

The first request will result in Hawke Place becoming a through road linking with Forrest Circle. The second request is to facilitate the Public Car Parking area (It should be noted that the current car park already encroaches onto the Forrest Circle Road Reserve).

Consultation

The Manager Planning has discussed the proposal with DPI staff who advised an MOU was an alternative option to address the encroachment issue.

Statutory Implications

The use of Unallocated Crown Land for the purpose of a Road is legislated through Section 56 of the *Land Administration Act 1997* which is administered by the Department of Planning and Infrastructure. Section 8 of the *Land Administration Regulations 1998* identifies the information a Local Government must provide when requesting land be dedicated as a road.

Policy Implications Nil

Strategic Planning Implications

The proposal is considered to support Key Result Area 3 – Community Development, of Council's Plan for the Future 2008-2013. Although there is no specific Strategy identified, the proposal will contribute to the achievement of Goal 4 – Community Safety & Crime Prevention.

Budget Implications

If Lot 3824 is dedicated as a Road, Council will be responsible for the land. It is recommended that the construction and ongoing maintenance of the Road be included in a Memorandum of Understanding with the Owners/Occupiers of the development site (Lot 6099, Port Hedland).

Officer's Comment

The proposed dedication of the Unallocated Crown Land as a Road will result in a through road linking Hawke Place and Forrest Circle. Construction works, particularly the intersection will need to be to appropriate standards and to the satisfaction of Council's Engineering Department. As the Road has been requested to facilitate a development, it is reasonable to expect the developer undertake the construction works.

In regard to the proposed encroachment of the public Car Park onto the Forrest Circle Road Reserve, the following options are available:

1. Refuse to allow the Car Park to encroach on the Road Reserve.
2. Facilitate the development of the Car Park by surrendering that part of the Road Reserve required by the developer back to the Crown enabling it to be incorporated into the development site.
3. Allow the Car Park to encroach on the Road Reserve.

It is recommended that Council allow the encroachment and enter into a Memorandum of Understanding with the Western Australia Police Service in regard to the land. This would enable Council to negotiate terms which could include lands outside of the development site and encroachment areas such as the proposed Road linking Hawke Place and Forrest Circle or the Forrest Circle Road Reserve adjacent to the proposed encroachment area.

Attachments

1. Site Plan
2. Aerial Photograph

200809/269 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

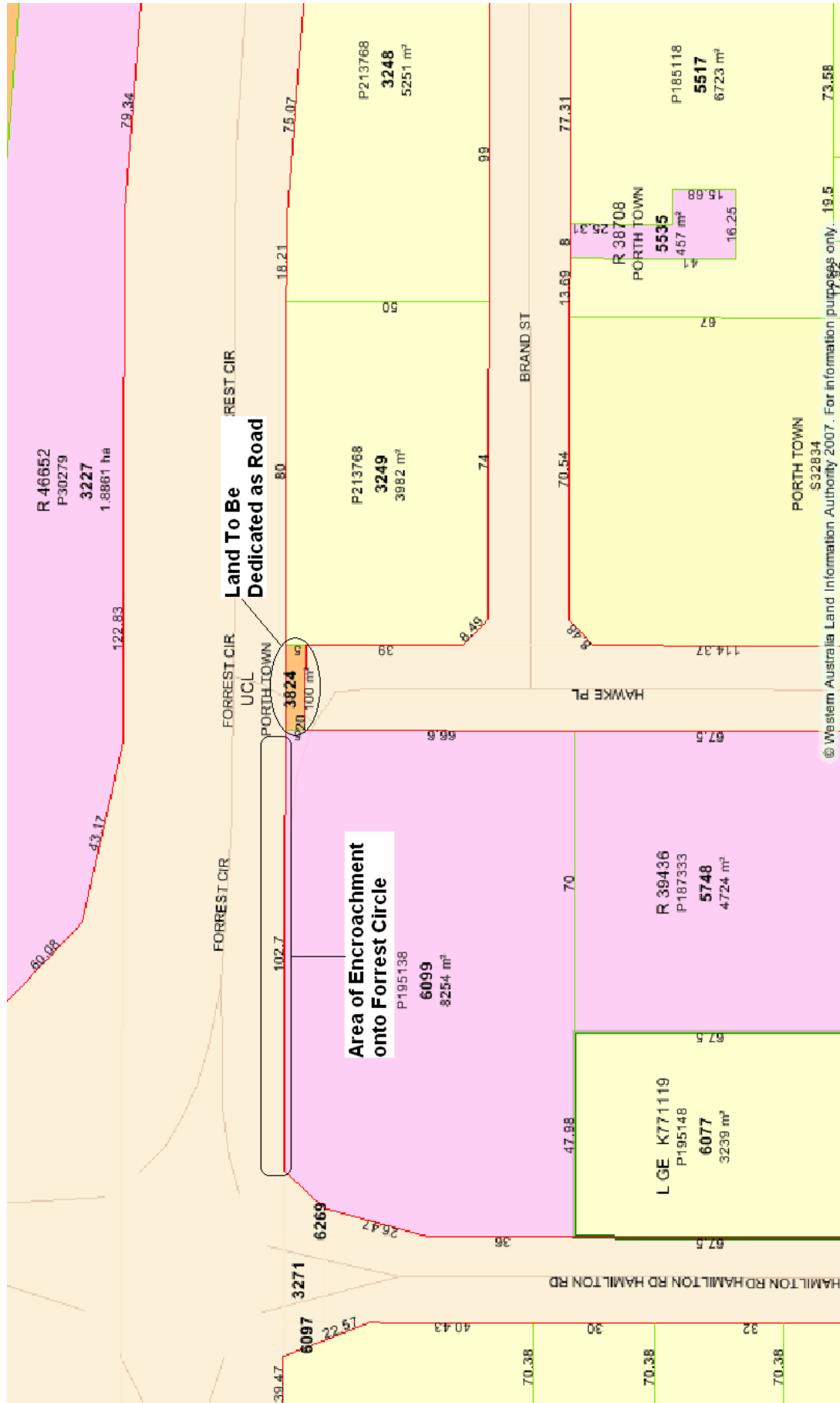
Seconded: Cr K A Howlett

That Council:

- i) advises VSA Property that Council will support:
 - a) **the dedication of Lot 3824, Port Hedland as a Road:
and**
 - b) **the encroachment of the proposed new South Hedland Police Station's Public Car Park onto the adjacent Forrest Circle Road Reserve:**
- subject to a Memorandum of Understanding being entered into with the Town at no cost to the Town;
- ii) authorise the Chief Executive Officer to enter into a Memorandum of Understanding in relation to recommendation i); and
 - iii) subject to the Memorandum of Understanding being entered into, request the Department of Planning & Infrastructure dedicate Lot 3824 as Road in accordance with Section 56 of the *Land Administration Act 1997*.

CARRIED 8/0

ATTACHMENT 1 TO ITEM 11.1.2.1



ATTACHMENT 2 TO ITEM 11.1.2.1



11.1.2.2 Change of Use – Request to Create Management Order Over Lot 3267 ‘Dreamers Corner’ for Car Park (File No.: 2008/82)

Officer	Luke Cervi Planning Officer
Date of Report	11 February 2009
Disclosure of Interest by Officer	Nil

Summary

This report seeks to formalise the Use of Crown Lot 3267, Port Hedland, being the corner of Hamilton Road and Hedditch Street commonly known as ‘Dreamers Corner’ for Car Parking.

Background

‘Dreamers Corner’ being Crown Lot 3267, Port Hedland, is Unallocated Crown Land. The land has been used informally for a number of years as a Car Park and for the private sale of vehicles. To formalise the use it is proposed to seek from the Department for Planning and Infrastructure the vesting of the land to Council under Section 46(1) under the *Land Administration Act 1997*. This will also enable Council officers to regulate the use of the land.

Consultation

The proposal has been referred internally to the Engineers and Rangers. No objections were raised however it was noted that the current condition of the site is inadequate for the proposed use and upgrade works should be undertaken and ongoing maintenance costs considered.

Statutory Implications

Under Section 46(1) of the *Land Administration Act 1997*,

“the Minister may by order place with any one person or jointly with any 2 or more persons the care, control and management of a reserve for the same purpose as that for which the relevant Crown land is reserved under [section 41](#) and for purposes ancillary or beneficial to that purpose and may in that order subject that care, control and management to such conditions as the Minister specifies.”

It should be noted that Council is requesting the Minister to make an order under Section 46(1) of the *Land Administration Act 1997*. An order is made, by way of a Management Order which specifies the level of care, control and management required for the reserve.

Policy Implications

Nil

Strategic Planning Implications

The proposal does not directly relate to any of the Key Result Areas or Goals identified within the Town's Strategic Plan 2008-2013

Budget Implications

It is suggested the options for upgrade works be investigated and presented to Council for consideration.

Officer's Comment

The proposal for Council to gain control of 'Dreamers Corner' will enable officers to regulate the use of the land. Whilst it is only intended to formalise an existing situation, the vesting of the land to the Town would enable Council if it so wished, to regulate such things as the advertising/signage and location of vehicles being sold there.

In addition, the site could be used for the provision of 'in lieu' parking for sites in the vicinity. Some of these sites could include the proposed new Recreation Centre or other potential further development or redevelopment sites such as the Tafe or Veterinary Clinic.

