ronnie Mutepfa Family Trust', for Lot 3 Kingsford Smith Business Park.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider an offer received for Lot 3 at Kingsford Smith Business Park, made by Christine Vimbikai Goneke ATF The Ronnie Mutepfa Family Trust. The offer is outside of the Chief Executive Officer's delegated authority to accept, and is therefore presented to Council for determination.

DETAIL

The Kingsford Smith Business Park (KSBP) is an industrial estate located between Port and South Hedland on the Great Northern Highway. The estate comprises of 36 lots. To date, the Town has sold 21 lots at KSBP, with 4 currently under offer and 11 remaining for sale.

Guidelines for the estate were adopted in 2013. The key purposes of the Guidelines are as follows:

- To create a high quality light industrial/bulky goods estate which services the Port Hedland community and provides a place of employment;
- To form a cohesive light industrial/bulky goods precinct which capitalises on the proximity of the Port Hedland Airport, and allows a for a range and scale of businesses that may benefit from this proximity; and
- To implement and achieve sustainable building and management practices, including maximising resource efficiency, minimising waste to landfill, minimising energy use and water consumption.

On 13 February 2020, the Town was notified of an offer from Christine Vimbikai Goneke ATF The Ronnie Mutepfa Family Trust to purchase lot 3 (confidential attachment 1), with the intended use for a motor mechanics workshop. In accordance with section 1.2.20 of the Town's Delegation Register, the Chief Executive Officer (CEO) has delegated authority to accept any offers within KSBP, provided that the offer falls within 10 percent of the market value. The current valuation for this lot is \$138,000 plus GST and the CEO can therefore accept offers of \$124,200 to \$151, 800 (ex GST). The offer from Christine Vimbikai Goneke ATF The Ronnie Mutepfa Family Trust, falls outside of this delegation limit.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, as the community were invited to make submissions on the proposed offer.

CONSULTATION

Internal

- Executive Leadership Team

External Agencies

- WALGA
- Hedland First National

Community

- In accordance with section 3.58(3) of the *Local Government Act 1995*, public notice was issued in the local newspaper for 14 days seeking submissions on the offer from members of the community. Submissions closed on 5 March 2020 and no submissions were received.

LEGISLATION AND POLICY CONSIDERATIONS

The details contained in attachment 1 (the offer) is deemed confidential in accordance with section 5.23(2)(e)(ii) of the *Local Government Act 1995*, as it concerns information that has a commercial value to a person.

Sections 3.58(3) and (4) of the *Local Government Act 1995* prescribe the process for disposing of property, including a public notice submission period open for 14 days which is to include details of the disposition, name of parties involved and market value of the land.

Section 1.2.20 'Disposing of Properties' of the Town's Delegation Register applies.

Policy 2/019 'Financial Reserves' applies in terms of proceeds from sales of lots at KSBP.

FINANCIAL AND RESOURCES IMPLICATIONS

Proceeds from the sale of all lots at KSBP are allocated to the 'Asset Management - Infrastructure and Community Facilities' reserve to fund asset renewal requirements for the Town in line with both the Strategic Community Plan and the Corporate Business Plan. Any associated rates revenue generated as a result of sale or lease will remain within normal Municipal operations, as will any interest earned on the investment of any such proceeds.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 1.d.2 Facilities and community infrastructure are revitalised across the Town
- 2.b.2 The Town's economic development strategy is supported through engagement with key economic groups

- 2.c.1 Business and government agencies and other relevant stakeholders are engaged to:
 - Identify strategic employment and economic development priorities
 - Assess and address market failures affecting the cost of living
 - Assess and address cost of doing business challenges
- 2.c.2 Opportunities for social enterprise, innovators, and small and medium sized businesses are identified, and strategies to attract and support them are implemented
- 4.b.1 Sound long-term financial planning is implemented
- 4.b.2 Transparent and regular financial reporting and communication to the community is undertaken

Economic

There are only positive economic benefits in relation to this item. The development of any lots at KSBP increases industrial/ commercial opportunities; therefore promoting economic growth in the community.

There are no significant identifiable environmental or social impacts relating to this item.

Corporate Business Plan

The following actions of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 2.b.2.1** Develop, implement and review partnerships with key stakeholders to promote economic growth and diversification
- 2.c.1.1** Work with key stakeholders to develop, implement and review strategies to stimulate and diversify the local economy and address business challenges
- 2.c.2.1** Provide information to the business community to support decision making
- 4.b.2.1** Ensure the Town's finances are managed efficiently and effectively in line with legislated requirements.
- 4.b.3.1** Ensure governance information provided to the community is in line with legislated requirements

RISK MANAGEMENT CONSIDERATIONS

There is a financial risk associated with this item because if no offer is accepted, the Town will lose the potential to dispose of this lot. The risk rating is considered to be medium (6), which is determined by a likelihood of unlikely (2) and a consequence of moderate (3).

This risk will be eliminated by the adoption of the officer's recommendation.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 - Do not adopt officer’s recommendation

CONCLUSION

Council is requested to consider an offer for lot 3 at KSBP from which falls outside of the CEO’s delegated authority to accept. This offer would provide increased funding towards asset renewal in line with the strategic direction of Council to revitalise the Town’s facilities and community infrastructure. Officers recommend accepting the offer, as construction on this lot of the estate could activate further interest and provide additional growth to the area.

ATTACHMENTS

1. Offer Received from 'Christine Vimbikai Goneke ATF The Ronnie Mutepfa Family Trust' - Confidential (under separate cover)

11.2 Community Services

11.2.1 2019 ANNUAL PERCEPTION SURVEY

Author:	Projects Officer
Authorising Officer:	Director Community Services
Disclosure of Interest:	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council:

1. Note the results of the 2019 Annual Perception Survey, and the 2018-2019 Comparison (as per Attachment 1); and
2. Formally acknowledge and thank the Port Hedland Community for responding to the survey.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to note and acknowledge the results of the 2019 (*Live it, Tell it, Do it*) Annual Perception Survey and to formally thank the Hedland Community for taking the time to complete the survey and for their additional comments and suggestions. The summary results will be available via an Interactive Dashboard on the Town's website, and via downloadable resources.

DETAIL

Since 2009, the Town of Port Hedland has been conducting an Annual Perception Survey (APS) to measure the performance of its services, programs and processes. The survey questions are based on the Strategic Community Plan and are reviewed every year.

Between 31 October and 5 December the 2019 survey (Attachment 2) was open to the community. The survey was available online, with copies available at Civic Centre, Wanangkura Stadium, South Library and JD Hardie Youth Centre. The engagement strategy endeavoured to ensure the survey was accessible for the whole community.

To increase awareness and participation within the community, the Town used the following communication channels:

- Media releases
- Newspaper advertisements
- Newspaper article
- Posters (distributed)
- Community EDM
- Spirit Chat
- ABC Chat

- Town of Port Hedland website
- Town of Port Hedland Facebook page

There were 895 total survey respondents. The survey results were analysed into grouped areas to demonstrate the community’s perception of outcomes across the four key streams of satisfaction, safety, belonging and governance.

A market research company was engaged through a RFQ process to analyse the 2019 results, compare the 2018 and 2019 results and to produce the Power BI Dashboard that presents the results of the analysis in an interactive format for the Town’s website.

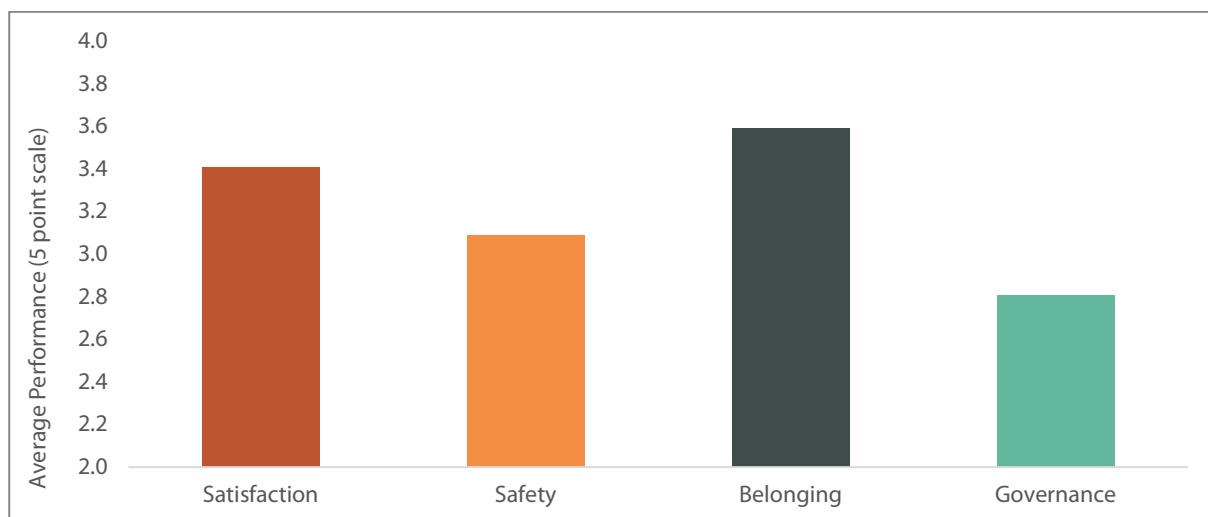
The 2019 APS results were calculated as a measure of ‘average performance’ through an unweighted average of the average performance score for each of the four key outcomes (safety, belonging, governance and satisfaction). The comparison between 2018 and 2019 results was also unweighted.

Survey Results Summary

In 2018 the overall average performance was calculated at 3.25/5 across the four outcomes of safety, belonging, governance and satisfaction. By comparison, in 2019, the overall average performance was calculated at 3.22/5, which indicates a 0.03 decrease in 2019. However, a comparative glance between 2018 and 2019 across the four outcomes – in 2019 satisfaction and belonging increased slightly with safety and governance decreasing slightly.

On the 5 point scale (with midpoint 3), in 2019 across the four outcomes the results were as follows:

- Satisfaction 3.41
- Belonging 3.59
- Safety 3.09
- Governance 2.81



Hedland – we are listening

Through the survey, the Hedland community has identified their priority areas, shared their needs and aspirations giving the ability to create local mapping. The survey enables the Town

to keep in touch with the current perception of local residents, determine priorities and make the best decisions possible on behalf of community in line with the Strategic Community Plan.

From advocacy, community engagement and community development, to town planning, economic development and environmental management, the Town of Port Hedland is proactively working on the following themes:

- Safety: The Town of Port Hedland is currently in the process of reviewing and updating the Community Safety Plan. This plan is a targeted, coordinated and consultative approach to strengthening community safety in Hedland with a cross-sector collaborative approach with appropriate agencies.
- Youth Facilities: Masterplans for a South Hedland Integrated Sports Complex incorporating Wanangkura Stadium, a renewed JD Hardie Youth Centre and McGregor Street Sports Precinct have been completed and are moving into the detailed design process.
- Recycling and Waste: the Town is currently in negotiations with a contractor to provide a kerbside recycling service which is expected to commence towards the end of 2020.
- Cemetery: Provision for implementation of the South Hedland Cemetery Masterplan is in the Strategic Resource Plan 2019/20 – 2033/34.
- Library: opening of the new Port Hedland Library in the Port Hedland Boulevard.
- Childcare: via a Childcare strategy developed in conjunction with the Hedland Collective, action has been taken through the reactivation of the South Hedland TAFE child care centre and transition of the previous Port Hedland Library Dempster Street location to a child care service delivery space.
- Seniors: The Town has recently been granted funding for Senior Adults Living Triumphantly (SALT) program, a seniors wellbeing program for Hedland residents aged 60 and over, aiming to improve their health, quality of life and fitness. The Older Wiser Library Seniors (OWLS) program also received funding, this program will be continued to run from the South Hedland Library, as well as the new Port Hedland Library. The Town has also committed to rebuild the Steven Street site, subject to approval from relevant agencies.
- South Hedland Dog Park: Council recently endorsed a corner of Marie Marland Reserve to be designated by fencing and signage for off-leash dog exercise. A permanent off-leash dog exercise area with more amenities will be established as part of the long-term South Hedland Integrated Sports Complex (SHISC) masterplan.
- Shade: Through community surveys, shade has always been raised as a high priority. As the Town is upgrading the Public Open Spaces and playgrounds, permanent shade is being provided as much as possible over shade sails. The Town is in the process of identifying options for providing permanent shade over the South Hedland Youth Zone (Skate Park).

- Parks & Gardens: Completed all landscaping works at Marapikurrinya Park including the relocation and installation of 'Bob' the Boab tree as a key feature. The Town of Port Hedland Landscaping Guidelines and Irrigation specifications were adopted in 2019 and are available on the Town's website. Landscaping improvements on Throssell Road.
- Shopping Centres: The Town to continue to meet regularly with the Shopping Centres representatives to discuss upkeep and amenity of centres and surrounds.

All comments and suggestions received through the Annual Perception Survey will be reviewed, and the Town acknowledges all survey participants who took the time to include feedback. Those areas or themes in which the Town does not have direct control over, the Town will ensure they are distributed to relevant agencies and that the feedback is acknowledged and actioned if practical. The Town will continue to advocate in these areas on behalf of the community where possible.

The Town will continue to review the Annual Perception Survey methodology in terms of survey questions, format and alignment with Strategic Community plan and formulate a strategy for future years to endorse standardised metrics for benchmarking, both internal and external with other Local Government Areas.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, as the item only requests to note the conclusion of the Annual Perception Survey and corresponding results.

CONSULTATION

Internal

- The draft survey was circulated to all Managers and Directors for feedback.

External Agencies

- No external agencies were consulted to the draft survey in 2019. CSIRO were consulted in 2018, and the 2019 survey was based on the same format with minimal changes.

Pracsys was engaged through a Request for Quotation (RFQ) process to analyse the 2019 results and data and to provide an unweighted comparison between the 2018 and 2019 data (Attachment 1), and to produce a Power BI Dashboard that presents the results of the analysis and comparison in an interactive format for the Town's website.

Community

The Town ensured that a broad range of community groups were included in the Annual Perception Survey. The Community Engagement Team organised engagement with youth, senior citizens, Aboriginal and Torres Strait Islander peoples, and Culturally and Linguistically Diverse (CALD) groups.

LEGISLATION AND POLICY CONSIDERATIONS

No legislation directly applies to the consultation process however the survey is related to the Integrated Planning and Reporting Framework and Guidelines of the *Local Government Act 1995* (IPRFG).

FINANCIAL AND RESOURCES IMPLICATIONS

The financial implications to the 2019 Annual Perception Survey:

- \$2,000 - cost of raffle prizes for two competition winners.
- \$2,530 - cost of targeted Community Engagement.
- \$9,900 - cost of analysis and interpretation of 2019 Annual Perception Survey results and comparison to 2018 Annual Perception Survey results.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

This agenda item relates directly to all sections within the Town's Strategic Community Plan 2018-2028.

