



# MINUTES

## Ordinary Council Meeting Wednesday, 27 April 2022

**Date:** Wednesday, 27 April 2022

**Time:** 5:30pm

**Location:** Civic Centre  
McGregor St  
Port Hedland

**Distribution Date:** Wednesday, 11 May 2022



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Mayor

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**Item 1 Opening of Meeting**

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The Presiding Member declared the meeting open at 5:31 pm.

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**Item 2 Acknowledgement of Traditional Owners and Dignitaries**

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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.

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**Item 3 Recording of Attendance**

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*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 Renae Coles  
Cr Jan Gillingham  
Cr Ash Christensen  
Cr Flo Bennett  
Cr David Eckhart

**In Attendance:** Carl Askew (Chief Executive Officer)  
Karren MacClure (Director Corporate Services)  
Cheye Hill (Acting Director Community Services)  
Craig Watts (Director Regulatory Services)  
Lee Furness (Director Infrastructure Services)  
Joyce Routledge (Acting Manager Governance)  
Jenna Brown (Acting Senior Governance Advisor)  
Christine Fairbrother (Corporate Support Officer/Minute Taker)

**3.2 Attendance by Telephone / Instantaneous Communications**

Cr Elmar Zielke

**3.3 Apologies**

Director Community Services

**3.4 Approved Leave of Absence**

Nil

**3.5 Disclosure of Interests**

Name	Item no.	Interest	Nature
Councillor Tim Turner	12.3.4	Impartial	Employer is engaged in supporting Night Lights activities
Councillor Flo Bennet	12.3.4	Impartial	Employer is a major sponsor of Night Light Activities Program
Councillor Ash Christensen	12.3.4	Impartial	Employer is a major sponsor of Night Light Activities Program
Councillor Jan Gillingham	12.3.1	Impartial	Teaching position at School of the Air
Councillor Jan Gillingham	12.3.2	Impartial	Teaching position at School of the Air

**Item 4 Applications for Leave of Absence**

Nil

**Item 5 Response to Previous Questions**

Nil

**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 5.35pm.

**6.1.1 MS. LOUISA LARADO**

*We recently held a Special Electors Meeting on the 12<sup>th</sup> of this month, 2 weeks ago, we the electors would like to know when will the motions that we agreed to, be presented to the Council for consideration.*

Response provided by the Mayor

They will be heard at the next council meeting on the 25 May 2022, the details will be in the minutes before that meeting.

*Note: during this OCM the councillors voted to hold a Special Council Meeting to consider the motions of the Special Electors Meeting. The Special Council Meeting will be held on 11 May 2022*

**6.1.2 MR. RYAN O'CONNELL**

*Following on from Louisa, why are the Special Electors Meeting motions not on this Agenda.*

Response provided by the Mayor

They have not been finalised.

*Has the Town requested legal advice for the motions*

Response provided by the Chief Executive Officer

Yes they have been referred for advice

*Is there any chance that we can see the advice*

Response provided by the Chief Executive Officer

No, that will be privileged information for Council when we receive it

*Can you tell us what the instructions to the lawyers were in relation to the advice*

Response provided by the Chief Executive Officer

In general terms the advice will be in relation to the scope of the general function of local government.

**6.1.3 MR. JOHN ASHENDEN**

*The minutes of the Special Electors Meeting have not been listed on the council website, as per the Local Gov Act requirements, why is that? Do you not agree that 13.1.a of Local Government Administration Regulations require you to publish the unconfirmed minutes of the Special Electors Meeting within 14 days of the meeting being held*

Response provided by the Chief Executive Officer

The minutes are being finalised, as soon as they are finalised they will be published. The minutes are not required to be published in accordance with that particular regulation, that regulation is for council minutes and committee meeting minutes only. Section 5.32 of the *Local Government Act* provides for the CEO to ensure copies of the minutes of an elector's meeting are made available for inspection by members of the public before the council meeting at which the decisions made at the elector's meeting are first considered.

*Ok it is a meeting chaired by the Mayor, is it not.*

Response provided by the Mayor and Chief Executive Officer

Correct.

*And the minutes should be published.*

Response provided by the Chief Executive Officer

The minutes will be published when they are finalised.

*Why was the SEM not livestreamed as there was a number of our elected councillors and members of the public who were unable to attend in person but wished to be able to still view and hear the passionate stories and pleas of their electors and their motions.*

Response provided by the Chief Executive Officer

Council did not have the resources to livestream the meeting however being an elector's meeting permission was given for the organisers of the event to livestream should they wish to. An audio of the meeting was recorded for minute taking purposes and the audio may be released to third parties on request.

*Is there any valid reason why the electors were ordered to turn off our mobile phones during the meeting yet your paid staff were openly and disrespectfully using their phones in front of all of us even removing themselves from the meeting to use their phones or was this yet another display of discrimination.*

Response provided by the Chief Executive Officer

There were some phone calls made because as it got darker during the meeting the lights were not coming on, so we had someone go and make a phone call to fix the lights.

The question was taken on notice to provide a further response.

Response provided by the Director Infrastructure Services and Director Regulatory Services

The Director Infrastructure Services and Director Regulatory Services left the meeting to contact on call staff and contract electricians to have the external lights to the Administration Building activated, to illuminate and make safe the area where the Special Meeting of Electors

was being held. No recording of the meeting was undertaken by either Director as per the direction of the Mayor, and the mobile phones were not used for any other purpose.

#### 6.1.4 MRS. GLORIA JACOB

*Given the amount of criminal activity that is currently sweeping our community, can Council provide an update on what it is doing in response to the community concerns and what its long term strategy is to address the issue of juvenile crime.*

Response provided by Deputy Mayor Turner

As you will see on the agenda tonight, the council and the Town of Port Hedland have undertaken, over the last 12 months, and completed, the draft Hedland Youth Plan. The plan provides the community with a framework outlining key areas and a number of initiatives and actions to work towards a safer community, build the capability of young people and the engagement of our young people.

The Town are at the table with a range of other stakeholders who collectively manage and support a range of initiatives. In the last two weeks the Town, in partnership with the West Coast Eagles, Youth Involvement Council, in partnership with Royal Life Saving and a range of other stake holders, implemented a successful two week comprehensive school holiday. At the same time the Town had constant liaison with the police, in the last two weeks the police have committed additional resources to Hedland (Operation Shield), that resulted in the night-time engagement of approx. 97 young people after 9pm.

We have the community safety plan, that for this year, will be under review so there will be opportunities to strengthen the plan as well as look at how we can improve it. One of the exciting things about council and what the Town are doing is making that investment and we are seeking to work with businesses, community and families in delivering services and looking at how can we do this differently, how do we do it better, how do we get the outcomes, the metrics. Thank you.

*Well the Town can see that crime of this nature doesn't occur between the hours of 8am to 9pm at night and that mostly this type of activity occurs after 9pm. Would the Town consider suggestions that I've made for a 24 hour facility for youth at risk?*

Response provided by Deputy Mayor Turner

That is an excellent suggestion, certainly for myself it would be a consideration and again that would have to be done in partnership and in collaboration with the other services including State Government agencies. When we are talking about residential care, that has statutory responsibilities and there are agencies responsible for this. There is a conversation there for State and Federal Government on how that might be progressed.

*Thankyou Deputy Turner and we will agree that that conversation has been happening for decades. Perhaps now is the time for some serious action rather than conversation.*



*In relation to item 12.1.3 Public Interest Disclosure Policy, given the label Public Interest Disclosure Policy I would like to ask Council with all the other matters requiring councillors deliberation, why this policy was deemed necessary to review at this expedited moment.*

Response provided by the Chief Executive Officer

It is not necessarily expedited but we are in the process of reviewing all of our policies and we have a schedule of policies to be reviewed and considered by council. There were some legislative changes required to the policy. Apologies for the track changes version we will publish for the minutes a clean version of that policy.

*Just quickly, will the current review of this policy affect the process of matters being considered by council?*

Response provided by the Chief Executive Officer

No, it will not change the current process.

<b>6.1.5 MR. CAMILLO BLANCO</b>
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*I am interested in reading the minutes for the Special Electors Meeting and have been waiting for them to come out, they haven't come out. You stated that the Act related to council meetings and committee meetings. Can you elaborate on why the minutes haven't been published within the time frame, or how you come to that decision?*

Response provided by the Chief Executive Officer

The timeframe as published in the regulations says 10 days for any council meeting minutes and 5 days for committee meeting minutes. An electors meeting is neither of those, it is not a meeting of council or a committee meeting, there is no stated timeframe for the publishing of the electors minutes, they are currently being finalised and I expect that they will be on the website either tomorrow or the day after.

*Currently Standing Orders 19.10 Minutes of Electors Meetings are dealt with in the Act. If they are dealt with in the Act we should have that answer as to where the minutes are and what the requirements are and to publish the meeting and publish those meeting minutes?*

Response provided by the Chief Executive Officer

Minutes of the Electors Meeting are recorded and published, but timeframes are not specified in the Act.

The Presiding Member declared Public Question Time closed at 5:53pm.

## **6.2 Public Statement Time**

The Presiding Member declared Public Statement Time open at 5:53pm.

**6.2.1 MR. CAMILLO BLANCO**

Mr Blanco further discussed the timeline for the publishing of minutes then went on to discuss youth crime, outlining issues including excessive alcohol consumption and the dysfunction this causes in the family home. He went on to say the Town of Port Hedland paid serious money to do a study into how many agencies we had in Hedland, where the money is and what the money was focused for, we were supposed to look into it and hold these agencies to account. We know there's 55 agencies in Hedland receiving funding, its 10's of millions of dollars. Go back to that report and look at what that outcome was in that report, what are those agencies doing. How much money are they receiving and what is the cross over on the funding.

**6.2.2 MR. JOHN ASHENDEN**

I want council to understand the electors are requesting the council to challenge any legal matter requested. A number of challenges around the country have proved these mandates have been unlawful, people have lost their businesses, their jobs, livelihoods, not to mention have become very ill. We have just had ANZAC day, my grandfather served in the war and paid the ultimate price, can you imagine how these soldiers would feel seeing the very things they fought and died for now visiting our shores.

**6.2.3 MRS GLORIA JACOB**

I have to say one reason why we have had such issues with attention to youth is mainly because council has not been able to work as a team. We need a council that stands together. Mrs Jacobs further commented on the minutes of the Special Electors Meeting.

In regards to youth crime, we have been highly consulted, highly communicated to around this, and the growing incidence of juvenile crime and delinquent behaviour, understanding that the Minister Paul Papalia was here recently and we all had a wonderful photoshoot announcing operation Regional Shield, the taskforce, is to be expanded to some parts of the Pilbara. This is good news, however we the people in the businesses are looking for more action on a community level, the Town must be a leader in this space.

We don't want to send juveniles to Perth, we don't want to put them into a system that doesn't provide an environment that's nurturing or supportive, that will help build their pathway to adulthood. The offenders now have become so desensitised to the system, we have youths breaking in and entering, ram-raiding homes and businesses and police vehicles. They go through the system then go through the process, then there is no accountable outcome for these kids.

The community feels they are getting away with lots. Serious mishap may occur and this community becomes so infused with the lack of action, the lack of accountability, be it all the various government departments and organisations that are in this space then we have a problem. We have people on this council born here, lived here 30 – 40 years, you have seen it, you have heard it and now is the time for us to really hold people accountable in the community and for the Town to show leadership. It's a hard process, hard conversations need to happen and organisations held accountable as to what they do in the community and what their expectations are. The community is bleeding out there and it is not good fun, business

owners are hurting and people are worried about what solution there is to youth crime, youth are falling through the cracks and we need to act.

#### 6.2.4 MS. JILLIAN FISHER

I was disappointed at the lack of council members who turned up to the Special Electors Meeting. Our organisation worked really hard and went through all the steps, we had to have the meeting later than we wanted and the Mayor and Councillor Coles were the only ones to turn up. On that note I would like to repeat my speech from the Special Electors Meeting.

Ms Fisher spoke about how she has lived in South Hedland for 4 years and before South Hedland spent 4 years at Yandeyarra Community. Ms Fisher came from a rural background and worked her way towards a HC licence. The transport industry was affected by the implementation of the WA Government mandate system, effectively putting an end to her dreams of becoming a quad driver, as our health is a major consideration and believes the government has no actual health reason for the vaccine to be a requirement for a trucking position. Ms Fisher found it incredulous at the insistence of the WA Government that local companies implemented the mandates usurping any rights over her employment contract.

After months of searching, Ms Fisher has found employment in an unmandated position but is not working to her potential and has taken a pay cut and exhausted her savings. The mandate is affecting our town and our social circles and calls on Councillors to recognise what effect these mandates are having on our town and its families. Ms Fisher insisted that the Town cannot afford to miss these motions and fail to continue this process to stop mandates against its residence preferred wishes. Ms Fisher went on to say the Council have been elected to represent the views of the residents of our town and trust the council to do so.

#### 6.2.5 MS. LOUISA LARADO

This is the first council meeting I have attended in person. I'm a little disappointed, Mayor Carter I have not heard you respond to anyone's questions, you are relying on your CEO or your Deputy Mayor, as elected Mayor I expected more. I am also disappointed following on from our Special Electors Meeting, we were really excited to speak to you all as a group, we have elected you guys to represent us, we wanted you to hear firsthand why these were such big concerns. I would like to share a bit about what I shared that night so hopefully we can get these motions actioned.

Ms Larado introduced herself as an elector, a local resident and a primary school teacher and has been for over 10 years. Ms Larado explained that as a teacher, part of the curriculum is about consent choices and feels that the teaching curriculum does not align with the actions of the country. Ms Larado felt pressure to get vaccinated to keep her job. Ms Larado explained that she is not anti-vaccination and has had hers and her children have been vaccinated in the past, however the previous decisions to be vaccinated were based on health needs. Ms Larado asked the meeting how many people were vaccinated and felt they had no choice. Ms Larado said she had to walk away from teaching at a time when teachers were needed the most and feels the mandates have segregated our community and taken away our basic freedoms. Ms Larado asked the meeting attendees to vote to drop the mandates and reunite Hedland.

**6.2.6 MR. RYAN O'CONNELL**

Mr O'Connell chose to read his statement from the Special Electors Meeting. He believes we have been made pawns in the government's chess board and that declaring a State of Emergency with so few cases seemed extreme and were led to believe it was in our best interest. Mr O'Connell discussed the vaccine, the media campaign and was prepared to be vaccinated until the government made it mandatory. Mr O'Connell doesn't think the government had the right to force him into taking a vaccine that "clearly hadn't been put through rigorous testing that all other vaccines had been put through." Mr O'Connell mentioned the people who have lost their jobs from not being vaccinated including his own earning capacity. Mr O'Connell encourages all Australians to ask questions about the effectiveness of the vaccinations and mandates and the government is there to serve the people not control them. He directed to the Councillors that their job is to fight for what the people want to make Port Hedland an inclusive community and not to allow division to continue and please end the mandates and support individuals right for freedom of choice.

Mr O'Connell went on to say he had made Hedland his home and was a proud member of the BHP team and has lost his job and will be losing his accommodation. He was a very proud happy member of Rovers Football Club where he made his return to football after 20 years and now he can't even play football or even train, He doesn't think this is right, he thanked the council for their time and thought it beneficial to reread his statement for those who could not be there on the night of the Special Electors Meeting.

**6.2.7 MS LYNNE TAYLOR**

I was here maybe 6 weeks ago at a meeting and mentioned how there's no lights working down the central business district of Port Hedland, there's one at the entrance of my hotel but not another light on the street working. I have rang the power company, I have called and spoken to Western Power, and mentioned it here, still nothings been done. With the youth crime, don't you think it would be clever to put some lights on. It looks like we're not paying our power bill right in the middle of the business district.

I was here at the Special Electors Meeting to say I do not want mandates in our town. I run a dangerous hotel, I have to deal with this without any help in this town and I've had enough of how this town does nothing about the break and enters, they just continue to let it happen all the time.