It has been identified that the current condition of the site is inadequate from an Engineering aspect and there could be liability issues for Council if it gains control of the land. Upgrade and ongoing maintenance costs will be a consideration, should the land be vested to the Town.

Attachments

Site Plan

200809/270 Council Decision/Officer's Recommendation

Moved: Cr K A Howlett

Seconded: Cr J E Ford

That Council:

- i) request the Minister vest Lot 3267, Port Hedland, to the Town of Port Hedland for the purposes of Car Parking; and
- ii) investigate options for the upgrading of the Car Parking area at Crown Lot 3267, Port Hedland, for consideration in the 2009/2010 budget.

CARRIED 8/0

11.1.2.3 Proposed De-vesting of Reserve 46180 (Lot 6042 Masters Way) and the Initiation of a Scheme Amendment from 'Parks and Recreation' to 'Residential R – 30' (File No.: 05/12/0153)

Officer Leonard Long
Planning Officer

Date of Report 18 March 2009

Disclosure of Interest by Officer Nil

Summary

An application has been received from Taylor Burrell Barnett Town Planning & Design, on behalf of their clients the Department for Housing and Works, to request Council to de-vest Reserve 46180 (Lot 6042 Masters Way), which reserve is for "Parks and Recreation". Further to initiate the rezoning of Lot 6042 from "Parks and Recreation" to "Residential R- 30" to allow the property to be included into the Department for Housing and Works overall subdivision plan of Lot 6041 and Lot 6042 Masters Way. (See attachment No.1)

Background

As indicated above an application has been submitted on behalf of the Department for Housing and Works to subdivide Lot 6041 Masters Way being stage 1. The layout of the proposed subdivision relies heavily on the inclusion of Lot 6042 Masters Way, being stage 2 into the overall subdivision. (See attachment No.1)

However, Lot 6042 currently has a reserve for "Parks and Recreation" registered over it with the management order in favour of the Town of Port Hedland.

Therefore, for the Department of Housing and Work's proposed subdivision to materialize the reserve will have to be cancelled and the lot rezoned from "Parks and Recreation" to "Residential".

Current Status of Reserve 46180 (Lot 6042 Masters Way).

Currently Reserve 46180 is an undeveloped reserve and through the Councils Parks Improvement Plan Lot 6042 (Attachment 3) has not been identified as a possible future park.

Consultation

Proposed de-vesting of reserve:

The development of the Town's Park Improvement Program included community consultation. No negative feedback was received on the concept of Reserve 46180 not being developed as a park.

Proposed Scheme Initiation:

No internal consultation has been undertaken at this stage. However, it is considered that any issues can be addressed as part of the advertising process.

Should Council resolve to initiate this proposed scheme amendment, Section 81 of the Planning and Development Act 2005, requires the amendment documentation to be submitted to the Environmental Protection Authority for assessments. Should the Environmental Protection Authority determine that the proposed amendment does require formal assessment, the amendment is to be advertised in term of Regulation 25 of the Town Planning Regulations, 1967, for public comment, with all submissions considered prior to any final adoption of the amendment and submission to the Western Australian Planning Commission for assessment.

Statutory Implications

Proposed de-vesting of reserve

Nil

Proposed Scheme Initiation

The Planning and Development Act 2005 allows a local government to amend its Town Planning Scheme.

The Town Planning Regulations 1967 establishes the process required to amend a Town Planning Scheme.

Policy Implications

Proposed de-vesting of reserve

Nil

Proposed Scheme Initiation

Nil

Strategic Planning Implications

Key Result Area 4 – Economic Development

Goal 4 – Land Development Projects

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

Budget Implications

Proposed de-vesting of reserve

As Vestee, Council assumes management/maintenance of the Reserve. De-vesting the Reserve will transfer this responsibility to the proposed new land owner.

Proposed Scheme Initiation

The applicant will be invoiced \$1,650 (GST incl.) for the initiation of the amendment. These funds will be deposited into account 1006326.

Officer's Comment

Proposed de-vesting of Reserve

As is evident from Attachment 3 the subject lot is located along the periphery of two cells, each cell having a radius 0.6km which is a generally accepted walking distance to public parks. Therefore, the lot is unlikely to be developed for such purposes as the reserve would permit, being "Parks and Recreation".

Since the reserve is solely for "Parks and Recreation", and that it is unlikely that the lot would be developed for such purposes by retaining the lot Council would be sterilizing the land from future development. The de-vesting of the reserve would allow the lot to be sold by State Land Services to the Department of Housing and Works which in turn would submit the scheme amendment application to ultimately permit the property to be subdivided as proposed in Attachment 2.

It is suggested and reflected within the recommendation that the de-vesting and subject reserve should be linked to the Marquee Park development and the land and / or financial transaction's associated with its development.

Proposed Scheme Initiation

The applicant has proposed to amend the zoning from "Parks and Recreation" to "Residential" R – 30 this would bring the zoning of the lot in line with the zoning of Lot 6041(Attachment 4). This would ultimately allow Lot 6041 and 6042 to be subdivided as proposed in Attachment 2.

From a planning perspective the proposed rezoning and re-subdivision would result in much needed residential infill.

In addition to the above, the proposed subdivision is in line with the Land Use Master Plan which identifies the Koombana and surrounds for residential infill. By creating additional lots with the possibility of higher density housing within the area would encourage further mixed density development. These mixed densities would in turn begin to address the high demand for housing within the town and region as a whole.

Attachments

1. Locality Plan
2. Subdivision Plan
3. Parks Improvement plan
4. Rezoning Plan

Officer's Recommendation

That Council:

- i) delegates to the Chief Executive Officer or his nominated officer the ability to negotiate with the Department of Housing and Work's, South Hedland New Living Project a suitable arrangement either financial or land swap for the release of Reserve 46180 (Lot 6042 Masters Way), as an offset (partial) for the Marquee Park development.
- ii) subject to agreement by the Chief Executive Officer;
 - a) notifies Department for Planning and Infrastructure (State Land Services) that Council has no objection to the cancellation of Reserve 46180 for purpose of recreation, and the sale of the lot to the Department of Housing and Works;
 - b) notifies the applicant Messrs Taylor Burrell Barnett that subject to the applicable fee of \$1,650.00 (GST incl) being paid Council will initiate a scheme amendment to the Town of Port Hedland Town Planning Scheme No. 5, to rezone Lot 6042 Masters Way from "Parks and Recreation" to "Residential" R – 30, as outlined by the applicant;

- c) requests the applicant to provide formal documentation for referral to the Environmental Protection Authority;
- d) refers the application to the Environmental protection Authority for assessment;
- e) subject to the requirements/recommendation from the Environmental Protection Authority, refer the application to the Western Australian Planning Commission, to obtain permission to advertise the proposed amendment, with a request to permit the advertisements to run for the minimal allowable period of time, as the amendment is considered to be in line with the surrounding zoning; and
- f) advises the applicant hat the development of Lots 6041 and 6042 be in accordance with the following requirements:
 - i) the proposed subdivision of Lot 6041 can only be considered on the successful acquisition of Lot 6042 from the Department for Planning and Infrastructure (State Land Services);
 - ii) the successful rezoning of Lot 6042 from “Parks and Recreation” to “Residential” R – 30; and
 - iii) any relevant requirement detailed within Town Planning Scheme No. 5, and / or the Residential Design Codes.

NOTE: SIMPLE MAJORITY VOTE REQUIRED

200809/271 Council Decision

Moved: Cr J E Ford

Seconded: Cr G D Bussell

That Council:

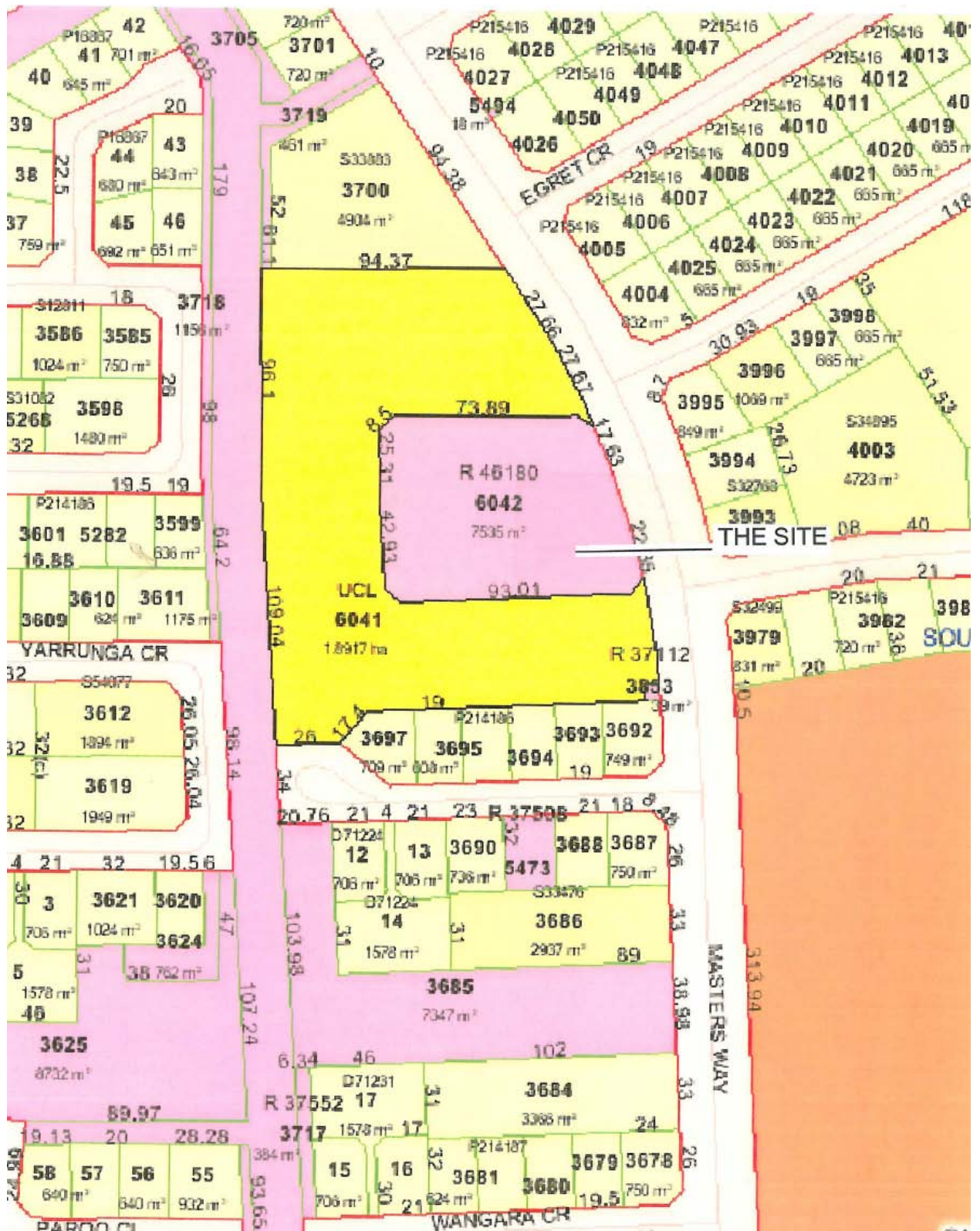
- i) delegates to the Chief Executive Officer or his nominated officer the ability to negotiate with the Department of Housing and Work's, South Hedland New Living Project for a land swap for the release of Reserve 46180 (Lot 6042) Masters Way of land of substantially greater size;
- ii) request for a report from Council's officers on options to develop a quality park facility in Koombana to April Council Meeting
- iii) subject to agreement by the Chief Executive Officer;
 - a) **notifies Department for Planning and Infrastructure (State Land Services) that Council has no objection to the cancellation of Reserve 46180 for purpose of recreation, and the sale of the lot to the Department of Housing and Works;**
 - b) **notifies the applicant Messrs Taylor Burrell Barnett that subject to the applicable fee of \$1,650.00 (GST incl) being paid Council will initiate a scheme amendment to the Town of Port Hedland Town Planning Scheme No. 5, to rezone Lot 6042 Masters Way from "Parks and Recreation" to "Residential" R – 30, as outlined by the applicant;**
 - c) **requests the applicant to provide formal documentation for referral to the Environmental Protection Authority;**
 - d) **refers the application to the Environmental protection Authority for assessment;**
 - e) **subject to the requirements/recommendation from the Environmental Protection Authority, refer the application to the Western Australian Planning Commission, to obtain permission to advertise the proposed amendment, with a request to permit the advertisements to run for the minimal allowable period of time, as the amendment is considered to be in line with the surrounding zoning; and**
 - f) **advises the applicant hat the development of Lots 6041 and 6042 be in accordance with the following requirements:**

- i) the proposed subdivision of Lot 6041 can only be considered on the successful acquisition of Lot 6042 from the Department for Planning and Infrastructure (State Land Services);
- ii) the successful rezoning of Lot 6042 from “Parks and Recreation” to “Residential” R – 30; and
- iii) any relevant requirement detailed within Town Planning Scheme No. 5, and / or the Residential Design Codes.

CARRIED 8/0

REASON: Council preferred for the negotiation with South Hedland New Living to be for a ‘land swap’, for the release of Reserve 46180 (Lot 6042 Masters Way) of land of substantially greater size; and requested a report to its April Meeting on options to develop a quality park facility in the locality of Koombana. Council amended/added clauses i) and ii) accordingly.

ATTACHMENT 1 TO ITEM 11.1.2.3

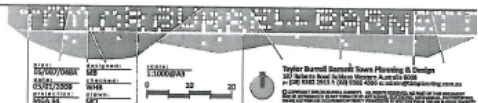


ATTACHMENT 2 TO ITEM 11.1.2.3



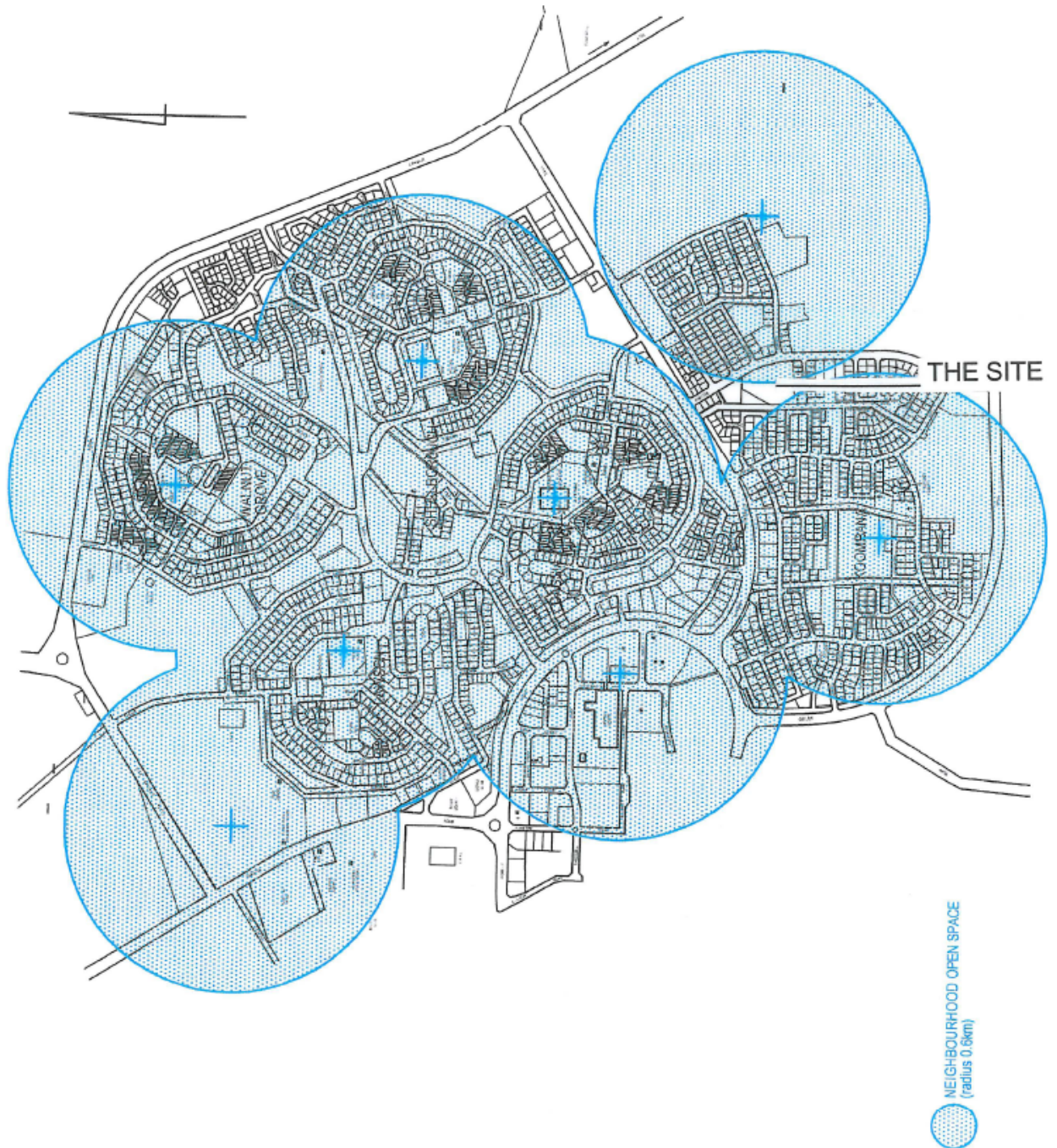
Subdivision Principles and Ultimate Subdivision Scenario Subject to Negotiations

