Town of Port Hedland

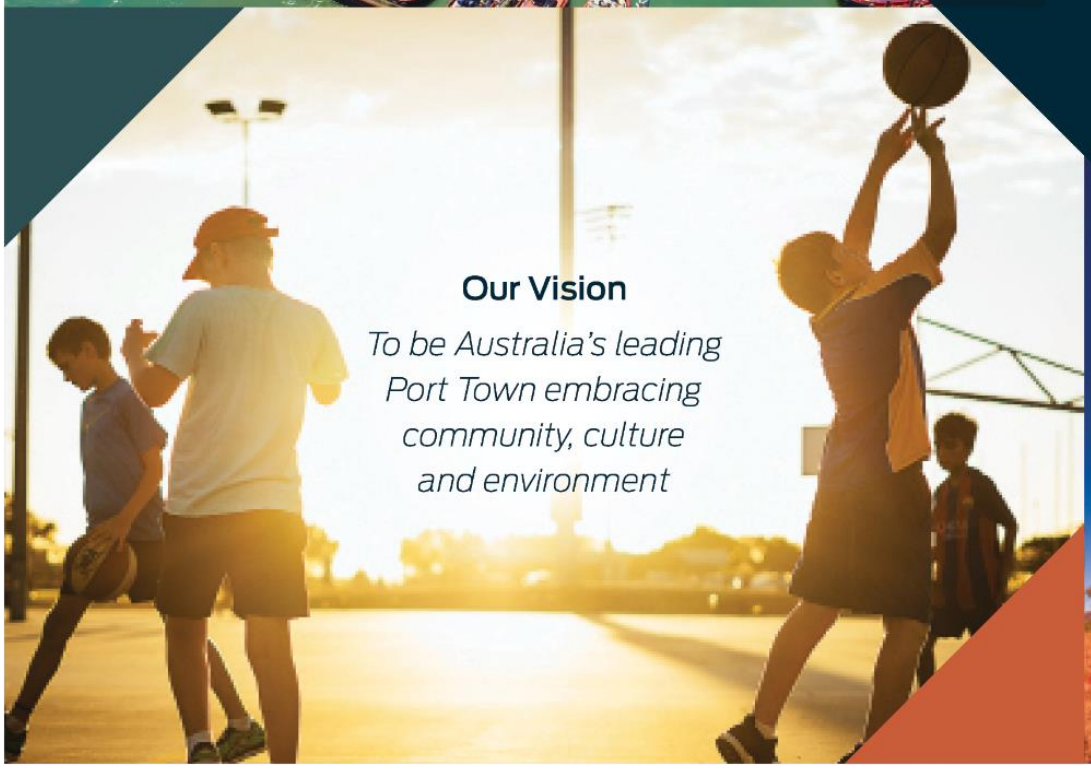
Notice of Meeting and Agenda
Ordinary Meeting of Council

Council Chambers, McGregor St, Port Hedland

5:30pm Wednesday 28 August 2019

Distribution Date:
16 August 2019

David Pentz
Chief Executive Officer



Our Vision

To be Australia's leading Port Town embracing community, culture and environment

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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

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			
Name of person declaring the interest			
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."

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Item 1 Opening of Meeting

The Commissioner is to declare the meeting open at __ pm.

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

3.2 Attendance by Telephone / Instantaneous Communications - *not applicable during Council suspension*

3.3 Apologies – not applicable during Council suspension

3.4 Approved Leave of Absence - not applicable during Council suspension

3.5 Disclosures of Interest

Name	Item no.	Interest	Nature

Item 4 Applications for Leave of Absence

Not applicable during Council suspension.

Item 5 Response to Previous Questions

5.1 Response to Questions taken on notice from Public at the Ordinary Council Meeting held on Wednesday 24 July 2019

5.1.1 Mr George Daccache

As a Councillor I asked a number of times if Council could approach the main shopping centres to request the installation of car parking spaces for seniors next to the disabled parking spaces. Could you tell me the status of that request? Can Council also provide car parking spaces for seniors next to the disabled parking spaces at the Civic Centre?

The Senior Community Engagement Officer advised that both Sentinel Property Management (Boulevard Shopping Centre, Port Hedland) and Charter Hall (South Hedland Square) representatives had been engaged regarding the addition of parking for seniors at their centres.

- Charter Hall are planning to include parking bays for seniors in their shopping centres. These parking bays will be included in a project which includes traffic flow and management as well as repairs and maintenance to the car park.

- Sentinel Property Management requested a proposed location for the parking bays, which was provided to them (see below). A review of all costs and lease requirements throughout the centre is underway and parking bays for seniors will be included in the review.

There are currently multiple parking spaces near the entrance to the Civic Centre, including two disabled parking spaces, which could be used for this purpose.

To use the disabled parking spaces an ACROD card can be applied for here: https://www.acrod.org.au/how-to-apply/.

5.1.2 Mr Deon Cawthray

The State Administrative Tribunal came back with a ruling against Councillor Daccache on 24 June 2019. Even though Council is suspended now, I would like to know if Councillor Daccache is reprimanded, fined or removed?

The Chief Executive Officer advised that the Town contacted the Department of Local Government, Sport and Cultural Industries to clarify this matter. The Department advised that the State Administration Tribunal decision simply overturned the Standards Panel's decisions against Mayor Blanco in respect of that complaint. They further advised that they will not take any further action in respect of that complaint, other than to update their records.

5.2 Response to Questions taken on notice from Elected Members at the Ordinary Council Meeting held on Wednesday 24 July 2019

Nil

Item 6 Public Time

Important note:

'This meeting is being streamed live online. If you do not give permission for recording your participation please indicate this at the meeting. In accordance with the Town's Standing Orders nobody shall record the proceedings of any meeting unless that person has been given permission by the chairperson to do so and mobile telephones must be switched off.'

Unless the Presiding Member determines otherwise, a person may ask up to three questions at a meeting. The time to be allocated for the asking of and responding to questions raised by members of the public is up to 15 minutes but the Presiding member may extend question time for up to 60 minutes after the end of the minimum time for questions. 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 WA Country Health Service

~~WA Country Health Service will present on the Department of Health Needle and Syringe Exchange Program.~~

Item 7 Questions from Members without Notice

Not applicable during Council suspension.

Item 8 Announcements by Presiding Member without Discussion

Commissioner's Meetings for the month of July 2019:

Date	Meeting	Topic
16/7/2019	Pilbara Airlines	
18/07/2019	Frank Edwards	Community member - block of lands for rodeos
18/07/2019	Chris Whalley	Future of Port Hedland
18/07/2019	FMG	General introduction/back rates
18/07/2019	Camilo Blanco	Private and confidential
18/07/2019	Landcorp	Structure planning for new growth
19/7/2019	Gallery walk through	Pre gallery opening
19/7/2019	Keith Squibb (SES)	Local Emergency Management Committee
19/7/2019	Gallery Exhibition (speech)	Bloom exhibition opening
20/7/2019	Cossack Art awards evening	
23/7/2019	Roger Johnston (CEO PPA)	Introduction meeting
23/7/2019	PRC	teleconference - PRC update
24/7/2019	DJITSI & PDC	Economic conditions in the Pilbara
24/7/2019	Richard Whitwell	Private and confidential
24/7/2019	Terry Hill (PDC CEO)	Introduction meeting
24/7/2019	Warren McDonogh	Private and confidential
24/7/2019	Ordinary Council Meeting	As per agenda
25/7/2019	Pilbara Media	Radio interview (spirit)
25/7/2019	Julie Arif	Private and Confidential
25/7/2019	Rod Evans	PHIA
25/7/2019	Telona Pitt	Private and Confidential
25/7/2019	Dave McGowan	Yacht Club
25/7/2019	Arnold Carter	President of Rate Payers Association
25/7/2019	Spinifex Spree	Spinifex Spree opening speech
29/7/2019	Craig Parkin	Local Policing Issues
29/7/2019	Tricia Hebbard	Private and confidential

29/7/2019	Margi Faulkner	Regional Director WACHS - Introduction meeting
29/7/2019	George Daccache	Private and Confidential
30/7/2019	PPA CEO and Chairman	Introductions
30/7/2019	Port Hedland Industries Council	Introduction meeting
30/7/2019	PPA Opening of Integrated Marine Operations Centre	Opening
30/7/2019	Alannah MacTiernan, Minister for Regional Development; Agriculture and Food; Ports	Marina
Date	Meeting	Topic
30/7/2019	WA Country Health Services	Needle exchange program
30/7/2019	PPA Sundowner	
31/7/2019	Bill Mann HSHS	High school topics/events

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

The Commissioner is to declare that he has given due consideration to all matters contained in the agenda.

Item 10 Confirmation of Minutes of Previous Meeting

10.1 Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday 24 July 2019.

OFFICER'S RECOMMENDATION

That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday 24 July 2019 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

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.

Item 11 Reports of Officers

11.1 Corporate and Performance

11.1.1 Statement of Financial Activity for the Period Ended 30 June 2019 *(File No 12/14/0003)*

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

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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 30 June 2019;

2. Receive the Material Variance Report;

2. Note the Accounts paid under delegated authority for period ended 30 June 2019; and

4. Receive the Credit Card Statements for period ended 30 June 2019.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the Statement of Financial Activity for the period ended 30 June 2019. 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 30 June 2019, with financial results included in *Attachment 1. Statement of Financial Activity Notes 1-12* prepared by the Town of Port Hedland.

The Town wants to highlight the accounts presented with this agenda are unaudited statements. While currently accurate the financials are subject to change based on further changes required to close out the financial year. The auditors may request changes to be made during their review. This will result in differences between the financials attached and the financial statements presented for financial year 2018/2019.

The closing surplus and municipal cash position will change once the financial risk reserve has been finalised.

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 2018/19 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 13. Explanation of Material Variances*.

The opening funding surplus of $7.1M presented in YTD Actual on the Statement of Financial Activity is as per the closing surplus presented in the audited June 2018 financial statements.

The net current asset position as at 30 June 2019 was $12.6M. The breakdown of the cash position is displayed below:

	2018/19 Actuals
Current Assets: Cash and Investments	$231.9M
Restricted Cash – Reserves	$216.2M
Unrestricted Cash Position as at 30 June 2019	$15.7M

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.

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; and
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 2018/19 budget to the risk that a reduction in income or increase in expense throughout the 2018/19 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 Officers Recommendation

Note the Statement of Financial Activity and reports for the period ended 30 June 2019 in accordance with *regulation 34(1) of the Local Government (Financial Management) Regulations 1996*.

Option 2 - Amend Officers Recommendation

That Council receive the Statement of Financial Activity for the period ended 30 June 2019 and request further information or clarification.

Option 3 – Do not adopt Officers Recommendation

That Council do not note or receive the Statement of Financial Activity for the period ended 30 June 2019.

CONCLUSION

The opening funding surplus of $7.1M 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 $12.6M.

Variances in operating revenue and expenditure are addressed in detail in *Attachment 2 NOTE 13. 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 Notes 1-12 (Under Separate Cover)
2. Note 13 Material Variance Report (Under Separate Cover)
3. Accounts paid under delegated authority listing (Under Separate Cover)
4. Credit Card Statements for period ended 30 June 2019 (Under Separate Cover)

11.1.2 Review of Ordinary Council Meeting Schedule *(File No. 13/06/0003)*

Author	Corporate Support Officer
Authorising Officer	Director Corporate and Performance
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 regulation 12 of the *Local Government (Administration) Regulations 1996:*

1. Approve the following amendments to Ordinary Council Meeting schedule for the 2019 calendar year, as follows:

Current Date	Proposed Date	Time	Location
No meeting set	Wednesday, 23 October 2019	5:30pm	Council Chambers, Civic Centre
Wednesday, 13 November 2019	Wednesday, 27 November 2019	5:30pm	Council Chambers, Civic Centre
Wednesday, 11 December 2019	Wednesday, 11 December 2019	5:30pm	Council Chambers, Civic Centre

2. Request that the Chief Executive Officer, or his authorised officer advertise the approved dates by way of Public Notice, and on the Town of Port Hedland's website.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the Ordinary Council Meeting (OCM) amendments to the 2019 schedule, to be advertised in accordance with legislative requirements.

DETAIL

Each year, Council are required to set the schedule of OCMs for the calendar year ahead, and advertise the adopted dates, times and locations in line with the requirements of the *Local Government (Administration) Regulations 1996.*

As per the adopted Council Meeting Framework (1 November 2017, decision No. CM201718/061), Ordinary Council meetings are to commence at 5:30pm on the fourth Wednesday of each month, in Council Chambers.

2019 Council Meeting Framework Amendment

The 2019 schedule was adopted at the 24 October 2018 OCM, and in view of the 2019 Ordinary Election, no meeting had been listed for October, and an earlier meeting date was set for 13 November 2019.

Due to the suspension of Council, and the 2019 October Ordinary Election no longer taking place, it is proposed that the OCM in October is reinstated and held on 23 October 2019, and the November OCM be held on 27 November 2019, instead of 13 November 2019.

These proposed dates conform to the schedule of the last Wednesday of every month. The December OCM meeting will remain unchanged and listed for the 11 December, due to the Christmas break.

The dates for the OCM 2020 schedule will be advertised pending the Local Government Election date

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

Governance Team
Executive Leadership Team
Manager Financial Services

Community

Upon approval of the updated 2019 schedule of OCMs, the community will be notified via public notice in the local newspaper, at the noticeboard screens at the Civic Centre and libraries and via the Town's website.

LEGISLATION AND POLICY CONSIDERATIONS

The *Local Government Act 1995* sections 5.3 to 5.5 applies in relation to holding, convening and calling Council meetings.

Regulation 12(1) of the *Local Government (Administration) Regulations 1996* outlines the requirements for local public notice for OCMs.

Regulation 12(1) of the *Local Government (Administration) Regulations 1996* outlines that the LG is to give local public notice of any change to the date, time or place of a meeting

Any OCM will be live streamed in accordance with policy 1/015 'Recording of Council and Committee Meetings'.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no identifiable financial or resource implications associated with the officer's recommendation.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

The following sections of the Council'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.b.5	Opportunities to get involved and results of engagement are regularly promoted
1.c.4	The Town's program of events and activities is promoted locally, regionally and nationally
4.b.3	Transparent and regular governance reporting and communication to the community is undertaken
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

Disability Access and Inclusion Plan

Outcome 1 of the Town's Disability Access and Inclusion Plan (DAIP) 2017-2022 applies, as the locations for Council meetings must comply with accessibility requirements.

Environmental, Social or Economic Impacts

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

RISK MANAGEMENT CONSIDERATIONS

There is a risk rating of medium (6) associated with this item, as should Council not resolve their meeting dates and advertise them in accordance with relevant legislation it would result in non-compliance. This is 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 Recommendations

Option 2 – Amend Officer's Recommendations

Council may suggest alternative dates or times.

CONCLUSION

Council meetings for the calendar year are required to be set by Council and advertised in accordance with legislation. Advertising via public notice and on the Town's website of the approved dates, times and locations of the updated 2019 Council meetings will ensure that the community are made aware and given the opportunity to prepare for and participate in the meetings, and have their say.

ATTACHMENTS

Nil

11.1.3 Amendment of Policy 3/003 'Subsidies and Allowances' *(File No. 04/03/0001)*

Author	Manager Human Resources
Authorising Officer	Director Corporate and Performance
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 adopt amended policy 3/003 'Subsidies and Allowances' as per attachment 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider adopting amended policy 3/003 'Subsidies and Allowances' to ensure it remains current, as a majority of the content in the policy no longer applies to any of the Town of Port Hedland's (Town) employees.

DETAIL

The administration is currently undertaking a comprehensive review of Council policies to ensure they are relevant and meet the needs of Council and the community. Over the coming months, Council will be presented with a number of policies that require review based on their level of priority, significance and length of time that has passed since they were last reviewed. Policy 3/003 'Subsidies and Allowances' has remained unchanged for over 10 years.

The current policy outlines the subsidies and allowances available to employees of the Town that commenced employment prior to 2 September 1995, which included the following:

- Annual leave travel subsidy;
- Application for dependant's location and travel allowance;
- Incentive scheme;
- Power subsidies;
- Rental subsidies; and
- District allowance.

All staff employed after 2 September 1995 receive an allowance called the Port Hedland Allowance, which is a combination of all Award and previous allowances paid to staff. The Port Hedland Allowance is also specified in the Town's Enterprise Agreement (EBA).

Relevance to current staff

The Town's Human Resources team have confirmed that there are no current employees of the Town that were employed before 2 September 1995. Therefore reference to these allowances in the policy is deemed irrelevant and can be removed.

Proposed amendment

A majority of the policy is proposed to be removed, as it only applied to staff employed prior to 2 September 1995. The last paragraph of the current policy, "Port Hedland Location Allowance - Since September 1995", relates to current employees. Therefore this paragraph has been rephrased and included in the revised policy, along with an objective which states:

"The objective of this policy is to ensure that due regard is provided to the Town's employees for cost of living considerations associated with living in a remote regional area of Western Australia".

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, and does not require public consultation.

