



MINUTES

Ordinary Council Meeting Wednesday, 23 November 2022

Date: Wednesday, 23 November 2022

Time: 5:30pm

Location: Civic Centre
McGregor St
Port Hedland

Distribution Date:

A handwritten signature in black ink, consisting of several overlapping loops and strokes, positioned above a horizontal line.

Mayor

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Item 1 Opening of Meeting

The Presiding Member declared the meeting open at 5:30 pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The Presiding Member acknowledged the Kariyarra people as the Traditional Custodians of the land that we met on and recognised their strength and resilience and he paid his respects to elders past, present and emerging.

Item 3 Recording of Attendance

Important note:

This meeting is being live streamed and audio recorded to facilitate community participation and for minute-taking purposes, which may be released upon request to third parties. In accordance with Section 6.16 of the Town of Port Hedland Local Law on Standing Orders members of the public are not permitted to use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the Presiding Member to do so. Members of the public are also reminded that in accordance with section 6.17(4) of the Town of Port Hedland Standing Orders Local Law mobile telephones must be switched off and not used during the meeting.

3.1 Attendance

Present: Mayor Peter Carter
Deputy Mayor Tim Turner
Cr Elmar Zielke
Cr Jan Gillingham
Cr Ash Christensen
Cr Flo Bennett
Cr David Eckhart

In Attendance: Carl Askew (Chief Executive Officer)
Karren MacClure (Director Corporate Services)
Craig Watts (Director Regulatory Services)
Lee Furness (Director Infrastructure Services)
Tom Kettle (Manager Governance)
Hilary McLean (Governance Officer)
Stephanie Sikaloski (Audit, Risk & Insurance Advisor)
Rhiannon Smith (Governance Support Officer)

3.2 Attendance by Telephone / Instantaneous Communications

Nil

3.3 Apologies

Cr Renae Coles
Cr Jason Keller

3.4 Approved Leave of Absence

Nil

3.5 Disclosure of Interests

Name	Item no.	Interest	Nature
CEO	15.1	Financial	Contract of Employment
Cr Gillingham	12.2.1	Impartiality	Member of the Pilbara Music Festival

ITEM 4 APPLICATIONS FOR LEAVE OF ABSENCE

CM202223/056 COUNCIL DECISION

MOVED: CR ZIELKE SECONDED: CR ECKHART

That Council approve the request for leave of absence for Councillor Eckhart for the period of 17 December 2022 to 15 January 2023.

That Council approve the request for leave of absence for Deputy Mayor Turner for the period of the 29 November 2022 to 07 December 2022.

SIMPLE MAJORITY VOTE REQUIRED

CARRIED BY SIMPLE MAJORITY (7/0)

ITEM 5 RESPONSE TO PREVIOUS QUESTIONS

5.1 Response to Questions taken on notice from Elected Member at the Council held on Wednesday 26 October 2022

5.1.2 CR GILLINGHAM

1. *There is definitely less octopi on the reef as well as many other species. Is this part of the Port Authority's area as it comes under their jurisdiction. Should we be asking the Port Authority to do more in this area?*

2. *Please can I request clarification on the area of Cooke Point being included in the Omnibus Amendment to the Local Planning Scheme Number 7?*
3. *I went through the Mayors diary of events every month since January this year and have been unable to find a meeting this year that you actually attended the Hedland Senior High School Board Meeting. Can you please provide to me the date of the meeting that you actually attended?*

The Director Regulatory Services has provided the following statements:

1. The area that the reef is located on is vested with the Pilbara Ports Authority (PPA). The PPA has advised that it is not aware of any current monitoring programs undertaken by either the PPA or other agencies, other than the citizen science work that Ms Doris Teufel undertakes. The PPA are doing some benthic habitat monitoring as part of the Spoilbank Marina Project, however this is focussing on the areas in close proximity to the dredge area on the western side of the Spoilbank. Previous correspondence with both Recfish West and the WA Fishing Industry Council indicated that octopus species are mobile, with their local members noting that the species will move and relocate at various times for various reasons, however they too were unaware of any detailed scientific studies.
2. A number of lots along Sutherland Street and Robinson Street (Cooke Point) were wrongfully transitioned from R40 to the lower density of R25 during the LPS 5 to LPS 7 crossover. The omnibus amendment corrects this, and returns the area to R40 zoning.

The Mayor has provided the following statement:

3. 31 March 2022.

5.1.3 LORRAINE BUTSON

1. *How many days have you been overseas since your appointment as Mayor in October 2021?*

The Mayor has provided the following statement:

1. The Mayor has not travelled overseas in his official capacity since his appointment in October 2021.

5.2 RESPONSE TO QUESTIONS TAKEN ON NOTICE

- 5.2.1 Response to Questions taken on notice from Elected Member at the Council held on Wednesday 21 September 2022.

5.2.2 CR CHRISTENSEN

- I have been away from my computer since Wednesday so haven't seen anything come through for potential projects we have closed out or that we have ongoing currently with any external grants or funding, is there any feedback from that Lee at all? On Wednesday I requested that we ask for the actuals, because my concerns with the upcoming motion was the percentages of grants that have been afforded to The Plan, I requested to see if we had any of the 3 on either side of the ones that have been completed and the ones that are current.

The Director Infrastructure has provided the following statements:

- The below table 'Summary of Grant Funding for projects < \$1,000,000' provides a list of all projects delivered from FY 2019/20 to 2022/23 with a value more than \$1,000,000 and their respective grant funding amounts.

Summary of Grant Funding For projects <\$1,000,000

Category	Project name	Project Value	Grant Value	%	Grant Name	Provider
New	PHSCH - Stage 1 Community Centre (Construction)	\$ 19,000,000.00	\$ 10,000,000.00	53%	Financial Assistance Grant	State
New	Seawalls - <u>Marapikurrinya</u> Park	\$ 4,300,000.00	\$ 227,452.50	75%	Coastal Adaptation & Protection (CAP)	State
			\$ 3,000,000.00		Community Donation Contract - BHP	Industry
New	Seawalls - Sutherland St	\$ 6,200,000.00	\$ 3,701,000.00	60%	Preparing Australian Communities Local Stream (PACL)	State
			\$ 33,894.00		Coast West	State
New	Seawalls - Goode St	\$ 2,800,000.00	\$ -	0%		
New	Shade Structure - South Hedland Skate Park	\$ 7,400,000.00	\$ -	0%		
New	Sutherland St Footpath	\$ 1,250,000.00	\$ 510,728.00	100%	Local Roads and Community Infrastructure Program (LRCI) - Phase 1	Federal
			\$ 738,573.00		Local Roads and Community Infrastructure Program (LRCI) - Phase 2	Federal
New	South Hedland Entrance Statement (Commons)	\$ 2,000,000.00	\$ 950,000.00	66%	Compass Group Community Contribution	Industry
			\$ 371,079.00		<u>Lotterywest</u>	Other
New	Finucane Island Boat Ramp Stage 1 - Groin Wall	\$ 1,800,000.00	\$ -	0%		
New	Finucane Island Boat Ramp Stage 2 - Landside Works	\$ 2,300,000.00	\$ 1,021,456.00	44%	Local Roads and Community Infrastructure Program (LRCI) - Phase 3	Federal
Upgrade	Wedgfield Route 1 Connection - Stage 1	\$ 5,987,682.98	\$ 3,991,788.65	71%	Regional Roads Group (RRG)	State
			\$ 275,000.00		Commodity Routes Fund (CRF)	State
Upgrade	JD Hardie Stage 1 - Refurbishment	\$ 7,500,000.00	\$ -	0%		
New	JD Hardie Stage 2 - <u>Multi User</u> Courts and Surrounds	\$ 7,000,000.00	\$ 750,000.00	11%	Community Sports and Recreation Facilities Fund (CSRFF)	State
New	Wilson Street Shared Path	\$ 1,400,000.00	\$ 700,000.00	50%	WA Bicycle Network (WABN)	State
Upgrade	<u>Shoata</u> Road Reconstruction and Seal	\$ 2,245,381.12	\$ 1,496,920.74	67%	Regional Roads Group (RRG)	State
		\$ 71,183,064.10	\$ 27,767,891.89	39%		

Item 6 Public Time

Important note:

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

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

6.1 Public Question Time

The Presiding Member declared Public Question Time open at 5:34 pm.

The Presiding Member declared Public question Time closed at 5.34 pm.

6.2 Public Statement Time

The Presiding Member declared Public Statement Time open at 5.34 pm.

6.2.1 ANDREW WILSON

I, Andrew Wilson was a member of Port Hedland Yacht Club upon acquiring the "Tradewinds" and the "Venus". I moved at my cost of \$5000 to the T.S. Pilbara on the understanding that the Port Hedland Yacht Club had a 3 year lease at the T.S. Pilbara Hard Stand. Now I have been given impound notices and removal notices. At the Council Meeting I propose to seek assistance for the removal to a hardstand located in Darlot Street, Port Hedland which is less than 1 km away. I have a quotation of \$24,000 from the Ashburton Crane Hire. This cost is out of my budget and finances. I therefore ask that if the Town of Port Hedland Council decide to relocate the "Tradewinds" to be scrapped, wouldn't they be better to negotiate and assist myself to the hardstand in the Town of Port Hedland being Darlot Street. I Thank you for a positive outcome.