Disability Access and Inclusion Plan

The premise of the Town's Disability Access and Inclusion Plan 2017-2022 is to provide safe and accessible community facilities, services, events and open spaces that connect people and neighbours, therefore this item relates to all elements in this Plan.

Corporate Business Plan

This item relates to all the actions within the Town's Corporate Business Plan 2018-2022.

RISK MANAGEMENT CONSIDERATIONS

To minimise any reputational risk associated with data interpretation and for transparency reasons the Town engaged an external consultant to analyse and compare the survey results. The risk rating is considered to be low (2), which is determined by a likelihood of unlikely (2) and a consequence of insignificant (1).

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

It is recommended that Council note and circulate the results of the 2019 Annual Perception Survey and the 2018-2019 Comparison (as per Attachment 1), and formally acknowledges and thanks the community for their responses, commentary and suggestions.

ATTACHMENTS

1. Report on 2019 Annual Perception Survey (under separate cover)
2. 2019 Annual Perception Survey (under separate cover)

11.3 Regulatory Services

11.3.1 PROPOSED DEDICATION OF CONSTRUCTED ROAD SHOULDERS OF WALLWORK ROAD AT WALLWORK ROAD BRIDGE

Author: Development Services Officer
Authorising Officer: Director Regulatory Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council, pursuant to Section 56 of the *Lands Administration Act 1997*, resolves to:

1. Support the dedication of the following Lots and as shown in Attachment 1 as road reserve;
 - a) Lot 702 on Deposited Plan 408101;
 - b) Lot 700 on Deposited Plan 408102;
 - c) Lot 501 on Deposited Plan 408270;
 - d) Lot 701 on Deposited Plan 408103;
 - e) Lot 704 on Deposited Plan 408103; and

2. Indemnify the Minister for Lands against any claim for compensation in accordance with section 56(4) of the *Land Administration Act 1997*.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the dedication of a number of lots as road reserve, to finalise the historical realignment of Wallwork Road following the construction of the Wallwork Road Bridge in 2014.

DETAIL

In 2014, the Town in conjunction with Main Roads WA (MRWA) and BHP Billiton (BHP) initiated the construction of the Wallwork Road Bridge. This project increased safety and traffic flow in the area, by creating a dual lane bridge and removing the interface with the rail line below. To facilitate this project a number of administrative support processes were required. This included closure of the existing (at the time) ground level road, dedication of the bridge itself as road, clearing of Native Title on the surrounding area to facilitate the bridge embankments, and realignment of the surrounding affected leases.

The majority of these processes have been completed, and the Town's support is now required to finalise the dedication of the following lots as road reserve (as shown on Attachment 1):

- a) Lot 702 on Deposited Plan 408101;
- b) Lot 700 on Deposited Plan 408102;
- c) Lot 501 on Deposited Plan 408270;
- d) Lot 701 on Deposited Plan 408103; and
- e) Lot 704 on Deposited Plan 408103.

The Town has been undertaking maintenance of the bridge since late 2017, and formally accepted the bridge as a local road in November 2018. Accordingly, dedication of the mentioned parcels as road are considered administrative only, and will not have any impact on the Towns processes or the community.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, as it will not affect the physical road or bridge.

CONSULTATION

Internal

- No internal consultation was undertaken in relation to this item, as significant consultation was undertaken at the commencement of the project. Additionally, the Town is already undertaking care and management of the infrastructure, and no additional changes are proposed.

External Agencies

- No external consultation was undertaken in relation to this item, as no physical changes to the infrastructure are proposed.

Community

- No community consultation was undertaken in relation to this item, as no physical changes to the infrastructure are proposed.

The nature of this item is administrative only and the *Land Administration Act 1997* does not require consultation.

LEGISLATION AND POLICY CONSIDERATIONS

The road dedication process is governed by section 56 of the *Land Administration Act 1997* and regulation 8 of the *Land Administration Regulations 1998*. When considering an application for road dedication, Council should take the following into account:

1. Any impact on the Town of Port Hedland through additional maintenance requirements;
2. The effect on surrounding properties should the proposed dedication be supported; and
3. Potential costs to the Town through survey or other requirements.

In relation to the first consideration listed above, no additional maintenance requirements will result from the proposed dedication. Similarly, the dedication will not have any impact on surrounding properties as all infrastructure is already existing. All required surveys and other documents have been prepared by Main Roads WA as the project leads.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no significant financial and resource implications for this item, as the Town has been maintaining the relevant section of road for a number of years. Accordingly, no additional financial or resource contributions will be required through support of the proposed dedication.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following section of the Council's Strategic Community Plan 2018-2028 is applicable in consideration of this item:

- 3.b A safe and fit for-purpose built environment.
- 3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed.

There are no significant identifiable environmental, social or economic impacts relating to this item

RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item as the land tenure does not currently accurately reflect the maintenance and control of each parcel and land. The risk rating is considered to be low (3), which is determined by a likelihood of rare (1) and a consequence of moderate (3).

This risk will be eliminated by adoption of the officer's recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The Wallwork Road Bridge project has been ongoing for a number of years. This report is an administration matter to finalise land tenure under the *Land Administrative Act 1997*. Support of the officer's recommendation will enable the Department of Planning, Lands and Heritage to finalise the tenure amendments required, and complete the project in full.

ATTACHMENTS

1. Deposited Plans (under separate cover)

11.3.2. ADOPTION OF HEAVY VEHICLE ACCESS STRATEGY

Author: Senior Planner
Authorising Officer: Director Regulatory Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council adopts the proposed 'Heavy Vehicle Access Strategy' included as Attachment 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to adopt the attached 'Heavy Vehicle Access Strategy', included as Attachment 1.

DETAIL

The Town commissioned KCTT to investigate infrastructure demands and mitigation strategies associated with heavy vehicle access on Town managed assets. This forms part of the Local Planning Strategy review, which seeks to inform planning, management and maintenance objectives. The Strategy's focus included a perspective on land use and integration with Restricted Access Vehicle requirements and the road network.

The Strategy:

- Assesses the road hierarchy and the existing and emerging RAV network in consultation with Main Roads WA to develop existing and assist forming future road classifications within the local government area;
- Develops an approach for the Town's assessment of temporary and permanent RAV application referrals from Main Roads WA; and
- Investigates an approach to resolve road maintenance and safety issues within Wedgefield considering existing land use patterns.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance because the proposed Strategy is considered to have an impact on the transport sector and maintenance schedules with infrastructure.

CONSULTATION

Internal

- Director Infrastructure Services
- Manager Town Planning & Development
- Manager Project Design & Delivery
- Manager of Parks, Gardens and Engineering Services
- Project Manager
- Asset Data Officer
- Engineering Technical Officer

External Agencies

- Main Roads WA.

Community

The strategy does not require advertising under the *Planning and Development (Local Planning Schemes) Regulations 2015* and has not been advertised. The document is technical in nature and will be used to guide future planning and therefore does not require advertising.

Officer Comments

Key recommended actions from the Strategy are:

- Develop traffic monitoring program

At present, the Town does not have strategic traffic or transport models which can be used for the interrogation of development scenarios. Developing one would significantly help in assessing any new applications or initiatives submitted to the Town. This model should examine the impact of changes in traffic volumes at strategic locations and differentiate between heavy and light vehicles to assist in determining required intersection and road construction standards and RAV classifications.

- Develop asset register and asset management plan

Developing a register of existing assets and a condition report is crucial in planning and implementation of a maintenance cost sharing policy. Assets useful life should be recorded with regular planned maintenance and strategic upgrades scheduled. These should be reviewed annually to ensure that maintenance expenses are managed and planned for.

The active management of an asset register and strategic asset plan requires regular data collection and periodical review against planned expenditure and scheduled maintenance. The collection of data in the Town wide traffic model and asset management plan will assist the Town in demonstrating to industry and government the cost burden of maintaining road networks that benefit heavy vehicle industries.

- Develop cost sharing approach to support asset management

Given the economic influence of the road transport industry on the Town, developing a policy that informs lobbying for strategic cost sharing may assist with funding for road maintenance. This will assist with advocating and applying for government grants. To facilitate this, the Town should develop a framework for cost sharing policies.

- Implement planning changes to address safety issues in Wedgefield

As part of developing the new local planning scheme, the Town will investigate zoning changes with regards to the Wedgefield 'Industry' zone and current road infrastructure to address land use and infrastructure investment issues.

- Continue to review RAV status of roads in Wedgefield

The blanket application of Restricted Access Vehicle (RAV) 10 status of roads in Wedgefield to accommodate existing transport depots has resulted in a significant infrastructure issue for the Town of Port Hedland to address in conjunction with State Government and industry. The Town will need to develop a strategic investment approach for certain roads and review and downgrade other roads to ensure optimised value for money investment in certain infrastructure and drainage upgrades.

- Evaluate Mining Tenements and Crown Leases and negotiate road maintenance agreements

The Town of Port Hedland is responsible for maintaining unsealed remote roads such as Yandeyarra and Pippingarra roads. As mining activity and heavy vehicle usage of these roads changes and increases over time. It is appropriate to request funding and maintenance contributions for asset management from road users who contribute to degrading of the asset. While it is difficult to retrospectively enforce maintenance agreements, new mining and crown land proposals can be evaluated and maintenance and cost contributions be negotiated as appropriate.

LEGISLATION AND POLICY CONSIDERATIONS

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Government Act 1995

FINANCIAL AND RESOURCES IMPLICATIONS

There are no direct financial or resource implications associated with adoption of this item. In the longer term, implementation of the actions recommended in the Heavy Vehicle Access Strategy aims to ease financial pressures on the Town associated with road asset management.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Council's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 3.c.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry

There are no significant identifiable environmental, social or economic impacts relating to this item.

RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be medium (5). The strategy will positively benefit the broader community with the opportunity to reduce land use conflict and apply for grant funding for road improvements.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The Heavy Vehicle Access Strategy will assist with the development of the new Local Planning Strategy and Local Planning Scheme and associated maintenance strategies to improve assets and other associated infrastructure which will assist applications for government grants for road maintenance. It is recommended that the Heavy Vehicle Access Strategy be adopted to guide infrastructure planning and investment.

ATTACHMENTS

1. Heavy Vehicle Access Strategy (under separate cover)

11.3.3 DEVELOPMENT APPLICATION FOR 'HIGHWAY PRECINCT' WORKS - LOT 9008 GREAT NORTHERN HIGHWAY, PORT HEDLAND

Author: Senior Planner
Authorising Officer: Director Regulatory Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council approves the proposed 'Highway Precinct' development at Lot 9008 Great Northern Highway, Port Hedland, subject to the following conditions and advice notes:

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. All development and use of the land must be carried out in accordance with the approved plans as listed below:
 - a. DRW 1 of 8; 14 February 2020;
 - b. DRW 2 of 8; 14 February 2020;
 - c. DRW 3 of 8; 14 February 2020;
 - d. DRW 4 of 8; 14 February 2020;
 - e. DRW 5 of 8; 14 February 2020;
 - f. DRW 6 of 8; 14 February 2020;
 - g. DRW 7 of 8; 14 February 2020;
 - h. DRW 8 of 8; 14 February 2020. and
3. The Port Hedland International Airport shall provide a written undertaking to the satisfaction of the Town of Port Hedland to ensure prospective lessees are notified in contracts of lease of the following matters, prior to the commencement of site works:
 - a. Planning approval must be obtained from the Town of Port Hedland for the use, works or development of any site;
 - b. All development applications will be assessed against the Local Planning Scheme, Local Planning Policies and Precinct Design Guidelines which include minimum design standards.
4. This approval does not authorise the filling of any indicative site and is for the construction of the two roads, drainage infrastructure, utilities and the implementation of the approved Bushfire Management Plan only.

5. Prior to the development of a leasehold lot commencing, all development, improvements and infrastructure not shown for retention within the relevant leasehold area shall be removed.
6. Prior to the development of a leasehold lot commencing, all existing on-site effluent disposal systems, including all ponds, tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems within the leasehold lot are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all onsite effluent disposal systems, including septic tanks, soak wells, leach drains and any associated pipework, have been removed.
7. Engineering drawings and specifications are to be submitted and approved prior to the commencement of any site works, for cut, fill, grading and/or stabilisation of any indicative site to ensure that:
 - a. Indicative sites can accommodate their intended use;
 - b. finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/ or proposed finished ground levels of the land abutting.
8. Each indicative site shall be connected directly into the drainage network prior to occupation or use.
9. Stormwater infrastructure which includes culverts and open drainage swales, shall be constructed in accordance with the approved Urban Water Management Plan and other approved plans, except that the sides for all open drainage swales shall have slopes no steeper than a 1:6 gradient with a minimum one metre wide base. This shall be constructed prior to occupation of the adjoining indicative site that the infrastructure services.
10. All stormwater infrastructure shall be maintained by the operator of the Port Hedland International Airport to the specification and satisfaction of the Town of Port Hedland for the duration of the lease between the two parties.
11. Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved plan to ensure that street lighting is installed on all new roads to the specification of Horizon Power for street lighting, prior to the occupation or use of any adjoining indicative site, to the satisfaction of the Town of Port Hedland.
12. Roads shall be constructed in accordance with the approved Engineering Design Drawings and Cross Sections, to ensure that those indicative sites not fronting an existing road are provided with frontage to a constructed road and connected by a constructed road to the local road system. All such roads shall be constructed and drained at the applicant's cost.

13. Road infrastructure shall be maintained by the operator of the Port Hedland International Airport to the specification and satisfaction of the Town of Port Hedland for the duration of the lease between the two parties.
14. All construction traffic access and egress must be obtained from the existing access point between indicative Lots 7 and 8 onto Great Northern Highway.
15. Earthworks shall be stabilised at all times to the specification and satisfaction of the Town of Port Hedland.
16. The applicant and lessees shall implement all of the responsibilities contained in the Bushfire Management Plan prepared by Emerge Associates (Version c, December 2019, Document No. EP18-117(03)—006) approved by the Town of Port Hedland, for the duration of the development.
17. The 'controlled access point' shall be installed when the road that serves indicative Lots 1-6 and 14-16, exceeds 200m in length, prior to the use or occupation of indicative Lots 1-3 and 15-16. The design shall be to the specification and satisfaction Town of Port Hedland.
18. A six metre wide emergency access way shall be installed to connect Pettersson Road to the 'controlled access point', shown marked up. This shall be designed and constructed to the specifications of Table 6 of the Guidelines for Planning in Bushfire Prone Areas. The land shall be registered as an access right for an emergency access way as an easement under Sections 195 and 196 of the Land Administration Act 1997 in favour of the Local Government for emergency fire purposes and the deed of easement is to specify care and management by the operators of the Port Hedland International Airport. This shall be completed prior to the use or occupation of indicative Lots 1-3 and 15-16.
19. Prior to any road or section of road being open to the public, all roads shall be designed and constructed to accommodate a turn-around area to allow a type 3.4 fire appliance, with an edge of pavement diameter of 17.5m. This turn-around area shall be maintained by the operator of the Port Hedland International Airport to the specification and satisfaction of the Town of Port Hedland for the duration of the lease between the two parties.
20. Information is to be provided to demonstrate that the measures contained in the approved Bushfire Management Plan by Emerge Associates (Version C, December 2019, Document No. EP18-117(03)—006) that address the following:
 - a. Vegetation management
 - b. Controlled access to Pettersson Road
 - c. Cul-de-sac construction
 - d. Reticulated water supply and hydrant installation

Have been implemented during works, prior to the use or occupation of any indicative adjoining site.