CONSULTATION

Internal

- Executive Leadership Team
- Manager Human Resources
- Manager Governance
- Senior Governance Advisor

LEGISLATION AND POLICY CONSIDERATIONS

The role of Council, as defined in section 2.7(2)(b) the *Local Government Act 1995* is to determine the local government's policies.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial or resource implications associated with 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.a.3 A positive narrative and unique brand is developed and promoted
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.

Corporate Business Plan

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

4.b.3.1 Ensure governance information provided to the community is in line with legislated requirements.

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item due to the extensive period of time that this policy remained unchanged. The risk rating is considered to be low (2), which is determined by a likelihood of unlikely (2) and a consequence of insignificant (1).

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 are required to regularly review its policies to ensure they are relevant and meet the needs of Council, staff and the community. It is recommended that policy 3/003 'Subsidies and Allowances' be amended to confirm currency, and that the policy is in line with Council's strategic direction to promote and develop a positive narrative for the Town and ensure transparency and good governance.

ATTACHMENTS

1. Proposed amended policy 3/003 'Subsidies and Allowances'
2. Current policy 3/003 'Subsidies and Allowances'

Town of Port Hedland

Policy

3/003 → Subsidies and Allowances

Objective

The objective of this policy is to ensure that due regard is provided to the Town's employees for cost of living considerations associated with living in a remote regional area of Western Australia.

Content

Employees of the Town of Port Hedland are to be paid a Port Hedland Allowance, which is detailed in the current Enterprise Agreement (EBA) as registered with the Australian Industrial Relations Commission.

The Chief Executive Officer is granted further authority to increase the allowance within budgetary limitations, by way of an over award/EBA payment to prospective employees during contract negotiations.

Definitions

Nil.

Relevant legislation	-
Delegated authority	-
Business unit	Human Resources
Directorate	Corporate and Performance

Governance to complete this section			
Version Control	Version No.	Resolution No.	Adoption date
	V01 V02	-	- 28 August 2019
Review frequency	3 Yearly		

Document Control Statement – *The electronic reference copy of this Policy is maintained by the Governance Team. Any printed copy may not be up to date and you are advised to check the electronic copy at http://www.porthedland.wa.gov.au/documents/public-documents/policies to ensure that you have the current version. Alternatively, you may contact the Governance Team.*

DRAFT

ATTACHMENT 2 TO ITEM 11.1.3

Town of Port Hedland

Policy

3/003 Subsidies and Allowances

Content

The following policies are applicable to those staff employed prior to 2 September 1995 (excludes employees who have changed to the Port Hedland Allowance).

Annual Leave Travel Subsidy - Pre 2 Sept 1995

Full time Town Employees proceeding on approved Annual Leave shall receive, on or after each anniversary date of employment, an amount of up to a maximum of the equivalent of a standard class airfare from Port Hedland to Perth return to Port Hedland for themselves, their spouses and dependent children living with them, PROVIDED THAT their spouse or dependent children do not receive any Annual Leave travel subsidy from any other source and FURTHER THAT all full time Town employees when completing the Town's "Application for Leave" form, be required to nominate one of the following three (3) options:

i) Council purchases travel tickets (up to the before mentioned maximum amount) and gives these to the employee proceeding on leave, with Council meeting the FBT liability.

ii) Employee is paid cash in lieu of option (i) to the maximum of the equivalent of a standard airfare(s) as previously defined, on the proviso that an application is made on the appropriate form where the employee declares that the monies paid will be used for bona fide travel to Perth. Council will meet the FBT Liability.

iii) In cases where the employee is not intending to use the allowance for travel to Perth the employee is paid cash in lieu of options (i) or (ii) to the maximum of the equivalent of a standard airfare(s) as previously defined. This is a cash allowance (not a non-cash fringe benefit) and is wholly assessable in the hands of the employee. Accordingly, income tax deductions are made by the employer prior to payment of the employee proceeding on annual leave (excludes employees who have changed to the Port Hedland Allowance).

Application For Dependants Location And Travel Allowance - De Facto Relationship - Pre 2 Sept 1995

A De Facto spouse in relation to a person, means a person who lives with the first mentioned person as a husband or wife of that person on a bona fide domestic basis, although not legally married to that person.

An employee wishing to claim an allowance provided by the respective Award and by Council on the basis of a De Facto relationship, shall sign a Statutory Declaration stating their relationship has been established for a minimum period of six months.

Following receipt of the Declaration, the Chief Executive Officer shall authorise the entitlement and payment of various dependants allowances.

Incentive Scheme - Pre 2 Sept 1995 (excluding those employees who have changed to the Port Hedland Allowance)

i) The Incentive Scheme is based on satisfactory service with the Town Council.

ii) After 12 months continuous service - $10 week
After 24 months continuous service - $20 week
After 36 months continuous service - $40 week

iii) For the purpose of calculating entitlement, current service shall be deemed as satisfactory service and shall attract the appropriate payment as prescribed in Clause (ii).

Power Subsidies - Pre 2 Sept 1995

i) An amount of $850 (minimum Power Subsidy) shall be paid to cover the period 1 November to 30 April inclusive to eligible Town Council employees following receipt and approval of the necessary application form.

ii) Maximum power subsidy shall be $1,850 as from 1 July, 1996 and adjusted automatically to reflect Western Power unit charge adjustments 1 July on an annual basis.

iii) Employees shall have their power subsides paid on a reimbursement basis on production of paid Western Power accounts up to the maximum allowable for all electricity consumed during the term covered under current Council policy. Any shortfall between power consumed and the minimum allowable under the current Council policy shall be paid on a monthly basis.

Rental Subsidy - Pre 2 Sept 1995

Rental Accommodation

All Town Council employees who rent accommodation which is not provided by Council shall be paid the difference between the Department of Housing and Works rental charge for their standard three bedroom home (or the actual rental charge, whichever is the lowest) as at 1 July 1994 being to a maximum of $135.60 per fortnight and the Council rental charge to employees occupying Council accommodation. This subsidy is not payable where the employee has been offered housing by Council.

Town of Port Hedland Policy

Owner

Council employees who own and occupy their own accommodation within the Town shall be paid the difference between Department of Housing and Works rental charge for their standard three bedroom house as at 1 July 1994 being to a maximum of $135.60 per fortnight and the Council rental charge to employees occupying Council accommodation.

Board

Council employees who board in private accommodation be paid the difference between the Department of Housing and Works rental charges for single person rental accommodation as at 1 July 1994 being to a maximum of $135.60 per fortnight and Council rental charge to employees occupying Council Accommodation.

Affected employees shall be notified of the conditions attached to Council's Rental Subsidy as it relates to boarding.

District Allowance - Pre 2 Sept 1995

i) Provision shall be made in the Town's Annual Budget to ensure that the Council's inside and outside employees are placed on an equal location allowance basis.

ii) The allowance shall be indexed annually, based on the CPI as published after the March quarter. The base rate as at 1 July 1997 was $3,824 with a dependant $1,704 single with an additional $204 per annum for each dependent child to a maximum of four (4) children.

iii) This allowance applies until such time as the inside and outside workers district allowances equate at which time the Award provisions take over.

Port Hedland Location Allowance - Since 2 Sept 1995

Staff employed after 2 September 1995 shall be paid a Port Hedland Location Allowance which is inclusive of all Award and previous Council policy allowances paid to staff. The quantum of this Allowance will be as specified in the current Enterprise Agreement as registered with the Australian Industrial Relations Commission.

The Chief Executive Officer is granted further authority to increase the allowance within budgetary limitations, by way of an over award/EBA payment to prospective employees during contract negotiations.

Definitions

Nil.

Relevant legislation	-
Delegated authority	-
Business unit	Human Resources
Directorate	Corporate and Performance

Governance to complete this section			
Version Control	Version No.	Resolution No.	Adoption date
	-	-	-
Review frequency	-		

Document Control Statement *– The electronic reference copy of this Policy is maintained by the Governance Team. Any printed copy may not be up to date and you are advised to check the electronic copy at http://www.porthedland.wa.gov.au/documents/public-documents/policies to ensure that you have the current version. Alternatively, you may contact the Governance Team.*

11.2 Development, Sustainability and Lifestyle

11.2.1 McGregor Street Precinct Masterplan *(File No. 26/17/0004)*

Author	Senior Sport and Facilities Officer
Authorising Officer	Acting Director Development, Sustainability and Lifestyle
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 McGregor Street Precinct Masterplan (Attachment 1);

2. Authorise the Chief Executive Officer to proceed to the detailed design of the McGregor Street Precinct; and

3. Authorise the execution of the concept schematic (next) stage of contract by the appointed project architects, Donovan Payne Architects.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider endorsing the Masterplan and proceeding to the concept schematic and detailed design phases. Donovan Payne Architects completed the commissioned Masterplan for the McGregor Street Precinct.

DETAIL

The McGregor Street Reserve is a large site located directly across from the Civic Centre in Port Hedland. It is bound by McGregor Street to the north and west, Clark Street to the east and Wilson Street to the south. The broader area encompasses a mix of Crown Reserves vested to the Town of Port Hedland (Town) under Management Order. A portion of the site area is also Unallocated Crown Land, managed by the Department of Planning, Lands and Heritage. The broader reserve area incorporates a diverse range of passive and active recreation uses which are described below. In addition, there are a number of other assets (i.e. water mains, telecommunications and power) which traverse the site not under control or management of the Town. The site also includes key drainage channels.

With the exception of sections of land running along McGregor Street at its western and northern sections, much of the area is susceptible to flooding after significant rain events. This makes the site most suitable for recreational open space development, as there are few other uses the space can be appropriated for.

Within the Port Hedland Turf Club track there are currently two astro-turf cricket fields in addition to a bank of practice nets. There are no lights for training or playing and the off-field facilities are poor to non-existent. Due to this the Port Hedland Cricket Association, despite having a strong need for more cricket facilities, does not activate these services during its summer season. This means the extensive racetrack interior experiences only occasional use with large community events such as the annual Spinifex Spree and visiting circuses.

The rectangular fields to the east are lit by six lighting towers, however these are nearing end of life and will require replacing if the site is retained. These fields have the highest use, supporting junior and senior soccer, however the surface is uneven and undulating, and as a result poses safety risks. Junior and senior rugby league are only intermittently active in this area at present, however it is expected that league participation will revive over time. The main sports club room including toilets is located to the east of these fields.

A skate park and playground have been constructed on the eastern most grassed area. The skate park is fully covered and lit. A climbing frame is also located here.

There are two banks of four synthetic turf tennis courts, eight courts in total, at the McGregor Street Reserve. The courts have lighting. A local hockey league has emerged in recent years and uses the southern four courts as a practice and competition field. The Port Hedland Tennis Association utilises the northern four courts. A small clubhouse including toilets and canteen is located to the west of the courts. The building is in very poor condition.

A Canine Club and dog obedience training facility is to the west of the courts. The Town recently transformed this area into the Port Hedland's first approved dog park. While the Canine Club currently does not operate, utilisation of the space for casual dog exercise remains high.

In 2015, Port Hedland allocated the area to the east of the tennis courts as low cost Recreational Vehicle (RV) camping to encourage self-sufficient tourists to stay in town rather than bypassing in favour of roadside facilities outside of town. The initiative has been largely successful. The RV Park includes no fixed infrastructure. The Town recently appointed a caretaker for the RV camping site.

The small building located between the RV Park and the Tennis Club is the main service connection/junction for High Speed Fibre Cabling leased to NextGen (Vocus) until 2025 (with an option to extend for a further 11 years). Council approved a new lease to CipherTel adjacent to this area at the July Ordinary Council Meeting.

The Jim Caffey Memorial Hall is a small building with its own private access from McGregor Street. Historically used for Scouts, it has more recently been used to accommodate martial clubs including Northwest Muay Thai Club, Tae Kwan Do and Judo. The building is quite small in size limiting its functionality for larger indoor recreational activity (e.g. dance).

The Port Hedland Turf Club and associated facilities encompass a significant portion of the overall area. The Port Hedland Turf Club is one of the oldest running turf clubs in

Western Australia and is an important component of the community's culture and heritage, accommodating six annual race meets.

The track is a 1950m irregular oval circuit including a 100m chute on the south western bend for 1600m races. It includes a 650m turf stretch at the finish line alongside the main spectator area.

Other facilities include:

- A recently approved storage shelter that will be constructed shortly
- 50m x 6m sheltered horse bays
- Temporary jockey's facility
- Pavilion with outdoor licensed area, servery and small office accommodation
- Tote Betting/TAB area
- Turfed spectator area along the length of the main straight
- Informal gravel parking

These facilities are in poor condition and do not meet modern standards for the racing and gaming industry. There is a significant shortage of permanent toilet amenities, and for a number of years portable toilets have been provided onsite at the Town's expense.

Extensive investigations and planning have been previously undertaken for the precinct, largely focused on the need to redevelop Turf Club facilities. These previous concept designs were considered excessive in cost and scale and unlikely to be realised.

Please refer to the legend in Donovan Payne's final McGregor Street Precinct Masterplan (Attachment 1) for the identified Key Elements:

South Westerly Parcel (28)

The area across from the Port Hedland Boulevard Shopping Centre, and extending up to the Gratwick Street junction, has been designated for potential future commercial development.

Turf Club and Community Facilities (5, 17 and 18)

The new two-storey facilities (17) combine Turf Club seasonal requirements, including an integrated judges box/broadcast tower at the finish-line, with a range of community facilities including function room with kitchen and bar; storage; change and toilet facilities; multipurpose rooms; library space; shared parking. The intention of this facility is for a consolidated high capacity multi-function building that is flexible and capable of accommodating multiple user groups concurrently. This functionality has been designed with the needs of Port Hedland Turf Club operations as well as indoor recreational activities such as dance and martial arts front of mind. In addition the facility would support Town programming, year-round meetings and events for the broader community, and provide a welfare function for up to 200 people during a regional emergency. The building is expected to become a common meeting place for the broader Port Hedland Community while maintaining the legacy the Port Hedland Turf Club has served to the community for the past century.

Associated with the Turf Club, and retained in their present location, are refurbished stables and access road/horse-float parking (8 and18). Formalised parking and access from McGregor Street have been designed to meet the needs of race-day operations (5).

Central Facilities (5, 12-16 and 24).

Tennis and hockey will be retained in their current space, serviced by a new shared-use pavilion (14) and viewing shelter (12). The dog exercise area (13) and telecommunication area (24) also remain in situ.

Space for a 50-place childcare facility (15 and 16) has been designated to provide an extra facility option in the development of a strategy to meet the current shortage of childcare provision in town.

North Westerly Facilities (9-11, 19, 25 and 26)

The future of the RV Park could be at the McGregor Street site or at Spoil Bank, and has been listed as 'Future Development / Continuing Current Usage' (25). The former rectangular sports fields (26) have been reappropriated for 'Medium Density Senior Accommodation', subject to the required rezoning and Structure Plan processes. Future land uses within this area may also include education/school facilities. This is to be determined at a future date. Soccer and other rectangular sports will be relocated to the new multiuse sports fields (1) further south.

Additions to the current covered skate park facility, with a new BMX Pump Track (10), plus an associated Junior BMX track (11). The small playground is relocated to the sports fields further south; a carpark is added in its place; the existing skate park roof is extended to provide shelter for BMX viewing (9); and the existing toilets/change rooms are repurposed to cater for club events in this area (19).

Sports Field Facilities (1-4, 6, 7, 20-22 and 27).