My questions are,

- 1) Who is liable for the costs of relocating the boats that are on the hardstand at the TS Pilbara, due to the ongoing works at the marina?*
- 2) If the decision is made that the Town of Port Hedland will not assist and the Town of Port Hedland relocate the boats at their own cost to the refuse tip, wouldn't the be better to assist the owner via negotiation to relocate them less than 1 km from the TS Pilbara to Darlot Street, Port Hedland.*
- 3) Please assist me with a time frame of works at the T.S. Pilbara Hardstand. If the scope of works is not commencing until the first quarter of 2023, maybe there could be no urgency for the relocation of the vessels. Please inform me of a procedure to be undertaken by the Town of Port Hedland.*

The Mayor provided the following response:

We will get back to you on that, and the questions will be taken on notice.

The Presiding Member declared Public Statement Time closed at 5.38 pm.

6.3 Petitions/Deputations/Presentations/Submissions

Nil

Item 7 Questions from Members without Notice

7.1 CR GILLINGHAM

Cr Jan Gillingham asked the following question:

Can we really look into the yacht club issues for the public, as there are now several boats down there. I did do a bit of a ring around this week, and I thank the public for contacting me to let me know. Could we please have a summary brought back, as soon as possible, possibly for the next council briefing and see where we are at with that. A lot of people are confused if it still belongs to the Town of Port Hedland, or it now belongs to the Port Authority. If we could have an update on that it would be good. I know it is the end of the year but I think it is important because it is the cyclone season and people are quite worried about their boats.

The Director of Regulatory Services provided the following response:

The only boats that we are aware of that are actually owned by the public are the two large boats as per the Public Statement. The remainder of the boats were part of the liquidation of the Yacht Club. We have been advised that by the previous commodore that the remainder of the boats and small sailing fleet were the property of the Yacht Club. Obviously now in terms of the liquidation, the Town has purchased those boats and we will be relocating those in the near future to the yacht area on the Eastern side of the Spoil Bank. We will be tying those down obviously for cyclone season in the hope that we will have a club come to us in the future so that we can redevelop and repurpose those boats for sailing within the community. I can provide further advice..

Cr Jan Gillingham responded:

Yes, if we could have a further update.

Cr Jan Gillingham asked the following question:

I would like to ask a question about the MJW Building company and how has the town fared with such a large building company closing and going into receivership. We haven't had any feedback and could we please have some feedback before the close of business this year.

The Mayor provided the following response:

The question will be taken on notice.

7.2	DEPUTY MAYOR TURNER
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Deputy Mayor Tim Turner asked the following question:

Can we get an update on the independent review for the Community Safety Plan? I am aware that there was an announcement that has been undertaken at this time by UWA. With coming up to the Christmas Holidays we know there is often a spike in anti-social behaviour, so I am keen to see what our planning and our thinking is in preparation for that. In particular, what is happening with our cameras, use of patrols, plans for youth engagement around the Christmas period and also an update via the Pilbara Development Commission for the working party that sits with the State Government and resource sector and how that has progressed.

The Mayor provided the following response:

The question will be taken on notice.

Item 8 Announcements by Presiding Member without Discussion

The Mayor's meetings for the month of October 2022:

DATE	MEETING	MEETING DETAILS
3 – 4/10/2022	2022 WA Local Government Convention	Attended
06/10/2022	Radio Chat with Ecky	Radio Interview
07/10/2022	Locomotive Dreams Opening Exhibition	Attended
10/10/2022	2022 Bureau of Metrology Cyclone Season Briefing	Attended
10/10/2022	Development WA	Attended
11/10/2022	Hedland Breathing Space Grant Presentation	Attended
11/10/2022	Meeting with Minister Carey BA MLA	Attended
12/10/2022	Radio Chat with Ecky	Radio Interview
12/10/2022	The WEB Business Hub – Coffee & Catch Up	Attended
13/10/2022	Lindsay Allan – DMG Australia	Attended
20/10/2022	Regional Councils of Australia (WA) Meeting	Attended
20/10/2022	Radio Chat with Ecky	Radio Interview
25/10/2022	Centurion Corporation	Attended
27/10/2022	Radio Chat with Ecky	Radio Interview
27/10/2022	PHCCI – Business Breakfast	Attended
28/10/2022	North West Defence Alliance Meeting	Attended
28/10/2022	CME WA Canadian Delegation Luncheon	Attended

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

The following Elected Members declared that they had given due consideration to all matters contained in the agenda:

Mayor Peter Carter
Deputy Mayor Tim Turner
Cr Elmar Zielke
Cr Jan Gillingham
Cr Ash Christensen
Cr Flo Bennett
Cr David Eckhart

Item 10 Confirmation of Minutes of Previous Meeting

Disclaimer

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

CM202223/057 COUNCIL DECISION**MOVED: CR BENNETT****SECONDED: CR ZIELKE**

That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday 26 October 2022 are a true and correct record.

CARRIED BY SIMPLE MAJORITY (7/0)

Item 11 Reports of Committees

Nil

Item 12 Reports of Officers

12.1 Corporate Services

12.1.1 2023 COUNCIL AND COMMITTEE MEETING SCHEDULES

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

CM202223/058 COUNCIL DECISION

MOVED: CR ECKHART

SECONDED: CR GILLINGHAM

That Council, pursuant to regulation 12 of the *Local Government (Administration) Regulations 1996*:

1. Approve the following Ordinary Council Meeting schedule for the 2023 calendar year:

Date:	Time:	Location:
Wednesday, 01 February 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 22 February 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 29 March 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 26 April 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 31 May 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 28 June 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 26 July 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 30 August 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 27 September 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 1 November 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 29 November 2023	5:30pm	Civic Centre, Port Hedland
Wednesday, 13 December 2023	5:30pm	Civic Centre, Port Hedland

2. Approve the following Special Council meeting schedule for the 2023 calendar year:

Date:	Time:	Location:
Monday, 23 October 2023 <i>(Swearing in Ceremony)</i>	5:30pm	Civic Centre, Port Hedland

3. Approve the following Audit, Risk and Compliance Committee meeting schedule for the 2023 calendar year:

Date:	Time:	Location:
Tuesday, 7 March 2023	5:30pm	Civic Centre, Port Hedland
Tuesday, 9 May 2023	5:30pm	Civic Centre, Port Hedland
Tuesday, 8 August 2023	5:30pm	Civic Centre, Port Hedland
Tuesday, 28 November 2023	5:30pm	Civic Centre, Port Hedland

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4. 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.

CARRIED BY SIMPLE MAJORITY (7/0)

PURPOSE

The purpose of this report is for Council to consider the approval of the proposed meeting schedules for the 2023 calendar year, to be advertised in accordance with legislative requirements.

DETAIL

Each year Council are required to set the schedule of Ordinary Council Meetings and Committee Meetings 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*.

2023 Council Meeting Schedule

At the Ordinary Council Meeting held on 3 November 2021, Council determined its meeting dates up to and including the 14 December 2022 and will now need to consider meeting dates for the next calendar year in accordance with legislation.

It is proposed that Council continue holding Ordinary Council Meetings on the fourth Wednesday of each month at 5:30pm in Council Chambers for the 2023 calendar year, with amendments to the schedule as follows:

- There is no Council Meeting in January 2023 therefore two Council Meetings in February 2023 due to the Christmas break and school holidays;
- Hold the 'Swearing in Ceremony' on 23 October 2023, following the determination of the Local Government Elections; and
- Hold the December Council Meeting on 13 December 2023, due to the Christmas break and school holidays;

The live-streaming of all Council meetings will continue throughout 2023, to allow the public that are unable to attend the meetings in person the opportunity to view the meeting in real time. School holidays and public holidays have also been considered in the preparation of the proposed 2023 schedule.

Currently Council holds a 2 hour agenda feedback session one week prior to each Council Meeting. It is proposed that this practice continue in 2023 as this provides an opportunity for Elected Members to seek clarification on reports in the agenda or ask any questions they may have relating to matters contained in the agenda.

2023 Audit, Risk and Compliance Committee Meeting Schedule

The proposed schedule for 2023 remains on a quarterly basis, with the first meeting of the year to be held in March 2023.

Currently the ARC Committee holds a 1 hour agenda feedback session one week prior to each ARC Committee Meeting. It is proposed that this practice continue in 2023 as this provides an opportunity for Committee members to seek clarification on reports in the agenda or ask any questions they may have relating to matters of audit, risk, compliance and/or finance.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

- Executive Leadership Team
- Director Corporate Services
- Manager Financial Services
- Manager Governance

External Agencies

- Nil

Community

Upon approval of the meeting schedules, 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

Sections 5.3 to 5.5 of the *Local Government Act 1995* apply 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 Ordinary Council meetings and Committee meetings.