21. Prior to commencing site works, the applicant must submit, have approved, and thereafter implement, a management plan detailing how risks of wind and/or water borne erosion and sedimentation will be minimised during the works, to the satisfaction of the Town of Port Hedland. All works shall be compliant with this plan for the duration of development.
22. All earthworks and development associated with earthworks must not cause nuisance or degrade the amenity of adjoining areas in any way, including by reason of the emission of noise, light, vibration, electrical interference, odour, fumes, smoke or other pollutant, vapour, steam, soot, ash, dust, waste water, water products, grit, oil or impact on public safety or otherwise.
23. At all times sufficient water must be accessible on-site to enable dust suppression, and if necessary, water must be transported by tanker onto the site. When winds negate the effects of the dust management, all operations on the site, except dust suppression measures, must cease until conditions improve and compliance can be achieved. All stockpiles of materials on the site and access roads to and all trafficable areas on the site, must be watered down or treated and maintained in a manner which prevents the generation of airborne dust leaving the site's boundary.
24. Prior to the commencement of site works, the applicant must gain approval from the Town of Port Hedland for the development of an entry statement to be completed prior to the occupation or use of any indicative sites.
25. Prior to the commencement of site works, a detailed landscaping and reticulation plan must be submitted to and approved by the Town of Port Hedland. The landscaping plan shall focus on improving the amenity of the entry statement, include a minimum 10m wide landscaping strip adjacent to Great Northern Highway and be implemented within 60 days of completion of the respective stage of works covered under this approval. Landscaping shall be maintained thereafter, to the satisfaction of the Town of Port Hedland.

Advice notes:

1. The Town of Port Hedland's Environmental Services advise that all works and development shall comply with the requirements of the following legislation:
 - a. Contaminated Sites Act 2003
 - b. Contaminated Sites Regulations 2006
 - c. Environmental Protection Act 1986
 - d. Environmental Protection (Clearing of Native Vegetation) Regulations 2004
 - e. Environmental Protection (Controlled Waste) Regulations 2004
 - f. Environmental Protection (Noise) Regulations 1997
 - g. Environmental Protection (Unauthorised Discharges) Regulations 2004
 - h. Health (Asbestos) Regulations 1992
 - i. Health (Public Buildings) Regulations 1992
 - j. Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974
 - k. Town of Port Hedland Animals, Environment and Nuisance Local Law 2016

2. An application must be submitted to the Town's Environmental Health Service for installation of an apparatus for on-site treatment of sewage and disposal of effluent and liquid waste and approval must be granted by the Environmental Health Service prior to any construction and installation works commencing of the apparatus.
3. Lot 9008 has been classified as possibly contaminated – investigation required under the Contaminated Sites Act 2003. The proposed works are located in areas of Lot 9008 that have been identified as potentially being contaminated due to current or historical site activities. Relevant areas include a waste water treatment pond, and areas where asbestos has been identified in surface soils. The Department of Water and Environmental Regulation (DWER) recommends that all works be undertaken in accordance with a site-specific construction environmental management plan that includes provisions for the management of potential contamination. Any assessment or management of contaminated undertaken during site works should be undertaken in accordance with DWER's Contaminated Sites guidelines and reported to DWER at the conclusion of works.

The Town of Port Hedland's Environmental Health Service advise that prior to any works commencing, the applicant should:

- a. Undertake preliminary soil sampling and assessment of the total land area to be affected by the proposed development to determine presence of contaminants;
- b. Due to the potential presence of asbestos material, any demolition and removal work must be undertaken by a contractor with a current unrestricted asbestos removal licence;
- c. All contaminated waste must be disposed of at a licensed waste acceptor; and
- d. Asbestos material must be handled, stored, transported and disposed of by a contractor with a current unrestricted asbestos removal licence.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to determine its support for the proposed Port Hedland 'Highway Precinct' development at Lot 9008 Great Northern Highway, Port Hedland.

DETAIL

The site is located adjacent to the Port Hedland International Airport, between Port Hedland and South Hedland. The site on which development is proposed is approximately 286 hectares and has been leased to PHIA Asset Pty Ltd for 50 years, commencing in March 2016 (Attachment 1 – Location Plan).

It has direct frontage and access to the Great Northern Highway. The site has a long history of being used as land associated with the airport. A portion of the land has been used for the Mia Mia workforce camp and associated effluent disposal system and another portion contains the Port Haven workforce camp. A large majority of the site is vacant and unused land.

The proposal seeks approval for the development of the following:

- Installation of services including water, power, communications;
- Construction of an internal private road network that measures 1.6km in length and that is designed to accommodate RAV 10 vehicles (i.e. quad road trains);
- The private road network connecting to the Great Northern Highway;
- Construction of an internal open drainage swale network, connecting to the Great Northern Highway culvert; and
- Implementation of the requirements under a Bushfire Management Plan (submitted as part of the development application), including but not limited to the installation of fire hydrants, clearing of vegetation, cul-de-sacs to accommodate turn around areas for fire trucks, etc.

The purpose of the development is to create land that is serviced by key utilities and essential services/infrastructure to create land ready for development. The intention is to sub-lease the land for industrial oriented business. The proposed layout is contained in Attachment 2 – Proposed Site Plan. Internal lot boundaries are indicative only and this proposal does not include the filling of any lots, nor include any land uses on the site. This is structured similar to a subdivision as it will facilitate the development of land.

Access and movement

Access to the Highway Precinct will be provided via an existing access point to/from the Great Northern Highway (the Highway). The intersection with the Highway was previously designed by consultant engineers and approved by Main Roads Western Australia (MRWA). This existing access point provides an opportunity for consolidated access to the regional road network. Internal access to the individual leasehold lots will be provided by a private road to be constructed and maintained by PHIA as ‘common infrastructure’. The alignment of the internal road network is depicted on the Site Plan with detailed cross sections provided within the engineering suite of drawings (Attachment 3 – Detailed Plans). The typical cross-section for the internal roads is described as follows:

- A 10m carriageway with 1m shoulder either side;
- Conveyance swales on either side of the carriageway to manage stormwater conveyance; and
- A three metre service corridor on each of the road abutting the leasehold lot front boundaries to allow for service infrastructure as required.

The design of the internal private road is informed by the detailed swept path analysis undertaken by the project engineer and documented within the engineering suite of drawings. Road/pavement widths and truncations have been designed to accommodate RAV 10 vehicles ensuring that the Highway Precinct can accommodate all potential land users.

The internal roads will be constructed in accordance with the Towns engineering standards. Details of road construction standards are to be submitted to, and approved by the Town, prior to construction of the roads. The alignment, width and construction standard of crossovers for the individual leasehold lots will be confirmed and documented as part of the individual development approval process for each leasehold lot. The standard of the culverts under the

crossovers will also need to be documented at the individual development application stage commensurate with the nature of the proposed land use and the type/weight of vehicles accessing the sites.

The Bushfire Management Plan (BMP) proposes an internal road connection between the site and the adjoining Lot 9007 Great Northern Highway, which is also leased to the Port Hedland Internal Airport (PHIA). This is located on the western boundary, which is proposed to connect to the airport's internal Pettersson Road. This connection point will be restricted access due to airport operational security requirements, but can be unlocked during emergency events and can provide an emergency escape route.

Services

Water Supply

Scheme water is available to the prevailing area and will be extended to the Highway Precinct, providing a reticulated water supply for the leasehold lots. The Water Corporation have approved a 150mm water main to service the Precinct which will be located at the Highway boundary. Reticulated water infrastructure will then be extended to the individual leasehold lots as demand warrants. Extension of the reticulated water supply will be undertaken as 'common infrastructure' by PHIA.

The alignment of the physical infrastructure (pipes) can be accommodated within the three metre service corridor provided on either side of the road carriageway and abutting the front boundary of the leasehold lots. Water consumption will be managed by PHIA via the installation of submeters at the leasehold lot boundaries.

Power

An electrical connection will be provided to the Highway Precinct via an internal extension of the existing network that currently services the Airport. An opportunity exists to utilise the existing substations within the Airport to service the first stages of development. Power infrastructure can then be upgraded as required, with PHIA remaining in control of the internal network. Future upgrades will need to be managed by PHIA and will most likely involve installation of a ring main unit and additional transformers to match demand.

Wastewater

The individual leasehold lots will not be connected to a reticulated wastewater system however, provision is made within the three metre service corridor for the installation of reticulated sewer, should it be required in the future.

The Highway Precinct will operate the same as other 'dry industry' areas such as Muchea in the Shire of Chittering and Hazelmere in the City of Swan whereby - in the absence of a reticulated sewer - land uses are limited to those that generate a maximum of 540 litres of wastewater per 1,000m² of site area per day. This effluent threshold is adequate to accommodate the industrial land uses that will establish within the Highway Precinct. Aerobic Treatment Units (ATU's) will be the primary method of wastewater management and will be provided at the appropriate lot scale to match proposed land uses. ATU's are small water treatment plants, designed to treat waste water to a quality suitable for irrigation. Treated wastewater can then be used to irrigate landscaped areas within the leasehold lots or be disposed of in a designated area. Specifications of appropriately sized ATU's will be required to be submitted with each individual development application based on the nature of the land use being proposed. All ATU's will be required to be designed and installed in accordance with the Department of Health's Code of Practice, Manufacture, Installation and Operation of ATUs.

Bushfire

A Bushfire Management Plan (BMP) has been prepared for the Highway Precinct by Emerge Associates and forms part of this application (Attachment 4 – BMP). The BMP demonstrates that bushfire does not pose a constraint to development and that potential threats can be managed in accordance with standard practice. Whilst the Bushfire Attack Level (BAL) construction standards within AS3959: Construction of buildings in bushfire prone areas do not apply to industrial development, all buildings will be capable of meeting a maximum BAL-29 standard, but are expected to achieve a BAL-LOW rating subject to the siting of buildings.

As depicted in the BMP, bushfire hazards for the Highway Precinct comprise shrubland and grassland both within the site and abutting the northern and eastern boundaries. To manage potential bushfire hazards from within the site as staged development occurs, PHIA will be responsible for maintaining a cleared buffer from the development front where shrubland or grassland does not exceed a height of 100mm. This will ensure that all occupied leasehold lots will be classified as BAL-LOW.

At the ultimate post-development scenario, the main bushfire hazard impact occurs from off-site vegetation to the east and north that affects lots 7, 8 and 10. The BAL contours that encroach within these lots can be easily managed due to the large lot sizes and the industrial nature of the land uses. A BAL rating of BAL-12.5 can be achieved for these lots simply by ensuring that buildings are not located within close proximity of the affected boundaries. Adequate separation can be maintained within the typical side setback areas for buildings, ensuring adequate separation between offsite vegetation and buildings. Reticulated water will be available with fire hydrants installed for firefighting purposes in accordance with standard Water Corporation requirements. Further bushfire assessments may be required for any high-risk land uses proposed within the Highway Precinct that are subject to a BAL rating of BAL 12.5 or higher.

Stormwater

An Urban Water Management Plan (UWMP) has been prepared by hydrological consultants Urbaqua. The UWMP demonstrates that the hydrological characteristics of the Highway Precinct can be managed in the post-development scenario without impacting on upstream (airside) operations. The two key matters that the UWMP addresses are:

1. Management and conveyance of existing stormwater flows which currently enter the site from airside and are conveyed north via a system of overland swales before discharging into the Highway road reserve; and
2. Management of development stormwater i.e. stormwater runoff from the leasehold lots and sealed road surfaces in the post development scenario.

The UWMP proposes a response to water management, with the key principles/ strategies summarised as follows:

- Pre-development flows that enter the site from airside will be conveyed via a system of overland swales located either within the road alignment or within a dedicated swale corridor. Swales will not be located within leasehold lots and are dealt with as 'common infrastructure' to be provided and maintained by PHIA.
- The existing overland flow paths that currently convey airside stormwater flows across the site and into the Highway road reserve will be consolidated and redefined in order to optimise performance and reduce the amount of land required for dedicated stormwater conveyance.
- The most frequent stormwater events (15mm) will be detained within the individual leasehold lots consistent with the Department of Water and Environmental Regulations (DWER) 'Decision Process for Stormwater Management in WA'. Provisions for this detention will be required to be demonstrated by each user at the individual development application stage. This will likely be achieved through the installation of small drainage basins, swales or landscaped areas within the individual leasehold lots.
- Stormwater from greater than the 15mm event from within the leasehold lots will be directed into the road network and system of overland swales. This can be achieved by either a piped connection or 'topping over' into the road network and will need to be demonstrated at the individual development application stage.
- In major events, stormwater will be contained within the road network as demonstrated by the earthworks design and engineering drawing cross-sections.
- All stormwater captured from within the road network will be conveyed via roadside drainage swales in a northerly direction, consistent with the current drainage characteristics of the site and existing discharge point at the Highway outlet.
- Culverts will be installed to convey stormwater under internal private roads as necessary but generally in the locations depicted on the engineering drawings that form part of this application.

- Erosion will be controlled as required, most likely through the installation of rock armour at points where stormwater flows are concentrated i.e. discharge points from culverts. and
- Any industrial use that may contribute to pollutants downstream - i.e. that include operations such as refuelling, wash down areas, fuel and chemical storage - will be required to elevate these areas above the 100 year ARI level. Further, these uses will need to be self-contained through the use of methods such as bunds, kerbing and grates to capture runoff.

Some components of the UWMP are not supported, such as allowing lots to flood in major storm events. The Department of Water and Environment Regulation have advised that this is not an acceptable outcome. Hence, the Town has not incorporated the UWMP into the approval. This however primarily relates to individual leasehold lots and this issue can be resolved during the development application stage for each tenant.

