



# AGENDA

Dear Mayor and Councillors,

I respectfully advise that an **ORDINARY COUNCIL MEETING** be held in the **Civic Centre Chambers 13 McGregor Street, PORT HEDLAND WA 6721**, on **Wednesday 13 December 2023**, commencing at **5:30pm**.

**MEETING AGENDA ATTACHED**

Yours faithfully

A handwritten signature in black ink, appearing to be "Craig Watts", with a long horizontal line extending to the right.

Craig Watts  
A/Chief Executive Officer

8 December 2023

**DISCLAIMER**

No responsibility whatsoever is implied or accepted by the Town of Port Hedland for any act, omission, statement, or intimation occurring during Council Meetings. The Town of Port Hedland disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Town of Port Hedland advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

**DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS**

*Local Government Act 1995 – Section 5.65, 5.70 and 5.71  
Local Government (Model Code of Conduct) Regulations 2021*

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Model Code of Conduct) Regulations 2021</i>			
Name			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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

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

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

## Order of Business

<b>1</b>	<b>Opening of Meeting</b> .....	<b>8</b>
<b>2</b>	<b>Acknowledgement of Traditional Owners and Dignitaries</b> .....	<b>8</b>
<b>3</b>	<b>Recording of Attendance</b> .....	<b>8</b>
<b>3.1</b>	<b>Attendance</b> .....	<b>8</b>
<b>3.2</b>	<b>Attendance by Telephone / Instantaneous Communications</b> .....	<b>8</b>
<b>3.3</b>	<b>Apologies</b> .....	<b>9</b>
<b>3.4</b>	<b>Approved Leave of Absence</b> .....	<b>9</b>
<b>3.5</b>	<b>Disclosures of Interest</b> .....	<b>9</b>
<b>4</b>	<b>Applications for Leave of Absence</b> .....	<b>9</b>
<b>5</b>	<b>Response to Previous Questions</b> .....	<b>9</b>
<b>5.1</b>	<b>Response to Questions taken on notice from Elected Member at the Council Meeting held on 29 November 2023</b> .....	<b>9</b>
<b>5.1.1</b>	<b>Responses to Questions taken on Notice from Elected Members</b> .....	<b>9</b>
<b>5.2</b>	<b>Response to Questions taken on notice from Public at the Council Meeting held on 29 November 2023</b> .....	<b>9</b>
<b>6</b>	<b>Public Time</b> .....	<b>9</b>
<b>6.1</b>	<b>Public Question Time</b> .....	<b>10</b>
<b>6.2</b>	<b>Public Statement Time</b> .....	<b>10</b>
<b>6.3</b>	<b>Petitions / Deputations / Presentations / Submissions</b> .....	<b>10</b>
<b>7</b>	<b>Questions from Members without Notice</b> .....	<b>10</b>
<b>8</b>	<b>Announcements by Presiding Member without Discussion</b> .....	<b>10</b>
<b>9</b>	<b>Declarations of All Members to have given due consideration to all matters contained in the Business Paper before the Meeting</b> .....	<b>11</b>
<b>10</b>	<b>Confirmation of Minutes of Previous Meeting</b> .....	<b>11</b>
<b>11</b>	<b>Reports of Committees</b> .....	<b>12</b>

<b>11.1 Audit, Risk and Compliance Committee</b> .....	<b>12</b>
<b>12 Reports of Officers</b> .....	<b>13</b>
<b>12.1 Corporate Services</b> .....	<b>13</b>
12.1.1 Statement of Financial Activity - November 2023.....	13
12.1.2 RFT2324-06 Data Migration Services .....	17
12.1.3 Council Vacancy - Office of Councillor .....	23
12.1.4 Minutes of the Audit, Risk and Compliance Committee Meeting Held on 28 November 2023.....	31
<b>12.2 Community Services</b> .....	<b>36</b>
12.2.1 2023 - 2026 Town of Port Hedland Community Safety Plan.....	36
12.2.2 RFT2324-10 Spiegle Tent-Like Structure & Associated Cultural Programs .....	42
12.2.3 RFT2324-11 Major Music and Arts Festival .....	48
12.2.4 Courthouse Gallery Quarterly Report - Q1 2023/24 .....	54
12.2.5 MARKYT Community Scorecard .....	62
<b>12.3 Regulatory Services</b> .....	<b>66</b>
12.3.1 Marapikurrinya Park Pop-Up - Expression of Interest .....	66
12.3.2 Proposed Road Dedication of part of Lot 603 on Deposited Plan 407880 (Part of Port Reserve 29082) - Wedgefield Stage 4 Road Extension Works.....	72
12.3.3 Active Transport Strategy - Final Adoption .....	80
12.3.4 Omnibus Scheme Amendment No.1 to Local Planning Scheme No. 7 - Minor Modifications to Final Adoption.....	87
12.3.5 Joint Development Assessment Panel - Application for Development Approval for Workforce Accommodation (Proposed Additions to Waypoint Village) - Lot 9008 Great Northern Highway, Port Hedland.....	92

12.3.6 Application for Development Approval for Workforce Accommodation (Extension of Time and Proposed Refurbishments to Mount Dove Camp .....	125
12.3.8 Economic Development and Diversification Fund (Economic Diversification Stream) - Spectrum Health .....	139
<b>12.4 Infrastructure Services .....</b>	<b>146</b>
12.4.1 Endorsement of the JD Hardie Stage 3 - Outdoor Elements - Concept Design .....	146
12.4.2 RFT2324-05 Panel - Pre-Qualified Suppliers - Trades .....	155
12.4.3 Tender Award - RFT2324-02 Tennis & Hockey Changerooms Refurbishment.....	163
12.4.4 RFT2324-01 Pre-Qualified Construction Panel.....	169
12.4.5 Award of Tender RFT2223-17 Consultant Performing Arts Design.....	177
12.4.6 Award of Tender RFT2223-27 Design & Consultancy - Civic & Community Hub .....	188
12.4.7 Waste Strategy Minor Review.....	198
12.4.8 Growing Regions Fund Application.....	202
<b>12.5 Executive Services.....</b>	<b>207</b>
<b>13 New Business of an Urgent Nature (Late Items) .....</b>	<b>208</b>
<b>14 Motions of Which Previous Notice has been given .....</b>	<b>209</b>
<b>15 Matters for Which Meeting May be Closed (Confidential Matters) .....</b>	<b>209</b>
<b>15.1 Confidential Item – Market Led Development Proposal.....</b>	<b>209</b>
<b>15.2 Confidential Item – Port Hedland Yacht Club Venue Lease .....</b>	<b>209</b>
<b>15.3 Confidential Item – Business Plan for Major Land Transaction – Lot 601 South Hedland .....</b>	<b>209</b>
<b>16 Closure .....</b>	<b>210</b>
<b>16.1 Date of Next Meeting .....</b>	<b>210</b>

**16.2 Closure.....210**

## 1 Opening of Meeting

The Presiding Member is to declare the meeting open at 5:30 pm.

## 2 Acknowledgement of Traditional Owners and Dignitaries

The Presiding Member acknowledges the Kariyarra people as the Traditional Custodians of the land that we are meeting on and recognises their strength and resilience and pays respect to elders past, present and emerging.

## 3 Recording of Attendance

*Important note:*

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

### 3.1 Attendance

*Scheduled Present:*

Mayor Peter Carter  
Deputy Mayor Ash Christensen  
Cr Sven Arentz  
Cr Flo Bennett  
Cr Camilo Blanco  
Cr Lorraine Butson  
Cr Ambika Rebello  
Cr Tim Turner

*Scheduled for Attendance:*

Carl Askew (Chief Executive Officer)  
Stephen Leeson (Director Corporate Services)  
Josephine Bianchi (Director Community Services)  
Craig Watts (Director Regulatory Services)  
Lee Furness (Director Infrastructure Services)  
Tom Kettle (Manager Governance)  
Christine Fairbrother (A/Governance Advisor)  
Karen Krollig (A/Governance Officer)

### 3.2 Attendance by Telephone / Instantaneous Communications



### 3.3 Apologies

### 3.4 Approved Leave of Absence

### 3.5 Disclosures of Interest

Name	Item No	Interest	Nature

## 4 Applications for Leave of Absence

## 5 Response to Previous Questions

### 5.1 Response to Questions taken on notice from Elected Member at the Council Meeting held on 29 November 2023

*Responses to Questions taken on Notice from Elected Members from the 29 November 2023 Ordinary Council Meeting were not available before the compilation of this agenda. Responses to questions from the 29 November 2023 Ordinary Council Meeting will be included in the 7 February 2024 Ordinary Council Meeting Agenda, with formal responses sent to Elected Members within 2 weeks from the 29 November 2023 meeting.*

### 5.2 Response to Questions taken on notice from Public at the Council Meeting held on 29 November 2023

*Responses to Questions taken on Notice from the Public from the 29 November 2023 Ordinary Council Meeting were not available before the compilation of this agenda. Responses to questions from the 29 November 2023 Ordinary Council Meeting will be included in the 7 February 2024 Ordinary Council Meeting Agenda, with formal responses sent within 2 weeks from the 29 November 2023 meeting.*

## 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

## 6.2 Public Statement Time

## 6.3 Petitions / Deputations / Presentations / Submissions

## 7 Questions from Members without Notice

## 8 Announcements by Presiding Member without Discussion

The Mayor's meetings for the month of November 2023:

<b>DATE</b>	<b>MEETING DETAIL</b>
1/11/2023	Ordinary Council Meeting
3/11/2023	Ray White Opening
7/11/2023	Brisbane Flight Commencement Celebration
8/11/2023	Triple M Talk of the Town Radio Segment
8/11/2023	Meeting with Group Captain Peter Noake, Director Regional Airbase Development RAAF
8/11/2023	Bravery Awards Opening Speech
10/11/2023	Meeting with PPA CEO
15/11/2023	Business News Interview on Future Developments
21/11/2023	Regional Capitals Australia Annual General Meeting
21/11/2023	Azzura Sod Turning
22/11/2023	Hedland Economic and Franchise Forum
22/11/2023	POSCO Morning Tea
22/11/2023	Triple M Talk of the Town radio segment
23/11/2023	WALGA Pilbara Country Zone Meeting
25/11/2023	Exhibition Opening: Dirty Earth Youth Art Prize & Creative Youth Day
29/11/2023	Triple M Talk of the Town radio Segment
29/11/2023	Ordinary Council Meeting
30/11/2023	ABC interview re Heritage listing of former school building
30/11/2023	Port Hedland Primary Awards Night

**9 Declarations of All Members to have given due consideration to all matters contained in the Business Paper before the Meeting**

**10 Confirmation of Minutes of Previous Meeting**

*Unconfirmed Minutes from the 29 November 2023 Ordinary Council Meeting were not available before the compilation of this agenda. Minutes from the 29 November 2023 will be included in the 7 February 2024 Ordinary Council Meeting Agenda.*

## **11 Reports of Committees**

### **11.1 Audit, Risk and Compliance Committee**

Nil

## 12 Reports of Officers

### 12.1 Corporate Services

<b>12.1.1</b>	<b>Statement of Financial Activity - November 2023</b>
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<b>Author:</b>	<b>Senior Financial Accountant</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>Disclosure of Interest:</b>	The Author and Town Executive declare their financial interest as the report contains details of payments they receive under terms of employment.

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### OFFICER'S RECOMMENDATION

That Council:

1. Receive the statement of Financial Activity for the period ended 30 November 2023, as shown in attachment 1;
2. Receive the Material Variance Report Activity for the period ended 30 November 2023, as shown in attachment 2;
3. Note the Accounts paid under delegated authority for the period ended 30 November 2023, as shown in attachment 3;
4. Receive the Purchasing Card statements for the period ended 30 November 2023, as shown in attachments 4 and 5.

*SIMPLE MAJORITY VOTE REQUIRED*

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### PURPOSE

The purpose of this report is for Council to consider the Statement of Financial Activity for the period ended 30 November 2023. Supplementary information is also presented to Council to provide further information regarding the Town's activities.

### DETAIL

The information provided in this report is for the period ended 30 November 2023, with financial results included in Attachment 1. Statement of Financial Activity inclusive of supporting Notes 1-4 prepared by the Town of Port Hedland (the "Town").

The preparation of the reports has been reviewed towards maintaining compliance with the *Local Government Act 1995 and* Financial Management Regulations that has resulted in a reduction of some information not necessarily required to be prepared on a monthly basis. This Financial Report relies upon unaudited unconfirmed financial results for the 2022/23 financial year.

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 2023-2024 original budget, Council adopted the following thresholds as levels of material variances for financial reporting:

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

The opening funding surplus of \$4.40M presented in Year to Date Actual on the Statement of Financial Activity is as per the closing surplus of the unaudited June 2023 financial statements.

The net current funding position (surplus/(deficit) from the Statement of Financial Activity as at 30 November 2023 is a surplus of \$48.52M. This is subject to further year-end adjustments and review, ahead of external audit and confirmation. The majority of surplus represents rates revenue since levied in full.

The breakdown of the cash position is displayed below:

#### 2023/24 Actuals

Current Assets: Cash and Investments	\$ 211.31M
Restricted Cash – Reserves	\$ 172.04M
Unrestricted Cash Position as at 30 November 2023	\$ 39.27M

### **LEVEL OF SIGNIFICANCE**

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

- Exception - The proposal or decision is not of a nature or significance that requires engagement.

### **CONSULTATION**

#### *Internal*

- *All consultation and engagement are conducted internally.*

#### *External Agencies*

- *Department of Fire and Emergency Services*

#### *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.

Local Government (Financial Management) Regulations 1996

- 13 Payments from municipal fund or trust fund
- 13A Payments by employees via purchasing cards

*\*Currently the report attachment for payments by employees via purchasing cards is as per the card statement. The Town is working towards system changes to improve the payee and description of goods and services details.*

## FINANCIAL AND RESOURCE 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 SUSTAINABILITY IMPLICATIONS

### Strategic Community Plan

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

Our Leadership:

4.2.2 Transparent and regular financial reporting and communication to the community is undertaken.

### Access and Inclusion

The following outcome/s of the Town's Access and Inclusion Plan 2023-2026 apply in relation to this item:

Nil.

**Corporate Business Plan**

The following service/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Nil.

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Financial
<b>Cause</b>	There is an Operational, risk associated with this item due to a reduction in income or increase in expense throughout the 2023/2024 financial year.
<b>Effect (Consequence)</b>	Could impact on the Town’s ability to meet service levels or asset renewal funding requirements.
<b>Risk Treatment</b>	The Town’s financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.
The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

The opening funding surplus of \$4.40M presented in YTD Actual on the Statement of Financial Activity, is as per the closing surplus presented in the unaudited financial statements from June 2023. The net current funding position is \$48.52.

**ATTACHMENTS**

1. Statement of Financial Activity - November 2023 [**12.1.1.1** - 10 pages]
2. Material Variance Report - November 2023 [**12.1.1.2** - 2 pages]
3. Payments made under Delegated Authority - November 2023 [**12.1.1.3** - 68 pages]
4. Credit card Statements - November 2023 [**12.1.1.4** - 19 pages]
5. Fuel card Statements - November 2023 [**12.1.1.5** - 5 pages]



<b>12.1.2</b>	<b>RFT2324-06 Data Migration Services</b>
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**Author:** **Manager ERP Project**  
**Authorising Officer:** **Director Corporate Services**  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

**That Council:**

- 1. Acknowledges and endorses the tender process undertaken in respect of RFT 2324-06 Data Migration;**
- 2. Acknowledges and endorses the selection of XXX to provide the Data Migration services in support of the Technology One OneCouncil implementation at the Town of Port Hedland at an aggregated value of \$XXX over a fully optioned contract period of two and a half (2.5) years; and**
- 3. Authorises the Chief Executive Officer to negotiate, vary and execute the administrative and legal instruments to enter into a contract between the Town of Port Hedland and XXX (commencing as soon as practicable), for the provision of Data Migration services for an initial period of two (2) years and a discretionary option period of a further six (6) months.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to endorse the award of RFT 2324-06 for the provision of Data Migration services to the awarded tenderer as per the officer’s recommendation for an initial contract period of two (2) years with an extension option of six (6) months at the discretion of the Town of Port Hedland.

**DETAIL**

The Town of Port Hedland (Town) is implementing a new Enterprise Resource Planning (ERP) solution from Technology One called OneCouncil. The Town commenced this contract in July 2021 and has implemented the first phase of the project.

In support of the implementation and migration from the legacy system SynergySoft to OneCouncil the Town is required to migrate the transaction data. This migration activity is not a single point in time migration but is required to support the ongoing activities implemented in the initial phase and built upon during the subsequent

phase. The dependency on this service will complete once the legacy platform, SynergySoft and the Towns operations have been fully transitioned to OneCouncil.

Phase one (1) of the OneCouncil Data Migration was supported by a dedicated remote staff member. This staff member resigned from the position effective 18 August 2023. Having a single dedicated staff member supporting data migration includes a considerable risk of staff turnover during the remaining project and the loss of knowledge would result in a significant delay to the project. As a risk mitigation strategy, it is intended to outsource this ongoing function for phase two (2) and support the existing active daily migration activities, to a vendor who will maintain continuity of service through shared resourcing. This shared resource can also be redeployed when full-time engagement is not required and thus save costs with the Town. It will also allow the Town to scale up, with additional data migration resources in times of high demand.

One 19 July 2023, RFT 2223-22 for Data Migration services was released on VendorPanel with a closing date of 9 August 2023 and subsequently extended to 21 August 2023. The responses received did not adequately respond to the requirements of the RFT and all responses were rejected. RFT was rewritten to enhance vendor responses in line with requirements.

On 27 September 2023, RFT 2324-06 for Data Migration services was released on VendorPanel with a closing date of 27 October 2023. The request summary report is attached for reference. The tender was based on supporting the Town in the two key components:

1. Continued support for the migration services implemented during Phase one of the project.
2. Development and support of the migration services required to support Phase two and remaining modules of OneCouncil.

Ten (10) compliant responses were received and assessed. Additional information was requested of the two highest rated tender submissions to clarify pricing details and schedule alignment.

The recommended tenderer was selected by an evaluation panel of four (4) Town employees whose main objectives were:

1. Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;
2. Ensure adherence to Local Government policies and legislation;
3. Ensure that the requirements specific in the request are evaluated in a way that can be measured and documented; and
4. Make a recommendation to the Council.

The multi-party evaluation report is a **confidential attachment**.

The recommended tenderer holds the required licenses and experience to provide data migration services to the Town. The recommended tenderer is not locally based, however has committed to travel at times as required to deliver data migration services. They are currently providing module application consultancy services that support the OneCouncil implementation and are actively working with other WA Local governments in similar capacities. The evaluation of their submission included an assessment of capacity for service delivery, which was considered as satisfactory.

### LEVEL OF SIGNIFICANCE

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

### CONSULTATION

#### *Internal*

- Director Corporate Services
- Director of Infrastructure Services
- Manager ERP Project
- Manager IT & Customer Experience

### LEGISLATION AND POLICY CONSIDERATIONS

Local Government (Functions and General) Regulations 1996  
Tenders for providing goods or services (s. 3.57)

### FINANCIAL AND RESOURCE IMPLICATIONS

The ERP Project is a multi-year contract with Technology One. The initial budget for the Enterprise Resource Planning (ERP) Software SaaS was approved at the OCM dated 30 June 2021. The budget approved was (amounts are in \$’000s):

	20/21	21/22	22/23	23/24	24/25	Total
Operating	174	450	306	312	-	1,242
Capital	500	2,000	1,464	997	180	5,141
<b>Total</b>	<b>674</b>	<b>2,450</b>	<b>1,770</b>	<b>1,309</b>	<b>180</b>	<b>6,383</b>

The table below is a high-level financial status on the delivery of the OneConnect (ERP) Project. This includes the funding required to support the Data Migration activities over FY23/24 - FY25/26 of \$950,000  
 Amounts below are in \$'000s.

**Total Project Financial Actual / Forecast**

	<b>FY20/21 Actual</b>	<b>FY21/22 Actual</b>	<b>FY22/23 Actual</b>	<b>FY23/24 Forecast</b>	<b>FY24/25 Forecast</b>	<b>FY25/26 Forecast</b>	<b>Total (Actual + Forecast)</b>
Operating	39	4	363	430	452	-	1,287
Capital		883	887	2,099	2,132	842	6,843
<b>Total</b>	<b>39</b>	<b>886</b>	<b>1,250</b>	<b>2,529</b>	<b>2,583</b>	<b>842</b>	<b>8,130</b>

*Note*

- *SaaS Software Licenses are operational costs and subjected to CPI. FY25/26 has been removed as a comparison against the original budget.*
- *The increase in FY23/24 forecast is to account for the additional capacity to commence the project's second phase, currently in planning, and to support existing operational services.*
- *FY23/24 Q2 capital forecast review will partially transfer current budget forecast into subsequent years.*
- *Vendor consultancy costs are time and materials and subjected to annual CPI.*
- *The current budget forecast compared to initial has increased due to necessity to rely upon external consultancies at a higher rate in lieu of engaging staff directly due to scarcity of skills and availability, along with the initial burn rate of the project.*

Tracking and forecast costs will be reviewed operationally monthly and during the Q2 budget review.

**STRATEGIC SUSTAINABILITY IMPLICATIONS**

**Strategic Community Plan**

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

Our Economy:

2.3.4 Ensure business approval processes are transparent, and pathways streamlined.

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

**Access and Inclusion**

The following outcome/s of the Town’s Access and Inclusion Plan 2023-2026 apply in relation to this item:

Nil.

**Corporate Business Plan**

The following service/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Our Corporate Services:

Information Communications Technology - To provide a reliable and cost effective Information Communications Technology (ICT) solution that meets users’ needs.

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Service Interruption
<b>Cause</b>	Critical failure to existing daily data migration service In ability to migrate remaining data into new system
<b>Effect (Consequence)</b>	Reduced capability to reconcile Town revenue. Increase in manual processing and potential for error in processing. Inability to complete the OneCouncil implementation resulting in continued maintenance for legacy systems and procedures.
<b>Risk Treatment</b>	Engage vendor for data migration activities in support of the project and the Town
<p>There is an Operational, risk associated with this item caused by the requirement to engage a vendor at short noticed without knowledge of our system leading to extended outage of core financial systems and in ability to complete a transformation project.</p> <p>The risk rating is considered to be High (15) which is determined by a likelihood of Almost certain (5) and a consequence of Moderate (3).</p> <p>This risk will be mitigated by the adoption of the officer’s recommendations.</p>	

**OPTIONS**

- 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 is halfway through a transformational change that will improve the tools utilized by staff and technical interactions with the Towns citizens. Continuing to provide data migration services is critical to completing the migration from the legacy SynergySoft application.

**ATTACHMENTS**

1. CONFIDENTIAL REDACTED - V P 381940 - Multi party evaluation report [12.1.2.1 - 14 pages]
2. CONFIDENTIAL REDACTED - V P 381940 - Request Summary Report [12.1.2.2 - 3 pages]

<b>12.1.3</b>	<b>Council Vacancy - Office of Councillor</b>
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**Author:** Governance Officer  
**Authorising Officer:** Director Corporate Services  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

**That Council:**

- 1. Approve the cost estimate provided by the Electoral Commissioner per attachment 1 and authorise the CEO to enter into a written agreement on these terms;**
- 2. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Western Australian Electoral Commissioner to be responsible for the conduct of the extraordinary election;**
- 3. Decide in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the extraordinary election will be as a postal vote; and**
- 4. Pursuant to Section 6.8 of the *Local Government Act 1995*, increase the 2023/2024 budget by \$73,750 to fund the extraordinary election.**

***ABSOLUTE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is to consider the circumstances of filling a vacant Council position and to resolve that an Extraordinary Election will be required. Subsequently declare that Western Australian Electoral Commission (WAEC) be responsible for the conduct of the 2024 Local Government Extraordinary Election and allocate \$73,750 in the 2023/24 budget for the associated costs of the by-election.

**DETAIL**

On 6 November 2023, the Town of Port Hedland Chief Executive Officer received formal resignation from Councillor David Eckhart with effect from the 30 November 2023. Mr. Eckhart’s resignation has created a vacant office on the Council, with 2-years remaining on the term from the commencement of Mr. Eckhart’s service in October 2021.

A letter from the WAEC (attachment 1) provides advice to hold an extraordinary election on the 8 March 2024, with consideration given to the statutory timeframes for holding an election and the time of year the vacant position has arisen.

The Town of Port Hedland (the Town) has previously engaged the WAEC to conduct its elections held in 2011, 2013, 2015, 2016, 2017, 2020, 2021 and 2023. The Town has received a letter with estimated cost from the WAEC (attachment 1).

### **Options when an office becomes vacant**

The Local Government Act 1995 provides several options to local governments when an office becomes vacant, but it is important to note that the legislative requirements of each limit the Town in the current circumstances.

#### **1. Filling vacancy without extraordinary election**

Schedule 4.1A - Filling extraordinary vacancy without an extraordinary election, was inserted into the Act by the *Local Government Amendment Act 2023*. The schedule provides for the vacancy to be filled by the next unsuccessful candidate(s) in the case a sitting member resigns. However, this may only be used where the office becomes vacant within 12 months of the former member's term beginning (sch 4.1A, Div 2, s 2(1)(c)). Mr. Eckhart was elected in October 2021 and would have needed to have resigned in October 2022 for this section to apply.

The *Local Government (Elections) Regulations 1997* include transitional provisions for the *Local Government Amendment Act 2023*. The provisions limit the use of the new amendments, including filling a vacancy without an extraordinary election, to elections held from October 2023 onwards. These two reasons prevent the use of this method for filling the current vacancy.

#### **2. Request to hold vacant office**

*The Local Government Act 1995* section 4.17 provides for a vacant office to remain unfilled in certain circumstances, including:

- When the office becomes vacant after the third Saturday in July of an election year in which the term of office would have ended, or
- After the third Saturday in October in the year before the election year in which the term of office would have ended but before the third Saturday in July in that election year with the approval of the Electoral Commissioner.

In this case the vacancy would need to occur after July 2025 or between October 2024 and July 2025.

The Chief Executive Officer of the Town of Port Hedland has written to the Electoral Commissioner (the Commissioner) to clarify and provide further advice on the applicability of these options.

The Commissioner responded to the Town's enquiry on 4 December 2023 and confirmed that holding an extraordinary election pursuant to Section 4.8 of the *Local Government Act 1995* is the only option available to fill the vacancy.