24 years I have lived in this town, have been a member of this town where I have worked and I've had enough of how I can't work my own hotel. Ms Taylor then went on to discuss her own personal circumstances and health issues.

**6.2.8 MS MERRYLN BROWNING**

Ms Browning thanked everybody for their time and appreciated another opportunity to speak. I'm not going to make a speech, I'm not a Scientist, I'm not a Doctor but I am going to read out this letter from a PhD leading expert and authority on the historical control of infection disease.

Ms Browning discussed a PhD leading expert and authority on the historical control of infectious disease and the Covid-19 vaccines, gene technology, health issues and injuries and the reactions.

Ms Browning went on to say that there is no justification for labelling healthy people as unvaccinated because there is no vaccine that is preventing Covid-19 disease, plus humans have an immune system that provides natural immunity to Covid-19 disease.

Ms Browning stated there should never be discrimination against healthy people based on a pharmaceutical drug and that vaccines for healthy people must always be a choice.

The Presiding Member declared Public Statement Time closed at 6:44pm.

**6.3 Petitions/Deputations/Presentations/Submissions**

Nil.

**Item 7 Questions from Members without Notice****7.1 CR JAN GILLINGHAM**Councillor Gillingham

- 1. Can we get a CALM (Department of Conservation & Land Management) or Fisheries here permanently to protect our reef opposite Dome café and Sutherland Street? We need fines issued to those not following bag limits of clams in particular and the octopus are disappearing.*

Director of Regulatory Services

The Town contacted Fisheries (part of the Department of Primary Industries and Regional Development) in March, who confirmed that they had received a complaint in relation to persons taking clams in excess of legislated bag limits. They had received photos of the person taking the clams, and will refer back to the original complainant once investigations are completed. The Fisheries officer advised that the Karratha Office patrols an area from Onslow to Port Hedland, with the Town visited regularly, though their presence will vary depending on the time of year and weather opportunities. Fisheries Officers try to address non-compliance with both related infringements and an overall education result. The Port Hedland Reef is not something Fisheries Officers have specifically focussed on in the past, but now they have received specific reports, intend to focus more heavily on patrolling the reefs between Spoil bank and Cooke Point. Fisheries patrols cover varying tides and weather windows – reef fishing normally occurs over low tide so if their officers are on duty over this time when a reef platform

is exposed, these areas will receive higher patrol coverage. Fisheries rely heavily on the public reporting illegal activity when it is happening to their Fishwatch phone line 1800 815 507 so that they can respond in real time. A letter has also been forwarded to the Department requesting a permanent office and presence within Port Hedland.

In addition, and based on the advice of Fisheries, initial contact has been made with Kariyarra Aboriginal Corporation, Pilbara Ports Authority, Recfish West and WA Fisheries Industry Council to seek support for the reef, or part of the reef, to become a protection zone whereby persons cannot take shellfish (including clams) or cephalopods (octopus). This will not prevent residents line fishing in the area using hand lines or rod and reel, as this remains a popular fishing area. If letters of support are provided, a report will be provided to Council to progress community consultation with a view to seeking ministerial support for the protection zone over part or all of the reef.

2. *Regarding 12.4.2, has a public consultation already gone out to people on Sutherland Street and Keesing Street because of the intention of council to remove the Tamarix trees, to see if they want these removed?*

Director of Infrastructure Services

Not as yet.

7.2	DEPUTY MAYOR TURNER
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Deputy Mayor Turner

*I'd like to ask the CEO if for the next council meeting we could have a report regarding the community audit for public spaces? I've spoken to that at the last two council meetings and really keen to see what's available and how we can support some of the not-for-profits that are requiring community space.*

Director Community Services

A report outlining the availability of community space across Hedland will be circulated to all Elected Members by the end of May 2022.

7.3	CR ASH CHRISTENSEN
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Cr Christensen

*Can we have a definitive timeframe for when the Minutes from the Special Electors Meeting will be ready, as this will dictate how much time we have to prepare for the debate?*

Chief Executive Officer

48 hours.

**7.4 COUNCILLOR REQUEST FOR SPECIAL MEETING**

CM202122/168 COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR COLES

That Council:

Hold a Special Council Meeting to discuss the motions passed at the Special Electors Meeting on the 12th April 2022, as soon as possible before the May OCM.

*CARRIED BY SIMPLE MAJORITY (6/2)*

**AGAINST:** Mayor Peter Carter and Deputy Mayor Turner who stated a preference to consider the motions from the Special Electors Meeting at the next OCM to be held on 25 May 2022.

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**Item 8 Announcements by Presiding Member Without Discussion**


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The Mayor's meetings for the month of March:

<b>Date</b>	<b>Meeting</b>	<b>Meeting Details/Comments</b>
01/03/2022	Hedland Community Safety Advisory Forum	Attended as Speaker
01/03/2022	ToPH Town Hall Welcome Address SHISH	Attended as Speaker
01/03/2022	Confidential Briefing, Chambers	Attended as Speaker
04/03/2022	REDS Grant, Karratha	Attended as Guest
09/03/2022	GWN7	Radio Interview
09/03/2022	Meet with Kevin Michel MLA	Meeting on town events
09/03/2022	BHP Stakeholder Engagement Group (SEG)	Attended as Guest
10/03/2022	Attend Tracks We Share Event Perth	Attended as Guest
10/03/2022	Meeting with Minister MacTiernan	Attended as Guest
11/03/2022	More Than Mining Steering Group	Attended as Guest
16/03/2022	Port Primary School Leadership Visit	Meet with students
16/03/2022	Agenda Feedback Session – Chambers	Attended as Speaker
17/03/2022	Pilbara Construction Meeting	Attended as Guest
17/03/2022	CME Dinner	Attended as Guest
18/03/2022	Discussion on Training Facilities	Attended as Guest
21/03/2022	De Grey Mining Meeting	Attended as Guest
21/03/2022	Taxi Company Meeting	Attended as Guest
22/03/2022	De Grey Mining Presentation – Wangankura Stadium	Attended as Guest
23/03/2022	Ordinary Council Meeting	Attended as Speaker
24/03/2022	Budget Workshop #1	Attended as Guest
25/03/2022	Ngarda Media Radio Interview	Radio Interview
25/03/2022	Pilbara Construction Meeting	Attended as Guest
25/03/2022	HMI Buy Back Scheme Meeting	Attended as Guest
25/03/2022	BHP Catch Up Meeting	Meeting on town events
28/03/2022	BHP Meeting with Patrik Melberg	Attended as Guest
28/03/2022	DAMA Advertising Meeting for ToPH and Karratha	Meeting
29/03/2022	Global Iron Ore & Steel Conference – Perth	Attended as Guest
29/03/2022	Global Iron Ore & Steel Conference – Perth	Attended as Guest
30/03/2022	Confidential Briefing	Attended as Speaker via Teams
31/03/2022	Chat with Ecky	Radio Interview



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

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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 Flo Bennett  
Cr Ash Christensen  
Cr Renae Coles  
Cr Jan Gillingham  
Cr David Eckhart  
Cr Jan Gillingham

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**Item 10 Confirmation of Minutes of Previous Meeting**

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*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.*

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**CM202122/169 COUNCIL DECISION****MOVED: DEPUTY MAYOR TURNER****SECONDED: CR CHRISTENSEN**

That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday 23 March 2022 are a true and correct record.

***CARRIED BY SIMPLE MAJORITY (8/0)***

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**Item 11 Reports of Committees**

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Nil.

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**Item 12 Reports of Officers**

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**12.1 Corporate Services****12.1.1 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 28 FEBRUARY 2022**

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

CM202122/170 COUNCIL DECISION

MOVED: DEPUTY MAYOR TURNER

SECONDED: CR BENNETT

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

1. Receive the Statement of Financial Activity for the period ended 28 February 2022;
2. Receive the Material Variance Report;
3. Note the Accounts paid under the delegated authority for the period ended 28 February 2022; and
4. Receive the Credit Card Statements for the period ended 28 February 2022.

*CARRIED BY SIMPLE MAJORITY (8/0)*

**PURPOSE**

The purpose of this report is to present to Council the Statement of Financial Activity for the period ended 28 February 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 28 February 2022, with financial results included in *Attachment 1. Statement of Financial Activity inclusive of Notes 1-16* prepared by the Town of Port Hedland (Town).

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 2021/22 original budget, Council adopted the following thresholds as levels of material variances for financial reporting.

1. 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 (\$3.374M) presented in YTD Actual on the Statement of Financial Activity is as per the closing deficit of the audited June 2021 financial statements.

The net current funding position (surplus/(deficit) from the Statement of Financial Activity as at 28 February 2022 is a surplus of \$17.39M.

The breakdown of the cash position is displayed below:

	2021/22 Actuals
Current Assets: Cash and Investments	\$231.80M
Restricted Cash – Reserves	\$214.64M
<b>Unrestricted Cash Position as at 28 February 2022</b>	<b>\$17.16M</b>

### *Previous Decisions*

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

### LEVEL OF SIGNIFICANCE

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

### CONSULTATION

#### *Internal*

- All consultation and engagement is conducted internally.

#### *External Agencies*

- Nil

#### *Community*

- Nil

### LEGISLATION AND POLICY CONSIDERATIONS

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

### FINANCIAL AND RESOURCES IMPLICATIONS

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

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

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

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

## RISK MANAGEMENT CONSIDERATIONS

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

There is a risk rating of medium (6) assigned to the risk, as a reduction in income or increase in expense throughout the 2021/22 financial year, is likely to have an impact on the Town's ability to meet service levels or asset renewal funding requirements. The risk action plan is to monitor revenue and expenditure on a regular basis, ensure it aligns to budget and amend as needed through the scheduled budget review process.

## OPTIONS

### *Option 1 – Adopt officer's recommendation*

Note the Statement of Financial Activity and reports for the period ended 28 February 2022 in accordance with regulation 34(1) of the Local Government (Financial Management) Regulations 1996.

### *Option 2 – Amend officer's recommendation*

That Council receive the Statement of Financial Activity for the period ended 28 February 2022 and request further information or clarification.

### *Option 3 – Do not adopt officer's recommendation*

That Council do not note or receive the Statement of Financial Activity for the period ended 28 February 2022.

## CONCLUSION

The opening funding deficit of (\$3.37M) presented in YTD Actual on the Statement of Financial Activity, is as per the closing deficit presented in the audited financial statements from June 2021. The net current funding position is \$17.39M.

## ATTACHMENTS

1. Monthly Financial Statements - February 2022 (under separate cover)
2. Material Variance Report - February 2022 (under separate cover)
3. Credit Card Payments - February 2022 (under separate cover)
4. List of Payments Report - February 2022 (under separate cover)

**12.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MARCH 2022**

**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.

**CM202122/171 COUNCIL DECISION****MOVED: DEPUTY MAYOR TURNER****SECONDED: CR ECKHART**

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 March 2022;
2. Receive the Material Variance Report;
3. Note the Accounts paid under delegated authority for the period ended 31 March 2022; and
4. Receive the Credit Card Statements for the period ended 31 March 2022

*CARRIED BY SIMPLE MAJORITY (8/0)***PURPOSE**

The purpose of this report is to present to Council the Statement of Financial Activity for the period ended 31 March 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 March 2022, with financial results included in Attachment 1. Statement of Financial Activity inclusive of Notes 1-16 prepared by the Town of Port Hedland (Town).

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 2021/22 original budget, Council adopted the following thresholds as levels of material variances for financial reporting.

1. 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 (\$3.374M) presented in YTD Actual on the Statement of Financial Activity is as per the closing deficit of the audited June 2021 financial statements.

The net current funding position (surplus/(deficit) from the Statement of Financial Activity as at 31 March 2022 is a surplus of \$23.374M.

The breakdown of the cash position is displayed below:

	2021/22 Actuals
Current Assets: Cash and Investments	\$227.91M
Restricted Cash – Reserves	\$207.08M
<b>Unrestricted Cash Position as at 31 March 2022</b>	<b>\$20.83M</b>

### *Previous Decisions*

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

### LEVEL OF SIGNIFICANCE

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

### CONSULTATION

#### *Internal*

- All consultation and engagement is conducted internally.

#### *External Agencies*

- Nil

#### *Community*

- Nil

### LEGISLATION AND POLICY CONSIDERATIONS

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

### FINANCIAL AND RESOURCES IMPLICATIONS

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

- 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 2018-2028 is applicable in the consideration of this item:

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

4.b.2 Transparent and regular financial reporting and communication to the community is undertaken

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

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

### RISK MANAGEMENT CONSIDERATIONS

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

There is a financial risk associated with this item because as a reduction in income or increase in expense throughout the 2021/22 financial year, is likely to have an 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*

Note the Statement of Financial Activity and reports for the period ended 31 March 2022 in accordance with regulation 34(1) of the Local Government (Financial Management) Regulations 1996.

#### *Option 2 – Amend officer's recommendation*

That Council receive the Statement of Financial Activity for the period ended 31 March 2022 and request further information or clarification.

#### *Option 3 – Do not adopt officer's recommendation*

That Council do not note or receive the Statement of Financial Activity for the period ended 31 March 2022.

### CONCLUSION

The opening funding deficit of (\$3.37M) presented in YTD Actual on the Statement of Financial Activity, is as per the closing deficit presented in the audited financial statements from June 2021. The net current funding position is \$23.374M.

### ATTACHMENTS

1. Monthly Financial Statements - March 2022 (under separate cover)
2. Material Variances - March 2022 (under separate cover)
3. List of Payments - March 2022 (under separate cover)
4. Credit Card Report - March 2022 (under separate cover)



**12.1.3 1/023 PUBLIC INTEREST DISCLOSURE POLICY**

**Author:** Acting Manager of Governance  
**Authorising Officer:** Acting 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.

**CM202122/172 COUNCIL DECISION****MOVED: CR ZIELKE****SECONDED: CR BENNETT**

That Council adopts the amended Policy 1/023 'Public Interest Disclosure Policy' as per Attachment 1.

*CARRIED BY ABSOLUTE MAJORITY (8/0)*

**PURPOSE**

The purpose of this report is for Council to consider the amendments made to 1/023 'Public Interest Disclosure Policy'

**DETAIL**

Policies are adopted by Council and establish guidelines or provide direction for the Town of Port Hedland's (Town) activities and actions. Policies are defined as the principles and intent behind the programs that a local government implements. A policy can also be a general plan or approach to a specific need, problem or issue.

*The Public Interest Disclosure Act 2003 (PID Act)* applies to public authorities as defined by s.3 of that Act. Public authorities include Local Government. The PID Act aims to ensure openness and accountability in government by encouraging people to speak up about public interest information without the fear of reprisal. The PID Act provides a system for matters disclosed to be investigated and for appropriate action to be taken.

The Town of Port Hedland's Policy 1/023 'Public Interest Disclosure Policy' has been amended in accordance with the Public Sector Commission's policy and procedures template to ensure the policy is relevant and up to date.

**LEVEL OF SIGNIFICANCE**

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

**CONSULTATION***Internal*

Chief Executive Officer

*External Agencies*

Public Sector Commission

*Community*

Nil

**LEGISLATION AND POLICY CONSIDERATIONS**

*Town of Port Hedland PID Fact Sheet*

*AS 8004–2003 (Whistleblower Protection Programs for Entities)*

*AS 8001–2008 (Fraud and Corruption Control)*

*Public Interest Disclosure Act 2003*

*Public Interest Disclosure Regulations 2003*

*Corruption, Crime and Misconduct Act 2003*

*Public Sector Commission Website*

*Parliamentary Commissioner Act 1971*

**FINANCIAL AND RESOURCES IMPLICATIONS**

Nil

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

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

- 2.b.3 Red tape for business is minimised through review and reform of relevant policies and by-laws
- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken

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

*Disability Access and Inclusion Plan*

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

- Outcome 3 – Information

*Corporate Business Plan*

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

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

**RISK MANAGEMENT CONSIDERATIONS**

There is a reputational risk associated with this item, as it may be perceived that the Town's policies are outdated and do not reflect the Town's current practices. 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

Council are required to regularly review its policies and remain compliant with external authorities to ensure they are relevant, up to date and meet the needs of council and the community, it is recommended that Council adopt the amended Policy 1/023 Public Interest Disclosure to ensure cohesiveness’ with the governance framework.