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

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

Section 6.6 of the Audit, Risk and Compliance Committee Terms of Reference states that a meeting schedule is to be developed that includes the dates and location for the forthcoming year.

FINANCIAL AND RESOURCES IMPLICATIONS

There will be an estimated cost of \$600 for placing the advertisements in the local newspaper.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2022-2032 are applicable in the consideration of this item:

- 1.2.4 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
- 1.2.5 Opportunities to get involved and results of engagement are regularly promoted
- 1.3.4 The Town's programs of events and activities is promoted locally, regionally and nationally
- 4.2.2 Transparent and regular financial reporting and communication to the community is undertaken
- 4.2.3 Transparent and regular governance reporting and communication to the community is undertaken
- 4.2.4 Constructive forums are facilitated for discussion and the representation of the diversity of community views and needs that impact on the town's developments, programs and policies

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

Disability Access and Inclusion Plan

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

- Outcome 1 – Services and Events
- Outcome 3 – Information

Corporate Business Plan

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

- 1.b.4.2 – Inform the community on Town projects, operations, services and events.

RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item if Council does not resolve their meeting dates and advertise them in accordance with relevant legislation. The risk rating is considered to be low (3), which is determined by a likelihood of rare (1) and a consequence of moderate (3).

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

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Council may suggest alternative dates, times and/or locations.

Option 3 – Do not adopt officer's recommendation

CONCLUSION

Council and Committee 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 proposed 2023 meeting schedules will ensure that the community are made aware and given the opportunity to prepare for and participate in the meetings. The meeting schedules will also ensure that the Town adheres to auditing and compliance deadlines.

ATTACHMENTS

Nil

12.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 OCTOBER 2022

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

CM202223/059 COUNCIL DECISION

MOVED: CR ZIELKE

SECONDED: DEPUTY MAYOR TURNER

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

1. Receive the Statement of Financial Activity for the period ended 31 October 2022 (see Attachment 1);
2. Receive the Material Variance Report (see Attachment 2);
3. Note the Accounts paid under delegated authority for the period ended 31 October 2022 (see Attachment 3); and
4. Receive the Credit Card Statements for the period ended 31 October 2022 (see Attachment 4).

CARRIED BY SIMPLE MAJORITY (7/0)

PURPOSE

The purpose of this report is to present to Council the Statement of Financial Activity for the period ended 31 October 2022. Supplementary information is also presented to Council to provide further information regarding the Town's activities.

Detail

The information provided in this report is for the period ended 31 October 2022, with financial results included in Attachment 1. Statement of Financial Activity inclusive of Notes 1-16 prepared by the Town of Port Hedland (the "Town").

The statements are based on simpler and more streamlined financial reporting as recommended by the Office of the Auditor General and Department of Local Government, Sport and Cultural Industries. Initial changes to align with the recommendations have been implemented from 1 July 2022, with measures designed to be in full effect by the end of the 2022-2023 financial year. The main change thus far has been the removal of the presentation of Financial Activity by the programme.

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

As part of the 2022/2023 original budget, Council adopted the following thresholds as levels of material variances for financial reporting:

- A variance of 10% or \$50,000, whichever is greater, of the year to date budget of operational and capital expenditure requires explanation.

The opening funding deficit of \$387K presented in Year to Date Actual on the Statement of Financial Activity is as per the closing surplus of the unaudited June 2022 financial statements.

This figure may change when the final audited accounts are presented to Council for endorsement in December.

The net current funding position (surplus/(deficit) from the Statement of Financial Activity as at 31 October 2022 is a surplus of \$51.8M.

The breakdown of the cash position is displayed below:

	2022/23 Actuals
Current Assets: Cash and Investments	\$202.1M
Restricted Cash – Reserves	\$155.2M
Unrestricted Cash Position as at 31 October 2022	\$46.9M

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 of low significance, because this report is presented to Council for information purposes only.

CONSULTATION

Internal

- All consultation and engagement are conducted internally.

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

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

FINANCIAL AND RESOURCES IMPLICATIONS

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

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

Reserves:

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

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following section of the Town's Strategic Community Plan 2022-2032 is applicable in the consideration of this item:

4.2 Transparent and accountable governance and financial sustainability

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 financial risk associated with this item because a reduction in income or increase in expense throughout the 2022/23 financial year could impact on the Town's ability to meet service levels or asset renewal funding requirements. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2).

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The opening funding deficit of \$387K presented in YTD Actual on the Statement of Financial Activity, is as per the closing deficit presented in the unaudited financial statements from June 2022. The net current funding position is \$51.8M. It is anticipated that the audited financial statements for the 21/22 financial year will be finalised and presented to Council in December 2022.

ATTACHMENTS

1. Statement of Financial Activity - October 2022 (under separate cover)
2. Material Variances - October 2022 (under separate cover)
3. Payments made under authority - October 2022 (under separate cover)
4. Credit Cards - October 2022 (under separate cover)

12.1.3 AMENDMENT OF 2022-23 FEES AND CHARGES

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

CM202223/060 COUNCIL DECISION**MOVED: CR ZIELKE****SECONDED: DEPUTY MAYOR TURNER**

That Council:

1. In accordance with the Local Government Act 1995 section 6.16, adopt the amendments to the 2022/23 Schedule of Fees and Charges as per Attachment 1.
2. Notes the Town of Port Hedland will give public notice of the above proposed amended fees in accordance with section 6.19 of the Local Government Act 1995 and the above amendments will take effect 14 days after notice is published.

*CARRIED BY ABSOLUTE MAJORITY (7/0)***PURPOSE**

The purpose of this report is for Council to consider to adopt the attached amendments to the 2022-23 Fees and Charges Schedule.

DETAIL

Subsequent to Council's approval of the 2022-23 Fees and Charges, business areas conducted a further review of the published Fees and Charges. The Regulatory Services and the Infrastructure Services Team identified a number of lines that required further change relating to Verge Bond, Subdivision Supervision Inspection Fee.

The amended fees and charges and reasons for change are contained in Attachment 1.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of high significance, because setting appropriate fees and charges impacts the community to conduct its business and activities.

CONSULTATION*Internal*

- Infrastructure Services
- Regulatory Services

External Agencies

- Comparisons to other similar Local Governments have been used as part of the review and application of comparable fees and charges.

Community

- Limited consultation was completed with community groups and the fees and charges amendments have been based on that consultation.
- The amended fees and charges will be locally advertised for 14 days prior to taking effect.

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

Section 6.16 Imposition of Fees and Charges, Council by an absolute majority decision, Fees and Charges may be amended from time to time during a financial year.

FINANCIAL AND RESOURCES IMPLICATIONS

Fees and charges constitute approximately 20% of the operating funds required to undertake the activities of the Town.

Fees and charges are required to be formally adopted by Council.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2022-2032 are applicable in the consideration of this item:

- 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
- 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

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

Corporate Business Plan

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

- 4.b.2.1 – Ensure the Town's finances are managed efficiently and effectively in line with legislated requirements and risk management considerations

In accordance with the Risk Matrix set out in the Town's Risk Management Policy (1/022), The risk rating is considered to be low (3), which is determined by a likelihood of rare (1) and a consequence of moderate (3).

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

These changes to the Fees and Charges Schedule align charges at Infrastructures to meet current trend needs.

ATTACHMENTS

1. November Amendment of 2022-23 Fees and Charges (under separate cover)

12.1.4 AWARD OF QUOTE RFQ 2223001 BORROWINGS FOR THE TOWN OF PORT HEDLAND

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

CM202223/061 COUNCIL DECISION

MOVED: DEPUTY MAYOR TURNER

SECONDED: CR ZIELKE

That Council:

1. Awards 'RFQ 2223001 Borrowings', to Western Australian Treasury Corporation (WATC);
2. Authorises the Chief Executive Officer to enter into a loan agreement with Western Australian Treasury Corporation (WATC) for a total borrowings value of \$24,269,000 excluding any applicable interest or fee charges for a maximum of twenty (20) years.

CARRIED BY ABSOLUTE MAJORITY (7/0)

PURPOSE

The purpose of this report is for Council to award RFQ 2223001 Borrowings for the total loan amount of \$24,269,000 as per the Council resolution CM202122/232 on Note 6 (b) New Borrowings, 2022-23 Annual Budget.

DETAIL

Request for Quote

On 30 June 2022, as per the Council resolution CM202122/232, Council adopted the 2022-23 Annual Budget for the borrowings for the following Capital Projects Works:

- Staff housing – \$10,000,000.00
- Depot Masterplan - \$4,200,000.00
- Seawalls – \$10,069,000.00
- Total Amount: \$24,269,000.00 for a maximum term of 20 years.

As per Towns Borrowing Policy 2/018, the Town is required to undertake a Request for Quote (RFQ) process to get the best rate and terms to borrow the funds. The RFQ process is to be limited to the major banks and Western Australian Treasury Corporation (WATC). In line with the policy, the RFQ 2223001 was sent to the following four major banks and WATC.