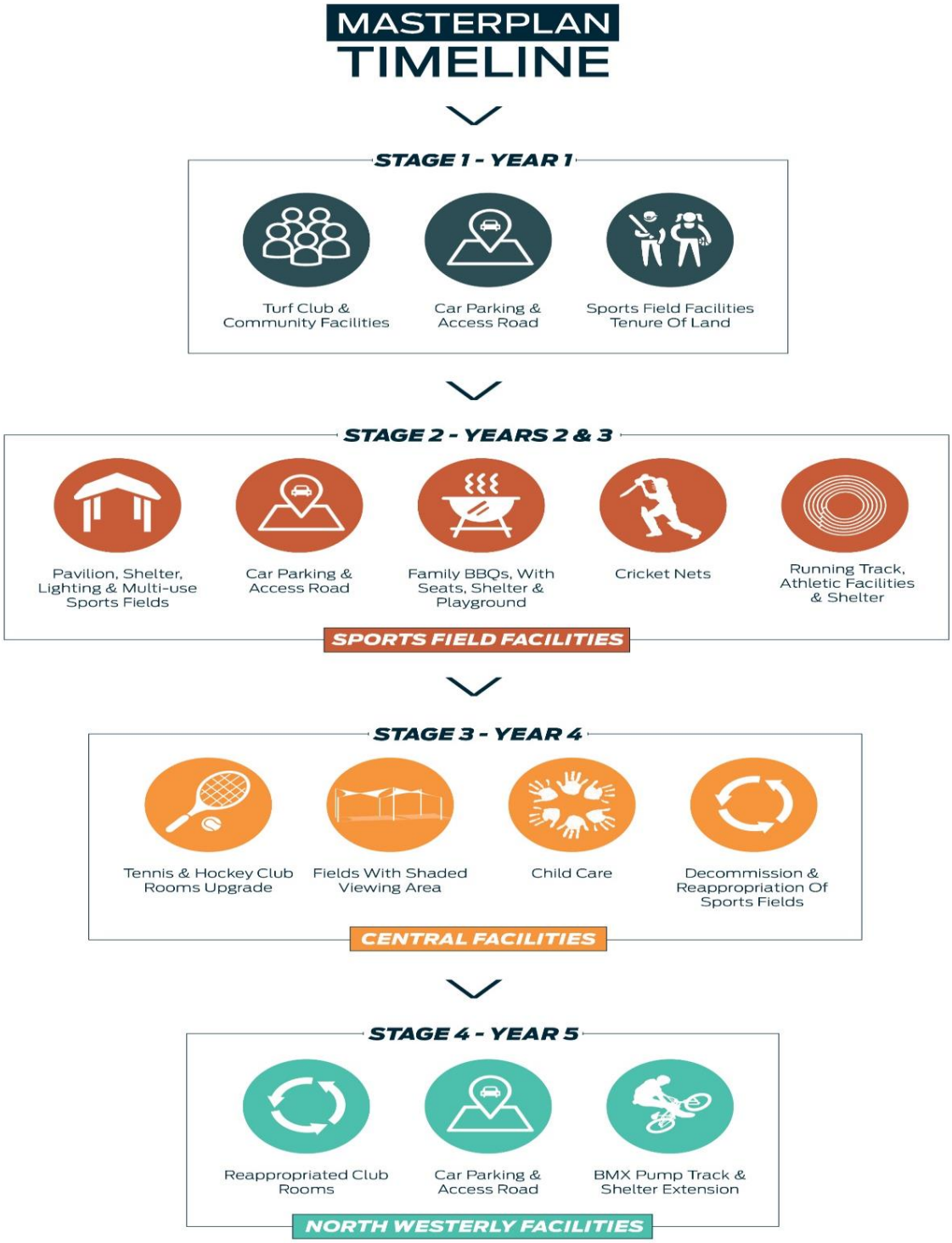
These are the major new elements in this redevelopment masterplan. The current sports fields at McGregor Street are undulating and of an overall standard that implies a potential risk to the Town. Relocating them as a new development of integrated facilities as shown, also allows the current fields to be redeveloped for a range of new uses, which includes residential.

The precinct is entered off a new access road that approximates the current track south of the current sports fields. The new carpark is located to conveniently serve all elements in this precinct area.

These are running track/athletic facilities (6); family BBQs, with seats, shelter and playground (20, 21, 22); cricket nets (27); the eastern field for cricket, and with two rugby pitches either side of the cricket pitch; the western field for Australian rules football, with two soccer pitches as shown; and between the two fields, a multi-purpose pavilion (2), with change rooms facing both fields, as well as a shared kiosk and covered sports shelter area (3) for game-day assembly, with verandas all-round for sun-shelter.

Priority Schedule

Based on the needs identified, the following priority schedule was developed by Town Officers:



These stages will be managed one at a time, however if funding opportunities arise such as a successful Building Better Regions Fund application, then all stages can be project managed concurrently.

The contract for the Architect is now at a 'HOLD Point'. The following deliverables are included in the next stage of the contract:

(a) Concept Schematic Drawings;
(b) Concept Design Summary Report and Scope;
(c) Cost Report;
(d) Construction Program.

At this point Council can elect to proceed with detailed design or delay. It is the Officer's recommendation that Council proceed to the concept schematic stage and detailed design if the Masterplan is endorsed.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium to high significance, given the important long term function that the reserve provides the community.

CONSULTATION

Internal

- Chief Executive Officer
- Director Development, Sustainability and Lifestyle
- Manager Facilities
- Manager Community Services and Delivery
- Manager Town Planning and Development
- Manager Parks, Gardens & Engineering Services
- Coordinator Property Management
- Senior Sport and Facilities Officer

External Agencies

- ABV Leisure Consultants
- Donovan Payne Architects

Community

A Balanced View Leisure Consultants (ABV) were engaged in January 2019, to produce a Town-wide needs assessment and architectural briefs relating to the McGregor Street site as well as the South Hedland Sports Complex and JD Hardie Youth Zone. The consultation included face-to-face meetings with stakeholders on the ground in Port Hedland in February and June 2019. The Needs Analysis Report (Attachment 2) summarises this consultation.

An electronic survey open to the wider community was promoted through the Town's website and social media, received 89 individual responses relating to the McGregor Street site. Club committees and other organised groups considered primary stakeholders were asked to complete separate group-specific surveys. Phone interviews were also conducted with specific stakeholders.

The key learnings from the consultation period:

- There is community demand for:
  - Indoor sports and activities, in particular there is high demand for dance and martial arts;
  - Affordable community activity spaces;
  - Car parking amenities and connectivity access at the site;
  - An expectation of supporting recreational and general public amenities at the site such as public toilets, water fountains, paths, playgrounds and notably, given hot summer climatic conditions, shade;
  - Demand for sports grounds is high for football, cricket and soccer;
  - There is demand for an additional suitable facility to play cricket on; and
  - There is a demand for improved facilities for the turf club.
- Consideration that there will be a requirement for additional open space provision into the future.
- That all community developments, where possible, should be flexible in design and multipurpose (there are some facilities such as childcare facilities that cannot be built for alternative uses, nevertheless, can be flexible in design to meet changing requirements).
- All community and sporting facilities developments should meet current and best practice accessibility standards.

The option of placing the Sports Field Facilities within the racetrack was extensively explored with primary stakeholders. It was unanimously established that this option was unviable, principally due to:

- Visual restraints to racegoers and officials
- Sports facility access from Wilson Street (90 kmph) considered a risky interaction with Main Roads.
- Maintenance issues would arise with regular track crossings by public.
- Most sports groups including Port Hedland Turf Club are active during winter months, which would likely lead to event and facility booking clashes.

LEGISLATION AND POLICY CONSIDERATIONS

There are no significant State, Local or other Legislation considerations attached to this item. The Town's Disability Access and Inclusion Plan (DAIP) was considered as well as the draft Public Open Space Strategy.

The Masterplan does represent an encroachment on land that is currently outside the Town's control. Expanding a Crown Reserve over currently Unallocated Crown Land involves a substantial process and cost.

A Crown Land Enquiry Form (CLEF) has been submitted to the Department of Planning, Lands and Heritage (DPLH) seeking to acquire the land. DPLH will advise constraints on the land, which will include resolving native title as per the *Native Title Act 1993 (Commonwealth).*

The project development will require the design of future buildings to reflect and implement all the requirements of legislation and regulations applicable to a public building. Once the concept schematic and detailed design documentation is complete, Council will need to determine whether to tender for the construction of the job in accordance with the *Local Government (Functions & General) Regulations.*

FINANCIAL AND RESOURCES IMPLICATIONS

$150,000 has been allocated in the 2019/20 budget for Stage 1 of the detailed design at the McGregor Street Site. Upon adoption, a priority schedule will be developed that will determine appropriate staging priorities for this masterplan.

The intention of this masterplan is to guide the next 20 years of capital and operations planning at the site. These developments have been factored for the Town's long term financial planning.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

1.a.1	Stakeholders are engaged to develop a whole of town approach to increase accessibility to quality health and wellbeing services
1.a.2	Community needs and gaps in health provision are identified and delivered
1.a.3	Youth services and facilities are implemented with regular input from youth and providers
1.a.4	Partnerships with stakeholders to deliver sport and recreation are enhanced
1.a.6	Town-wide health, safety, recreation and sporting activities and services
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.b.5	Opportunities to get involved and results of engagement are regularly promoted
1.c.1	The community, industry, arts and cultural organisations are engaged to identify, plan and coordinate events and activities
1.c.2	Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered
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
1.d.2	Facilities and community infrastructure are revitalised across the Town
1.d.3	Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities.
3.b.1	The present and future needs for serviced land and infrastructure provision are identified, planned and developed
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
3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
3.c.3 Engagement with the community on urban renewal and greening initiatives is enhanced
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 – Development of the currently undeveloped western side of the site will have negligible environmental impact.

Economic – This masterplan is accommodated in the long term financial planning of the Town.

Social – It is expected that the realisation of this masterplan will have significant impact on social capital for the Port Hedland community.

Disability Access and Inclusion Plan

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

- Outcome 2 – Buildings and Facilities

Corporate Business Plan

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

1.a.4.1 Support stakeholders to deliver sports and recreation services
1.b.4.2 Inform the community on Town projects, operations, services and events
1.b.5.1 Develop, implement and review opportunities to share engagement feedback with key stakeholders
1.d.3.1 Support the provision of cultural, sporting and recreational facilities which are fit for purpose
2.a.2.1 Develop Master Plans and business cases for future project implementation, in line with the Town's strategic direction and needs
3.c.3.1 Develop, implement and review public open space in line with the Parks and Paths Strategy.

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this matter because of the identified community need for developments at McGregor Street, particularly the Port Hedland Turf Club and sporting fields. The risk rating is considered to be medium (9), which is determined by a likelihood of possible (3) and a consequence of moderate (3).

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

There is a compliance risk associated with this matter because future detailed design needs to take all aspects of 'Universal Access' into account. The risk rating is considered to be low (4), which is determined by a likelihood of rare (1) and a consequence of major (4).

This risk will be eliminated by complying with the requirements of all relevant codes, Australian Standards, the Town's DAIP and further user group consultation during the detailed design process.

There is financial risk associated with this matter because of the uncertainty of the outcome of the Crown Land Enquiry process for the new sports fields, particularly due to the likelihood of native title needing to be resolved. The risk rating is considered to be High (12), which is determined by a likelihood of likely (4) and a consequence of moderate (3).

This risk will be mitigated by strong consultation with relevant internal and external stakeholders during the Crown Land Enquiry process. The priority schedule has been designed to accommodate the extra time required to fulfil this process. The masterplan will be treated as a living document, and will be capable of future adjustment should land tenure issues necessitate changes to the plan. In particular, the option of locating the sports fields within the centre of the racetrack will be revisited if the financial implications of securing tenure are deemed cost prohibitive.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Do not adopt officer's recommendation

CONCLUSION

ABV's Needs Analysis identified clear gaps between community need and the functionality of the current facilities which are remedied by this masterplan. Most notably the needs of the Turf Club, rectangular sports (soccer and league), combat sports, dance, cricket, tennis and hockey facilities are sufficiently resolved.
Welfare and childcare facility shortages have also been addressed and appropriate spaces created for Town programming. An endorsed masterplan will serve as a guiding document to ensure that detailed design and construction of future upgrades will be consistent with the plan, will provide improved hard infrastructure and increase the capacity of infrastructure to meet the needs of the community for increased facilities and improved programs.

ATTACHMENTS

1. McGregor Street Precinct Masterplan - *Donovan Payne Architects (Under Separate Cover)*
2. Community Consultation and Needs Analysis – *A Balanced View Leisure Consultants (Under Separate Cover)*

11.2.2 South Hedland Integrated Sports Complex Masterplan *(File No. 26/17/0003)*

Author	Senior Sport and Facilities Officer
Authorising Officer	Acting Director Development, Sustainability and Lifestyle
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 South Hedland Integrated Sports Complex Masterplan (Attachment 1).

2. Authorise the Chief Executive Officer to proceed to the detailed design of the South Hedland Integrated Sports Complex.

3. Authorise the execution of the schematic design (next) stage of contract by the appointed project architects – Carabiner Architects.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider endorsing the Masterplan for the South Hedland Integrated Sports Complex (SHISC) and proceeding to the next stage of the design process.

Carabiner Architects (formerly Sandover Pinder) have developed the SHISC Masterplan as the result of a comprehensive consultation process with the community and stakeholders of the sporting complex and subsequent needs analysis undertaken by A Balanced View (ABV) Leisure Consultants.

DETAIL

The Town of Port Hedland (Town) identified the need to develop Masterplans for three recreation precincts. Carabiner Architects were engaged to provide architectural consulting services for SHISC.

SHISC is located in Lot 300, Hamilton Road, South Hedland. It is the Town's regional level sporting and recreation precinct and caters for a number of sporting and recreation clubs, as well as the general community.

Wanangkura Stadium

- A 1 x court indoor stadium (netball / basketball court) with spectator seating for 400.
- Gym and fitness rooms
- Squash courts (x 2)
- Kiosk facilities
- Crèche
- Club change facilities for Kevin Scott Oval
- 3 x outdoor lit netball and basketball courts
- Clubroom
- Jimblebar function room
- Reception and office spaces

Kevin Scott Oval

- AFL sized oval predominantly used for football and cricket with sports lighting

Marie Marland Reserve

- Open space area used for diamond sports, touch rugby and rugby.
- Includes 1 permanent baseball diamond.
- Sports lighting

Faye Gladstone Netball Facility

- 6 x outdoor lit netball courts
- Pavilion constructed in 2017

Other amenities

- Netball centre car parking
- New recently upgraded children's playground at Kevin Scott Oval
- Finucane Island Sports Club – transportable building (redundant, with disused carpark)
- Miscellaneous small shed-like buildings – used for storage

The consultation and needs analysis determined that:

- The single indoor multi-use Show Court, in Wanangkura Stadium, is insufficient to fulfil the established demand for indoor sports courts and other large floor space uses.

- The existing club room facilities inside the Wanangkura Stadium have poor functionality and are not fit for purpose for users of the Kevin Scott Oval.

- The existing gymnasium, fitness class area and squash facilities inside the Wanangkura Stadium are insufficient in size and functionality to fulfil current and future identified needs.

- The existing Wanangkura Stadium car park is prone to flooding (including into the building) during the wet season.

- The existing Marie Marland Reserve is also subject to poor drainage and seasonal flooding.

- The facilities within the existing South Hedland Sports Precinct are inflexible, distant from each other, fragmented, separated by open drainage swales and difficult to access from car parking areas.

- The existing sports fields on the Marie Marland Reserve are reaching peak use and additional active sports fields will be required.

- The existing baseball diamond (and associated dugout facilities, lighting etc) is aged and in need of upgrade to meet current standards.

- There are insufficient clubroom facilities or amenities to support the current and future needs of the sports played at the western end of the precinct.

- The sport and recreation facilities at the existing South Hedland Sports Precinct do not currently support or accommodate passive recreational activities such as walking, jogging, dog exercising and children's play.

- The precinct generally lacks adequate shade for walking, spectating, playing, recreating and for community gatherings (formal & informal).

The Masterplan has been developed to identify land use requirements and future facilities that will support the anticipated need and growth of sporting and community users over a 15 - 20 year period in a natural progression which recognises, respects and retains the important and valued existing characteristics and features of the precinct.

Urban planning design principals and assessment of sports facility design guidelines, along with consideration of the synergies, advantages, benefits and flexibilities of co-locating a wide variety of multi-use sport and recreation activities within a single, integrated complex have been included.

Furthermore, the resolution of identified functional shortcomings of the existing Wanangkura Stadium was considered along with an initial assessment on the requirements to facilitate the resolution of the existing broad-acre technical and engineering concerns within the precinct such as localised flooding and inadequate services infrastructure etc.

Masterplan Inclusions:

Please refer to the legend in Carabiner Architects final South Hedland Integrated Sports Complex Masterplan (Attachment 1) for the identified Key Elements:

Wanangkura Stadium Extension & Internal Modifications

A proposed major extension to the existing Wanangkura Stadium includes a new main entry, reception and lobby, three new indoor multi-use courts, new court storeroom, change rooms and toilet amenities, a new large multi-purpose outdoor covered area. Internal modifications to existing facility to allow for greater gymnasium, fitness class and squash amenities. (I,J,1,2,4)

Retention of the existing Kevin Scott Oval

Retention of the oval in its existing form, inclusive of flood lighting. (G)

New Multi-Purpose Sport Field

A new flood-lit, multi-purpose sports field located to the west of the existing Kevin Scott Oval to accommodate overflow and future growth of AFL and cricket, along with ensuring suitability for rectangular sports (Rugby, Soccer, Hockey, and Touch Rugby). (F)

New Large Multi-Use Pavilion Building

Multi-Use Pavilion building will be located between the existing Kevin Scott Oval and the new multi-purpose sports field. Its location between the two fields will allow it to equally view and service both fields and will include social and meeting room/s, change rooms, public toilets, kitchen and servery to both fields, first aid and umpire rooms (3).

Extension of active open space to the north and west of the existing Marie Marland Reserve

Extension of active open space to the west of the existing permanent baseball diamond, and to the north of the existing Marie Marland Reserve to enable infrastructure to support growth and development of sports, including diamond sports and rectangular sports. (B,C, D, E)

Two x New Small Multi-Use Pavilion Buildings

The two new small multi-use pavilion buildings will be located adjacent to the existing and new diamond and rectangular sports fields. Each of these buildings will be located near to their associated sporting fields (on both sides); allowing them to equally and efficiently view and service each of these sporting fields. (3)

New Dog Park

A new fenced, custom-landscaped dog exercise park will be located north of the new multi-sport fields. The inclusion of a fenced, purpose designed dog exercise park into the SHISC Masterplan was a very clear need and requirement that emerged from the community consultation stage of this Masterplan project. (9)

New Adventure Playground

The proposed new Adventure Playground is a major and significant 'aspirational' component of the SHISC Masterplan. It is conceived as an iconic, 'destination facility' in its own right. (8)

Car Parking Improvements

Adequate car parking and efficient vehicular circulation, access and egress will be critical to the success and functionality of the proposed SHISC Masterplan. The concept behind the parking and vehicular circulation strategy proposed in the Masterplan is that, in addition to meeting its basic logistical requirements, it will also serve to connect, integrate and energise the various elements the SHISC.