## ATTACHMENTS

1. 1/023 Public Interest Disclosure (under separate cover)
2. 1/023 Public Interest Disclosure Policy Draft with markup (under separate cover)



- Cultural Competence
- Evidence-based
- Sustainability

## LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of high significance, because there are considerable long-term implications of the decisions including an impact on the Strategic Community Plan, Community Development Plan and Aboriginal Partnership Plan. The Plan required community consultation and engagement.

## CONSULTATION

### *Internal*

Formulation of the Plan was undertaken by the ToPH Community Development Team along with the input and support of Facilitators Bank of I.D.E.A.S. Briefings were held with Council and the ToPH Administration's Executive Leadership Team and Senior Leadership Team. Other key ToPH planning documents were essential foundation resources for the preparation of the Plan, resulting in the development of various draft and final plans.

### *External Agencies*

The development of the Plan occurred from July 2021 to February 2022. The community engagement stage utilised a wide range of integrated activities (formal and informal) and included 85+ external agencies and stakeholders. The information obtained provided the basis for developing and maintaining an asset map of who and what is happening in the youth sector.

### *Community*

Over the 8-month community engagement stage, a wide range of integrated activities (formal and informal) were utilised with community members, involving the following elements:

- Under the banner, 'Hedland Huddle', hosting and facilitating a range of community sessions engaging community members, businesses, and organisations
- Use of a variety of 'My Big Ideas' cards to elicit ideas and opinions and how community members could contribute to make it happen
- Administration of an online and print 2021 Community Perception Survey.

The community engagement activities ultimately involved:

- 615 local young people engaged in conversations
- 20 structured youth conversation sessions
- 2,300 contributed ideas.

## LEGISLATION AND POLICY CONSIDERATIONS

All WA Local Governments are required to plan for the future through the adoption of strategic documentation and under the Integrated Planning and Reporting Framework (IPRF). This Plan can be considered as an important supporting document to the Town's Strategic Plans.

## FINANCIAL AND RESOURCES IMPLICATIONS

All costs associated with the development of the Plan have been included in the FY 21/22 Operational Budget. The consultancy part of the Plan has been budgeted at \$20,000.00 (ex GST).

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 1.a.3 Youth services and facilities are implemented with regular input from youth and providers
- 1.a.4 Partnerships with stakeholders to deliver sport and recreation are enhanced
- 1.a.5 Agencies and the community are fully engaged to reduce anti-social behaviours and improve community safety
- 1.b.3 Forums and activities to give a voice to youth, people with a disability, ageing, Aboriginal and Torres Strait Islander, and Culturally and Linguistically Diverse people are recognised and supported
- 1.b.4 Regular opportunities for the broad community to have input into the Town of Port Hedland plans and programs are provided for transparency, accountability and two-way interaction
- 1.b.5 Opportunities to get involved and results of engagement are regularly promoted
- 2.a.1 Local training providers, business, industry, services, agencies, social sector and infrastructure providers are fully engaged and coordinated in the development of training and employment opportunities
- 2.a.2 Partnerships with private enterprises and government to fund projects and create jobs are pursued
- 4.a.1 Town of Port Hedland is represented and advocated for in International, Federal, State and regional forums and policy development
- 4.a.3 A positive narrative and unique brand is developed and promoted
- 4.b.2 Transparent and regular financial reporting and communication to the community is undertaken
- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken

### *Environmental*

*Nil*

### *Economic and Social*

Demographic information used to inform the Plan is given with the understanding that some statistics are derived from the 2016 ABS Census, and that the Hedland community has changed as a result of its evolving economic circumstances.

Socio-Economic Indexes for Areas (SEIFA) Index according to relative socio-economic advantage and disadvantage has been used and indicates the ToPH has a Socio-Economic Index of 1019 (Pilbara wide – 1016).

### *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
- Outcome 5 – Complaints
- Outcome 6 - Consultation Process
- Outcome 7 - Employment

### *Corporate Business Plan*

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

- 1.a.1.1 – Develop, implement and review a community engagement program to interact with stakeholders on a regular basis
- 1.a.3.1 – Coordinate and provide a range of youth activities in partnership with key stakeholders
- 1.a.4.1 – Support stakeholders to deliver sport and recreation services
- 1.a.5.2 – Develop, implement and review strategies and programs to enhance the town's visual amenity and safety
- 1.a.6.1 – Provide awareness of town-wide health, recreation, sporting and safety services and initiatives
- 1.b.3.1 – Provide meaningful opportunities for Aboriginal and Torres Strait Islander people to engage with the Town
- 1.d.3.1 – Support the provision of cultural, sporting and recreational facilities which are fit for purpose
- 1.d.3.2 – Develop, implement and review a range of programs to enhance, activate and encourage usage of the Town's infrastructure
- 2.a.1.1 – Advocate for skills, and career pathways, within our community
- 2.a.4.1 – Increase educational offerings by lobbying for secondary, tertiary and higher-level learning facilities and services through facilitation with key stakeholders

### **RISK MANAGEMENT CONSIDERATIONS**

There is reputational risk associated with this item because this item relates to the provision of adequate services and support for the Youth Sector to alleviate anti-social behaviour impacting our town's liveability. In addition, the time spent to communicate and consult internally, externally and with the community during the consultation phase of the project. The risk rating is considered to be medium (9), which is determined by a likelihood of possible (3) 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**

The Town acknowledges that Hedland's young people are an inspirational and resilient asset that must be nurtured, encouraged, supported and mobilised to strengthen Hedland's liveability and opportunity for the future. Every young person in Hedland possesses unique aspirations and ideas and deserves the community's attention.

The Plan and its 61 recommended initiatives is not just a strategy for the Town. It represents a roadmap for all Hedland residents, groups and service providers who care about creating relevant and practical responses to the issues and suggestions of our young people.

The Plan is the first youth strategy developed by the Town. As such, it is considered a transitional strategy which sets the foundations for a more long-term, community wide youth strategy, to commence at the conclusion of The Plan's period.

## ATTACHMENTS

1. Town of Port Hedland Youth Development Plan 2022-2025 (under separate cover)



### 7.3 Regulatory Services

#### 12.3.1 AMENDMENT TO STREET NAMES - PORT HEDLAND INTERNATIONAL AIRPORT PRECINCT

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

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#### CM202122/174 COUNCIL DECISION

MOVED: CR ZIELKE

SECONDED: CR BENNETT

That Council

1. Support the proposed street name changes as shown in Attachment 2;
2. Support the retirement of the street name 'Williamson' on a permanent basis;
3. Request that Landgate amend the street names as supported; and
4. Advise the Port Hedland International Airport that:
  - a. The proposed amendment to street names has been supported; and
  - b. It is recommended the installation of relevant street signage occurs to give effect to the updated names and street numbering.

*CARRIED BY SIMPLE MAJORITY (8/0)*

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#### PURPOSE

The purpose of this report is for Council to consider proposed amendments to the existing road names within the Port Hedland International Airport Precinct as a result of the recent civil works.

#### DETAIL

In 2019, the Port Hedland International Airport (PHIA) commenced significant civil works intended to facilitate upgrade and development of the Port Hedland International Airport Precinct (the Precinct), enabling the construction of new car hire facilities and facilitating safer pedestrian movement between the airport terminal and carparks. Following completion of the works and construction of the new buildings significant discrepancies were identified in the existing street numbers, with different street addresses being used by the Town, the relevant businesses, and the PHIA. As a result of the civil works the physical streets no longer align with the approved street name locations, and these are accordingly required to be amended to enable the allocation of new street addresses to both the previously existing and new buildings.

Accurate street alignment is important in wayfinding, providing not just direction but enabling logical and coherent street numbering, important for the provision of services, mail delivery, and emergency service accessibility. The amendment of the street layout has resulted in some street addresses no longer being easily located and causing confusion for the affected entities.

The former street layout, as shown in Attachment 1, included Waldron Drive, Williamson Way, Murray Avenue, and Petterson Road. Landgate, the State Land Authority, have provided the following history of the names:

- Waldron Drive – Kevin Joseph Waldron was the first Officer in Charge of the Department of Civil Aviation (DCA) in Port Hedland from 1944-1946. Waldron was stationed with the RAAF during the war when the airport was constructed.
- Williamson Way – Len Williamson was a Broome based DCA employee, who came to Port Hedland periodically. Williamson worked primarily in erecting and maintaining aerials.
- Murray Avenue – Bob Murray was the DCA officer from 1946-1952
- Petterson Road – Despite consultation with Airport Operations, the local library and the Port Hedland Historical Society at the time of the name approval, no historical background was found on the name Petterson.

The proposed amendments, shown in Attachment 2, will extend Waldron Drive to the terminal entrance and realign Murray Avenue to the north. As Petterson Road was unaffected by the layout change, this will remain unchanged.

As Williamson Way will no longer be used, this name is required to be retired. The reuse of previous street names to alternate locations is not supported by Landgate due to its potential to cause significant confusion resulting from the relocation. The retirement is therefore required to be permanent.

Following approval by Landgate of the amended street name locations, the Town will allocate new street addresses to buildings and businesses within the Precinct to ensure accurate and consistent wayfinding.

#### LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because any impact on existing users, including both the general public and businesses affected, will be negligible

#### CONSULTATION

##### *Internal*

Consultation has been undertaken with the Town's Infrastructure team, who have confirmed that, as private property, the installation of necessary street signage will be the responsibility of the Port Hedland International Airport.

##### *External Agencies*

Initial consultation was undertaken with Landgate, to ensure the proposed amendments are consistent with Landgates Policies and Standards for Geographical Naming in Western Australia. Port Hedland International Airport has also been consulted.

##### *Community*

No community consultation is necessary for this item, as the street names are previously approved and are undergoing a minor relocation.

## LEGISLATION AND POLICY CONSIDERATIONS

The Town's Policy 12/010 – Naming of Roads and Places, provides guidance for the selection and allocation of road and place names, and applies to all new naming and renaming requests. The proposed reconfiguration is consistent with the policy objectives.

The Landgate Policies and Standards for Geographic Naming in Western Australia also applies to this matter. The Town has consulted with Landgate to ensure the proposed amendment is consistent with the Policies and Standards.

## FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial or resource implications relating to this item as no works or signage installation are required to be undertaken by the Town. As the roads are on private land, Port Hedland International Airport would be responsible for installation of any signage.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

## RISK MANAGEMENT CONSIDERATIONS

There is a service interruption risk associated with this item because failure to adopt the proposed street name amendments may result in poor wayfinding abilities. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2). This risk will be eliminated by adoption of the officer's recommendation.

## OPTIONS

*Option 1 – Adopt officer's recommendation*

*Option 2 – Do not adopt officer's recommendation*

## CONCLUSION

The civil works undertaken at Port Hedland International Airport has resulted in a slight change to street locations, affecting the street numbering and therefore wayfinding within the precinct. Adoption of the officers recommendation will enable the Town to resolve these affects through the application of new street addresses.

## ATTACHMENTS

1. Existing Approved Street Names (under separate cover)
2. Proposed Amended Street Name Locations (under separate cover)

**12.3.2 BUDGET AMENDMENT - CONTINUATION OF WORKS AT PORT HEDLAND INTERNATIONAL AIRPORT**

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

**CM202122/175 COUNCIL DECISION****MOVED: CR ECKHART****SECONDED: CR CHRISTENSEN**

That Council

1. Approve the budget amendment of \$300,000 from the Airport Capital Works Reserve for the completion of 2021/22 Town Works and contamination remediation by the PHIA Operating Company Pty Ltd, to the satisfaction of the Town and Department of Water and Environmental Regulation, and in compliance with the Town's procurement policy.
2. Note that additional funding will be requested within the 2022/23 budget for PHIA Operating Company Pty Ltd to complete the asbestos encapsulation cell within the Airport, as detailed in the amended Novation and Operating Deed – Port Hedland International Airport.

*CARRIED BY ABSOLUTE MAJORITY (8/0)***PURPOSE**

The purpose of this report is for Council to consider amending the 2021/22 budget to continue funding contamination remediation works at the Port Hedland International Airport (Airport), as per Council resolution CM202021/0022 (26 August 2020).

**DETAIL**

At its 26 August 2020 meeting, Council resolved to allocate \$11M (ex GST) for the construction of an onsite sewerage treatment plant, potable water upgrades and contamination remediation at the Airport, with amendments made to the Novation and Operating Deed – Port Hedland International Airport, providing for the PHIA Operating Company Pty Ltd (PHIA) to undertake these works. Construction of the sewerage treatment plant and potable water upgrades (Town Works) at the Airport have been completed, with contaminated materials including asbestos and hydrocarbons removed from these and other works areas within the site.

Purchase orders for the works were issued based on indicative costs totalling \$10,542,000 with the majority of these works carried out in the 2020/21 financial year, and the remainder carried forward to the current financial year. A further \$300,000 of the remaining \$458,000 is now being sought to complete contamination works programmed for the current financial year including temporary sealing of collected asbestos materials and preparatory works to permanently encapsulate asbestos materials collected from work sites within the airport boundary. Additional funding will be requested within the 2022/23 budget to construct and

complete the asbestos encapsulation cell within the airport. The Airport Capital Works Reserve has a current balance of \$4,285,990, which is sufficient for the completion of this year's works, and those proposed for the 2022/23 financial year.

All works to date undertaken by PHIA on behalf of the Town have been engaged by a competitive tender process, which is compliant with the Town's procurement policy. While the sewerage and water upgrades have met the Town's obligations in relation to Town Works within the Deed, the Town remains responsible for any baseline contamination over other parts of the site which includes asbestos.

Funding for the contamination remediation works will be sourced from the Airport Capital Works Reserve which was established for the purpose of paying for Town Works (Water and Sewer) and contamination remediation.

### LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because this is a continuation of works previously agreed to by Council.

### CONSULTATION

#### *Internal*

A/Director Corporate Services  
Manager Finance  
Manager Environmental Health and Community Safety  
Senior Management Accountant

#### *External Agencies*

Port Hedland International Airport Operating Company Pty Ltd

#### *Community*

Nil

### LEGISLATION AND POLICY CONSIDERATIONS

The *Contaminated Sites Act 2003* provides a hierarchy of responsibility for remediation of the airport site. This includes the Town as landowner, who has overall responsibility for the airport site where the contamination occurred.

Policy 2/019 "Financial Reserves" is applicable as the report proposes to spend monies from the Airport Reserve to the purpose of completing works as detailed within the Policy. Absolute Majority decision, as per the *Local Government Act 1995* section 6.8(12)(b), is required due to funding of these works not being included in the annual budget.

### FINANCIAL AND RESOURCES IMPLICATIONS

This report seeks to allocate \$300,000 of funds from the Airport Capital Works Reserve to the Airport Projects Expenditure account to pay for the works being undertaken. The amount remaining in the Reserve once all transactions are completed will be \$3,985,990, which will remain for future contamination remediation and associated airport works. Any unspent funds from the Airport Project Expenditure account will be returned to the Reserve at the end of financial year.

Account No	Name	Value
1T03045030.702	Transfer Account (from Airport Capital Works Reserve)	\$300,000
1E12101000.361	Airport Project Expenditure	-\$300,000

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

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

- 1.d.2 Facilities and community infrastructure are revitalised across the Town

*Environmental*

The works previously undertaken and continuing works will manage and remediate contamination within the Airport site as per Department of Water and Environmental Regulation direction. The works will manage and encapsulate asbestos contamination on site, minimising the potential for environmental or risk to public health.

*Economic*

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

*Social*

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

*Corporate Business Plan*

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

- 1.d.2.1 – Develop, implement and review an asset management renewal program to ensure long-term sustainability of the Town’s assets.