1. Australian & New Zealand Banking Group (ANZ)
2. Commonwealth Bank of Australia (CBA)
3. National Australia Bank (NAB)
4. Westpac Banking Corporation (WBC)
5. Western Australian Treasury Corporation (WATC)

The RFQ was released on 13 October 2022 and closed on 21 October 2022. E-mail quotations were accepted for this RFQ.

The banks were requested the following information in their offer:

1. Interest Rate
2. Type: Fixed/ Variable
3. Terms of the Loan
4. Monthly Repayment amount for Principal and Interest.
5. Any applicable fees and charges
6. Any penalties for paying the loan earlier.
7. Any securities required for the loan.

Addendum 1 was issued with the following additional information:

- **Term:** 20 years
- **Repayment frequency:** monthly
- **Indicative quotation date:** Wednesday, 19 October 2022
- **Loan available date:** 1 Feb 2023

The banks were requested to submit their offer in line with the above.

Tender Assessment

We received the indicative rates from the four banks and WATC.

The Evaluation Panel consisted of three members - Manger Finance Services, Director Corporate Services and Director- Infrastructure Services. The panel members assessments are included in the attached report. The following Weighted Criteria was used:

Criteria	(%)
Interest rate	60%
Pre-Payment Penalty	15%
Other fees & Charges	15%
Monthly Repayment	10%
	100%

Selection Process

Considering the current market scenario where interest rates are going up, the Panel agreed to proceed with the fixed interest rate option and accordingly evaluated the offers.

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

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 ‘Significant Decision Making’, this matter is considered to be of high significance, as it will significantly impact the Town’s capital work funding.

CONSULTATION

Internal

- Infrastructure Services
- Financial Services
- Procurement team

External Agencies

Nil

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

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

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

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

1. 2/007 ‘Procurement’
2. 2/016 ‘Regional Price Preference’
3. 2/018 ‘Borrowings’

FINANCIAL AND RESOURCES IMPLICATIONS

As part of the implementation of the capital works program, loan funding has been budgeted for the Depot Masterplan, the Staff Housing Program and Seawalls works. Council endorsed the 2022-23 Annual Budget on 30 June 2022 OCM (CM202122/232)

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2022-2032 are applicable in the consideration of this item:

4.b.1 Sound long-term financial planning is implemented

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:

- 4.b.2.1 – Ensure the Town's finances are managed efficiently and effectively in line with legislated requirements.

RISK MANAGEMENT CONSIDERATIONS

In addition, there is a potential service interruption risk on the future capital works program if the Loan is not approved. The risk rating is considered to be medium (8), which is determined by a likelihood of unlikely (2) and a consequence of major (4). This risk will be eliminated by the adoption of the officer's recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The evaluation panel recommends awarding RFT 2223001 Borrowings to the preferred tenderer due to their better loan interest rate, whilst demonstrating best value for money for the Town.

The interest rates mentioned in the RFQ are indicative only (as on 11 November 2022) and for the Loan drawdown on 1 Feb 2023.

A formal loan application will be required to be submitted for assessment and review; firm interest rates will only be issued should a loan application be approved.

ATTACHMENTS

1. Evaluation Report - Confidential - Confidential (under separate cover)

12.2 Community Services

Cr Jan Gillingham declared an interest of impartiality due to being a member of the Pilbara Music Festival who are a recipient of a Town of Port Hedland grant.

12.2.1 TOWN OF PORT HEDLAND - 2021/22 COMMUNITY GRANTS PROGRAM OUTCOME SUMMARY

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

CM202223/062 COUNCIL DECISION

MOVED: CR ZIELKE

SECONDED: CR ECKHART

That Council:

1. Notes the Community Grants Program for the 2021/22 financial year resulted in the awarding of 64 grants at a total of \$171,600, and
2. Notes that the Community Grants Program Policy 6/003 will be reviewed in Q3 FY 2022/23.

CARRIED BY SIMPLE MAJORITY (7/0)

PURPOSE

The purpose of this information item report is for Council to note the grants awarded to the community via the Town of Port Hedland's Community Grants Program for the 2021/22 financial year under the Community Grants Program Policy 6/003. The objective of this policy is to ensure the Council allocate financial support to the community in the most effective manner.

DETAIL

The Town's Community Grant Program is divided into four streams and facilitates a total of twelve different types of grants by the Town to encourage various different activities, projects and programs which support the whole community. The set budget for the 2021/22 Community Grants Program was a total of \$180,000.00.

These grants offer a funding range from a minimum of \$250.00 in small, community applications (Friendly Neighbourhood Grant) to \$10,000.00 maximum (Community Development and Community Collaboration Grant). To ensure maximum availability, the program has a range of open grant applications rounds available quarterly, bi-annually and yearly.

At the 26 August 2020 Ordinary Council Meeting, Council adopted the 'Community Grants Policy 6/003' policy review. The objectives of this policy are to ensure:

- An equitable, transparent and consistent process to distribute funding
- All applications received which fall within the policy and its associated guidelines are equally considered for support
- The Town supports the community to deliver essential events, programs, projects and services that meet the objectives of the Town's Strategic Community Plan 2018-2022 and identified needs
- Acknowledge the contribution of community groups and volunteers in the community and the Council's vision for the future.

As a highly popular program, the Town promotes the Community Grants Program on a regular basis through communications campaigns to the community, together with the Town's regular community engagement channels.

Application and Review Process

All applications were submitted via the Town's online Smartygrants Program and assessed against the Town's Community Grants Program Policy 6/003 to ensure compliance and to determine the merit of the project or event and overall eligibility criteria. Applications are assessed and scored according to the following:

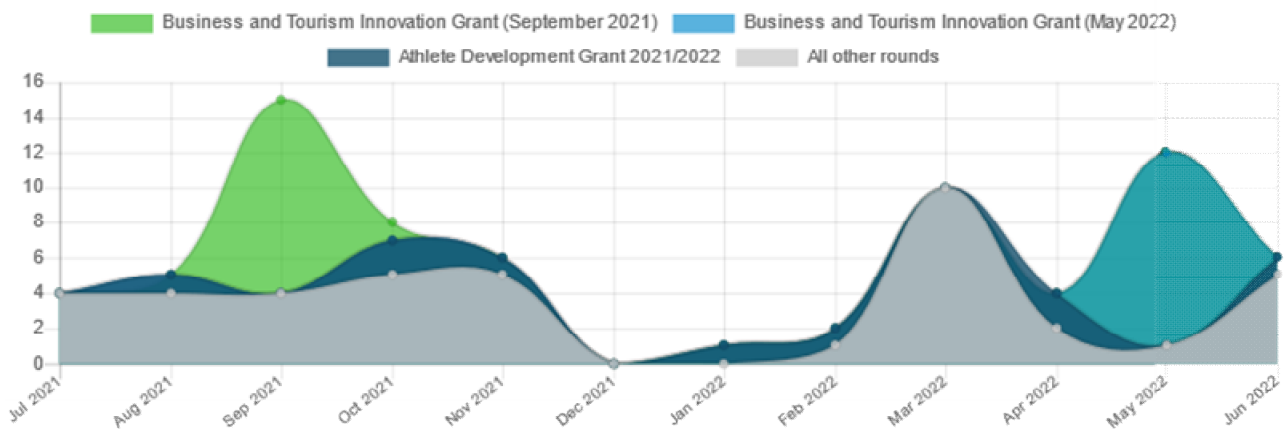
- Meet the Town's Community Grants Policy 6/003 Guidelines & Selection Criteria
 - Self-assessment to meet grant eligibility criteria
 - Project plan
 - Level of community support
 - Access and equity
 - Applicant capacity
 - Budget and supporting evidence
- Alignment with the Town's Strategic Community Plan 2018-2022
- Demonstrated level of community need for event/program/service
- Initiative sustainability beyond Town support.

Grant Outcome Summary

Of the 76 grant applications received between 1 July 2021 and 30 June 2022, 64 were successful. 60 applications proceeded for the full or part amount of the grant amount requested, while 4 applications withdrew their submissions after approval of grant funds due to external impacts i.e. COVID-19 issues. The total amount awarded under the program's fund was \$171,600.82 with an application approval rating of 84% of applications leading to successful outcomes.

The following graph highlights the peak times throughout the year for grant submissions.