New shared-use path network

A significant feature of the SHISC Masterplan is the proposed accessible, shared-use path network that both circumnavigates and connects all the elements of the western component of the SHISC.

The path network will provide the SHISC with a structured facility for walking running, jogging, roller-skating and rollerblading and cycling. It is proposed that the track will be wide, have safety lighting, line-marking, distance markers (for timing and training) and drinking water, shade and exercise 'oases' along its route.

In addition to providing a user-friendly, structured exercise and training facility, the shared-use path network will also provide a much-needed pedestrianised link to integrate and synergise the many and varied sport and recreation activities in the precinct.

General Supporting Amenities

- Shaded grass mound spectator area for Kevin Scott Oval (5)
- New family area/BBQ Park (10)
- New small playground located adjacent to new small pavilion (13)
- New cricket practice nets (H)
- Improved access and egress to the sports complex

Priority Schedule

Based on the needs identified, the following priority schedule was developed by Town Officers:

The Masterplan implementation has been determined based on identified need. Town Officers will manage these stages one at a time, however if funding opportunities arise such as a successful Building Better Regions Fund application, then multiple stages can be developed concurrently.

The contract for the Architect and design team was developed to enable progression of the project through to construction of the major building infrastructure, with STOP/GO points inserted into the contract at the following project stages:

1. Completion of Masterplan/Design Brief;
2. Completion of Concept Design Stage;
3. Completion of the Schematic Design Stage;
4. Completion of the Tender Documentation/Pre-Tender Estimate Stage;
5. Consideration of Tenders.

The project is now at a STOP/GO point. At this point Council can elect to proceed with detailed design and documentation or delay. It is the Officer's recommendation that Council proceed to the detailed design if the Masterplan is endorsed.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium to high significance, in terms of social and cultural & wellbeing issues of the residents of the Town of Port Hedland as it relates to the development of significant community infrastructure.

CONSULTATION

Internal

- Director Sustainability and Lifestyle
- Manager Facilities
- Manager Community Services and Delivery
- Manager Town Planning and Development
- Manager Parks, Gardens & Engineering Services
- Coordinator Property Management
- Senior Sport and Facilities Officer

A project briefing session was held with the elected members following development of the draft Masterplan concepts.

External Agencies

- Carabiner Architects
- ABV Leisure Consultants

Community

A Balanced View Leisure Consultants (ABV) were engaged in January 2019, to produce a Town-wide needs assessment and architectural briefs relating to SHISC, the JD Hardie Youth Zone (JDHYZ) and McGregor Street Precinct. The consultation included face-to-face meetings with stakeholders on the ground in Port Hedland in February and June 2019. The Needs Analysis Report (Attachment 3) summarises this consultation.

An electronic survey open to the wider community was promoted through the Town's website and social media, received 198 individual responses relating to the SHISC site.

Club committees and other organised groups considered primary stakeholders were asked to complete separate group-specific surveys. Phone interviews were also conducted with specific stakeholders.

A key stakeholder workshop was held to further explore existing use of the site, issues with the site and potential future use.

Following completion of an initial draft Masterplan, a second SHISC key stakeholder workshop was held to obtain feedback on the options identified. Minor adjustments identified at the workshop were incorporated into the Masterplan to finalise for Council's consideration.

LEGISLATION AND POLICY CONSIDERATIONS

The Town's Disability Access and Inclusion Plan (DAIP) was considered as well as the draft Public Open Space Strategy. The site is located on Crown Reserve 31895 vested to the Town of Port Hedland for the purpose of 'Recreation', and therefore no significant tenure issues apply.

The project development will require the design of future buildings to reflect and implement all the requirements of legislation and regulations applicable to a public building. Once detailed design and documentation is complete, Council will need to determine whether to tender for the construction of the job in accordance with the *Local Government (Functions & General) Regulations.*

FINANCIAL AND RESOURCES IMPLICATIONS

$250,000 has been allocated in the 2019/20 budget for Stage 1 of the schematic and detailed design at the South Hedland Integrated Sports Precinct Site.

The intention of this Masterplan is to guide the next 20 years of capital and operations planning at the site. These developments have been factored for the Town's long term financial planning. Upon adoption, a priority schedule will be developed that will determine appropriate staging priorities for this Masterplan which will further inform the long term financial plan.

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.a.1	Stakeholders are engaged to develop a whole of town approach to increase accessibility to quality health and wellbeing services
1.a.4	Partnerships with stakeholders to deliver sport and recreation are enhanced
1.a.5	Agencies and the community are fully engaged to reduce anti-social behaviours and improve community safety
1.a.6	Town-wide health, safety, recreation and sporting activities and services
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.b.5 Opportunities to get involved and results of engagement are regularly promoted
1.c.1 The community, industry, arts and cultural organisations are engaged to identify, plan and coordinate events and activities
1.c.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered
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
1.d.2 Facilities and community infrastructure are revitalised across the Town
1.d.3 Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed
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
3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
3.c.3 Engagement with the community on urban renewal and greening initiatives is enhanced
4.b.1 Sound long-term financial planning is implemented
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 – Development of the currently undeveloped land on the western and northern sides of the Marie Marland Reserve will have negligible environmental impact.

Economic – This Masterplan is accommodated in the long term financial planning of the Town.

Social – It is expected that the realisation of this Masterplan will have significant impact on social capital for the Port Hedland community.

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 2 – Buildings and Facilities

Corporate Business Plan

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

1.a.4.1 Support stakeholders to deliver sports and recreation services
1.b.4.2 Inform the community on Town projects, operations, services and events
1.b.5.1 Develop, implement and review opportunities to share engagement feedback with key stakeholders
1.d.3.1 Support the provision of cultural, sporting and recreational facilities which are fit for purpose
2.a.2.1 Develop Masterplans and business cases for future project implementation, in line with the Town's strategic direction and needs
3.c.3.1 Develop, implement and review public open space in line with the Parks and Paths Strategy.

RISK MANAGEMENT CONSIDERATIONS

There are several risks associated with this item in accordance with Policy 1/022 Risk Management.

There is a compliance risk associated with this matter because future detailed design needs to take all aspects of 'Universal Access' into account. The risk rating is considered to be low (4), which is determined by a likelihood of rare (1) and a consequence of major (4).

This risk will be eliminated by complying with the requirements of all relevant codes, Australian Standards, the Town's DAIP and further user group consultation during the detailed design process.

There is a reputational risk associated with this matter because of the identified community need and community desire for improved community and sporting amenities at the South Hedland Integrated Sports Complex. The risk rating is considered to be medium (9), which is determined by a likelihood of possible (3) and a consequence of moderate (3).

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

Given that detailed costings of each Masterplan item is not known until further detailed design is undertaken, there is a financial risk in proceeding to detailed design and documentation as, if the capital funds are not provided or secured through funding sources, Council may not have the funds available to construct the facilities. The risk rating is considered to be medium (9), which is determined by a likelihood of possible (3) and a consequence of moderate (3).

This risk will be mitigated by strong project management during the detailed design to managing costs. The Masterplan will be treated as a living document and will be capable of being adjusted in the future to overcome issues that necessitate changes to the plan. As the detailed design process is progressed, funding opportunities will be sourced.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Do not adopt officer's recommendation

CONCLUSION

There is a determined need for increased sporting and community recreational facilities within the Town. ABV's Needs Analysis identified clear gaps between community need and the functionality of the current facilities which are remedied by this Masterplan.

An endorsed Masterplan will serve as a guiding document to ensure that detailed design and construction of future upgrades will be consistent with the plan, will provide improved infrastructure and increase the capacity of infrastructure to meet the needs of the community for increased facilities and improved programs.

ATTACHMENTS

1. South Hedland Integrated Sports Precinct Masterplan – *Carabiner Architects (Under Separate Cover)*
2. South Hedland Integrated Sports Precinct Masterplan Report – *Carabiner Architects (Under Separate Cover)*
3. Town of Port Hedland Masterplan Needs Analysis – *A Balanced View Leisure Consultants (Under Separate Cover)*

11.2.3 Adoption of the Arts and Culture Strategy 2019-2022 *(File No. NAM37097)*

Author	Manager Marketing Events and Communications
Authorising Officer	Acting Director Development Sustainability and Lifestyle
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 Creative Hedland Arts and Culture Strategy - Engagement Summary; and

1. Endorse the Draft Arts and Culture Strategy 2019-2022.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the endorsement of the draft Arts and Culture Strategy 2019-2022.

DETAIL

Port Hedland is home to both a diverse range of creatives, including makers, performers and artists, and creative activities, from music, festivals, events and markets. As a Council, we are committed to supporting and celebrating arts, heritage and culture, as it plays an important role in our region's future and our community's identity.

Embarking on the Town's first formal draft Arts and Culture strategy meant getting out there and hearing from the people who are at its core. In April 2019, the Town launched its 'Live it-Tell it - Creative Hedland' engagement program. This involved:

- An online survey
- Pop up stalls at a range of community events
- A workshop with the Vibrant Hedland subcommittee of Hedland Collective
- Social media polls

This engagement has explored a range of questions including:

- Hedland's unique 'points of pride' and cultural assets
- The current arts, cultural and events programming
- Aspirations for a more creative Hedland
- Perceptions on the role of the Town in supporting and programming activity

- How to amplify local participation and engagement

The information collected from the strategic review, research and community engagement process, have been used to set the actions for the Arts and Culture Strategy 2019-2022.

The draft plan captures the community's vision and ideas and outlines the actions we will deliver to build a more vibrant Hedland, and has four broad focus areas:

1. This is us – the Hedland story and points of pride
2. Doing it together – being part of it and connecting community
3. Value add – contributing to a thriving Hedland
4. The unexpected – fresh experiences and novel places

The Town of Port Hedland's aim is to cultivate an arts and cultural scene that celebrates the rich and culturally significant history of our region, as well as embracing the future.

Grassroots art has always thrived in Hedland, with creatives across a variety of disciplines contributing to the artistic fabric of our community. A key component of the strategy is to determine the role that the Town of Port Hedland and community organisations can play, making sure as many stakeholder groups as possible have genuine buy in to a shared strategic direction.

The draft Arts and Culture Strategy 2019-2022 was placed on public exhibition from 16-30 June 2019 (inclusive). All feedback was considered resulting in some minor amendments to the strategy.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of high significance, because of potential impact to the reputation of the Town of Port Hedland and general interest by the community.

CONSULTATION

Internal

Internal consultation sessions have been held with the following staff members:

- Library staff
- Matt Dann team members
- Marketing Events and Communication staff members
- The Town's Executive Leadership Team

Community

This draft plan was informed by an extensive community engagement process as outlined in the draft Arts and Culture Strategy 2019-2022. This consisted of:

- An online survey
- Pop Up stalls at a range of community events
- A workshop with the Vibrant Hedland subcommittee of the Hedland Collective
- Social media polls

860 community and stakeholder voices were heard through the process.

LEGISLATION AND POLICY CONSIDERATIONS

The draft Arts and Culture Strategy supports Council in achieving a vision for the town that places culture at its centre and recognises the important role that arts and creativity play in community engagement, community wellbeing, economic vitality, and celebration of built and natural assets.

The Arts and Culture Strategy also links to other key planning documents including:

1. Town of Port Hedland Corporate Business Plan
2. Town of Port Hedland Operations Plan
3. Town of Port Hedland Public Art Register
4. Pilbara Creative and Cultural Strategy

FINANCIAL AND RESOURCES IMPLICATIONS

Following a request for quote process Creating Communities Australia Pty Ltd were engaged to assist with the development of the Arts and Culture Strategy 2019-2022 for a total fee of $32,257.00.

The implementation of the draft Arts and Culture Strategy 2019-2022 will be primarily funded through existing operational budgets. Any unfunded actions will be considered each year as part of the annual planning process. Where appropriate potential grant opportunities will be pursued.

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.c.1 The community, industry, arts and cultural organisations are engaged to identify, plan and coordinate events and activities
1.c.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered
1.c.3 Partnerships with industry and government to support events and activities are enhanced
1.c.4 The Town's program of events and activities is promoted locally, regionally and nationally
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

There are no significant identifiable environmental, 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 1 – Services and Events
- 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.c.1.1 Develop, implement and review a Cultural and Arts Strategy
1.c.2.1 Provide a year round events program aligned with the Cultural and Arts Strategy

RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be Low (4) for this agenda item. This is calculated as a minor consequence (2) and unlikely likelihood (2).

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Do not adopt officer's recommendation

CONCLUSION

The arts, heritage and culture play an important role in our town. They bring people together, celebrate our identity, encourage learning and provide new opportunities for employment. The draft Arts and Culture Strategy 2019-2022 captures the community's priorities for the future and provides Council a framework to deliver engaging projects and programs over the next three years in line with community expectations.

ATTACHMENTS

1. Draft Arts and Culture Strategy 2019-2022 (Under Separate Cover)
2. Creative Hedland Arts and Culture Strategy - Engagement Summary (Under Separate Cover)

11.2.4 Reconsideration of Response to Western Australian Planning Commission (WAPC) on Improvement Plan 50: Port Hedland West End (IP50) *(File No. 18/07/0056)*

Author	Manager Town Planning & Development
Authorising Officer	Acting Director Development, Sustainability & Lifestyle
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 provides the following comments to the Western Australian Planning Commission (WAPC) on Improvement Plan 50: Port Hedland West End (IP50):

1. Council supports IP50 that authorises the development of an improvement scheme for the West End of Port Hedland in response to the State Government's decision in October 2018 to implement the Port Hedland Dust Taskforce Report to resolve land use planning conflicts.

2. Request that the WAPC allocates sufficient resources toward community and stakeholder engagement associated with formulation of an improvement scheme that extends beyond the minimum requirements of the *Planning and Development Act 2005*.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to reconsider its decision on 22 May 2019 in relation to Improvement Plan 50: Port Hedland West End (IP50) to provide a clear position to the Department of Planning, Lands and Heritage (DPLH) and Western Australian Planning Commission (WAPC) on the Town's position in relation to IP50.

DETAIL

At the Ordinary Council Meeting held on 22 May 2019, Council resolved *"That with regard to the Western Australian Planning Commission (WAPC) proposed Draft Improvement Plan 50: Port Hedland West End (IP50), Council request that the WAPC allocates sufficient resources toward community and stakeholder engagement associated with formulation of an improvement scheme that extends beyond the minimum requirements of the Planning and Development Act 2005."*

The following recommendation was also presented to Council but lost by a vote of 4/5: *Council supports IP50 that authorises the making of an improvement scheme for the West End of Port Hedland in response to the State Government's decision in October*

2018 to implement the Port Hedland Dust Taskforce Report to resolve land use planning conflicts.

This suggests that Council did not support the recommendation, albeit no formal decision was ever made to clarify this. Therefore, this report and its original recommendation are being re-presented to Council in order for a clear position to be established. While IP50 was finalised and gazetted on 30 July 2019, it is important for the Town to show a willingness to work with the State Government and support the development of a new planning framework for the West End.

BACKGROUND

In 2009, the Environmental Protection Authority raised concerns about the possible impact of dust on Port Hedland residents. The Government subsequently established the Port Hedland Dust Management Taskforce (2009) to plan for and coordinate dust management in the town. The Taskforce released their Port Hedland Air Quality and Noise Management Plan in 2010. The plan proposed, amongst other recommendations, the drafting of a Health Risk Assessment to determine the impact of dust on the population. The Department of Health finalised the Port Hedland Air Quality Health Risk Assessment for Particulate Matter in February 2016. The Taskforce used the findings of the Health Risk Assessment to prepare its Report to Government, which included recommendations for managing dust in Port Hedland.

In August 2017, the State Government released the 2016 Port Hedland Dust Management Taskforce's Report to Government to obtain the views of the Port Hedland community, industry and other stakeholders. Fifty submissions were received. After considering the Taskforce Report and the feedback received, the State Government formalised its position in October 2018. In relation to land use planning, the following position was established for managing dust in the West End:

- The Government supports the Taskforce recommendation that appropriate planning controls be implemented to prohibit sensitive land uses and restrict population growth in the West End of Port Hedland. To give effect to this, the Western Australian Planning Commission (WAPC) will consider an improvement plan and improvement scheme designed to achieve the land use outcomes described in Recommendation 5 of the Taskforce Report.
- In response to community concerns raised in the consultation process, the Government will act to ensure that any future West End planning controls will not prevent the redevelopment of residential properties – provided that the redevelopment would not result in an intensification or expansion of non-conforming uses – should they be more than 75% damaged by a natural disaster such as fire or a cyclone.