**RISK MANAGEMENT CONSIDERATIONS**

There is a compliance risk associated with this item because if the asbestos contamination works are not completed, this could lead to enforcement action from the Department of Water and Environmental Regulation, and action taken by PHIA against the Town for not complying with the Deed and not meeting public health and safety requirements. The risk rating is considered to be low (4), which is determined by a likelihood of rare (1) and a consequence of major (4).

This risk will be eliminated by 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 Town has continuing obligations in relation to management of pre-existing contamination at the Port Hedland International Airport, as prescribed in the Novation and Operating Deed. By adopting the officers recommendation, PHIA can continue to undertake these works on behalf of the Town, satisfying the terms of the Deed and meeting public health and environmental requirements.

## ATTACHMENTS

Nil

12.3.3 DETERMINATION OF DEVELOPMENT APPLICATION 2022/061 - WAREHOUSE, OFFICE AND LAYDOWN AREA - LOT 319 QUARRY ROAD, WEDGEFIELD
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Author: Manager Town Planning and 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.

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CM202122/176 COUNCIL DECISION

MOVED: CR ZIELKE

SECONDED: DEPUTY MAYOR TURNER

That Council grants development approval for DA 2022/061 for the development and use of a warehouse, office and laydown area, Lot 319 Quarry Road, Wedgefield pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the following conditions:

1. Development shall be in accordance with the following plans with the exception of minor modifications approved in writing by the Town of Port Hedland prior to the issuing of a building permit:
  - i. Cover Page, CD01, 31.03.2022;
  - ii. 3D Sketches, CD02, 31.03.2022;
  - iii. Stage 1 - Site Plan, CD03, 31.03.2022;
  - iv. Stage 1 - Details, CD04, 31.03.2022;
  - v. Stage 2 - Site Plan, CD05-A, 31.03.2022;
  - vi. Stage 2 - Landscaping, CD05-B, 31.03.2022;
  - vii. Overall Floor Plan, CD06, 31.03.2022;
  - viii. Office Plan, CD07, 31.03.2022;
  - ix. Elevations, CD08, 31.03.2022;
  - x. Elevations, CD09, 31.03.2022; and
  - xi. Schematic Sections, CD10, 31.03.2022.
  
2. Prior to lodging an application for a building permit, a revised landscaping plan for the subject site and the road verge must be submitted to and approved by the Town, and must include the following:
  - i. The provision of shrubs and trees within the Wallwork Road and Quarry Road lot frontages;
  - ii. The location, number, size and species type of existing ground covers, shrubs and trees;
  - iii. Areas to be reticulated or irrigated;
  - iv. Verge treatments;
  - v. The location, number and type of proposed trees and shrubs including planter and/or tree pit sizes and planting density;

Prior to occupation of the development, the revised approved landscaping plan must be fully implemented, and maintained thereafter, to the satisfaction of the Town.

3. Prior to lodging an application for a building permit or commencement of site works, a detailed stormwater management plan shall be submitted to and approved by the Town. It shall ensure that:



- 
- i. Verges and landscaped areas are designed to prevent loose material eroding;
  - ii. Embankments for swales, roads and infiltration basins are protected from eroding;
  - iii. Swales and drainage channels are designed to last the life of the development with minimal management; and
  - iv. Discharge points can effectively dispose excess water, will not cause erosion, prevent sediment leaving the property and tie in neatly into existing infrastructure.

The approved stormwater management plan shall be implemented in full prior to the occupation of the development, and shall be maintained thereafter to the satisfaction of the Town.

4. Prior to lodging an application for a building permit, a detailed public art plan shall be submitted to the specification and satisfaction of the Town of Port Hedland for approval. This shall have details of proposed public art to a minimum value of \$99,500 in accordance with Local Planning Policy/04 Percent for Public Art. The approved artwork shall be completed prior to the occupation or use of the development, to the specification and satisfaction of the Town and shall be maintained for the duration of the development.
  5. The approved parking and laydown area plan must be fully implemented and constructed to the specification of the Town prior to occupation or use of the development. The parking and laydown areas must:
    - i. Be constructed, sealed, kerbed, drained and marked.
    - ii. Not be obstructed in any way or used for any other purpose than parking/laydown.
    - iii. Include wheel stops as indicated to prevent vehicles interfering with landscaping and pedestrian movements.
    - iv. The laydown area is to be sealed with the use of interlocking paving as indicated on the approved plans or by an alternative sealed surface to the satisfaction of the Town.
    - v. The use of cracker dust on the site is not permitted due to its probability to erode during rainfall events.The parking spaces and laydown area shall comply with the above requirements for the duration of the development and shall be maintained to the satisfaction of the Town.
  6. Prior to lodging an application for a building permit or commencing site works, a detailed signage and linemarking plan shall be submitted to the Town for approval. The approved plan shall be installed in full prior to the occupation or use of the site.
  7. Storage of bins within the 'bin store' area on the eastern boundary shall be for clean bins only, free of waste and odour.
  8. The owner/or occupier of the land shall take all reasonable steps to:
    - i. Stabilise dust on the land;
    - ii. Contain all liquid waste on the land; and
    - iii. Ensure no dust or liquid waste is released or escapes from the land, whether by means of wind, water or any other cause.
-

9. The hours of operation are limited to 7:00am to 7:00pm Monday to Saturday. The applicant may in future wish to seek from the Town an extension to the hours of operation. If so a Noise Management Plan will be required in support of the application showing that noise levels specified in the *Environmental Protection (Noise) Regulations 1997* will not be exceeded.
10. Prior to the use or occupation of the development, an on-site wastewater management system must be constructed and installed to the satisfaction of the Town of Port Hedland. The system must be constructed and installed in compliance with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.
11. The actions set out in the Urbaqua Bushfire Management Plan submitted to the Town on 8 April 2022 to achieve BAL29 over Lot 391 shall be undertaken prior to the prior to lodging an application for a building permit.
12. The two (2) shipping containers to be located on site during the construction phase are to be removed once the business commences operations. A building permit is required for the structures which must be secured by means other than tie down chains or straps.
13. A notification, pursuant to Section 165 of the Planning and Development Act 2005, is to be placed on the certificate of title advising of the existence of a bush fire hazard. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: "This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is/may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land".

*SIMPLE MAJORITY VOTE REQUIRED*

Advice Notes:

- a. This decision to approve the development shall expire if the development has not been substantially commenced within two years of the decision date.
- b. This is a development approval issued under the Town of Port Hedland Local Planning Scheme No. 7 only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
- c. A building permit must be obtained for development, including but not limited to fencing, retaining walls, signage, bin stores and light posts, prior to the commencement of construction. The developer should liaise with the Town's Regulatory Services in this regard.

- d. This approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a fresh application for planning approval must be submitted to the Town of Port Hedland.
- e. The development and/or land use must comply with the Health (Public Building) Regulations 1992. The applicant and owner should liaise with the Town's Health Services in this regard.
- f. Operations shall be compliant with the following legislation at all times:
  - i. *Environmental Protection Act 1986*;
  - ii. *Environmental Protection (Unauthorised Discharges) Regulations 2004*; and
  - iii. *Health (Treatment of sewage and disposal of effluent and liquid waste) Regulations 1974*.
- g. Waste disposal and storage shall be carried out in accordance with the Town's Health Local Law 2016.

*CARRIED BY SIMPLE MAJORITY (8/0)*

## PURPOSE

The purpose of this report is for Council to determine a development application for a proposed warehouse, office and laydown area at Lot 319 Quarry Road, Wedgefield. The application is being presented to Council for determination as the cost of the development (\$9.95million) exceeds the delegation threshold for determining applications.

## DETAIL

### Site context

The subject land is located in Wedgefield, on the south west corner of junction of Quarry Road and Wallwork Road, created as part of Development WA's Wedgefield Light Industrial Estate 2 in 2011. (**Attachment 1 – Location Plan**).

The land is rectangular shaped, level and has a total area of 2.124ha. It is clear of vegetation, undeveloped and has a 133m frontage to Quarry Road and a 90metre frontage to Wallwork Road the other abutting properties have yet to be developed. The subject site is located opposite a 24 hour Shell Service Station and an adjoining residence. (**Attachment 2 – Aerial view of property**).

### Proposed development & use

The proposal is for a service centre to support local mining companies in relation to large scale industrial pump & associated equipment requirements. The development will not directly service the general public. Activities to be undertaken will focus on the following:

- a. Roller refurbishment;
- b. Pump repairs / overhauling; and
- c. Rubber lining of mining wear items (eg. spools, chutes).

### Staff numbers and car parking

There will be a maximum of 16 full time staff members on the site and 20 visiting employees. A total of 33 onsite parking bays are proposed.

Operating Hours:

Operations at the facility will at times involve truck loading / unloading and heavy mechanical noise. The facility will operate between the hours of 7:00am to 7:00pm Monday to Saturday. The applicant may in the future wish to extend the hours of operation and is aware that a Noise Management Plan will be required to justify an extension of operating hours and ensure that any sensitive land uses within the locality are not adversely impacted. (**Attachment 3 - Proposed development plans**).

Local Planning Framework:

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

Schedule 2, Part 9, Clause 67 of the Regulations detail matters to be considered by the local government when considering an application for development approval. The local government is to have due regard to the following matters to the extent that they are relevant. The relevant provisions of subclause (2) are set out below:

- (a) *The aims and provisions of this scheme and any other local planning scheme operating within the scheme area.*

All objectives and provisions of Local Planning Scheme No. 7 are satisfied. Details on how this is satisfied are contained later on in this report.

- (b) *The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving.*

The proposal is consistent with the Town's Local Planning Strategy. Details on how this is satisfied are contained later on in this report.

- (m) *The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.*

Development in the Wedgefield General Industry zone is characterised by large warehouse contained service uses associated with the mining industry. Buildings are characterised by small single storey administration offices to the front of the property and large scale warehouse and laydown spaces to the rear. The sites have landscaping on the road frontages.

It is considered that the proposed use and built form is consistent with the character of the area.

- (n) *The amenity of the locality including the following –*
- (i) *environmental impacts of the development;*
  - (ii) *the character of the locality;*
  - (iii) *social impacts of the development.*

Environmental impacts of the proposed land use can be adequately controlled through the built form and a Works Approval and Licence from the DWER under Part V of the *Environmental Protection Act 1986*.

The land use is expected to function in a way where impacts on the amenity of the area are mitigated, avoided or managed to a reasonable level. The majority of the established and expected future land uses within the locality are of a general industrial nature and are not sensitive land uses, as outlined under the Environmental Protection Authority's *Separation Distances between Industrial and Sensitive Land Use*.

However, the subject land is located opposite a residential property which is associated with the 24 hour Shell service Station which is on the same lot. The applicant is proposing to operate as demand requires potentially 24 hours/7 days a week. As such prior the lodgement of a building application a Noise Management Plan will be required to be submitted showing that the business will comply with the Environmental Protection (Noise) regulations and not have an adverse impact on the residential property.

- (o) *The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or mitigate impacts on the natural environment or the water resource.*

A condition has been recommended requiring that a stormwater management plan is submitted and approved by the Town to ensure that offsite impacts are mitigated.

- (q) *The suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk.*

The property is within a bushfire prone area. A management plan has been prepared and design measures are proposed to minimise the bushfire risk and ensure that the BAL 29 standard is achieved.

- (r) *The suitability of the land for the development taking into account the possible risk to human health or safety.*

The areas most likely to impact human health or safety is the washdown area, which is fully contained within the building. The onsite waste water treatment leach drains and retention basins are to be constructed to DWER standards. No off-site emissions are anticipated.

Licensing and approvals by DWER may likely contain additional management measures that will ensure human health is not impacted.

- (s) *The adequacy of –*  
(i) *the proposed means of access to and egress from the site; and*  
(ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles.*

Dual crossovers to the site will allow suitable accessibility for staff vehicles and trucks. There is sufficient space around the building for vehicle manoeuvrability and parking spaces have been designed in accordance with the relevant AS/NZS standards. There is sufficient space for parking and loading/unloading on-site.

- (t) *The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.*

The Wedgefield Industrial area has been designed to accommodate large vehicle movements. Access to the site for staff will be available from Quarry Road and for trucks and other large vehicles from Phosphorus Street. The development will have no direct vehicle access to Wallwork Road.

#### ***Local Planning Scheme No. 7 (LPS7)***

The subject planning site is located within the General Industry zone of the Wedgefield Industrial Area as designated under LPS7, industry is a 'D' use in this zone. As such the use is not permitted unless the local government has exercised its discretion by granting development approval.

Clause 32. relates to additional requirements applying to land in the Scheme area and includes reference to the Hedland Junction Structure Plan Area and future structure plans applying to the area, specially it states that the structure plans shall be consistent with the following requirements:

- (a) Land uses shall be compatible with surrounding development, inclusive of a mix of General Industry and Light Industry zones;*
- (b) Additional screening and landscaping requirements for lots adjacent to Wallwork Road / Powell Road and main entry roads; and*
- (c) Movement networks to integrate with adjacent Wedgefield North Structure Plan Area.*

The proposed development is compatible with the existing developments and the proposed mix of industrial uses envisaged for the Wedgefield Industrial Area.

A landscaping concept plan has been prepared for the site. A minimum of 10% landscaping is required and the applicant is providing approximately 2,986m<sup>2</sup> (14.1%) however much of the landscaping comprises groundcovers 'bush mulch' and gravel 'creek bed'. The concept plan provides suitable landscaping to the Quarry Road frontage. Notwithstanding the 'art wall' on the Wallwork Road frontage however the proposed use of groundcovers on this boundary fails to provide adequate screening for the large laydown area and warehouse, as such additional landscaping treatment is to be provided by the applicant.

With the exception of landscaping matters set out above the application satisfies the requirements set out under Clause 32 for car parking, sealed areas and stormwater management.

Schedule 2 sets out car parking standards. The requirement for industry is 1 bay per 50m<sup>2</sup> of enclosed space as such the minimum requirement is 11 bays. The applicant has provided 33 bays including a disabled bay.

#### ***Local Planning Policy 04 Percent for Public Art***

The Policy provides a framework for the development, funding, and management of public art. S4.3 states:

*All new development on zoned and reserved land over the threshold value of \$2million (two million dollars) shall set aside a minimum of one percent (1%) of the Total Project Cost of the development to be put towards the provision for Public Art*

The applicant has commissioned Andrew Frazer to undertake artwork in the form of murals on the warehouse facades. Andrew is a highly regarded full-time, multidisciplinary artist from Gelorup, Western Australia, he has undertaken many large scale projects across WA and internationally. His stated intention for the commission is to:

- + *Create a unique site specific artwork that celebrates the unique site & it's connection to country & community.*
- + *Develop an artwork with a foundation of thinking around themes of: Country, Water, Mining, Culture, & History.*
- + *Represent a reflection of its future function & built form.*

*The final artwork aims to deliver community ownership, aesthetic appeal & site specific response that reflects the unique characteristics of Port Hedland. The artwork will serve as a significant landmark that serves as a catalyst of personal (& collective) reflection, shared stories & inspiration for the future.*

*The artwork concept and composition will explore form, colour & narrative inspired by the town's locality, connection to country, & local stories inclusive of the future tenants. Celebrating the ancient & captivating landscapes surrounding Port Hedland will be expressed through a unique, site specific & contemporary painted response.*

A preliminary concept for the proposed artwork for the office wall façade on Wallwork Road has been prepared. (**Attachment 4 – Public Art Proposal**).

### ***Wedgefield Design Guidelines***

The application has been referred to DevelopmentWA for assessment under the Guidelines who have advised that:

*The proposal in its current form is generally compliant with the design guidelines Development approval is recommended until further articulation is provided.*  
(**Attachment 5 – DevelopmentWA endorsement**).

In response to possible floodwater impact the Guidelines specify a minimum FFL of 6.3m. The development has a proposed FFL of 7.6m.