Number of Community Grant Applications submitted per month for FY 2021/22



The following total of grant applications were supported:

Grant Stream:

<i>Grant Stream:</i>	Numbers of applications received	Number Awarded:	Amount of funds allocated
<i>Artist Development Grant</i>	4	3	\$3,715.00
<i>Athlete Development Grant</i>	11	11	\$14,000.00
<i>Business and Tourism Innovation Grant</i>	23	21	\$42,000.00
<i>Community Arts and Culture Grant</i>	5	5	\$15,000.00
<i>Community Collaboration Grant</i>	3	3	\$25,620.82
<i>Community Development Grant</i>	9	5	\$39,540.00
<i>Community Sports Grant</i>	10	8	\$22,125.00
<i>Friendly Neighbourhood Grant</i>	1	1	\$300.00
<i>Special Events Grant</i>	3	3	\$6,000.00
<i>Space Activation Grant</i>	3	2	\$2,000.00
<i>Youth Leadership and Development Grant</i>	3	1	\$1,000.00
<i>Other Donations</i>	1	1	\$300.00
Total Grants	76	64	\$171,600.82

#:	Grant Name:	Organisation Name:	Project Title:	Awarded Amount:
ANNUAL GRANT ROUNDS:				
1	Community Collaboration Grant	Hedland Well Women's Centre	Nuts and Bolts of Sexual Health	\$10,000.00
2	Community Collaboration Grant	Fair Game Australia Ltd.	South Hedland Game On! With Fair Game	\$10,000.00
3	Community Collaboration Grant	Care For Hedland Environmental Association Inc.	Containers For Change White Lid Bins Project	\$5,620.82
4	Community Development Grant	Hedland Touch Association	Hedland Touch Association – Corporate Cup	\$6,500.00
5	Community Development Grant	Reach Us – Pilbara Inc.	Reach Us Fundraiser Event	\$10,000.00
6	Community Development Grant	Cooke Point Play Group	Purchase of Interactive Whiteboard	\$6,700.00
7	Community Development Grant	South Hedland Cougars Rugby League	2022 Rugby League Gala Days	\$6,340.00
8	Community Development Grant	Bloodwood Tree Association Inc.	Mini Mart Sea Container Storage Installation Project	\$10,000.00
BIANNUAL GRANT ROUNDS:				
9	Business and Tourism Innovation Grant	Merry Makers Gift Co.	Digital storytelling to increase business reach and growth	\$2,000.00
10	Business and Tourism Innovation Grant	Pilbara IT	Marketing Campaign	\$2,000.00
11	Business and Tourism Innovation Grant	Glamazon Studio	Local Business Gap Identified - Piercing Services	\$2,000.00
12	Business and Tourism Innovation Grant	Makaveli Barber Shop	Signage, business cards & marketing materials	\$2,000.00
13	Business and Tourism Innovation Grant	Mother Duck Sourdough	Mother Duck Sourdough: Artisan Bakery - Branding Design	\$2,000.00
14	Business and Tourism Innovation Grant		Upgrades to sewing equipment	\$2,000.00
15	Business and Tourism Innovation Grant	Hedland Eye Care	iCare Tonometer	\$2,000.00
16	Business and Tourism Innovation Grant	Kindermusik with Kylie	Kindermusik With Kylie Playdates	\$2,000.00
17	Business and Tourism Innovation Grant	Onsite Diesel Pty Ltd t/a Reeve Truck Align	Mobile Wheel Alignments	\$2,000.00
18	Business and Tourism Innovation Grant	Desert Goddess Beauty Clinic Pty Ltd	Advanced skin scanner	\$2,000.00
19	Business and Tourism Innovation Grant	Swiss Launderette	Expansion of laundromat availability	\$2,000.00

20	Business and Tourism Innovation Grant	The Junction Co.	Courthouse Gallery+Studio promotional video	\$2,000.00
21	Business and Tourism Innovation Grant	Fridgy Pty Ltd	Saving the environment one bottle at a time.	\$2,000.00
22	Business and Tourism Innovation Grant	C&Hai's Cafe	Upgrade equipment	\$2,000.00
23	Business and Tourism Innovation Grant		Renew Trading Licence for trading 2022-2023	\$2,000.00
24	Business and Tourism Innovation Grant	Port Hedland Historical Society	Visual Historical Presentations	\$2,000.00
25	Business and Tourism Innovation Grant	Deja Brew Mobile Barista	Van wrapped and bigger signs	\$2,000.00
26	Business and Tourism Innovation Grant		Advertising signage	\$2,000.00
27	Business and Tourism Innovation Grant	Ihraa Swim	New York Fashion Week	\$2,000.00
28	Business and Tourism Innovation Grant	Tabba Tabba Pty Ltd trading as Pilbara Tours	Port Hedland Rock Art Conservation Association Project Establishment	\$2,000.00
QUARTERLY GRANT ROUNDS:				
29	Community Arts and Culture Grant	The Filipino Australian Friendship Association Hedland Incorporated	123rd Philippines Independence Day	\$3,000.00
30	Community Arts and Culture Grant	Pilbara Music Festival Incorporated	Pilbara Music Festival 2021, an Eisteddfod of Music in the Pilbara.	\$3,000.00
31	Community Arts and Culture Grant	Hedland School of Dance	Hedland School of Dance presents their 2021 End of year Concert "Legacy"	\$3,000.00
32	Community Arts and Culture Grant	Hedland Camera Club INC	Hedland Camera Club Workshop & Expo	\$3,000.00
33	Community Arts and Culture Grant			\$3,000.00
34	Special Events Grant	Hedland Filipino Australian Society	Paskong Pinoy- Christmas Play PresentationEventd	\$2,000.00
35	Special Events Grant	Variety WA Incorporated	Variety 4WD Adventure Headline Concert + Community Breakfast	\$2,000.00
36	Special Events Grant	Hedland Well Women's Centre	The Pink Pilbara Breakfast	\$2,000.00

GRANT ROUNDS OPEN MONTHLY / ALL-YEAR ROUNDS:				
Community Groups, Organisation and Businesses:				
37	Community Sports Grant	South Hedland Cricket Club	SHCC season 2020	\$1,125.00
38	Community Sports Grant	ROYAL LIFE SAVING SOCIETY WA	Commando Rescue Club Junior Lifeguarding Program	\$3,000.00
39	Community Sports Grant	Hedland Teeball Association	NW Teeball Championships	\$3,000.00
40	Community Sports Grant	Port Hedland Baseball Association	Purchase New Refrigeration For Kitchen at Marie Marland Reserve	\$3,000.00
41	Community Sports Grant	Minisport Hedland	Minisport afterschool program	\$3,000.00
42	Community Sports Grant	Port Hedland Motorcycle Club	MX Coaching	\$3,000.00
43	Community Sports Grant	Hedland Touch Association	Club Officials Training plus school engagement sessions	\$3,000.00
44	Community Sports Grant	Hedland Amateur Swimming Club	Shade and protect	\$3,000.00
45	Space Activation Grant		NDIS (National Disability insurance scheme) information evening	\$1,000.00
46	Space Activation Grant	Activate South Hedland	Activate South Hedland Community Market	\$1,000.00
Community Members - Individuals and Groups:				
47	Athlete Development Grant		State Cup - Netball Competition	\$500.00
48	Athlete Development Grant		2021 Auscycling Western Australia BMX State Championships	\$500.00
49	Athlete Development Grant		Country Championships	\$2,000.00
50	Athlete Development Grant		2021 D'Arcy Slater & Foundation Cup - Junior Tennis	\$500.00
51	Athlete Development Grant		BMX National Championships	\$1,500.00
52	Athlete Development Grant		Great Southern Nines Rugby League Tournament, Albany	\$2,000.00
53	Athlete Development Grant		WA STATE CHAMPS LITTLE ATHLETICS	\$1,500.00

54	Athlete Development Grant		Junior State Rugby League Championships 2022	\$2,000.00
55	Athlete Development Grant		Down Under Winter Classic	\$750.00
56	Athlete Development Grant		UCI BMX World Championships	\$2,000.00
57	Athlete Development Grant		U15 Rugby League Championships	\$750.00
58	Artist Development Grant		Love Letters... development of signwriting technique	\$1,000.00
59	Artist Development Grant	The Junction Co.	Youth Arts Project Space	\$2,000.00
60	Donations Under \$300	Lions Cancer Institute Inc		\$300.00

Withdrawn Grants:

#:	Grant Name:	Organisation Name:	Project Title:	Awarded Amount:
1	Business and Tourism Innovation Grant			\$2,000.00
2	Artist Development Grant			\$715.00
3	Youth Leadership and Development Grant			\$1,000.00
4	Friendly Neighbourhood Grant			\$300.00

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 ‘Significant Decision Making’, this matter is considered to be of medium significance, because reporting the awarding of these funds to community and business organisations ensures transparency and accountability.

CONSULTATION

Internal

Consultation has been sought from several Town Officers throughout the process including:

- Manager Financial Services
- Community Engagement Officer
- Manager Youth Community Development
- Director of Community Services
- Sports and Facilities Officer
- Senior Arts, Culture and Events Officer.

External Agencies

- Nil

Community

The Grants were advertised through the Town's website and social media channels, and through email networks. Grant Information Sessions on how to apply for grants were also held at the JD Hardie Youth and Community Hub and the Civic Centre in September 2021. A number of organisations called to find out more information and understand what's available, whether their initiative would fit the criteria and what's covered by each individual grant. The Community Engagement team responded to all enquiries.

LEGISLATION AND POLICY CONSIDERATIONS

Section 6.12 of the *Local Government Act* and Reg. 12 and Reg. 13 Of the *Local Government (Financial Management) Regulations 1996* outline the provisions of granting funding and delegates the CEO authorisation to make the payment.