The land use outcomes described in Recommendation 5 of the Taskforce Report are:

- Implementation of a Special Control Area westwards from McGregor Street;
- The Special Control Area to prohibit new permanent residential development and other sensitive land uses, including aged care and child care premises, west of Taplin Street;

- Low-density (R20) residential development be permitted in the predominantly residential area between Taplin and McGregor Streets, but higher-density residential development and other sensitive land uses be prohibited; and
- The zoning in the Special Control Area aligns with the Town of Port Hedland Local Planning Strategy's Precinct 1, taking into consideration the findings of the Health Risk Assessment.

It is noted that there are some inconsistencies between points two (2) and three (3) in the Dust Taskforce Report with respect to the permissibility of aged care and child care premises between Taplin and McGregor Street. Point two (2) states these uses will be prohibited west of Taplin Street, but point three (3) states "sensitive land uses" west of McGregor Street will also be prohibited which may also include schools, aged care and child care premises. This issue will need to be resolved through the improvement scheme process.

Improvement Plan

Improvement plans are strategic instruments used to facilitate the development of land in areas identified by the WAPC as requiring special planning. The WAPC can recommend to the Minister for Planning that an improvement plan is made "for the purpose of advancing the planning, development and use" of land. An improvement plan that authorises the making of an improvement scheme must set out the objectives of the scheme. The WAPC is only required to consult with the affected local government in the making of an improvement plan that authorises the making of an improvement scheme. The improvement plan provisions of the *Planning and Development Act 2005* state that under an improvement plan the WAPC, with the approval of the Governor, may:

- Plan, replan, design, redesign, consolidate, re-subdivide, clear, develop, reconstruct or rehabilitate land held by the State under the Act or enter into agreement with an owner of land not held by it within the improvement plan area;
- Provide for the land to be used for such purposes as may be appropriate or necessary;
- Make necessary changes to land acquired or held by it under the Act;
- Manage the tenure of ownership of the land or any improvements to that land held by it under the Act or enter into agreement with other owners of land within the improvement plan area for the same purposes;
- Recover costs in implementing the agreement with any owner of land within the improvement plan area; and
- Do any act, matter or thing for the purpose of carrying out any agreement entered into with other landowners.

These are very broad powers and it is not currently clear how the WAPC intend on exercising these powers within the area affected by IP50. There are currently nine (9) active improvement plans in operation in the State, with three (3) having accompanying active improvement schemes as follows:

- Anketell Strategic Industrial Area Improvement Plan No.1 (June 2016) and Scheme (November 2017) located within the City of Karratha local scheme area.

- Ashburton North Strategic Industrial Area Improvement Plan No. 3 (March 2015) and Scheme (September 2016) within the Shire of Ashburton local scheme area.
- Shenton Park Rehabilitation Hospital Improvement Plan No. 43 (July 2015) and Scheme (January 2017) within the Cities of Nedlands and Subiaco local scheme areas.

Two (2) of these improvement schemes are located in the North-West region of the State in adjacent local government areas. They provide a reasonable exemplar as to the format, operation and considerations for improvement schemes and how mapping and the accompanying scheme text will be set out. As a guide, there has been an 18-24 month period between the gazettal of improvement plans and its accompanying scheme in the past. The key defining aspect of IP50 that authorises the creation of an improvement scheme is that the West End of Port Hedland exhibits a town centre and substantial residential population. The WAPC has not proclaimed an improvement scheme in this scenario in the past, and as shown above improvement schemes have only been previously proclaimed over significant redevelopment areas and strategic industrial sites. It is for this reason that part (2) of the Officer Recommendation of this report includes a request for the WAPC to allocate sufficient resources toward preparation of an improvement scheme for the West End of Port Hedland.

Improvement Plan 50: Port Hedland West End (IP50)

IP50 is included as Attachment 1 of this report. The stated purpose of IP50 is to:

- Enable the WAPC to undertake all necessary steps to advance the planning and development within the plan area as provided for under Part 8 of the PD Act;
- Establish the strategic planning and development intent within the subject area;
- Provide for a strategic planning framework endorsed by the WAPC, Minister for Planning and the Governor;
- Authorise the preparation of an improvement scheme;
- Provide the objectives of an improvement scheme; and
- Provide guidance to the preparation of statutory plans, statutory referral documentation and policy instruments.

The objectives of the improvement scheme that will be enabled by IP50 are:

- To provide a strategic planning framework to determine future land uses considering all land use options that takes into consideration physical, economic, social and environmental factors; and
- To provide a statutory planning instrument through which to implement the strategic planning framework and effectively guide the preparation of statutory plans, statutory referral documentation and policy (as may be required) to facilitate orderly and proper planning of the area.

The Improvement Scheme was gazetted on 30 July 2019 and will replace the *Town of Port Hedland Local Planning Scheme No. 5* and the WAPC will become responsible for determining land use planning matters in the improvement scheme area. This will not occur until 18-24 months after IP50 is finalised and proclaimed by the Governor of Western Australia.

Officer Comment

The Officer Comment in response to IP50 has been divided into sections related to matters that the Town has the most likelihood of influence over at this point in the process, noting that the WAPC will be implementing the October 2018 decision through preparation of IP50 (subject of this report) and a subsequent improvement scheme:

- IP50 Purpose
- IP50 Boundaries
- IP50 – Improvement Scheme Objectives
- Improvement Schemes (in general)
- Development Applications

IP50 Purpose

The purpose for IP50 is noted above and is included in Attachment 1. It is not essential to provide specific comments on the purpose of IP50 as the Town is not likely to be able to influence the purpose of the plan. The WAPC and DPLH are implementing a decision of State Government by preparing IP50, which clearly states that an improvement plan and improvement scheme are to be prepared to implement Recommendation 5 of the Dust Taskforce Report. It is therefore not recommended to provide a response on the improvement plan purpose.

IP50 Boundaries

As can be seen in the map included as Attachment 1, the boundaries of IP50 includes the entire West End of Port Hedland, with boundary points detailed as follows:

- Southern Boundary: Extends from the intersection of Wilson Street, Wedge Street and the Esplanade in the west to the intersection of Wilson Street and McGregor Street in the east, including all land north of Wilson Street but not including Wilson Street itself or land south of Wilson Street between the road reserve and land managed by Pilbara Ports Authority, BHP and the Aboriginal Lands Trust;
- Western Boundary: The Esplanade (road), including all land up to Pilbara Ports Authority managed land in the west;
- Northern Boundary: Inclusive of all coastal foreshore reserves and the Spoilbank in the north (with the exception of tidal areas on the tip of the Spoilbank), inclusive of Cemetery Beach Park but excluding the turtle nesting area on Cemetery Beach. The northern boundary extends along Lukis Street in the east until it intersects with McGregor Street. Hotel Ibis is outside the boundary; and
- Eastern Boundary: Extends from the intersection of McGregor Street and Wilson Street northwards to the intersection of McGregor Street and Lukis Street, inclusive of the McGregor Street road reserve and all land westwards.

Improvement Schemes (in general)

Improvement Schemes are similar instruments to local planning schemes, however the WAPC is the determining authority for development applications. They contain development control provisions regarding the scheme area and are prepared in the

same manner as a local planning scheme except the WAPC is the approving authority in place of Council and the format does not need to be consistent with the model scheme text. The improvement scheme preparation process is generally outlined below:

- Governor proclaims improvement plan that authorises an improvement scheme;
- Department of Planning, Lands and Heritage (DPLH) on behalf of WAPC prepares draft improvement scheme;
- WAPC initiates draft improvement scheme at its Statutory Planning Committee;
- WAPC undertakes statutory consultation on draft improvement scheme;
- DPLH considers submissions and modifies draft improvement scheme where appropriate;
- WAPC adopts final draft improvement scheme at its Statutory Planning Committee;
- WAPC refers final improvement scheme to the Minister for Planning;
- Once the Minister for Planning has signed-off the final improvement scheme, it is published in the government gazette.
- Once published in the government gazette, the improvement scheme overrides the local planning scheme and development applications are then referred to the WAPC for determination (instead of Council).

The improvement scheme process is explained in greater detail under Part 8 of the *Planning and Development Act 2005*.

The Town and local community are likely to have further opportunities for involvement in the improvement scheme process if the WAPC decides to go beyond the minimum public consultation requirements in preparing the improvement scheme. Part two (2) of the Officer Recommendation in this report aims to flag this at an early stage, and request that the WAPC allocates sufficient resources towards community engagement activities associated with preparation of the improvement scheme that extends beyond the minimum statutory consultation requirements of the *Planning and Development Act 2005*.

The minimum statutory consultation requirements would generally involve one (1) letter to be sent to landowners and stakeholders as part of bullet point four (4) above, allowing an opportunity for the public to view a draft improvement scheme and provide a timeframe in which the public can provide comment. Due to the nature of the West End exhibiting a town centre and significant residential population, this approach would be considered inadequate community engagement and opportunities should be provided for the public and landowners to provide input in the shaping of the improvement scheme rather than comment on a draft that has already been prepared. Comments are therefore recommended to this effect in part (2) of the Officer Recommendation.

Development Applications

The significance of the Town receiving IP50 in respect of the determination of development applications is that it represents a step in the planning process toward a shift in the planning framework and appropriate weight must begin to be given to IP50 in decision making as potentially being a “seriously entertained planning proposal”.

The weight given to a draft (and final) IP50 in decision making should consider the following factors:

1. The degree to which the draft improvement plan addresses the specific development application.
2. The degree to which the draft is based on sound town planning principles.
3. The degree to which its ultimate approval could be regarded as "certain".
4. The degree to which its ultimate approval could be regarded as "imminent".

While the Town will remain the decision maker under Local Planning Scheme No. 5 until such time as the improvement scheme is gazetted (i.e. 18-24 months after the improvement plan is proclaimed), the Officer Recommendation for development applications may begin to shift toward a recommendation that is consistent with the emerging planning framework. Such applications will be presented to Council for determination based on technical assessment against the existing and emerging planning framework and considering any comments received during public and agency consultation. When an improvement scheme is formulated and gazetted, decision-making power for development applications within the improvement scheme area will be removed from Council and will become the responsibility of the WAPC, unless the WAPC delegate those powers back to Council. This will be a topic for discussion through preparation of the improvement scheme and its implementation.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of high significance, as the improvement plan and subsequent improvement scheme may have significant implications for the present and future social, economic, environmental and cultural well-being of Port Hedland. It is outside the Town's control to consult on the proposed improvement plan and scheme and it is therefore recommended the WAPC dedicates sufficient resources to community engagement associated with the subsequent improvement scheme process.

CONSULTATION

Internal

Executive Leadership Team
Manager Town Planning & Development
Manager Environmental Health & Community Safety
Manager Governance

The Town's Environmental Health Business Unit are not opposed to IP50 as the proposal conforms with the findings of the Department of Health – Port Hedland Air Quality Health Risk Assessment for Particulate Matter by factoring in land affected by negative health implications caused by dust. The IP50 areas encompasses land where excessive levels of dust were mapped during the Department of Water and Environmental Regulation's (DWER) Mapping Dust Plumes at Port Hedland using LiDAR Report in February 2018.

External Agencies

The WAPC is only obligated to consult with the local government in the formulation of an improvement plan. The subsequent preparation of an improvement scheme is likely to include consultation with other external agencies, as the process follows the same process as preparation of a local planning scheme.

Community

The WAPC is only obligated to consult with the local government in the formulation of an improvement plan. Insufficient time was given for the Town to undertake community consultation as part of this report, as the IP50 was received on 13 May 2019 and comments must be provided to the WAPC by 27 May 2019. Further opportunities for community consultation will be available as part of the improvement scheme process.

LEGISLATION AND POLICY CONSIDERATIONS

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015

FINANCIAL AND RESOURCES IMPLICATIONS

Financial and resources implications associated with proposed IP50 are not known at this stage.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

2.d.1	Investment in key infrastructure development such as the port and logistics is pursued
2.d.2	The development of industry specific value chains are encouraged and supported
3.b.1	The present and future needs for serviced land and infrastructure provision are identified, planned and developed
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

Environmental

The State Government's decision to implement the Dust Taskforce Report through an improvement plan and scheme will eventually see a change in zoning over the West End of Port Hedland to reduce the risk to human health associated with exposure of a large portion of the population to elevated levels of dust.

Economic

The economic impacts of the improvement plan are not known at this stage. When the Town has an opportunity to comment on the improvement scheme (in the next 18-24 months), the WAPC should be requested to provide an assessment of the economic impacts associated with rezoning large portions of land.

Social

The West End of Port Hedland contains a historic town centre and large population base. The Town should advocate to protect cultural, historic and community values associated with the area through the improvement scheme process.

Corporate Business Plan

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

3.b.1.3 Advocate to and support State Government initiatives to resolve land use conflicts

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because there has been a long standing land use conflict between port operations and residents in the West End and Council should advocate for the local community on any future zoning schemes imposed by the State Government. The risk rating is considered to be high (16), which is determined by a likelihood of likely (4) and a consequence of major (4).

To reduce the reputation risk, the action plan is recommended to be:

1. Advocate for the WAPC to undertake extensive community engagement associated with the improvement scheme;

2. Continue to engage with the WAPC through the improvement scheme process, which will occur in the 18-24 months following the improvement plan. This is the appropriate time to raise any specific issues that may influence the provisions of the improvement scheme; and

3. Develop a revised local planning strategy and local planning scheme founded on strong community engagement that recognises the improvement scheme and provides a planning framework for other areas in Port Hedland that respond to the improvement scheme. A tender has recently been released for the local planning strategy and scheme review project and will likely be presented to Council in June 2019 for award.

There is an environmental risk associated with this item, as the improvement plan represents a step towards responding to the Health Risk Assessment and resolving land use conflicts in the West End. The risk rating is considered to be medium (9), which is determined by a likelihood of possible (3) and a consequence of moderate (3).

This risk will be mitigated by the adoption of the officer's recommendation. If Council resolves not to support IP50, it may be seen to be hindering the implementation of actions associated with the Dust Taskforce Report which aim to reduce health risk associated with exposure of large portions of the population to elevated levels of dust.

OPTIONS

Option 1 – Adopt officer's recommendation

That Council provides the following comments to the Western Australian Planning Commission (WAPC) on proposed Improvement Plan 50: Port Hedland West End (IP50):

1. Council supports IP50 that authorises the making of an improvement scheme for the West End of Port Hedland in response to the State Government's decision in October 2018 to implement the Port Hedland Dust Taskforce Report to resolve land use planning conflicts.

CONCLUSION

This report has provided an overview of Improvement Plan 50: Port Hedland West End (IP50) and has provided a summary of the improvement plan and improvement scheme process. The key factors to note are that the improvement plan represents a step in the planning process toward implementing the October 2018 State Government decision on the Dust Taskforce Report, and the improvement scheme will follow approximately 18-24 months after IP50 is proclaimed. Eventually, gazettal of an improvement scheme will transfer decision making power for development applications to the WAPC. The improvement plan process is driven by the State Government and the recommendation is for Council to provide a response to the WAPC. It is recommended that Council consider the contents of this report and make a recommendation to the WAPC as appropriate.

ATTACHMENTS

1. Improvement Plan 50: Port Hedland West End (IP50)
2. Improvement Plan 50: Map (Under Separate Cover)

ATTACHMENT 1 TO ITEM 11.2.4

DRAFT IMPROVEMENT PLAN No. 50

PORT HEDLAND WEST END

DRAFT

Western Australian Planning Commission

WESTERN AUSTRALIAN PLANNING COMMISSION

MAY 2019

1.0 Introduction

1.1 Under section 119 of the *Planning and Development Act 2005* (the "PD Act"), the Western Australian Planning Commission (WAPC) is authorised to certify and recommend to the Minister for Planning that an improvement plan should be prepared for the purpose of advancing the planning, development and use of any land within the State of Western Australia.

1.2 The improvement plan provisions of the PD Act provide for the WAPC, with the approval of the Governor, to:

a) plan, replan, design, redesign, consolidate, resubdivide, clear, develop, reconstruct or rehabilitate land held by the State under the PD Act or enter into agreement with an owner of land not held by it within the improvement plan area;
b) provide for the land to be used for such purposes as may be appropriate or necessary;
c) make necessary changes to land acquired or held by it under the PD Act;
d) manage the tenure of ownership of the land or any improvements to that land held by it under the PD Act or enter into agreement with other owners of land within the improvement plan area for the same purposes;
e) recover costs in implementing the agreement with any owner of land within the improvement plan area; and
f) do any act, matter or thing for the purpose of carrying out any agreement entered into with other landowners.

1.3 Improvement Plan 50: Port Hedland West End (IP50) confers upon the WAPC the authority to undertake the necessary tasks to plan for and facilitate the implementation of an improvement scheme on behalf of the Western Australian State Government.

2.0 Background

2.1 The Port of Port Hedland is the largest bulk export port in the world. Total throughput increased from 247 million tonnes in 2011-12 to 519 million tonnes in 2017-18. Trade volume is forecasted by the Port Hedland Industries Council to increase to 700 million tonnes by 2027.

2.2 The port and the Port Hedland townsite have developed in close proximity, during a time prior to the introduction of planning controls that seek to separate non-compatible uses, i.e. residential and industrial. The West End precinct (west of McGregor Street) is adjacent to the port, with bulk commodity stockpiling handling and ship loading occurring to the south and west. According to the 2016 Australian Bureau of Statistics Census, there are approximately 900 residents living in the West End, the most dust, noise and hazard affected urban area in Port Hedland.