The area of non-compliance identified by DevelopmentWA is the perimeter fencing - garrison fencing is proposed for Quarry Road frontage and chain link fencing for Wallwork Road and Phosphorus Street. It is proposed that the fencing would have a height of 2.1m as opposed to 2.0m.

Notwithstanding the advice from DevelopmentWA the following requirement for fencing set out in the Guidelines is also noted:

#### ***3.11 Fencing***

*Security fencing will be permitted alongside and rear boundaries but shall not be constructed beyond the building line.*

The applicant is proposing fencing around the boundary of the lot. This will have an impact on the visual amenity of the site, and will partly obscure the proposed public artwork. However, it is recognised that the Town has previously accepted perimeter fencing in the Wedgefield Industrial area in response to security concerns by business owners and it is also recognised that with suitable landscaping the impact of the fencing is significantly reduced. As such it is considered that the proposed boundary fencing is acceptable.

### ***Bushfire Management Plan***

The subject site has been identified as being bushfire prone by DFES. An initial bushfire assessment was undertaken by Urbaqua for the Wedgefield superlot Lot 9004 Wedgefield prior to the finalisation of the subdivision which provided for the creation of Lot 319 Quarry Road.

The assessment found that Lot 319 is likely to be subject to an extreme level of bushfire risk and suggested that an asset protection zone be established on the lot to ensure that the potential radiant heat impact of a fire on any future development will not exceed 29W/m<sup>2</sup> (BAL-29) and that a defendable space is provided for firefighting.

Subsequently there has been clearing of the grassland in the vicinity of the site and a new Urbaqua bushfire management plan has been prepared that addresses the bushfire risk and proposes amelioration measures that will reduce the level of risk to BAL 29.

### **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance. The development is located within a General Industry zone and use falls within the category of 'Industry' which is a 'D' use within this zone. The application complies with the general requirements of the Local Planning Scheme No. 7 (LPS7) and the Wedgefield Design Guidelines.

Development of this scale and nature is anticipated within this locality and if supported with appropriate conditions will not have an adverse impact on individuals or other businesses nor will it adversely impact the decision making activity of the Council. However the existence of a residential property (a sensitive land use) within the General Industrial area requires that measures are in place to ameliorate any potential adverse impacts – this will be addressed through a Noise Management Plan.

### **CONSULTATION**

#### *Internal*

The proposal was referred to the Town's Environmental Health Officer, Building Surveyor and the Senior Project Engineer. Their comments have been incorporated in the approval conditions and advice notes.

#### *External Agencies*

Not required.

#### *Community*

Not required.



## 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
- Local Planning Policy 04 Percent for Public Art
- Design Guidelines: Wedgefield Industrial Estate - General Industry Zone

## FINANCIAL AND RESOURCES IMPLICATIONS

The Town of Port Hedland received an application fee for processing the application in accordance with the *Planning and Development Regulations 2009*.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 2.b.4 Business approval processes are transparent and pathways streamlined
- 3.c.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry

### *Environmental*

The development is not anticipated to have adverse environmental impacts as the activity is contained within the site. The subject land is located opposite a caretaker's dwelling. The applicant is proposing to operate as demand requires, potentially 24 hours/7 days a week. As such prior the lodgement of a building application a Noise Management Plan will be required to be submitted showing that the business will comply with the Environmental Protection (Noise) regulations.

### *Economic*

The project involves a significant financial investment in the Wedgefield Industrial area. It will provide employment opportunities and an increased demand for local goods and services.

### *Social*

There are no significant identifiable social 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 2 – Buildings and Facilities

The proposed development will be required to satisfy the requirements for access and mobility for people with disabilities as set out in the Building Code of Australia and Australian Standards.

### *Corporate Business Plan*

None of the actions of the Town's Corporate Business Plan 2018-2022 apply in relation to this item.

### **RISK MANAGEMENT CONSIDERATIONS**

There is a financial risk associated with this item because the applicant may apply to the State Administrative tribunal for a review of the Town's decision. The risk rating is considered to be low (1), which is determined by a likelihood of unlikely (2) and a consequence of minor (2).

This risk will be mitigated by adopting 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**

This report has detailed the relevant planning considerations associated the proposed warehouse office and laydown area development in accordance with the applicable planning framework. Having considered relevant issues associated with the development, the officer recommendation is for Council to approve the development subject to conditions and advice notes.

### **ATTACHMENTS**

1. Attachment 1 - Location Plan (under separate cover)
2. Attachment 2 - Aerial View of Site (under separate cover)
3. Attachment 3 - Development Plans (under separate cover)
4. Attachment 4 - Public Art Proposal (under separate cover)
5. Attachment 5 - Letter of Support from DevelopmentWA (under separate cover)
6. Attachment 6 - Bushfire Management Plan (under separate cover)

**12.3.4 COMMUNITY SAFETY**

**Author:** Community Safety Advisor  
**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.

**CM202122/177 COUNCIL DECISION****MOVED: CR CHRISTENSEN****SECONDED: CR COLES**

That Council commences a six-month trial of the Night Lights activity program and evaluates and reports to council on program outcomes with a view to assessing the validity of:

- (a) extending the trial partnership program through the Christmas school holiday period; and
- (b) extending the partnership program longer-term subject to specified terms of agreement.

*CARRIED BY SIMPLE MAJORITY (8/0)*

Cr Christensen moved an alternate motion as a replacement for officer recommendation 2. Deputy Mayor Turner foreshadowed that if the alternate motion was not supported he will move officer recommendation 2

**CM202122/178 COUNCIL DECISION****MOVED: CR CHRISTENSEN****SECONDED: CR COLES**

That Council:

1. Does not undertake any further night security patrol services, based on feedback from the Community Safety Survey undertaken March 2022.
2. Refers for consideration within the 2022/23 Budget the sum of \$500,000 to provide further additional CCTV camera hardware and software within the District, which is capable of being monitored externally by authorised persons.

*CARRIED BY SIMPLE MAJORITY (5/3)*

**Against:** Mayor Carter, Deputy Mayor Turner, Cr Bennett

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**CM202122/179 COUNCIL DECISION****MOVED: CR CHRISTENSEN****SECONDED: CR COLES**

That Council authorises the Mayor, Deputy Mayor and CEO to meet with relevant State Government Ministers to discuss Community Safety issues in Port Hedland.

*CARRIED BY SIMPLE MAJORITY (8/0)*

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**PURPOSE**

The purpose of this report is for Council to consider implementation of community safety initiatives including progression of the proposed 'Night Lights' trial evening activity program for youth in Port Hedland, and night community security patrols.

The programs collectively aim to enhance youth wellbeing, reduce the level of crime and anti-social behaviour in South Hedland, and improve community and youth's perception of safety.

**DETAIL****Background**

At its 30 June 2021 meeting, Council endorsed a Notice of Motion comprising seven (7) recommendations to improve community safety within the Town. In particular, recommendation five (5) stated:

*"That Council...*

5. *Continue to work with local community leaders to investigate and implement appropriate short, medium and long term localised solutions to youth and community safety issues, including security night patrols..."*

The Town has responded to the recommendations, having completed a number of these, with works continuing with others.

Residents continue to raise issues regarding high levels of anti-social behaviour and criminal incidents by young people and youth in South Hedland, including an increase in stolen vehicles. These incidents give rise to concerns of community safety, and youth wellbeing and disengagement, including in the broader context of the family/community system, and heightened contact with the justice system.

The Town of Port Hedland and key community stakeholders, including Aboriginal Corporations are strongly committed to planning and delivering solutions that increase youth participation in a safe environment, and support role modelling and leadership. It should be noted that the Town is not intending to provide a "safe house" for at risk youth do to the legal liabilities involved, however support for operations and other agencies providing this type of service could be considered.

The Town has examined options to strengthen community resilience, leverage partnerships with existing youth-focused community organisations, and improve youth and community safety. This has predominantly included reviewing opportunities to strengthen interagency

collaboration, data exchange and program evaluation; support for night patrol services; a program of structured activities; crisis accommodation options; and innovative strategies for engaging hard-to-reach or disenfranchised youth.

The Town acknowledges that youth are an invaluable part of the community and with self-confidence, are leaders now and into the future. Further, that there are reasons why some youth demonstrate anti-social or criminal behaviour on the streets of Hedland, including boredom, socioeconomic stress, family trauma, peer group pressure and drug and alcohol abuse.

Capacity building programs that support the psychosocial wellbeing of young people, including those at risk, can enhance youth and community safety and reduce contact with the juvenile justice system.

As part of the Youth Summer Strategy as endorsed at the 15th December 2021 OCM, the Town continued its 'Free Youth Entry at SHAC' initiative over the Christmas holiday period. The initiative allowed children under the age of 16 years of age free access to the South Hedland Aquatic centre, from Saturday 18th of December through to Sunday 30th January. Through a combination of elevated staffing levels, increased youth focused programming and initiatives, improved fencing and capital expenditure throughout the centre, this period saw a significant decrease in both the incidence and severity of reported antisocial behaviour within the facility when compared to previous years. As a result, an internal perception survey found that 95% of staff believed the initiative should be continued in the future, which was an increase from 40.9% the previous year. Total attendance at the facility during the period also increased from 9107 to 9761, a 7.18% increase in patronage.

The Town met with the Youth Involvement Council (YIC), and Aboriginal Corporations to discuss expansion of the night patrol and/or delivery of an activity program. YIC which operates Mingle Mob, the Town's youth night patrol, advised that it did not view extension of the night patrol past 10pm as feasible, having previously trialed this to 3am with minimal interaction with young people. YIC advised that it could support transport for a youth activity program.

Aboriginal Corporations supported a collective, community-based approach to service design for youth. A number were opposed to the concept of security patrols and viewed that Council owned facilities could be more welcoming to Aboriginal youth. The need for early intervention with ages 6-11 was also raised as particularly important to securing wellbeing outcomes, as well as issues around food security.

Aboriginal Corporations suggested further collaborative opportunities for engaging support for planning and delivery of an activity program. A number of these entities are reviewing other strategies to ensure appropriate intervention with at risk youth.

### **West Coast Eagles program**

West Coast Eagles (WCE) established a position in Port Hedland to build the capacity of stakeholders to better engage with youth and enhance collaboration between youth service agencies. It is currently staffed by a Youth Engagement Coordinator, funded by WCE through BHP, although a further 1FTE appointment is intended.

WCE delivered the Hot Summer Night Sports Program in Hedland over the Summer school holiday period, created through Hedland Youth Stakeholder Action Group and involving cricket and AFL. This was highly collaborative and well utilised by predominantly Aboriginal young people and youth of both genders. WCE has also delivered coaching and youth capacity building clinics across the Pilbara, enhanced collaboration with peak sporting associations, and accessed regional sporting programs and support services to enhance the quality of sports and levels of participation.

WCE has considerable brand recognition, connection to a wide variety of peak sporting bodies and industry and is collocated with YIC.

Given WCE's experience in building sporting capacity and youth participation; collaborative relationships and ability to leverage partnerships for in-kind and fiscal support; and a cited KPI for First Nations outcomes, WCE is considered an appropriate partner for delivering an activity program in Hedland.

### **Proposal**

The Town in consultation with WCE, to deliver a collaborative trial 'Night Lights' Program. It is proposed to be delivered 6-8pm Monday to Thursday (with SLAM basketball on a Friday, delivered by the Town), during school terms 3 and 4 commencing July 2022 and five nights per week during the September/October school holiday period. Key elements of the proposal include:

- an agreement between the Town and the WCE for the period of the trial.
- the Town of Port Hedland drawn from existing resources, complemented by staffing resources from WCE.
- a suite of activities across different Town owned and State operated sporting facilities, with due regard given to AFL, Basketball, Cricket, Futsal, Netball, Volleyball, Baseball, etc.
- industry/club volunteers.
- provision of a meal and drinks program.
- transport to and from activities.
- facilitation of youth into ongoing club activities, with transitional support including access to uniforms and equipment through existing funding programs, and resolution of any issues that impede effective participation.
- potential for referral to wraparound services for youth and family wellbeing.
- ongoing collaboration with young people and youth, families, and key multi stakeholder groups focused on youth.
- evaluation and reporting on the program (aligned to an evaluation framework) to Council, WCE and BHP, including as an outcome under the Town's Community Safety Plan and Youth Development Plan 2019-2022 (see 'program evaluation' below).

### **Program evaluation**

The Town and WCE will prepare an evaluation framework for the trial program comprising quantitative and qualitative data sources. Informing data will be captured progressively through the program with an interim evaluation conducted following the term three school holiday program with a view to determining the validity of extension of the program through the Christmas school holiday period and potentially longer-term based on specified terms of agreement.

### **Community Security Patrols**

Council contracted a security patrol service from 22 December 2021 to 2 February 2022, seven nights a week. The Town is currently seeking fixed and mobile security services with a scope of services similar to that provided during the Christmas holiday period, to comprise:

- two vehicles performing 12-hour night-time patrols (5pm to 5am) in South Hedland, Port Hedland, Wedgefield and surrounds (Kingsford Smith Business Park, Airport precinct and Bosna Estate), based on an 'eyes on the street' concept.
- Fixed vehicle and body cameras and Town branded vehicles.
- Immediate reporting of relevant incidents to police and responding to Police requests.
- Regular patrols of Town-managed facilities.
- Assisting Town staff to respond to break-ins, premise alarms, and escorting staff to, and from vehicles/premises as required.
- Providing a service within 28 days of request or as otherwise agreed between the principal and contractor.

### Biennial Town of Port Hedland Community Safety Survey

The Town's biennial survey finalised in March 2022 included questions pertaining to community night patrols (i.e.

. youth patrols) and community security patrols (professional security guard patrols). The following briefly summarises responses to the questions raised (this excludes a relatively small percentage of respondents that declined to answer, with percentages rounded where relevant):

- Of 137 respondents, approximately 41.6% were aware of the Christmas Security Program, 56.9% were unaware and 1.46% did not know.
- Of 138 respondents, approximately 63.8% did not feel safer over the Christmas Holiday Security Patrol program period, 5.07% did feel safer, and 27% did not know
- Of 138 respondents, approximately 34.1% believe that Patrol Services positively impact the community, 35.5% did not, and 29% did not know.
- Of 138 respondents, approximately 65% cited that they would like an increase in Patrol Services in the Town, 14.5% did not and 18% did not know.
- Of 135 respondents, approximately 50.4% who supported the increase in Patrol Services were not prepared to pay for it, 21.5% were, and 21.5% did not know.
- Of 121 respondents, approximately 74.4% preferred Community Night Patrols as the preferred delivery model and 25.6% Community Security Patrols.

The above data broadly indicates the following:

- Above average awareness of the Christmas period Community Security Patrol Service but low-level improvement in perception of community safety.
- Mixed views around whether Patrol Services positively (or negatively) impact the community, with a high degree of general uncertainty about their impact.
- A high level of support for Patrol Services but with only 50% of respondents prepared to pay for it (noting that approximately 20% were not sure).
- Majority support for Community Night Patrol Services over Community Security Patrol services.

The Community Night Patrols are community-based initiatives that seek to improve personal and community safety, with Indigenous night patrols such as Mingle Mob incorporating cultural knowledge and identity in their implementation. Generally, these patrols focus on reducing contact with the criminal justice system, preventing crime and victimisation in the community and enhancing coordination of community support and law enforcement services. Mingle Mob have advised that Town that they do not support extension of their current evening patrol program, based on previous experience.

### Council delegation

As noted, Council and other community-based organisations want to reduce the magnitude of anti-social and offending behaviour in Port Hedland by young people and youth, to improve community safety and ensure that young people are protected and supported in their social, emotional and behavioural journey from childhood through to adulthood.

The response to anti-social and criminal behaviour is extremely complex, multi-faceted and often based in disadvantage, inequity and trauma, requiring long-term sustainable solutions to effect change. Strategies require evidence-based, collaborative and holistic responses including but not limited to reporting, visible policing, safer and more vibrant public spaces, accommodation, trauma-informed counselling services, innovative models within the justice system, and other pathways that support psychosocial wellbeing, skills and capacity building. Real change and improvement is founded in partnerships between local government, State and Federal Governments, business, wellbeing agencies and the community. Many of these partnerships are in place with positive outcomes being achieved but further support from Government, including program and fiscal inputs in line with the Kimberley Juvenile Justice Strategy, are needed.