## ***Extraordinary Election***

### **Appointment of WAEC**

The CEO of the Local Government must be the election returning officer, unless the Electoral Commissioner is appointed by the Council under section 4.20(4) Local Government Act 1995.

The returning officer's functions are set out in section 4.23 *Local Government 1995* including:

- Conducting the election,
- Ensuring processes are carried out in a fair and impartial manner,
- Appointing staff and ensuring they are trained in their duties,
- Ensuring security of electoral rolls, ballot papers and ballot boxes,
- Ensuring preparations are complete and timely,
- Providing materials and equipment to ensure smooth running of the election,
- Being the primary contact for enquiries about electoral processes,
- Managing and resolving complaints, and
- Maintaining records.

The Department of Local Government Sport and Cultural Industries (DLGSC) provides a Returning Officer Manual (the Manual) for each election. The 2021 Manual (available on DLGSC website) outlines the election processes and procedures that are required to be followed and some resources to assist a CEO to undertake the role. The DLGSC Director General, Lanie Chopping outlines in the forward of the 2021 Manual,

*'To maintain public confidence in the democratic process, elections must be run to the highest standards of fairness and propriety. It is the returning officer's responsibility to ensure those standards are achieved.'*

Conducting the election internally through the CEO requires consideration of the resources required to undertake the role, including staff time, electoral materials (such as ballot boxes to vote counting software systems) and postage and whether the technical skills and experience are available within the local government. The WAEC was appointed to run 124 of 137 WA Local Government's elections in the recent 2023 cycle.

Quantifying the cost for the Administration to conduct the election (with accuracy) is not straight forward but it is unlikely to represent a significant saving to the Town. In addition, the added issues related to the Administration conducting the election (internal) as opposed to the value of an external competent (independent) provider leads officers to support the recommendation to the WAEC.

### ***Method of Voting***

In accordance with Section 4.61(1) of the Local Government Act 1995, the election may be conducted as a:

- Postal election, which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or
- Voting in person election, which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

#### **Postal Election**

In local government elections the preferred method of voting is via postal election, as it historically attracts a higher voter turnout when compared to voting in person and increases community confidence that the election is being conducted impartially.

Postal elections also allow voters the convenience of posting their vote in the mail before Election Day. Alternatively, voters can hand-deliver their postal votes in person at the Civic Centre prior to Election Day, or at a polling place on Election Day.

Votes that are cast in a postal election are counted and electronically recorded as they are received by Australia Post, before they are delivered to Port Hedland.

Postal voting was introduced in Port Hedland in 2011, as statistics provided by the WAEC have shown that this is a method which generally increases voter participation in a non-compulsory election.

#### **In-Person Election**

In-person voting is when an elector must make their vote on Election Day at a designated polling station. On Election Day at the polling station, electors must present their identification and be manually checked off the electoral roll before they can cast their vote.

If an elector is not available to vote in person on the day, electors may:

- Cast an ***absent vote*** at the office of another local government;
- Cast an ***early vote*** at the Civic Centre, or other location yet to be determined; or
- Apply to be added to the Town's 'Postal Voters Register'. If the application is accepted the elector will receive a postal vote in the mail prior to Election Day.

All votes cast in an in-person election are manually counted after the poll closes at 6:00pm.

It is important to note the Civic Centre, Port Hedland, would be the polling place on election day.

### **LEVEL OF SIGNIFICANCE**

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

- Any issue, proposal, decision or other matter that will substantially affect a wide range of people who reside in Port Hedland.

### **CONSULTATION**

#### *Internal*

- Agenda Feedback Session with the Council 6 December 2023
- Executive Leadership Team
- Manager Governance

#### *External Agencies*

- Western Australian Electoral Commission

#### *Community*

No community consultation is required for this decision of Council.

### **LEGISLATION AND POLICY CONSIDERATIONS**

#### *Local Government Act 1995*

#### 4.9. Election day for extraordinary election

(3) If at the end of one month after the vacancy occurs an election day has not been fixed, the CEO is to notify the Electoral Commissioner and the Electoral Commissioner is to —

- (a) fix a day for the holding of the poll that allows enough time for the electoral requirements to be complied with; and
- (b) advise the CEO of the day fixed.

#### 4.20 CEO to be returning officer unless other arrangements made.

(4) a local government may declare\* the Electoral Commissioner to be responsible for the conduct of an election,

\* *absolute majority required.*

4.61 Choice of methods of conducting election.

(2) the Local Government may decide\* to conduct the election as a postal election.

*\*absolute majority required.*

4.17 Cases in which vacant offices can remain unfilled

Schedule 4.1A - Filling extraordinary vacancy without an extraordinary election

***Local Government (Elections) Regulations 1997***

Part 16A- Transitional Provisions for *Local Government Amendment Act and Local Government Regulations Amendment Regulations (NO.2) 2023*

**FINANCIAL AND RESOURCE IMPLICATIONS**

The WAEC have provided an estimate to conduct the election via postal vote, based on the following assumptions: · 9,100 electors, · Response rate of approximately 25%, · 1 vacancy · Appointment of a non-local Returning Officer, · Count to be conducted in Port Hedland, and · Regular Australia Post delivery service to apply for the lodgment of the election packages.	\$56,000
Anticipated Postal Priority Service. It is recommended that the Town include this budget amount based on the October 2023 postal vote quote, with further detail to be provided by the WAEC subject to this decision of the Council.	\$2,750
An additional amount will also need to be factored into the 2023/24 budget for internal costs associated with conducting the election including candidate information sessions, advertising, Returning Officer's travel / accommodation expenses and equipment costs.	\$15,000
<b>Total Estimated Expense:</b>	<b>\$73,750</b>

**STRATEGIC SUSTAINABILITY IMPLICATIONS**

**Strategic Community Plan**

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

Our Leadership:

4.2.3 Transparent and regular governance reporting and communication to the community is undertaken.

**Social**

Elections are a core element of democracy and underpin social sustainability.

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

**Access and Inclusion**

The following outcomes of the Town's *Access and Inclusion Plan 2023-2026* apply in relation to this item:

- Outcome 3 – Accessible Information
- Outcome 4 – Quality of Service

**Corporate Business Plan**

The following service of the Town's *Corporate Business Plan 2023-2027* apply in relation to this item:

Our Corporate Services:

Governance and Procurement - Provide high standards of governance and leadership

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Compliance
<b>Cause</b>	Failure to hold an extraordinary election within 4 months
<b>Effect (Consequence)</b>	Failure to comply with regulations under the <i>Local Government Act 1995</i>
<b>Risk Treatment</b>	Adopt Officer's Recommendations to hold an extraordinary election on the 8 March 2024
<p>There is an Operational, risk associated with this item caused by failure to conduct an extraordinary election on the 8 March 2024, leading to non-compliance with <i>Local Government Act 1995</i> regulations.</p> <p>The risk rating is considered to be Medium (5) which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3).</p> <p>This risk will be eliminated by the adopting the Officer's Recommendation to conduct an extraordinary election on the 8 March 2024.</p>	

**OPTIONS**

- Option 1 – Adopt officer's recommendation
- Option 2 – Amend officer's recommendation
- Option 3 – Do not adopt officer's recommendation

**CONCLUSION**

It is recommended that Council appoint the WAEC to conduct the 2024 Local Government Extraordinary Election by way of a postal vote on behalf of the Town.

**ATTACHMENTS**

1. LG Extraordinary Election 2024 Cost Estimate Letter Town of Port Hedland corrected [**12.1.3.1** - 2 pages]

<b>12.1.4</b>	<b>Minutes of the Audit, Risk and Compliance Committee Meeting Held on 28 November 2023</b>
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**Author:** Audit, Risk & Insurance Advisor

**Authorising Officer:** Manager Governance

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

#### **OFFICER'S RECOMMENDATION**

**That Council receives the Unconfirmed Minutes of the Audit, Risk and Compliance Committee Meeting held on 28 November 2023.**

***SIMPLE MAJORITY VOTE REQUIRED***

#### **PURPOSE**

The purpose of this report is for Council to receive the Unconfirmed Minutes of the Audit, Risk and Compliance Committee (ARC Committee) held on 28 November 2023.

#### **DETAIL**

The Town's ARC Committee is a statutory committee of the Council, established in accordance with section 7.1A of the *Local Government Act 1995*. The ARC Committee is to provide guidance and assistance to the Council concerning matters within its Terms of Reference. It assumes a key role in assisting the Town of Port Hedland (the "Town") in fulfilling its governance and oversight obligations related to financial reporting, internal controls, risk management systems, legislative compliance, ethical accountability, and internal and external audit functions.

At its meeting on 28 November 2023 the election of Presiding and Deputy Presiding Member was conducted. Cr Camilo Blanco was elected unopposed to the office of Presiding Member and Cr Tim Turner was elected unopposed to the office of Deputy Presiding Member.

The Committee also considered five agenda items as follows:

#### **1. ARC Committee – Amended Terms of Reference**

An agenda item was presented to the ARC Committee concerning amendments to the Terms of Reference (TOR). The key changes proposed to be made to the TOR included:

- Authority and Independence section updated to align with the Town's Register of Delegated Authority – Statutory.
- Section 6 Membership updated to accommodate the appointment of up to three Deputy Members from the Council. These individuals would act as temporary

substitutes for substantive Committee Members in case of their inability to attend due to illness, absence, or other reasons.

- Section 6 Membership updated to include guidelines regarding resignation from the ARC Committee.
- Removing and consolidating duplicated items within the TOR, where appropriate.

Cr Blanco proposed a procedural motion to lay the item on the table as he intends to further deliberate on it with the Administration. The procedural motion was carried by Simple Majority (2/1).

## **2. ARC Committee – 2024 Work Plan**

A recommendation was put forth to the ARC Committee seeking its endorsement for the 2024 Work Plan. The Committee is to formulate an annual work plan, adhering to the guidelines outlined in section 6.6 of its Terms of Reference (Version 11). This yearly work plan serves as a strategic guide, aiding the ARC Committee in the effective management and execution of its designated functions, roles, and responsibilities for the upcoming calendar year.

The item was carried by Simple Majority (3/0).

## **3. Review of Audit Log for the Strategic 3-Year Internal Audit Plan FY2020/21 to FY2022/23**

The ARC Committee received a report detailing the status of activities outlined in the Town's Internal Audit Log, including a comparison of progress for each item between August 2023 and November 2023.

The item was carried by Simple Majority (3/0).

## **4. Town Debtors**

The Administration provided the ARC Committee with a report on Town Debt and proposed that the Committee recommend the report be received by the Council.

The item was carried by Simple Majority (3/0).

## **5. FY 2023-24 Quarter 1 Procurement Report on Panels Usage**

The ARC Committee were asked to note Nil identified non-compliance with Policy 2/022 Panels of Pre-Qualified Suppliers for Quarter 1 Financial Year 2023-24. As part of Panels of Pre-Qualified Suppliers Policy 2/022, Section 3 Compliance and Reporting



the Town shall on a quarterly basis report to the Town's Audit, Risk and Compliance Committee any identified non-compliance with the Policy.

The item was carried by Simple Majority (3/0).

### **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is of medium significance, due to the deliberation on financial and governance matters during the meeting. These discussions bear significance on the Town's ability to meet its compliance obligations and manage its finances.

### **CONSULTATION**

#### *Internal*

- Audit, Risk and Insurance Advisor
- Manager Governance

#### *External Agencies*

- Nil.

#### *Community*

- Nil.

### **LEGISLATION AND POLICY CONSIDERATIONS**

The Audit Committee Terms of Reference govern the functions, powers and membership of the ARC Committee.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There are no financial implications associated with this item.

### **STRATEGIC SUSTAINABILITY IMPLICATIONS**

#### **Strategic Community Plan**

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

#### Our Leadership:

4.2.2 Transparent and regular financial reporting and communication to the community is undertaken.

4.2.3 Transparent and regular governance reporting and communication to the community is undertaken.

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

**Access and Inclusion**

The following outcome/s of the Town's *Access and Inclusion Plan 2023-2026* apply in relation to this item:

Nil.

**Corporate Business Plan**

The following service/s of the Town's *Corporate Business Plan 2023-2027* apply in relation to this item:

Our Corporate Services:

Governance and Procurement - Provide high standards of governance and leadership  
 Financial Management and Rates - Financial management services compliant with legislation to enable the Town to sustainably provide services to the community  
 Audit and Risk Management - Committed to organisation wide risk management principles, systems and processes that ensure consistent, efficient and effective assessment of risk in all planning, decision making and operational processes

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Compliance
<b>Cause</b>	Not reporting to Council
<b>Effect (Consequence)</b>	Non-compliance with best practice principles
<b>Risk Treatment</b>	Council receives the minutes from the 28 November 2023 ARC Committee Meeting and future meetings
<p>There is an operational risk associated with this item caused by not reporting the activities of the ARC Committee to Council which could lead to non-compliance with best practice principles and to an extent Standing Orders Local Law 2014.</p> <p>The risk rating is medium (6) which is determined by a likelihood of possible (3) and a consequence of minor (2)</p> <p>This risk will be eliminated by reporting the minutes of the ARC Committee to the Council for their consideration.</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

In conclusion, the Unconfirmed Minutes of the Audit, Risk and Compliance Committee Meeting on 28 November 2023 outline key deliberations on agenda items pertinent to the Town's governance and financial management. The election of committee

leadership, proposed amendments to the Terms of Reference, endorsement of the 2024 Work Plan, review of the Internal Audit Log, consideration of Town Debtors, and scrutiny of procurement compliance were conducted. These items align with the Town's commitment to transparent and effective governance, mitigating operational risks. The Council is recommended to receive these minutes, ensuring compliance with best practice principles.

**ATTACHMENTS**

Nil

**12.2 Community Services**

<b>12.2.1</b>	<b>2023 - 2026 Town of Port Hedland Community Safety Plan</b>
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**Author:** **Manager of Youth & Community Development**

**Authorising Officer:** **Director Community Services**

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

**OFFICER’S RECOMMENDATION**

**That Council:**

- 1. Notes the progress on actions from the 2020-2023 Community Safety Plan as per Attachment 1;**
- 2. Adopts the Town of Port Hedland Community Safety Plan (2023-2026) as per Attachment 2; and**
- 3. Notes that the Town of Port Hedland Community Safety Plan (2023-2026) supersedes any previous plan.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider endorsing the Town of Port Hedland (the Town) Community Safety Plan (2023-2026) (CSP) and commit to the recommended approach as developed by the University of Western Australia (UWA).

**DETAIL**

The Town undertook the planned independent evaluation of the CSP’s foundational phase by engaging UWA in the first half of 2023. UWA assisted the Town to identify the CSP’s relevance to the current environment of community safety and provide recommendations to improve the Town’s practice informed by place-based data and evidence-based approaches.

On the 31<sup>st</sup> of May 2023, Council adopted the ‘Evaluation of the Town of Port Hedland Community Safety Plan (2019-2022)’ and committed to continuing work with UWA to deliver a new Community Safety Plan. The evaluation identified the need for change and a new way forward to achieve a safer community in an evidence-based approach. Advocating to move away from high-level, future-focused objectives that are beyond the scope of the Town to influence and manage, the Council agreed for the Town to

become a facilitator for the problem-focused approach. Strategies put in place need to be linked to fixing the identified problems, and metrics need to be connected to the process and impact of any changes that are being put in place. It also needs to be clear what success would look like with respect to each problem.

The new CSP demonstrates the core community safety business, providing insight into the Town's role in community safety at a local level. The core business takes on the recommendation to commit to increasing community awareness about what is effective to prevent crime, the lack of effectiveness of tough on crime approaches, and the importance of committing to a process that will work better. Additional to this, the Town is committing to two new evidence-based crime prevention programs, Bikelinc and Eyes on the Street. These two programs are powered by Crime Stopper and have been evaluated to empower the community to effectively reduce crime and improve perceptions of community safety.

The new CSP priority themes and actions are as follows:

<p><b>Priority 1. Safer spaces and places</b> - Our community strives to be a liveable and inclusive environment with accessible and safe public spaces, streets and surroundings.</p>
1.1 Maximising the utility of CCTV.
1.2 Reducing graffiti vandalism.
1.3 Increasing residents' home safety and security.
1.4 Ensuring clean streets and spaces.
1.5 Minimising needle-related health and safety issues.
1.6 Provision of Ranger services to the community.
1.7 Engagement with the Eyes on the Street public safety campaign.
<p><b>Priority 2. Community education and capacity building</b> Our community is strengthened through education, awareness and collaborative engagement.</p>
2.1 Enhancing road safety by collaborating with the community to promote safe driving, vehicles, roads, and speeds.
2.2 Facilitate community reporting of safety hazards and disorder
2.3 Advocate for responsible consumption of alcohol.
2.4 Raising community awareness about safety and crime prevention.

2.5 Reducing theft of micro-mobility vehicles.
<p><b>Priority 3. Meaningful partnerships and participation</b>                  Our community benefits from strong partnerships, aligned efforts and sharing of resources of key stakeholders and the broader community.</p>
3.1 Enhancing the Town’s Environmental health.
3.2 Undertaking hazard and emergency management planning and preparation.
3.3 Delivering community services and amenities that benefit the community.
3.4 Support family and domestic violence awareness initiatives.
3.5 Strengthening community collaborations and partnerships.
3.6 Funding to improve the community.
<p><b>Priority 4. Innovative response framework</b>                  The Town intends to become an advocator, facilitator, partner, and funder for new, targeted approaches in crime prevention.</p>
4.1 Scanning two local problems (identifying the problems)
4.2 Analysing two local problems (understanding the problems)
4.3 Responding to the two local problems (novel, partnership-based, targeted intervention)
4.4 Assessing the results of the intervention (process and impact evaluation)

The development and use of a problem-oriented policing (POP) approach, an evidence-based framework for targeted prevention is a key component of the CSP. The problem-oriented policing approach championed by UWA is an effective approach to prevent crime by focusing on specific issues through analysis, developing innovative solutions, and evaluating the effectiveness of the strategies that have been implemented. This approach has worked for over 40 years to reduce a wide range of crime problems and its success has not depended on detection, apprehension, and punishment of offenders. Meta-analysis has demonstrated this approach results in a 34% decline in crime, achieved without pushing the crime somewhere else and often having an extended positive impact beyond the focus of the targeted interventions. Problem-oriented policing is most effective and sustainable when novel prevention strategies are partnership-based and do not rely exclusively on the criminal justice system.

This POP implementation process takes form in the SARA model: scanning, analysis, response, and assessment. The SARA model begins with a scanning process to identify a problem and looking at a series of questions to drill down to a specific problem. The next step, analysing the problem by conducting research to see if anyone else has dealt with a similar problem, develop and test hypotheses about what we think is causing the non-random problem, and identify data sources to give additional insight. Following this step, develop a response to the problem in an innovative and targeted way, increasing the risk and effort involved, reducing the reward and provocations for crime, and removing the excuses for offending. Finally, assessing the effectiveness of the intervention occurs in two forms, 1., a process evaluation (was the intervention implemented as planned) and 2., an impact evaluation (what were the outcomes of the intervention). When utilising this framework, the Town must commit to all four SARA steps. The timelines for implementation will ensure it is not possible to jump directly to responding without clarifying and understanding the problem. It is highly important the Town does not avoid discarding the approach if it does not work the first time. Remembering that what is already being done is failing and this framework is a better alternative for finding effective, sustainable solutions moving forwards, relative to business as usual.

## **LEVEL OF SIGNIFICANCE**

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

- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland

## **CONSULTATION**

### *Internal*

- Confidential briefings with Elected Members
- Executive Leadership Team
- Manager Youth & Community Services

### *External Agencies*

- University of Western Australia

### *Community*

Community consultation data considered:

- Hedland Community Health and Safety Survey 2022
- Community Perception Survey 2021
- Snap Send Solve 2019-2022.

## LEGISLATION AND POLICY CONSIDERATIONS

- Nil

## FINANCE AND RESOURCE IMPLICATIONS

Costs associated with the development of this plan were \$24,000 which has been allocated in the 2022/2023 and 2023/2024 FY budgets. All actions allocated to Year One of the Plan have also been included in the 2023/2024 FY Budget.

## STRATEGIC SUSTAINABILITY IMPLICATIONS

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

### Our Community:

1.1.5 Agencies and the community are fully engaged reducing anti-social behaviours and improve community safety

1.1.6 Town-wide health, safety, recreation and sporting activities and services are promoted.

Environmental – Community members are able to feel at ease and feel safe when out in the public.

Economic – Form strong partnerships which add value by aligning effort and resources of key stakeholders to achieve the community safety.

Social – Impact on people's experience and contribution towards a caring, respectful, and connected community.

## Access and Inclusion

The following outcome/outcomes of the Town's Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 1 – Events and Services
- Outcome 2 – Buildings and Facilities
- Outcome 3 – Accessible Information
- Outcome 4 – Quality of Service

## Corporate Business Plan

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

### Our Community Actions:

1.a.5.1 Develop, implement and review a Community Safety Plan.



**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Reputational
<b>Cause</b>	CSP link to strategic documents and community interest
<b>Effect (Consequence)</b>	May affect the achievement of goals and objectives of strategic plans and community outcomes
<b>Risk Treatment</b>	Accepting the risk
<p>There is a Strategic, risk associated with this item caused by the CSP’s link to strategic documents and impact on community, impacting the Towns commitment to community safety and achieving effective outcomes should it not be adopted. The risk rating is considered to be Low (2) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).</p> <p>This risk will be mitigated by the adoption of the CSP.</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

The Town is committed to creating a strong and connected community where safety is at the forefront of our planning. This iteration of the Town’s CSP draws on the findings of the adopted evaluation of the previous CSP. The Town learning from their previous efforts and seeking to improve with the guidance of UWA, committing to an evidence-based approach to addressing community safety issues. Elected Members are to consider the CSP and the recommendations to achieve an effective and sustainable solutions moving forward.

**ATTACHMENTS**

1. Progress Report Town of Port Hedland Community Safety Plan [12.2.1.1 - 7 pages]
2. TP H 14415 Community Safety Plan V 3 [12.2.1.2 - 12 pages]

<b>12.2.2</b>	<b>RFT2324-10 Spiegel Tent-Like Structure &amp; Associated Cultural Programs</b>
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<b>Author:</b>	<b>Senior Events Officer</b>
<b>Authorising Officer:</b>	<b>Director Community Services</b>
<b>Disclosure of Interest:</b>	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

**RECOMMENDATION 1**

**That Council Award RFT2324-10 Spiegel tent-like structure & associated cultural programs to XXX for the delivery of event management services to the amount of \$XXX for 2024 including options for annual extensions at the discretion of the Town for a maximum period of an additional two (2) years with a CPI increase of 6%.**

*SIMPLE MAJORITY VOTE REQUIRED*

**RECOMMENDATION 2**

**That Council**

- 1. Award optional Public Engagement Workshops associated with the event management services to XXX in the amount of \$XXX including options for annual extensions at the discretion of the Town for a maximum period of an additional two (2) years with a CPI increase of 6%; and**
- 2. Include the full amount of \$XXX for the Public Engagement Workshops in the 2024/25 Annual Budget**

*ABSOLUTE MAJORITY VOTE REQUIRED*

**PURPOSE**

The purpose of this report is to provide a summary of the assessment of submissions received for RFT2324-10 Spiegel tent-like structure & associated cultural programs and to endorse the evaluation panel’s recommendations for the preferred contractor. Council also has the option to endorse additional public programming related to the proposed cultural programming.

**DETAIL**

The Town of Port Hedland is seeking to appoint a preferred supplier to provide, coordinate and manage the ‘Loco Lounge’ cultural activation at the Spinifex Spree

Carnival Event to be held on 26 and 27 July 2024. The Term of this Contract is for one (1) year with the option for Council to extend in 2025 and 2026. The package of works includes supply and delivery of a 'high top' circus tent or Spiegel Tent-like structure at Spinifex Spree Carnival plus the provision, coordination and management of seven creative performances therein. This scope maintains the same provisions provided in 2023 with the addition of air-conditioning in the tent, which was requested as a result of community feedback to provide a more comfortable experience.

The suppliers were also requested to include additional prices for add-on services, which include public engagement workshops leading up to the event.

The Contract will be awarded to a supplier who best demonstrates the ability to provide community services and quality products at a competitive price. The quoted prices are assessed together with the qualitative and compliance criteria to determine the most advantageous outcome to the Town.

#### *Request for Tender*

The RFT was released on Vendorpanel (the Town's e-tendering portal) on Wednesday 11 October and was advertised in the West Australian and the North West Telegraph on Wednesday 11 October 2023 with a closing date of Wednesday 1 November 2023.

#### *Tender Assessment*

The Town received three (3) submissions for RFT 2324-10. The respondents were as follows:

1. Experience Rova Pty Ltd
2. Lunar Circus Pty Ltd
3. The Trustee for Wel Trust

All submissions received from respondents were compliant.

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

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

The Procurement Team facilitated the evaluation meeting held on 13 November 2023.

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

<b>Criteria</b>	<b>(%)</b>
Relevant Experience	20%
Capacity to Deliver & Resources	10%
Quality/Suitability	30%
Key Personnel & Skills	10%
Demonstrated Understanding	30%
	100%

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

### **LEVEL OF SIGNIFICANCE**

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

- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland

### **CONSULTATION**

#### *Internal*

- Procurement
- Events Team
- Arts and Culture Team
- Public Affairs Team
- Sports and Recreation Team

#### *External Agencies*

*Nil*

#### *Community*

Feedback received from the 2023 event to include air conditioning within the circus tent has been included as a requirement in the RFT.

### **LEGISLATION AND POLICY CONSIDERATIONS**

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

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

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

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

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

## **FINANCIAL AND RESOURCE IMPLICATIONS**

As part of the 23/24 Annual Budget, \$451,000 has been approved for the Spinifex Spree Carnival. The total price submitted by the preferred tenderer is \$XXX and is within the allocated budget to maintain all components of the Spinifex Spree carnival event. No additional budget is requested for delivery of the Spiegel Tent-like event management services.

The optional public engagement workshops for the total amount of \$XXX is proposed to be delivered and paid for in July 2024. If supported by Council, it is recommended that the total cost of \$XXX is added to the Annual Budget 2024/25.

The total current sponsorship amount secured for the 2024 Spinifex Spree Carnival, which is allocated in the 23/23 Annual Budget includes:

- BHP - \$40,000
- Horizon Power – \$30,000
- Total Sponsorship Amount - \$70,000

The Town received in-kind sponsorship of accommodation and meals from Compass Group for all performers and site crew in 2023 to the value of approximately \$30,000, which is currently being finalised for the 2024 event.