Lot 6041 & 6042 Masters Way, South Hedland
A Jaxon Project



ATTACHMENT 3 TO ITEM 11.1.2.3

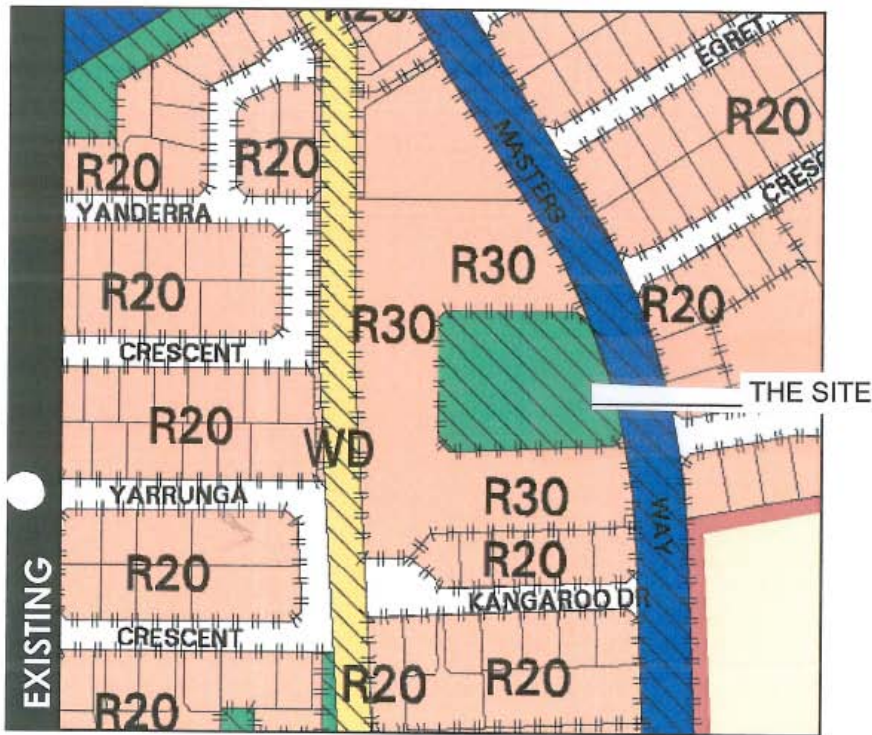
Attachment 3 Parks Improvement plan



ATTACHMENT 4 TO ITEM 11.1.2.3

ATTACHMENT 4 Rezoning Plan

Town of Port Hedland
Town Planning Scheme No.5
Amendment No.



LEGEND

LOCAL SCHEME RESERVES

- DISTRICT ROAD
- LOCAL ROAD
- OTHER PUBLIC PURPOSES DENOTED AS FOLLOWS:
 - WD WATER AND DRAINAGE
 - PARKS AND RECREATION

ZONES

- RESIDENTIAL
- URBAN DEVELOPMENT
- COMMUNITY DENOTED AS FOLLOWS:
 - ED EDUCATION

OTHER

- R CODES
- DEVELOPMENT PLAN AREAS

11.1.3 Environmental Health Services*11.1.3.1 Update Policy 13/006 – Permits To Camp On Private Property (File No.: 04/03/0001)*

Officer	Darryal Eastwell Manager Environmental Health
Date of Report	10 March 2009
Disclosure of Interest by Officer	Nil

Summary

Councils existing policy for permitting camping on private property needs to be amended to better administer Regulation 11 of the Caravan Parks and Camping Ground Regulations (as amended) which permits camping under certain circumstances.

Background

Councils current policy does not truly reflect the circumstances under which camping can be considered using the Regulations and the policy needs to be amended to reflect certain restrictions that apply.

This policy was adopted in December 1998 and records do not indicate that it has been widely applied, if at all.

Consultation

Consultation was undertaken with the Manager of Planning and Mr Matt Hayes from the Department of Local Government & Regional Development and they have no policy for interpreting regulation 11 of the Regulations.

Statutory Implications

Regulation 11 of the Caravan Parks & Camping Ground Regulations 1997 states as follows:-

- “11. Camping other than at a caravan park or camping ground*
- (1) A person may camp —*
- (a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under subregulation (2) and is complying with that approval;*
 - (b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area;*

- (c) *for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve;*
 - (d) *on any land which is —*
 - (i) *held by a State instrumentality in freehold or leasehold; or*
 - (ii) *dedicated, reserved, or set apart under the Land Administration Act 1997 or any other written law, and placed under the care, control or management of a State instrumentality,*
In accordance with the permission of that instrumentality; or
 - (e) *on any unallocated Crown land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the Land Administration Act 1997, or a person authorised by the Minister to give permission under this paragraph.*
- (2) **Written approval** may be given for a person to camp on land referred to in subregulation (1) (a) for a period specified in the approval which is longer than 3 nights —
- (a) *by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months;*
 - (b) *by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or*
 - (c) *despite paragraph (b), by the local government of the district where the land is situated —*
 - (i) *if such approval will not result in the land being camped on for longer than 12 consecutive months; and*
 - (ii) *if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a building licence issued to that person in respect of the land is in force.”*

As can be seen under the Regulations there are many circumstances where people can camp provided the appropriate approvals are in place but this is not reflected in Councils current policy.

Local Government can give written permission for a person who has the legal right to occupy land to camp for periods of up to three (3) months in any 12 month period and up to twelve months if a building license has been issued to the property for a dwelling. The Minister can give written permission to persons who have the legal right to occupy land to camp for periods longer than three (3) months in any twelve month period.

Policy Implications –

Council's current policy states:-

“13/006 PERMITS TO CAMP ON PRIVATE PROPERTY

Subject to Regulations 11 and 12 of the Caravan Parks and Camping Grounds Regulations 1997 and the Caravan Parks and Camping Grounds Amendment Regulations 1999, Council approves applications to camp (including the occupancy of a caravan) on premises other than caravan parks:

- i) for any period up to three (3) months where the applicant being a family member of the people occupying an authorised dwelling on the premises, or*
- ii) for any period up to twelve (12) months where the person owning or having a legal right to occupy the land and camping in a caravan on the land while a building licence issued to that person for the construction of a single dwelling in respect of the land is in force, with i) and ii) being subject to:*
 - a) the Council's Environmental Health Services certifying that the premises have been inspected and that they comply with health and safety requirements every three (3) months of the approved period; and*
 - b) the siting of an occupied caravan on the premises not breaching the current Town of Port Hedland Town Planning Scheme nor the local laws; and*
 - c) approval for more than one (1) caravan on premises being referred to Council for a decision; and*
 - d) any application not complying with the terms of i) or ii) being referred to Council for a decision.”*

Proposed Policy

13/006 PERMISSION TO CAMP ON PRIVATE PROPERTY

Applications for Camping Other than at a Caravan Park or Camping Ground will be administered in the following manner:-

- i) all applications to camp on land other than an approved camping grounds shall be made in writing.

- ii) all applications are to be accompanied by a fee as determined by Council from time to time.
- iii) all applications will be processed in accordance with the Caravan Parks & Camping Ground Regulations 1997 as amended.
- iv) applications will only be considered on land zoned Rural, Rural Residential or on Residential Zones where an approved dwelling is situated.
- v) all approvals are to be endorsed by Councils Environmental Health Service prior to issue to ensure that minimum hygiene standards can be maintained.
- vi) all approvals are to be endorsed that the Town reserves the right to review and withdraw any approvals at any time.

Strategic Planning Implications Nil

Budget Implications

Council at present does not have a fee to administer these types of applications.

As these types of requests will take officer time to process it will be recommended that Council adopt a minimum fee of \$150.00 to process applications in the 2009/2010 budget deliberations.

Officer's Comment

The revised policy is simpler and of course still requires applications on commercial and industrial land to be referred to Council for determination.

Camping on land other than approved caravan parks and camping grounds should be approved under certain circumstances and the Town needs to establish guidelines for consent through the adoption of a revised policy.

To expedite applications it will be recommended to Council that they delegate power to the Director Regulatory & Community Services to approve applications that comply with the revised policy.

Attachments Nil

Officer's Recommendation

That Council

adopts the revised policy as follows:

"13/006 PERMISSION TO CAMP ON PRIVATE PROPERTY

Applications for Camping Other than at a Caravan Park or Camping Ground will be administered in the following manner:-

- a) all applications to camp on land other than an approved camping grounds shall be made in writing.
 - b) all applications are to be accompanied by a fee as determined by Council from time to time.
 - c) all applications will be processed in accordance with the Caravan Parks & Camping Ground Regulations 1997 as amended.
 - d) applications will only be considered on land zoned Rural, Rural Residential or on Residential Zones where an approved dwelling is situated.
 - e) all approvals are to be endorsed by Councils Environmental Health Service prior to issue to ensure that minimum hygiene standards can be maintained.
 - f) all approvals are to be endorsed that the Town reserves the right to review and withdraw any approvals at any time."
- ii) considers adopting a fee of \$150 in the 2009/2010 budget for processing applications made under this policy; and
 - iii) amends its delegation register to authorize the Director Regulatory and Community Services to approve camping applications in accordance with this policy.

200809/272 Council Decision

Moved: Cr K A Howlett

Seconded: Cr J M Gillingham

That Agenda Item 11.1.3.1 'Update Policy 13/006 – Permits To Camp On Private Property' lay on the table pending a presentation of options being presented to Council's Informal Breifing Session to be held on Tuesday 7 April 2009.

CARRIED 8/0

11.2 ENGINEERING SERVICES**11.2.1 Director Engineering Services****11.2.1.1 *Engineering Services Monthly Report (File No.: 13/04/0001)***

Officer Terry Dodds
Director Engineering
Services

Date of Report 17 March 2009

Disclosure of Interest by Officer Nil

Summary

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

Background

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

Consultation

Engineering Services officers.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

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

Budget Implications

The projects listed in the Engineering Monthly report have been included in Council's 2008/09 budget.

Officer's Comment

Nil.