Subject to Council approval, a delegation comprising the Mayor, Deputy Mayor and Chief Executive Officer will seek appointments with State Government Ministers and Advisors with a view to leveraging further support to enhance community safety outcomes in Hedland. Ongoing consultation will occur with the rollout of the Town's Youth Development Plan.

### LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of high significance, because a community safety and reduction in antisocial behaviour remains a critical issue affecting residents and business.

### CONSULTATION

#### *Internal*

Councillors, Town of Port Hedland (Briefing, 27 January 2022)  
Director Regulatory Services  
Director Community Services  
Manager Environmental Health and Community Safety  
A/Manager Community Development  
Senior Sports and Facilities Officer  
Senior Youth Officer

#### *External Agencies*

West Coast Eagles  
Youth Involvement Council  
Nyamal Aboriginal Corporation  
Kariyarra Aboriginal Corporation  
Julyardi Aboriginal Corporation  
WA Police  
Department Youth Justice



### *Community*

Community survey of residents

Ongoing consultation will occur with the rollout of the Town's Youth Development Plan.

### LEGISLATION AND POLICY CONSIDERATIONS

*Occupational Health and Safety Act 1984*

1/016 Workplace Health and Safety Policy

*Children and Community Services Act 2004*

1/025 Media and Communications Policy

### FINANCIAL AND RESOURCES IMPLICATIONS

Staffing resources will be drawn from existing FTE within the Community Services Directorate. Other costs may include staffing for Council owned facilities during hours of program delivery (likely to be minimal as program delivery hours generally accord with facility opening hours and ovals do not require additional staffing); facility activation (lighting/amenities/services) and uniforms and equipment where there is a gap in existing funding programs.

If Council resolves to implement a night security patrol service, based on the 2021/22 Christmas Holiday security patrols, funding of \$500,000 will be required. This will need to be sourced from the operational budget.

Flights and accommodation for the Mayor, Deputy Mayor and CEO are expected to total \$7,000 for the proposed meetings with relevant Ministers and their advisors. Funding will be sourced from within the Regulatory Services Budget.

### STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 1.a.3 Youth services and facilities are implemented with regular input from youth and providers
- 1.a.4 Partnerships with stakeholders to deliver sport and recreation are enhanced
- 1.a.5 Agencies and the community are fully engaged to reduce anti-social behaviours and improve community safety
- 1.a.6 Town-wide health, safety, recreation and sporting activities and services

### *Environmental*

There has been considerable damage to property and a perception of an unsafe environment consequential to escalating anti-social and criminal behaviour.

### *Social*

The activity program supports sustainable solutions for improved psychosocial wellbeing, enhanced inclusion and participation and personal development.

*The program also has the potential to reframe negative community perception or rhetoric regarding some youth, to acknowledging their invaluable contribution to community.*

### *Disability Access and Inclusion Plan*

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

- Outcome 1 – Services and Events

### *Corporate Business Plan*

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

- 1.a.3.1 Coordinate and provide a range of youth activities in partnership with key stakeholders
- 1.a.4.1 Support stakeholders to deliver sport and recreation services
- 1.a.5.1 Develop, implement and review a community safety plan
- 1.a.6.1 Promote awareness of town-wide health, recreation, sporting and safety services and initiatives

### **RISK MANAGEMENT CONSIDERATIONS**

A reputational risk exists if the Town does not support collaborative, youth targeted initiatives to address escalating anti-social and criminal behaviour and concerns about youth wellbeing, including those raised at the Hedland Community Safety Advisory Forum. The risk rating is considered to be medium (9), which is determined by a likelihood of possible (3) and a consequence of moderate (3). The 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*

*Alternate recommendation 2, as requested at the Agenda Feedback Session 20 April 2022:*

1. Does not undertake any further night security patrol services, based on feedback from the Community Safety Survey undertaken March 2022.
2. Refers for consideration within the 2022/23 Budget the sum of \$500,000 to provide further additional CCTV camera hardware and software within the District, which is capable of being monitored externally by authorised persons.

*Option 3 – do not adopt officer's recommendation*

### **CONCLUSION**

The Town of Port Hedland 'Night Lights' activity program supported by WCE offers significant potential to leverage existing sporting expertise and collaborative partnerships to effectively engage with youth, build capacity and deliver sustainable social connection while addressing issues of boredom and other factors that contribute to community safety issues. In the context of psychosocial outcomes and potential reduction in costs associated with criminal damage, high risk behaviours and contact with the Justice system, it is considered an invaluable investment by the Town.

The program is a trial program which will be formally evaluated to assess its validity in addressing program outcomes.

If endorsed by Council, the Town's Community Development team will progress the proposal further in consultation with WCE and other key partners.

The Town intends to make provision for mobile security services (in addition to fixed security services) if these services are deemed required, particularly over school holiday periods. Approval for a delegation to meet with State Government Ministers to acknowledge the complexity of contributing factors to anti-social and offending behaviour which command multi-faceted, collaborative and long-term solutions.

#### ATTACHMENTS

Nil

**12.3.5 PORT HEDLAND VISITOR CENTRE - QUARTERLY REVIEW - QUARTER 2: OCTOBER TO DECEMBER 2021**

**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.

**CM202122/180 COUNCIL DECISION****MOVED: CR GILLINGHAM****SECONDED: DEPUTY MAYOR TURNER**

That Council receives the quarterly report from the Port Hedland Seafarers' Centre Inc. for the management of the Port Hedland Visitor Centre for the second quarter, October – December 2021.

*CARRIED BY SIMPLE MAJORITY (8/0)*

**PURPOSE**

The purpose of this report is for Council to consider the financial and general operational report of the Port Hedland Visitor Centre, managed by Port Hedland Seafarers' Centre Inc. for the first quarter from October – December 2021. More specifically, this report addresses the reporting requirements outlined in clause 24.2 of the Management Agreement between Port Hedland Seafarers' Centre Inc. and the Town of Port Hedland.

**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 period 1 July 2019 to 30 June 2021 with a further three x 12-month extension options. Council has exercised two of these extension options, taking the management contract to end on 30 June 2023.

Under clause 24.2 of the agreement, Port Hedland Seafarers' Centre Inc. is to provide the Town with a quarterly report, including the following:

- Income and expenditure.
- Marketing and communication activities undertaken.
- Service providers; and
- Maintenance and capital expenditure.

Please note that there has been a delay in receiving this report due to the resignation of the Port Hedland Seafarers Operations Manager. The extension for receiving this report was requested and approved by the Manager Corporate Affairs.

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 a 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 of 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.
- 1,000 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 quarterly report outlines the progress made by Port Hedland Seafarers' Centre Inc. in the period October - December 2021. The operating cost of the facility is within the parameters laid out in the management contract.

A summary of the key achievements for the quarter October - December 2021 are noted below:

- Maintained their Level One Western Australia Visitor Centre Accreditation with renewal underway.
- For this quarter, the Visitor Centre and the Seafarers Centre facilitated a total of 44 tours with a total of 395 participants, consisting of 181 adults (46%), 155 seniors (39%), and 59 children (15%).
- Continuation of the Wedge St Footpath Markets.
- 125 Years in Port Hedland – Heritage Festival 16 – 22 October 2021
- Port Side Christmas Festival

Noting that in the October to December quarter being the hotter months and visitors to Town are limited. The main attendees at the Visitor Centre and events are residents.

## 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*

- Building maintenance.
- Communications.
- Finance; and

- Planning.

#### *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 for the Port Hedland Visitor Centre was approved in the Town's FY 2021/22 budget.

### STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 1.d.3 Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
- 4.a.2 Town of Port Hedland is marketed and promoted locally, state-wide, nationally and internationally to tourists and investors
- 4.c.1 High quality and responsive customer service is provided
- 4.c.2 Community members, business and tourists are engaged to provide feedback about local facilities and services

#### *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.

There are no significant identifiable environmental or social 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 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.

## OPTIONS

*Option 1 – Adopt officer's recommendation*

*Option 2 – Amend officer's recommendation*

## CONCLUSION

This report is provided to inform Council of the financial and operational progress made by Port Hedland Seafarers' Centre Inc. from October - December 2021 in its role as manager of the Port Hedland Visitor Centre.

## ATTACHMENTS

1. Port Hedland Visitor Centre Quarterly Report (under separate cover)

## 7.4 Infrastructure Services

## 12.4.1 REPURPOSING OF MARQUEE PARK - ENDORSEMENT OF CONCEPT DESIGN

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

## CM202122/181 COUNCIL DECISION

MOVED: CR CHRISTENSEN

SECONDED: DEPUTY MAYOR TURNER

## OFFICER'S RECOMMENDATION 1

That Council:

1. Support the repurposing of Marquee Park to a dog exercise and family park;
2. Endorse the Concept Design for the dog exercise park (as per Attachment 1) by Considered Space, for inclusion in a Request for Tender to be released as part of the FY2022/23 Capital Works Program.

*CARRIED BY SIMPLE MAJORITY (8/0)*

## CM202122/182 COUNCIL DECISION

MOVED: CR CHRISTENSEN

SECONDED: DEPUTY MAYOR TURNER

That Council:

1. Give public notice that it intends to formally identify the following portion of land as a dog exercise area, as required under section 31(3A) of the *Dog Act 1976*, provided no substantiated objections are received:
  - a) part of lot 263 (100) Kennedy Street, South Hedland – Plan Number P070677
2. Note that should there be any objections, these will be reported to Council.

*CARRIED BY ABSOLUTE MAJORITY (8/0)*

## PURPOSE

The purpose of this report is for Council to consider the identification of Marquee Park as a dog exercise area and endorse Marquee Park Dog Exercise Concept Design.

## DETAIL

At the February 2022 Ordinary Council Meeting, Council endorsed the repurposing of Marquee Park due to the ongoing maintenance costs and failures of the Water Park.



During the consideration of the South Hedland Integrated Sports Hub, it was identified that the original allocation for a dog park within that site could be reconsidered to further support the expansion of sporting facilities.

As the need for a dog exercise area in South Hedland area remains, Marquee Park has been identified as a suitable and centralised location for such a facility.

### **Crime Prevention through Environmental Design**

Marquee Park has been identified high risk area for Anti-social behaviour. There have been a number of reports received relating to youth crime and the presence of vandalism in the area. The repurposing to a dog exercise area will contribute towards a much needed and identified community facility as well as activating the area and providing passive surveillance for the park by means of incorporating the principals of CPTED (Crime Prevention Through Environmental Design).

This will include:

- Activating the location by encouraging positive site use at all hours
- Increased lighting across the parcel to support passive surveillance
- Removal of items that have encouraged vandalism (rock gardens and gabion baskets)
- Repositioning and increasing of CCTV and lighting to ensure that the site, and entrances, are adequately covered
- Positive fencing to guide pedestrian traffic and maintain separation of animals as required
- Increased involvement and consultation with user groups to increase community ownership

### *Design*

The Town has engaged a Landscaping consultant to provide a concept design for the consideration of a dog park to be constructed on the parcel at Marquee Park.

The concept design includes key infrastructure to support the use as a dog exercise area. The design has been based upon research into other successful parks in Western Australia and adapted to the climate. Key features to be included in the final construction are:

- Delineated dog areas to provide separation of animals as required (smaller and larger Dogs)
- Appropriate measuring systems for dogs to ensure areas are able to be utilised for specific sizes animals
- Additional seating and rest areas for owners
- Inclusion of additional watering areas
- Space for dog training areas which will house equipment, jumps and obstacles

It is estimated that there is almost \$1.0M in reusable assets at the site, that will be repurposed and distributed across other Town facilities for the community benefits

As part of the proposal, the Town are looking at removing excess shade structures across the site and relocating them to the JD Hardie Centre as part of the Stage 3 development of the facility.

The current aquatics plant room will be re classified as a storage area to be utilised for Town purposes.

Following the endorsement of the concept, a Request for Tender be released by August 2022 as a Design and Construction contract as part of the FY2022/23 Capital Works Program.

### *Public notice*

Further to the above, the Town of Port Hedland is required under section 31(3A) of the *Dog Act 1976* to give public notice to formally identify portions of public land intended to be used for the purposes of dog exercise areas. It is to be noted that all dog exercise areas are to be fully fenced.

Under section 31(3A) of the *Dog Act 1976*, the Town is enabled to formally identify the use of specific land if that land is intended for certain defined purposes. The operation of a dog exercise area, where dogs are permitted to run off lead and untethered is required to be approved by Absolute Majority of Council.

Historically, the Town has identified dog exercise areas as an annexure of the Dog Local Law. This process eliminates flexibility and creates an administrative burden as any proposed variation to dog exercise locations will trigger a formal review of the Local Law.

The Dog Act allows for the Council to identify the exercise areas, and then give public notice for 28 days to advertise its intention, with the exercise areas coming into effect afterwards.

Once the site is formally defined, the Town will be authorised to install the endorsed conditions of use for Port Hedland dog exercise areas. The conditions will ensure the communities safe enjoyment of the site can be maintained.

### **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because Council has already endorsed the closing of Marquee Park at the February 2022 Council Meeting.

### **CONSULTATION**

#### *Internal*

Consultation has been undertaken with Community team in the relocation of the Dog Exercise Park from South Hedland Integrated Sports Hub, to Marquee Park.

Environmental Health team have reviewed the concept and provided feedback that the activation of Marquee Park would support the current need to discourage antisocial behaviours that have been reported at the site.

The Ranger team have provided some guidance on local laws and considerations for dog exercise areas.

#### *External Agencies*

Nil

#### *Community*

The need for a dog exercise area was identified during the development of the SHISH masterplan. Once the Council resolved to add aquatics to the SHISH masterplan, an alternative site was required

## LEGISLATION AND POLICY CONSIDERATIONS

Consideration is given to the Town's obligations under the Dog Act 1976, by the endorsement to formally recognise Marquee Park as a dog exercise area.

## FINANCIAL AND RESOURCES IMPLICATIONS

A request for budget has been made for FY2022/23 for the amount of \$900,000.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 1.a.6 Town-wide health, safety, recreation and sporting activities and services
- 1.b.4 Regular opportunities for the broad community to have input into the Town of Port Hedland plans and programs are provided for transparency, accountability and two-way interaction
- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

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

### *Disability Access and Inclusion Plan*

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

- Outcome 2 – Buildings and Facilities

## RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because without activation of the Marquee Park, there is risk of further anti-social behaviours. The risk rating is considered to be high (12), which is determined by a likelihood of possible (3) and a consequence of major (4).

## OPTIONS

*Option 1 – Adopt officer's recommendation*

*Option 2 – Amend officer's recommendation*

*Option 3 – Do not adopt officer's recommendation*

## CONCLUSION

The repurposing of Marquee Park will not only support dog owners in providing a fit for purpose space for dog exercise, but it will also ensure the Town are able to respond to the community call for assistance to deflect anti-social behaviours.

## ATTACHMENTS

1. Marquee Park Dog Exercise Park - Concept Design (under separate cover)

**12.4.2 THREE YEAR WEED REMOVAL PROGRAM**

**Author:** Coordinator Landscape and Irrigation  
**Authorising Officer:** Director Infrastructure Services  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**CM202122/183 COUNCIL DECISION****MOVED: CR GILLINGHAM****SECONDED: CR COLES**

That Council:

1. Notes that the Department of Primary Industries Declared Pest list includes, *Tamarix aphylla* (Athel Pines) and *Leucaena leucecephala* which have been identified in the Port Hedland Area.
2. Notes the three year weed removal program as per the officers report.
- 3 Conduct a survey of the residents at the corner of Sutherland and Keesing Streets prior to action.