The Town is also currently engaging with additional industry partners with the aim to attract more financial and/or in-kind sponsorship for the 2024 events calendar.

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Community:

1.2.5 Opportunities to get involved and results of engagement are regularly promoted.

1.3.1 The community, industry, arts and cultural organisations are engaged in

identifying, planning and coordinating events and activities.

1.3.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered.

1.3.3 Partnerships with industry and government to support events and activities are enhanced.

1.3.4 The Town's program of events and activities is promoted locally, regionally and nationally.

#### Our Economy:

2.1.3 Strengthen the levels of collaboration, partnership and active networking between industry and business operators and stakeholders.

2.4.3 Grow and promote existing and new local events that champion local culture and community.

2.4.4 Market and promote the local lifestyle of the Hedland community

#### *Social*

There are social benefits from having high quality arts and culture activation and experiences available to the community. The Spinifex Spree Carnival is the Town's largest free public event attracting approximately 13,000 attendances in 2023 and is highly regarded and enjoyed by the community.

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

#### **Access and Inclusion**

The following outcome/s of the Town's Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 1 – Events and Services
- Outcome 3 – Accessible Information
- Outcome 5 – Opportunities for Feedback

#### **Corporate Business Plan**

The following service/s of the Town's Corporate Business Plan 2023-2027 apply in relation to this item:

#### Our Community Services:

Events, Arts and Culture - Cultivate an arts and cultural scene that celebrates the rich and culturally significant history of our region, as well as embracing the future

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Health & Safety Financial Service Interruption Compliance Reputational Environmental
<b>Cause</b>	Not approving a contractor to deliver the Spiegel Tent-like activation and event management services
<b>Effect (Consequence)</b>	Not delivering the Spiegel Tent-like activation at Spinifex Spree Carnival
<b>Risk Treatment</b>	Working collaboratively with our community better understand the needs and desire for activation for future Spinifex Spree Carnival annual events.
<p>There is an Operational, risk associated with this item caused by not approving a contractor to deliver the event management services, leading to a reputational risk in the community.</p> <p>The risk rating is considered to be Medium (6) which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3).</p> <p>This risk will be reduced by working more closely with our community to better understand future needs for activation at community events.</p>	

**OPTIONS**

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Do not approve recommendation 2 to award the optional extra Public Engagement Workshops.

Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

The evaluation panel recommend awarding RFT2324-10 to preferred tenderer XXX due to their relevant experience, value for money, quality and suitability of content, high level of demonstrated understanding and capacity to deliver on community expectations.

**ATTACHMENTS**

Attachment 1 – RFT 2324-10 Panel Assessment Evaluation Report - Confidential

<b>12.2.3</b>	<b>RFT2324-11 Major Music and Arts Festival</b>
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**Author:** Senior Events Officer  
**Authorising Officer:** Manager Events, Arts & Culture  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

**That Council:**

- 1. Award RFT2324-11 major music and arts festival for the delivery of the community led capacity building program (separable portion 1) to XXX in the amount of \$XXX for 2024 including options for annual extensions at the discretion of the Town for a maximum period of an additional two (2) years with CPI increase percentage;**
- 2. Reject all submissions for RFT2324-11 the Main Event (Separable portions 2, 3 and 4);**
- 3. Reaffirms its commitment established in the Arts & Culture Plan 2023-27 to bring more live music and performing arts to Hedland; and**
- 4. Commits to explore and support opportunities for sponsorship agreements in accordance with the Arts & Culture Plan 2023-27 to invest in delivering a diverse mix of live music and arts opportunities in Hedland throughout 2024.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider assessment of submissions received for RFT2224-11 Major Music Festival August 2023 and consider the evaluation panel’s recommendation to award the tender to the preferred tenderer.

**DETAIL**

Town released a Request for Tender (RFT) on Wednesday 25 October 2023, requesting a suitably qualified events service provider to provide, coordinate and manage the Odyssey Music and Arts Journey to be held in August 2024. The specification includes:

- **Community Led Capacity Building program (separable portion 1)** 7 days prior to the main event there should be at least 7 multi-disciplinary small community-led events. It is expected that the contractor will curate and co-design a shortlist events from a public expressions of interest process for



approval. This process is designed to support local businesses and build the capacity of community organisations in the area of event production and management while embracing the diverse community needs.

- **Main Event (separable portions 2, 3 and 4)** The Saturday Night Concert (August 31<sup>st</sup>) should be a strong representation of Headline Australian Music acts to create a fun, uplifting and energetic atmosphere. The Sunday 'Kids Day Out' event should carry over acts that are appropriate from the Saturday night in conjunction with additional headline kids' entertainment and activations designed to create and encourage a family friendly environment.

In accordance with the Arts & Culture Plan 2023-27, the goals of the Odyssey Music and Arts Journey is to develop a resilient, inclusive and thriving model for live music into the future that enhances the liveability and loveability of Hedland. This means creating a sustainable model for a major music and arts event, which celebrates local character, responds to fresh ideas and creates opportunities for participation.

The Town sought to procure the resources to complete the above package of works which presents the best scope to fulfill community expectations.

#### *Request for Tender*

The RFT was released on Vendorpanel (the Town's e-tendering portal) on Wednesday 25 October and was advertised in the West Australian and the North West Telegraph on Wednesday 25 October 2023 with a closing date of Thursday 23 November 2023.

#### *Tender Assessment*

The Town received four (4) submissions for RFT 2324-11. The respondents were as follows:

1. Experience Rova Pty Ltd
2. PPP Events
3. The Trustee for Rent A Fence Australia Trust
4. The Trustee for Wel Trust

Three submissions received from respondents were compliant.

1. Experience Rova Pty Ltd
2. PPP Events
3. The Trustee for Wel Trust

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

- a) Make a recommendation to the Council.
- b) Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;

- c) Ensure adherence to Local Government policies and legislation; and
- d) Ensure that the requirements specified in the Request are evaluated in a way that can be measured and documented.

The Procurement team facilitated the evaluation meeting held on 28 November 2023.

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

<b>Criteria</b>	<b>(%)</b>
Relevant Experience	40%
Capacity to Deliver & Resources	10%
Key Personnel & Skills	10%
Demonstrated Understanding	40%
	100%

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

## **LEVEL OF SIGNIFICANCE**

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

- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland

## **CONSULTATION**

### *Internal*

- Procurement
- Events Team
- Arts and Culture Team
- Public Affairs Team

### *External Agencies*

- *Australian entertainment peak body Creative Australia*
- *Touring agents*
- *West Australian Music (WAM)*
- *Festival organisers*

The Town has been approached by external organisations and companies with multiple sponsorship opportunities to bring major live music and arts events to Hedland throughout 2024, which includes funding from other sources and presents a more financially sustainable outlook for delivering major events into the future.

*Community*

- Feedback from the public through 2023 Post Event Evaluation

**LEGISLATION AND POLICY CONSIDERATIONS**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS**

As part of the 23/24 Annual Budget, \$600,000 has been approved for the Odyssea Music and Arts Journey. The allocated budget includes external sponsorship commitments, as follows:

- BHP - \$150,000
- Horizon Power - \$5,000
- Total - \$155,000

The total price submitted by the preferred tenderer for the community capacity building program (separable portion 1) is \$XXX and is within the allocated budget. No additional budget is requested for delivery of the Odyssea Music and Arts Journey.

All other tender responses for the two-day main event (separable portions 2, 3 and 4) have exceeded the maximum remaining budget of \$443,740.00 and is not recommended for approval.

Instead, it is recommended that the remainder of the budget be channeled into sponsorship opportunities that support sustainable event development of touring and local artists in accordance with the vision and goals of the Arts & Culture Plan 2023-27.

**STRATEGIC SUSTAINABILITY IMPLICATIONS****Strategic Community Plan**

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

Our Community:

- 1.3.1 The community, industry, arts and cultural organisations are engaged in identifying, planning and coordinating events and activities.
- 1.3.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered.
- 1.3.4 The Town's program of events and activities is promoted locally, regionally and nationally.
- 1.4.4 Community services and facilities are well promoted

Our Economy:

- 2.1.5 Encourage and support the development of industry specific value chains.
- 2.2.2 Maintain strong partnerships with the private sector and government to fund

projects and pursue job creation.

2.4.3 Grow and promote existing and new local events that champion local culture and community.

2.5.6 Support regional growth initiatives.

*Social*

There are social benefits from having capacity building opportunities and high quality live music and arts experiences available to the community. The Odyssey: Music and Arts Journey showcased the desire for high quality music in 2023 and received positive community feedback. The direction to include new opportunities for the community and businesses to be involved is expected to increase the social outcomes.

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

**Access and Inclusion**

The following outcome/s of the Town’s Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 1 – Events and Services
- Outcome 3 – Accessible Information
- Outcome 5 – Opportunities for Feedback

**Corporate Business Plan**

The following service/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Our Community Services:

Events, Arts and Culture - Cultivate an arts and cultural scene that celebrates the rich and culturally significant history of our region, as well as embracing the future

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Financial Reputational
<b>Cause</b>	Not delivering high quality music and capacity building opportunities
<b>Effect (Consequence)</b>	Retraction and non-delivery of the event Odyssey Music and Arts Journey.
<b>Risk Treatment</b>	Working collaboratively with our community to deliver a community led program of events.

There is a Operational, risk associated with this item caused by not approving a contractor to deliver festival management services, leading to a reputational risk in the community.

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 {custom-field-risk-remedy} by the working collaboratively with our community to deliver a community led program of events.

### **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 RFT2324-11 community capacity deliverables (separable portion 1) to preferred tenderer PPP Events due to their local knowledge, relevant experience, value for money and capacity to deliver on community expectations.

The evaluation panel recommends rejecting RFT2324-11 Main Event (separable portions 2, 3 and 4) due to the responses exceeding the maximum remaining budget of \$443,740.00 and not meeting the vision and goals of the Arts & Culture Plan 2023-27.

The evaluation panel is confident that exploring opportunities for sponsorship arrangements will deliver on the community expectations for delivering high quality live music and arts and provide a more sustainable outlook for ongoing live music and arts events in Hedland.

### **ATTACHMENTS**

1. DS Attachment 1 - Evaluation- Report-and- Memo- CEO-and- Director RF T 2324-11 Major Music and Arts [**12.2.3.1** - 4 pages]
2. Attachment 2 - RFX Summary Report [**12.2.3.2** - 10 pages]
3. Request Summary Report [**12.2.3.3** - 14 pages]

<b>12.2.4</b>	<b>Courthouse Gallery Quarterly Report - Q1 2023/24</b>
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<b>Author:</b>	<b>Manager Events, Arts &amp; Culture</b>
<b>Authorising Officer:</b>	<b>Director Community Services</b>
<b>Disclosure of Interest:</b>	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.
<b>Reasons for Confidentiality</b>	N/A

**OFFICER’S RECOMMENDATION**

**That Council;**

- 1. Receives the quarterly report from The Junction Co. for the management of the Courthouse Gallery and activation of South Hedland for the first quarter, July – September 2023; and**
- 2. Supports the updated KPI deliverables for artistic programming and activation South Hedland as included in Attachment 2.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider the financial and general operational report of the Courthouse Gallery and additional services to program and activate South Hedland, managed by The Junction Co. for the first quarter from July – September 2023. More specifically, this report addresses the reporting requirements outlined in clause 24.2 in the Management Agreement between the Junction Co. and the Town of Port Hedland (Town).

**DETAIL**

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

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

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

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

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

A summary of the key activities for the quarter July – September 2023 are noted below.

#### Courthouse Gallery + Studio

- Jila Kujarra: two snakes dreaming (4 August – 13 September) 2023 at Courthouse Gallery
  - o This exhibition is a cross-cultural collaboration between renowned Warnman artist Demond Taylor and Boorloo-based textile practitioner Mariaan Pugh. The primary objective of the exhibition was to foster cultural awareness within the community and to bridge cultural divides and promote a deeper understanding of Indigenous art and storytelling
- Public Program: Punch Needle Workshop
  - o Desmond Taylor and Mariaan Pugh, extended their commitment to community engagement by organising two immersive Punch Needle Workshops in Hedland with 10 Baler School students. The participants were encouraged to unleash their creativity and design imagery inspired by the Niminjarra Jukurrpa.
- Animate! (22 September to 10 November)
  - o In partnership with DADAA, Animate! Represents the apex of artistic innovation and collaboration. In 2022, artist Neil Elliot embarked on a transformative and creative journey that began with a collection of discarded metal and timber fragments. With these humble materials, they delved into the art of assemblage, meticulously crafting

collaborative artworks that drew inspiration from the vibrant tapestry of life in Lancelin. In a fusion of creativity and technology, the artist brought these assemblage artworks to life through the medium of animation and augmented reality.

- Panorama Project: Artist in Residence: Bruno Booth (8 August – 17 August 2023)
  - The Panorama Project is an initiative designed to create a supportive and nurturing pathway for disabled community members to cultivate their artistic talents and proudly identify as artists. This project finds its roots in The Junction Co's Pilbara Creative Disability Inclusion Program (PCDIP), which aims to build capacity within the disability community by fostering the exchange of skills and knowledge, enhancing the quality of life for those living with disabilities. Bruno Booth carried out his residency at the Courthouse Gallery + Studio, Spinifex Hill Studios and other locations, creating a unique opportunity for him to immerse himself in our vibrant artistic community.
- Wunderkammer: cabinet of curiosity (every 2<sup>nd</sup> Thursday of each month)
  - These events are a wonderful opportunity for individuals to immerse themselves in an unfiltered and unguided self-expression through the medium of art. Wunderkammer aims to actively engage with local creatives and artists to come together, share ideas and collaborate in an open and inclusive environment.
- Ceramics Sculpture Course (21-22 July 2023)
  - This immersive experience allowed participants to explore how the human body has been represented across different epochs and cultural contexts. Participants delved into the intricacies of ceramic artistry, which encompassed aspects of modelling, carving, firing and glazing.
- Art Antics (Every Wednesday)
  - A popular art class designed for children aged five and under to enjoy crafts and the freedom to explore and play while enhancing their fine motor skills and understanding of colours in a group setting.
- Kids Art Series Workshop (Every Monday)
  - Facilitators guide children through a series of enjoyable and interactive activities, all with the goal of creating sustainable art, which are destined for display at the annual Dirty Earth Youth Award Exhibition on 25 November 2023.
- Hobbies & High Tea – 26 August 2023
  - A series of interactive and creative workshops that aims to increase community participation, develop a new hobby and inspire the community to be much more creative
- Stained Glass Workshop – 17 and 17 August 2023



- o Participants learned essential stained-glass techniques, which include foundational skills of cutting and shaping glass pieces according to selected patterns
- Charcoal & Chardonnay – 15 August 2023
  - o Entry level and social event designed to bring people together through art and enjoyment.
- Slump & Hump – 31 August and 27 September 2023
  - o Primary focus was on creating an enjoyable and educational environment where individuals could explore the foundations of ceramics in a relaxed atmosphere.
- Warralong School Visits – 4 September and 11 September 2023
  - o Primary and High School students visited the Courthouse Gallery and were provided with a comprehensive tour of the existing exhibition and a facilitated interactive art session by working with recycled materials.
- Hedland High School Visit – 17 August 2023
  - o A group of students were provided with a guided tour of the “Jila Kujarra” exhibition and participated in a youth workshop focused on the Dirty Earth Project.
- Creative Enterprise Program for people with disabilities (weekly programming)
  - o Aimed to teach participants new skills and create a pathway for employment / generating income. Participants had the opportunity to sell created artworks and Christmas inspired products at the Portside Makers Market.

#### South Hedland Artistic Programming

- Artng Around – Seniors Art Workshop - weekly workshops at South Hedland Library
  - o The seniors art workshops welcomes all seniors to join in weekly arts and craft activities and to engage and connect.
- Wonder Lab Creations! - weekly workshops at JD Youth Lounge
  - o The Wonder Lab is a dynamic platform that shares art techniques, skills and engaging projects with young people.
- Scribblers on the Road (collaboration with FORM / Spinifex Hill Studios) - 19 August 2023
  - o The Junction Co played an active role and actively participated by hosting a stall that featured Portside Soap and aimed to engage with the community and promote programming at Courthouse Gallery and South Hedland artistic programming

As part of the Town's objective to work together and build strong relationships with our local arts organisation's, Spinifex Hill Studios and The Junction Co recently presented to council with a proposal in July 2023 to update the KPI's for delivering artistic programming and activation in South Hedland throughout the 2023/24

contracted period. As a result of feedback received to ensure the proposal remains within the existing budget of \$78,000, the following updates are proposed for Council's consideration.

Table 1 below outlines the existing and updated KPI's for programming and activation of South Hedland within the existing budget of \$78,000. Attachment 2 includes full details of the updated program of activities.

Existing KPI's	Updated KPI's (proposed)
Additional exhibition in new South Hedland location	Two x community markets (in collaboration with FORM & Spinifex Hill Studios) at agreed locations in South Hedland
Monthly creative development workshops	
Weekly youth workshops	Weekly youth workshops at the JD Hardie Centre
Weekly disability workshops	Weekly inclusion workshops at the South Hedland Library
Additional community event in a new South Hedland location	Community Art Day (in collaboration with FORM & Spinifex Hill Studios) at Shay Gap Park

Table 1: Overview of South Hedland Cultural Programming proposed by FORM, SHS and Junction Co.

FORM / Spinifex Hill Studios and The Junction Co have also agreed to collaborate on further arts and culture projects across Hedland in 2023/24. A recent example includes The Junction Co's support to organise activities at the Scribblers Festival and future workshops and programs are also being coordinated.

In addition, the existing Courthouse Gallery management contract is scheduled to expire in June 2024. The Town is currently undertaking a comprehensive review of the current contract and outcomes for the purpose of preparing future recommendations to Council regarding the optimum management model moving forward. It is intended that an outcomes report and recommendations will be presented to Council in January 2024.

## LEVEL OF SIGNIFICANCE

N/A.

## CONSULTATION

### *Internal*

- Manager Events, Arts & Culture
- Youth Services
- Library Services

- Community Briefing 12 July 2023 – A collaborative proposal for updated cultural programming to meet the existing KPI's for artistic programming of South Hedland was presented to Council from The Junction Co and FORM / Spinifex Hill Studios for feedback. Feedback from Council included:
  - The proposal is to remain within the existing contract budget
  - The collaborative proposal between the Junction Co and FORM / Spinifex Hill Studios to continue growing and demonstrate a sustainable partnership (including initiatives outside the subject scope of works)

#### *External Agencies*

- The Junction Co
- FORM / Spinifex Hill Studios

#### *Community*

- Nil in the creation of this report

### **LEGISLATION AND POLICY CONSIDERATIONS**

There are not legislative or policy considerations for this report.

### **FINANCE AND RESOURCE IMPLICATIONS**

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

### **STRATEGIC SUSTAINABILITY IMPLICATIONS**

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

#### Our Community:

- 1.3.1 The community, industry, arts and cultural organisations are engaged in identifying, planning and coordinating events and activities.
- 1.3.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered.
- 1.4.2 Facilities and community infrastructure are revitalised across the town
- 1.4.3 Facilities and community infrastructure are well maintained, managed and fit-for-purpose to provide a range of lifestyle opportunities.
- 1.4.4 Community services and facilities are well promoted

#### Our Economy:

- 2.5.6 Support regional growth initiatives.

#### *Social*

There are social benefits from having high quality arts and culture facilities and experiences available to the community. The Courthouse Gallery fulfils an integral role in activating the Town's West End, as an artistic, historical, and cultural precinct.

The recent programming and future growth of activation in South Hedland will promote additional opportunities for arts and culture throughout the Town. There are no significant identifiable environmental or economic impacts relating to this item

**Access and Inclusion**

The following outcome/outcomes of the Town’s Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 1 – Events and Services

**Corporate Business Plan**

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

Our Community Services:

Events, Arts and Culture - Cultivate an arts and cultural scene that celebrates the rich and culturally significant history of our region, as well as embracing the future.

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Reputational
<b>Cause</b>	Not delivering on contractual services of Courthouse Gallery Management and agreed KPI’s
<b>Effect (Consequence)</b>	Inability to deliver gallery services and arts and culture programming
<b>Risk Treatment</b>	Working collaboratively with Arts organisations to better understand the reasons for not meeting the services and provide support where necessary.
<p>There is a Project, risk associated with this item caused by not delivering the contractual services, leading to inability to deliver gallery services and arts and culture programming. The risk rating is considered to be Low (1) which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3). This risk will be reduced by working with The Junction Co. and local arts organisations to improve the delivery of agreed contractual services.</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

This report is provided to inform Council of the financial and operational progress made by The Junction Co from July to September 2023, in its role as the manager of the Courthouse Gallery and recent variation to program to activate South Hedland with new arts and culture opportunities. Council also has the recommended option to update the agreed KPI's for artistic programming and activation of South Hedland.

**ATTACHMENTS**

1. Quarterly Report 1 [**12.2.4.1** - 22 pages]
2. Attachment 2 - Proposed Updates to SH KP I's [**12.2.4.2** - 10 pages]

<b>12.2.5</b>	<b>MARKYT Community Scorecard</b>
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**Author:** **Manager Public Affairs**  
**Authorising Officer:** **Director Community Services**  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

**That Council:**

- 1. Notes the 2023 MARKYT Community Scorecard as per Attachment 1.**
- 2. Endorses the “Spotlight On” Action Plan as per Attachment 2.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider receive the 2023 MARKYT Community Scorecard and endorse the “Spotlight On” Action Plan, responding to priority areas within the Scorecard.

**DETAIL**

In 2021 the Town of Port Hedland engaged Catalyse to undertake a biannual Community Perception Survey. Catalyse delivered its MARKYT Community Scorecard product, providing insights from local residents and rate payers’ opinions on leadership, services and facilities throughout the Town.

The strategic intent of this survey is to understand and monitor community priorities and evaluate the Town’s performance including:

- Measure overall perceptions of the Town of Port Hedland.
- Evaluate perceptions of selected services and facilities.
- Identify and understand community priorities.
- Determine how community views differ by location and key demographics (age, gender, etc).
- Provide historical trend analysis (where comparable data is available).
- Provide benchmarking against MARKYT® industry standards.

The 2023 MARKYT Community Scorecard study was undertaken between 17 July and 18 August 2023. Scorecard invitations were mailed to all households and residential PO Boxes in the Town of Port Hedland using Australia Post unaddressed

mail services. Respondents could complete the scorecard in hard copy or online. The Town of Port Hedland provided supporting promotions through its communication channels, including direct email to customers, and social media posts.

The scorecard was completed by 1,379 community members, an increase of 324 respondents. From a statistical perspective, the response rate provides robust data.

#### High-level results:

- The Town of Port Hedland received an overall performance index score of 40 out of 100 – this is a combined measure of the Town of Port Hedland as a “place to live” and as a “governing organisation”
- The Town’s top three performing areas were:
  - Respect for First Nations peoples, cultures and heritage
  - Library services
  - Natural disaster management
- The top priorities from the community are:
  - Community safety and crime prevention
  - Health and community services
  - Housing
  - Family and children services and facilities
  - Council’s leadership.

#### Action Plan:

An analysis of the results has been undertaken to determine the priority areas for the Town to focus on.

This analysis has included assessment of:

- Top priorities as communicated by members of the public
- Areas where the Town received lower ratings
- Areas that drove a lot of anecdotal feedback from members of the public
- Service delivery areas that are within Local Government responsibility.

The three key themes of Leadership, Advocacy and Liveability have been developed as priorities following the above assessment. The “Spotlight On” Action Plan provided as Attachment 2 outlines the key actions Council commits to undertaking. These actions include a combination of those already committed to in the Corporate Business Plan, as well as new initiatives developed to address priorities.

### **LEVEL OF SIGNIFICANCE**

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

- The Council’s noting of the 2023 MARKTY Community Scorecard and endorsement of the “Spotlight On” Action Plan does not impact services, corporate strategies or have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland.

## CONSULTATION

### *Internal*

- Confidential briefing with Elected Members
- Executive Leadership Team
- Senior Leadership Team
- Manager Youth and Community Development

### *External Agencies*

- Catalyse

### *Community*

- 2023 MARKYT Community Scorecard

## LEGISLATION AND POLICY CONSIDERATIONS

Nil

## FINANCIAL AND RESOURCE IMPLICATIONS

Nil

## STRATEGIC SUSTAINABILITY IMPLICATIONS

### **Strategic Community Plan**

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

### **Access and Inclusion**

The following outcome/s of the Town's *Access and Inclusion Plan 2023-2026* apply in relation to this item:

Nil

### **Corporate Business Plan**

The following service of the Town's *Corporate Business Plan 2023-2027* apply in relation to this item:

Nil



**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Reputational
<b>Cause</b>	CSP link to strategic documents and community interest
<b>Effect (Consequence)</b>	may affect the achievement of goals and objectives of strategic plans and community outcomes
<b>Risk Treatment</b>	Accepting the risk
<p>There is a Strategic risk associated with this item caused by the CSP’s link to strategic documents and impact on community, impacting the Town’s commitment to community safety and achieving effective outcomes should it not be adopted. The risk rating is considered to be Low (2) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).</p> <p>This risk will be mitigated by the adoption of the CSP.</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

The 2023 MARKYT Community Scorecard provides valuable information on the perception and reputation of the Town of Port Hedland. High-performing areas have been identified, alongside areas where the community would like to see the Town of Port Hedland prioritise. The “Spotlight On” Action Plan provides a framework that the Town will share with the community as its response to the feedback provided through the Scorecard.

**ATTACHMENTS**

1. 23-026 - MARKYT Community Scorecard - Report - 230905 [12.2.5.1 - 92 pages]
2. Draft Response Framework.v 1 [12.2.5.2 - 2 pages]

**12.3 Regulatory Services****12.3.1 Marapikurrinya Park Pop-Up - Expression of Interest****Author:** Senior Economic Development Officer**Authorising Officer:** Director Regulatory Services**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.**OFFICER'S RECOMMENDATION****That Council:**

- 1. Accepts the application submitted by XXX, in accordance with the Expression of Interest for the Marapikurrinya Park Pop-up. The licence will:
 
  - a. Be for provision of food and beverage services**
  - b. Be for a period of one (1) year with an option for an additional one (1) year.**
  - c. Commence in January 2024, or as determined by the CEO as reasonably practical.**
  - d. Stipulate minimum opening hours are as follows:
 
    - 1 November to 31 March**  
Saturday and Sunday from 3pm to 8pm.
    - 1 April to 31 October**  
Monday to Sunday from 5am to 1pm and 4pm to 8pm.
    - During events, including Cruise Ship days**
    - Any alteration is to be by agreement with the Town.****
  - e. Be in accordance with the licence and Attachment 1, Confidential Evaluation Report.****
- 2. Requests the CEO or his delegate to enter into a licence agreement for the Marapikurrinya Park pop-up for a period of one (1) year with a further one (1) year option, for the licence fee as stipulated in the agreement in accordance with Policy 8/004 Community Leasing.**
- 3. In the event XXX is unable or unwilling to enter into a licence agreement within a reasonable timeframe, accepts the application submitted by XXX and authorises the CEO or his delegate to enter into a licence agreement under the same terms outlined in Clause 2.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider and endorse the appointment of a suitably qualified vendor to run a food and beverage service from one of the Pop-up facilities at Marapikurrinya Park.