Attachments

1. Works Schedule
2. Recreation Update

200809/273 Council Decision/Officer's Recommendation

Moved: Cr G D Bussell



Seconded: Cr K A Howlett



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

CARRIED 8/0

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009

Legend



 Concept & design development
 Approvals/Services/Community Consultation



 Procurement/Tender
 Construction/works undertaken

Officer	A/c Number	A/c Description	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS
MES	1201441	Footpath Railings													Complete
MES	1201467	Throssell Street - BS													Final concrete road slabs poured 1/12. Preparation for kerb entrances to commercial premises 3/12. Traffic Islands prog for removal 4/12. Kerb/islands reinstatement prog 12/12. Asphalt programmed 26 March. Landscaping/signs and median islands programmed after completion of asphalt.
MES	1201486	Wedgfield Upgrades - R2R Program													Ongoing from safety audit, advise R2R of program. Depot & period contract. Currently being constructed (contractor breakdown, re-start Sept 15).
MRS	1108269	Multi Purpose Sport & Recreation Facility Design													Master plan design accepted at Dec OCM. Project is continuing as per original scope, with final architectural designs due in July 09. The MPRC is the priority, and ARM are ensuring this work is completed asap. MPRC location and schematics being presented to staff 12th March.
MES	1201464	Anderson Street Upgrade (West End Greening Stage 1)													Finished (late propagated shrubs - end of March).
MID/MES	1201475	Port Hedland Footpath Construction													Cooke Point, Styles, Bayman, Leeds, Pilkington. Services and obstructions to be checked as construction progresses (Working in Bayman, then Leeds). Styles Rd complete. Program completed.
MES	1201478	Reseals													Program to be reviewed since recent contractor price increase. Budget to be confirmed as varies from original submission (Check funding, possible misallocation). 5 year program.
MID/MES	1201444	Shoata Rd MRWA (fully funded by R2R)													Seal remainder of Hamilton to floodway. Depot crews carrying out preparation work (WE 22/8/08). Sealing by period contractors. To be completed prior to wet season.
MES	1201436	Quartz Quarry road													Project on hold pending future realignment of Quartz Quarry road with the construction of a grade separation over FMG's rail network on GNH.
DES	NEW	TWA project management													Water connection application completed, waste water treatment plant design requirements completed, liaison with Main Roads re: access, DEC approval, draft camp layout completed, stormwater drainage completed, landscaping and irrigation (re-use water) design completed. Continuing liaison with Hatch Engineering on design issues.

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009

Legend

 Concept & design development
 Approvals/Services/Community Consultation

 Procurement/Tender
 Construction/works undertaken

MID	1105424	Port Hedland Boat Ramp (potable water supply, lighting)																			PO raised for supply of marine lights to boat ramp channel. PHPA have been approached to provide quote for installation
MID/MES	1201453	Hamilton Road RRG																			Kerbing and asphalt overlay on section near Matt Dann/Club Hamilton. Undertaken by period contractors. RRG approved reallocation of funding from McGregor street RRG project (total added expenditure \$39,000 with \$26,000 funded from RRG)
MES	1204280	Pre Cyclone clean Up White Goods/Green																			Advertising and signage - WE 15/8/08. Starting pickup at beginning of Sept. Green waste-Sept/Oct, Whitegoods-May/June
AM	1210475	PAPI																			Design complete Review undertaken to ensure compatibility for future aircraft mix. Quotes: electrical only installation. Goods purchased. Dependant on flight testing availability timed for RESA as ENESAR only one in WA.
AM	NEW	CBS security installation																			Completed.
MID/MES	1009481	Cemetery Upgrade (Entry signage, lintels, kerbing, plot markers)																			Remainder of project includes installation of plot markers and new concrete lintels (to be done by depot staff). Concrete contractor to complete at end of footpath construction project
MES	1201483	Nth Circular Rd East Culverts RRG																			Concrete bases have been completed (22/8/08) in preparation for culvert installation. Construction costs higher than estimated when project was budgeted in 2005/06. Main Roads have advised that additional funding is not available. A budget request will be presented to Council during quarterly budget review for March
AM	1210474	Air-conditioning upgrade - Airport																			Repairs to air-con that services ARO's office and adjoining lunchroom completed. Cafe air-con scheduled. Haden commenced the electrical re-wire of the damaged and overloaded cabling on Tuesday 2/12/2008 to facilitate the installing of the new rooftop unit number three.
MID/MES	1111446	Playground Equipment (Colin Matheson & Kevin Scott oval) \$231,844																			Lighting installation (solar at Kevin Scott) will complete project, scheduled for March/April.
AM	1210476	Apron Lighting																			Changing scope to complete solar lighting. Additionally, liaising with CASA to negotiate 'trial' solar light installation on runway 18/36 (as main runway is categorized as 'backup' system under the rules). Northern apron complete.
AM	1210478	RESA Extension																			Survey details and charts produced by Gerloff's have been forwarded to Ian MacKay from ENESAR - waiting for response. Meeting being arranged week beginning 23/3 to formulate PMP

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009Legend

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

AM	1210473	Electrical upgrade																			Proof reading electrical specifications prior to going to tender to ensure accuracy. Discovered Connell Wagner completely missed this part of the Terminal re-wire, which supplies power to the terminal lighting: terminal would have been very dark after sundown. Reviewing. (Another error from design consultant discovered, further delaying project.
MID/MES	1201490	Sutherland Street Upgrade (PHES) - Nodes																			Project has started, some minor drainage construction needed to extend pipe from under wall. Palms and grass ordered. Soil testing 20/3. Furniture week beginning 23/3/.
AM	1210465	Solar Lights																			AAA Conference: viability at the Airport discuss, issues with compliance Airside. Financial viability of non-Airside lights confirmed. Airport driveway lights to be solar - ongoing. Confirming net-rate-of-return from 2 companies prior to quotations being sought. Presentation Jan Briefing. Council special meeting 16/3 resolved to input additional funding.
MID/MES	1201476	South Hedland Footpath Const																			Footpath contract has been extended to 31st December 2009 as per Council Resolution at Jan OCM. Program has been reviewed in line with community survey results and includes Bottlebrush (complete), Pettit (complete), Smith (complete), Stanley, Beroona, Steamer, Corboys, Somerset, Barrow, Pedlar, Traine, Huxtable, Haig, Entalina, Etrema, Pell and Wambiri
MID	1201481	Walkway/Park Lighting																			Works schedule is on track pending receiving 1 more quote from Horizon Power. EPA enquiry process commenced regarding the installation of lighting along the foreshore path between Gratwick pool and All Seasons hotel.
MID/P&G	1111265	Reticulation - Survey Pickup																			Original project has been completed, in which the scope was restricted due to budget. Final invoice has resulted in a budget surplus therefore additional parks will be programmed for survey ensure accurate asset management. Original scope completed.
DES/MES	1111282	Native Plant Nursery																			Establish and create removable structure and associated infrastructure. P&G supervisor producing procure plan. Equipment (i.e. potting benches etc), parts ordered - Due by end Jan. Roofing to be installed in March. Ordering seeds and other consumables. Concreting commencing 18/3.
MRS	1108416	Sports Facility Upgrade Program (Sheds - McGregor Street and Marie Marland Reserve)																			Sheds commencing construction Tuesday 2nd March at McGregor Street Reserve. Marie Marland to follow. Kingsmill not yet commenced work; have advised of final starting date or retraction of contract.
MID	811494	Don Rhodes Mining Museum (lighting, fencing and cracker dust around exhibits)																			Fencing tender submissions to be presented to Council to award tender at March OCM. Submissions received were less than anticipated therefore it is likely that lighting will be installed without requiring additional expenditure. Horizon Power to review lighting quote and design.
MID	1208443	Light Vehicle Replacement																			All vehicles have now been replaced. Old vehicles to be sold by public auction in May.
MID/MES	1201473	Drainage Construction																			Surveyors to be commissioned to prepare plans for Port Hedland LIA in order to design future drainage construction works.

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009

Legend

	Concept & design development
	Approvals/Services/Community Consultation

	Procurement/Tender
	Construction/works undertaken

MID/MES	1201491	Schillaman Street Drainage																				Works undertaken in March. Completed.	
MID	1201487	Street Lighting Upgrades																					Koombana and Daylesford lighting is complete. Upgrades for Steamer and Captains programmed. Additional funding received from CLGF of \$270,000. Quotes requested for Scadden, Koolama, Dulverton, Kabbarli, Dongara.
MRS	1106430	GAC upgrades																					Items included in the upgrade identified, including signage, change tables, paving emergency buzzer installation, fan installation, locker purchases. Upgrades have commenced with completion expected by May 09. Date altered due to increased budget allowance for GAC.
MRS	1107430	SHAC upgrades																					Items included in the upgrade identified, including change tables, playground shade, locker purchases and filters. Upgrades have commenced with completion expected by May 09. Date altered due to increased budget allowance for SHAC.
MID	1204289	Gt. Northern Hwy - Street Lighting (Main Roads project with Council contribution)																					Main Roads have confirmed that the project is scheduled this financial year pending receipt of revised quote. Horizon Power to provide quote asap
MID/PDO	1111448	Kevin Scott Oval Reservoir Flushing System																					Tender summary presented to Council at March OCM with recommendation to delay awarding of tender until expert analysis of proposed designs is carried out. Initial report to March OCM and final report to April OCM
MRS/MES	1111437	Recreation Reserve Development																					Non-conforming tenders received in Dec have meant change in project delivery. A revised construction program will be initiated, with tenders to be split into separate design and construct. Design tender to be called in March 09 for presentation to April OCM. Construction to commence 09/10.
MCED/MRS	1104411	JD Hardie upgrade (capital purchases only. Building being undertaken by MCED)																					Dividing nets installed. Final works to be undertaken is the upgrade of the car park, with preparation work to be undertaken March 09, with asphalt being laid (and fence realigned) upon arrival of contractors in South Hedland. To commence week of 16th March. Signage ordered to replace Y@JD Sign
MID/MES	1201443	McGregor Street RRG (Condon street to Cooke Point road)																					Program includes the extension of asphalt 2m towards skate car park and asphalt overlay of McGregor street from Clarke street to Cooke Point road. Construction work to be undertaken by Council's period contractors (Pioneer as per Wedgefield upgrades). RRG approved funding alterations - \$39,000 to be reallocated to Hamilton road RRG. Commencing 28/3/09
MID/MES	1201455	Anderson Street RRG																					Frewer to Howe - drainage & asphalt overlay. Works undertaken by Council staff and period contractors (Pioneer as per Wedgefield upgrades). Pioneer unavailable, BGC to do work. Commencing 28/3/09
MES	1110278	Sportsground Surface Repairs																					Marie Marland, Kevin Scott and McGregor St ovals' surface: Project complete.