FINANCIAL AND RESOURCES IMPLICATIONS

At the 26 August 2020 Ordinary Council Meeting, Council adopted the 'Community Grants Policy 6/003' policy review. The Town's Community Grants Program is divided into four streams and facilitates a total of twelve individual grants to encourage various different activities, projects and programs which support the whole community. The set budget for the 2021/2022 Community Grants Program was a total of \$180,000, of which \$171,000 was awarded.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2022-2032 are applicable in the consideration of this item:

- 1.1 A hardy, healthy and safe people
- 1.3. A unique, vibrant and diverse community lifestyle
- 2.3 An enabling, attractive business environment
- 3.3 An accessible, attractive and sustainable urban environment
- 4.1 A global, national, state and local presence and voice
- 4.2 Transparent and accountable governance and financial sustainability

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 3 – Information
- Outcome 4 – Quality of Service

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because unsuccessful applicants took the time and effort to prepare and submit their applications. The risk rating is considered to be low (3), which is determined by a likelihood of possible (3) and a consequence of insignificant (1).

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

The aim of the Town’s Community Grants Program is to encourage activities, projects and programs which support the whole community. Streams and categories have been created to provide a user friendly and fit for purpose grants process.

The purpose of this information item is for Council to note the grants awarded to the community via the Town of Port Hedland’s Community Grants Program for the 2021/2022 financial year to the total value of \$171,600.82.

ATTACHMENTS

Nil

12.2.2 COURTHOUSE GALLERY QUARTERLY REPORT - QUARTER 1 JULY TO SEPTEMBER 2022/2023

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

CM202223/063 COUNCIL DECISION**MOVED: CR GILLINGHAM****SECONDED: DEPUTY MAYOR TURNER**

That Council receives the quarterly report from The Junction Co. for the management of the Courthouse Gallery and activation of South Hedland for the first quarter, July – September 2022

CARRIED BY SIMPLE MAJORITY (7/0)

PURPOSE

The purpose of this report is for Council to consider the financial and general operational report of the Courthouse Gallery and recent additional services to program and activate South Hedland, managed by The Junction Co. for the first quarter from July – September 2022. More specifically, this report addresses the reporting requirements outlined in clause 24.2 in the Management Agreement between the Junction Co. and the Town of Port Hedland (Town).

DETAIL

The contract for the management of the Courthouse Gallery was agreed between the Town and The Junction Co. for the period 1 July 2022 to 30 June 2024. A variation was also approved, commencing on 1 July 2022 to include activation in South Hedland and additional partner locations outside The Courthouse Gallery+Studio. Additional KPI's approved to the existing contract include:

- One additional exhibition is shown during the year in a South Hedland location
- Bi-monthly creative development workshops in various partner locations
- Weekly youth programs in various partner locations
- Weekly disability programs in various partner locations
- An additional community event (in a location other than the Courthouse Gallery+Studio)

Under clause 24.2 of the agreement, The Junction Co. is to provide the Town with a quarterly report, including the following:

- Income and expenditure;
- Patronage of programs and activities;
- Marketing and communication activities undertaken; and
- Maintenance and capital expenditure.

Desired outcomes of the agreement with The Junction Co. are as follows:

- Exhibitions and sale of local art;
- High quality programming, including presentations and workshops;
- Partnerships with local organisations and community groups;
- High quality customer service to visitors of the Gallery;
- A focus on continuous improvement and service growth at the facility;
- A safe, clean and hygienic environment for staff, customers and other visitors;
- Strong and accountable financial management; and
- Clear, concise and accurate quarterly reporting on the operations of the facility.

A summary of the key activities for the quarter July – September 2022 are noted below:

- Act Belong Commit Ebb+Flow: Regional Arts Network Exhibition (*7th August – 30th September 2022*)
 - *Act Belong Commit Ebb+Flow* brings together ten artists from each region of WA and their exploration of constant changes within regional communities. The group of artists explored the past and looked to the future of regional communities addressing temporary periods of decline and growth, drought and rain, hardship and prosperity. The ten residency artists resulted in an exciting co-designed exhibition.
 - The featured artists included Lynda Howitt, Martine Perret, Sarah-Jane Eeles, Mikaela Castledine, Siobhan Kelly, Crystal Stacey, Diedre Robb, Sue Helmut, Nyree Taylor and Marianthe Loucataris
 - The ten artists explored how the above temporary factors outside of our control ‘ebb and flow’ within our unique regional areas, reflected by the various mediums of visual, written, sculptures and digital works
- Public Program: Act Belong Commit – Mark Making (*5th August – 30th October 2022*)
 - *Mark Making* was a free workshop facilitated by Siobhan Kelly (Act Belong Commit Ebb+Flow artist) to share her knowledge and practise with various Hedland community groups
 - These workshops were held in various locations in Port and South Hedland
- Hedland Young Heroes / Hedland Young Leaders
 - Capacity building program and exhibition celebrating young people in Hedland
 - The purpose is to create a positive narrative and celebrate the achievements of Youth in Hedland while building the skills and capabilities of young people through a series of workshops including photography, videography and journalism
 - This project is currently being developed in partnership with the Town’s Youth Services team
- Art Antics (Every Wednesday from 9am – 10am)
 - A children’s art class (five years of age and under) using crafts and art supplies to play and explore while refining their fine motor skills, knowledge of colours and learning in a group environment

- Paint & Sip (20 July and 7 September 2022)
 - *Paint and Sip* is a social painting event for people +18 years. The event includes all materials, a step-by-step demonstration of the project and assistance from a facilitator to create the work
 - These workshops were held in various locations in Port and South Hedland
- Slump & Hump (21 July & 18 August 2022)
 - A social ceramics night for people +18 years to learn fundamental ceramics techniques and create simple household items.
- School Holiday Program (2-13 July 2022)
 - School Holiday Family Market + Kids activities (2 July)
 - Workshop: Me and My Marvellous Mask (6 July)
 - Movies in Portside: Bran Nue Dae (8 July)
 - Morning Yoga (12 July)
 - Paint for Teens (13 July)
- School Holiday Program (in collaboration with AWESOME ARTS)
 - Two artists, Natalie Zuchetti (Perth artist) and Lauren Greatorex (Hedland artist), undertook a two-week residency, developing an exciting program for the youth in Port Hedland.
 - These completed works will be included in the upcoming Youth Exhibition, *Open Borders – The 26th Parallel and Beyond*, opening Saturday, 26 November 2022
- Creative Enterprise – Elevate: Getting Youth Market Ready + Networking (28th July 2022)
 - This networking event was an opportunity to meet other Pilbara stallholders, learn more about creating a successful market stall and preparing for future large-scale events, such as the upcoming Twilight Makers Market.
- Creative Enterprise – Elevate: Creative Content for Ideas for Instagram (21st September 2022)
 - Expert in social media, explored critical elements to successful social media posts businesses and creative practitioners
- Creative Enterprise program for people with disabilities
 - A series of free workshops for Epic, which aims to teach participants new skills and create a pathway for employment / generating income
- The Collab Project
 - Supporting Hedland’s talented local artists to create a range of men’s and women’s clothing, which is currently on sale inside The Courthouse Gallery+Studio and online.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the management of the Courthouse Gallery has positive impacts on the arts and culture opportunities and programs provided by the Town.

CONSULTATION

Internal

- Manager Events, Arts & Culture

External Agencies

- The Junction Co.

Community

- Nil in the creation of this report

LEGISLATION AND POLICY CONSIDERATIONS

There are no legislative or policy considerations for this report.

FINANCIAL AND RESOURCES IMPLICATIONS

The management is included in the Town's annual budget.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2022-2032 are applicable in the consideration of this item:

- 1.3. A unique, vibrant and diverse community lifestyle
- 1.4 Well utilised and valued community facilities and services

Social

There are social benefits from having high quality arts and culture facilities and experiences available to the community. The Courthouse Gallery fulfils an integral role in activating the Town's West End, as an artistic, historical, and cultural precinct. The recent programming and future growth of activation in South Hedland will promote additional opportunities for arts and culture throughout the Town. There are no significant identifiable environmental 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 3 – Information
- Outcome 4 – Quality of Service

Corporate Business Plan

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

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because it may be perceived that the Town has not performed in its duty to provide an Art Gallery, and arts and culture programming to the community. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2).

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

This report is provided to inform Council of the financial and operational progress made by The Junction Co from July to September 2022, in its role as the manager of the Courthouse Gallery and recent variation to program to activate South Hedland with new arts and culture opportunities.