**DETAIL**

The Town of Port Hedland issued an Expression of Interest (EOI) to seek a suitably experienced food and beverage vendor to lease one of the two pop-up catering facilities operated by the Town at Port Hedland's Marapikurrinya Park.

The second Pop-up is to be hired out to the community in line with the approved Fees and Charges and is not part of this EOI process.

The EOI sought operators who

- can offer a sustainable and commercially viable food vendor operation in the area on the eastern side of the park from a container pop-up kitchen.
- offer distinctive food and/or beverages, deliver quality visitor services and experiences, and consider the environmental, cultural and heritage values of the site
- are ready to work collaboratively with Council to share on the Vision Statement which will deliver on the following:
  - Provide a high quality and creative food and beverage offering in the specified location at Marapikurrinya Park, Port Hedland;
  - Provide a high level of service to the community;
  - Introduce a creative and unique offer taking inspiration from the area and market demands;
  - Consider the relevant stakeholders in the area and potential customers to build and deliver on a commercial venture that benefits both the operator and the surrounding community;
  - Provide feedback to Council to inform the viability of the business at this location

The EOI was released to the public on 13 October 2023 with an initial deadline of 3 November for submissions. At the request of multiple interested parties, the closing date for submissions was extended to 17th November 2023.

Each respondent was required to view the pop-up in order to be deemed eligible under the mandatory criteria. The viewing of the Pop-up was held on 17 October 2023, 18 October and 13th November 2023.

Upon Closing, four submissions were received as per below:

1. Citrus and Cheese
2. Iluka's Kitchen
3. Raikas Family Restaurant
4. Tikkaway

The evaluation panel met on 21<sup>st</sup> November 2023 to discuss their scoring of submissions received. The panel comprised of:

- Manager Environmental Services
- A/Manager Planning and Economic Development
- Senior Procurement and Contracting Advisor

The Senior Economic Development Officer undertook an assessment of the eligibility criteria.

The evaluation panel has recommended that the EOI be awarded to XXX under the following conditions:

1. The applicant is to provide public and product liability insurance to the value of \$20 million prior to being granted access to the building for business purposes.
2. The applicant is to accept the building as-is, where-is, with no further modification or addition to the pop-up facility being budgeted for by the Town of Port Hedland. Any further modifications will be at the expense of the applicant, and will require prior approval of the Town of Port Hedland.

The preferred applicant, XXX, was considered by the evaluation panel to have demonstrated a significant level of experience in delivering successful food and beverage services, with a high level of quality and consistency, aligning with the kitchen set-up and operational capacity the pop-up provides.

The preferred applicant intends to operate the site from 2 January 2024 (pending successful lease [license] agreement negotiations) from 3:00pm to 8:00pm Thursday to Sunday for the first month offering an early dinner solution to those working in or near the west end. Trading hours will then change to 5am to 1pm and 4:00pm to 8:00pm Monday to Sunday including public holidays to cater for breakfast, lunch and dinner. The draft lease precludes the sale of alcohol from these premises.

A summary of the assessment result for each submission received is included in the Multi-Party Assessment Report (Confidential Attachment 1).

Based on the evaluation panel's assessment, Council is requested to consider entering into a license agreement with XXX as the preferred applicant. Should negotiations with the preferred applicant fail, XXX is considered a suitable alternative to enter into a licence agreement with.

The evaluation panel acknowledges that the scoring of the eligible candidates was very close and the other applicants would also likely provide a consistent, high-quality food and beverage operation.

## **LEVEL OF SIGNIFICANCE**

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

outcome, and has minimal wider potential impact to the Town. In addition, there are other facilities available for use by unsuccessful applicants to the EOI.

## **CONSULTATION**

### Internal

- Manager Environmental Services
- A/Manager Planning and Economic Development
- Senior Procurement and Contracting Advisor
- Director of Regulatory Services

### External Agencies

Nil

### Community

Nil

## **LEGISLATION AND POLICY CONSIDERATIONS**

- Town of Port Hedland Policy 8/004 Community Leasing

## **FINANCIAL AND RESOURCE IMPLICATIONS**

All applications submitted were considered in accordance with Town's Policy 8/004 Community Leasing. The annual licence fee of \$6,540 was established based on a valuation report undertaken by McLeod's Barristers and Solicitors.

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Economy:

2.2.3 Encourage innovation and new business creation to enhance the diversity of employment opportunities.

2.3.4 Ensure business approval processes are transparent, and pathways streamlined.

2.3.5 Identify opportunities for new social enterprises, innovators, and small and medium-sized businesses and implement strategies to attract and support them.

2.5.3 Invest and develop key community and recreation infrastructure.

2.5.6 Support regional growth initiatives.

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

### Access and Inclusion

The following outcome/s of the Town’s Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 3 – Accessible Information
- Outcome 4 – Quality of Service

### Corporate Business Plan

The following service/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Our Regulatory Services:

Business and Economic Development - Lead an integrated and collaborative approach to achieve the community’s vision of ‘building prosperity for all – enabling sustained economic growth’

### RISK MANAGEMENT CONSIDERATIONS

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Reputational
<b>Cause</b>	The public, or unsuccessful applicant(s) not agreeing with the evaluation panel’s recommended successful candidate
<b>Effect (Consequence)</b>	Disengagement from the wider Hedland Community and the operator will result in a lack of return on investment for all parties involved.
<b>Risk Treatment</b>	The EOI process was undertaken to enable applicants to apply and provide evidence of their capabilities and were assessed on the same criteria.
<p>There is a reputational risk associated with this item caused by public or the unsuccessful applicant(s) may not agree with the Town’s recommended successful applicant. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2).</p> <p>This risk has been mitigated by undertaking a strong and transparent process to appoint a suitable operator.</p>	

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Reputational
<b>Cause</b>	Choosing an unsuitable operator
<b>Effect (Consequence)</b>	Poor quality offering and high risk to the operator’s sustainability and the Town’s reputation.

<b>Risk Treatment</b>	The EOI process was undertaken to enable applicants to apply and provide evidence of their capabilities and were assessed on the same criteria. In addition, there is an alternate container pop-up venue that is available to the unsuccessful applicants that can be hired from the Town.
<p>There is a reputational risk associated with this item caused by choosing an unsuitable operator. The risk rating is considered to be low (4), which is determined by a likelihood of unlikely (2) and a consequence of minor (2).</p> <p>This risk has been mitigated by undertaking a strong and transparent process to appoint a suitable operator.</p>	

**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 conducted an EOI for the provision of food and beverage services at the container pop-up in Marapikurrinya Park, Port Hedland.

From the EOI submissions the recommendation to proceed with the preferred applicant as contained in the Multi-Party Evaluation Report (Confidential Attachment 1).

**ATTACHMENTS**

1. CONFIDENTIAL REDACTED - Attachment 1 - Assessment report - Mara Pop Ups [12.3.1.1 - 20 pages]

<b>12.3.2</b>	<b>Proposed Road Dedication of part of Lot 603 on Deposited Plan 407880 (Part of Port Reserve 29082) - Wedgefield Stage 4 Road Extension Works</b>
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**Author:** Planner

**Authorising Officer:** Director Regulatory Services

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

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## **OFFICER'S RECOMMENDATION**

**That Council:**

- 1. Supports the dedication of a portion of Lot 603 as a public road, to be incorporated into the Hematite Drive, road reserve;**
- 2. Authorises a request being made to the Minister for Lands pursuant to section 56 of the Land Administration Act 1997 for the dedication of the subject a portion of Lot 603 as a public road;**
- 3. Authorises the Chief Executive Officer to execute such documents as are required by the Minister for Lands to enable the dedication of the subject portion of Lot 603 as a public road; and**
- 4. Indemnifies the Minister for Lands against any claim for compensation arising out of the road dedication;**

***SIMPLE MAJORITY VOTE REQUIRED***

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## **PURPOSE**

The purpose of this report is for the Council to consider the dedication of a portion of Lot 603 on deposited plan 407880, which is a part of the Pilbara Port Authority's land holding. The proposed dedication is to include the highlighted area in the below image and the attachments to this report to the Hematite Drive road reserve which will be extended and connected to the Great Northern Highway.

## **DETAIL**

The subject land is described as a portion of Lot 603 on Plan 407880, Crown Reserve 29082. The Pilbara Ports Authority has a management order over Lot 603 for 'Harbour & Port Purposes & Ancillary Thereto' purposes (refer Arial Photo). The land is part of Stage 4 subdivision works by Development WA, which has commenced with the earthworks.

### Background



The Wedgefield area is the main industrial area within the Town situated between Port Hedland and South Hedland. Hedland Junction Industrial Estate is adjacent to the Great Northern Highway (GNH), which is a Primary Distributor Road providing heavy vehicle access to the Port and the rest of the State.

Presently Pinga Street (Local Distributor Road) provides the main vehicle access into the Wedgefield Industrial Area, particularly for Restricted Access Vehicles (RAVs), i.e., RAV10 which can only be accessed from the GNH bypass. Wallwork Road (Regional Distributor Road) provides access for smaller vehicles (RAV2) coming from or going to South or Port Hedland. The proposed road dedication of a portion of lot 603 will allow for the extension and construction of the Hematite Drive connecting the Great Northern Highway (GNH) which will facilitate an improved RAV network by the creation of this new connection to the Hedland Junction Industrial Estate.



Aerial Photo

History of Hedland Junction Subdivisions

The table below briefly explains the different stages of subdivision applications/ approvals within the Hedland Junction Industrial Estate, the status, and the approximate development of the individual lots within each stage.

<b>Subdivision Reference</b>	<b>Details</b>	<b>Status</b>	<b>Percentage of development (Individual lots)</b>
Wedgefield Stage 1 (unable to locate WAPC reference No)	21 Industrial Lots.	Could not locate the WAPC approval for these lots	<ul style="list-style-type: none"> <li>• 75% lots developed.</li> <li>• 15% prelodgement/ development assessment stage.</li> </ul>
Wedgefield Stage 2 Subdivision (WAPC ref: 157742)	13 Industrial Lots	<ul style="list-style-type: none"> <li>• WAPC approval issued on 29/04/2019.</li> </ul>	<ul style="list-style-type: none"> <li>• 50% building completion stages.</li> <li>• 20% prelodgement/ development assessment stage.</li> </ul>
Wedgefield Stage 3 Subdivision (WAPC ref: 160690)	10 Industrial Lots	<ul style="list-style-type: none"> <li>• WAPC approval issued on 16/07/2021.</li> <li>• Not applicable as applications 161508, and 161474 has changed the layouts of subdivisions.</li> </ul>	The developer has not implemented this approval.
Wedgefield Stage 3 Subdivision (WAPC ref: 160996)	13 Industrial Lots	<ul style="list-style-type: none"> <li>• WAPC approval issued on 09/09/2021.</li> <li>• Not applicable as applications 161508, and 161474 has changed the layouts of subdivisions.</li> </ul>	The developer has not implemented this approval.
Wedgefield Stage 3 Subdivision (WAPC ref: 161508)	16 Industrial Lots	<ul style="list-style-type: none"> <li>• WAPC approval issued on 24/06/2022.</li> <li>• The developer has implemented part of this approval (3 lots only).</li> </ul>	The lots are undeveloped since they were titled recently at Landgate

Wedgefield Stage 3 Subdivision (WAPC ref: 161474)	5 Industrial Lots	<ul style="list-style-type: none"> <li>WAPC approval issued on 28/06/2022.</li> </ul>	The lots are undeveloped since they were titled recently at Landgate
Wedgefield Stage 4 Subdivision (WAPC ref: 162657)	Proposed 10 Industrial lots	WAPC approval issued on 27/05/2023.	The subdivision works (earthworks) have begun from the last week of October 2023. These works include the Hematite Dr – GNH road extension.

Hedland Junction Structure Plan

The Structure Plan promotes industrial development within Hedland Junction that will provide for general industrial uses, with a major focus on transport and logistics to support the wider economy in Port Hedland. The Structure Plan was put to the Council on 26 October 2022 for it to be supported with modifications. The Council resolved to recommend the Western Australian Planning Commission (WAPC) approve the Structure Plan. The Structure Plan was approved by WAPC on 8 November 2023.

Development Approval for Earthworks

The development application was lodged by the developer with the Town on 4 May 2023 (ToPH ref: 2023/059) seeking approval to conduct bulk earthworks the borrow of sand from 2 different areas in Hedland junction (future subdivision areas) to facilitate the construction of Wedgefield Stage 4 (WAPC ref: 162657). The Stage 4 subdivision area includes development of 10 industrial lots along with extension of Hematite Drive to Great Northern Highway. The areas where the sand has been borrowed from covers approximately 15 hectares.

The bulk earthworks was approved on 11 July 2023 subject to conditions relating to suitable management measures to be implemented.

Construction Licence - Pilbara Ports Authority (PPA), DevelopmentWA, and Town of Port Hedland (ToPH)

The construction licence has been prepared by PPA for the following reasons:

- The road dedication area/ the Hematite Dr extension area is within Lot 603 on Plan 407880, Crown Reserve 29082.
- The Pilbara Ports Authority has a management order over Lot 603 for ‘Harbour & Port Purposes & Ancillary Thereto’ and is responsible for the management and control of the Port under the Port Act.
- Since PPA has the authority over this land, DevelopmentWA requires consent from PPA to do the construction works over this land for the Hematite Dr extension which is part of the Wedgefield Stage – 4 subdivision. This Construction Licence

(once executed) will allow DevelopmentWA/its contractors to do the works subject to any other relevant approvals.

- The licence will expire on the date the licenced area is divested from PPA to become a local road.
- The Town has received three hard copies of the deed, executed by Development WA, for signing and sealing by the Town.
- The Town is a party to this licence because:
  - The proposed licence area will become a local road (extension to Hematite Dr) in the future and become the Town's responsibility to manage and maintain.
  - The construction of the road works will have to be in accordance with the Town's approved engineering drawings and the subdivision approval (WAPC ref: 162657).
  - To ensure the above the Town entered as a party to this deed prepared by PPA.

## LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance because the proposed road dedication is an administrative (land tenure) process.

## CONSULTATION

### *Internal*

- Infrastructure Services (Engineering)

### *External Agencies*

- Pilbara Ports Authority

### *Community*

- No public consultation for the proposed dedication is required under the Land Administration Act 1997.

## LEGISLATION AND POLICY CONSIDERATIONS

### *Land Administration Act 1997*

Section 56 of the *Land Administration Act 1997* requires the Town to make a request to the Minister to dedicate land as a road.

### *Land Administration Regulations 1998*

When considering an application for road dedication, the Council should take the following into consideration in accordance with Clause 8 of the Regulations:

1. Any impact on the Town of Port Hedland through additional maintenance requirements;

2. The effect on surrounding properties should the proposed dedication be supported; and
3. Potential costs to the Town through survey or other requirements.

In relation to the first consideration listed above, no additional maintenance requirements will result from the proposed dedication itself. However, post-construction of the Hematite Dr extension and when the Town accepts all these works are complete in accordance with the relevant approvals (subdivision and engineering drawings), the Town takes the responsibility from the practical completion date of managing and maintaining the constructed road.

Similarly, dedication will not have any impact on surrounding properties. Required surveys and plans have been prepared by the proponent, and detailed engineering designs for the road extension have been approved by the Town as part of the subdivision process.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

There are no significant financial and resource implications for this item for the Town until the end of the twelve-month defects liability period which is after the practical completion date of the road works, and the proponent will bear all costs for the design, construction, and associated administration fees.

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Community:

1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.

#### Our Economy:

2.1.1 Lobby State and Federal Governments and private sector for improved infrastructure investment.

#### Our Built and Natural Environment:

3.1.4 Ensure natural resource assets are well-managed and enhanced.

3.3.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry

3.3.5 The greening and vegetation of streetscape verges are systematically implemented.

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

**Access and Inclusion**

The following outcome/s of the Town’s Access and Inclusion Plan 2023-2026 apply in relation to this item:

Nil.

**Corporate Business Plan**

The following service/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Our Infrastructure Services:

- Projects and Assets - Effective and efficient project and asset management
- Roads and Footpaths - Provide an effective road network through the construction, maintenance and renewal of sealed and unsealed local roads and associated infrastructure
- Verges and Street Trees - Increase the number of trees to provide a softer landscape, assist in dust suppression, cooling of public spaces and better shade to protect pedestrians and drivers

Our Regulatory Services:

- Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Project
<b>Risk Category</b>	Service Interruption
<b>Cause</b>	Not supporting the road dedication can lead to the proponent not being able to transfer the land to Town’s management as a road reserve.
<b>Effect (Consequence)</b>	Delays and interruptions to the overall project.
<b>Risk Treatment</b>	Support the road dedication and authorize the Town to make a request to the Minister for Lands
<p>Project risk is associated with this item caused by not supporting the road dedication, leading to the Town not being able to accept the portion as a road reserve for the Town’s management.</p> <p>The risk rating is considered to be Low (2) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).</p> <p>This risk will be mitigated by the support of the road dedication and authorising the Town to make a request to the Minister for Lands.</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

## **CONCLUSION**

The dedication of a portion of Lot 603 as a public road will enable the Crown Reserve 29082 for ‘Harbour & Port Purposes & Ancillary Thereto’, managed by the Pilbara Ports Authority become a local road (extension to Hematite Dr). The road extension will become the Town’s responsibility to manage and maintain in the future with the completion of the Stage 4 subdivision, being undertaken by Development WA. The Council’s decision to endorse the Officer recommendation will result in the proposal being forwarded to the Department of Planning, Lands and Heritage to finalise the road dedication process.

## **ATTACHMENTS**

1. Attachment 1 - Development WA letter [**12.3.2.1** - 2 pages]
2. Attachment 2 - PPA support letter [**12.3.2.2** - 2 pages]

**12.3.3 Active Transport Strategy - Final Adoption**

**Author:** Project Officer - Strategic Planner

**Authorising Officer:** Director Regulatory Services

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

**OFFICER'S RECOMMENDATION**

**That Council:**

- 1. Considers the submissions received on the Draft Active Transport Strategy, summarised in Attachment 1 and in full in Attachment 2;**
- 2. Endorses the modifications to the Active Transport Strategy proposed in response to those submissions, as outlined in Attachment 3;**
- 3. Adopts the final Active Transport Strategy, subject to these modifications, as included in Attachment 4; and**
- 4. Notes that the implementation of the Active Transport Strategy will be funded through Council's budget process and sourcing external funding such as grants.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider the adoption of the modified Active Transport Strategy (the Strategy), as shown in Attachment 4.

**DETAIL**

The Town of Port Hedland provides and maintains a path network to enable efficient and safe use of active transport modes (such as walking, cycling, and wheelchair use) across localities within Port and South Hedland. The active transport network is formed by a series of footpaths, shared paths and pedestrian access ways (PAWs). They aim to provide unimpeded movement of pedestrians and cyclists around residential neighbourhoods, as well as often being used to locate public infrastructure such as water, sewer, gas pipes and electrical cables. Many of the paths and PAWs were created as part of the historical subdivisions within Hedland that were often based on cul-de-sacs and loop roads.

The Pilbara 2050 Cycling Strategy was endorsed by Council, however since its implementation in 2021, there have been some projects completed and new missing links identified. In addition, a PAW Strategy was required as a response of community members seeking closure of some PAWs, mainly for security reasons. In



response to this, an Active Transport Strategy project was initiated to understand the current provision of footpaths and shared paths and identify missing links to guide future new paths and upgrades, as well as provide a strategic planning framework which will guide the management, upgrades, and closure of PAWs in line with the *Land Administration Act 1997*.

The Active Transport Strategy recommends 33 actions across the following four objectives:

- a) Connected Network
- b) Functional Infrastructure
- c) Safer Pedestrian Access Ways (PAWs)
- d) Education and Promotion of Active Transport Modes

On 28 June 2023 the Council resolved to initiate the draft strategy for public advertising. The draft strategy was advertised from 29 June to 26 July 2023, for a total of 28 days, with a total of 19 submissions received from internal stakeholders, external agencies, and community members. The submissions are summarised in Attachment 1 and external submissions provided in full in Attachment 2.

Consultation has resulted in a number of minor modifications. The most notable changes are:

- Four additional Recommended Actions;
- Updated maps and missing links list to reflect projects already complete/ under construction such as the Great Northern Highway Realignment on-road cycle route and Wilson Street Shared Path;
- Updated missing links list to include projected timings and the path length; and
- Four additional PAWs identified and assessed.

The full list of modifications can be found as Attachment 3.

## **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the active transport network impacts a broad section of the community and the submissions received from public advertising have been considered in the final version of the Active Transport Strategy.

## **CONSULTATION**

### *Internal*

- Infrastructure, Projects and Assets
- Youth and Community Development
- Recreation and Leisure Facilities
- Environmental Services
- Infrastructure Operations
- Councillor Briefing 7 June 2023

*External Agencies*

- Hedland Community Road Safety Group
- Department of Biodiversity, Conservation and Attractions
- Department of Jobs, Tourism, Science and Innovation
- Department of Health
- Department of Transport
- Department of Primary Industries and Regional Development
- Department of Planning Lands and Heritage
- Department of Water and Environmental Regulation
- Pilbara Development Commission
- Mainroads WA
- Horizon Power
- Telstra
- Water Corporation

*Community*

The draft Strategy was advertised for public consultation from 29 June to 26 July 2023, for a total of 28 days and included:

- Publication of a public notice in the North West Telegraph;
- Posts on Town's social media profiles;
- Display of a copy of the public notices section of the Town's website;
- Announcement on a chat radio segment; and
- News story and link to the Strategy in the 'In The Loop' e-newsletter.

Further details of the public consultation undertaken prior to the Draft Strategy being prepared can be found in Appendix 1 of the Active Transport Strategy (Attachment 4).

A total of 11 external submissions were received, as summarised in Attachment 1 and in full in Attachment 2.

**LEGISLATION AND POLICY CONSIDERATIONS**

- Planning and Development (Local Planning Schemes) Regulations 2015
- Land Administration Act 1997
- Town of Port Hedland Local Planning Scheme No. 7

**FINANCIAL AND RESOURCE IMPLICATIONS**

To fund the implementation of the Strategy, The Town's Long Term Financial Plan 2022 – 2037 (LTFFP) has allocated \$500,000 per annum to be factored into the annual budget for new footpath and lighting construction until at least 2028/29. In addition to this, the Town has opportunities to apply for external funding options such as grants or leverage

developer contributions where appropriate in line with State Planning Policy 3.6 – Infrastructure Contributions (SPP 3.6).

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### Strategic Community Plan

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

#### Our Community:

1.1.6 Town-wide health, safety, recreation and sporting activities and services are promoted.

1.2.4 Regular opportunities for the broad community to have input into the Town of Port Hedland plans and programs are provided for transparency, accountability and two-way interaction.

1.2.5 Opportunities to get involved and results of engagement are regularly promoted.

1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.

1.4.2 Facilities and community infrastructure are revitalised across the town

1.4.3 Facilities and community infrastructure are well maintained, managed and fit-for-purpose to provide a range of lifestyle opportunities.

#### Our Economy:

2.4.2 Market and promote Hedland for tourism.

2.4.4 Market and promote the local lifestyle of the Hedland community

#### Our Built and Natural Environment:

3.2.1 1 Identify, plan and develop the present and future needs for serviced land and infrastructure provision.

3.3.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry

3.3.2 The community has access to attractive natural habitats, built form, parks and amenities.

#### Our Leadership:

4.3.2 Community members, businesses and tourists are engaged to provide feedback about local facilities and services.

4.3.4 Efficiency strategies across the town's infrastructure and amenity assets are implemented.

*Environmental*

The Strategy will contribute to the protection and enhancement of the natural environment and improve access to natural habitats, parks and open space.

*Economic*

The Strategy will provide direction for the Town to establish realistic provision and maintenance costs and in turn effectively budget for current and future footpath infrastructure in line with the Town's Long Term Financial Plan.

*Social*

The Strategy will assist with the planning for and provision of future community infrastructure. Active transport opportunities and associated path network are highly valued by the community, so maintaining these assets to a high quality and making improvements where necessary directly contributes to achieving the Town's vision as outlined in the Strategic Community Plan.

Access and Inclusion

The following outcome/s of the Town's Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 2 – Buildings and Facilities

Corporate Business Plan

The following service/s of the Town's Corporate Business Plan 2023-2027 apply in relation to this item:

Our Community Services:

Recreation Leisure Facilities and Programs - Provide and promote, with key stakeholders recreation and sporting activities for healthy lifestyles

Our Infrastructure Services:

Roads and Footpaths - Provide an effective road network through the construction, maintenance and renewal of sealed and unsealed local roads and associated infrastructure

Property Management and Maintenance - Ensure facilities are well maintained in line with the Town's asset management program

Our Regulatory Services:

Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes

Environmental Sustainability Strategy

The following actions of the Town’s Environmental Sustainability Strategy 2022-2027 apply in relation to this item:

- 6 – Improve pedestrian and cycling connectivity, lighting, and signage aligned to the priorities in the Pilbara Cycling Strategy 2050 and prepare a five-year footpath and lighting plan to establish other pedestrian and cycling networks.
- 8 – Incorporate bicycle parking infrastructure in key locations and include information on cycling networks on the Town’s website and relevant digital applications.

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Reputational
<b>Cause</b>	Having fragmented approach to footpaths and pedestrian access ways
<b>Effect (Consequence)</b>	A decrease in the community’s perception of the Town’s services
<b>Risk Treatment</b>	Mitigated
<p>There is a Strategic, risk associated with this item caused by having fragmented approach to footpaths and pedestrian access ways, leading to a decrease in the community’s perception of the Town’s services.</p> <p>The risk rating is Medium (9) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>This risk will be mitigated by adopting the officer’s recommendation.</p>	

**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 outcomes of the advertising period for the Active Transport Strategy. By adopting the Active Transport Strategy, the Town will facilitate upgrades to path network infrastructure, promote more sustainable and active forms of transportation such as walking and cycling, support a strategic framework for addressing PAW closures, and facilitate greater collaboration with community on how their local networks can be improved.