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009

Legend

	<u>Concept & design development</u>		<u>Procurement/Tender</u>
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MID/MES	NEW	Throssell St Asphalt overlay (funky red)																		3 stages - repair of interface between concrete & road, profiling end & side connections, asphalt overlay. MES obtaining quotes form Pioneer. Start 26-28th March.
AM	NEW	Departure Lounge Modifications																		Move walls / fix departure lounge to be done on hourly rates - design tech to do the drawings. DES / MAO meet with third Airline to discuss. Waiting responses.
MID/MES	1203440	Floodwater Pump Upgrade - Elec Shelter																		Request for quote documentation is being assessed by an independent electrical contractor to ensure all project requirements are met.
MES	NEW	Cooke Pt Dve Drainage (footpath area)																		Have acquired Dial Before You Dig info. Work commenced on 04.02.09 (delayed due to rain). Completed.
MID/MES	1004410	Septage Ponds (construct new septage ponds at SH Landfill)																		Construction will now be undertaken under contract since the resignation of Council's Construction Supervisor. Designs to be reviewed and engineered to suit requirements for inclusion in tender process. Hiring contract construction supervisor and staff direct from local civil contractors. Construction to commence 23 March
MID/MES	1111436	Bore Installations																		Staff are assessing the EOI received for bore installations. Recommendations to be presented to Council at April OCM.
AM	NEW	Café Modifications																		External builder completing Project Management Plan.
MID/MES	1201458	Throssell Street Streetscape																		On schedule for works to commence late April pending arrival of trees. P&G crews have suggested installation of lawn on Post Office side verge to reduce rubbish build up in shrubs and promote greenscape.
MID/MES	1201438	West End Greening Stage 2																		Trees and shrubs ordered in December, however not available until mid April 2009. Plans and scope presented to Council at January Informal Briefing with general consensus to proceed as planned. Project proceeding as scheduled.
MID/MES	1111435	Stairway to the Moon																		Staff currently assessing quotes received from Indigenous Heritage Survey. This was not budgeted within the project scope and will be presented to Council for approval of additional expenditure
MRS/DES	1109455	Colin Matheson clubrooms																		Funding application to the Dept Sport and Recreation will be advised in March 2009. Tender is being prepared for the Design and Construction of the facility, anticipated in April 09. Geotech investigation completed, and will be included in tender documentation.

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009

Legend

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

MRS	1109450	Colin Matheson Oval Upgrade																	\$42,450 allocated to 1108416 (Sheds). \$48,050 allocated to 1108420 (Hawks Clubrooms).
MID/MES	1201450	Boulevard Tree Planting																	Project on schedule. New program to be presented to Council at April OCM for approval of which streets to prioritise for street tree planting
MRS/MID/MES	1201440	Cycleway development																	Working Group meeting held - items to commence include Cycle Loops, footpath signage and spot improvements. Item to Council with regards to the potential tender for the Design of the path between Port and South Hedland. Stage 1 approved as per plan and going to council.
MID/MES	1105410	Finucane Island Boat Ramp (widen ramp, increase gradient, reduce silt)																	Construction scheduled to commence 20th April (tides are low 24th). Media release and signage to be prepared to advise of boat ramp closure (approximately 10 days). Procurement finalised 11/3/09. Project management delivery plan complete 11/3/09
MRS	1108420	Recreation Facility Upgrade (Diamond 1 Backnet and Hawks clubrooms)																	Backnet: Initial contract with Southern Wire has been terminated. Depot crew have temp repaired backnet for use over baseball season, and will replace in April/May 2009. Clubrooms - SRO and MBS liaising to ensure completion by May 09. Posts to be 7.5m high plus 1.5m @ 45 degrees.
MID/MES	1004410	Recycling Shed at SH Landfill																	Tender rejected at January OCM. Tender to be re-advertised as per Council resolution. Re-advertised late March-early April
MID/MES	1105426	Turtle Boardwalk																	Revised project scope approved and project delivery handed over to PDC at February OCM.
MRS	1107432	Pools Electrical Upgrades																	Earthing at GAC and SHAC completed. SHAC having temporary light installed to determine suitability for increasing LUX to a sufficient standard. Quotes being obtained for remaining electrical items at both GAC and SHAC.
MID/MES	1201437	Hedditch - Forrest Circle Rd																	Design development delayed to accommodate completion of this year's construction projects. Expect to commence again in April.
MID/MES	1201435	Cottier (Blackspot)																	Project requirements to be clarified in comparison to future SHNL projects that may impact on drainage requirements on Cottier.
DCRS/MID/MES	1201461	Town Entry Statement (landscaping component)																	Concept designs to be presented to Council at April briefing session. Project may be delayed due to installation of sculpture. Latest advice is that sculpture will be installed June 2009.

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009

Legend

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

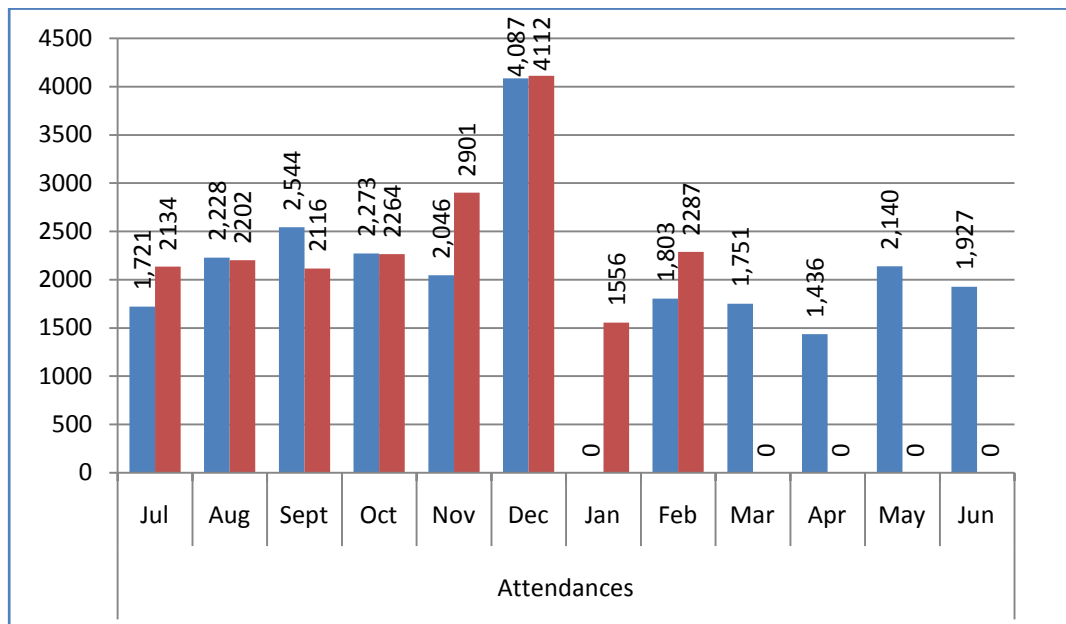
MID	1106413	Pool Blanket																							Funds provided as part of the Regional Grants scheme, with notification received on 26th Feb 09. Quotes have been sourced, and final works are being determined prior to sign-off (eg. Concreting the storage space)		
MRS	1106413	Auto Cleaners																							Funds provided as part of the Regional Grants scheme, with notification received on 26th Feb 09. Quotes have been sourced, with purchase due to be placed in late March 09 (finalising needs requirements by the Aquatic Centres)		
MRS	1104420	JD Hardie Centre Furniture and Equipment																							Initial \$20,000 provided as part of budget, with additional funds provided as part of the Regional Grants scheme, with notification received on 26th Feb 09. Additional funds to be allocated towards the reinstatement of the cricket nets at the JD Hardie Centre.		
MRS	1107430	SHAC Shade Sail																							Funds provided as part of the CLGF - awarded 16th March 2009. Project to be undertaken as part of the SHAC Upgrade, and shade to be purchased with other shade replacement items. Estimated to be constructed and installed by May 2009.		
MRS	?	Kevin Scott Oval - Clubroom Floors																							Funds provided as part of the CLGF - awarded 16th March 2009. Carpet at KSO to be replaced with tiles. Quotes to be sourced in April 2009 with estimated installation date May 09.		

ATTACHMENT 2 TO AGENDA ITEM 11.3.1.1

Recreation Services

. *JD Hardie Centre*

Attendances



. *Aquatic Centres*

The monthly reports in full from the YMCA can be obtained by contacting the Manager Recreation Services.