ATTACHMENTS

1. Courthouse Gallery Quarterly Report July to September 2022 (under separate cover)

12.3 Regulatory Services

12.3.1 INITIATION OF AMENDMENT NUMBER 2 TO THE TOWN OF PORT HEDLAND LOCAL PLANNING SCHEME NO. 7 - REZONING LOT 6270 (5) MILLER STREET, WEDGEFIELD TO 'LIGHT INDUSTRY'

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

CM202223/064 COUNCIL DECISION

MOVED: CR ZIELKE

SECONDED: DEPUTY MAYOR TURNER

That Council:

1. Adopt proposed Scheme Amendment No. 2 (Amendment No. 2) to the Town of Port Hedland Local Planning Scheme No. 7 (LPS7) without modifications, Pursuant to section 75 of the *Planning and Development Act 2005* (PD Act) and Part 5 regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).
2. Determine that Amendment No. 2 is a standard amendment pursuant to regulation 35(2) of the Regulations for the following reasons:
 - a) Amendment No. 2 is consistent with the objectives of the Town of Port Hedland Local Planning Strategy; and
 - b) Amendment No. 2 will have minimal impact on land in the scheme area, and it will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
3. Authorise the Chief Executive Officer to arrange for Amendment No. 2 to be referred to the Environmental Protection Authority (EPA), pursuant to section 81 of the PD Act, to enable the EPA to comply with section 48A of the *Environmental Protection Act 1986*.
4. Authorise the Chief Executive Officer to arrange for Amendment No. 2 to be advertised for public inspection pursuant to sections 81 and 82 of the PD Act and in accordance with the procedure set out in Part 5 regulation 47 of the Regulations.

CARRIED BY SIMPLE MAJORITY (7/0)

PURPOSE

The purpose of this report is for Council to consider the adoption of the proposed Amendment No. 2 to the Local Planning Scheme No. 7 (LPS7) for the purposes of advertising.

DETAIL

Development within the Town of Port Hedland is controlled and guided by Local Planning Scheme No. 7 (LPS7) which became operational in 2021. Amendment No. 2 proposes to change Lot 6270 (No.5) Miller Street, Wedgefield (subject site) from 'Environmental Conservation' reserve to a 'Light Industry' zone. Amendment No. 2 proposes alterations to LPS7 Scheme Map only without changes to the LPS7 text.

As mentioned above, Amendment No. 2 proposes to change subject site to 'Light Industry' zone. As per LPS7, the objectives of the Light Industry zone are:

- To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.
- To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.

The proposed amendment is consistent with the planning framework and is aligned with the general principles and broader vision set under the strategic framework for the area. The rezoning to Light Industry will facilitate consistency between LPS7 and the Town's Local Planning Strategy, which recommends light industrial land use for the subject site and locality. The subject site has been used for light industrial purposes by Mammoet Australia and J & S Trucks & Machinery under a crown lease since 2004. Gravity Crane Services Pty Ltd. has sought to purchase the land from the State government, and the scheme amendment to rezone the land to the light industry will reflect the land's current and future industrial use.

The subject site is predominately cleared and contains no areas of biodiversity or conservation significance. In this regard, the existing designation of Environmental Conservation reserve is inappropriate as it does not reflect the actual use of the land. Hence, the proposed rezoning will not result in adverse environmental, planning or amenity outcomes.

Planning Consultant, Element (The Applicant) on behalf of Gravity Crane Services Pty Ltd. has requested the initiation of Amendment No. 2 (**Attachment 1**). The Applicant has submitted a report (**Attachment 2**) to support the proposal. As the subject site is located within a Bushfire Prone Area, a Bushfire Attack Level (BAL) certificate has been submitted as part of the submission report. This assessment has been prepared to accompany the scheme amendment only, to enable initiation by the Town of Port Hedland. Future development of the subject site will require a Bushfire Management Plan to be prepared to demonstrate compliance with State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7) and the Guidelines for Planning in Bushfire Prone Areas.

Statutory Implications

Planning and Development Act 2005:

Clause 75 Amending scheme:

A local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, by an amendment –

- a) Prepared by the local government, approved by the Minister and published in the Gazette; or*

- b) *Proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.*

Clause 81 Proposed scheme or amendment to be referred to the Environmental Protection Authority (EPA).

When a local government resolves to prepare or adopt a local planning scheme, or an amendment to a local planning scheme, the local government is to forthwith refer the proposed local planning scheme or amendment to the EPA by giving to the EPA –

- a) *Written notice of that resolution; and*
b) *Such written information about the local planning scheme or amendment as is sufficient to enable the EPA to comply with section 48A of the EP Act in relation to the local planning scheme or amendment.*

Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)

Under the LPS Regulations, the amendment is considered to be a standard amendment and to progress the amendment the Council must resolve to prepare an amendment to the local planning scheme. The amendment must be referred to the EPA and then advertised in accordance with the Regulations for public comment.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the proposed amendment is consistent with the principles of orderly and proper planning and is largely aligned with the general principles and broader vision set under the strategic framework for the area. Specifically, the change to the 'Light Industry' zone will facilitate consistency between LPS7 and the Town's Local Planning Strategy, which recommends light industrial land use for the subject site.

CONSULTATION

Internal

- Infrastructure Services (Engineering)
- Environmental Health Services
- Rates

External Agencies

Nil

Community

If Council resolves to advertise Amendment No. 2, engagement will take place as required under the LPS Regulations and will include public advertising for a (minimum) period of 42 days and consisting of:

- Publication of a public notice in a newspaper circulating in the scheme area;
- Display of a copy of the notice in the Town administration offices, at each library and on the Town website;
- Display of a copy of the scheme amendment documentation for public inspection;

- Providing the notice to any public authority the Town considers will be affected by the amendment; and
- Providing the notice to any landowners whose property is considered to be directly affected by the amendment.

Submissions received during the public advertising period will be presented back to Council for its consideration.

- Prior to advertising, Amendment No. 2 is required to be referred to the EPA under section 81 of the Planning and Development Act 2005, for the EPA to assess under Section 48A of the Environmental Protection Act, and determine whether an environmental review is required. Given the nature of the proposed amendment, an environmental review is unlikely to be required, however, advertising cannot be undertaken until written advice has been received from the EPA, to confirm this.

LEGISLATION AND POLICY CONSIDERATIONS

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Town of Port Hedland Local Planning Scheme No. 7
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7)

FINANCIAL AND RESOURCES IMPLICATIONS

Not applicable

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2022-2032 are applicable in the consideration of this item:

- 1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.
- 3.2.1 Identify, plan and develop the present and future needs for serviced land and infrastructure provision.
- 3.3.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry.

Economic

The amended Local Planning Scheme will contribute towards having a more streamlined development approval process and encourage investment and economic growth.

RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item because Local Planning Scheme No. 7 needs to be updated with the latest Regulations and ensure it is responsive to current projects and market trends. The risk rating is considered to be medium (8), which is determined by a likelihood of possible (3) and a consequence of moderate (3).

The risk will be mitigated by progressing the Amendment No. 2 and endorsing the Officer Recommendation.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

The proposed scheme amendment is considered to be a ‘standard amendment’ under the LPS Regulations as it is consistent with the Town’s Local Planning Strategy. The amendment will not have an environmental, social or economic impact. The subject site has been used for light industrial purposes under a crown lease since 2004. Changing the land use category to ‘Light Industry’ will align the zone with the existing land use. Considering the above report, it is recommended that Council resolve to adopt the proposed Scheme Amendment No. 2 for the purpose of public advertising.

ATTACHMENTS

1. Cover Letter (under separate cover)
2. Report (under separate cover)

12.3.2 PORT HEDLAND VISITORS CENTRE ANNUAL REVIEW AND EXTENSION OF MANAGEMENT AGREEMENT

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

CM202223/065 COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR ECKHART

That Council:

1. Receive the Annual Report from the Port Hedland Seafarers' Centre Inc. for the management of the Port Hedland Visitor Centre for year two of the management contract 1 July 2021 – 30 June 2022; and
2. In accordance with clause 5.2 (1) of the Port Hedland Visitor Centre Management Agreement, approve the extension of the contract term, with a new contract expiry date of 30 June 2024.

CARRIED BY SIMPLE MAJORITY (7/0)

PURPOSE

The purpose of this report is for Council to consider the financial and general operational Annual Report of the Port Hedland Visitor Centre, managed by Port Hedland Seafarers' Centre Inc. for the period 1 July 2021 – 30 June 2022, and to consider a 12-month extension of the contract term as provided for in the Management Agreement.

DETAIL

The contract for the management of the Port Hedland Visitor Centre was agreed between the Town of Port Hedland and Port Hedland Seafarers' Centre Inc. for the initial period 1 July 2019 to 30 June 2021 with a further three x 12-month extension options.

Under clause 24.3 of the agreement, Port Hedland Seafarers' Centre Inc. is to provide the Town with an Annual Report, including the following:

- Audited income and expenditure statements.
- Marketing and communication activities undertaken;
- A report on how the contractor implemented the Town's Disability Access and Inclusion Plan; and
- Certificate of currency with respect to the insurances required.

Desired outcomes of the agreement with Port Hedland Seafarers' Centre Inc. are as follows:

- A friendly and professional face to face welcome to visitors with consistently high quality, free information service to provide visitors to Port Hedland with insights into the region and distribute information about tourist product available in the region;

- A comprehensive range of local, regional, and state-wide brochures, maps, and directional information both in hard copy and available electronically;
- Information and booking services for accommodation and tours;
- Information on attractions, events, retail outlets, local services, road conditions and transport options;
- A web presence and digital strategy to educate and attract visitors to the local area;
- High quality customer service to visitors to the Visitor Centre;
- A focus on continuous improvement and service growth at the facility;
- A safe, clean and hygienic environment for staff, customers and other visitors;
- Strong, accountable financial management; and
- Clear, concise, accurate quarterly reporting on the operations of the facility.