LAND TENURE

The subject application is located on Lot 9008 on Plan 404824. Lot 9008 is owned by the Town of Port Hedland and is leased to Port Hedland International Airport Asset Pty Ltd for 50 years, commencing in March 2016.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance because the proposed development is considered to have an impact on the main gateway to the Town of Port Hedland as experienced by visitors.

CONSULTATION

Internal

- The application has been referred internally to the Town's Infrastructure and Town Services and Environmental Health. Comments received have been considered and included as conditions and advice notes contained within the Officer's recommendation.

External Agencies

The proposal was advertised to the following agencies and departments via email on 31 August 2019:

- Department of Planning, Lands and Heritage;
- Main Roads WA;
- Department of Water and Environmental Regulation;
- Department of Biodiversity, Conservation and Attractions; and
- Department of Fire and Emergency Services.

Comments were invited to be submitted by 30 August 2019 and the following is a summary.

Department of Planning, Lands and Heritage

No comment to provide.

Main Roads WA

“It is noted that no additional drainage upgrades are proposed for the existing culverts within the intersection of the private road, nor the existing culvert, which runs underneath the Great Northern Hwy adjacent to the intersection. Stormwater drainage must be managed so that there is no adverse effects to the road or exceed the capacity of existing drainage infrastructure. Any stormwater coming from future developed lots shall be managed as per the Department of Water and Environmental Regulation Stormwater Management Plan. Where depending on the size of the event as much as practicable, water is managed onsite and anything over the required retention can be discharged into Main Roads drainage system at a controlled rate equivalent to pre-development flow. It should be noted that this section of Great Northern Hwy is a dedicated floodway and as such does regularly flood during rain events. Additional drainage upgrades shall be considered in this area, especially considering the substantial swale drains which are depicted in the supplied engineering drawings.”

“As the Town of Port Hedland is aware, there is a design in place for the Great Northern Highway Realignment Stage 2 (Airport Deviation) which will realign Great Northern Highway in this location around the back of the Walkabout and Landing complex improving safety and efficiency. When this occurs this section of Great Northern Highway will become a Town of Port Hedland asset and any drainage impacts will be the responsibility of the Town to rectify. If the town has any concerns with the proposed drainage and potential impact of the development these should be raised.”

“The original Access Application which was submitted for this new intersection, and which was subsequently approved, was for a single use access only. If the planning application is to be approved and works to go ahead, a new application for Amended Access shall be required to be submitted covering all potential vehicle movements for the lots within the proposed area. Currently the original application had a maximum 20 x 53.5m Road Trains in and out each day, it is envisaged that this number will dramatically increase should the new development go ahead and lots be developed for the haulage industry.”

Department of Water and Environmental RegulationFlood Levels

“As per the UWMP, it appears that initial lot levels are set below the 1% AEP event levels, with individual lot owners responsible for determining final lot levels (for carpark, hardstand and undeveloped areas) to manage flood risk . However, the UWMP should conduct flood modelling for post development scenario (considering safe habitable floor level on the lot) to understand flood path and check pedestrian and vehicle safety criterion discussed above.”

“The UWMP states “Any land use within the lots that may contribute pollutants downstream (including, but not limited to wash down areas, fuel and chemical storage areas, and refuelling areas) will need to be above the 1% AEP flood levels regardless of the surrounding lot levels, and self-contained using bunds, kerbing and grates with appropriate water quality treatment devices (Section 5.2.1)” which DWER considers is a reasonable approach.”

“The UWMP also states – “Lot owners will be required to limit any onsite flooding to 300 mm in depth, and therefore the minimum lot levels are 300 mm below the 1% AEP level (Figure 10).” DWER does not support this statement and requests that the proponent amend minimum lot levels to 300 mm above the 1% AEP level.”

Contamination

“Lot 9008 has been classified as possibly contaminated – investigation required under the Contaminated Sites Act 2003. The proposed works are located in areas of Lot 9008 that have been identified as potentially being contaminated due to current or historical site activities. Relevant areas include a waste water treatment pond, and areas where asbestos has been identified in surface soils. The Department of Water and Environmental Regulation (DWER) recommends that all works be undertaken in accordance with a site-specific construction environmental management plan that includes provisions for the management of potential contamination. Any assessment or management of contaminated undertaken during site works should be undertaken in accordance with DWER’s Contaminated Sites guidelines and reported to DWER at the conclusion of works.”

Department of Fire and Emergency Services

No comments.

Community

The proposal was advertised to the public for a period of 14 days by means of a notice appearing in the North West Telegraph and the Town’s website. These were advertised on 7 August 2019 and public submissions were invited to 21 August 2019. No submissions were received.

LEGISLATION AND POLICY CONSIDERATIONS

Local Planning Strategy: Port City Growth Plan

The Pilbara’s Port City Growth Plan (the Growth Plan) was endorsed by the Western Australian Planning Commission (WAPC) on 5 July 2012 and provides a high level strategic blueprint to facilitate the sustained growth of Port Hedland into a Port City with a population of 50,000 people. The Airport is located within ‘Precinct 7 – Airport and Surrounds’ of the Growth Plan which is earmarked to deliver 250 hectares of airport land as industrial with a key objective to “facilitate development progression within a defined area of Light Industrial precinct, having regard to industrial demand timing.”

It should be noted that the Growth Plan foreshadowed the preparation of a more detailed Airport Masterplan which is currently being implemented by the PHIA. The first stage Highway Precinct will deliver the objectives anticipated by the Growth Plan and is consistent with the Airport Masterplan. The Growth Plan is currently subject to revision.

Port Hedland International Airport Masterplan 2018-2038

The Masterplan identifies development, operations and uses for the airport for a 20 year outlook. The Masterplan establishes six precincts with the airport site:

- Airside Precinct
- Northern Precinct
- Terminal and General Aviation Precinct
- Freight Precinct
- Highway Precinct
- Airport Industrial Park Precinct

The proposed development is located within the Highway Precinct. The Highway Precinct may accommodate businesses that wish to be located at the airport and take advantage of the exposure and/or access to the Highway. Airport-related activities include:

- Rental car storage areas;
- Freight sheds; and
- Aircraft maintenance facilities.

Uses that may wish to be located at or near the airport for other reasons include:

- Offices for businesses that use the airport;
- General warehousing;
- Industry-general;
- Industry-light;
- Retail fuel sales; and
- Road freight facilities and road transport lay down yards.

Other non-aviation related uses may include:

- Car dealerships;
- Solar power storage or collection; and
- Offices for airport-related businesses.

The proposal will satisfy the above following criteria. Given this proposal is a quasi-subdivision that will facilitate the development of the site further, this proposal is consistent with the masterplan.

cal Planning Scheme No. 5

The Highway Precinct is zoned 'Airport' under Local Planning Scheme No.5 (LPS5). The precinct objectives for the Airport zone listed under LPS5 are to:

- Protect options for future airport infrastructure within the precinct;
- Ensure that development within the precinct meets prevailing noise and height limitation standards associated with the operation of aircraft; and
- Ensure that any commercial development reinforces the transportation functions of the airport.

Development of the Highway Precinct as proposed by this application will achieve the LPS5 objectives by facilitating land suitable for establishing a freight and logistics hub that maximises the opportunities afforded by its strategic location abutting the Highway and immediately adjacent the Airport. Development of the Highway Precinct will not prejudice the delivery of future airport infrastructure which will be coordinated by the overarching Airport Master Plan.

Specific land uses are not proposed as part of this application however, land use permissibility will be in accordance within 'Table 1 – Zoning Table' of LPS5. Approval for land uses will be sought by individual tenants on a case by case basis and will be subject to separate applications.

Local Planning Policies - Airport Obstacle Height Limitations Map

This application proposes earthworks and internal roads only and does not involve any buildings or structures. As such, the Town's 'Airport Obstacle Height Limitations Map' is not applicable however, future development applications for buildings and structures will be required to comply with the height restrictions under the 'Airport Obstacle Height Limitations Map'. This local planning policy is currently subject to review, however proposed changes will not impact the proposed development submission of this application.

Officer Comments

Future Land Uses

The Highway Precinct is expected to primarily accommodate freight and logistics-type land uses due to the site's strategic location directly abutting the Highway and immediately adjacent the Airport. There is also expected to be demand for storage and laydown areas from tenants associated with the mining and construction sectors. The Highway Precinct may serve as a consolidated location for these types of uses where potential impacts on surrounding land uses can be easily managed and where direct access is provided to/from the Highway. Whilst the expectation is that the Highway Precinct will accommodate freight/logistics and laydown/storage uses associated with the mining and construction sectors, the Precinct is capable of accommodating a diverse mix of uses that may include industrial hire facilities as well as other light industrial land uses.

Land use does not form a component of this development application, which is for site works and common infrastructure only. Land use will be assessed and approved by the Town as part of individual development applications that will be prepared and lodged by the individual leasehold tenants once land uses are confirmed. Land use will be assessed by the Town the same as any other 'change of use' DA in accordance with Table 1 of LPS5.

Highway Precinct Design

The design of the Highway Precinct is based on the following principles:

- Delivery of a range of leasehold lot sizes capable of accommodating various industrial land uses that are expected to establish within the Highway Precinct. Larger lots are expected to accommodate uses that require storage and laydown areas with smaller lot sizes capable of accommodating service industrial-type uses;
- A private road capable of accommodating vehicle lengths up to RAV 10 that also allows for future extensions and connections within the Airport as required; and
- The need to convey stormwater efficiently across the site whilst ensuring no upstream (airside) impacts. The design allows for lot drainage that utilises a system of road side drainage swales to accommodate more substantial rainfall events.

The leasehold boundaries depicted on the site plan are based on a likely range of tenants however, they are subject to refinement based on the specific tenants that approach PHIA and seek to establish within the Highway Precinct. If required, modifications to leasehold lot boundaries will be proposed at the time individual development applications are submitted with the Town and will need to conform to the principles and strategies established by this overarching approval framework. The overall design of the Highway Precinct in terms of the

road alignment and development cells will need to be consistent with the approved Site Plan however, the internal leasehold boundaries can easily be amended to suit end users.

Timing and Staging

Development of the Highway Precinct will be staged based on market demand for individual leasehold lots. The PHIA will be responsible for the construction of common infrastructure which will include:

- The internal private road as well as the associated earthworks and drainage;
- Other drainage swales required to convey stormwater; and
- Service infrastructure, specifically the supply of a reticulated power and water.

Given the capital expense of providing the above items, it is anticipated that lots closest to the Highway and the existing access point will be leased first in order to maximise return on investment and avoid constructing under-utilised infrastructure. For example, proposed lots 8, 9, 13 and 14 could be delivered by constructing a single length of road thereby maximising return on infrastructure. If however, a potential tenant seeks to occupy lot 11 and PHIA is agreeable to the proposal, then road and service infrastructure would need to be extended to service the lot. Drainage infrastructure will be delivered by PHIA as required and in accordance with the approved plans.

Roles and Responsibilities

Port Hedland International Airport

As part of the delivery of the Highway Precinct, PHIA will be responsible for the following works:

- Development of the private internal road including full earthworks and drainage. Construction of the road will be staged, with the road to be extended sequentially to service lots as individual development applications for buildings and land uses are progressed. Road levels and alignments will be in accordance with this application and the associated design drawings. Further detailed design drawings for roads are to be submitted to the Town as a condition of this development approval and prior to commencing construction of roads.
- Development of common drainage infrastructure, specifically roadside swales and other drainage corridors as well as culverts under roads. The alignment of drainage swales and invert levels are to be in accordance with the associated design drawings.
- Measures required to protect common drainage swales from erosion such as rock pitching.
- Provision of service infrastructure, specifically a reticulated power and water supply. These services will be extended sequentially to service lots as the individual development applications are progressed. And
- Bushfire mitigation measures, including but not limited to the maintenance of vegetation within the Highway Precinct to a 'low threat' standard, installation of turn-around areas for fire appliances, emergency access way to the internal airport Pettersson Road.

Individual Leasehold Tenants

Each individual leasehold tenant will be responsible for undertaking the following works:

- Earth works within the leasehold lots.
- Construction of all betterments associated with the individual developments such as buildings, structures, hardstand and landscaping works.
- Design and provision of stormwater detention areas required to detain the 15mm event within leasehold lots.
- Design and provision of any measures required to manage water quality and run off from uses such as refuelling, wash down and chemical storage.
- Obtaining any other approvals necessitated by the nature of the specific land use being proposed. and
- Any other development/works as deemed necessary, determined upon receipt of a development application.

Further information requirements:

As part of the individual development applications to be lodged by future tenants, the following information is an example of what may need to be demonstrated:

- Stormwater management;
- Any proposed land uses that are classified as 'high risk' in accordance with State Planning Policy 3.7 – Planning in Bushfire Prone Areas are to be supported by a separate and specific Bushfire Management Plan;
- Details of a suitably sized and located Aerobic Treatment Unit to accommodate wastewater from the proposed land use in accordance with the Department of Health's Code of Practice, Manufacture, Installation and Operation of ATUs; and
- For any development applications involving lots 1-5 inclusive and lot 7, details of any remediation work or site reclassifications under the Contaminated Sites Act 2003.

Street Lighting

The requirement for a developer to install street lighting is commonplace across the State where there is a proposal to intensify land uses on a site or bring more people into an area. Lighting is viewed as a tool to assist with safety and helps reduce the occurrence of crime on vehicles and property, whilst assisting with reducing traffic accidents.

Sufficient lighting during the day and night is important so that people can see and be seen. According to the Western Australian Planning Commission (WAPC), on average, around 40 per cent of night time street crime occurs when lighting is at 5 lux or below. The aim is to increase the real and perceived safety of the environment in areas where safe activity is encouraged. This proposal and the expected land uses and setting trigger the need for street lighting, in order to satisfy the following performance criteria of the WAPC Designing Out Crime Planning Guidelines. The criteria and comments are outlined below:

Performance criteria:

Ensure lighting is an early consideration in site planning and design

Comment:

The site is designed to accommodate a substantial number of businesses. This is likely to be characterised by expensive equipment, fuel storage, vehicles, tools and a large number of vehicle journeys to and from the area. It is likely that these sites will prove attractive to criminals due to the value of goods located on these sites. Measures to address crime and safety should be incorporated into the design, inclusive of street lighting.

Performance criteria:

Ensure inset spaces, access, egress and signage are well lit

Comment:

The site may host many types and a range of businesses such as showrooms and transport depots, which could generate a large volume of traffic. People not familiar with the area may visit the area for goods and/or services, whilst the site may host transport depots that could accommodate quad trailer road trains. Should a mixture of these businesses operate at night time, there is a greater potential for traffic conflict between light vehicles and road trains. Lighting assists with increased visibility at night time and will assist with reducing incidents.