*CARRIED BY SIMPLE MAJORITY (8/0)***PURPOSE**

The purpose of this report is to inform Council of the Town of Port Hedland's (Town's) proposed 3 year weed removal program for 2022 to 2025. The programme is designed to remove declared pest weeds in a number of areas over a three-year period.

**DETAIL**

As part of the Town's commitment to looking after our unique ecosystem the Town undertakes weed management, working to the Department of Primary Industries Declared Pest list includes, *Tamarix aphylla* (Athel Pines) trees and *Leucaena leucecephala* which have been identified in the Port Hedland Area.

*Tamarix aphylla* displaces Eucalyptus and other species of tree, also other native vegetation, resulting in dominance of the ground vegetation by relatively few species of introduced or salt-tolerant plants, and a reduction in the number of birds, reptiles and invertebrates. Athel Pine excretes salt through its leaves which leads to higher salinity levels in the dense compacted litter. This makes it extremely hard for anything else to grow underneath or near them as can be seen in the photo where they are established in the Hedland area.

<https://www.agric.wa.gov.au/organisms/114289>

The Town will continue to target *Leucaena leucocephala*. This tree has been identified by Department of Primary Industries as Very High Risk on the environmental weed risk assessment. While this tree makes great fodder for grazing stock, it is a pest when left to spread with no controls in place. This is an aggressive plant which out-competes native vegetation.

The Town will make the Tamarix trees and *Leucaena leucocephala* a priority and remove them over the next 3 years

Locations include but not limited to:

- Corner Sutherland and Keesing St. There is a large clump of these trees growing on the top of the dunes. This area is currently under Dune Regeneration as part of conservation efforts. The Town proposes to remove these trees.
- Due to revegetation works on the dune, the trees will be removed from the street side. This is to minimise any disturbance to the dune area.



- Sutherland St – Yacht Club entrance. There is another bank of Tamarix. The same measures will be undertaken, however the trees would be removed from down on the beach as there is already an informal road just in front of them which allows access without the need to disturb any other vegetation.
- Native seed will be placed to help stabilise the area and help conservation efforts on the sand dunes.



- Corner Sutherland St and Howe St. One solitary tree, no concerns around conservation efforts with this tree. While being a pest this tree also encroaches on the footpath requiring pruning regularly so members of the public can continue to use the footpath.

There are more scattered throughout Port Hedland on Town owned or managed land as you drive along Kingsmill St, Anderson St etc. which will be targeted to reduce numbers and control the pest.

In addition, there are a number of locations in Port Hedland where these pest weeds are present on land not owned or managed by the Town. Town staff will work with landowners to encourage removal.

In areas where these pests are removed in numbers larger than groups of 2, the Town will seed the areas with matching native seed to the surrounding environment. In areas such as corner Sutherland and Keesing St the Town will also plant *Casuarina equisetifolia* the native Australian pine or whistling pine tree when the ground has lost enough salinity for the trees to survive.

#### LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because the proposed weed removal plan offers an improved environment to the Town and is not believed to have any negative impacts.

## CONSULTATION

### *Internal*

- Director Infrastructure Services; and
- Acting Manager Infrastructure Operations

### *External Agencies*

- Dept Primary Industries

### *Community*

- Advertised through the Town's media channels and adjoining neighbours/properties will be notified

## LEGISLATION AND POLICY CONSIDERATIONS

There are no legislation or policy considerations required for this item.

## FINANCIAL AND RESOURCES IMPLICATIONS

The budget for this program is contained within the Town's operational programs.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities

### *Environmental*

This will have a positive impact environmentally, helping by removing invasive weeds and increasing native vegetation and habitat for local fauna.

### *Social*

There is a significant benefit to the public by creating and aesthetically pleasing landscape.

The trees have to be regularly pruned to enable continuous access to the footpath.

### *Corporate Business Plan*

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

- 1.a.5.2 – Develop, implement and review strategies and programs to enhance the Town's visual amenity and safety

## RISK MANAGEMENT CONSIDERATIONS

There is an environmental risk associated with this item because the weeds outlined above pose a risk to native vegetation and environment. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2).

The risk will be eliminated by the endorsement of the officer's recommendation.

## OPTIONS

*Option 1 – Adopt officer's recommendation*

*Option 2 – Do not adopt officer's recommendation*

## CONCLUSION

It is recommended that Council supports the three-year weed removal program for 2022 to 2025 as it will be beneficial to the community and environment.

## ATTACHMENTS

Nil



**12.4.3 AWARD OF TENDER RFT2122-17 'SUPPLY OF PLANT, EQUIPMENT AND OPERATORS FOR INFRASTRUCTURE WORKS'**

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

CM202122/184 COUNCIL DECISION

MOVED: CR CHRISTENSEN

SECONDED: CR COLES

That Council:

1. Awards the following successful tenderers to the panel of pre-qualified suppliers for RFT2122-17 'Supply of Plant, Equipment and Operators for Infrastructure Works' for an initial period of one year up to a maximum period of three (3) years. Annual extensions will be at the discretion of the Town:

Equipment Hire Only:

- a. Brooks Hire Service Pty Ltd
- b. Coates Hire
- c. KEE Hire Pty Ltd

Plant, Equipment and Operators:

- a. AK Evans Group Australia Pty Ltd
- b. DeGrey Civil Pty Ltd
- c. Everything Earth Pty Ltd
- d. Leschenault Excavations Pty Ltd
- e. Norwest Contracting
- f. Riverhill Contracting Pty Ltd
- g. Westex Contracting Pty Ltd

*CARRIED BY SIMPLE MAJORITY (8/0)*

#### PURPOSE

The purpose of this report is for Council to consider the assessment of submissions received for RFT2122-17 'Supply of Plant, Equipment and Operators for Infrastructure Works' and endorse the evaluation panel's recommendation for the preferred panel.

#### DETAIL

The Town of Port Hedland (The Town) is seeking to re-establish a panel of pre-qualified suppliers to supply specialist equipment and skilled operators to deliver specified work within the Town's boundaries. The appointed contractors will be expected to provide:

- Reliable fit for purpose specialist heavy plant for use in construction, earthworks, and civil works environment
- Suitably qualified operators capable of operating specialist plant within a construction, earthworks, and civil works environment
- Suitably qualified supervisors with the ability to coordinate their operators to work to defined program of works and delivering within agreed timelines

The panel of pre-qualified suppliers provide a greater efficiency in the delivery of committed works and allows the Town to undertake projects requiring similar equipment and experienced operators without impacting the delivery timeline of committed works.

The Town's previous panel of pre-qualified suppliers for the supply of plant, equipment and operators expired on 17 February 2022 after being active for three (3) years.

#### *Purchases from Pre-Qualified Panels*

Purchases under the plant, equipment and operators panel generally consists of scheduled renewal and maintenance works such as:

- Drainage maintenance and renewal program
- Sealed roads maintenance and renewal program
- Maintenance grading and reconstruction of unsealed roads
- Intersection upgrades and works
- Blackspot works

The re-establishment of this panel also allows for an efficient and prompt recovery response for unprecedented events such as cyclones and heavy rain. These types of events generally cause significant damage to road and drainage infrastructure which require immediate reconstruction works for both public safety and access of critical services within the community.

#### *Request for Tender*

The Town released a Request for Tender (RFT) on the Town's website and on Vendorpanel on Wednesday 2 February 2022 seeking suitably qualified respondents to provide quotes for the supply of plant, equipment and operators. The RFT was also advertised in the West Australian and North West Telegraph as required by the *Local Government Act 1995*.

#### *Addendum*

The following addenda were released in relation to this tender:

Addendum	Date released	Detail
1	03/02/2022	Release of draft contract to market
2	23/02/2022	Extension of closing date from 23/02/2022 to 25/02/2022
3	23/02/2022	Clarifying that the 'draft' watermark on the RFT is to be ignored and RFT document is correct

#### *Site inspection/ Briefing details*

Due to the nature of this tender being to establish a panel, a site briefing was not held.

*Tender Assessment*

The RFT closed on Friday 25 February 2022, with fifteen (15) submissions received from the following respondents (in alphabetical order):

1. AK Evans Group Australia Pty Ltd
2. Earthmoving WA Pty Ltd
3. Brooks Hire Service Pty Ltd
4. Coates Hire
5. DeGrey Civil Pty Ltd
6. Everything Earth Pty Ltd
7. James Matthews Haulage Pty Ltd
8. KAT 5 Kerbers
9. KEE Hire Pty Ltd
10. Leschenault Excavations Pty Ltd
11. Norwest Contracting
12. Riverhill Contracting
13. Sarens Australia Pty Ltd
14. Stabilco Pty Ltd
15. Westex Contracting Pty Ltd

All compliant tender submissions have been evaluated by a panel of five (5) Town employees whose main objectives were:

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

*Evaluation*

The Town’s procurement team facilitated the evaluation meeting which was held on Friday 4 March 2022.

The Town has adopted the best value for money approach to this Request. This means that, although price is considered, the Response containing the lowest price will not necessarily be accepted, nor will the offer rank the highest on the Qualitative Criteria. Of the fifteen (15) responses received, fourteen (14) were deemed compliant and were evaluated against the qualitative criteria as listed in the below table:

Qualitative Criteria	(%)
Capacity to deliver & resources	30%
Key personnel & skills	25%
Service & maintenance	25%
Local content	20%

Contracts may be awarded to a single or multiple respondent(s) who best demonstrates the ability to provide quality products and or services at a competitive price. The responses will be assessed together with the qualitative and compliance criteria to determine the most advantageous outcome for the Town.

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

## LEVEL OF SIGNIFICANCE

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

## CONSULTATION

### *Internal*

- Infrastructure Operations team
- Infrastructure Projects team
- Infrastructure Assets team
- Procurement team

### *External Agencies*

Nil

### *Community*

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

## LEGISLATION AND POLICY CONSIDERATIONS

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

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

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

1. 2/007 'Purchasing'
2. 2/016 'Regional Price Preference'
3. 2/022 'Panels of Pre-Qualified Suppliers'

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

## FINANCIAL AND RESOURCES IMPLICATIONS

By establishing a panel of pre-qualified suppliers, the Town is supporting efficiencies in financial management and resourcing. It will create a readily available resource pool of both operators and equipment.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 2.c.3 Local procurement is prioritised and promoted across industry and agencies
- 4.b.1 Sound long-term financial planning is implemented

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

#### *Corporate Business Plan*

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

2.c.3.1 – Promote Town of Port Hedland procurement activities

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

#### **RISK MANAGEMENT CONSIDERATIONS**

There is a service interruption risk associated with this item. Without access to pre-qualified supplier panels, the ability of the Town to deliver annual low risk renewal works will be impeded with need to use alternative procurement methods that require additional time and resources to complete.

The risk rating is considered to be medium (9), which is determined by a likelihood of possible (3) and a consequence of moderate (3).

This risk will be 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 RFT2122-17 'Supply of Plant, Equipment and Operators for Infrastructure Works' to the preferred tenderers as listed in the attached evaluation report.

#### **ATTACHMENTS**

1. Evaluation Report - Confidential (under separate cover)

**12.4.4 TOWN OF PORT HEDLAND NEW LANDFILL SITE - SITE SELECTION REVIEW**

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

**CM202122/185 COUNCIL DECISION****MOVED: CR COLES****SECONDED: CR ZIELKE**

That Council:

1. Note the report "Town of Port Hedland New Landfill Site" and Attachment 1 Site Selection Review
2. Undertake the necessary studies (as outlined in the Site Selection Review prepared by Tallis Consultants) to confirm the suitability of the preferred site for a new Port Hedland landfill.
3. Begin discussions with Kariyarra Aboriginal Corporation on establishing an Indigenous Land Use Agreement for the preferred landfill site.

*CARRIED BY SIMPLE MAJORITY (8/0)***PURPOSE**

The purpose of this report is for Council to consider information provided on the desktop assessment and land capability assessment for the preferred site for the new Town landfill. Further technical studies are required to ensure that the site is suitable for a new landfill.

**DETAIL**

In July 2014 the Council resolved that "the preferred location for the new waste management facility is undeveloped (unallocated) Crown Land on the northern section of Lot 203 Great Northern Highway (now Lot 1504 on Plan 404497), approximately 12 km southwest of Port Hedland and 3 km from the Boodarie Station Access Road."

The Town's landfill has up to 30 years capacity left in it. The capacity of any landfill site can be impacted by extreme weather events such as cyclones and floods. It has been suggested that a severe weather event could use up to 5 years' worth of landfill capacity. Further capacity can be impacted by an economic upturn which may lead to construction waste being sent to landfill. Given climate change and the expectation of more extreme weather events, the expected upturn in construction in the area over the next ten years there may be significantly less than 30 years life left at the existing site.

It takes approximately 10 years to build and secure all regulatory approvals necessary to develop a new landfill. Planning for the eventual new landfill should be commenced and undertaken over the next ten years to ensure the Town is not left without a landfill.

When the initial site selection report was carried out in 2014, the land in question was Crown Land unallocated. As a result of the Kariyarra settlement all unallocated Crown Land has now passed to the Kariyarra Aboriginal Corporation and the Town will be required to negotiate an Indigenous Land Use Agreement for use of the land.

The following studies will need to be completed to assess the initial suitability of the site.

1. Hydrological flooding risk and required management measures associated with the site and an evaluation if there are sufficient areas outside of the flood mapping for the full development of the waste management facility.
2. Consideration of whether adjacent/alternative land outside of the flood risk areas should be considered for the waste management facility.
3. Assess closure obligations for existing South Hedland Landfill, to ascertain whether any conceptual design of the new facility can provide a borrow area to provide sufficient restoration materials for the existing site while ensuring the long term source of materials for engineering, operations and restoration are not unduly effected.

## LEVEL OF SIGNIFICANCE

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

- The replacement landfill construction is the replacement of a strategic asset.
- A decision that will significantly affect the cost to Council to carry out any activity identified in the strategic plan. The closure of the existing landfill site and the construction of a new landfill site is estimated to be upwards of \$70 million.
- The matter that will substantially affect a wide range of people who reside in Port Hedland.
- The decision flows logically and consequently from a series of significant decision already made by previous Councils.
- Once a landfill site is selected and constructed it would be difficult to reverse.
- Given the financial, economic and environmental impacts the matter will have implications for the present and future social, economic, environmental and cultural well-being of Port Hedland

## CONSULTATION

### *Internal*

Manager Planning  
Manager Waste

### *External Agencies*

Talis Consulting

### *Community*

There has been significant community consultation over a number of years. The decisions build on work which has been already undertaken and is a logical next step in confirming the suitability of preferred site.

## LEGISLATION AND POLICY CONSIDERATIONS

A new landfill will have to comply with all appropriate environmental legislation and will be subject to licensing by the Department of Water and Environment.

## FINANCIAL AND RESOURCES IMPLICATIONS

The Town has established a reserve called the Landfill Establishment Reserve is to fund the closure of the existing site and to establish the new Landfill.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 3.b.3 Sustainable energy, waste and water management practices are provided and promoted

### *Environmental*

The Town will be required to meet new and increased environmental compliance with its existing and new landfill.

### *Economic*

The Town of Port Hedland waste stream is 85% commercial waste. If the new landfill site is not planned and established well in advance of it being required this will have a detrimental effect on businesses in Town being able to operate.

### *Social*

There are no significant identifiable social 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 2 – Buildings and Facilities

The new landfill will comply with the Town's obligations under the relevant building code to enable it to be complaint for disability access.

### *Corporate Business Plan*

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

3.b.3.2 – Promote sustainable initiatives which encourage waste avoidance, reduction, recovery and reuse.

## RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item because the Town as the Town must undertake all relevant studies in order to progress the suitability of the preferred landfill site. The risk rating is considered to be low (4), which is determined by a likelihood of unlikely (2) and a consequence of minor (2). This is because the Town will not get necessary approvals for the landfill until these studies are undertaken. The risk is 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 planning for a new landfill site must begin years in advance of the need for a landfill. By continuing the work to undertake the required studies the Town can be assured of the suitability of the preferred site. If the site turns out not be suitable then the Town will still have time to find another site.