**ATTACHMENTS**

1. Schedule of Submissions [12.3.3.1 - 11 pages]
2. Full Submissions [12.3.3.2 - 16 pages]
3. Schedule of Modifications [12.3.3.3 - 3 pages]

4. Active Transport Strategy - Final [**12.3.3.4** - 85 pages]

<b>12.3.4</b>	<b>Omnibus Scheme Amendment No.1 to Local Planning Scheme No. 7 - Minor Modifications to Final Adoption</b>
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**Author:** Project Officer - Strategic Planner

**Authorising Officer:** Director Regulatory Services

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

#### **OFFICER'S RECOMMENDATION**

**That Council:**

- 1. Note the modifications to Scheme Amendment No. 1 (Omnibus Amendment) to Town of Port Hedland Local Planning Scheme No.7 by the Minister, included as Attachment 1**
- 2. Authorises the Chief Executive Officer and Mayor to execute modified amendment documents pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015 and provide the Western Australian Planning Commission a copy of Omnibus Amendment 1 and relevant documents for final approval by the Minister for Planning.**

***SIMPLE MAJORITY VOTE REQUIRED***

#### **PURPOSE**

For Council to note correspondence from the Minister regarding Omnibus Amendment No. 1 to the Local Planning Scheme No. 7 (LPS 7) and authorise the CEO and Mayor to execute the required modifications for the amendment documentation be presented to the Western Australian Planning Commission and Minister for Planning for final approval.

#### **DETAIL**

Omnibus Scheme Amendment No. 1 was initiated and adopted by Council to correct minor text errors and omissions identified after the Local Planning Scheme No. 7 (LPS 7) was gazetted in 2021, including updates the zoning table to review the permissibility of certain land uses and addressing several mapping corrections that were also identified in the process of adopting LPS 7.

At its Ordinary Council Meeting (OCM) held on 26 July 2023, Council carried resolution CM202324/105, to adopt for final approval an omnibus amendment of the Town's LPS 7:

1. *Adopts for final approval Scheme Amendment 1 (Omnibus Amendment) to the Town of Port Hedland Local Planning Scheme No.7 pursuant to section 75 of the Planning and Development Act 2005 and Regulation 50 of the Planning and Development (Local Planning Schemes) Regulations 2015, included as Attachment 1, with modifications as outlined in Attachment 2 – Schedule of Modifications.*
2. *Notes the submissions received on Scheme Amendment 1 (Omnibus Amendment) to Town of Port Hedland Local Planning Scheme No.7 included as Attachment 3, and notes that the only modification proposed to Amendment Documentation since Council's initiation of the Amendment is the change of zoning from Lot 500 Forrest Circle, South Hedland from proposed "Civic/Community" to "Mixed Use" for the reasons stated in this report. All other aspects of the Amendment remain as initiated by Council.*
3. *Authorises the Chief Executive Officer and Mayor to execute amendment documents pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015 and provide the Western Australian Planning Commission a copy of Omnibus Amendment 1 and relevant documents for final approval by the Minister for Planning.*

The Town executed the above actions. Correspondence was received on 9 November 2023 instructing Omnibus Scheme Amendment No. 1 be modified in the manner specified in **Attachment 1** - Schedule of Modifications, in accordance with Section 87(2)(b) of the *Planning and Development Act 2005* (the Act). Once the modifications are made, Omnibus Scheme Amendment 1 is to be resubmitted under section 87(1) of the Act for final approval and gazettal.

The required amendments are minor text changes and do not change the intention of Omnibus Scheme Amendment No. 1. The required amendments can be summarised as follows:

- 1.12 Section 61
  - Replace the sentence: "The erection of a lot boundary fence other than within a street boundary" with the sentence "The erection of a lot boundary fence other than on a street boundary"
- 1.18 Section 61 (2)
  - Renumber: "(h) Street trading where the use complies with the parking requirements of any applicable local planning policy adopted by the local government" to "(i)"
- 5.0 Modification Numbers 5.8, 5.9, 5.10, and 5.11
  - Replace the sentence "Amend portion of Lot 435/436/438/439 from Special Use Area SU2 to SU1" to "Reclassify from Special Use Area 'SU2' to 'SU1'"
- 5.0 Modification Number 5.23
  - Replace the sentence "Amend Lot 500 from Reserve – Education to Mixed Use zone" to "Reclassify from 'Education' reserve to 'Mixed Use' zone"



## LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because the modifications to Omnibus Scheme Amendment No. 1 do not change the intent or strategic direction of the amendment. The Omnibus Scheme Amendment No. 1 will ensure that LPS 7 is consistent with current State planning legislation and adopted structure plans and that it continues to remain relevant and responsive to needs of the Port Hedland community.

## CONSULTATION

### *Internal*

- Nil

### *External Agencies*

- Western Australian Planning Commission

## 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

## FINANCIAL AND RESOURCE IMPLICATIONS

Nil

## STRATEGIC SUSTAINABILITY IMPLICATIONS

### **Strategic Community Plan**

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

#### Our Community:

1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.

#### Our Economy:

2.3.2 Minimise red tape for business through regular review and reform of relevant policies and by-laws.

2.3.4 Ensure business approval processes are transparent, and pathways streamlined.

#### Our Built and Natural Environment:

3.2.1 1 Identify, plan and develop the present and future needs for serviced land

and infrastructure provision.

3.3.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry

*Environmental*

The amended Local Planning Scheme will contribute to the protection and enhancement of the natural environment and improve access to natural habitats, parks and open space.

*Economic*

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

*Social*

The amended Local Planning Scheme will assist with the planning for and provision of future community facilities.

**Access and Inclusion**

The following outcome/s of the Town’s Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 2 – Buildings and Facilities

**Corporate Business Plan**

The following service/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Our Regulatory Services:

Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Compliance
<b>Cause</b>	Not updating the local planning scheme
<b>Effect (Consequence)</b>	The local planning scheme will not be responsive to the current strategic direction, projects, and market trends.
<b>Risk Treatment</b>	Endorsing the Officer Recommendation

There is an Operational, risk associated with this item caused by not amending the local planning scheme, leading to the local planning scheme not being responsive to the current strategic direction, projects, and market trends.  
The risk rating is considered to be Medium (9) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).

This risk will be mitigated by progressing the Omnibus Amendment No. 1 and endorsing the Officer Recommendation.

### **OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

### **CONCLUSION**

The required amendments are minor and do not change the intent of Omnibus Scheme Amendment No.1. This report provides all relevant information to Council relating to the required modifications to Omnibus Scheme Amendment No. 1 and requests Council authorise the CEO and Mayor to execute the modified amendment documents to provide a copy of the Amendment documents to the Western Australian Planning Commission for final approval by the Minister for Planning.

### **ATTACHMENTS**

1. Attachment 1 [**12.3.4.1** - 1 page]

<b>12.3.5</b>	<b>Joint Development Assessment Panel - Application for Development Approval for Workforce Accommodation (Proposed Additions to Waypoint Village) - Lot 9008 Great Northern Highway, Port Hedland</b>
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**Author:** Planner  
**Authorising Officer:** Director Regulatory Services  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

That Council recommends the Regional Joint Development Assessment Panel approve the Development Application (Reference No. DAP/23/02568) and accompanying plans in accordance with Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Town of Port Hedland Local Planning Scheme No. 7, subject to the following conditions and advice notes:

1. All development and use of the development site must be carried out in accordance with the approved plans and all information submitted as part of this application. These details shall not be altered without the prior written consent of the Town of Port Hedland and/or the Joint Development Assessment Panel (as applicable). This approval does not relate to any other development on this lot.
2. This decision constitutes development approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the four-year period, the approval shall lapse and be of no further effect.
3. The approved development is valid for a period of Ten (10) years from the date of this approval. All development must be removed from the land by no later than 30 December 2033 in accordance with the Site Rehabilitation Plan required under Condition 10 of this approval.
4. The developer shall provide public art within the development to a minimum value of 1% (capped at \$150,000) of the estimated total development construction cost, in accordance with the Town of Port Hedland Local Planning Policy - 04 ‘Percent for Public Art’. Alternatively, a cash-in-lieu payment of this amount shall be made to the Town of Port Hedland prior to the occupation or use of the development.

To comply with the Policy, the developer or applicant on behalf of the developer shall, submit a statutory declaration within 60 days

**of the date of approval stipulating the choice of:**

- a) **Option 1: Applicant/developer chooses to co-ordinate the Public Art project themselves or by engaging an art consultant; or**
  - b) **Option 2: Applicant/developer chooses to pay cash-in-lieu to the Town of Port Hedland.**
- 5. 5.1 Within one (1) year after occupying the development, the developer shall landscape with shade trees (1 tree every 12m) for the length of the future shared path connection, from the subject land to the nearest path link (intersection of Great Northern Highway and Wallwork Rd/Wilson St), as identified under the Pilbara 2050 Cycling Strategy.**
- 5.2 Within twelve (12) months from the date of this approval, the developer shall provide detailed design plans for the tree planting, to the Town for approval, which shall include:**
- a) **the type of trees as specified by the Town and location of the trees.**
  - b) **an irrigation supply (including water tanks and tank compound) located along the shared path route, in accordance with the Town's specifications.**
  - c) **landscaping of the water tank compound.**
- 5.3 Alternatively, the developer shall make a cash contribution to the Town for the full cost of the tree planting and installation of a reticulation system estimated in November 2023 at approximately \$450,000 or equivalent, to be spent only on the tree planting and associated reticulation requirements. The contribution shall be paid in full (lump sum) or other alternative arrangements as agreed with the Town of Port Hedland.**
- 6. Prior to lodging an application for a building permit, the developer shall lodge a revised Stormwater Management Plan (SMP) to the Town of Port Hedland for approval. The SMP shall include, but is not limited to, the following information:**
- a) **Reflect the approved development;**
  - b) **Ensure no excess stormwater is discharged onto neighbouring private property;**
  - c) **Proposed grading of the site with contours;**
  - d) **Proposed Finished Ground Levels (FGL) and Finished Floor Levels (FFL);**
  - e) **Locations of stormwater infrastructure;**
  - f) **Demonstrate detention and retention on the property for a 6-**
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**minute rainfall event - calculations to be shown using the 'Rational Method'.**

- g) Cross-section details for the existing detention Basin Area/swale**

**The plan must be designed to the specifications of the Town. The approved stormwater management plan shall be implemented in full prior to the occupation or use of the site and shall be maintained thereafter to the satisfaction of the Town. The use of cracker dust is not permitted given its ability to erode during rainfall events, which can compromise on-site drainage systems and the public drainage network and cause dust nuisance issues when dry.**

- 7. Prior to the commencement of works, a Construction Environmental Management Plan (CEMP) is to be submitted to and approved by the Town of Port Hedland and thereafter be implemented throughout the construction phase of the development. The CEMP shall include, but not be limited to, the following matters:**

- a) Contact details of essential site personnel, construction period and operating hours;**
- b) Community information, consultation and complaints management plan;**
- c) Public safety, security and amenity;**
- d) Traffic and parking management for the contractors and staff;**
- e) Noise and dust management plan;**
- f) Earthworks, excavation, land retention/piling methods and associated matters, all to be contained within the approved development site; and**
- g) Stormwater and sediment control;**
- h) The delivery of materials and equipment to the site;**
- i) The storage of materials and equipment on the site;**
- j) Impact on traffic movement;**
- k) Other matters likely to impact the surrounding properties.**

- 8. Prior to lodging an application for a building permit a revised landscaping plan for the subject site, must be submitted to and approved by the Town of Port Hedland, and include the following:**

- a) Improvements to the existing accommodation and facilities area;**
  - b) The location, number and type of proposed trees and shrubs including planter and/or tree pit sizes and planting density;**
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- c) **Planting species to be consistent with the [Town of Port Hedland Preferred Planting Guide](#).**
  - d) **Vegetate and maintain the full extent of the 15-metre-wide landscape setback to the front section of the lot to the satisfaction of the Town of Port Hedland as follows:**
    - i. **Trees at: 3 per 15m<sup>2</sup>;**
    - ii. **Feature shrubs at 1 per 1m<sup>2</sup>; and/or Feature groundcovers and grasses at 1 per 1m<sup>2</sup>;**
    - iii. **Mulch to be either woodchips or river shingle, to a minimum size of 20mm, spread at a minimum depth of 100mm;**
    - iv. **All areas to be reticulated;**
    - v. **Garden bed edging to be kerbed;**
  - e) **Shade trees for parking areas at a ratio of 1 per 4 car bays, evenly throughout the parking areas;**
  - f) **any existing landscape areas to be retained;**
  - g) **verge treatments;**
  - h) **Any lawns to be established;**
  - i) **Evidence that the proposed landscaping will not, at maturity, negatively impact the development.**

The approved landscaping plan must be implemented in full prior to the occupation or use of the site and must be maintained thereafter to the satisfaction of the Town.

- 9. **By no later than three (3) months from the date of the approval, the developer to submit a Site Rehabilitation Plan (SRP) for approval by the Town of Port Hedland for the rehabilitation of the subject site, following the end of the approval period and ceasing of the land use. The SRP must include, but is not limited to, the following information:**
    - a) **Removal of all infrastructure, including underground services and hardstand areas;**
    - b) **Details of site preparation;**
    - c) **Recontouring and revegetation of the land, including the list of species and breakdown rates, topsoil and dieback management;**
    - d) **Weed management and ongoing maintenance;**
    - e) **Dust management plan, if required;**
    - f) **Erosion and sediment control; and**
    - g) **Details of the rehabilitation program including staging and**
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responsibilities.

The Site Rehabilitation Plan must be implemented to the satisfaction of the Town of Port Hedland.

10. Within six (6) months of the commencement of operation of the development, a Social Impact Assessment (SIA) and Social Impact Management Plan (SIMP) shall be submitted to and approved by the Town of Port Hedland. This Social Impact Assessment and Social Impact Management Plan shall:

- a) Include an adequate level of community consultation in the development of the SIMP, and be undertaken with, but not limited to, local resident groups and businesses and local stakeholder groups, including local Aboriginal corporations, to be undertaken prior to the occupation or use of the development;
- b) Additional management strategies as identified by the SIA and the abovementioned community consultation outcomes, including the facilitation of initiatives to connect the workforce accommodation residents and the permanent residential population, community infrastructure and facilities;
- c) Include timeframes for agreed KPIs as identified by the SIMP to be actioned;
- d) Provide details on annual monitoring and reporting on the effectiveness of the SIMP to be submitted by the proponent to the Town at the end of every financial year. The SIMP shall be modified in response to any socio-economic issues identified by the Town (based on agreed KPIs) that are a direct result of the approved development operations; and
- e) While the Town reserves the right to make this request for amendment of the SIMP at any time, this will principally apply during the process of the annual review.

Annual monitoring and reporting of the SIMP's implementation shall commence on 2 January 2025 and be reported on 2 January each year thereafter, for the duration of the approval.

11. Bushfire Management Plan

- a) Prior to the commencement of works, a revised Bushfire Management Plan in line with the State Planning Policy 3.7 Planning in Bushfire Prone Areas is to be submitted to the satisfaction of the Town and the Department of Fire and Emergency Services.
  - b) The developer must implement all recommendations contained in the revised Bushfire Management Plan (once approved) for the duration of the development.
  - c) A Section 70A Notification pursuant to the *Transfer of Land*
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***Act 1893* (or as amended) must be placed on the title of the land and/or lease (as appropriate), at the full cost of the applicant/owner by, prior to the use or occupancy. This shall alert to the people to the existence of the approved Bushfire Management Plan and advising landowners of their obligations in respect to the use and ongoing management of the land. 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 subject to a Bushfire Management Plan. Additional planning and building requirements may apply to develop on this land.”**

- 12. Prior to lodging an application for a building permit, the developer must prepare a Traffic Impact Assessment (TIA) in accordance with the Western Australian Planning Commission’s Transport Impact Assessment Volume 4 Part C guidelines. The TIA is to be submitted to the Town for approval and to include the following:
    - a) Swept path analysis for heavy vehicle parking;**
    - b) Trip distribution should be updated to reflect maximum capacity.**
    - c) Control of intersection as per the guidelines.**
    - d) The pedestrian facility movement within the development.****
  - 13. Prior to lodging an application for a building permit, a detailed on-site car parking plan shall be submitted to the Town for approval. The car parking plan must indicate:
    - a) All existing and proposed car parking bays and maneuvering areas designed to a ‘User Class 3A’ with the B99 vehicle in accordance with the Australian Standards 2890.1:2004, which is 2.7x5.4m;**
    - b) Cross-sectional details of surface treatments;**
    - c) Lighting of the parking areas.****
  - 14. The approved Acoustic Assessment, prepared by AECOM dated 11 August 2023 must be fully implemented where applicable, and maintained thereafter, to the satisfaction of the Town of Port Hedland.**
  - 15. All car parking and maneuvering areas shall be sealed, kerbed, drained, line marked, provided with lighting, prior to the development being occupied and thereafter maintained to the satisfaction of the Town of Port Hedland.**
  - 16. Prior to the commencement of any works, it is the responsibility of**
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**the developer to resolve any underlying land tenure matters with the State Emergency Services for the lease expansion areas and relocation of the underground services (as required) to the satisfaction of the Town of Port Hedland.**

**Advice Notes:**

- 1. 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.**
- 2. The development requires a Building Permit Application for any structural works, including but not limited to fencing, retaining walls, signage, bin stores light posts, and any other temporary structures. Any amendment to the internal layout specifically changes to the unit layouts and sizes, will affect the building permit. It is recommended that any changes to the design are made prior to an application for a building permit being submitted.**
- 3. The development will require a Demolition Permit Application for the proposed removal of the structures and buildings. The applicant and developer should liaise with the Town's Planning and Development Services in this regard.**
- 4. The developer is reminded of its obligations to meet provisions and requirements under the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.**
- 5. The developer is reminded of its obligations to meet provisions and requirements under the *Health (Public Building) Regulations 1992*.**
- 6. The developer is reminded of its obligations to meet provisions and requirements of the *Health Act 1911* and the *Town of Port Hedland Health Local Law 2016* at all times for the duration of the development.**
- 7. The developer is reminded of its obligations to meet provisions and requirements under the *Health (Miscellaneous Provisions) Act 1911* and the *Town of Port Hedland Health Local Law 2016*.**
- 8. The developer is reminded of its obligations to meet provisions and requirements of the *Environmental Protection (Noise) Regulations 1997* at all times for the duration of the development.**
- 9. The developer is reminded of its obligations to meet provisions and requirements under the *Food Act 2008* and that the food premises is registered prior to the commencement of operations. For further information please liaise with the Town's Environmental Health Services.**
- 10. If an applicant or owner is aggrieved by this decision there is a right**

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**of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005*, Part 14.**

- 11. This approval is for 'Workforce Accommodation' as defined by the Town of Port Hedland Local Planning Scheme No. 7. Use of the site for a different land use may require further development approval in accordance with the Town's Local Planning Scheme No. 7 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
- 12. The developer is reminded of its obligations to meet provisions and requirements of the Town of Port Hedland's Local Planning Policy 03 Shipping/Sea Containers and Transportable Buildings.**
- 13. As the site may be impacted by current or historical site activities, an appropriate management plan must be prepared to address potential human health exposure risks in the event potentially contaminated soils are encountered during the development works. This should include provisions for the assessment and management of the potentially contaminated soil.**
- 14. The proposal occurs within the proclaimed Pilbara groundwater and surface water area and is therefore subject to licensing requirements under the Rights in Water and Irrigation (RiWI) Act 1914.**
- 15. If the proponent intends to use groundwater for any purpose, they will need to apply for a 5C licence to take water, and a 26D licence if new water supply bores are needed.**

***SIMPLE MAJORITY VOTE REQUIRED***

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## **PURPOSE**

The purpose of this report is for the Council to consider a recommendation to the Regional Joint Development Assessment Panel (Regional JDAP) for the construction and operation of a proposed Workforce Accommodation expansion at Lot 9008 Great Northern Highway (GNH), Port Hedland (subject site). The Town of Port Hedland is required to make a recommendation to the Regional JDAP by noon Thursday 4 January 2024, otherwise, the application will be reviewed in the absence of any comments or conditions from the Town.

## **DETAIL**

### Background

The subject site is located within the Port Hedland International Airport (PHIA) precinct and north-facing to Great Northern Highway, Hedland Men's Shed and Port Hedland International Airport (PHIA) to the west. A sewer treatment facility that currently

services the Airport and Waypoint Village is situated to the south and Hedland State Emergency Services (SES) and Port Haven to the east.

The subject site is approximately 3 hectares in area and comprises the following:

- Six accommodation blocks (A – F) comprising a total of 252 rooms;
- Communal facilities such as kitchen/dining, office, gym, activity room and laundries; and
- Other incidental elements such as car parking, vehicle circulation areas and water tanks.

The Town approved the original development in 2006 (ToPH ref. 2006/112). A subsequent approval was issued in 2011 (2010/226) for an additional 63 rooms (Blocks E – F) and additional common facilities.

On 26 August 2021, the Town approved an amendment (DA2010/226.01), to extend the approval timeframe for an additional 5 years and 3 months to allow Compass to refurbish and reopen the facility which had been closed for some time. This is reflected in Condition 2 which limits the approval to 25 November 2026 and states that any future extension is subject to being demand-driven, updates of the social impact assessment and review of social contributions.

### Proposal

The present development application (ToPH ref: 2023/173) proposes the expansion of the existing Waypoint Village workforce accommodation facility (previously Mia Mia). The Compass Group is responding to an identified demand for worker accommodation for BHP's upcoming 'Port Debottlenecking Project 2'. The application seeks a ten-year time-limited approval period, noting the intention to use this site is to provide consistent accommodation for meeting the demand. The proposal includes:

- Retention of the existing accommodation units with 252 rooms;
- The addition of 301 accommodation rooms includes 9 UA rooms, 36 single-storey units and 256 two-storey arrangements. This adds to 553 rooms within the facility;
- New recreation, gym/fitness buildings;
- New Baggage and admin buildings;
- New kitchen/diner, beer garden and tavern areas;
- New laundry buildings;
- New BBQ areas;
- New parking areas, including bus collection point and internal roads and paths.
- Landscaping works throughout the development
- A total of 100 bays, including one ACROD bay will be provided across the two areas at the front and rear of the site.

As part of the Development Application, the following technical and supporting documentation has been submitted:

1. Planning Report (CLE Town Planning + Design, 2023)
2. Certificate of Title
3. Site Plans and Elevations (AECOM, 2023)
4. Feature Survey (Veris, 2023)
5. Stormwater Management Plan (AECOM, 2023)
6. Landscape Masterplan (AECOM, 2023)
7. Noise Management Plan (AECOM, 2023)
8. Bushfire Management and Emergency Evacuation Plan (Emerge Associates, 2023)
9. Traffic Impact Assessment (Urbii, 2023)
10. Existing Development Approval (ToPH ref: 2010/226.01)

### Local Planning Framework

The subject site is within Special Use Zone 1 – Port Hedland International Airport (SU1) under the Town of Port Hedland Local Planning Scheme No. 7 (LPS7). As per LPS7, Clause 16 Zones, objectives for a 'Special Use' zone are as follows:

- *"To facilitate special categories of land uses which do not sit comfortably within any other zone.*
- *To enable the local government to impose specific conditions associated with the special use."*

The proposed land use is a 'Workforce Accommodation' under LPS7. As per LPS7, Clause 38 Land use terms used, 'Workforce Accommodation' is defined as follows: *"means premises, which may include modular or relocatable buildings, used –*

- a) *primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
- b) *for any associated catering, sporting and recreation facilities for the occupants and authorised visitors;"*

In accordance with LPS7, Clause 21, Special use zones, 'Workforce Accommodation' is an ('A') use within SU1, meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the Deemed Provisions under the *Planning and Development (Local Planning Schemes) Regulations 2015*. In this instance, the Town is providing a recommendation for the Regional JDAP who are the decision makers for this application. The application was advertised for a period of 14 days, between 18 October 2023 and 1 November 2023. The development is also considered to meet the objectives of the Town's Local Planning Strategy, which outlines that the PHIA Master Plan acknowledges that the PHIA is subject to a 50-year lease with the Town and the Town will continue to retain its statutory role in assessing development applications pursuant to its local planning scheme, other relevant legislations, policies and statements.

Local Planning Policy 02 – Advertising Signs (LPP/02)

The proposal includes a 'Waypoint' sign location on plans which does not comply with the LPP/02. However, considering the building's bulk and the signage being part of the building and not a standalone signage, the proposed variations for the signage could be considered.

Local Planning Policy 03 – Shipping/sea containers and transportable buildings (LPP/03)

The proposal is subject to assessment under LPP/03, as it comprises transportable buildings. This policy defines acceptable design standards for transportable buildings.

In assessing the proposal against this policy, it is noted that the double-storey modules proposed on the north end must have suitable design treatments in place since they will be visible from GNH.

It is recommended to have at least a 15m landscape buffer including extra semi-advanced trees in this area. By doing this, the developer can achieve compliance with the Town's Draft Local Planning Policy 08 – Port Hedland International Airport (LPP/08). Adopting this recommendation will also aid in enhancing the GNH Visual protection corridor as per the Town's Local Planning Strategy.

A condition has been included in the Officer Recommendation for a revised landscape design/ plans to be submitted to the Town.

Local Planning Policy 04 – Percent for Public Art (LPP/04)

The proposal is subject to assessment under LPP/04. In this instance, the Town considers that a cash-in-lieu contribution would be a suitable outcome for this application for the following reasons:

- The Town has the ability to work with a variety of artists, including promoting local and/or Indigenous art;
- The artwork would be located within a public place in which a wider population can access and enjoy; and
- The money used will contribute to an artwork that can celebrate the Hedland environment, industry and lifestyle, and promote awareness of the value of public art in the community.

A condition has been included in the Officer Recommendation for the applicant to either provide the art onsite themselves or \$150,000 for a public art contribution, in accordance with Clause 4.4 of LPP/04. This contribution will be for the specific purpose of providing a piece of public art within the Town boundaries, or the art should be installed in a "publicly visible" location within the site.