As a recommendation of this planning approval, a condition has been imposed for the developer to provide street lighting along the private roads. This will assist with safety, both from a crime and traffic safety perspective. This condition is a common condition applied to a subdivision approval (by the WAPC) for the creation of industrial, commercial and residential lots or where a development application proposes the development of industrial lots, commercial units and other intensification of land uses that will be open to the public.

PHIA objection to proposed street lighting condition

Town Staff have met with the PHIA and provided the draft conditions of approval for feedback. The PHIA have not objected to the majority of conditions that form part of this recommendation, with the exception of the requirement for street lighting. The reason being is due to the financial cost, which has been estimated at \$500,000 (figure provided by applicant). Given the potential traffic and crime safety implications, it is considered necessary to have street lighting installed. Should the condition requiring street lighting be imposed and it appealed at the State Administrative Tribunal, it is considered that the position is well defensible given examples across the State where this requirement is imposed on subdivisions and development applications and the WAPC Designing Out Crime Planning Guidelines Guidelines.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial or resource implications.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 3.c.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry

- 4.a.3 A positive narrative and unique brand is developed and promoted
- 4.c.1 High quality and responsive customer service is provided

There are no significant identifiable environmental, social or economic impacts relating to this item.

RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item because the PHIA may not comply with the conditions of approval. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2). The risk is mitigated by the Town's ability to take compliance action in such circumstances.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The proposed development is consistent with the Town's Scheme and all applicable policies, strategies and the masterplan. It is recommended that the proposal be approved subject to conditions.

ATTACHMENTS

1. Attachment 1 - Location plan (under separate cover)
2. Attachment 2 - Site plan (under separate cover)
3. Attachment 3 - Other plans (under separate cover)
4. Attachment 4 - BMP (under separate cover)

11.3.4 DRAFT LOCAL PLANNING STRATEGY AND DRAFT LOCAL PLANNING SCHEME NO 7 AND RESOLUTION TO PROCEED TO ADVERTISE

Author: Senior Strategic Planner
Authorising Officer: Director Regulatory Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council:

1. Pursuant to Regulation 21(1)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, proceeds to advertise the draft Local Planning Scheme No. 7 (LPS7) included in Attachment 5 & 6 without modifications.
2. Delegates powers to the Chief Executive Officer to achieve the requirement of:
 - a) Regulation 12, 13 and 14 of the *Planning and Development (Local Planning Schemes) Regulations 2015* with regards to the draft Local Planning Strategy included in Attachment 2, 3 & 4 (Strategy) as follows:
 - i) provide a copy of the Strategy to the Western Australian Planning Commission (Commission) and seek the Commission's certification of the Strategy.
 - ii) make modifications to the Strategy as required by the Commission to enable certification, and prior to the commencement of advertising.
 - iii) provide public notice of the Strategy and ensure arrangements are in place for the Strategy to be made available for inspection by the public for a period of not less than 21 days. And
 - iv) report back to Council at the expiry of the consultation period with a final version of the Strategy, with or without modifications, having regard to any submissions made.
 - b) Regulation 21 and 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, with regards to LPS7 as follows:
 - i) refer LPS7 to the Environment Protection Authority to consider if LPS7 needs to be assessed pursuant to Section 48A of the *Environmental Protection Act 1986*.
 - ii) provide two copies of LPS7 to the Commission, and seek the Commission's advice on LPS7 and if it considers that any modification to the document is required prior to advertising.

- iii) make modifications to LPS7 to the satisfaction of the Environmental Protection Authority and/or Commission prior to commencement of advertising.
- iv) provide public notice of LPS7 and ensure arrangements are in place for LPS7 to be made available for inspection by the public for a period of not less than 90 days. And
- v) report back to Council at the expiry of the consultation period with a final version of LPS7, with or without modifications, having regard to any submissions made.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider providing copies of the draft Town of Port Hedland (Town) Local Planning Strategy including Part 1 text, Part 2 text and maps (Strategy) and draft Town of Port Hedland Local Planning Scheme No. 7 including scheme text and maps (LPS7) to the Western Australian Planning Commission (Commission) for certification; refer LPS7 to the Environmental Protection Authority (EPA) to consider if LPS7 requires assessment; and subject to favourable advice from the EPA and the Commission proceed to advertise both the Strategy and LPS7 in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

DETAIL

The announcement by the State Government in October 2018 that an Improvement Plan and Scheme will be prepared over the West End of Port Hedland with restrictions placed on residential land uses has provided certainty concerning the future of the area, and the necessary impetus to progress a comprehensive review of the Town's Port City Growth Plan (2012) and the Town of Port Hedland Local Planning Scheme No. 5.

At its Ordinary Meeting held on 26 June 2019, Council resolved to award Tender RFT 1819-14

– Local Planning Strategy and Scheme Review to Element Advisory Pty Ltd. The provision of a new Strategy and LPS7 is confirmed to be delivered in seven (7) phases. Phase 1 commenced from July to September 2019 and involved the project inception, analysis of the study area and a detailed review of existing documentation. Phase 2 continued from October to December 2019 with the preparation and implementation of the community and stakeholder engagement plan. The recent conclusion of Phase 3 in March 2020 has resulted in the preparation of the draft Strategy and draft LPS7. The project is currently in Phase 4 (Council briefing and referral to the Commission for certification) and scheduled to enter Phase 5 (public advertising of draft Strategy and draft LPS7) in April 2020.

Through the preparation of the Strategy and LPS7, the Town must follow the legislative requirements of the *Planning and Development Act 2005* (Act) and *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations). Local governments are required to seek the advice and certification from the Commission prior to advertising a draft local planning strategy. Through its assessment, the Commission ensures the draft local planning strategy:

- (a) sets out the long-term planning directions for the local government.

- (b) applies any State or regional planning policy that is relevant to the Strategy; and
- (c) provides the rationale for any zoning or classification of land.

Subsequent to a local government resolving to proceed with advertising a draft local planning scheme, the Regulations also require a local government to provide a copy of the written notice of Council's resolution and submit two (2) copies of the draft local planning scheme documents to the Commission and the EPA. LPS7 must be prepared in a manner and form as prescribed in the Model Scheme Text which forms part of the Regulations. This report represents the intermediate stage in the preparation of the Strategy and LPS7, as required by planning legislation and regulations and aims to seek resolution from Council to proceed to advertise the drafts.

Shaping Hedland - Stakeholder Outcomes Report

The report included in Attachment 1 provides an overview of the engagement and consultation objectives, methods and approaches, which form part of the preparation of the Strategy and LPS7. The key issues and themes collated from all face-to-face and online engagement activities with community and stakeholders are summarised below.

- Strike a balance between addressing the short to medium term needs of the community whilst also weaving in strategies to attract long-term investment
- Location of future residential and service areas
- Promote opportunities for sustainability initiatives and environmental assets
- Support new economic growth areas including tourism and arts and culture
- Addressing land use compatibility issues in Wedgefield

The following points highlight the key changes as currently proposed in both documents and show how each document has responded to community sentiment.

Local Planning Strategy

- Inclusion of two (2) population scenarios, conservative and aspirational to ensure balance population growth.
- Scaling back overly ambitious population projections from the Town's Port City Growth Plan with removal of some development investigation areas which have significant environmental constraints, tenure limitations and/or lack of service provision.
- West End is omitted from the Strategy and LPS7 in recognition of work being implemented by the State through the preparation of the West End Improvement Plan and Scheme. Anticipated boundaries have been identified based on consultation with State agencies.
- Urban growth for Port Hedland focused in the east to mitigate changes in West End.
- Urban growth for South Hedland focused on existing zoned site
- Local Planning Strategy and maps prioritises urban growth through:
 - short term (0-5 years) and identified as 'Priority Urban Land';
 - medium term (6-10 years) and identified as 'Future Urban Land'; and
 - long term (10+ years) and identified as 'Development Investigation Area'.

Local Planning Scheme No. 7

- Special Use Zone identified for Airport to recognise consultation with PHIA and outcomes from the Port Hedland International Airport Masterplan.
- Kingsford Smith Business Park being zoned 'Service Commercial'.
- Showing rail corridors not identified in the current scheme maps.
- Rationalising current reserves, zones and land use definitions in line with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- Recognising our waterways and other environmental assets in Environmental Conservation reserves.
- Old Wedgefield rezoned to 'Light Industry' to acknowledge significant presence of established Caretaker's Dwellings in the area.
- New Wedgefield rezoned to 'General Industry' to encourage new Heavy Vehicle and Heavy Industry land uses to operate in this location.

More detail is provided below as a rationale for any significant zoning or classification of land.

Population Projections

The Town seeks to achieve a balance between a conservative versus aspirational population forecast in its local planning framework, to inform both community infrastructure planning (based on likely population numbers) and encourage business investment. The proposed approach for population forecasting which is used to underpin the local planning strategy, is as follows:

1. An aspirational forecast by utilising the forecast.id population forecast of 27, 085 for the Town in 2041; and
2. A conservative forecast by utilising the RFF population forecast of 18,500 for the Town in 2041.

Inclusion of two (2) population scenarios, conservative and aspirational is considered a responsible approach to population forecasting for the local planning strategy, resolving existing amplified growth forecasts, while facilitating aspirations for the Town to reach "City" status (minimum population of 20,000), cementing its position at the apex of the Pilbara settlement hierarchy along with Karratha, and encourage business investment and confidence. However, this aspirational forecast is balanced with a more conservative population target based on a historical trajectory and ensure the provision of community infrastructure is responsive to likely population growth.

West End

The Port Hedland Dust Management Taskforce (the Taskforce) was convened in response to the EPA raising concern regarding regular exceedance of the National Environmental Protection Measure for dust concentrations permitted for residential development in the West End precinct, defined between the Esplanade and Taplin Street. In 2016, the Taskforce considered the findings of the Department of Health's 2016 report: *The Port Hedland Air Quality Health Risk Assessment for Particulate Matter* and provided recommendations to the Government through the Port Hedland Dust Management Taskforce Report to Government (Taskforce Report).

After considering the Taskforce Report and submissions received, on 15 October 2018 the Government decided that a whole-of-government approach was required to deal with this

issue, including adopting land use planning recommendations aimed at prohibiting sensitive land uses and restricting population growth in the West End of Port Hedland. To give effect to this, the Government requested the Commission to consider preparing an Improvement Plan and Improvement Scheme designed to achieve the land use outcomes of the Taskforce Report.

The Improvement Plan and Scheme for the West End, once prepared by the Department of Planning, Lands and Heritage (DPLH) on behalf of the Commission, will override any provisions of LPS7 prepared by the Town. On this basis, the Town is required to ensure LPS7 and the Strategy recognises the State Government's decision regarding the West End, align with DPLH's processes regarding the preparation of the Improvement Plan and Scheme, while ensuring Council, community and stakeholder expectations and aspirations are recognised for the area.

Wedgefield

Wedgefield consists of two distinct 'sub-precincts'. The older part of Wedgefield, located west of Pinga Street and north of Anthill Street, was originally developed in the 1960s and 70s as a light industrial area with caretaker's dwellings with narrow 20m – 30m road reservation widths. Over time as trucks have become longer the zoning has morphed to a general industry area with a mix of caretaker dwellings, heavy transport uses and heavy industry emission generating land uses. Many of the roads in old Wedgefield cannot cope with quad trucks and insufficient road reserve width exists to incorporate drainage and RAV10 compliant roads to service existing uses.

The proposed planning directions involve rezoning areas of Old Wedgefield from "Industry" to "Light Industry" to acknowledge significant presence of established Caretaker's Dwellings in the area. Carry forward existing provisions from the "Special Control Area" regarding Caretaker's Dwellings and continue to restrict the construction of new Caretaker's Dwellings and any new Heavy Vehicle Transport Depot or Heavy Industry land uses. New Transport Depots may be supported once upgrades have been made to road network enabling compliant access. Established Heavy Vehicle Transport Depot and Noxious Industry land uses are permitted to continue to operate in the interim.

Changes to New Wedgefield involve rezoning the area from "Transport Development" to "General Industry" and encourage new Heavy Vehicle and Heavy Industry land uses to operate in this location subject to compliance with Design Guidelines. LPS7 will continue to restrict any Caretaker's Dwellings within the General Industry zone to allow heavy industrial uses to operate without being restricted by nearby sensitive land uses. These changes are based on aiming to resolve land use conflicts over the longer term. The planning directions may be subject to change as LPS7 is subject to a 90 day public consultation process once the drafts are endorsed by Council and State Government for advertising.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the Strategy and LPS7 are important planning instruments used to guide land use and development within the Town.

CONSULTATION

Internal

- Planning and Development Team

- Manager Town Planning and Development
- Director Regulatory Services

External Agencies

- External agency consultation will occur extensively during the subsequent public advertising phase of the Strategy and LPS7 process.

Community

Community consultation will occur extensively during the subsequent public advertising phase of the Strategy and LPS7 process.

LEGISLATION AND POLICY CONSIDERATIONS

Planning & Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

FINANCIAL AND RESOURCES IMPLICATIONS

The Town will incur minor administrative costs in publishing the notice of the draft Local Planning Strategy and draft Local Planning Scheme No. 7 for public inspection as required under the Regulations.

In regard to possible zoning changes impacting rates, until a rating strategy is formally considered and released for public consultation the Town's finance services are unable to comment on how the new scheme may affect rates raised on a property. If members of the public are advised there will be changes to the zoning of their property and wish to see if there has been a change in the way their property will be rated, they will need to await the release of the rating strategy for public consultation prior to submitting an enquiry to the Rates Department. Draft local planning scheme documents and indicative zonings in draft documents will not impact Rates. Current zonings under Local Planning Scheme no. 5 will apply until the final version of LPS7 is approved by the State Government and published in the Government Gazette.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 1.d.1 The present and future facilities and requirements of the Town are planned for and developed in-line with relevant facility standards and community needs
- 2.b.3 Red tape for business is minimised through review and reform of relevant policies and by-laws
- 2.b.4 Business approval processes are transparent and pathways streamlined
- 3.a.2 Biodiversity is understood by the community and protected
- 3.a.3 Natural resource assets are well-managed and enhanced
- 3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed
- 3.b.3 Sustainable energy, waste and water management practices are provided and promoted

- 3.b.4 Innovation and resilience of the built form are encouraged, assessed and implemented
- 3.b.5 The protection and valuing of amenities and urban space is enhanced through community engagement
- 3.c.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry

As the Strategy and LPS7 provide an overarching framework for more detailed planning, at this stage in the process it does not have any specific identifiable environmental, social or economic impacts.

Corporate Business Plan

The following action of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 3.b.1 – Implement and review the local planning strategy and local planning scheme.

RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item because the Town is required to review its local planning scheme every five (5) years under the Act, and it has not been reviewed for nineteen (19) years. The risk rating is considered to be medium (8), which is determined by a likelihood of likely (4) and a consequence of minor (2).