YMCA Update

The YMCA are managing and operating both South Hedland and Gratwick Aquatic Centre's utilising the previous budget and management plan as the foundation. The new contract is being negotiated, and will exist for the remainder of the 2008/09 financial year. As no contract has been finalised, financial results have been measured against the 2008 budget.

South Hedland Aquatic Centre

Financials

Month	Actual	Budget	Variance
Income	\$14,543	\$21,357	(\$6,814)
Expenditure	\$61,423	\$54,800	(\$6,623)
Net	(\$46,880)	(\$33,443)	(\$13,437)

Year to Date	Actual	Budget	Variance
Income	\$43,485	\$37,483	(\$6,002)
Expenditure	\$128,978	\$108,856	(\$20,122)
Net	(\$85,493)	(\$71,373)	(\$14,120)

Attendances

Month	Swim	Aqua/Ed	School	Aqua	Program	Misc	Total
Jan	1544	194	0	0	0	2720	4458
Feb	900	302	68	0	14	2049	3333
Total	2,444	496	68	0	14	4,769	7,791

Gratwick Aquatic Centre

Financials

Month	Actual	Budget	Variance
Income	\$24,388	\$29,601	(\$5,213)
Expenditure	\$54,186	\$56,456	2,270
Net	(\$29,798)	(\$26,855)	(\$2,943)

Year to Date	Actual	Budget	Variance
Income	\$46,485	\$51,116	(\$4,631)
Expenditure	\$114,079	\$112,996	(269)
Net	(\$67,594)	(\$61,880)	(\$5,714)

Attendances

Month	Swim	Health Club	Aqua/Ed	School	Aqua	Program	Misc	Total
Jan	3,920	485	0	397	85	361	492	5,740
Feb	2,466	517	468	104	68	93	1,089	4,805
Total	6,386	1,002	468	501	153	454	1,581	10,545

11.2.2 Infrastructure Development**11.2.2.1 *Tender 08/17 Don Rhodes Mining Museum – Installation of Fencing to Plant and Locomotives (File No.: 21/07/0004)***

Officer Sarah Cornwell
Project Officer
Infrastructure Development

Date of Report 16 March 2009

Disclosure of Interest by Officer Nil

Summary

This report is a summary of submissions received for tender 08/17 Don Rhodes Mining Museum – Installation of Fencing to Plant and Locomotives for the purpose of awarding the tender to the preferred contractor.

Background

Tenders were recently called for the installation of fencing to plant and locomotives at the Don Rhodes Mining Museum, closing on 4 March 2009.

The impetus for this project arose from a safety audit carried out in June 2007 at the request of Council. Concerns were raised about public liability issues and the protection of the exhibits in the museum.

Given the significant risk potential associated with the display of the locomotives and other plant in a public place, the recommendation was made to prevent access to the exhibits by the installation of pool-style fencing, which enables the public to view, but not access the exhibits.

Council staff received quotes for the fencing in November 2008 ranging from \$107,005 to \$124,000, therefore a tender was called in accordance with policy.

Consultation

Council staff

Statutory Implications

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

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

Policy Implications

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

Strategic Planning Implications

KEY RESULT AREA 1 - INFRASTRUCTURE

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

Budget Implications

Fencing of the Don Rhodes Mining Museum is part of the scope of works allocated to account 811494, which has a budget of \$176,800. The estimated allocation for fencing works was \$120,000.

Officer's Comment

Although tender documentation was distributed to fourteen (14) organisations, submissions were only received from six (6) Tenderers, as detailed in Table 1 below:

Table 1 (note: priced indicated are exclusive of gst):

Tenderer	Total
AngWA	\$66,312.00
Southern Wire	\$72,972.50
Boundaries WA	\$86,620.00
Against All Boundaries	\$86,655.00
Broadwater Fencing	\$112,272.72
Resource Engineering and Design	\$141,000.00

The tender submitted by AngWA was considered to be non-conforming as schedules were not submitted to enable assessment.

Alternative tenders were also received from the organisations as per Table 2:

Tenderer	Total	Details
Southern Wire	\$65,650.00	Steel fencing
Boundaries WA	\$80,000.00	Euroloc aluminium fencing
Resource Engineering and Design	\$133,000.00	Steel fencing

The tender specified that aluminium fencing was to be provided. Tenderers also offered to construct the fencing in steel, however since the cost of aluminium fencing is within budget constraints, steel fencing will not be considered. The alternative submission by Boundaries WA for Euroloc aluminium fencing will be considered in the tender assessment process.

Table 3 below indicates the evaluation criteria as per tender documentation.

Table 3:

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

Table 4 below indicated the assessment of each tenderer in accordance with the evaluation criteria.

Table 4:

Company	Price	Experience	Resources	Understanding of WUC	Local Industry Development	Total Score
Southern Wire	50	14	7	8	0	79
Boundaries WA	41	16	7	8	8	80
Boundaries WA - Alternative tender	46	16	7	8	8	85
Against All Boundaries	41	16	7	8	8	80
Broadwater Fencing	24	16	7	8	4	59
Resource Engineering & Design	4	12	7	8	4	35

Southern Wire submitted the lowest tender, however Boundaries WA have received the highest weighting, according to the evaluation criteria. Boundaries WA have demonstrated their experience with pool fencing installations specifically, whereas Southern Wire were scored based on their submission which indicated a high skill level with chain mesh and security fencing. Boundaries WA has a local office and employs local contractors.

Attachments

Nil

200809/274 Council Decision/ Officer's Recommendation

Moved: Cr K A Howlett

Seconded: Cr A A Gear

That Council awards Tender 08/17 Don Rhodes Mining Museum – Installation of Fencing to Plant and Locomotives to Boundaries WA (alternative tender) for the value of \$80,000, plus gst.

CARRIED 8/0

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

Officer Lynne Nanini
Project Development
Officer

Date of Report 13 March 2009

Disclosure of Interest by Officer Nil

Summary

This report provides a summary of submissions received for tender 09-01 Design & Construction of the Kevin Scott Oval Reservoir Flushing System for the purpose of informing Council and to seek endorsement in allowing more time for evaluating the tenders received due to the technical nature of the project.

Background

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

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

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

A medium term solution was proposed and Tenders were called which would address these problems, with tenderers being responsible for submitting a design proposal for assessment.

Consultation

- Council staff
- Water Corporation

Statutory Implications

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

“3.57. Tenders for providing goods or services

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

Other statutory implications:

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

Policy Implications

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

Strategic Planning Implications

KEY RESULT AREA 1 - INFRASTRUCTURE

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

KEY RESULT AREA 5 - ENVIRONMENT

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

Budget Implications

Late in 2008, Council was granted \$381,000 from the Australian Government through its \$250 million Regional & Local Community Infrastructure Program (RLCIP).

At the Council meeting held on the 10 December 2008, Council resolved to endorse this recommendation and allocated the RLCIP funding to

- a) Water Treatment Upgrade, South Hedland - \$200,000
- b) Streetscaping – Throssell Rd - \$181,000

Officer's Comment

Although tender documentation was distributed to thirteen (13) organisations, submissions were received from 3 companies, with 1 company submitting 2 tenders:

Table 1 (note: prices indicated are exclusive of gst):

Tenderer	Total
Earth & Water	\$183,278.70
Water Dynamics – Tender 1	\$152,100.00
Water Dynamics – Tender 2	\$267,900.00
Carr Civil Pty Ltd	\$251,284.15

The Tender was called as a Design and Construct project, whereby the tenderers were required to submit a design proposal to address the issues of the current re-use system. Due to the technical nature of the project and the different systems proposed, the Town of Port Hedland is seeking independent, expert technical advice from the Water Corporation, who originally designed the re-use system currently in operation at the Kevin Scott Oval.

The Water Corporation have agreed to assist the Town of Port Hedland in examining the Technical Capacity of the systems proposed and this will take place over the next few weeks and will involve operational staff from Port Hedland and project staff from Karratha.

The advice received in relation to the technical aspect of the flushing systems proposed will enable the Town of Port Hedland to more accurately assess the tenders received and make a decision that will achieve the project outcomes in accordance with allocated budget.

Attachments

Nil

Officer's Recommendation

That Council:

- i) endorse the Town of Port Hedland seeking independent, expert advice on the technical aspects of the tenders received from the Water Corporation; and
- ii) consider the recommendations for awarding Tender 09/10 at its Ordinary Council Meeting on the 22 April 2009.

200809/275 Council Decision

Moved: Cr G D Bussell

Seconded: Cr S J Coates

That Council:

- i) endorse the Town of Port Hedland seeking independent, expert advice on the technical aspects of the tenders received from the Water Corporation; and
- ii) consider the recommendations for awarding Tender 09/10 at its Ordinary Council Meeting on the 22 April 2009.
- iii) receives quotes on independent water sample for microbiological and chemical composition of water.

CARRIED 8/0

REASON: Council seek an independent water sample at the Kevin Scott Oval, to ascertain water quality.

11.3 GOVERNANCE AND ADMINISTRATION**11.3.1 Corporate Services****11.3.1.1 *Financial Reports to Council for Period Ended 28 February 2009 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Laura Jackson
Senior Finance Officer

Date of Report 19 March 2009

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town to 28 February 2009, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2007/08.