2.3 In February 2016, the Western Australian Department of Health published the *Port Hedland Air Quality Health Risk Assessment for Particulate Matter* report, which concluded that there is sufficient evidence of possible negative effects on human health from dust in the West End of Port Hedland to warrant improved dust management and monitoring controls and land-use planning measures to reduce community exposure to dust.

2.4 In 2016 the Port Hedland Dust Management Taskforce considered the findings of the Department of Health's *Port Hedland Air Quality Health Risk Assessment for*

Particulate Matter (February 2016) and provided recommendations to the Government through the *Port Hedland Dust Management Taskforce Report to Government* (August 2016).

2.5 After considering the Taskforce Report, and the submissions received, on 15 October 2018 the Western Australian State Government adopted a whole of Government approach to dealing with the management of dust in Port Hedland. With respect to land use planning it was decided that:

- *The Government supports the Taskforce recommendation that appropriate planning controls be implemented to prohibit sensitive land uses and restrict population growth in the West End of Port Hedland. To give effect to this, the Western Australian Planning Commission (WAPC) will be requested to prepare an Improvement Plan and Scheme designed to achieve the land use outcomes described in Recommendation 5 of the Taskforce Report.*
- *In response to community concerns raised in the consultation process, the Government will act to ensure that any future West End planning controls will not prevent the redevelopment of residential properties - provided that the redevelopment would not result in an intensification or expansion of a non-conforming use - should they be more than 75% damaged by a natural disaster such as fire or a cyclone.*

3.0 Purpose

3.1 The purpose of IP50 is to:

- enable the WAPC to undertake all necessary steps to advance the planning and development within the plan area as provided for under Part 8 of the PD Act;
- establish the strategic planning and development intent within the subject area;
- provide for a strategic planning framework endorsed by the WAPC, Minister for Planning and the Governor;
- authorise the preparation of an improvement scheme;
- provide the objectives of an improvement scheme; and
- provide guidance to the preparation of statutory plans, statutory referral documentation and policy instruments.

4.0 Improvement scheme

4.1 Section 122A of the PD Act enables the WAPC to make an improvement scheme in respect of some or all of the land to which IP50 applies.

4.2 IP50 authorises the making of an improvement scheme, by resolution of the WAPC and approval of the Minister for Planning. The following objectives will guide the preparation of the improvement scheme:

- *to provide a strategic planning framework to determine future land uses considering all land use options that takes into consideration physical, economic, social, and environment factors; and*

- *to provide a statutory planning instrument through which to implement the strategic planning framework and effectively guide the preparation of statutory plans, statutory referral documentation and policy (as may be required) to facilitate orderly and proper planning of the area.*

DRAFT

4.3 Once gazetted, the improvement scheme will replace the *Town of Port Hedland Local Planning Scheme No. 5*. The WAPC will be responsible for determining land use planning matters in the improvement scheme area.

5.0 Improvement plan area

The area that is subject to IP50 is depicted on WAPC Plan Number 3.2736.

6.0 Affected local government

The Town of Port Hedland will be affected by IP50.

DRAFT

WESTERN AUSTRALIAN PLANNING COMMISSION

IMPROVEMENT PLAN NO. 50: PORT HEDLAND WEST END

CERTIFICATE AND RECOMMENDATION

PURSUANT TO PART 8 OF THE PLANNING AND DEVELOPMENT ACT 2005 IT IS HEREBY

1. CERTIFIED THAT THE LAND SHOWN ON WESTERN AUSTRALIAN PLANNING COMMISSION PLAN NUMBER 3.2736 ANNEXURED HERETO SHOULD FOR THE PURPOSE OF ADVANCING THE PLANNING, DEVELOPMENT AND USE, BE MADE THE SUBJECT OF IMPROVEMENT PLAN NO. 50: PORT HEDLAND WEST END.

2. RECOMMENDED TO THE MINISTER FOR PLANNING AND HIS EXCELLENCY THE GOVERNOR THAT THE IDENTIFIED LAND AREA BE SUBJECT OF IMPROVEMENT PLAN NO. 50: PORT HEDLAND WEST END.

THIS CERTIFICATE AND RECOMMENDATION IS GIVEN IN ACCORDANCE WITH A RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION PASSED ON THE <<<<DATE>>>>>.

THE COMMON SEAL OF THE WESTERN AUSTRALIAN PLANNING COMMISSION WAS HEREUNTO AFFIXED IN THE PRESENCE OF:

CHAIR

SECRETARY

DATE

DRAFT

IMPROVEMENT PLAN No. 50

PORT HEDLAND WEST END

CERTIFICATE

This Improvement Plan is accompanied by a Certificate given in accordance with Part 8 of the Planning and Development Act 2005. It has been endorsed by the Western Australian Planning Commission for submission to the Minister for Planning.

The Common Seal of the Western Australian Planning Commission was hereunto affixed
In the presence of:

_____

CHAIR

_____

SECRETARY

_____

DATE

THIS RECOMMENDATION IS ACCEPTED:

_____ _____

MINISTER FOR PLANNING DATE

THIS RECOMMENDATION IS ACCEPTED:

_____ _____

GOVERNOR DATE

DRAFT

11.2.5 Town of Port Hedland Public Open Space Strategy *(File No.18/07/0052)*

Author	Graduate Planner
Authorising Officer	Acting Director Development, Sustainability and Lifestyle
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. Notes the submissions received on the draft Town of Port Hedland Public Open Space Strategy and modifications made in response to submissions as outlined in Attachment 1; and

2. Adopts the final Town of Port Hedland Public Open Space Strategy included as Attachment 2.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider submissions received on the Draft Public Open Space Strategy and adopt the Draft Public Open Space Strategy for final approval following consideration of submissions received during the advertising period.

DETAIL

Public open space (POS) is a significant component of the urban environment, as it facilitates passive and active recreation and ultimately improves the quality of life for the community it services. Under State Planning framework, a general obligation of residential development or subdivision requires the developer to provide a minimum of 10% of the subdivisible area free of cost for the purpose of POS. Following completion, the developer is usually responsible for the maintenance of this POS for two years before the maintenance requirements transition to the local government authority. This approach ensures newly established communities have suitable access to POS, but creates challenges for local government in managing the demand and supply of POS as well as the associated maintenance and development costs.

The Town of Port Hedland is responsible for providing a diverse range of POS to the community, and ensuring there is both a suitable quantity and quality. As the population increases, the Town is not only responsible for maintaining the current supply but needs to prepare for additional POS and the associated maintenance. It is therefore imperative that the Town has a strategy which can effectively guide the provision, and present alternative methods to contribute to the costs associated with maintenance of

POS. In 2018, the Town engaged UDLA Pty Ltd to prepare the Public Open Space Strategy (the Strategy), which will provide the Town with a strategic vision for the planning of future POS and improvement of the current supply within the Port Hedland and South Hedland townsites. The key objectives of the Strategy include:

- Review and analysis of all POS and path connections in the Port Hedland and South Hedland localities;
- To establish a framework which considers the size, function, spatial location and accessibility of existing and future POS and path networks within the Town;
- To establish a hierarchy which categorises POS to make specific recommendations on service and provision levels;
- Consider the needs of the community derived from key strategic documents such as the Strategic Community Plan;
- Understand and recognise the role that POS plays and highlight the regional variations that apply to the Town of Port Hedland in the development and maintenance of POS; and
- Use the established regional variation considerations to negotiate alternative funding measures such as cash-in-lieu and reduced requirement for POS in residential areas well catered for.

The Strategy addresses critical factors to the sustainable and efficient provision of POS and path networks, and contains a number of key themes which will be highly beneficial to the Town moving forward. The key themes of the Strategy include:

- Regional variation (cash-in-lieu contributions, maintenance of POS and role of the foreshore)
- Framework for public open space
- Locality maps and analysis
- Future provision of POS and path connections
- Audit and profiles

The Strategy has been prepared as a high level strategic document which is capable of adoption by Council and the WAPC to serve as an appendix to the updated Local Planning Strategy, which is expected to be completed in late 2020.

LEVEL OF SIGNIFICANCE

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

- The strategy will be an important document to inform short to long term planning decisions relating to the POS network;
- If the strategy is adopted by Council and the WAPC, the strategy will positively impact on the ability of the Town to secure alternative funding sources for maintenance of POS and determine future investment levels; and
- The recommendations contained within the strategy may impact on social, cultural and environmental values of the communities of the Town of Port Hedland.

CONSULTATION

Internal

Elected Members
Executive Leadership Team
Manager Town Planning and Development
Manager Parks, Gardens and Engineering Services
Coordinator Parks and Gardens

External Agencies

The Strategy was referred to all key State Government departments from a period of twenty-eight (28) days. Several responses were received which are summarised as Attachment 1 to this report.

Community

Community consultation was undertaken for a period for forty-five (45) days from 14 March 2019 to 29 April 2019. Consultation included:

- Town of Port Hedland media release on 14 March 2019;
- Advertisement in the North West Telegraph on 20 March 2019 advising of information stalls conducted by Town of Staff;
- Online survey (83 responses received);
- Graphics on the Town website and social media;
- Short video posted on Town website and social media page; and
- Two information stalls held at Port Hedland Boulevard Shopping Centre and South Hedland Square Charter Hall on 30 March 2019 and 6 April 2019.

The online survey and information stalls were the most successful form of consultation, as no formal submissions were received from the public during the consultation period. The results of the community consultation have been summarised and are contained in the final version of the Strategy.

LEGISLATION AND POLICY CONSIDERATIONS

The Strategy has been prepared in accordance with the following legislation and policies:

- Planning and Development Act 2005
- Development Control Policy 2.3 - Public Open Space in Residential Areas
- Liveable Neighbourhoods 2009
- Draft Liveable Neighbourhoods 2015
- Classification Framework for Public Open Space

FINANCIAL AND RESOURCES IMPLICATIONS

To date, the consultancy fees for the completion of the Strategy are $71,077.88. Funding was allocated in the 18/19 budget and has come under the budget for this operational project.

Funding has been allocated in the Strategic Resource Plan in an organic sense and will be reassessed on a year by year basis.

The Strategy establishes recommendations which are specific to certain assets and may not be acted upon in the short term, thus it is not necessary to require additional funding outside of the allocated budget.

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.a.6	Town-wide health, safety, recreation and sporting activities and services
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
1.d.2	Facilities and community infrastructure are revitalised across the Town
1.d.3	Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
3.a.1	Traditional owners, key stakeholders, and the community are informed and actively involved in the protection and enhancement of the natural environment
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.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
3.c.2	The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
3.c.3	Engagement with the community on urban renewal and greening initiatives is enhanced
4.a.3	A positive narrative and unique brand is developed and promoted
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

The Strategy considers the role of conservation areas such as foreshore reserves and natural vegetation buffers. Environmental considerations such as the recommendations of the Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) have been considered in the analysis and provision of POS and path networks.

Economic

The Strategy will provide direction for the Town to establish realistic maintenance costings and in turn effectively budget for current and future POS. The Strategy also establishes a position for the Town to apply regional variations to POS calculations, which will enable the Town to seek alternative funding sources such as cash-in-lieu contributions and extended maintenance periods.

Social

The Strategy will play an important role in the development and maintenance of POS within the Town of Port Hedland. POS and its connections are highly valued by the community, so maintaining these assets to a high quality and making improvements where necessary directly contributes to achieving the Town's vision as outlined in the Strategic Community Plan.

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 2 – Buildings and Facilities

Corporate Business Plan

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

3.b.1.1 Develop, implement and review a Public Open Space Strategy.

RISK MANAGEMENT CONSIDERATIONS

There are minor risks associated with the Strategy, namely if Council should not adopt it. The Strategy will provide the Town with a high level document to assist in making strategic decisions regarding POS. This includes decision making on investment and maintenance of these assets, and seeking additional external funding and contributions. It is intended to serve as an appendix to the Local Planning Strategy, following completion of the review and update. If it is not adopted, the updated Local Planning Strategy would lack a relevant public open space strategy. The risk rating is considered to be low (4) which is determined by a likelihood of minor (2) and a consequence of unlikely (2).

These risks will be eliminated 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

The Strategy is a high level strategic document which establishes a strategic vision to evaluate the needs of the community and provide a realistic framework for the provision of POS. Prepared in accordance with the local planning and state planning framework, it provides the Town with a detailed inventory, using an established hierarchy and locality analysis to determine appropriate service levels and maintenance costings for the Town. The Strategy also positions the Town to allow variations to the POS requirements, which will assist in maintenance costs and the effective provision. This will enable the Town to continually improve POS in the community whilst providing a strategic direction to budget and plan for associated maintenance costs and future development.

ATTACHMENTS

1. Schedule of Submissions (Under Separate Cover)
2. Public Open Space Strategy (Under Separate Cover)

11.2.6 Adoption of Local Planning Policy 01 – Exemptions from Development Approval – Provisions for Family Day Care *(File No. 18/01/0021)*

Author	Planning and Development Support Officer
Authorising Officer	Acting Director Development, Sustainability and Lifestyle
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 Clause 3, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolves to:

1. Adopt Local Planning Policy 01 – Exemptions from Development Approval for final approval with modifications, as per Attachment 1; and

2. Advertise the adopted Local Planning Policy 01 – Exemptions from Development Approval in line with *Planning and Development (Local Planning Schemes) Regulations 2015*.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to adopt Local Planning Policy 01 – Exemptions from Development Approval (LPP/01), with modifications.

DETAIL

LPP/01 was initiated at the Ordinary Council Meeting on 22 May 2019 pursuant to Clause 3, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations* 2015 (Regulations). The draft policy was advertised in the North West Telegraph for 28 days in June/July of 2019 and circulated to six government departments and three local businesses in the Scheme Area inviting comments on the adopted policy.

One submission was received on the proposed policy from the Department of Planning, Lands and Heritage (Department). The Department's comments and suggestions for changes to the policy can be seen on Attachment 2 of this item: Schedule of Submissions – Local Planning Policy 01 – Exemptions from Development Approval. A minor change was made to the definition of 'Family Day Care' in response to the Departments comments to reflect the intended outcomes of the Policy.

This policy will focus on tackling the following issues:

- Removal of excessive and long 'home business' development approval for 'family day care' applications;
- Encourage growth and the promotion of small business within Port Hedland;
- Attempt to reduce extensive wait-times in excess of two years.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance as childcare has not traditionally been under the jurisdiction of Local Government.

CONSULTATION

The following external departments and local businesses were contacted in accordance with Clause 3, Schedule 2 of the Regulations:

- Chamber of Commerce
- Pilbara Development Commission
- Department of Planning, Lands and Heritage
- Department of Education
- Department of Communities
- Department of Child Protection
- One Tree
- Len Taplin Children Services
- Rose Nowers

Should Council adopt LPP/01, the Town will publish a notice of the new policy in the North West Telegraph giving details of:

- The subject and nature of the proposed policy;
- The objectives of the proposed policy;
- Where the proposed policy may be inspected;
- To whom, in what form and during what period submissions in relation to the proposed policy may be made.

LEGISLATION AND POLICY CONSIDERATIONS

- Town of Port Hedland Local Planning Scheme No. 5
- Planning and Development (Local Planning Schemes) Regulations 2015
- Health (Miscellaneous Provisions) Act 1911
- Food Act 2008
- Environmental Protection (Noise) Regulations 1997
- Children and Community Safety Services Act 2004

FINANCIAL AND RESOURCES IMPLICATIONS

LPP/01 will incur an advertising fee for an advertisement in the North West Telegraph.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

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
2.c.2 Opportunities for social enterprise, innovators, and small and medium

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

RISK MANAGEMENT CONSIDERATIONS

There is a health and compliance risk associated with this item as the exemption from development approval could lead to the occupier to ignore conditions in line with LPP/01. The risk rating is considered to be low (2), which is determined by a likelihood of unlikely (2) and a consequence of insignificant (1).

LPP/01 is clear in its wording that exemption from development approval does not obviate the requirement of the 'home business' owner to operate in a legal manner in relation to the Town of Port Hedland requirements, state legislation and policy considerations.

Childcare is a heavily regulated industry. As mentioned above, the exemption from development approval does not obviate the responsibility of the business owner to comply with health and childcare regulations. This should allow Council to feel confident that risks associated with this policy will be mitigated to a high standard.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

CONCLUSION

This policy supports the Town's Strategic Community Plan 2018 – 2028 which benefits members of the community, boosts employment possibilities, and supports small business. This policy has minimal risk and gain in community satisfaction within the Town of Port Hedland. It is recommended that the revised LPP/01 be adopted for final approval.

ATTACHMENTS

1. Local Planning Policy 01 – Exemptions from Development Approval
2. Schedule of Submissions Local Planning Policy 01 – Exemptions from Development Approval

Town of Port Hedland Local Planning Policy

LPP/01 EXEMPTIONS FROM DEVELOPMENT APPROVAL

1. Purpose

The purpose of this policy is to outline specific developments that do not require development approval.

2. Objectives

The objectives of this policy are:

1. Reduce red tape by removing the need to apply to the Town of Port Hedland for development approval for particular developments that positively contribute to the local community and are not likely to cause issues of community concern.