Local Planning Policy 05 – Workforce Accommodation (LPP/05)

The proposal is subject to assessment under LPP/03, as the proposal is for Workforce Accommodation (expansion). In accordance with Clause 5.1 Demand Driven, the proposal has to demonstrate the need and demand for accommodating the proponent's workforce. The applicant has provided the following to support their proposal:

*“This proposal addresses the demand for workforce accommodation in the Town by making efficient use of an existing facility. The proposed Waypoint Village expansion is required to meet the operational needs of BHP's upcoming 'Port Debottlenecking Project 2' (the project).*

*The specific considerations in demonstrating the demand for workforce accommodation in accordance with clause 5.1 Demand Driven of LPP 5 are as follows:*

- The project will commence in the second half of 2024 and is intended to expand and debottleneck BHP's Western Australia Iron Ore's (WAIO's) port capacity by developing an infrastructure and operating solution that will reliably and sustainably deliver a growth pathway to an iron ore production capacity of ~330 mega-tonne per annum (Mtpa).*
- The project is extensive and requires significant labour for delivery. It will involve the construction and installation of a new car dumper (including associated rail and materials handling upgrades), installation of a new product stacker (including new conveyor routes) and stockyard row, construction of a new freshwater recovery plant, upgrades to existing ship loaders, upgrades to existing lump rescreening plant and construction of a new sample station.*
- During the operational peak of the project, BHP have forecasted the need for 400 to 450 rooms at Waypoint Village to accommodate employees and contractors from the project.*
- BHP expect the project to be completed by March 2028.*

*The existing supply of workforce accommodation within Port Hedland has been assessed and determined insufficient to accommodate the additional demand generated by the project. With housing supply in Port Hedland having grown by less than 0.2% per annum since June 2017, the current shortage is expected to be further exacerbated by an increasing number of non-permanent workers coming to and from Port Hedland as detailed in the Town's 'Service Worker Demand Analysis and Socio-Economic Impact Assessment' considered at the Town's Ordinary Council Meeting on 30 August 2023.*

*Presently BHP and other parties are unable to secure consistent accommodation for its workforce, resulting in workers having to demobilise and fly back to Perth. Expanding Waypoint Village as proposed will respond efficiently to this identified demand without creating an additional workforce accommodation site, thereby utilising existing infrastructure consistent with strategic decision-making regarding the location of these uses.*

*The proponent seeks approval for a period of ten years which requires the exercise of discretion under the provisions of LPP/05. Compass Group's proposal to secure a ten-year approval timeframe is underpinned by project feasibility and the commercial practicalities of the capital expenditure necessary to redevelop and expand Waypoint Village to BHP's required standards. Future certainty regarding the ability for Waypoint Village to operate for a period of ten years is necessary in order to justify the upfront investment cost of expanding the facility. On this basis, a ten-year lease has been negotiated between Compass Group and PHIA. A ten-year approval timeframe will provide Compass Group with the certainty necessary to proceed with this significant investment to expand Waypoint Village that will support and generate economic activity and improve the amenity and presentation of the existing facility."*

Section 6.4 Design Standards of LPP/05 identifies two categories of design standards (basic and high) for all workforce accommodation proposals, depending on the type proposed. As Waypoint Village is a long-term accommodation, the requirements set out in Table 2 – High Design Standards apply. The below table provides the Town's assessment against the proposed design.

Design Element			Acceptable Development Provisions	Proposed	Town's assessment
1	Siting the Development	(a)	Setbacks to lot boundaries to be in accordance with the R-Codes and any applicable Design Guidelines.	<i>The minimum primary Street Setback to Great Northern Highway is 15m in accordance with LPP 10 – Highway Precinct Design Guidelines.</i>  <i>Side / Rear Setbacks for accommodation buildings are proposed at 3m in accordance with the R-Codes.</i>	The proposed setbacks comply with the Draft Local Planning Policy 08 – Port Hedland International Airport.
		(b)	Setbacks between accommodation buildings shall ensure adequate access to light, ventilation and visual privacy.	<i>All buildings have been sited to ensure a minimum separation of 2.5m between existing and proposed units.</i>  <i>New buildings are oriented north-south to maximise natural ventilation and outlooks to the generously landscaped courtyards and</i>	The proposed design and locations of the modules complies with the design criteria and considers the aspects of light, ventilation and visual privacy.



Design Element		Acceptable Development Provisions	Proposed	Town's assessment
			<i>minimise overlooking into existing units.</i>	
		(c) Development of non-residential uses, activity areas and vehicle manoeuvring, and car parking areas shall be located and screened to mitigate any off-site emissions or nuisances including lighting, noise or air quality impacts on adjoining sensitive land uses.	<i>Common facilities and service buildings have been located at the rear of the site, behind building lines and away from existing and proposed accommodation units.</i>	The service areas and car parking areas are well separated from accommodation component and no modifications are required.
		(d) Land uses which generate employment, such as an office, administrative building, cafe or restaurant should be sited and orientated towards street frontages to provide natural surveillance and allow for development to be adapted or repurposed.	<i>The new arrival hall and administration building are located adjacent Great Northern Highway to activate the front setback area and define the key entry point to the village.</i>	The new communal facilities and administration building is articulated well around the primary entrance and provides a visible entry to the street and no modifications are required.
		(e) Development with a primary setback of one metre or less to the street, shall include awnings that: <ul style="list-style-type: none"> <li>• Define and provide weather protection to entries;</li> <li>• Are integrated into the façade design; and</li> <li>• Are consistent with the desired streetscape character.</li> </ul>	<i>N/A – 15m setback proposed</i>	No modifications required.
		(f) The proposal shall investigate the creation of spaces for start-up businesses to co-locate on-site, such as 'incubator' commercial tenancies to foster new business such as food and beverage services, shops or other service industries.	<i>N/A – the facility will be operated privately by Compass Group to service the BHP's Port Debottlenecking Project 2. The provision of standalone tenancies is not</i>	The proponent has the ability to explore this provision as part of preparing their Social Impact Assessments as part Condition 11 of the Officer

Design Element		Acceptable Development Provisions	Proposed	Town's assessment	
			<i>suited to the proposed land use in this regard.</i>	Recommendation section.	
2	Designing the Building	(a)	<p>The development shall address all street frontages through orientation of buildings, careful placement of entry points and landmarks. Façade, building materials and colours that are viewable from the public realm shall have good quality design components, articulation and vary in material. The design shall include:</p> <ul style="list-style-type: none"> <li>• Articulation and detailing that reflects the scale, character and function of the public realm.</li> <li>• Visual interest is achieved by a combination of building articulation, the composition of different elements and changes in texture, material and colour.</li> </ul>	<p><i>All buildings at the front of the site, fronting Great Northern Highway will ensure passive surveillance to the public realm via the incorporation of major openings, articulated building facades, varied roof forms and a distinct material palette.</i></p> <p><i>All buildings will utilise a recognisable and unique colour palette that reflects regional Australian vernacular built form character thereby responding to its locational context.</i></p> <p><i>Further detail regarding the proposed building elevations is enclosed within the Site Plans and Elevations.</i></p>	Complies and no modifications required.
		(b)	Building materials and finishes shall be designed to complement those in the surrounding area or landscape and enhance the amenity of the locality.	<i>Refer above.</i>	No modifications required and proponent to consider this during the detailed designs.
		(c)	Where a site immediately adjoins a residential property, building height shall take into consideration the adjoining property's correlating R-Code and building height restrictions in accordance with the R-Codes.	<i>N/A – no adjoining residential properties.</i>	Not applicable for this proposal.
		(d)	The development shall incorporate many entry/exit points for permeability into the site and shall be	<i>The arrival building incorporates a controlled and secure entry point</i>	Complies and no modifications required.

Design Element		Acceptable Development Provisions	Proposed	Town's assessment
		orientated towards the public realm.	<p><i>to the site, to ensure the safety for residents of the Waypoint Village.</i></p> <p><i>Access to the site is limited due to following pre-existing factors:</i></p> <ul style="list-style-type: none"> <li>• <i>Controlled access via Great Northern Highway:</i></li> <li>and</li> <li>• <i>Its location abutting PHIA.</i></li> </ul>	
	(e)	Metal bars and any other visually obtrusive security screening shall not be used on windows and doors.	<i>No metal screening is proposed.</i>	Complies and no modifications required.
	(f)	In buildings with a height greater than two storeys, facades include a defined base, middle and top for the building.	<i>N/A – the maximum building height on site is two storeys.</i>	Not applicable for this proposal.
	(g)	Where basement parking protrudes above ground level it shall be designed or screened to prevent negative visual impact on the streetscape.	<i>N/A – no basement parking proposed.</i>	Not applicable for this proposal.
	(h)	The Finished Floor Level of any ground floor development at the streetscape shall not be higher than half a metre above natural ground level.	<i>The FFL of buildings fronting Great North Highway will be 0.5m above NGL as required by LPP 10 – Highway Precinct Design Guidelines.</i>	Noted. Details to be provided as part of the revised stormwater management plan in line with Condition 6 of the Officer Recommendation section.
	(i)	Each unit or accommodation room shall have a minimum of one external window to street frontages.	<i>Rooms fronting Great Northern Highway incorporate major openings to the street, satisfying the minimum window requirement.</i>	The units facing GNH provides windows to frontages, therefore, complies and no modifications required.

Design Element		Acceptable Development Provisions	Proposed	Town's assessment
	(j)	A shaded outdoor living area shall be directly accessible to each unit with a minimum area of eight square metres and a minimum dimension of two metres.	<p><i>All rooms include a covered veranda, with a minimum dimension of 2.1m and a minimum area of 7.2sqm directly adjacent rooms.</i></p> <p><i>Ground floor rooms will have direct access to front landscaped common areas and courtyards, which include communal covered spaces.</i></p>	Complies and no modifications required.
	(k)	A range of dwelling types, sizes and configurations shall be provided that caters for diverse household types. Developments of greater than ten accommodation units shall include at least 20 per cent of units of differing bedroom numbers.	<p><i>The 301 new rooms proposed all comprise single bed units, varying in size: 2.9m x 4.2m; 3.6m x 4.2m; 4.2m x 5.2m.</i></p> <p><i>All rooms will only accommodate one worker at any given time, meaning the need to provide multiple bedrooms is not appropriate. This has been an important consideration in promoting mental health for residents, to avoid 'bunking' with other workers.</i></p> <p><i>Further, given the nature of the workforce BHP have advised that no families need to be accommodated on the site.</i></p>	No modifications are required because only one occupant per unit at any one time.
	(l)	Each accommodation unit shall have a minimum floor area of 37 square metres.	<p><i>Rooms vary from 12sqm to 22sqm in size and have been designed with the needs of residents</i></p>	Noted, although it does not comply with the 37m <sup>2</sup> requirements the

Design Element		Acceptable Development Provisions	Proposed	Town's assessment
			<p><i>in mind – acknowledging that the village provides a range of communal facilities external to rooms.</i></p> <p><i>It is noted that the 37sqm requirement is consistent with SPP7.3 Volume 2 (Apartments), which provides guidance for permanent residential multiple dwelling developments. This is a fundamentally different land use than workforce accommodation whereby residents will only be accommodated on a short-term basis – not permanently. Further, as the village includes a range of communal kitchen, laundry, recreational and storage facilities, the need to provide a 37sqm space is not justified when residents will be off-site for up to 12 hours at a time.</i></p>	<p>variation can be supported as these are not standard apartments, and other amenities are provided within the site for the occupants use.</p>
		(m) Habitable rooms shall have a minimum floor level to ceiling level height of 2.7m.	<i>All rooms will have a minimum floor-to-ceiling height of at least 2.9m.</i>	Complies and no modifications are required.
		(n) Within the Centre Zone, ground floor units that are directly fronting a public street shall have a minimum floor to ceiling height of three metres.	<i>N/A – the site is not zoned 'Centre'</i>	Not applicable for this proposal.
		(o) Units shall have a minimum floor area and internal dimensions in accordance with the below: min floor area	<i>Refer point (l) above.</i>	Noted, the variation can be supported as these are not standard apartments, and

Design Element			Acceptable Development Provisions	Proposed	Town's assessment
			<ul style="list-style-type: none"> <li>• master bedroom: 10sqm</li> <li>• other bedrooms: 9sqmm</li> <li>• living room: N/A</li> </ul> <p>min internal dimension</p> <ul style="list-style-type: none"> <li>• master bedroom: 3m</li> <li>• other bedrooms: 3m</li> <li>• living room: 3.6m</li> </ul>		other amenities are provided within the site for the occupants use.
3	Fencing	(a)	Front fencing includes visually permeable materials above 1.2m and the height of solid walls or fences to the street does not exceed 1.2m.	<i>No solid fencing above 1.2m are proposed fronting Great Northern Highway.</i>	Complies and no modifications are required.
		(b)	Fencing, landscaping and other elements on the frontage are designed to eliminate opportunities for concealment.	<i>All fencing and associated landscaping along Great Northern Highway has been designed to maximise opportunities for passive surveillance and to avoid concealment.</i>  <i>Refer to Landscape Masterplan.</i>	Noted. Some modifications are required within the scope of landscaping. The revised landscaping required in line with the Condition 9 of the Officer Recommendation section.
4	Landscaping	(a)	Landscaping shall be designed so that upon maturity, it will suitably shade or soften the appearance of vehicle parking, external storage areas, bin compounds, other structures and provide a suitable tree canopy within the site.	<i>A key consideration in the proposed landscaping strategy has been to maximise shading opportunities through the selection of appropriate plant species and the incorporation of well-designed shaded structures throughout the site.</i>  <i>Refer to Landscape Masterplan.</i>	Noted. Some modifications are required within the scope of landscaping. The revised landscaping required in line with the Condition 9 of the Officer Recommendation section.
		(b)	Landscaping zones shall be established and maintained along all boundaries to screen the development.	<i>A 10m landscape buffer is provided to Great Northern Highway as</i>	Noted. Modifications are required, 15m landscape area

Design Element			Acceptable Development Provisions	Proposed	Town's assessment
				<p><i>required by LPP10 – Highway Precinct Design Guidelines</i></p> <p><i>Refer to Landscape Masterplan.</i></p>	<p>to be established and maintained fronting GNH to screen the development. The design refers to this portion as existing landscape buffer, however, this does not meet the requirements and amendments are required in line with the Draft Local Planning Policy 08 – Port Hedland International Airport. The revised landscaping in line with the Condition 9 of the Officer Recommendation section covers this.</p>
5	Movement network	(a)	Proposals shall be accompanied by a Traffic Impact Statement (TIS) or Traffic Impact Assessment (TIA) in accordance with the <i>Transport Impact Assessment Guidelines</i> by the Department of Planning, Lands and Heritage.	<i>Refer to Traffic Impact Assessment.</i>	A revised Traffic assessment in accordance with the WAPC Volume 4. TIA Part C Guidelines to be provided and other details to be updated in line with the Condition 13 of the Officer Recommendation section.
		(b)	All road infrastructure shall be informed by the recommendations of the TIS or TIA, to the satisfaction of the Town.	<i>Recommendations of the Traffic Impact Assessment (Urbii) have been incorporated into the proposal.</i>	A revised Traffic assessment in accordance with the WAPC Volume 4. TIA Part C Guidelines to be provided and other details to be updated in

Design Element		Acceptable Development Provisions	Proposed	Town's assessment	
				line with the Condition 13 of the Officer Recommendation section	
		(c)	<p>Car parking areas and other hardstand areas are not located within the street setback and are not visually prominent from the street. Such areas shall either be located behind buildings or behind a well landscaped area.</p>	<p><i>The existing parking area the front of the site has been replaced by a new dedicated parking area at the rear of the site, screened from view from Great Northern Highway.</i></p> <p><i>A number of short-term visitor parking has been retained at front of the site – which has been landscaped with a number of 45L trees and associated planting areas.</i></p>	<p>Noted. Carpaking to include shade trees. The revised landscaping in line with the Condition 9 of the Officer Recommendation section covers this.</p>
		(d)	<p>The internal drainage, road and pedestrian layout of a site shall be designed in accordance with a structure plan or local development plan, to allow development to be repurposed for residential, community or commercial purposes.</p>	<p><i>The development has been designed in accordance with LPP10 – Highway Precinct Design Guidelines and the Town's other planning policies</i></p>	<p>Noted. The overall design is generally consistent with the local planning framework. However some details are required/updated during the detailed design stage and provided to the Town as covered in Conditions within the Officer Recommendation Section.</p>
		(e)	<p>Secure bicycle parking shall be provided at a rate to the satisfaction of the Town and accessed via a continuous path of travel from the vehicle or cycle entry point. Footpaths shall connect to a footpath network if there is one in the area.</p>	<p><i>No bicycle parking is proposed as part of this application, however a new buggy store is proposed and is intended to be utilised for residents within the village.</i></p>	<p>Noted. It is recommended that the proponent has explore this provision as part of preparing their Social Impact Assessments as</p>



Design Element			Acceptable Development Provisions	Proposed	Town's assessment
					part Condition 11 of the Officer Recommendation section.
6	Storage, waste and collection	(a)	Storage, waste and collection zones shall be fully screened from view from all public areas and set back to mitigate any observation or odour.	<p><i>The proposal is consistent with the requirements set out in the Town's LPP 11 – Stormwater Management.</i></p> <p><i>Further discussion is provided in Section 5.5 of Stormwater Management Plan.</i></p>	<p>Noted. Modifications are required within the stormwater management plan. The revised plan required in line with the Condition 9 of the Officer Recommendation section covers these.</p> <p>However, this part refers to waste management and not stormwater management.</p>
		(b)	Air conditioning units and other utilities/infrastructure shall be screened from view.	<i>Air conditioning units have been located on internal facing walls, away from public view</i>	Noted. To be checked at the building permit stage if sufficient screening is provided.
7	Signage	(a)	As per <i>Local Planning Policy 02 - Advertising signs</i> (LPP/02).	<p><i>An 8m wide x 1m high 'roof sign' consistent with the existing Waypoint Village livery is proposed on the new administration building.</i></p> <p><i>Whilst this is larger than the 4sqm provision of LPP02, the sign is commensurate with the size of the building and its location on Great Northern Highway which necessitates a larger sign given the speed of passing vehicles along the entry to the airport.</i></p>	Noted. considering the building's bulk and the signage being part of the building and not a standalone signage, the proposed variations for the signage could be considered and supported.

Design Element			Acceptable Development Provisions	Proposed	Town's assessment
8	Drainage	(a)	Proposals shall be accompanied by a detailed stormwater management plan in accordance with the Town's <i>Stormwater Drainage Design Guidelines</i> , and should ensure: <ul style="list-style-type: none"> <li>▪ A minimum of a 1:5 ARI event is contained on-site;</li> <li>▪ No standing water in excess of 72 hours to prevent mosquito breeding;</li> <li>▪ Sediment traps are included to prevent sediment entering the Town's reserves and drainage infrastructure; and</li> <li>▪ Erosion control measures are incorporated to prevent the erosion of embankments, swales and other areas that are unsealed.</li> </ul>	<i>The proposal is consistent with the requirements set out in the Town's LPP 11 – Stormwater Management.</i>  <i>Further discussion is provided in Section 5.5 below and Attachment 5 – Stormwater Management Plan.</i>	Noted. Modifications are required within the stormwater management plan. The revised plan required in line with the Condition 9 of the Officer Recommendation section covers these.
		(b)	All habitable floor areas to have a minimum vertical freeboard of 300mm above the 1% AEP.	<i>All habitable buildings will be located 500mm above the 1% AEP</i>	Noted. To be considered during detailed designing to indicate a note on the revised stormwater management plan.
	Cyclone safety	(a)	Provide a building or buildings that are designed for emergency cyclone sheltering purposes for all occupants the site is designed to accommodate. Such buildings shall be designed and constructed to a Building Code of Australia importance level four (4), unless otherwise agreed between by the Town's emergency services.	<i>N/A - an emergency safety cyclone sheltering hub is provided at Compass's nearby Gateway Village in accordance with the existing Cyclone Management Plan for Waypoint Village</i>	Noted and no additional plans required.

Local Planning Policy 06 – Social Impact Assessment (LPP/06)

The proposal is subject to assessment under LPP/06, as the proposal is for a Workforce Accommodation (expansion). Clause 4.2 of the Policy requires submission of a Social Impact Assessment (SIA) and Social Impact Management Plan (SIMP). The intent of

the SIA and SIMP is to provide a structured approach to planning for and offsetting demand on the limited infrastructure and services on-site by considering the integration of the facilities residents with community social infrastructure. The Applicant has requested the SIA/SIMP to be a conditioned as part of the development approval. A condition has been included in the Officer Recommendation for an SIA/SIMP to be submitted within six months from the operation date.

Draft Local Planning Policy 08 – Port Hedland International Airport (LPP/08)

The proposal is subject to assessment under LPP/08, as the proposal is within the Special Use SU1 Zone (Port Hedland International Airport). The application was referred to PHIA for general comments and to check compliance with LPP/08 as part of the external referral process. The proposal was also assessed against the relevant design considerations of the policy which has been covered in the above section of the report and relevant conditions has been included within the officer recommendation section where necessary.

Local Planning Policy 11 – Stormwater Management (LPP/11)

The development application is subject to assessment under LPP/11 which assists developers, engineers, landowners and the government in integrating suitable design measures into their own stormwater systems. The correct design and construction of appropriate systems will assist with reducing the damaging effects of heavy rainfall events on private and public property and the public drainage network. As part of this development application, the applicant submitted a Stormwater Management Plan on 11 October 2023 for the proposed expansion. A suitable Condition has been included in the Officer Recommendation section requesting a revised stormwater management plan.

Local Planning Policy 14 – Design Review Panel (LPP/14)

On 28 July 2021, Council adopted Local Planning Policy 14 Design Review Panel (LPP/14). Subsequently, the Town appointed a Design Review Panel (DRP) to provide independent expert and technical advice to applicants, Town Officers and the Council in relation to the design of the development and other relevant matters. The proposal met the criteria to be presented to the DRP and was presented for comments on the overall design of the development. The proposal was referred to the Town’s DRP on 1st November 2023, after the lodgement of the application for development approval. The DRP comments and recommendations on their assessments against the 10 Design Principles in accordance with the State Planning Policy 7.0 – Design of the Built Environment (SPP7.0) are summarised below and provided in Attachment 10.

Design Review Panel Assessments	
<b>Design quality evaluation</b>	
	Supported
	Pending further attention
	Not supported

<p><i>Principle 1</i> <b>Context and character</b></p>		<p><i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i></p>
		<p>a) <i>Some thought has been given to a consistency of architectural and landscape character, which is good.</i></p> <p>b) <i>Further demonstration of an understanding of the place, climate, water movement and cultural context and how the design responds accordingly would be of assistance in the assessment process and demonstrate the relationship of the development to the place.</i></p> <p>c) <i>The proximity to the airport is a benefit that could be explored further – close enough to enable meaningful walkability.</i></p> <p><b>Recommendations</b></p> <p><b>1. Provide a more comprehensive description of the local context and how the design respond.</b></p> <p><b>2. Consider how the relationship to the airport could be strengthened given the proximity.</b></p>
<p><i>Principle 2</i> <b>Landscape quality</b></p>		<p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i></p>
		<p>a) <i>There has been more landscape consideration than other similar projects that have been reviewed, and there is a clearly emerging landscape strategy, which is promising.</i></p> <p>b) <i>The localised landscape spaces between the residential units are supported.</i></p> <p>c) <i>It is good to see the planting palette is aligned with town strategic direction.</i></p> <p>d) <i>Drainage is an important consideration, but avoid channelisation, which struggles to handle heavy storm events.</i></p> <p>e) <i>Establish a tree canopy coverage target to optimise the amount of shade (trees providing the best ‘bang for buck’).</i></p> <p>f) <i>Consider providing more trees to the entry/ highway interface for shade and visual impact (in this respect, the row of palms is a bold and eye-catching gesture but could be extended further to the Highway for greater impact)</i></p> <p>g) <i>There is opportunity for a more nuanced approach to locating shade trees.</i></p> <p>h) <i>Consider and commit to an Irrigation strategy - recycled water is great for trees.</i></p> <p>i) <i>Use real turf rather than artificial, which heats up significantly.</i></p> <p>j) <i>Given further consideration as to how the beer garden could better relate to the adjacent external spaces.</i></p> <p>k) <i>There are a lot of hard surfaces, which create a heat sink and deliver challenges for stormwater management – co consider how to reduce to a minimum.</i></p> <p>l) <i>There is further opportunity to refine the local space in the single-level accommodation precinct.</i></p> <p>m) <i>The car parks would benefit from more trees.</i></p> <p>n) <i>Some consideration of different hardscape treatments is evident, which is good.</i></p> <p>o) <i>Consider upgrading landscape in existing areas to create a more cohesive and equitable outcome.</i></p> <p>p) <i>Consider the management of soil stripping - stockpiling and reusing creates a natural seedbank.</i></p> <p><b>Recommendations</b></p> <p><b>1. Review the stormwater management strategy in the context of the landscape response.</b></p>

		<ol style="list-style-type: none"> <li>2. <i>Maximise tree planting and set an aspirational canopy coverage percentage as part of the landscape strategy.</i></li> <li>3. <i>Provide more detail on the irrigation strategy.</i></li> <li>4. <i>Give further consideration to the landscape setting of the beer garden.</i></li> <li>5. <i>Review the extent of paving and reduce to only what is required for functionality.</i></li> <li>6. <i>Extend the proposed landscape to the existing accommodation precinct.</i></li> <li>7. <i>Plan to reserve existing soil for reuse as a seed rich resource.</i></li> </ol>
<p><i>Principle 3</i> <b>Built form and scale</b></p>		<p><i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i></p>
		<ol style="list-style-type: none"> <li>a) <i>Generally appropriate for the use and location.</i></li> <li>b) <i>The Panel appreciates the need for the facility and the modular approach to construction.</i></li> <li>c) <i>The site master planning is logical and locating the car park and servicing discreetly is good practice.</i></li> <li>d) <i>The intent of the built form to provide shade with extensive use of shading devices (blades and verandas, etc) is good but needs to be demonstrated (preferably in cross section) that it will be effective.</i></li> <li>e) <i>The extensive use of two-storey buildings is good.</i></li> <li>f) <i>The amenity village has some spatial interest and a sense of arrival.</i></li> <li>g) <i>The vertical scale of some of the communal buildings looks exaggerated, and cross sections would be useful to understand the implications of the high roofs.</i></li> <li>h) <i>The covered walkways are positive and assist with amenity and legibility.</i></li> <li>i) <i>There is a motley collection of roof pitches – more consistency would be better.</i></li> <li>j) <i>It needs to remember that the shade structures also have value in providing rain protection, so continuity of cover is important.</i></li> <li>k) <i>Outdoor shaded spaces are better when taller and provide space for fans, misters, and accommodate a stack effect. There is merit in thinking them as ‘umbrella spaces’ with things sheltering under them.</i></li> </ol> <p><b>Recommendations</b></p> <ol style="list-style-type: none"> <li>1. <i>Demonstrate the effectiveness of the proposed shading devices (blades, verandas, etc), preferably through cross sections.</i></li> <li>2. <i>Review the vertical scale of the taller amenity buildings.</i></li> <li>3. <i>Consider rationalising the roof pitches.</i></li> <li>4. <i>Increase the continuity of shade structures.</i></li> <li>5. <i>Consider using taller and oversailing roof structures to diffuse the difference between being inside and outside.</i></li> </ol>
<p><i>Principle 4</i> <b>Functionality and build quality</b></p>		<p><i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life cycle.</i></p>
		<ol style="list-style-type: none"> <li>a) <i>The design appears to be functional and fit for purpose.</i></li> <li>b) <i>Service areas are clearly defined and discreet.</i></li> <li>c) <i>Consider the role of lighting to create amenity and appeal beyond mere functionality and safety.</i></li> </ol> <p><b>Recommendations</b></p> <ol style="list-style-type: none"> <li>1. <i>Give further consideration to how lighting can create a welcoming ambience – could be done during the detailed design stage.</i></li> </ol>
<p><i>Principle 5</i></p>		<p><i>Good design optimises the sustainability of the built environment, delivering</i></p>