Background**1. *Financial Statements***

Presented (see attachments) in this report for the financial period ended 28 February 2009, are the:

Statements of Financial Activity – see Schedules 2 to 14;
Notes (1 to 10) to and forming part of the Statements of
Financial Activity for the period ending 28 February 2009;
Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided by three of the following financial institutions: National Australia Bank, BankWest, Westpac Bank, Citigroup and the Australian and New Zealand Bank.

2. *Utility and Fuel Costs*

Presented in graph form (see attached), is the 2008/09 monthly water, power and fuel costs compared with 2007/08.

3. *Schedule of Accounts Paid*

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 25 March 2009 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value \$	Pages		Fund No.	Fund Name	Description
From	To		From	To			
CHQ18708	CHQ18766	262,579.73	1	9	1	Municipal Fund	
EFT24522	EFT24815	1,973,820.04	9	53	1	Municipal Fund	
CMS070209	CMS	192.39	53	53	1	Municipal Fund	
PAY100209		272,849.53	53	53	1	Municipal Fund	
PAY240209		250,236.78	53	53	1	Municipal Fund	
BOQ270209		891.10	53	53	1	Municipal Fund	
	Muni Total	2,760,569.57					
3001577	3001589	3,600.00	53	55	3	Trust Fund	
	Trust Total	3,600.00					
	Sub-Total	2,764,169.57					
LESS: one-off pays		-					
	Total	2,764,169.57					

Consultation

Nil

Statutory Implications

Financial Statements

Regulation 34 of the Local Government (Financial Management Regulations), states as follows:

“34. Financial activity statement report - s. 6.4

(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);

- (b) *budget estimates to the end of the month to which the statement relates;*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing:*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown:*
- (a) *according to nature and type classification;*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
- (a) *presented to the council:*
 - (i) *at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
 - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;*
and
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*

In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;

“restricted assets” has the same meaning as in AAS 27.

Section 6.12 of the Local Government Act 1995 (Power to defer, grant discounts, waive or write off debts) states:

“(1) Subject to subsection (2) and any other written law, a local government may –

- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
- (b) *waive or grant concessions in relation to any amount of money; or*
- (c) *write off any amount of money, which is owed to the local government.*
- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”*

Policy Implications

2/003 Financial Statements – Copies for Councillors

Apart from the financial reports presented to Council as required by way of legislation, the following reports will be presented to Council:

- Monthly

Bank Reconciliation of the Municipal, Reserve and Trust Fund
+90 day outstanding Sundry Debtors Report
List of Accounts paid under Delegated Authority
Register of Investments
Rate Summary Trial Balance
Reserve Account Balances

- Quarterly

Quarterly Budget Review
Report on all Budgeted Grants of \$50,000 or more.

Irregular Financial reports will be presented to Council on request.

Strategic Planning Implications

Key Results Area 5 Environment
Goal 2 Natural Resources
Strategy 1. Continue to monitor and report on the level of Council's energy, fuel and water use.

Budget Implications

At the Special Meeting held on 9 July 2008, Council resolved to adopt item ... Budget Adoption, which included Recommendation 12 as follows:

“Recommendation 12

That Council adopts the following percentage or dollar value for determining and reporting material variances as follows:

1. *10% of the Function amended budget; or*
2. *\$100,000 of the Function amended budget*

whichever is the lesser, for the following categories of revenue and expenditure:

- a. *Operating Revenue*
- b. *Operating Expenditure*
- c. *Non-Operating Revenue*
- d. *Non-Operating Expenditure”*

Officer's Comment

For the purpose of explaining Material Variance (Expense/Revenue Up or Down, and see attachment Schedule 2) a three-part approach was taken:

Period Variation

Relates specifically to the value of Variance between the Budget and Actual figures for the period of the report.

Primary Reason

Identifies the primary reasons for the period Variance. As the report is aimed at the higher level analysis, minor contributing factors are not reported.

Budget Impact

Forecasts the likely \$ impact on the Amended Annual Budget position. It is important to note that figures in this part are 'indicative only' at the time of reporting, and that circumstances may subsequently change.

Attachments

- Page 1–3 of 12. Schedule 2 being a Statement of Financial Activity
- Pages 4 to 12. Notes 3 to 12 which form part of the Statements of Financial Activity. Also Note 10 – February 2009 Bank Reconciliations.
- Pages 1 to 49. Detailed Financial Activity by Program.
- February 2009 Accounts for Payment
- Comparison Between 2007/08:2008/09 Utility & Fuel Costs

200809/276 Council Decision/Officer's Recommendation

Moved: Cr G D Bussell

Seconded: Cr J E Ford

That:

- i) the:
 - a) **Statements of Financial Activity (represented by Schedules 2 to 14);**
 - b) **Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 28 February 2009; and**
 - c) **Review of Transaction Activity,**as attached and/or presented be received;
- ii) graphic representation of the Town's energy, water and fuel use as attached be received; and
- iii) the list of Accounts paid during February 2009 under Delegated Authority, as presented and/or attached be received.

CARRIED 8/0

11.3.1.2 Community Group Rating Policy (File No.: ...)

Officer Matthew Scott
Director Corporate
Services

Date of Report 18 March 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider the responses received from the public consultation on the proposed Community Rating Policy.

Background

At its Ordinary Meeting on 25 February, Council resolved to consult with Community Groups regarding the proposed Community Rating Policy. 62 individual letters were issued to community groups, and a copy of the policy was included on Council's website. Also the item was picked up by the North West telegraph, who wrote an article on the proposed policy.

At time of writing this report, Council had received feedback from eleven (11) community groups, as outlined below:

Group	Current Rates	Rates as per Proposed Policy*	Comments
Port Hedland Speedway Club	\$0	\$3,215	"outraged at the idea of applying rates to Clubs" Policy conflicts with "community policing research" and ToPH Plan for the Future. "Bad Policy"
SHOaTA	\$10,541	\$10,541	"collapse of various clubs...strong possibility of crime rate escalating". Propose 100% reduction for clubs
Wangka Maya	\$4,413	\$2,207	"no restriction of membership" discriminates against aboriginal corporations

Bloodwood Tree Association	\$0	\$0	Must be ATO registered public benevolent institute or registered for Charity tax concessions; Preference given to youth, aged & INDIGENOUS services
Australian Navy Cadets	\$0	\$0	Meets 100% concession criteria
Hedland Sporting Shooters Club	\$0	#\$3,500	Prefer policy was not adopted. Would apply for 100% concession if adopted
Port Hedland Retirement Village	\$0	\$0	Believe they meet the 100% concession criteria
RSL Community Shop	\$0	\$0	Rating policy should be referred to BHP Billiton
RSL PH Sub-branch	\$0	\$0	Believes they meet the 100% concession criteria
Port Hedland Yacht Club (Verbal)	\$2,693	\$1,346	Believes policy is fair and reasonable
Baptist Church (Verbal)	\$0	\$0	Statutory exemption for both place of worship & residence of Minister (manse), policy doesn't apply.

*Officers assessment only.

estimate only, currently not rated.

Copies of written responses attached.

Consultation

58 letters issued to various community/sporting/cultural and other groups. 9 written and 2 verbal responses were received, 6 letters were "returned to sender", and attempts made to contact relevant group by phone or email.

Proposed policy posted on Council's website.

Statutory Implications

Local Government Act 1995

"6.26. Rateable land

(1) Except as provided in this section all land within a district is rateable land.

- (2) *The following land is not rateable land —*
- (a) *land which is the property of the Crown and —*
 - (i) *is being used or held for a public purpose; or*
 - (ii) *is unoccupied, except —*
 - (I) *where any person is, under paragraph (e) of the definition of “owner” in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the Mining Act 1978 in respect of land the area of which does not exceed 10 hectares or a miscellaneous licence held under that Act; or*
 - (II) *where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of “owner” in section 1.4 occupies or makes use of the land;*
 - (b) *land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government;*
 - (c) *land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government;*
 - (d) *land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood;*
 - (e) *land used exclusively by a religious body as a school for the religious instruction of children;*
 - (f) *land used exclusively as a non-government school within the meaning of the School Education Act 1999;*
 - (g) *land used exclusively for charitable purposes;*
 - (h) *land vested in trustees for agricultural or horticultural show purposes;*
 - (i) *land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the Financial Administration and Audit Act 1985) by that company and used solely for the storage of grain where that company has agreed in writing to make a contribution to the local government;*
 - (j) *land which is exempt from rates under any other written law; and*
 - (k) *land which is declared by the Minister to be exempt from rates.*

- (3) *If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that company or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.*
- (4) *The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.*
- (5) *Notice of any declaration made under subsection (4) is to be published in the Gazette.*
- (6) *Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.”*

“6.47. Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.*

** Absolute majority required.”*

Policy Implications

This is a new policy, which will need to be adopted by Council, once the community consultation process is finalised.

Strategic Planning Implications Nil

Budget Implications

Currently Council provides \$58,450 in rates concession in the 2008/09 Budget, listed below:

Community Group	Concession Rates
Lotteries House	100%
Business Enterprise Centre	100%
Youth Involvement Centre (2 locations)	100%
Benara Maya Hostel	100%
Freemasons Homes for the Aged	100%
Port Hedland Pistol Club	100%
Port Hedland Speedway Club	100%
Volunteer Marine Rescue Service	100%
Baptist Church Manse	100%
Treloar Child Care Centre	50%
Len Taplin Centre	50%
South Hedland Owners and Trainers Association	50%