2. Supplement the provisions of the Town of Port Hedland Local Planning Scheme No. 5 (Scheme) and the *Planning and Development (Local Planning Scheme) Regulations 2015* (Regulations) by providing guidance to applicants detailing when certain land uses and building works are exempt from the requirement to obtain development approval.

3. Application

This policy applies to the entire municipality of the Town of Port Hedland and must be read in conjunction with the Scheme and Regulations. If this policy is inconsistent with the Scheme and Regulations, the Scheme and Regulations prevail to the extent of any inconsistency.

4. Policy Provisions

4.1 Land Uses

The land uses listed in Table 1 do not require development approval from the Town of Port Hedland where all conditions have been met.

Land Use	Conditions
Family Day Care	• Located in Residential Zone. • Does not display more than one (1) sign on the property with a maximum area of 0.2m² (100cm by 20cm). • Pick-up and drop-off areas shall be located wholly within lot boundaries. • The maximum number of children shall be restricted to seven (7) at any one time. • Operated by an occupier of the dwelling and does not employ any persons who do not reside at the property. • No food is to be prepared or handled on site without notification to the Town's Environmental Health Department. • Does not operate outside the hours of 7:00am – 7:00pm Monday to Saturday, 8:30am – 4:30pm on Sundays, and does not operate on Public Holidays.

	• Operates in a way that does not adversely affect the amenity of surrounding properties. • Operates in a location that does not exceed 50m² of the dwelling floor area, and does not operate outside the dwelling (to protect neighbours from potential noise concerns). • Not located west of McGregor Street and north of Wilson Street in Port Hedland. • Complies with the *Education and Care Services National Law (WA) Act 2012* and *Education and Care Services National Regulations 2012*.

Table 1: Land uses exempt from the requirement to obtain development approval

4.2 Building Works

This section has intentionally been left blank. Please refer to the Scheme and Regulations for building works that are exempt from the requirement to obtain development approval.

5. Definitions

For the purposes of this policy, the following definitions apply:

"Amenity" is defined by factors which combine to form the character of an area and include the present and likely future amenity.

"Family Day Care" means a child care service provided to up to seven (7) related or unrelated children in a private dwelling in a family or domestic environment.

Relevant legislation	*Planning and Development Act 2005* *Planning and Development (Local Planning Schemes) Regulations 2015* *Town of Port Hedland Local Planning Scheme No. 5*
Delegated authority	
Business unit	Planning & Development
Directorate	Development, Sustainability & Lifestyle

Governance to complete this section			
Version Control	Version No.	Resolution No.	Adoption date
Review frequency	2 Yearly		

ATTACHMENT 2 TO ITEM 11.2.6

Town of Port Hedland

Local Planning Policy 01 – Exemptions from Development Approval

Schedule of Submissions

No / Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
1	17/06/2019	Department of Planning, Lands and Heritage	140 William Street, Perth WA 6000	*Issue/Comment No. 1* 'Family day care' by reference to the use as defined in the *Education and Care Services National Law (WA) Act 2012* – ***family day care service*** *means an education and care service that* — *(a) is delivered through the use of 2 or more educators to provide* education and care to children; and (b) operates from 2 or more residences; *Issue/Comment No. 2* Under which defined use class (i.e. defined in TPS 5) will a 'family day care' use be considered? It seems that the 'home business', 'education establishment' and 'childcare service' use classes would be the closest fit, given the proposed LPP/01 defines. *Issue/Comment No. 3* The proposed 'Family Day Care' is primarily an education and childcare service that fits most clearly with the 'childcare service' use (A use in Residential zone) and the 'education establishment' use (X use in Residential zone), as defined in TPS 5.	*Officer Response No. 1* Noted. The definition has been updated to reflect the definition provided in *Education and Care Services National Law (WA) Act 2012*. The Town was unaware of this definition at the time of Council's adoption of LPP/01. *Officer Response No. 2* Noted. LPP/01 is intended to define 'family day care' as a use in its own right. The exempt activity will function similar to a 'home businesses' but 'family day care' will be considered as a use in its own right in accordance with the policy. *Officer Response No. 3* Agreed. The scheme doesn't permit education establishment in residential areas thus creating 'family day care' as its own use.	*Officer Recommendation 1* Definition updated to reflect the Departments comments. "*A child care service provided to up to seven (7) related or unrelated children in a private dwelling in a family or domestic environment*". *Officer Recommendation 2* No modifications made. *Officer Recommendation 3* No modifications made

Page 1 of 2

No /· Ref·¤	Date· Received¤	Name¤	Address¤	Summary·of·Comments·Made¤	Officer·Response¤	Officer·Recommendation¤	¤
	19/06/2019¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¤	¶ ¶ ¶ ¶ ¤	¶ ¶ ¶ ¶ ¶ ¶ ¤	*Issue/Comment·No.·4*¶ The·Department·would·suggest·that·the·Town·considers·preparing·a·standard·amendment·to·introduce·the·proposed·'family·day·care'·use·as·a·defined·use·in·TPS·5,·and·apply·the·necessary·zoning·permissibility's·to·achieve·the·intended·aims·of·the·LPP¤	*Officer·Response·No.·4*¶ Noted.·However·the·reason·for·the·LPP·was·to·provide·a·quicker·solution·than·undergoing·a·scheme·amendment.·However,·the·Town·is·undertaking·a·Scheme·review·so·'family·day·care·will·be·a·discussion·point'.¶ ¤	*Officer·Recommendation·4*¶ No·modifications·made.·¤	¤

¶

11.2.7 Proposed Closure of a portion of Dalton Road, Wedgefield *(File No. 28/01/0018)*

Author	Development Services Officer
Authorising Officer	Acting Director Development, Sustainability and Lifestyle
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 58 of the *Lands Administration Act 1997* resolves to:

1. Support the proposed closure of a portion of Dalton Road road reserve as shown on Attachment 1; and

2. Advise the Minister for Finance, Aboriginal Affairs and Lands of Council's support.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the proposed closure of a portion of the road reserve for Dalton Place, Wedgefield. The proposed closure area does not align with the constructed road, and is required to finalise the realignment of the road reserve with the constructed road.

DETAIL

On the 15 December 2015 a number of road name amendments were made to Dalton Road and Finucane Road, Wedgefield, as a result of the Great Northern Highway realignment. The newly named Dalton Road was subsequently identified as being inconsistent with the dedicated road reserve, and accordingly the requirement to realign the road reserve was identified.

On 26 April 2017 Council resolved to support the realignment of Dalton Road. In accordance with Section 56 of the *Lands Administration Act 1997*, the request was forwarded to the Department of Planning Plans and Heritage (then Department of Lands) to progress the dedication of the new road alignment. As this process is nearing completion, the support of the Council is required to finalise the closure of the surplus road reserve area.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, as it is considered to be administrative only. The physical Dalton Road will not be affected.

CONSULTATION

Internal

Internal consultation relating to this item was undertaken during the initial dedication stage. No further consultation is required.

External Agencies

External consultation relating to this item was undertaken during the initial dedication stage. No further consultation is required.

Community

In accordance with Section 58(3) of the ***Land Administration Act 1997***, the proposed closure was placed in the North West Telegraph issue 5 June 2019 for a period of 35 days. No responses were received.

LEGISLATION AND POLICY CONSIDERATIONS

Section 58 of the *Land Administration Act 1997* (the Act) and Regulation 9 of the *Land Administration Regulations 1998* (the Regulations) establish the procedure for the closure of a portion of road.

Section 58 of the Act provides the requirements for the closure of a road, and Regulation 9 of the Regulations provides further guidance.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial or resource implications for this item.

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.3	Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
2.d.1	Investment in key infrastructure development such as the port and logistics is pursued
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 reputational risk associated with this item because the existing misalignment may impact any future development of the surrounding properties. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) 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 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The closure of a portion of the Dalton Road road reserve is an administrative action to finalise the realignment, matching the legal road reserve to the existing constructed road. Accordingly, it is recommended that Council support the proposed closure.

ATTACHMENTS

1. Survey Plan (Under Separate Cover)

11.3 Infrastructure and Town Services

11.3.1 Disposal Residential Houses (*File No. 05/03/0023)*

Author	Coordinator Property Management
Authorising Officer	Acting Director Infrastructure and Town Services
Disclosure of Interest	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

That Council, with respect to the Capital Staff Housing Renewal Program:

1. Approve the disposal of nine (9) residential properties and one (1) vacant plot of land as listed in confidential attachment 4, by way of sale at auction:

2. Endorse the Reserve sale price listing of each property listed in Point 1 above (provided under confidential separate cover);

3. Delegate authority to the Chief Executive Officer to enter into negotiations to dispose of the properties listed in point 1 above, for no less than 60% of the Reserve price listed in point 2 above, should they not sell at Auction; and

4. Approve that all Revenue from the sale of the properties be set aside in the Housing Reserves to fund:
   a. The purchase of more suitable Staff Housing
   b. To fund the continuation of the Staff Housing Capital Renewal Program;

SIMPLE MAJORITY VOTE REQUIRED

The purpose of this report is for Council to consider approving the disposal of ten (10) of the Town of Port Hedland (Town) properties from its housing portfolio. Monies generate from the properties sold will be used to purchase housing stock which will require less immediate maintenance whilst also meeting the Town's medium to longer term requirements. Monies will also be used to fund the continuation of the Town's staff housing renewal program

DETAIL

The Town currently has 39 properties within its residential portfolio to house employees for the Town. The portfolio is made up of the following:

Property Type		Location	
Bed #	Bath #	Port	South
4	2.5	1	0
4	2	10	1
3	2	0	6
3	1	2	2
2	2	6	6
2	1	1	1
1	1.5	2	0
1	1	0	1
		22	17

The Town's housing stock has been impacted by changes such as the recent in-house management of its leisure facilities, and some other internal positional changes which has seen a need for more housing. Compounding this is the standard of some of the Town's existing housing, which require significant capital improvements to ensure that they are of a suitable condition rating.

In 2015 the Town engaged a contractor to complete building inspections of all the properties with the priority being to ascertain the current conditions of all housing assets. From this report there was a number of properties issued with a rating of 4 or 5 (5 being poorest) indicating that the Town had neglected its housing assets. Considerable renewal and upgrade works were required around improving the properties in order to attract, house and maintain an adequately skilled workforce.

Through a continuation of annual inspections, the Building Maintenance Team have identified those properties that require upgrades under the capital project of Staff Housing Upgrades. These properties were identified as being urgent on the basis that the portfolio should be brought up to a standard of 3 or more, before offering it to a staff member.

The original reports from 2015 provided a base for the projected five year capital works program, to improve the standard of the portfolio. The summary in confidential attachment 1 indicates the original rating and the new rating based on the work that was recommended at this time and is now complete.

Three of the properties remain vacant due to them having been highlighted as unusable for any incoming employees due to the current condition of the properties.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, as there will be a positive impact for the Housing reserve fund

CONSULTATION

Internal

The Executive and Elected Members have been briefed on the external factors relating to urgency required to sell these properties in relation to their condition and the expected renewal costs for the properties, should they be required for staff allocation.

External Agencies

The Town engaged a local real estate agent who provided a thorough review of seven of the properties and the vacant block, and recommended a listing price as summarised in attachments 1 and 2.

Wangara Properties

The Wangara properties are situated on one title, so the Town would need to consider to strata the title in order to maximise sales for each property. This would allow for the auction of each unit individually, otherwise the three units would be required to be auctioned as one title through one disposal.

In order to strata the title, the Town will require a physical survey in addition to an independent building certification, completed by a registered Building Surveyor, to ensure that the dwellings comply with the current Building Codes. The strata would then proceed via the Western Australian Planning Commission. The total cost expected for this process to be undertaken would be approximately $7,000.

Due to the complexity in selling the three units, it is recommended that the Town relinquish the properties listed in confidential attachment 4 in FY2019/20, with the three units at Wangara to follow sequentially in FY2020/2021.

Community

The Town will be required to advertise the proposed disposals of the properties and invite submission to be made.

LEGISLATION AND POLICY CONSIDERATIONS

Under section 3.58 of the *Local Government Act,* a local government can dispose of a property to the highest bidder at public auction; or the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, where or not it is the highest tender.

The Town's Staff Housing Internal Operating Procedure commits the organisation to ensuring adequate and suitable staff housing be made available for the attraction and retention of highly skilled workforce.

FINANCIAL AND RESOURCES IMPLICATIONS

The properties proposed for disposal are currently included in the capital works program, with a project budget of $905,000 needing to be spent on the properties to bring them to a value of 3 or higher.

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
2.a.1 Local training providers, business, industry, services, agencies, social sector and infrastructure providers are fully engaged and coordinated in the development of training and employment opportunities
4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

Economic

By self-funding the staff housing renewal program, the Town would be able to self-support the renewal program going forward to avoid impact on operations budgets and housing reserves

Corporate Business Plan

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

Built and Natural Environment. A safe and fit for purpose built environment

3.b.1.4 Assess and rationalise the Town's infrastructure and assets.

RISK MANAGEMENT CONSIDERATIONS

There is a low risk associated with this item because it relates to the sale and potential purchase of housing stock for the Town. The risk rating is considered to be low as it will have minimal impact on the operations of the organisation.
This risk will be eliminated 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

It is relevant that the Town continues to monitor and make assessments on all of its assets including its housing stock. The Town's Property Management Team have determined that some properties will serve the Town's needs better if they are sold as opposed to having significant capital monies spent on them. Furthermore, based on the organisation's needs, better quality housing stock will also need to be acquired to meet operational requirements. This is not only good asset management practice, but will also help to attract and retain staff.

ATTACHMENTS

1. Market Appraisal of Housing stock (Confidential, Under Separate Cover)
2. Market Appraisal for 96 Sutherland Street (Confidential, Under Separate Cover)
3. Original rating to new rating (Confidential, under separate cover)
4. List of properties identified for sale (Confidential, Under Separate Cover)

11.3.2 Amendment of Policy 9/009 'Vehicles' *(File No. 04/03/0001)*

Author	Coordinator Depot Operations
Authorising Officer	Chief Executive Officer
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 adopt the changes to Policy 9/009 'Vehicles', as per attachment 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the amendment to the Town of Port Hedland's (Town) Policy 9/009 – 'Vehicles'.

DETAIL

The objective of this policy is to ensure Council's vehicles, plant and equipment is replaced at a time which optimises its use and minimises the whole of life cost, as well as outlining what type of light vehicles are purchased for each position.

Policy 9/009 'Vehicles' was last reviewed by Council in January 2006 in conjunction with a number of other policies, where it was determined that no change was required.

Upon review of its objective and content, the policy does not match industry standards or Internal Operating Procedure (IOP) 015 'Vehicle Usage'. The policy has now been amended to reflect industry standards and refers to IOP015, which outlines vehicle usage for each position.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, as it does not meet any of the criteria listed in the policy which deems it significant.

CONSULTATION

Internal

- Manager Parks & Engineering

External Agencies

- City of Karratha
- City of Vincent
- Shire of Ashburton

LEGISLATION AND POLICY CONSIDERATIONS

The role of Council, as stated in section 2.7(2)(b) of the *Local Government Act 1995,* is to determine the Local Government's policies.

Policies and IOP's that apply to this policy – 9/009 Vehicles:

- IOP HR15 – Motor Vehicle Use
- 10yr Plant Replacement Program
- 1/026 Feedback, Complaints and suggestions
- 2/007 Purchasing

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial or resource implications relevant to this item.

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.3 Transparent and regular governance 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.

Corporate Business Plan

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

2.b.3.1 Regularly review policies and local laws to minimise red tape within statutory frameworks.

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item, as it may be perceived that the Town's policies are outdated and not relevant. The risk rating is considered to be low (3) which is determined by a likelihood of possible (3) and a consequence of insignificant (1).

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 are required to regularly review its policies to ensure they are relevant and meet the needs of Council and the community. It is recommended that policy 9/009 'Vehicles' be amended.

ATTACHMENTS

1. Proposed Policy 9/009 'Vehicles' (Under Separate Cover)
2. Adopted Policy 9/009 Vehicles (Under Separate Cover)

11.3.3 Award of Tender RFT1819-66 Playground Replacement *(File No. 21/07/0041)*

Author	Coordinator Parks and Gardens
Authorising Officer	Acting Director Infrastructure and Town 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 endorse the recommendation of the evaluation panel and award the Tender for RFT1819-66 Playground Replacement as below:

- Part A Shay Gap Memorial Park to valued at (ex GST), with a contract term based on the length of the project.

- Part B Cemetery Beach Playground to valued at (ex GST), with a contract term based on the length of the project.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the summary of the assessment of submissions received for Tender RFT1819-66 Playground Replacement and to endorse the evaluation panel's recommendation for the preferred tenderer(s).

DETAIL

As part of the Town of Port Hedland (Town) playground renewal program the playground at Shay Gap is due to be upgraded. Replacement is based on the expected life of the playground infrastructure; level of use of the park and the independent playground audits completed in 2018. As a result of Tropical Cyclone (TC) Veronica the playground replacement for Cemetery Beach Playground is required to be replaced ahead of the predicted program.