This risk will be mitigated by the adoption of the officer's recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

This report represents the midway point for the Strategy and LPS7 project as defined by phases outlined in planning legislation and regulations. The resolution includes a section to forward copies of the draft Strategy and Scheme to the Commission for certification to advertise the documents, and a section to refer LPS7 to the EPA to consider if LPS7 requires assessment. Finally, subject to favourable advice from the EPA and the Commission, the Town can proceed to advertise both the draft Strategy and draft LPS7 in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. Significant opportunities for engagement will be available in the next phase of the project to provide input into the draft Strategy and draft LPS7, which will be carried out as a matter of course following this resolution.

It should be noted that due to tight project timeframes, this Agenda Item includes attachments which will be amended or included as late items as a result of review by the Project Steering Group. All attachments will be revised and uploaded prior to the Council Meeting on 25 March 2020.

ATTACHMENTS

1. Shaping Hedland - Stakeholder Outcomes Report
2. Draft Local Planning Strategy - Part 1 (Under Separate Cover)
3. Draft Local Planning Strategy - Part 2 (Late Attachmen)
4. Draft Local Planning Strategy - Maps (Late Attachmen)
5. Draft Local Planning Scheme No. 7 - (Late Attachment)
6. Draft Local Planning Scheme No. 7 - Maps (Late Attachment)

11.4 Infrastructure Services

11.4.1 AWARD OF TENDER RFT1920-14 – RESIDENTIAL (STAFF) HOUSE BUILDS SUTHERLAND STREET

Author: Coordinator Property Management
Authorising Officer: Manager Project Design and Delivery
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION 1

That Council accepts the tender submitted by XXXXXXXX in accordance with Tender RFT19/20-14 Residential (Staff) House Builds Sutherland Street, for the total amount of XXXXXXXXX (excluding GST).

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the assessment of submissions received for RFT1920-14 Residential (Staff) House Builds Sutherland Street and consider the evaluation panel's recommendation to award the tender to the preferred tenderer.

DETAIL

Request for Tender

The Town released a Request for Tender (RFT) on 12 February 2020, requesting a suitably qualified contractor to construct two residential homes on separate parcels, along Sutherland Street

The RFT was released on Vendorpanel (the Town's e-tendering portal) on 12 February 2020 and was advertised in the West Australian and the North West Telegraph on 12 February 2020 with a closing date of 3 March 2020.

Addendum Details

1. *Specification for 85 and 96 Sutherland Street. Site Inspection/Briefing details:*

Date: 19 February 2020
Time: 10.00am
Location: 96 Sutherland Street Port Hedland WA 6721

Tender Assessment

The Town received four (4) submissions for RFT1920-14 Residential (Staff) House Builds Sutherland Street. The respondents were as follows:

1. TEC Services Group Pty Ltd
2. MJW Building
3. Pilbara Constructions Pty Ltd
4. Quick Safety Pty Ltd

Of the submissions received, one (1) was rejected due as they did not attend the mandatory site briefing. The remaining respondents provided compliant tender responses.

All compliant tender submissions have been evaluated by a panel of three (3) Town employees whose main objectives were:

- a) Make a recommendation to the Council.
- b) Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;
- c) Ensure adherence to Local Government policies and legislation; and
- d) Ensure that the requirements specified in the Request are evaluated in a way that can be measured and documented.

Senior Procurement Officer facilitated the evaluation meeting held on 5 March 2020. The compliant submissions were assessed against the qualitative criteria as listed in the below table:

Qualitative Criteria	(%)
Relevant Experience & Key Personnel	40%
Capacity to Deliver & Resources	30%
Demonstrated Understanding & Methodology	30%
	100%

A summary of the assessment results of each submission received is included in the confidential evaluation report attached.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because this was included in the budget adoption process for FY2019/20.

CONSULTATION*Internal*

The Executive Leadership Team has been briefed through the procurement and tender processes with advice for specific requirements under the Staff Housing Strategy.

External Agencies

The Town engaged an architectural firm through an exemption process to assist during the procurement phase. Hodge Collard Preston was involved in the completion of the design and tender documentation for this RFT, along with the Development Application processes for the properties.

Community

The RFT was publically released via Vendorpanel (the Town's e-tendering portal) on 12 February 2020 and was advertised in the West Australian and the North West Telegraph on 12 February 2020 with a closing date of 3 March 2020.

LEGISLATION AND POLICY CONSIDERATIONS

Section 3.57 of the *Local Government Act 1995*, and division 2 of the *Local Government (Functions and General) Regulations 1996* apply in relation to the invitation of tenders.

The evaluation report and corresponding details relating to the respondents offers are deemed confidential pursuant to section 5.23 (c) and (e) of the *Local Government Act 1995*.

The following Town policies were considered in relation to this tender:

1. 2/007 'Purchasing'
2. 2/016 'Regional Price Preference'

Successful contractors must abide by the Town's Code of Conduct while carrying out works for the Town.

FINANCIAL AND RESOURCES IMPLICATIONS

The Residential Staff House builds is an approved project in the Town's FY 2019/20 budget adoption.

The Town engaged a Quantity Surveyor to provide estimation of the project's value and provide confidence in the submissions received, prior to the Regional Price preference being applied.

The financial implications associated with this item are outlined in the confidential attachments under separate cover.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 1.b.2 A residential workforce is promoted to industry as the preferred option
- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

There are no significant identifiable environmental, social or economic impacts relating to this item.

*Disability Access and Inclusion Plan**Corporate Business Plan*

The following action of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

Undertake a renewals program on the Town's commercial, community and residential assets.

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because the Town may not be able to maintain a highly skilled workforce due to having inadequate housing availability. The risk is considered to be low (4). This is arrived at through the likelihood of the risk occurring being unlikely (2) and the consequence of it occurring being minor (2).

The Town will be able to work towards mitigating this risk, by adopting the Officer's recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

Council is recommended to Award RFT 1920-14 Residential House Builds to the preferred tendered indicated in the Tender Evaluation Report. This company have met all selection criteria requirements and also represent best value for money for the Town of Port Hedland.

ATTACHMENTS

1. RFT1920 -14 Residential_Staff_ House Builds - Sutherland Street. - Confidential (under separate cover)

11.4.2 AWARD OF TENDER RFT1920-17 DESIGN CONSTRUCT AND INSTALL MODULAR HOME

Author: Coordinator Property Management
Authorising Officer: Manager Project Design and Delivery
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION 1

That Council, accepts the tender submitted by XXXXXXXXXXXX, in accordance with Tender RFT1920-17 – Design, Construct and install a Modular House, for the total amount of XXXXXXXXXXXX (excluding GST).

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the assessment of submissions received for RFT1920-17 – Design, construct and install a modular house and consider the evaluation panel's recommendation to award the tender to the preferred tenderer.

DETAIL*Request for Tender*

The Town released a Request for Tender (RFT) on 22 January 2020, requesting a suitably qualified and experienced company to design and construct a 3 x 2 residential property, on an existing parcel, owned by the Town of Port Hedland.

The RFT was released on Vendorpanel (the Town's e-tendering portal) on 22 January 2020 and was advertised in the West Australian and the North West Telegraph on 22 January 2020 with a closing date of 13 February 2020.

Addendum Details

There were three (3) addendums for this tender

1. *Provision of a feature Survey for Lot 207(15) McKenna Way South Hedland Provision of Geotechnical Site Classification for Lot 207(15) McKenna Way South Hedland Site Map/ Pan with dimensions for Lot 207 (15) McKenna Way South Hedland Tender Assessment*

The Town received three (3) submissions for RFT1920-17 – Design, construct and install a modular house. The respondents were as follows:

1. Australia Wide Transportables
2. Modular WA
3. Quick Safe Pty Ltd

Of the submissions received, one (1) was rejected due to insufficient detail against the scope of works. The remaining respondents provided compliant tender responses. All compliant tender submissions have been evaluated by a panel of four (4) Town employees whose main objectives were to:

- a) Make a recommendation to the Council.
- b) Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;
- c) Ensure adherence to Local Government policies and legislation; and
- d) Ensure that the requirements specified in the Request are evaluated in a way that can be measured and documented.

The Senior Procurement Officer facilitated the evaluation meeting held on 5 March 2020.

The compliant submissions were assessed against the qualitative criteria as listed in the below table:

Qualitative Criteria	(%)
Relevant Experience	30%
Capacity to Deliver & Resources	40%
Quality / Suitability	30%
	100%

A summary of the assessment results of each submission received is included in the confidential evaluation report attached.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 ‘Significant Decision Making’, this matter is considered to be of low significance, as these works were approved during the FY2019/20 budget adoption process.

CONSULTATION

Internal

- The Executive Leadership Team has been briefed through the procurement and tender processes with advice for specific requirements under the Staff Housing Strategy.

External Agencies

- Nil

Community

The RFT was publically released via Vendorpanel (the Town’s e-tendering portal) on 22 January 2020 and was advertised in the West Australian and the North West Telegraph on 22 January 2020 with a closing date of 13 February 2020.

LEGISLATION AND POLICY CONSIDERATIONS

Section 3.57 of the *Local Government Act 1995*, and division 2 of the *Local Government (Functions and General) Regulations 1996* apply in relation to the invitation of tenders.

The evaluation report and corresponding details relating to the respondents offers are deemed confidential pursuant to section 5.23 (c) and (e) of the *Local Government Act 1995*.

The following Town policies were considered in relation to this tender:

1. 2/007 'Purchasing'
2. 2/016 'Regional Price Preference'

Successful contractors must abide by the Town's Code of Conduct while carrying out works for the Town.

FINANCIAL AND RESOURCES IMPLICATIONS

The Residential Staff House builds is an approved project in the Town's FY 2019/20 budget adoption. The Tender price amount is within the allocated budget.

The financial implications associated with this item are outlined in the confidential attachments under separate cover.

The installation of the modular home and the supporting trades required for the project will utilise local contractors including carpentry, electrical and plumbing.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following section of the Town's Strategic Community Plan 2018-2028 is applicable in the consideration of this item:

- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

There are no significant identifiable environmental, social or economic impacts relating to this item.

Corporate Business Plan

The following action of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

Undertake a renewals program on the Town's commercial, community and residential assets

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because the Town may not be able to maintain a highly skilled workforce due to having inadequate housing availability.

The risk is considered to be low (4). This is arrived at through the likelihood of the risk occurring being unlikely (2) and the consequence of it occurring being minor (2).

The Town will be able to work towards mitigating this risk, by adopting the Officer's recommendation.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

Council is recommended to Award RFT1920-17 – Design, construct and install a modular house to the preferred tendered indicated in the Tender Evaluation Report.

This company has met all selection criteria requirements and also represent best value for money for the Town of Port Hedland.

ATTACHMENTS

1. RFT 1920 -17 Design, Construct and Install Modular House.pdf - Confidential (under separate cover)

11.4.3 ENDORSEMENT OF 'SOUTH HEDLAND ENTRY STATEMENT' LANDSCAPING WORKS FOR PUBLIC COMMENT

Author: Project Support Officer
Authorising Officer: Manager Project Design and Delivery
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council:

1. Endorse the proposed 'South Hedland Entry Statement' landscaping work plans as per attachment 1 and release for public comment between 26 March to 9 April 2020;
2. Note that final plans and a report summarising public comments will be presented to Council at the 22 April 2020 Ordinary Council Meeting for the purpose of final adoption; and
3. Authorise the Chief Executive Officer to initiate discussions for co-funding with possible partners.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider releasing for public comment, the proposed plans for the 'South Hedland Entry Statement', located on Hamilton Road between Hedland Senior High School and Forrest Circle in South Hedland. Upon conclusion of the two week consultation period, Town Officers will review the public's comments, amend the proposed plans (if applicable) and re-present the plans to Council for final adoption.

DETAIL

Public open space is a fundamental component of any neighbourhood, contributing significantly to the quality of life, social cohesion and identity to the community. In 2018, the Town developed its Public Open Space (POS) strategy to guide the management, provision and investment of POS. The POS strategy was developed under the Town's Strategic directive to 'Develop, implement and review a Parks and Paths strategy'. This directive originated from the most extensive community engagement exercise in the Town's history, in which over 5,800 local responses were received as part of the 2017 'Live it, tell it' campaign.

The Town's POS strategy has many objectives; one of which is to identify opportunities to improve the amenity, accessibility and functionality of public open spaces. To compliment works amenity and aesthetic works currently being undertaken throughout the Town, the need to improve the entry into South Hedland's Town Centre via Hamilton Road has been identified as one of these opportunities.

It is envisaged that the South Hedland Entry Statement landscaping works will add value to the community by improving the visual aesthetics, reputation and perception of South Hedland, provide increased shade, a more pleasant environment for pedestrians, and improve the usability of the area by providing opportunities for social cohesion. The proposed works will also connect and integrate the area to the recently completed landscaping works along Throssel Road and Forrest Circle.

The proposed plans include the following deliverables:

- Planting out of embankments
- Drinking fountains
- Lighting
- Public Art element
- Planting of low maintenance ground covers and grasses
- Kerbing, irrigation and landscaping upgrades and repairs
- Planting of established trees to form an avenue
- Protection of existing trees
- Alternating bands of laid turf and cracker dust
- Feature planting
- Seating nodes with shade structures, concrete seating and retaining walls
- Decorative paving
- Pathway linking to Spinifex Hill Studio

Proposed Timeline

Assuming the successful adoption of the final plans at the April 2020 Ordinary Council Meeting, the Town will prepare and release a tender for the works for a minimum of 14 days as required under the provisions of the *Local Government (Functions and General) Regulations 1996*.

Once the tender has closed, has been evaluated and a recommendation prepared, Council will be presented a report recommending the award of the tender to the successful applicant (most likely at the June or July Ordinary Council Meeting) where works can commence thereafter.

Works are estimated to take up to sixteen weeks complete.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, due to the potential level of public interest and opinion.

CONSULTATION

Internal

Internal consultation has been undertaken with the following:
Executive Leadership Team

- Director Infrastructure Services
- Manager Parks, Gardens and Engineering
- Manager Project Design and Delivery

- Manager Town Planning and Development
- Engineering Technical Officer
- Horticultural Technical Officer
- Works and Services team members
- Parks and Gardens team members

External Agencies

- FORM
- Land owners
- Utility providers
- Local business owners

Community

Engagement with the community in relation to urban renewal and greening initiatives is encouraged, and promotes transparency and public inclusion. It is anticipated that the proposed plans for the entry statement are made available for public comment for a period of two weeks from 26 March to 9 April 2020.