The annual Key Performance Indicators for the facility will be assessed at the end of the fourth quarter and are as follows:

- 15,000 visitors supported through the Visitor Centre;
- 1000 people hosted on formal tours operated through the Visitor Centre;
- Gold/A1 Tourism accreditation maintained (or equivalent);
- Development of a web presence and digital strategy to educate and attract visitors to the local area;
- Development and distribution of up-to-date tourism documents promoting Port Hedland and the Pilbara region; and
- Execution of a program to greet and engage Cruise Ship visitors that also engages local businesses and community organisations.

The attached Annual Report outlines the progress made by Port Hedland Seafarers' Centre Inc. over the previous year of the management contract. The operating cost of the facility is within the parameters laid out in the management contract.

A summary of the key achievements for the period 1 July 2021 – 30 June 2022 are noted below:

- The Visitor Centre maintained its Level One Western Australian Visitor Centre Accreditation in March 2020. The Centre is accredited until the end of December 2022. Accreditation is renewed annually.
- 16,191 people visited the Centre during 2021/22 FY.
- The Wedge St Markets were continued in the Portside precinct.
- The Visitor Centre has partnered with Spinifex Hill artists and has a range of indigenous art for sale on consignment.
- A total of 5,043 people were booked onto a tour, compared to 3,467 in 2020/21.

The Management Agreement between the Town of Port Hedland and the Port Hedland Seafarers Centre Inc. for the Port Hedland Visitors Centre expires on 30 June 2023.

The current Management Agreement contains the following clause to extend the term:

Clause 5.2 (1). 'The Town may, in consultation with the Contractor, extend the Contract for up to three (3) additional terms of one (1) year each provided the Town gives the Contractor written notice of its intention to put into effect the Initial Extension at least six (6) months prior to the expiry of the Initial Contract Term. The Contractor must provide the Extension Reports to the Town by 1 December before the expiry of the Initial Contract Term. (2). In the event the Town

exercises its right to enforce the Initial Extension, the terms and conditions of this contract will apply to the Initial Extension.

The Port Hedland Seafarers' Centre Inc. have met the KPIs during the last year of Management (excluding Cruise Ship visitor engagement due Covid restrictions), and worked through with the COVID-19 restrictions that were in place at periods during this time. They have also been successful in arranging events, tour offerings and new promotional material such as booklets, to further attract visitors to the Port Hedland region.

Following the performance of the Port Hedland Seafarers Centre Inc. during the past year of the Management Agreement, it is recommended that Council approve the contract extension for one (1) year, for the period 1 July 2023 – 30 June 2024.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the management of the Port Hedland Visitor Centre has positive impacts on the tourism services and programs provided by the Town.

CONSULTATION

Internal

- Manager Business and Economic Development
- Director Regulatory Services
- Communications

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

There are no legislative or policy considerations for this report.

FINANCIAL AND RESOURCES IMPLICATIONS

The management fee of \$368,613.00 for the Port Hedland Visitor Centre was approved in the Town's FY 2022/23 budget. If Council approve an extension to the contract term, it will need to allocate \$346,250.00 (ex GST) in the 2023/24 budget for the contract management fee.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2022-2032 are applicable in the consideration of this item:

- 1.4 Well utilised and valued community facilities and services
- 2.4 Marketing and promotion
- 4.1 A global, national, state and local presence and voice
- 4.3 Effective delivery of services and infrastructure to meet community needs

Environmental

The Port Hedland Visitor Centre promotes and engages visitors and locals on the natural and environmental tourism opportunities in and around Port Hedland such as reef walking tours, turtle observation etc.

Economic

The economic benefits from having a well-managed Visitor Centre include developing a positive narrative about the town and attracting visitors to the region and increased dwell time and spend in the community.

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 3 – Information
- Outcome 4 – Quality of Service

Corporate Business Plan

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

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because it may be perceived that the Town has not performed its commitment to provide visitor services to tourists and the community. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2).

To reduce this risk the action plan is to consistently monitor the contract obligations and ensure Port Hedland Seafarers' Centre Inc. is performing in its duties to the best of its ability to meet or exceed key deliverables outlined in the management contract. The Town will also engage with the Visitors Centre to align on marketing and social media outcomes.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

CONCLUSION

This report is provided to inform Council of the annual financial and operational progress made by Port Hedland Seafarers' Centre Inc. from 1 July 2021 – 30 June 2022 in its role as manager of the Port Hedland Visitor Centre.

In addition, it is suggested Council approve a further 12-month extension to the contract term. This extension will enable the Port Hedland Seafarers' Centre Inc. to confidently plan their visitor service programming and resources.

ATTACHMENTS

1. Port Hedland Visitors Centre - Financial Statement - Confidential (under separate cover)
2. Port Hedland Visitor Centre - Annual Report (under separate cover)
3. Port Hedland Visitor Centre - Visitor Comments (under separate cover)

12.4 **Infrastructure Services**

Nil

12.5 **Executive Services**

Nil

Item 13 Motions of which Previous Notice has been given

Nil

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

Nil

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

CM202223/066 COUNCIL DECISION

MOVED: DEPUTY MAYOR TURNER

SECONDED: CR BENNETT

That Council close the meeting to members of the public as prescribed in section 5.23(2) of the Local Government Act 1995, to consider item 15.1

CARRIED BY SIMPLE MAJORITY (7/0)

5:56pm The Mayor declared the meeting closed to the public.

5:57pm The Chief Executive Officer, Town of Port Hedland Directors and Staff and all members of public left the meeting.

CM202223/067 COUNCIL DECISION

MOVED: CR CHRISTENSEN

SECONDED: CR ECKHART

That Council suspend sections 9.4, 9.5 and 9.9 of the Town of Port Hedland Standing Orders Local Law 2014 in accordance with section 18.2 'Suspension for Standing Orders'.

CARRIED BY SIMPLE MAJORITY (7/0)

6:48pm Cr Jan Gillingham left the meeting

6:50pm Cr Jan Gillingham returned to the meeting

15.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

Author: Manager Human Resources

Authorising Officer: Mayor

Disclosure of Interest: The CEO declared a financial interest as this matter relates to his contract of employment with the Town.

This matter is considered to be confidential under Section 5.23(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees.

CM202223/068 COUNCIL DECISION**MOVED: CR ECKHART****SECONDED: CR CHRISTENSEN**

That Council, pursuant to sections 5.38 and 5.39 of the Local Government Act 1995 section note and endorse the October 2022 Chief Executive Officer's Performance Review report and:-

1. Notes that Mr. Askew's Performance Review in his role as Chief Executive Officer for the Town of Port Hedland for the period September 2021 to August 2022 has been undertaken;
2. Endorses Mr. Askew's overall assessment of 'Meets Performance Requirements' for the period from September 2021 to August 2022;
3. Endorses the Performance Criteria outlined in Attachment 2 for the 2023 appraisal period;
4. Schedules the next annual performance review to be commenced by 1 July 2023 and completed by 31 August 2023 with the report going to the August 2023 Ordinary Meeting of Council;
5. Has reviewed the CEO's Total Remuneration Package in accordance with the contract of employment and the SAT (Salaries and Allowances Tribunal) determination dated 7 April 2022 (effective 1 July 2022), and supports an increase in the CEO's remuneration of 1.25% effective from 31 August 2022.

CARRIED BY SIMPLE MAJORITY (7/0)

CM202223/069 COUNCIL DECISION**MOVED: CR CHRISTENSEN****SECONDED: CR ECKHART**

That Council resume sections 9.4, 9.5 and 9.9 of the Town of Port Hedland Standing Orders Local Law 2014.

CARRIED BY SIMPLE MAJORITY (7/0)

CM202223/070 COUNCIL DECISION**MOVED: CR CHRISTENSEN****SECONDED: CR ECKHART**

That Council open the meeting to members of the public.

CARRIED BY SIMPLE MAJORITY (7/0)

7:05pm The Presiding Member declared the meeting open to members of the public.

7:06pm The Presiding Member read aloud the Council decision as determined behind closed doors and as printed above.

Item 16 Closure

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 14 December 2022 commencing at 5:30 pm.

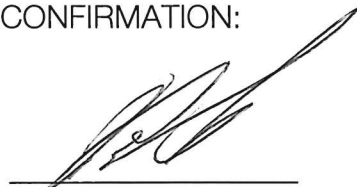
16.2 Closure

There being no further business, the Presiding Member declared the meeting closed at 7:07 pm.

DECLARATION OF CONFIRMATION OF MINUTES

I certify that these Minutes were confirmed by the Council at its Ordinary Council Meeting on 14 December 2022.

CONFIRMATION:

A handwritten signature in black ink, consisting of several overlapping loops and a long, sweeping tail that extends upwards and to the right.

PRESIDING MEMBER

14/12/2022
DATED