The Principal has adopted the best value for money approach to this request. This means that, although price is considered, the response containing the lowest price will not necessarily be accepted, nor will the offer ranked the highest on the Qualitative Criteria.

The Principal wished to engage a contractor or contractors to design, supply and construct playground (and associated park infrastructure) upgrades/renewals at both locations – Shay Gap Memorial Park, South Hedland and Cemetery Beach Park, Port Hedland. Offers for Part A and/or Part B were considered allowing the Principal to award both Parts to a single respondent or individually to separate respondents.

A scoring system will be usual as part of the assessment of the Qualitative Criteria. Unless otherwise stated, a response which provides all the information requested will be assessed as satisfactory.

The extent to which the respondent demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each response will be used as one of the factors in the final assessment of the Qualitative Criteria and in the overall assessment of value for money.

REQUEST FOR TENDER

The documentation for Tender RFT1819-66 Playground Replacement was released on Wednesday 10 July 2019. When the tender submission closed on Friday 2 August 2019, nine (9) submissions were received.

Key deliverables for each location will be the following:

- Provide minimum of two designs for each locations that consider the factors:
- Natural landscape/location;
- Disability Access & Inclusion;
- Diverse range of play activities & experiences:
- CPTED (Crime Prevention Through Environmental Design);
- Lighting of the Park;
- Physical, intellectual and social development needs of children; &
- Budget and future maintenance costs;
- All building, demolition and planning applications as required.
- Demolition and site preparation of existing playground infrastructure.
- Independent DAIP consultation report;
- Independent comprehensive safety audits of the design to ensure compliance with relevant AS Standards.
- Supply, delivery and installation of playground infrastructure.
- Supply delivery and installation of park furniture as per designed.
- Mobilisation and demobilisation costs.
- Linemarking and upgrading parking areas to DAIP standards.
- Security of site (fencing).
- Independent comprehensive post-installation inspection.

Tender submissions were received from the following nine (9) contractors:

- Active Discovery
- All-In Play
- Environmental Industries
- Environmental Industries Pty Ltd
- Moduplay Group Pty Ltd
- Nature Play Solutions
- North West Tree Services
- Yurra Pry Ltd
- Kompan Playscape Pty Ltd

Of the submissions received, four (4) were rejected due to having been deemed non-compliant and/or was received after the cut-off for the submissions. One (1) supplier submitted a duplicate submission. The remaining four (4) respondents provided compliant tender responses.

Tender Assessment

All compliant tender submissions have been evaluated by a panel of four (4) Town employees whose main objectives were:

a) Make a recommendation to the CEO as to the Tenderer that best represents value for money;
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.

Out of the nine (9) submissions, four (4) were deemed compliant and assessed against the tender assessment criteria as listed in the below table:

Qualitative Criteria	(%)
Relevant Experience	20%
Capacity to Deliver & Resources	20%
Quality I Suitability	20%
Demonstrated Understanding and Methodology	40%

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 medium significance, because its award will provide direct access to additional resources, experience and expertise to assist in project managing the Towns capital works program.

CONSULTATION

Internal

Procurement Plan presented to the Executive Leadership Team on 1 July 2019.

Community

The RFT was released to the community via Vendorpanel (the Town's e-tendering portal) on 10 July 2019 and was advertised in the West Australian and the North West Telegraph on 10 July 2019 with a closing date of 2 August 2019

LEGISLATION AND POLICY CONSIDERATIONS

The *Local Government Act 1995* and Town of Port Hedland's Procurement Policy were observed when preparing and awarding this tender.

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.

RFT 1819-66 was conducted in accordance with the following policies: The Town of Port Hedland's Purchasing Policy 2/007 and Regional Price Preference Policy 2/016.

Sections of this report pertaining to price submissions from tenderers have been deemed confidential in accordance with the *Local Government Act 1995* section 5.23 part 2(e) (iii).

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

FINANCIAL AND RESOURCES IMPLICATIONS

The 2019/20 budget for this project is contained within CIF 117020 and CIF117021. The contract price is within the budgeted amount.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

1.a.3	Youth services and facilities are implemented with regular input from youth and providers
1.a.5	Agencies and the community are fully engaged to reduce anti-social behaviours and improve community safety
1.a.6	Town-wide health, safety, recreation and sporting activities and services
1.b.3	Forums and activities to give a voice to youth, people with a disability, ageing, Aboriginal and Torres Strait Islander, and Culturally and Linguistically Diverse people are recognised and supported
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
1.d.2	Facilities and community infrastructure are revitalised across the Town
1.d.3	Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
3.a.1	Traditional owners, key stakeholders, and the community are informed and actively involved in the protection and enhancement of the natural environment
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.5 The protection and valuing of amenities and urban space is enhanced through community engagement
3.c.3 Engagement with the community on urban renewal and greening initiatives is enhanced
4.b.1 Sound long-term financial planning is implemented
4.c.1 High quality and responsive customer service is provided
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

Social – Renewal of the Shay Gap & Cemetery Beach playgrounds will incorporate elements of accessibility & inclusion whilst taking into account feedback received from Community Survey conducted during the opening of the Kevin Scott Playground in June 2019 and incorporating this information into the design.

There are no significant identifiable environmental or economic impacts arising from the adoption of the officer's recommendation.

Disability Access and Inclusion Plan

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

- Outcome 2 – Buildings and Facilities
- Outcome 4 – Quality of Service

RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item because of inherent risks to the Town if Playgrounds are not compliant to the Australian Standards. The risk rating is considered to be Medium (6), which is determined by a likelihood of unlikely (2) and a consequence of Moderate (3).

To reduce this risk, the action plan is to ensure a clear scope is defined, appropriate due diligence is undertaken by ensuring that an independent Playground Auditor is engaged throughout the design, construction and handover of the project.

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 award RFT 1819-66 Playground Replacement to the preferred tenderer(s) indicated in the Tender 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. Tender evaluation report RFT1819-66 Playground Replacement (Confidential, under separate cover).

11.3.4 Award of Tender RFT 1819-71 Throssell Road South Hedland Verge Upgrade *(File No. 21/07/0041)*

Author	Coordinator Parks and Gardens
Authorising Officer	Acting Director Infrastructure and Town 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 1

That Council amend the 2019/20 budget to increase the Throssell Road South Hedland Verge Upgrade project budget to $500,000, to be funded from the Irrigation Inground Upgrades budget, resulting in a nil impact to the 30 June 2020 closing surplus.

ABSOLUTE MAJORITY VOTE REQUIRED

OFFICER'S RECOMMENDATION 2

That Council endorse the recommendation of the evaluation panel and award the Tender for RFT 1819-71 Throssell Road South Hedland Verge Upgrade to for a contract price of (ex GST).

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to for Council to consider the summary of the assessment of submissions received for Tender RFT 1819-71 Throssell Road South Hedland Verge Upgrade and to endorse the evaluation panel's recommendation for the preferred tenderer.

DETAIL

Upgrades to Throssell Road verge in South Hedland include new irrigation and landscaping treatments to complement the landscaping in the South Hedland town centre. Concept designs are based upon low maintenance landscape solutions.

The Principal has adopted the best value for money approach to this request. This means that, although price is considered, the response containing the lowest price will not necessarily be accepted, nor will the offer ranked the highest on the Qualitative Criteria.

A scoring system will be usual as part of the assessment of the Qualitative Criteria. Unless otherwise stated, a response which provides all the information requested will be assessed as satisfactory.

The extent to which the respondent demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each response will be used as one of the factors in the final assessment of the Qualitative Criteria and in the overall assessment of value for money.

Request for Tender

The Town released a Request for Tender (RFT 1819-71 Throssell Road South Hedland Verge Upgrade on 17 July 2019, requesting:

The Landscape Works are set out in detail within the design, however generally include the following items:

- Minor grading and fine trimming of existing surface using clean site stockpiled topsoil to achieve final landscape levels and falls within nominated works area;
- Traffic management (as required);
- Supply and Install concrete edging;
- Supply and Install gravel (Red Scoria);
- Supply and Install Kimberley Stone Seating Boulders;
- Supply and install steel ring/edging to trees in lawn;
- Supply and plant Trees;
- Supply and install roll on turf; &
- Supply and construct/install a fully automated compliant water irrigation system including water Irrigation tank and compound, based on the approved Cadsult Design;

All works will need to be completed as per Town of Port Hedland (Town) Irrigation and Landscape Guidelines.

Tender submissions were received from the following two (2) contractors:

- Environmental Industries
- Yurra Pry Ltd

All submissions received from respondents were compliant.

Tender Assessment

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 CEO, as to the Tenderer that best represents value for money;
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.

Out of the two (2) submissions, both were deemed compliant and assessed against the tender assessment criteria as listed in the below table:

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

A summary of the assessment results of submissions received for RFT 1819-71 Throssell Road Verge Upgrade is included in the confidential attachment.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be medium significance, because its award will provide direct access to additional resources, experience and expertise to assist in project managing the Towns capital works program.

CONSULTATION

Internal

Procurement Plan presented to the Executive Leadership Team on 1 July 2019.

Community

The RFT 1819-71 Throssell Road Verge Upgrade was released to the community via Vendorpanel (the Town's e-tendering portal) on 17 July 2019 and was advertised in the West Australian and the North West Telegraph on 17 July 2019 with a closing date of 1 August 2019.

LEGISLATION AND POLICY CONSIDERATIONS

The *Local Government Act 1995* and Town of Port Hedland's Procurement Policy were observed when preparing and awarding this tender.

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.

RFT 1819-71 Throssell Road Verge Upgrade was conducted in accordance with the following policies: The Town of Port Hedland's Purchasing Policy 2/007 and Regional Price Preference Policy 2/016.

Sections of this report pertaining to price submissions from tenderers have been deemed confidential in accordance with the *Local Government Act 1995* section 5.23 part 2(e) (iii).

FINANCIAL AND RESOURCES IMPLICATIONS

The 2019/20 budget for this project is from CIF124036 Throssell Road Verge Upgrade. The contract price exceeds the allowed budget allocated, however irrigation upgrade works was incorporated into the scope of works to allow for award to a sole contractor. Request approval to transfer funds from CIF 117015 Irrigation Inground Upgrades, increasing the Project budget CIF 124036 and award to preferred contractor.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following section/s of the Council'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
1.d.3 Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
3.a.1 Traditional owners, key stakeholders, and the community are informed and actively involved in the protection and enhancement of the natural environment
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.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
3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
3.c.3 Engagement with the community on urban renewal and greening initiatives is enhanced
4.b.1 Sound long-term financial planning is implemented
4.c.1 High quality and responsive customer service is provided
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

Social

Upgrade of the streetscape and improving the aesthetics of the verge in front of eight South Hedland Business's.

There are no significant identifiable environmental or economic impacts arising from the adoption of the officer's recommendation.

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because of the high profile nature of the landscape been improved and potential impacts to local businesses. The risk rating is considered to be Medium (6) which is determined by a likelihood of probable (3) and a consequence of minor (2).

To reduce this risk, the action plan is ensure a clear scope is defined, appropriate communication is undertaken with local businesses and community stakeholders and the most suitable Contractor(s) is assigned.

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 awards RFT 1819-71 Throssell Road South Hedland Verge Upgrade to the preferred tenderer indicated in the Tender 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. Tender evaluation report RFT 1819-71 Throssell Road South Hedland Verge Upgrade (Confidential, under separate cover).

11.3.5 Award of Tender RFT1819-61 Landscape Supplies *(File No. 21/07/0042)*

Author	Manager Parks Gardens & Engineering
Authorising Officer	Acting Director Infrastructure and Town 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 endorse the recommendation of the evaluation panel and award the Tender for RFT 1819-61 – Landscape Supplies to . The contract is for an initial period of three (3) years with an option to extend the contract for a further two (2) 12 month extensions at the absolute discretion of the Town. The estimated contract value is (ex GST) per annum subject to annual budget adoption.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the summary of the assessment of submissions received for Tender RFT 1819-61 Landscape Supplies and to endorse the evaluation panel's recommendation for the preferred tenderer.

DETAIL

Town of Port Hedland (Town) Parks and Gardens department requires large amounts of landscape supplies for the maintenance and management of the Town.

The Principal has adopted the best value for money approach to this request. This means that, although price is considered, the response containing the lowest price will not necessarily be accepted, nor will the offer ranked the highest on the Qualitative Criteria.

Request for Tender

The Town released a Request for Tender RFT 1819-61 Landscape Supplies on 17 July 2019, requesting:

Large amounts of Landscape Supplies for the maintenance and management of Parks and Gardens within the Town of Port Hedland, supply and delivery of:

- Pine Bark Mulch - per m3 including delivery to Port Hedland
- Forrest Mulch - per m3 including delivery to Port Hedland
- Softfall Pine Chip - per m3 including delivery to Port Hedland

- Top Soil (Lawn) - per m3 including delivery to Port Hedland
- Top Soil (Garden Native) - per m3 including delivery to Port Hedland
- Scoria (Assorted Colours) - per m3 including delivery to Port Hedland
- Washed River Sand - per m3 including delivery to Port Hedland
- Blue Metal (Various Sizes) - per m3 including delivery to Port Hedland

The Town received five (5) submissions for RFT 1819-61 Landscape Supplies. The respondents were as follows:

1. Baileys Fertilisers
2. Days Machinery Centre Pty Ltd
3. Greenacres Turf Group
4. High Country Tree Services
5. T J Depiazzi & Sons

Tender Assessment

All compliant tender submissions have been evaluated by a panel of four (4) Town employees whose main objectives were:

a) Make a recommendation to the Council as to the Tenderer that best represents value for money;
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.

Out of the five (5) submissions, one (1) was deemed compliant and assessed against the tender assessment criteria as listed in the below table:

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

A summary of the assessment results of submissions received for RFT 1819-61 Landscape Supplies is included in the confidential attachment.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be medium significance, because its award will provide direct access to additional resources, experience and expertise to assist in project managing the Towns capital works program.

CONSULTATION

Internal

Procurement Plan presented to the Executive Leadership Team on Friday 14th June 2019

Community

The RFT was released to the community via Vendorpanel (the Town's e-tendering portal) on 17 July 2019 and was advertised in the West Australian and the North West Telegraph on 17 July 2019 with a closing date of 1 August 2019.

LEGISLATION AND POLICY CONSIDERATIONS

The *Local Government Act 1995* and Town of Port Hedland's Procurement Policy were observed when preparing and awarding this tender.

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:

- 2/007 'Purchasing'
- 2/016 'Regional Price Preference'

Sections of this report pertaining to price submissions from tenderers have been deemed confidential in accordance with the *Local Government Act (1995)* section 5.23 part 2(e) (iii).

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

FINANCIAL AND RESOURCES IMPLICATIONS

The 2019/20 budget for this project funds will be allocated from the below listed accounts:

CIF117066 -Turf Renewal
E1108200 – Parks maintenance Sportsgrounds

The contract price is within the budgeted amount.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

1.d.2 Facilities and community infrastructure are revitalised across the Town
1.d.3 Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
3.a.3 Natural resource assets are well-managed and enhanced
3.b.3 Sustainable energy, waste and water management practices are provided and promoted

There are no significant identifiable social, environmental or economic impacts arising from the adoption of the officer's recommendation.

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item if the Town does not assign the right expertise required to manage contractual services for the term of the contract. The risk rating is considered to be Low (1) which is determined by a likelihood of Rare (1) and a consequence of risk is Insignificant (1).

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

There is a financial risk associated with this item if the Town do not manage its annual expenditure of services for the term of the contract as allocated in the annual budget. This risk is considered to be Low (1) which is determined by a likelihood of Rare (1) and a consequence of risk is Insignificant (1)

The risk can be managed by the implementation of scheduled monitoring of operational budgets comparing of actual expenditure to products received.

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 award RFT 1819-61Landscape Supplies to the preferred tenderer indicated in the Tender 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. Tender evaluation report RFT 1819-61 Landscape Supplies (Confidential, under separate cover).

Item 12 Reports of Committees

Note: The Minutes of this Committee meeting will be available on the Town's website

12.1 Audit, Risk and Governance Committee Minutes – 13 August 2019

OFFICER'S RECOMMENDATION

That Council receive the Minutes of the Audit, Risk and Governance Committee held on 13 August 2019 5:30pm inclusive of the following decisions:

11.1.1 Non-Current, Non-Financial Asset Write-offs
11.1.2 Financial Statements FY18
11.1.3 Funding and Donations for the Quarter 1 April 2019 to 30 June 2019

SIMPLE MAJORITY VOTE REQUIRED

Item 13 Motions of Which Previous Notice Has Been Given

Item 14 New Business of an Urgent Nature

14.1 RFT 1819-55 Child Care Facility Activation

26/08/2019 - This item has been withdrawn from the agenda.

14.2 Gratwick Aquatic Centre – Additional Remedial Works

14.3 Closure of Port Hedland Cemetery

14.4 Financial Statements FY18

14.5 Boodarie Entrance Road Contribution

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

15.1 Approval for Staff Housing Purchase *(File No: 05/03/0024)*

Item 16 Closure

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 25 September 2019 commencing at 5:30pm.

16.2 Closure

There being no further business, the Commissioner declared the meeting closed at __pm.