LEGISLATION AND POLICY CONSIDERATIONS

There are no legislative requirements in relation to seeking public comment on proposed plans. However, once the project has been formally endorsed and the Town either seeks to tender for the works, or engage contractors on an existing panel of pre-qualified suppliers, the Town will be bound to the provisions of the *Local Government (Function and General) Regulations 1996*, a subsidiary of the *Local Government Act 1995*.

The proposed costings are deemed confidential in accordance with section 5.23(2)(c) of the *Local Government Act 1995*, as the costs would ultimately relate to a contract which may be entered into by the Town.

The following Town policies were also observed in relation to this item:

4/009 'Significant Decision Making'

8/002 'Public Art'

8/003 'Access and Inclusion'

9/010 'Asset Management'

10/003 'Landscaping'

FINANCIAL AND RESOURCES IMPLICATIONS

It is important to note that alternative funding sources for this project are also being investigated by Town officers to mitigate the overall municipal cost. It is envisaged that the project will not proceed until funding partners/ opportunities are confirmed.

This project will be considered as part of the 2019/20 budget, therefore an allocation will need to be considered upon final adoption of the plans at the April 2020 Council meeting.

High level costings have been developed based on the current plans and are anticipated to be in the vicinity of \$2.3M.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 1.d.2 Facilities and community infrastructure are revitalised across the Town
- 3.a.1 Traditional owners, key stakeholders, and the community are informed and actively involved in the protection and enhancement of the natural environment
- 2.a.2 Partnerships with private enterprises and government to fund projects and create jobs are pursued
- 3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed
- 3.b.3 Sustainable energy, waste and water management practices are provided and promoted
- 3.b.5 The protection and valuing of amenities and urban space is enhanced through community engagement
- 3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
- 4.a.2 Town of Port Hedland is marketed and promoted locally, state-wide, nationally and internationally to tourists and investors
- 4.a.3 A positive narrative and unique brand is developed and promoted
- 4.b.4 Constructive forums are provided for discussion and the representation of the diversity of views and needs that impact on the Town's developments, programs and policies
- 4.c.2 Community members, business and tourists are engaged to provide feedback about local facilities and services
- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

Environmental

This project will improve the overall landscape environment and increase biodiversity to the area. Sustainable planting and efficient reticulation and maintenance will eliminate any negative impacts to the environment.

Social

There are positive social impacts in relation to this proposed Entry Statement by creating an aesthetically pleasing environment and providing an opportunity for social cohesion by the community.

There are no significant identifiable economic impacts relating to this item.

Disability Access and Inclusion Plan

The following outcomes of the Town's Disability Access and Inclusion Plan 2017-2022 apply in relation to this item:

- Outcome 2 – Buildings and Facilities
- Outcome 3 – Information

- Outcome 6 - Consultation Process

Corporate Business Plan

The following actions of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 1.d.2.1 Develop, implement and review an asset management renewal program to ensure long-term sustainability of the Town's assets
- 3.b.1.1 Develop, implement and review a Parks and Path strategy
- 3.b.1.4 Assess and rationalise the Town's infrastructure and assets
- 3.b.3.1 Develop, implement and review a sustainability plan for the Town's infrastructure
- 3.b.3.2 Promote sustainable initiatives which encourage waste avoidance, reduction, recovery and reuse
- 3.b.5.2 Appropriate community engagement is undertaken for strategic planning and land use decisions
- 3.c.2.1 Continue to maintain roads, footpaths, cycleway, beach access, carparks, verges, shade structures, drains, and signage
- 3.c.3.1 Develop, implement and review public open space in line with the Parks and Paths Strategy
- 4.a.3.1 Work with stakeholders to enhance the reputation of the town in line with our Vision Statement
- 4.b.1.2 Develop, implement and review strategic partnerships to support funding of key town projects and infrastructure
- 4.c.4.1 Develop, implement and review efficiency strategies across all facilities and infrastructure.

RISK MANAGEMENT CONSIDERATIONS

There is a financial risk associated with this item because this project has not been budgeted for. The risk rating is considered to be medium (8), which is determined by a likelihood of unlikely (2) and a consequence of major (4). To eliminate this risk, a budget allocation and funding partners will need to be finalised. Final adoption of the plans will allow the Town to confidently release a tender for the completion of the works.

A 'Dial-before-you-dig' was undertaken for the location, and has identified vital infrastructure within the area. Any excavations to the site will need to be undertaken accordingly to mitigate any potential risks involved.

Availability of irrigation to the site has also been highlighted as a potential difficulty, with Town Officers currently working to rectify these concerns.

Whilst every effort will be made to restrict the works within the Town's land boundaries, if any works are impinging upon other parties land, the Town will be required to prepare management orders for any encroached portions. This risk is rating is considered to be low (1), which is determined by a likelihood of possible (3) and a consequence of insignificant (1). It is recommended that this risk be accepted due to the insignificance of the consequence.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Do not adopt officer’s recommendation

CONCLUSION

The proposed South Hedland Entry Statement landscaping works will beautify the approach to South Hedland along both sides of Hamilton Road, from Hedland Senior High School to the roundabout at Forrest Circle.

Over the years, through comprehensive consultation with the community as part of the Town’s various engagement campaigns, the community have voiced their repeated opinion to see improvements to beautify the Town and for the opportunity to provide feedback or engage with Council.

In order to promote transparency and community inclusion in the decision making of Council, it is recommended that the proposed plans for the South Hedland Entry Statement be formally released for public comment, amended as required and brought back to Council for final adoption.

ATTACHMENTS

1. South Hedland Entry Statement Landscaping Works - Proposed Plans for Public Comment (under separate cover)

11.4.4 DESIGN AND CONSTRUCTION OF SEAWALLS AT THE WEST END, SUTHERLAND STREET AND GOODE STREET

Author: Manager Project Design and Delivery
Authorising Officer: Director Infrastructure Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council approves:

1. Approve commencement of detailed design, including required investigatory work for State and Federal approvals, to facilitate construction of the three (3) seawalls at;
 - (a) West End (Marapikurrinya Park, Richardson Street and the gap in between);
 - (b) Sutherland Street (between Crawford Street and Moseley Street); and
 - (c) Goode Street (northern Goode Street foreshore to the east of Barker Court).

2. Release the designs for public information and consultation.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to seek Council's endorsement for the design and construction of seawalls at West End (Marapikurrinya Park, Richardson Street and the gap in between), Sutherland Street and Goode Street; locations and details as per technical reports received from M P Rogers & Associates.

DETAIL

The coastal foreshore of Port Hedland experienced a significant amount of erosion and damage as a result of Tropical Cyclone Veronica in March 2019. The cyclone caused damage to the existing seawalls in the West End, and exacerbated existing erosion along Sutherland Street and Goode Street.

Following the impact of Tropical Cyclone Veronica, in April 2019 the Town engaged marine and coastal engineers M P Rogers & Associates to conduct a site inspection of the coastal foreshore, in April 2019, and to prepare a damage assessment report subsequent to Cyclone Veronica. This report also made recommendations for repairs/remediation in the short, medium and long term. Please refer to **Attachment 1** for this report.

Erosion / West End

Attachment 2 illustrates the comparison between the erosion risk in the West End of Port Hedland, and the subsequent damage following Tropical Cyclone Veronica. The images are

sourced from Port Hedland Town site Coastal Hazard Risk Management and Adaption Plan (CHRMAP; GHD 2019), and the M P Rogers & Associates Damage Assessment following Tropical Cyclone Veronica in April 2019.

Erosion – Sutherland Street

Erosion of the coastal foreshore along a part of Sutherland Street was recently observed to have become more pronounced in the months subsequent to Cyclone Veronica. The Town engaged M P Rogers and Associates, in October 2019, to re-inspect the critical foreshore along Sutherland Street, between Crawford and Moseley Street, conduct some geological testing for rock, and further investigate available adaption options to mitigate the erosion hazard risks.

Attachment 3 illustrates the comparison between the erosion risk on Sutherland Street, and the subsequent damage following Tropical Cyclone Veronica. The images are sourced from Port Hedland Town site Coastal Hazard Risk Management and Adaption Plan (CHRMAP; GHD 2019), and the M P Rogers & Associates Damage Assessment following Tropical Cyclone Veronica in April 2019.

Erosion – Goode Street

The Town had previously recognised the risk of coastal foreshore erosion along Goode Street and engaged M P Rogers, in 2015, to develop options to manage the erosion. After receipt of this report, M P Rogers was requested to write a technical specification for construction of a 180 metre long granite seawall at Goode Street. This technical specification was received in 2016, but construction was not implemented.

M P Rogers was requested, in November 2019, to review and update the 2015 concept management and options study on erosion at Goode Street based on the recently completed Port Hedland Town site *Coastal Hazard Risk Management and Adaption Plan* (CHRMAP; GHD 2019). A component of the review was to update previously estimated construction costs with contemporary rates.

Attachment 4 illustrates the comparison between the erosion risk at Goode Street, and the subsequent damage following TC Veronica. The images are sourced from Port Hedland Town site Coastal Hazard Risk Management and Adaption Plan (CHRMAP; GHD 2019), and the M P Rogers & Associates Damage Assessment following TC Veronica in April 2019.

Briefing with Commissioner and Executive Leadership Team – 25 February 2020

Representatives from M P Rogers & Associates were asked to brief the Commissioner and Town's Executive Leadership Team on Port Hedland Coastal Erosion, and specifically make a recommendation on the priority order of sites requiring attention to mitigate the coastal foreshore erosion. The reason for the requested priority order was if the Town chose to stage the proposed construction it would have relevant information to assist with making a final decision on staging.

The staging recommended by M P Rogers (in order of importance) was:

1. Sutherland Street
2. West End
3. Goode Street

Seawalls were the recommended long-term option to address the coastal foreshore erosion at each of the three (3) sites.

Feedback from the above briefing was that the Town should proceed with commencing the following:

- Relevant activities requiring further investigation (acid sulphate soil, contaminated ground),
- Any environmental approvals (noting proximity of work along Sutherland Street to breeding grounds of flatback turtles).
- Detailed design of the seawalls.
- Technical specifications.
- Relevant tender documentation for the construction work.

Confidential **Attachment 5** contains the presentation provided to the Commissioner and the Executive Leadership Team at the briefing.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of high significance as:

- it will improve amenity of the community and provide protection to Town and community assets against future cyclones
- there would be a number of residents and businesses located adjacent to the proposed works that would be substantially interested in both the project and its impacts
- there are significant social, economic and environmental implications associated with implementation of less viable options compared with construction of the seawalls
- progress of the project will require substantial internal, external and partner funding to progress

CONSULTATION

Internal

- Commissioner, Town of Port Hedland
- Executive Leadership Team
- Manager Town Planning and Development
- Manager Project Design and Delivery
- Community Engagement Team

External Agencies

- BHP
- Pilbara Port Authority
- Department of Fire and Emergency Services (DFES)
- Care for Hedland

Community

Due to this significance rating, public consultation will be undertaken during the design phase. In accordance with the Town's Significance Policy.

LEGISLATION AND POLICY CONSIDERATIONS

The *Local Government Act 1995* and Town of Port Hedland's Procurement Policy will be observed when preparing and awarding the tender for the package of work.

The *Local Government Act 1995* section 3.57 and the *Local Government (Functions and General) Regulations 1996* part 4, division 2 provide statutory requirements for the release, assessment, and award of tenders.

FINANCIAL AND RESOURCES IMPLICATIONS

Estimated costs of works for implementation of the seawalls are in excess of \$17M.

The Town will work strategically with key partners and the community, including identifying funding, to deliver the seawalls.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 1.b.4 Regular opportunities for the broad community to have input into the Town of Port Hedland plans and programs are provided for transparency, accountability and two-way interaction
- 1.d.2 Facilities and community infrastructure are revitalised across the Town
- 3.a.1 Traditional owners, key stakeholders, and the community are informed and actively involved in the protection and enhancement of the natural environment
- 4.b.4 Constructive forums are provided for discussion and the representation of the diversity of views and needs that impact on the Town's developments, programs and policies
- 4.c.2 Community members, business and tourists are engaged to provide feedback about local facilities and services
- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

Environmental

A number of investigations and approvals are required to advance the designs for the seawalls. These include investigations of acid sulphate soil and contaminated ground, particularly in the West End.

Environmental approvals may also be required given the proximity of the proposed Sutherland Street seawall to flatback turtle breeding grounds.

There are no significant identifiable social or economic impacts relating to this item.

Disability Access and Inclusion Plan

The following outcomes of the Town's Disability Access and Inclusion Plan 2017-2022 apply in relation to this item:

- Outcome 2 – Buildings and Facilities
- Outcome 6 - Consultation Process

Corporate Business Plan

The following actions of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 1.d.2.1 Develop, implement and review an asset management renewal program to ensure long-term sustainability of the Town's assets
- 3.b.1.4 Assess and rationalise the Town's infrastructure and assets
- 3.b.5.2 Appropriate community engagement is undertaken for strategic planning and land use decisions
- 4.b.1.2 Develop, implement and review strategic partnerships to support funding of key town projects and infrastructure
- 4.b.4.1 Implement programs in line with the community engagement policy and strategy
- 4.c.2.1 Generate valuable data and feedback
- 4.c.4.1 Develop, implement and review efficiency strategies across all facilities and infrastructure

RISK MANAGEMENT CONSIDERATIONS

There will be significant reputational damage if the Town does not progress the process of addressing the erosion issue along the coastal foreshore in the next few months. Lack of action will result in further erosion and inevitable loss and / or damage to valuable community and business assets.

The risk rating is considered to be extreme (20), which is determined by a likelihood of almost certain (5) and a consequence of major (4).

This risk will be eliminated by the adoption of the officer's recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Do not adopt officer's recommendation thereby placing the project into abeyance.

CONCLUSION

The Town's valuable coastal foreshore assets are under significant threat of additional damage due to storms, high tides, cyclones and any combination of these.

This report recommends that Council approve the commencement of design and construction of sea walls in three (3) areas of significant erosion along the coastal foreshore based upon advice from specialist marine and coastal engineers.

ATTACHMENTS

1. M P Rogers & Associates Damage Assessment - April 2019 (under separate cover)
2. West End Comparison (under separate cover)
3. Sutherland Street Comparison (under separate cover)
4. Goode Street Comparison (under separate cover)

11.4.5 AWARD OF TENDER RFT1920-11 SHOATA ROAD RECONSTRUCTION AND SEAL

Author: Project Manager
Authorising Officer: Manager Project Design and Delivery
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council, endorse the recommendation of the evaluation panel and award Request for Tender RFT1920-11 'Shoata Road Reconstruction and Seal for Town of Port Hedland' to XXXXXXXXXXXX. The contract is for the sum of XXXXXXXXXXXX (excluding GST).