<b>Sustainability</b>		<i>positive environmental, social and economic outcomes.</i>
		<p>a) <i>The lack of a sustainability strategy is a major omission - sustainability needs more consideration and commitments.</i></p> <p>b) <i>There is the potential to include a convincing narrative around reusable buildings and recyclable materials given the intended construction methodology.</i></p> <p>c) <i>PV/Battery should be considered as a minimum given the pattern of use and climate and the anticipated take-up of EVs.</i></p> <p>d) <i>Consider the use of green concrete/asphalt, which is now a cost neutral option.</i></p> <p>e) <i>Include more tree planting to modify the microclimate.</i></p> <p>f) <i>Consider lighter roof colours for better reflectivity.</i></p> <p>g) <i>Include provision for alternative forms of transport (walking, cycling, micro-mobility).</i></p> <p>h) <i>Demonstrate opportunities for passive solar design and cross ventilation, which is viable in the cooler months.</i></p> <p><b>Recommendations</b></p> <p><b>1. Develop a sustainability strategy with a suite of form commitments, noting the comments above.</b></p>
<b>Principle 6 Amenity</b>		<i>Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i>
		<p>a) <i>The facility might be temporary but, in reality, it may be around for a long time, so amenity is an important consideration.</i></p> <p>b) <i>The range and scale of services on site is positive, however this area could do with more continuity of shade.</i></p> <p>c) <i>The accommodation verandas provide good shade/shelter and places to sit.</i></p> <p>d) <i>The localised landscape spaces are good – but consider noise impacts from BBQ areas on adjacent units.</i></p> <p>e) <i>There is good shade to the main pedestrian routes.</i></p> <p>f) <i>It is understood that the existing units will be refurbished. If so, landscape upgrades should also be included.</i></p> <p>g) <i>The accommodation units appear functional but are tight, which is exacerbated by the 2.4m ceilings.</i></p> <p>h) <i>Review the relationship between the beer garden and the adjacent units.</i></p> <p>i) <i>More shade and shelter at the bus pick-up/drop-off area should be provided with continuity of cover to the main circulation areas.</i></p> <p><b>Recommendations</b></p> <p><b>1. Increase the continuity of shade structures.</b></p> <p><b>2. Review the potential for noise nuisance from the BBQ and Beer Garden areas and potential mitigation.</b></p> <p><b>3. Increase the ceiling heights in the accommodation by another foot to 2.7m.</b></p> <p><b>4. Provide more shade and shelter at the bus set-down/pick-up area.</b></p>
<b>Principle 7 Legibility</b>		<i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i>
		<p>a) <i>The layout is generally legible given the constraint of the existing development.</i></p> <p>b) <i>The covered walkways aid legibility.</i></p> <p>c) <i>There are no clear pedestrian access routes to the accommodation or central facilities from the main rear car park.</i></p>

		<p><b>Recommendations</b></p> <p><b>1. Provide a clear pedestrian route(s) from the rear car park.</b></p>
<p><i>Principle 8</i> <b>Safety</b></p>		<p><i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i></p>
		<p>a) <i>Mental health is a vital component of personnel safety and often overlooked in the context of infrastructure, whereas physical safety tends to be the primary concern. Mental wellbeing and safety is just as important.</i></p> <p>b) <i>There is merit in including more on mitigating mental health issues within the social impact assessment and reviewing the comments under 'Amenity' above.</i></p> <p>c) <i>There is no provision for safe pedestrian/bike/micro-mobility access to the site.</i></p> <p><b>Recommendations</b></p> <p><b>1. Review how an increased level of amenity could improve mental wellbeing and safety for the occupants.</b></p> <p><b>2. Provide a footpath connection to the highway and preferably extend to the airport.</b></p>
<p><i>Principle 9</i> <b>Community</b></p>		<p><i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i></p>
		<p>a) <i>Range and scale of community facilities on site is positive.</i></p> <p>b) <i>The localised landscape spaces help to facilitate engagement within the village.</i></p> <p>c) <i>What is the public art strategy? Ensure it include engagement with local artists.</i></p> <p>d) <i>Consider opportunities for engagement with the local Indigenous community for design input and business opportunities to foster a stronger sense of connectiveness, and include in the social impact assessment.</i></p> <p><b>Recommendations</b></p> <p><b>1. Engage with the local community when preparing public art proposals.</b></p> <p><b>2. Explore opportunities for further involvement of the local community.</b></p>
<p><i>Principle 10</i> <b>Aesthetics</b></p>		<p><i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i></p>
		<p>a) <i>The design goes beyond the purely utilitarian with consideration of form, details and colours, and some statement of intent. However, there appears to be a mismatch between the inspirational precedents (which are good) and the design as presented.</i></p> <p>b) <i>The use of colour is promising, but there is a need to develop a meaningful narrative around the colours, with the artist, if derived from an artwork.</i></p> <p>c) <i>Landscape is the best aesthetic 'bang for bucks'.</i></p> <p>d) <i>There is a motley collection of roof forms and pitches, which could be rationalised further.</i></p> <p>e) <i>Consider fencing and its visual impact as an integral part of the aesthetics, particularly fencing to the public realm.</i></p> <p><b>Recommendations</b></p> <p><b>1. Provide a meaningful narrative for the selected colours including engagement with relevant artist(s).</b></p> <p><b>2. Consider rationalising the roof pitches.</b></p>

	<b>3. Consider fencing as an integral component of the design.</b>
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Further to above, the applicant/developer provided a detailed response on 24 November 2023 (Refer to Attachment 11) to the DRP comments. However, to address concerns raised by DRP around the design, the updated plans, the landscape design, and any other additional supporting documents of the application may be referred to DRP in the month of December 2023 or early January 2024, after the Council meeting on 13 December 2023 to obtain specialist and technical advice on the detailed design aspects of the proposal.

Car Parking and Access

The LPS7 prescribes the minimum required car parking bays for each land use. For 'Workforce Accommodation', as per Schedule 1 – Car Parking Standards, the requirement is as determined by the local government. However, the development proposes the following parking arrangements:

- The proposal will use the existing crossover access onto Great Northern Highway for entry and exit from the site.
- A new pick-up and drop-off area at the entry to the site adjoining the new arrival hall has been proposed. This area will accommodate buses travelling to drop off the residents and includes parking facilities for visitors and staff.
- The existing 50-bay parking area at the front will be removed, and a new dedicated parking area at the rear of the site will be constructed. This new parking will be accessed by a new internal road along the eastern boundary and separated from accommodation facilities.
- A total of 100 bays, including one ACROD bay is proposed in the new parking areas resulting in a parking provision ratio of 0.18 bays per room.

The applicant provided a Traffic Impact Statement (refer to Attachment 6), prepared by Urbii dated 4 September 2023, as part of the development application. Conditions have been included in the Officer Recommendation for a revised Traffic Impact Statement and a detailed car parking plan to be submitted to the Town.

Construction Environmental Management Plan (CEMP)

There is potential for the construction phase of the development to have detrimental impacts on the surrounding environment and the amenity of occupants and visitors to the existing surrounding land uses. This can be mitigated through the preparation and implementation of a CEMP. A Condition has been included in the Officer Recommendation section requiring a CEMP to be submitted to and approved by the Town prior to any construction beginning onsite.

**LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of high significance, because the proposal is an addition of 301 rooms to an



existing Workforce Accommodation with 252 rooms which is an increase in the overall capacity of the site by approximately 219%. The proposed expansion is consistent with the Town's planning framework and requires some design treatments to be implemented and approved by the Town prior to the construction.

## CONSULTATION

### *Internal*

- Infrastructure Services
- Environmental Health Services
- Building Services

### *External Agencies*

- Port Hedland International Airport (PHIA)
- Main RoadsWA (MRWA)
- Department of Health (DoH)
- Department of Water and Environmental Regulations (DWER)
- Department of Fire and Emergency Services (DFES)
- State Emergency Services (SES)
- Hedland Mens Shed

Five (5) submissions were received following the external agency consultations which included an objection from Hedland State Emergency Services (SES). Where relevant, the internal and external referral comments have been addressed in the detail section of the report, and a detailed outline and officer comments of this have been included in Schedule of Submissions (refer to Attachment 12) of this report.

### *Community*

Pursuant to Clause 64 of Schedule 2 of the Deemed Provisions under the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal was advertised for a period of 14 days, between 18 October 2023 and 1 November 2023 on the Town's webpage and documents provided at administration offices for viewing. The Town did not receive any submissions from the community.

## LEGISLATION AND POLICY CONSIDERATIONS

- *Planning and Development Act 2005*;
- *Planning and Development (Development Assessment Panels) Regulations 2011*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- Town of Port Hedland Local Planning Strategy;
- Town of Port Hedland Local Planning Scheme No. 5;
- Town of Port Hedland Local Planning Scheme No. 7;
- State Planning Policy 3.6 Infrastructure Contributions;
- State Planning Policy 3.7 Planning in Bushfire Prone Areas;
- State Planning Policy 5.4 Road and Rail Noise;
- State Planning Policy 7.0 Design of the Built Environment;
- Position Statement – Workforce Accommodation

- Local Planning Policy 02 Advertising Signs;
- Local Planning Policy 03 Shipping/sea containers and Transportable Buildings;
- Local Planning Policy 04 Percent for Public Art;
- Local Planning Policy 05 Workforce Accommodation;
- Local Planning Policy 06 Social Impact Assessment;
- Draft Local Planning Policy 08 Port Hedland International Airport;
- Local Planning Policy 11 Stormwater Management;
- Local Planning Policy 14 Design Review Panel;

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The proposal attracted an application fee. There will be no additional financial impacts for the Town based on the recommendation being presented to the Regional JDAP for this proposal.

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Built and Natural Environment:

- 3.1.1 Inform and engage Traditional Owners, key stakeholders, and the community in the protection and enhancement of the natural environment.
- 3.1.4 Ensure natural resource assets are well-managed and enhanced.
- 3.2.1 1 Identify, plan and develop the present and future needs for serviced land and infrastructure provision.
- 3.2.2 Prepare, educate, respond and recover in partnership with key agencies from emergencies such as cyclones.
- 3.2.3 Provide and promote sustainable energy, waste and water management practices.
- 3.2.4 Enhance the protection and valuing of amenities and urban space through community engagement.
- 3.3.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry
- 3.3.6 A Cultural Wayfinding and Public Art Implementation Plan is developed and implemented.

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

### **Access and Inclusion**

The following outcome/s of the Town's Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 2 – Buildings and Facilities
- Outcome 8 – Advocate for an Increase in Inclusion

**Corporate Business Plan)**

The following service/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Our Regulatory Services:

Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes

Building Services - Building advice and approvals

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational and Project
<b>Risk Category</b>	Compliance and Reputational
<b>Cause</b>	<ul style="list-style-type: none"> <li>• The developer not meeting the conditions of the development approval.</li> <li>• The Town failing to provide a recommendation through a formal response to the Joint Development Assessment Panel (JDAP).</li> </ul>
<b>Effect (Consequence)</b>	The JDAP determining the development application without considering the Town’s comments.
<b>Risk Treatment</b>	<ul style="list-style-type: none"> <li>• The risk is negated by the Town’s ability to undertake compliance action in accordance with the Planning and Development Act 2005.</li> <li>• The risk is negated by the Council adopting this recommendation, and the Town providing a formal response based on this recommendation.</li> </ul>
<p>There is a compliance risk associated with this item because the applicant may fail to comply with the recommended conditions of approval. The risk rating is considered to be low (4), which is determined by a likelihood of unlikely (2) and a consequence of minor (2). The risk is negated by the Town’s ability to undertake compliance action in accordance with the Planning and Development Act 2005.</p> <p>There is a reputational risk associated with this item because the JDAP will assess this application and make a determination without consideration of the Town’s position or conditions if the Council does not provide a formal response. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2). The risk is negated by the Council adopting this recommendation, and the Town providing a formal response based on this recommendation.</p>	

**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 provided a assessment of the proposed JDAP application for proposed Workforce Accommodation expansion of Waypoint Village (formerly Mia Mia) at Lot 9008 Great Northern Highway, Port Hedland. The proposed expansion will provide additional accommodation options within Hedland and Pilbara region at a key location within the Airport precinct.

Based on the assessment against LPS7 and the relevant planning framework, it is considered that the proposal, inclusive of all proposed conditions, is appropriate for the location and an approval recommendation be presented to the JDAP for determination.

## **ATTACHMENTS**

1. Attachment 1 - Planning Report [**12.3.5.1** - 31 pages]
2. Attachment 2 - Site Plan and Elevations [**12.3.5.2** - 23 pages]
3. Attachment 3 - Feature Survey [**12.3.5.3** - 7 pages]
4. Attachment 4 - Stormwater Management Plan [**12.3.5.4** - 12 pages]
5. Attachment 5 - Landscape Masterplan [**12.3.5.5** - 12 pages]
6. Attachment 6 - Traffic Impact Assessment [**12.3.5.6** - 39 pages]
7. Attachment 7 - BMP and BEEP [**12.3.5.7** - 86 pages]
8. Attachment 8 - Acoustic Assessment ( AECO M) [**12.3.5.8** - 38 pages]
9. Attachment 9 - 2010-226.01 DA Approval [**12.3.5.9** - 8 pages]
10. Attachment 10 - DRP - Report and Recommendations [**12.3.5.10** - 8 pages]
11. Attachment 11 - Design Report Response to DRP Comments [**12.3.5.11** - 51 pages]
12. Attachment 12 - Schedule of Submissions [**12.3.5.12** - 12 pages]

<b>12.3.6</b>	<b>Application for Development Approval for Workforce Accommodation (Extension of Time and Proposed Refurbishments to Mount Dove Camp)</b>
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**Author:** Planner  
**Authorising Officer:** Director Regulatory Services  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

That Council approves the Development Application (Reference No. 2018/045.01) and accompanying plans in accordance with Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Town of Port Hedland Local Planning Scheme No. 7, subject to the following conditions and advice notes:

1. All development and use of the development site must be carried out in accordance with the approved plans and all information submitted as part of this application. These details shall not be altered without the prior written consent of the Town of Port Hedland. This approval does not relate to any other development on this lot.
2. This decision constitutes development approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.
3. The approved development is valid for a period of four (4) years from the date of this approval. All development must be removed from the land by no later than 30 January 2028. Any further period subject to demand being proven, an update of the social impact assessment and a review of the overall design to the satisfaction of the Town of Port Hedland will be required.
4. By no later than 6 months from the date of the approval, the developer must submit a Cyclone Management Plan (CMP) for approval by the Town, and thereafter maintained, to the satisfaction of the Town of Port Hedland. The CMP shall include, but not be limited to, the following matters:
  - a) Identify the buildings which are proposed for emergency cyclone sheltering purposes and their importance level;
  - b) The actions to be taken at each cyclone alert level; and
  - c) Alternative measures to ensure the safe relocation of residents to appropriate facilities in the event of a cyclone.

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5. **By no later than 3 months from the date of the approval, the developer is to submit a Site Rehabilitation Plan (SRP) for approval by the Town of Port Hedland for the rehabilitation of the subject site, following the end of the approval period and ceasing of the land use. The SRP must include, but is not limited to, the following information:**
- a) **Removal of all infrastructure, including underground services and hardstand areas;**
  - b) **Details of site preparation;**
  - c) **Recontouring and revegetation of the land, including the list of species and breakdown rates, topsoil and dieback management;**
  - d) **Weed management and ongoing maintenance;**
  - e) **Dust management plan, if required;**
  - f) **Erosion and sediment control; and**
  - g) **Details of the rehabilitation program including staging and responsibilities.**

**The Site Rehabilitation Plan must be implemented to the satisfaction of the Town of Port Hedland.**

6. **Within six (6) months of the commencement of operation of the development, a Social Impact Management Plan (SIMP) shall be submitted and approved by the Town of Port Hedland in line with management strategies and opportunities as recognized under the Social Impact Assessment prepared by Umwelt Environmental & Social Consultants. The Social Impact Management Plan shall:**
- a) **Include an adequate level of community consultation in the development of the SIMP, and be undertaken with, but not limited to, local resident groups and businesses and local stakeholder groups, including local Aboriginal corporations, to be undertaken prior to the occupation or use of the development;**
  - b) **Include timeframes for agreed KPIs as identified by the SIMP to be actioned;**
  - c) **Provide details on annual monitoring and reporting on the effectiveness of the SIMP to be submitted by the proponent to the Town at the end of every financial year. The SIMP shall be modified in response to any socio-economic issues identified by the Town (based on agreed KPIs) that are a direct result of the approved development operations; and**
  - d) **While the Town reserves the right to make this request for amendment of the SIMP at any time, this will principally apply during the process of the annual review.**

**Annual monitoring and reporting of the SIMP's implementation**

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shall commence on 15 December 2024 and be reported on 15 December each year thereafter, for the duration of the approval.

7. The developer shall provide public art within the development to a minimum value of 1% (capped at \$80,000) of the estimated total development construction cost, in accordance with the Town of Port Hedland Local Planning Policy - 04 'Percent for Public Art'. Alternatively, a cash-in-lieu payment of this amount shall be made to the Town of Port Hedland prior to the occupation or use of the development.

To comply with the Policy, the developer or applicant on behalf of the developer shall, submit a statutory declaration within 60 days of the date of approval stipulating the choice of:

- a) Option 1: Applicant/developer chooses to co-ordinate the Public Art project themselves or by engaging an art consultant; or
  - b) Option 2: Applicant/developer chooses to pay cash-in-lieu to the Town of Port Hedland.
8. No earthworks (including batters), construction work, plant or materials shall intrude onto adjacent land without the prior approval of the Town.

**Advice Notes:**

1. 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.
  2. The development requires a Building Permit Application for any structural works. Any amendment to the internal layout specifically changes to the unit layouts and sizes, will affect the building permit. It is recommended that any changes to the design are made prior to an application for a building permit being submitted.
  3. The developer is reminded of its obligations to meet provisions and requirements under the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.
  4. The developer is reminded of its obligations to meet provisions and requirements under the *Health (Public Building) Regulations 1992*.
  5. The developer is reminded of its obligations to meet provisions and requirements of the *Health Act 1911* and the *Town of Port Hedland Health Local Law 2016* at all times for the duration of the development.
  6. The developer is reminded of its obligations to meet provisions and requirements under the *Health (Miscellaneous Provisions) Act 1911*
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and the *Town of Port Hedland Health Local Law 2016*.

7. The developer is reminded of its obligations to meet provisions and requirements of the *Environmental Protection (Noise) Regulations 1997* at all times for the duration of the development.
8. The developer is reminded of its obligations to meet provisions and requirements under the *Food Act 2008* and that the food premises is registered prior to the commencement of operations. For further information please liaise with the Town's Environmental Health Services.
9. If an applicant or owner is aggrieved by this decision there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005, Part 14*.
10. This approval is for 'Workforce Accommodation' as defined by the Town of Port Hedland Local Planning Scheme No. 7. Use of the site for a different land use may require further development approval in accordance with the Town's Local Planning Scheme No. 7 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

***SIMPLE MAJORITY VOTE REQUIRED***

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## **PURPOSE**

The purpose of this report is for the Council to consider a development application for proposed refurbishment and extension of time (up to 4 years) for an existing workforce accommodation camp and associated infrastructure on an active mining tenement (mining lease - M47/1449-I) controlled by Atlas Iron Limited.

## **Background**

2012      Resolve Group Pty Ltd, on behalf of Atlas Iron Limited, applied for development approval for Transient Workforce Accommodation, offices and bulk earthworks on Mining Lease M47/1449-I (DA ref: 2012/343). The proposal accommodated 114 personnel and enabled Atlas Iron to proceed with open pit mining operations at the Mt Dove site. The application was approved by the Town on 5 October 2012. The development approval included a condition on the time limit for the development for 14 months from the date of the approval or the completion of the project (whichever came first).

Atlas Iron Limited Mt Dove Direct Shipping Ore Project began in late 2012, with an expected mine life of just under two (2) years. Following the



completion of the construction and operation phase of the project in October 2013, Atlas Iron retained Mt Dove accommodation facilities to accommodate road train haulage personnel in support of Atlas's Mt Webber project. After this, Atlas did not seek planning approval as they believed the accommodation was compliant with the original development application.

2017 Atlas agreed to purchase 1 million tons of unprocessed lithium ore from the Pilbara Minerals Limited (PLS) Pilgangoora mine. The processed lithium ore was to be transported and crushed at the Mt Dove facility and then transported to shipping facilities located at Utah Point.

2018 Due to the purchase from Pilbara Minerals Limited, a development application was lodged (DA ref: 2018/045) for expand the Mt Dove workforce accommodation camp from 134 rooms to 242 rooms (an additional 108 rooms). The basis for this expansion was to accommodate road-train haulage personnel who were meant to travel long distances between the Mt Webber (approximately 230kms south – southeast of Port Hedland), Pilgangoora (120km from Port Hedland) and Mt Dove projects. This expansion also involved upgrades to the dry mess, wet mess, kitchen area, wastewater treatment plant and additional laundries.

The proposal for the camp expansion was presented before the Council on 23 May 2018 and the Council resolved to approve the development for a 5-year period as per the officer recommendation. This approval was valid until May 2023.

2023 Since the approval has expired, Atlas Iron are seeking a further extension/approval for the Mt Dove camp under this current application (DA ref: 2018/045.01). However, the camp will not be for the Atlas workers/contractors and will be used by the De Grey Mining Limited (De Grey) for temporary accommodation for up to 4 years to allow the construction workforce responsible for the construction of the permanent accommodation located within the development envelope of the De Grey Mining – Hemi Gold Project. There is also a potential for the Camp to be considered as an overflow accommodation during periods of increased workforce.

Since the mining lease is obtained by Atlas Iron from the Department of Mines, Industry Regulation and Safety (DMIRS), presently, De Grey is working with Atlas on a Sub Lease Agreement for the Mt Dove Tenements (M47/1449-I and L45/248) which include the Mt Dove Camp.

## DETAIL

The Mt Dove camp is in the Indee Suburb and Locality (SAL) and the Indee Pastoral Station, which is within the Town of Port Hedland Local Government Area (LGA). The camp is approximately 65-70km south of Port Hedland. Also, the camp is approximately 20km southwest of De Grey's existing Wingina camp and 27km east of De Grey's Withnell camp. As part of the Development Application, the following technical and supporting documentation has been submitted:

1. Development Plans (Scope Australia and Fleetwood)
2. Social Impact Assessments (Ummwelt Environmental & Social Consultants, 2023)
3. Memorandum (De Grey Mining Ltd, 2023)

### Summary of the Proposal

The proposed development is seeking approval for the existing Mt Dove Camp and some refurbishments because the camp was vacant for approximately the last 12 months, and several accommodation units and supporting infrastructure buildings and services were damaged. The following works are involved:

- Installation and replacement of some accommodation units in line with the previous approval;
- Refurbishment works of:
  - laundry facilities;
  - messing facilities including dry mess (meals) and wet mess (drinks/snacks);
  - recreational facilities including gym, recreational room;
  - camp management facilities including administration, storage and supplies; medical facilities including a medical treatment room and ambulance bay;
  - Waste Water Treatment Facility and associated irrigation field in line with existing approvals

### Local Planning Framework

The subject site is zoned 'Rural' under the Town of Port Hedland Local Planning Scheme No. 7 (LPS7). As per LPS7, Clause 16 Zones, objectives for a 'Rural' zone are as follows:

- *"To provide for the maintenance or enhancement of specific local rural character.*
- *To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.*
- *To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.*
- *To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.*

- *To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.”*

The proposed land use is a 'Workforce Accommodation' under LPS7. As per LPS7, Clause 38 Land use terms used, 'Workforce Accommodation' is defined as follows: *means premises, which may include modular or relocatable buildings, used –*

- a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
- b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors;*

In accordance with LPS7, Clause 17, Zoning Table, 'Workforce Accommodation' is an ('A') use within a rural zone, meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the Deemed Provisions under the *Planning and Development (Local Planning Schemes) Regulations 2015*. In this instance, the Town did not advertise the application for the following reasons:

- The previous applications for Mt Dove Camp were advertised as required at the time;
- The current application is an extension of time for the existing camp does not increase the building envelope or the area of the camp itself;
- There are no other land uses within the 200m radius of the subject site;
- No other amenity impacts;

#### Local Planning Policy 03 – Shipping/sea containers and transportable buildings (LPP/03)

The proposal is subject to assessment under LPP/03, as it comprises transportable buildings. This policy defines acceptable design standards for transportable buildings. Since the proposal is on a mining tenement, is not publicly viewed and is located approximately 10km off the Great Northern Highway (GNH), no additional design treatments are necessary.

#### Local Planning Policy 04 – Percent for Public Art (LPP/04)

The proposal is subject to assessment under LPP/04. In this instance, the Town considers that a cash-in-lieu contribution would be a suitable outcome for this application for the following reasons:

- The Town has the ability to work with a variety of artists, including promoting local and/or Indigenous art;
- The artwork would be located within a public place in which a wider population can access and enjoy; and
- The money used will contribute to an artwork that can celebrate the Hedland environment, industry and lifestyle, and promote awareness of the value of public art in the community.