## ATTACHMENTS

1. Site Selection Review - Confidential (under separate cover)

## 7.5 Executive Services

## 12.5.1 CONFERENCES UP TO JULY 2022

Author: EA to CEO and Mayor  
Authorising Officer: Chief Executive Officer  
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

Cr Zielke declares an interest

## CM202122/186 COUNCIL DECISION

MOVED: DEPUTY MAYOR TURNER

SECONDED: CR COLES

That Council:

1. Nominate and approve the Mayor and Cr Zielke to attend the Decarbonising the Resources Sector Summit on behalf of the Town of Port Hedland from 15 to 16 June, 2022 in Perth, pending any COVID-19 restrictions being in place at the time of travel:
2. Note that the CEO may appoint Officers to attend the Decarbonising the Resources Sector Summit on behalf of the Town of Port Hedland; and
3. Note that the Mayor and Councillor must submit a report on their attendance to the Chief Executive Officer prior to the 25 August 2022.

*CARRIED BY SIMPLE MAJORITY (8/0)*

## CM202122/187 COUNCIL DECISION

MOVED: CR COLES

SECONDED: CR BENNETT

That Council:

1. Nominate and approve the CEO, Mayor, Cr Turner and Cr Christensen to attend the National General Assembly 2022 on behalf of the Town of Port Hedland from 19 to 22 June 2022 in Canberra, pending any COVID-19 restrictions being in place at the time of travel:
2. Note that the CEO may appoint Officers to attend the National General Assembly 2022 on behalf of the Town of Port Hedland; and
3. Note that the Mayor and Councillor must submit a report on their attendance to the Chief Executive Officer prior to 25 August 2022.

*CARRIED BY SIMPLE MAJORITY (8/0)*

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**CM202122/188 COUNCIL DECISION****MOVED: CR GILLINGHAM****SECONDED: CR COLES**

That Council:

1. Nominate and approve the CEO, Mayor, Cr Christensen, Cr Bennet, Cr Turner, Cr Eckhart to attend the Pilbara 2022 Summit on behalf of the Town of Port Hedland from 29 to 30 June 2022 in Karratha, pending any COVID-19 restrictions being in place at the time of travel:
2. Note that the CEO may appoint Officers to attend the Pilbara 2022 Summit on behalf of the Town of Port Hedland: and
3. Note that the Mayor and Councillor must submit a report on their attendance to the Chief Executive Officer prior to 25 August 2022.

*CARRIED BY SIMPLE MAJORITY (8/0)*

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**CM202122/189 COUNCIL DECISION****MOVED: CR GILLINGHAM****SECONDED: DEPUTY MAYOR TURNER**

That Council:

1. Nominate and approve the CEO, Mayor and Cr Coles to attend the Developing Northern Australia Conference on behalf of the Town of Port Hedland from 6 to 8 July 2022 in Mackay, pending any COVID-19 restrictions being in place at the time of travel:
2. Note that the CEO may appoint Officers to attend the Developing Northern Australia Conference on behalf of the Town of Port Hedland: and
3. Note that the Mayor and Councillor must submit a report on their attendance to the Chief Executive Officer prior to 25 August 2022.

*CARRIED BY SIMPLE MAJORITY (8/0)*

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### 12.5.1 COUNCIL DECISION

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CM202122/190 COUNCIL DECISION

MOVED: CR BENNETT

SECONDED: CR ZIELKE

That Council:

1. Amend the Agenda Feedback Session from Wednesday 15 June 2022 to Thursday 16 June 2022: and
2. Amend the Ordinary Council Meeting from Wednesday 22 June 2022 to Thursday 30 June 2022.

*CARRIED BY SIMPLE MAJORITY (8/0)*

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#### PURPOSE

The purpose of this report is for Council to consider the Mayor, a Councillor, Chief Executive Officer and relevant Officers attend various conferences in June and July 2022.

#### DETAIL

*General overview Recommendation 1*

#### *Decarbonising the Resources Sector Summit*

The Decarbonising the Resources Sector Summit will examine pathways to decarbonisation and how Mining, Oil & Gas companies can prosper in a low carbon world using innovative solutions and emerging cost-effective technologies. Australia has long been a Resources powerhouse and is now in the spotlight and facing increasing pressure from regulators, investors, customers and the community globally to decarbonise operations.

Some of the topics that will be covered include:

- Opportunities for renewable power purchase agreements (PPAs)
- Low carbon technologies and renewables in mining, Oil and Gas decarbonisation plans
- Solutions, actions and benchmarks for a net zero emissions
- Future-proofing Australia's resource exports in a decarbonising world

#### LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, minimal impact to the community and public interest.

#### PURPOSE

The purpose of this report is for Council to consider the attendance of the Mayor, a Councillor, Chief Executive Officer and relevant Officers to the National General Assembly 19 to 22 June 2022, in Canberra.

## DETAIL

### *General overview Recommendation 2*

#### *National General Assembly – Partners in Progress*

This event provides a unique opportunity for Local Government to engage directly with the Federal Government, to develop national policy and to influence the future direction of our councils and our communities.

Some of the topics that will be covered include:

- Leadership during an uncertain Climate
- Thinking Differently for a New Future of Local Government in Australia
- Economic Recovery
- Building Stronger Communities
- Global Democracy
- Workforce Skills and Housing
- Future of Local Government

## LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, minimal impact to the community and public interest.

## PURPOSE

The purpose of this report is for Council to consider the attendance of the Mayor, Councillor, Chief Executive Officer and relevant Officers to the Pilbara 2022 Summit to be held 29 to 30 June 2022, in Karratha.

## DETAIL

### *General overview Recommendation 3*

#### *Pilbara 2022 Summit – Major Projects, Development, Investment and Building Communities*

Pilbara 2022 supported by the Pilbara Development Commission will be looking at the economic growth, investment, development, productivity and innovation across the region.

Some of the topics that will be discussed include:

- Managing and stimulating growth innovative infrastructure, transport, primary industries and creating thriving and diverse communities
- Strategic Development, investment opportunities and emerging industries driving economic growth
- The resources powerhouse of WA – growth, new developments and decarbonisation in mines, ports, shipping and green steel
- WA Economy – The importance of new development and economic growth in the Pilbara
- The future of energy and decarbonisation – Renewables, hydrogen and gas

### *General overview Recommendation 4*

#### *Developing Northern Australia Conference*

The Developing Northern Australia Conference continues to grow every year. Along with the national momentum for achieving better economic, social and environmental outcomes for north and its people.

It enables strong Indigenous and other important voices from across the north to come together to share stories across diverse themes such as investment, defence, workforce, health and industry development and natural resource management.

It is an opportunity for northern Australians and their supporters from across the nation and the world to come together to celebrate progress and to refine strategic efforts.

The conference also provides the premier annual opportunity for everyone to have a real input into the policy and program thinking of the Commonwealth, State and territory Governments.

## CONSULTATION

### *Internal*

- Consultation with internal or external parties in the preparation of this report has been limited to information gathering.

### *External Agencies*

- Nil.

### *Community*

- Nil.

## LEGISLATION AND POLICY CONSIDERATIONS

Section 2.1.4 'Conferences, seminars and forums' in the Town's policy 4/010 'Elected Member Professional Development' is applicable as it sets out parameters the ongoing professional development of the Elected Members in their role.

Section 2.1.5 'Funding' of the Town's policy 4/010 is applicable as it sets out how Council allocates funds in the Town's budget to meet the costs of attendance, registration fees, travel and accommodation for Elected Members to participate in conferences.

There are no legislative considerations in relation to this agenda item.

The recommended decision is not a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections - Caretaker Policy'.

**FINANCIAL AND RESOURCES IMPLICATIONS**

The following tables outline the approximate costs for attending the above conferences:

Recommendation 1 Decarbonising the Resources Sector Summit 15 to 16 June 2022 - Perth		
Detail	Approximate Total Cost	Notes
Accommodation	\$800.00	Accommodation for 3 x nights at while attending the conference
Flights	\$ 1000.00	Flight costs (e.g. Port Hedland, Perth, return)
Registration Fee – two day package	\$ 2695	Early bird fee includes the two-day Package (Registration due by 31 <sup>st</sup> March 2022)
Registration Fee – Two day package	\$2995	This fee includes the two-day Package
Meals / Incidentals		<p><u>Tuesday 14<sup>th</sup> June 2022 (Travel to Perth)</u> Dinner \$51.85 Incidentals \$19.35</p> <p><u>Wednesday 15<sup>th</sup> June 2022 (Summit):</u> Breakfast \$27.05 <i>Lunch is provided at the Forum.</i> <i>Conference Dinner tbc</i> Incidentals \$19.35</p> <p><u>Thursday 16<sup>th</sup> June 2022 (Summit)</u> Breakfast \$27.05 <i>Lunch is provided at the Forum.</i> Dinner \$51.85 Incidentals \$19.35</p> <p><u>Friday 17<sup>th</sup> June 2022 (Travel to Port Hedland)</u></p>
<b>Total</b>	<b>\$ 4710.00</b>	<b>Total approximate cost per person to attend</b>

Recommendation 2 National General Assembly 20 to 22 June 2022 - Canberra		
Detail	Approximate Total Cost	Notes
Accommodation	\$1000.00	Accommodation for 4 x nights at while attending the conference
Flights	\$ 1800.00	Flight costs (e.g. Port Hedland, Perth, Canberra and return)
Registration Fee – two day package	\$989	Early bird fee

Meals / Incidentals		<p><u>Sunday 19<sup>th</sup> June 2022 (Travel Port Hedland to Perth to Canberra)</u>                  Welcome Reception and Exhibition Opening                  5pm to 7pm                  Incidentals \$19.35</p> <p><u>Monday 20<sup>th</sup> June 2022 (Conference):</u>                  Breakfast \$27.05  <i>Lunch is provided</i>                  Networking Dinner – 7pm to 11pm                  Incidentals \$19.35</p> <p><u>Tuesday 21<sup>st</sup> June 2022 (Conference)</u>                  Breakfast \$27.05  <i>Lunch is provided</i>                  General Assembly Dinner – 7pm to 11pm                  Incidentals \$19.35</p> <p><u>Wednesday 22<sup>nd</sup> June 2022 (Conference)</u>                  Breakfast \$27.05  <i>Lunch is provided</i></p> <p>Flight - Depart Canberra to Perth tbc</p> <p>Overnight accommodation in Perth</p> <p><u>Thursday 23<sup>rd</sup> June 2022</u>                  Flight – Perth to Port Hedland tbc</p>
<b>Total</b>	<b>\$ 3928</b>	<b>Total approximate cost per person to attend</b>

<b>Recommendation 3 Pilbara 2022 Summit - Karratha</b>		
<b>Detail</b>	<b>Approximate Total Cost</b>	<b>Notes</b>
Accommodation	\$2970.00	Accommodation for 3 x nights while attending the Summit (\$594 per person)
Registration Fee – two day package	\$6050.00	Early bird fee \$1210.00 per person (5 attending)
Meals / Incidentals		<p><u>Tuesday 28 June 2022 (Travel Port Hedland to Karratha)</u>                  Dinner \$51.85 per person                  Incidentals \$19.35</p> <p><u>Tuesday 29 June 2022</u>                  Breakfast \$27.05  <i>Lunch is provided</i>                  Networking Dinner – 7pm</p>



		Incidentals \$19.35  <u>Wednesday 30 June 2022</u> Breakfast \$27.05 <i>Lunch is provided</i> Closing Function – 4pm Incidentals \$19.35
<b>Total</b>	<b>\$1968.00</b>	<b>Total approximate cost per person to attend</b>

Recommendation 5 Developing Northern Australia Conference		
Detail	Approximate Total Cost	Notes
Accommodation	\$1200.00	Accommodation 5 x nights
Flights	\$2000.00	Tuesday 5 <sup>th</sup> July 2022 (Travel Port Hedland to Brisbane, Brisbane to Cairns)  Wednesday 6 <sup>th</sup> July (Travel Cairns to Mackay) tbc  Friday 8 <sup>th</sup> July 2022 (Travel Mackay to Cairns, Cairns to Brisbane).  Saturday 9 <sup>th</sup> July 2022 (Travel Brisbane to Port Hedland via Perth) tbc
Registration Fee – three day package	\$1199.00	Early Bird fee per person
Meals / Incidentals		<u>Tuesday 5<sup>th</sup> July 2022</u> Dinner \$51.85 per person Incidentals \$19.35  <u>Wednesday 6<sup>th</sup> July 2022</u> Breakfast \$27.05 <i>Lunch is provided</i> Networking Dinner – tbc Incidentals \$19.35  <u>Thursday 7<sup>th</sup> July 2022</u> Breakfast \$27.05 <i>Lunch is provided</i> Networking Dinner – tbc  <u>Friday 8<sup>th</sup> July 2022</u> Incidentals \$19.35

<b>Total</b>	<b>\$4544</b>	<b>Total approximate cost per person to attend</b>

At the time of writing this report, the following budget balances are noted:

Budget Line (General Ledger)	Annual Budget Total	Remaining Balance at time of report
Elected Members – Individual Training and Development	\$75,000	\$72,610
Elected Members – Accommodation and Travel Expenses	\$42,000	\$38,600

The registration fee is to be deducted from the ‘Individual Training and Development’ budget. Accommodation, travel and incidentals will be deducted from the ‘Accommodation and Travel Expenses’ budget.

In accordance with 2/007 ‘Purchasing’ policy, the Town must ensure the efficient and prudent expenditure of financial resources.

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

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

- 2.b.1 Forums are regularly provided to support industry and businesses, including Aboriginal and disability enterprises, in engaging with the community and stakeholders
- 2.b.2 The Town’s economic development strategy is supported through engagement with key economic groups
- 2.c.1 Business and government agencies and other relevant stakeholders are engaged to:
- 4.a.1 Town of Port Hedland is represented and advocated for in International, Federal, State and regional forums and policy development
- 4.a.2 Town of Port Hedland is marketed and promoted locally, state-wide, nationally and internationally to tourists and investors
- 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.

**RISK MANAGEMENT CONSIDERATIONS**

As per the risk matrix contained in policy 1/022 ‘Risk Management’, the level of risk is considered to be Low (2) for this agenda item. This is calculated as an insignificant consequence and unlikely likelihood. This report promotes good governance, transparency, accountability, the prudent expenditure of financial resources and informed decision making.

## OPTIONS

### RECOMMENDATION 1

*Option 1 – Adopt officer’s recommendation*

*Option 2 – Amend officer’s recommendation*

*Option 3 – Do not adopt officer’s recommendation*

### RECOMMENDATION 2

*Option 1 – Adopt officer’s recommendation*

*Option 2 – Amend officer’s recommendation*

*Option 3 – Do not adopt officer’s recommendation*

### RECOMMENDATION 3

*Option 1 – Adopt officer’s recommendation*

*Option 2 – Amend officer’s recommendation*

*Option 3 – Do not adopt officer’s recommendation*

## CONCLUSION

The Town of Port Hedland will benefit from attending the above conference. It allows the Town to gain insight into the unique factors affecting regional local governments, business and community sectors and share information and strategies.

## ATTACHMENTS

Nil

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**Item 8 Motions of which Previous Notice has been given**

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Nil

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**Item 9 New Business of an Urgent Nature (Late items)**

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Nil

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**Item 10 Matters for Which Meeting May Be Closed (Confidential Matters)**

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Nil

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**Item 11 Closure**

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**11.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 25 May 2022 commencing at 5.30pm.

**11.2 Closure**

There being no further business, the Presiding Member declared the meeting closed at 8:12pm.

**DECLARATION OF CONFIRMATION OF MINUTES**

I certify that these Minutes were confirmed by the Council at the Ordinary Council Meeting on 25 May 2022.

CONFIRMATION:



\_\_\_\_\_  
PRESIDING MEMBER

25 May 2022

\_\_\_\_\_  
DATED