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to provide a summary of the assessment of submissions received for RFT1920-11 'Shoata Road Reconstruction and Seal' and for Council to endorse the evaluation panel's recommendation to award the tender to the preferred civil construction contractor.

DETAIL

Shoata Road is a major access road for public and utilities infrastructure such as the Port Hedland Pony Club, Port Hedland Golf Course and the Water Corporation Waste Water Treatment Plant. The road has two main intersections with Hamilton Road (North East end) and Quartz Quarry Road (South West end) in South Hedland. Shoata Road is approximately 3.3km long, of which approximately 0.85km is sealed and 2.4km is unsealed.

The Town of Port Hedland sought a suitably experienced, qualified civil construction contractor to undertake the following scope of works:

- Lifting of the road through sections and installation of suitable drainage systems.
- Reconstruction of both Shoata/Hamilton and Shoata/Quartz Quarry intersections to facilitate single semi heavy vehicle movements.
- Sealing of Shoata road between Quartz Quarry and Hamilton Roads.
- Sealing of a section of Quartz Quarry Road up to the Shoata/Quartz Quarry intersection
- Construction of culverts to the cross overs for the Towns Golf Club, Pony Club and Water Corp Facilities.
- Construction of relief culvert.
- Concrete encasement of electrical service as detailed in drawings.
- Lowering of water service (trenching to the required depth and back filling by the Contractor with the replacement/ reinstatement of the service by the asset owner at no cost to the town or contractor).
- Removal of air valves to Watercorp asset as required.

The documentation for RFT1920-11, Shoata Road Reconstruction and Seal was released on 2 October 2019. When the RFT submission closed on 23 October 2019, five (5) submissions were received as follows:

1. DeGrey Civil Pty Ltd
2. Densford Civil Pty Ltd
3. Karratha Earthmoving & Sand Supplies Pty Ltd
4. Norwest Contracting Pty Ltd
5. Remote Industries Australia Pty Ltd

A non-mandatory site inspection was held on 9 October 2019, with two (2) of above respondents in attendance out of a total of five (5) contractors.

RFT Assessment

Upon review of the submissions received, all (5) companies were deemed compliant for further assessment by the evaluation panel.

The Town has adopted the best value for money approach to this request. This means that, although price was considered, the responses which contained the lowest prices was not necessarily accepted, nor the offer ranked the highest on the qualitative criteria.

A scoring system was adopted as part of the assessment of the qualitative criteria. Unless otherwise stated, a response which provided all the information requested was assessed as satisfactory.

The extent to which the respondent demonstrated greater satisfaction of each of these criteria, resulted in a higher score. The aggregate score of each response was used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

All compliant submissions have been evaluated by a panel of three (3) Town employees whose main objectives were to:

- a) Make a recommendation to the Chief Executive Officer, as to the respondents that best represents value for money.
- b) Ensure the submissions are assessed fairly in accordance with a predetermined weighting schedule.
- c) Ensure adherence to Local Government policies and legislation.
- d) Ensure that the requirements specified in the request are evaluated in a way that can be measured and documented.

The Evaluation Panel for this RFT consisted of:

- Principal Project Manager, Voting Member
- Project Manager, Voting Member
- Acting Director Infrastructure, Voting Member

- Manager Environmental, Health & Community Safety, Voting Member
- Senior Procurement Advisor, Non-Voting Member

The submissions were assessed against the RFT assessment criteria as listed in the below table:

Criteria	(%)
Relevant Experience	40%
Capacity to Deliver & Resources	20%
Demonstrated Understanding & Methodology	40%
	100%

A summary of the assessment results of submissions received for RFT 1920-11 Shoata Road Reconstruction and Seal is included in the confidential attachment.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because its award will allow the re-construction or replacement of a strategic asset which potentially affects a wide range of people who reside in Port Hedland.

CONSULTATION

Internal

- Infrastructure Services Team
- Procurement Team
- Executive Leadership Team

External Agencies

- Shawmac Engineering Consultants - Designers
- Main Roads Western Australia
- Water Corporation
- Horizon Power
- Port Hedland Pony Club
- Port Hedland Golf Course

Community

The Request for Tender (RFT) was publically released via Vendorpanel (the Town's e-tendering portal) and was advertised in the West Australian and the North West Telegraph.

LEGISLATION AND POLICY CONSIDERATIONS

Section 3.57 of the *Local Government Act 1995*, and division 2 of the *Local Government (Functions and General) Regulations 1996* apply in relation to the invitation of tenders.

The evaluation report and corresponding details relating to the respondents offers are deemed confidential pursuant to section 5.23 (c) and (e) of the *Local Government Act 1995*.

The following Town policies were considered in relation to this tender:

1. 2/007 'Purchasing'
2. 2/016 'Regional Price Preference'

Successful contractors must abide by the Town's Code of Conduct while carrying out works for the Town.

FINANCIAL AND RESOURCES IMPLICATIONS

An amount of \$1,696,604.00 has been approved in the Towns 2019/20 budget under the Road Renewal Program – Shoata Road. There are no impacts on the Town's Long Term Financial Plan.

Minor costs will be incurred in ongoing maintenance of the improved asset, however these will be considerably less than the existing maintenance costs of the unimproved asset which requires ongoing yearly maintenance. Improvement of the asset will result in an overall reduction in maintenance costs due to the current unsealed road being less susceptible to damage during wet weather events.

Council will receive a reimbursement of 2/3 of the cost under the grant it received for the project under the Main Roads WA Regional Roads Group funding program.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 1.d.2 Facilities and community infrastructure are revitalised across the Town
- 2.c.3 Local procurement is prioritised and promoted across industry and agencies
- 3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed
- 3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
- 4.b.1 Sound long-term financial planning is implemented
- 4.b.2 Transparent and regular financial reporting and communication to the community is undertaken
- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

There are no significant identifiable environmental, social or economic impacts relating to this item.

Disability Access and Inclusion Plan

The following outcome of the Town's Disability Access and Inclusion Plan 2017-2022 apply in relation to this item:

Outcome 3 – Information

Corporate Business Plan

The following actions of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 1.d.2.1** Develop, implement and review an asset management renewal program to ensure long-term sustainability of the Town's assets.
- 2.c.3.1** Promote Town of Port Hedland procurement opportunities.
- 3.b.1.4** Assess and rationalise the Town's infrastructure and assets.
- 3.c.2.1** Continue to maintain roads, footpaths, cycleway, beach access, carparks, verges, shade structures, drains, and signage.
- 4.b.1.1** Develop, implement and review the Town's Long-Term Financial Plan.
- 4.b.2.1** Ensure the Town's finances are managed efficiently and effectively in line with legislated requirements.
- 4.c.4.1** Develop, implement and review efficiency strategies across all facilities and infrastructure.

RISK MANAGEMENT CONSIDERATIONS

There is a moderate reputational risk associated with this item if the Town does not address the required maintenance and renewal of the Town's assets in a timely and efficient manner. The risk rating is considered to be nine (9), which is determined by a likelihood of three (3) and a consequence of three (3).

This risk will be eliminated by adoption of the officer's recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

Town Officers recommend the awarding of RFT1920-11 Shoata Road Reconstruction and Seal for Town of Port Hedland to the recommended contactor identified in the attached evaluation report. They have met and exceeded all selection criteria requirements and also represent best value for money for the Town of Port Hedland.

ATTACHMENTS

1. RFT1920-11 'Shoata Road Reconstruction and Seal for Town of Port Hedland' - Confidential (under separate cover)

11.4.6 ENDORSEMENT OF 'WEST END AMENITY UPGRADE' FOR PUBLIC CONSULTATION

Author: Horticultural Technical Officer
Authorising Officer: Manager Project Design and Delivery
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council:

1. Endorse the Right Foot Forward (RFF) Scoping Document for the West End Amenity Upgrade (attachment 1) to be released for public comment between 26 March and 9 April 2020.
2. If any submissions are received that propose changes, or if there are substantial post public exhibition changes proposed for any other reasons, a report be submitted to Council for consideration detailing the public exhibition outcomes and with further recommendations regarding adoption; and
3. If there are no submissions received proposing changes as a result of the public exhibition, or there are no substantial post public exhibition changes proposed for any other reason, adopt the RFF Scoping Document.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to release for public comment, the Right Foot Forward (RFF) Scoping Document for the West End Amenity Upgrade. On conclusion of the Town's two week public consultation period the Town's Officers and relevant stakeholders will review the public's comments and develop final plans for adoption by Council.

DETAIL

In 2018 the Town developed a Public Open Space (POS) Strategy in response to the Town's Strategic objective to 'Develop, implement and review a Parks and Path Strategy.' This directive originated from the Town's 2017 'Live it, tell it' community engagement campaign. One of the objectives of the Town's Public Open Space Strategy is to identify opportunities to improve the amenity, accessibility and functionality of public open space.

The West End of Port Hedland is an important commercial and industrial precinct for the Town of Port Hedland. BHP has approached the Town, through RFF Australia, to endorse and contribute to a West End Amenity Upgrade. The aim of this project is to improve the amenity, functionality and accessibility of the West End to better serve and support the community. The

West End Amenity Upgrade project specifically responds to the recommendation within the Public Open Space Strategy to improve the quality of POS in Port Hedland. This project will compliment other works to improve amenity and functionality which will be undertaken throughout the Town over the next 3 years.

RFF Australia has developed a high level scoping document for the project, outlining recommended and preferred actions to take place. It has been proposed that the development take place in two stages:

- Stage 1 focusing on the streetscapes, verges and traffic islands west of Withnell Street
- Stage 2 focusing on the streetscapes, verges and traffic islands between Withnell Street and Taplin Street.

Internal staff have been liaising with RFF, BHP and Pilbara Port Authority (PPA) to form an agreement on the preferred objectives and outcomes of this project.

The scoping document includes the following deliverables:

- Planting out streetscapes, verges and traffic islands with low maintenance ground covers and grasses
- Irrigation audit, repairs and installation
- Planting and relocation of street trees
- Removal of poor performing street trees
- Laying of turf and cracker dust
- Paving
- Installation of footpaths
- Rock-pitching
- Footpath linkage of The Esplanade and Richardson Street

On completion of public consultation and discussion between relevant parties, final plans will be submitted to Council for endorsement.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, due to the potential level of public interest and opinion.

CONSULTATION

Internal

- Executive Leadership Team
- Director Infrastructure Services
- Manager Parks, Gardens and Engineering
- Coordinator Parks and Gardens
- Horticultural Technical Officer
- Parks and Gardens team members
- Community Engagement team

External Agencies

- BHP
- Pilbara Port Authority
- RFF Australia
- Local business owners

Community

Community engagement is important in amenity upgrade projects to encourage transparency, social inclusion and to ensure upgrades are functional for the community. It is proposed that the Scoping Document is released by the Town for a period of two weeks for public consultation from March 26, 2020 to April 9, 2020.

LEGISLATION AND POLICY CONSIDERATIONS

There is no legislative requirement in relation to public comment on proposed plans. The following Town policies will be taken into consideration at all stages of this project:

- 4/009 'Significant Decision Making'
- 8/003 'Access and Inclusion'
- 9/010 'Asset Management'
- 10/003 'Landscaping'

FINANCIAL AND RESOURCES IMPLICATIONS

BHP will be the primary funding source for this development project. The Town current has no budget allocation for this project. Allocation will need to be considered upon adoption of final plans where a project budget has been developed.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 1.d.2 Facilities and community infrastructure are revitalised across the Town
- 3.a.1 Traditional owners, key stakeholders, and the community are informed and actively involved in the protection and enhancement of the natural environment
- 2.a.2 Partnerships with private enterprises and government to fund projects and create jobs are pursued
- 3.b.5 The protection and valuing of amenities and urban space is enhanced through community engagement
- 3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
- 4.a.2 Town of Port Hedland is marketed and promoted locally, state-wide, nationally and internationally to tourists and investors
- 4.a.3 A positive narrative and unique brand is developed and promoted
- 4.b.4 Constructive forums are provided for discussion and the representation of the diversity of views and needs that impact on the Town's developments, programs and policies

- 4.c.2 Community members, business and tourists are engaged to provide feedback about local facilities and services
- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

Environmental

This project will improve the overall landscape of the area. Species selection will be based on the Town of Port Hedland's Preferred Planting Guide.

Economic

There are no significant identifiable economic impacts relating to this item.

Social

As this item is for endorsement of community engagement actions, there are positive social implications in relation to this item. Creating a more functional and aesthetical pleasing environment in the West End will promote social inclusion and positive perception of the West End.

Disability Access and Inclusion Plan

The following outcomes of the Town's Disability Access and Inclusion Plan 2017-2022 apply in relation to this item:

- Outcome 2 – Buildings and Facilities
- Outcome 3 – Information
- Outcome 6 - Consultation Process

Corporate Business Plan

The following actions of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 3.b.1.1 Develop, implement and review a Parks and Path Strategy.
- 3.b.1.4 Assess and rationalise the Town's infrastructure and assets.
- 3.b.3.1 Develop, implement and review a sustainability plan for the Town's Infrastructure.
- 3.b.5.2 Appropriate community engagement is undertaken for strategic planning and land use decisions.
- 3.c.2.1 Continue to maintain roads, footpaths, cycleway, beach access, carparks, verges, shade structures, drains and signage.
- 3.c.3.1 Develop, implement and review public open space in line with the Parks and Path Strategy.
- 4.a.3.1 Work with stakeholders to enhance the reputation of the town in line with our Vision Statement.
- 4.b.1.2 Develop, implement and review strategic partnerships to support funding of key town projects and infrastructure.
- 4.c.4.1 Develop, implement and review efficiency strategies across all facilities and infrastructure.

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item as failure to engage the community in decision making may cause a decrease in the community perception of the Town. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2).

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Do not adopt officer’s recommendation

CONCLUSION

The proposed West End Amenity Upgrade will beautify the streetscapes, verges and traffic islands throughout the West End of Port Hedland. The Town’s community engagement activities in recent history have consistently indicated the public’s desire for beautification of the Town and the opportunity to provide feedback to Council.

To promote inclusion and transparency and to ensure that the upgrades are functional for the community, it is recommended that the project is formally released for public comment so that final plans, including consideration of public comments, are collated, developed and brought to Council for final adoption.

ATTACHMENTS

1. West End Amenity Upgrade Scoping Document (under separate cover)

Item 12 Reports of Audit, Risk and Compliance (ARC) Committee

Item 13 Motions of which Previous Notice has been given

Item 14 New Business of an Urgent Nature (Late items)

Item 15 Matters for Which Meeting May Be Closed (Confidential Matters)

Item 16 Closure

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held in Council Chambers, Civic Centre, McGregor Street, Port Hedland on Wednesday 22 April 2020 commencing at 5:30pm.

16.2 Closure

There being no further business, the Commissioner declared the meeting closed at [enter time](#)