A condition has been included in the Officer Recommendation for the applicant to either provide the art onsite themselves or \$80,000 for a public art contribution, in accordance with Clause 4.4 of LPP/04. This contribution will be for the specific purpose of providing a piece of public art within the Town boundaries, or the art should be installed in a “publicly visible” location within the site.

Local Planning Policy 05 – Workforce Accommodation (LPP/05)

The proposal is subject to assessment under LPP/03, as the proposal is for Workforce Accommodation (extension of time and refurbishments). In accordance with Clause 5.1 Demand Driven, the proposal has to demonstrate the need and demand for accommodating the proponent’s workforce. De Grey has provided the following to support their proposal:

- a) *“De Grey Personnel occupying the Mt Dove camp will be working on the refurbishment, ongoing management and operation of the camp, as well as the De Grey Mining Hemi Gold Project which is located on the adjacent tenement withing approximately an 20km radium of the Camp.*
- b) *It is proposed that the Mt Dove Camp provide temporary accommodation for a period of approximately 2-4 years to allow for the expedient construction of a permanent Accommodation Village located within the Development Envelope for the De Grey Mining – Hemi Gold Project. There is potential for the Mt Dove Camp to be considered as overflow accommodation during periods of increased workforce at the Hemi Gold Project when the Accommodation Village has reached maximum capacity.*
- c) *The workforce required will vary from approximately 50 in the refurbishment phase to a maximum of 242 personnel in line with the previous approved and constructed camp development application and mining act approvals.*
- d) *Breakdown of roles is provided in the table below, noting that an any point in time the numbers at the camp will not exceed the previously approved accommodation occupancy number of 242 personnel.*

Roles/Department	Numbers
Maintenance contractors – refurbishment	Up to 30 personnel
Camp contracting staff (catering/cleaning and management)	Up to 20 personnel
Construction and earthworks contractors (for work to commence at the Hemi Gold Project)	Up to 100 personnel
Exploration personnel (Geologists, field staff, drilling personnel, support staff)	Up to 100 personnel

- e) *The camp is planned to be the accommodation village for construction personnel while the Hemi Accommodation Village is in construction, as well as in periods where construction personnel requirements exceed the maximum capacity of the proposed Hemi Accommodation Village.*
- f) *The proposal seeks to house De Grey personnel, contractors for camp management and construction and exploration personnel as required. The sub-*

*lease agreement currently under negotiation allows for Atlas personnel to utilise camp facilities as available.*

- g) Existing nearby accommodation is limited to the Wingina Camp, owned by De Grey which is currently operating at capacity to facilitate the ongoing exploration program for the Hemi Gold Project. The Wingina camp does not have sufficient available services or sufficient footprint to allow for an expansion to accommodate the required number of personnel."*

Section 6.4 Design Standards of LPP/05 identifies two categories of design standards (basic and high) for all workforce accommodation proposals, depending on the type proposed. Although Mt Dove meets the requirements to be assessed under long-term accommodation, since it is greater than a 30minute drive from the town boundary, the requirements set out in Table 2 for Basic Design Standards apply. The table below provides the Town’s assessment against the proposed design.

Design Element			Acceptable Development Provisions	Proposed	Town’s Assessment
1	Siting the Development	(a)	Street setbacks should be consistent with the surrounding streetscape or applicable Design Guidelines.	<i>The camp is located approximately 10km off the Great Northern Highway (GNH) and therefore does not have setback requirements.</i>	Meets the requirements, and no modifications are required.
2	Designing the Building	(a)	Where development includes ‘transportable buildings’ as defined by <i>Local Planning Policy 03 - Shipping, Sea Containers and Transportable Buildings</i> (LPP/03), they shall incorporate all building design elements as per LPP/03.	<i>Building design will be a direct replacement of the previously installed and operated Accommodation Camp. It is understood that the previous installation in accordance with this policy</i>	Noted. However, LPP/03 was only adopted in 2020 and was not in existence in 2018. As the proposal is on a mining tenement, is not publicly viewed and is located approximately 10km off GNH, no additional design treatments are necessary.
3	Fencing	(a)	No barbed wire or razor fencing is permitted.	<i>No barbed wire or razor wire is proposed for use</i>	Meets the requirements and no modifications required.
		(b)	Front fencing includes visually permeable materials above 1.2m, and the height of solid walls or fences to the street does not exceed 1.2m.	<i>No fences will be visible from the street due to the 10km distance to GNH.</i>	Meets the requirements, and no modifications are required.
4	Landscaping	(a)	Landscaping zones shall be established and maintained	<i>The camp does not have a</i>	Noted. However, in line with Condition 3

Design Element			Acceptable Development Provisions	Proposed	Town's Assessment
			along street frontages to screen the development.	<i>street frontage due to the 10km offset from GNH</i>	of the Officer Recommendation section, a review of the overall design to the satisfaction of the Town will be required in future.
5	Movement network	(a)	Proposals shall be accompanied by a Traffic Impact Statement (TIS) or Traffic Impact Assessment (TIA) in accordance with the <i>Transport Impact Assessment Guidelines</i> by the Department of Planning, Lands and Heritage.	<i>Traffic Impacts are addressed in the Social Impact Assessment submitted with this proposal.</i>	Noted. No additional treatments are necessary.
		(b)	Shall connect to a footpath network if there is one in the area.	<i>There is no connect footpath in the vicinity of the project.</i>	Not applicable for this proposal.
		(c)	All road infrastructure shall be informed by the recommendations of the TIS or TIA, to the satisfaction of the Town.	<i>A slip land for the turnoff from GNH was constructed when the Mt Dove mine was operational. This is considered to be sufficient infrastructure.</i>	Noted. No additional treatments are necessary.
6	Storage, waste and collection	(a)	Shall be fully screened from view from all public areas and set back to mitigate any observation or odours.	<i>Due to the location of the camp, waste will not be visible to the general public, a designated waste management area has been identified at the camp to manage visual amenity and any unwanted odours related to waste.</i>	Noted. No additional treatments are necessary.
7	Signage	(a)	As per <i>Local Planning Policy 02 - Advertising signs (LPP/02)</i> .	<i>A sign is located at the GNH turn off to the project, no other signage is proposed.</i>	Noted. As it is an existing signage no further modifications are required.

Design Element			Acceptable Development Provisions	Proposed	Town's Assessment
8	Drainage	(a)	Proposals shall be accompanied by a detailed stormwater management plan in accordance with the Town's <i>Stormwater Drainage Design Guidelines</i> , and should ensure: <ul style="list-style-type: none"> <li>▪ A minimum of a 1:5 ARI event is contained on-site;</li> <li>▪ No standing water in excess of 72 hours to prevent mosquito breeding;</li> <li>▪ Sediment traps are included to prevent sediment entering the Town's reserves and drainage infrastructure; and</li> <li>▪ Erosion control measures are incorporated to prevent the erosion of embankments, swales and other areas that are unsealed.</li> </ul>	<i>The Project has been approved under several mining proposals, under the Mining Act 1978. These Mining Proposals address surface water management and have been assessed and considered sufficient to the requirements. The mining proposals can be provided upon request.</i>	Noted. The proposal meets the objectives of the Town's LPP/11 Stormwater Management and further details are not required at this stage as it is an existing camp and no changes are proposed to the development envelope.
		(b)	All habitable floor areas to have a minimum vertical freeboard of 300mm above the 1% AEP.	<i>See information provided in (a) above.</i>	As above.
9	Cyclone safety	(a)	Provide a building or buildings that are designed for emergency cyclone sheltering purposes for all occupants the site is designed to accommodate. Such buildings shall be designed and constructed to a Building Code of Australia importance level four (4), unless otherwise agreed by the Town's emergency services.	<i>Buildings will meet the Category C cyclone requirements, which align with the requirement of the geographical location of the village.</i>	Noted. Also as per the Condition 4 of the Officer Recommendation section a cyclone management plan will be required.

Local Planning Policy 06 – Social Impact Assessment (LPP/06)

The proposal is subject to assessment under LPP/06, as the proposal is for a Workforce Accommodation (extension of time and refurbishments). Clause 4.2 of this policy requires a Social Impact Assessment (SIA) and a Social Impact Management Plan (SIMP) to be lodged with the application. The intent of the SIA and SIMP is to provide a structured approach to planning for and offsetting demand on the limited

infrastructure and services on-site by considering the integration of the facilities residents with community social infrastructure. As part of this development application, the applicant submitted an SIA which met the requirements of the policy. A Condition has been included in the Officer Recommendation for an SIMP to be submitted within six months from the operation date (Condition 6).

#### Local Planning Policy 11 – Stormwater Management (LPP/11)

The development application is subject to assessment under LPP/11 which assists developers, engineers, landowners and the government in integrating suitable design measures into their own stormwater systems. The correct design and construction of appropriate systems will assist with reducing the damaging effects of heavy rainfall events on private and public property and the public drainage network. Since the proposal meets the objectives of the Town's LPP/11 and further details are not required at this stage as it is an existing camp, and no changes are proposed to the development envelope.

#### **LEVEL OF SIGNIFICANCE**

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

- Exception - The Council already has a sound understanding of the views and preferences of the people likely to be affected by, or interested in, the proposal or decision.

#### **CONSULTATION**

##### *Internal*

- Infrastructure Services (Engineering)
- Environmental Health Services
- Planning and Development Services
- Financial Services (Rates)

##### *External Agencies*

- Department of Planning, Lands and Heritage

##### *Community*

- Nil

#### **LEGISLATION AND POLICY CONSIDERATIONS**

- *Planning and Development Act 2005;*
- *Mining Act 1978;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- Town of Port Hedland Local Planning Strategy;
- Town of Port Hedland Local Planning Scheme No. 5;
- Town of Port Hedland Local Planning Scheme No. 7;
- Position Statement – Workforce Accommodation;
- Position Statement – Mining Tenements;



- Local Planning Policy 03 Shipping/sea containers and Transportable Buildings;
- Local Planning Policy 05 Workforce Accommodation;
- Local Planning Policy 06 Social Impact Assessment;
- Local Planning Policy 11 Stormwater Management;

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The proposal will provide additional rates revenue for the Town of Port Hedland.

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Built and Natural Environment:

3.3.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry

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

#### Our Regulatory Services:

Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes

Building Services - Building advice and approvals

## RISK MANAGEMENT CONSIDERATIONS

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Compliance
<b>Cause</b>	The developer not meeting the conditions of the development approval.
<b>Effect (Consequence)</b>	Not meeting the regulatory requirements.
<b>Risk Treatment</b>	The risk is negated by the Town's ability to undertake compliance action in accordance with the Planning and Development Act 2005.
<p>There is a compliance risk associated with this item because the applicant may fail to comply with the recommended conditions of approval. The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>The risk is negated by the Town's ability to undertake compliance action in accordance with the Planning and Development Act 2005.</p>	

## 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 provided an assessment of the application, proposed extension of time and refurbishments of the existing Mt Dove Workforce Accommodation located on the mining lease (M47/1449-I). The proposed expansion will provide accommodation options for the construction workforce of De Grey for building the accommodation village on the De Grey Mining – Hemi Gold Project.

Based on the assessment against LPS7 and the relevant planning framework, it is considered that the proposal, inclusive of all proposed conditions, is appropriate and recommended the Council determine to approve as per the officer recommendation.

## ATTACHMENTS

1. Attachment 1 - Development Plans [**12.3.6.1** - 23 pages]
2. Attachment 2 - SIA Final [**12.3.6.2** - 47 pages]
3. Attachment 3 - Memo De Grey Atlas [**12.3.6.3** - 7 pages]

<b>12.3.8</b>	<b>Economic Development and Diversification Fund (Economic Diversification Stream) - Spectrum Health</b>
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**Author:** Senior Economic Development Officer  
**Authorising Officer:** Director Regulatory Services  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

**That Council:**

- 1. Note the funding application per Confidential Attachment 1.**
- 2. Approve conditional funding to Spectrum Health totalling to \$60,000 (ex. GST) which is to be deducted from the FY2023/24 Economic Development and Diversification Fund (Economic Diversification Stream).**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider a Hedland Economic Development Diversification Fund (Economic Diversification Stream) application from Spectrum Health.

**DETAIL**

The Hedland Economic Development Diversification Fund (EDDF) was promoted as part of the grants program offered to the community by the Town of Port Hedland (Town).

The EDDF was established to support new and existing business initiatives that contribute to the overall economic prosperity and vitality of the Hedland community.

The eligible criteria for businesses were as follows:

- attract new businesses to Port Hedland
- encourage existing Port Hedland businesses to expand their operations
- increase local employment, encourage the growth, and drive diversification of the Port Hedland economy
- provide additional services and amenity to Port Hedland residents, businesses, and visitors

The EDDF consists of two funding streams:

**Business Development Steam**

The Business Development Stream is designed to support local businesses and organisations to generate new revenue opportunities through the development of feasibility studies and business cases.

### Economic Diversification Stream

The Economic Diversification Stream is designed to support new or expanded business operations with demonstrable benefits to local employment, economic output and/or liveability.

#### Application

Representatives of Spectrum Health met with Senior Economic Development Officer and Business Engagement Officer on 1 November 2023 to discuss their project and intention to apply for the Economic Diversification Stream of the EDDF.

Spectrum Health is a Western Australia-based medical clinic provider that has been in operation since 2018 and was founded by two General Practitioners (GPs) who have been operating separately since 2010. Spectrum Health is now operates 45 clinics across Perth and across regional Western Australia.

Spectrum Health intends to use their established pathways to recruit overseas-based GPs to Port Hedland. Initial estimates by Spectrum Health indicate that there is demand for 8-10 GPs to service unmet demand for health services in the community. Spectrum Health intends to provide regular face-to-face consultations from Monday to Friday 8:00am to 5:00pm and provide access to after-hours GP consultations via their telehealth operations, Get Better Health and Hola Health. Spectrum operates a Deputising Medical Service which enables them to provide telehealth services to regional and remote areas during after-hours periods.

The new clinic is set to open in March 2024 with 8 GPs ready to relocate at the same time. The firm is currently negotiating a lease for a clinic location in South Hedland. There are also indicative plans for a second clinic in Port Hedland if market conditions allow.

Some of the bulk billed services Spectrum intends to provide to patients after hours when the local clinic is closed are as follows,

- GP consultations
- Skin checks
- Pregnancy testing and management to 22 weeks
- PAP smears
- Sports medicine
- Diabetic checks
- Woman's and men's health services
- Immunisations
- Travel Medicine
- Chronic disease management
- Family planning and shared obstetric care

Once established, the clinic will also look to providing occupational and industrial health services, however, community health remains the priority for clinic. Depending on population growth, additional GPs may be recruited if future demand requires.

### Funding request

Spectrum Health indicated a total project of \$570,000. Approximately \$120,000 of identified expenditure was deemed ineligible under the program guidelines. Total funding requested by Spectrum Health to support their establishment was \$150,000 from the Town.

The full application has been attached. (Confidential Attachment 1).

### Assessment

The evaluation panel met on 27 November 2023 to evaluate the funding request. The panel comprised of:

- Director Regulatory Services
- A/Manager Planning and Economic Development
- Senior Economic Development Officer

With experience operating medical clinics in metro and regional Western Australia, Spectrum Health is considered capable of providing a service that will address some of the community concerns around accessing health care services.

### Funding recommendation

After careful consideration, the evaluation panel deemed that the requested amount of \$150,000 represented the entirety of the Economic Diversification Stream budget and awarding the requested funding would impact the Town's ability to fund other projects. The evaluation panel recommended conditionally allocating Spectrum Health funds of \$60,000 (ex. GST).

The Multi-Party Evaluation Report (Confidential Attachment 2) provides further commentary on the applicant's submission. The Multi-Party Evaluation Report also makes a recommendation on what conditions Spectrum Health must meet, along with reporting obligations to acquit the funds.

If Council approves the funding request, the Applicant will be required to enter into a standardised contract with the Town committing them to the conditions outlined in the Multi-Party Evaluation Report. The funding contract will be drafted by Town's solicitors.

## **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low value associated with the outcome and has minimal wider potential impact to the Town.

## CONSULTATION

### Internal

- Director Regulatory Services
- A/Manager Planning and Economic Development
- Senior Economic Development Officer

### External Agencies

- Spectrum Health

### Community

- Nil

## LEGISLATION AND POLICY CONSIDERATIONS

Town of Port Hedland Policy 6/003 Community Grants Policy.

The Town's Delegation authorises the Director Community Services to approve grants up to \$50,000. As this grant application exceeds this value, it is being referred to Council for determination.

## FINANCIAL AND RESOURCE IMPLICATIONS

A total amount of \$200,000 has been budgeted for the Economic Development Diversification Fund which consists of two different streams. \$50,000 has been allocated to the business stream and \$150,000 has been allocated to the Economic Diversification Stream. If the request for funds is granted, \$60,000 will be deducted from the \$150,000 available under the Economic Diversification Stream.

## STRATEGIC SUSTAINABILITY IMPLICATIONS

### Strategic Community Plan

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

#### Our Community:

- 1.1.1 Stakeholders are engaged to develop a whole-of-town approach to increase access to quality health and wellbeing services.
- 1.1.2 Community needs and gaps in health provision are identified and delivered.

#### Our Economy:

- 2.2.3 Encourage innovation and new business creation to enhance the diversity of employment opportunities.
- 2.3.4 Ensure business approval processes are transparent, and pathways streamlined.

2.3.5 Identify opportunities for new social enterprises, innovators, and small and medium-sized businesses and implement strategies to attract and support them.

2.4.1 Market and promote Hedland for business investment opportunities.

2.5.6 Support regional growth initiatives.

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

**Access and Inclusion**

The following outcome/s of the Town’s Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 3 – Accessible Information
- Outcome 4 – Quality of Service
- Outcome 7 – Employment Opportunities

**Corporate Business Plan**

The following service/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Our Regulatory Services:

Business and Economic Development - Lead an integrated and collaborative approach to achieve the community’s vision of ‘building prosperity for all – enabling sustained economic growth’

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Project
<b>Risk Category</b>	Financial
<b>Cause</b>	Applicant does not complete the project as proposed.
<b>Effect (Consequence)</b>	The allocation of ratepayer’s funds to a failed project would represent poor value for money and impact the Town’s reputation.
<b>Risk Treatment</b>	Require the applicant to enter in a legally binding agreement requiring the applicant to pay back funds in their entirety should the project not progress as planned or operation as planned or for a reasonable duration.

There is a project risk associated with this item caused by the project not progressing as planned and outline in the grant submission, leading to potential disrepute for the Town for inefficient use of public funds.  
 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 mitigated by requiring the applicant to pay back all funds should the project not progress as planned or operation as planned or for a reasonable duration.

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Reputational
<b>Cause</b>	Not allocating funds to this project
<b>Effect (Consequence)</b>	Loss of public confidence in the purpose of the Economic Development and Diversification Fund.
<b>Risk Treatment</b>	Accepting the Officer's recommendation
<p>There is an Strategic, risk associated with this item caused by not allocating funds to this project, leading to a potential loss of public confidence in the purposes for which the Economic Development and Diversification Fund was created – incentivising new businesses to Port Hedland and supporting the existing businesses to expand.                      The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).</p> <p>This risk will be mitigated by adopting the Officer's recommendation.</p>	

<b>Risk Type</b>	Project
<b>Risk Category</b>	Reputational
<b>Cause</b>	Housing affordability and availability
<b>Effect (Consequence)</b>	The applicant has indicated that they may find it difficult to recruit GPs to Port Hedland as GPs may preference living in regional areas with lower costs of living.
<b>Risk Treatment</b>	Supporting the applicant by connecting them with local real estate agents.
<p>There is an Operational, risk associated with this item caused by not allocating funds to this project, leading to a potential lack of trust in the support provided to new businesses by the Town.                      The risk rating is considered to be High (16) which is determined by a likelihood of Likely (4) and a consequence of Major (4).</p> <p>This risk should be accepted by applicant and incorporated in their business plan.</p>	



<b>Risk Type</b>	Project
<b>Risk Category</b>	Reputational
<b>Cause</b>	Childcare availability
<b>Effect (Consequence)</b>	The applicant has indicated that availability of childcare may impact their ability to recruit GPs to the area, given many at likely to relocated with families.
<b>Risk Treatment</b>	Supporting the applicant by connecting them with existing childcare providers.
<p>There is an Operational, risk associated with this item caused by not allocating funds to this project, leading to a potential lack of trust in the support provided to new businesses by the Town.</p> <p>The risk rating is considered to be High (16) which is determined by a likelihood of Likely (4) and a consequence of Major (4).</p> <p>This risk should be accepted by applicant and incorporated in their business plan.</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

Since the closure of Sonic Health, there has been a deficit of health care providers in Port Hedland. This proposal will increase the availability and accessibility of health care to Port Hedland residents, improving liveability and overall amenity available in the Town.

**ATTACHMENTS**

1. CONFIDENTIAL REDACTED - Attachment 1 - Application [12.3.8.1 - 14 pages]
2. CONFIDENTIAL REDACTED - Attachment 2 - Assessment Report - Spectrum Health [12.3.8.2 - 8 pages]

**12.4 Infrastructure Services**

<b>12.4.1</b>	<b>Endorsement of the JD Hardie Stage 3 - Outdoor Elements - Concept Design</b>
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**Author:** Senior Project Officer  
**Authorising Officer:** Director Infrastructure Services  
 Manager Infrastructure Projects & Assets  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

**That Council:**

- 1. Endorse the Concept Design of the JD Hardie Stage 3 Outdoor Elements as per attachment 1 (Rev G)**
- 2. Authorise the Chief Executive Officer to seek grant funding opportunities**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider endorsing the preliminary design of the JD Hardie Stage 3 Outdoor Elements.

**DETAIL**

The JD Hardie Masterplan (Donovan Payne Architects) was formally endorsed by Council in July 2019 (decision number CM201920/011). Following endorsement of the overall Masterplan, the Town has successfully completed Stage 1 & Stage 2 which included the refurbishment of the JD Hardie building and development of the Multi User Courts & Surrounds.

In February 2023, the Town commenced the design process for Stage 3, focusing on the outdoor elements of the Masterplan.

This report presents NORDA Architect’s preliminary design for Council endorsement, inclusive of the proposed scope changes resulting from recent stakeholder and community consultation which has been incorporated into the design.

The Request for Tender for construction is expected to be released in mid 2024, with construction proposed to commence in late 2024. As indicated in the Long-Term Financial Plan, grant funding is necessary to support the delivery of this project.

### **Scope Changes since Masterplan endorsement**

After conducting extensive stakeholder and community consultation which included a substantial 213 responses on the “Have your say on the JD Play”, a proposed scope change has been made to incorporate a parkour element from the previously endorsed Marquee Park Masterplan into the JD Hardie site. This modification aims to accommodate the needs of the site’s current and expected users, specifically targeting the age range of 10 years to youth. It is important to note that Marquee Park will continue to cater primarily to the younger demographic with ages between 1 – 10 years old. These scope changes are included in the attached concept design.

Stage 3 marks the final phase of infrastructure development in relation to youth needs at the JD Hardie site, The Stage 4 childcare centre design is currently underway and will be presented to Council at a later date.

### **Need for local – level BMX Facility in Port and South Hedland**

Currently, the Hedland BMX club operates a BMX track in Port Hedland, which serves as a district level facility. However, there is a notable absence of a public-use local level BMX facility such as a pump and jump track in both Port & South Hedland.

The ABV Leisure Gap Analysis Report recommended that a local level BMX facility be considered to fulfill the needs of the local community. By establishing a local level facility, the community can benefit from improved accessibility and participation opportunities for BMX riders of all ages and skill levels. This facility would complement the existing district level BMX track.

### **Benchmarking**

Earlier this year Town Officers conducted an independent review and benchmarking process to validate the recommendation presented in the report prepared by ABV Leisure. This review involved assessing the construction of similar facilities in various locations across WA. This included reviewing other Local Authority reports into viability and justification of similar facilities, and; visiting reference projects, and observations made to actual activation, utilisation of the sites reviewed, extending to outside popular attendance times (i.e. not school holidays). We also considered the anecdotal feedback from the community, which provided valuable insights regarding the pros and cons of these facilities.

Town Officers identified several common drivers for local development including;

1. Providing regional towns with facilities akin to those available to (Perth) City based youth

2. Improvement in youth recreational activities, mental wellbeing and community involvement
3. Providing mixed recreational activities, other than wheeled sports
4. Acting as a Regional Attractor, creating a destination place for the community

### **LEVEL OF SIGNIFICANCE**

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

### **CONSULTATION**

The attached Concept Design has been based upon feedback derived from extensive consultation across a range of internal officers, external agencies, clubs, key stakeholders, and community members.

#### *Community*

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

In June 2023, a public survey was released to the community via social media and face-to-face consultation. This engagement was intended to understand the specific elements which the community desired in an outdoor development of the JD Hardie Youth and Community Hub. The survey achieved a total of 213 responses.

Based upon all community and stakeholder consultation, it has been identified that there is community demand for:

- Indoor sports and activities. In particular there is high demand for basketball, dance and martial arts;
- Covered outdoor sports courts;
- Affordable community activity and meeting spaces;
- Car parking amenities and connectivity access at the site
- An expectation of supporting recreational and general public amenities at the site such as public toilets, water fountains, paths, playgrounds and notably, given hot summer climatic conditions, shade
- Include BMX pump track within the outdoor area
- Inclusion of outdoor activity spaces through the landscaped areas to encourage informal and programmed youth activities and;
- Include pathways and landscaping to the site to improve access around and through the site. All pathways to meet accessibility standards.

The progressive development of the JD Hardie Youth and Community Hub has been an area of high interest to the community. Regular communication has demonstrated strong desire to see the project progress. This is demonstrated through the most recent communication updating the community on development of concept designs (21 September 2021); social media content reached more than 21,000 people (one of the highest performing posts on the Town of Port Hedland's Facebook page for 2023), with almost 400 positive reactions.

#### *Internal*

- Director Infrastructure Services;
- Director Community Services;
- Director Regulatory Services;
- Project Manager;
- Manager Community Development;
- Manager Infrastructure Operations;
- Manager Financial Services;
- Manager Infrastructure Projects and Assets;
- Manager Town Planning and Development;
- Coordinator Works and Services;
- Senior Youth Officer;
- Youth Program Officer; and
- Horticulture Technical Officer.

Monthly Project Control Group and Working Group meetings involving key internal stakeholders have also been held in relation to the overall JD Hardie Masterplan since 2019.

Elected Members were invited to a confidential briefing on 19 July 2023, in which the attached Concept Design was presented in detail by the project's Architect, NORDA. Following the confidential briefing, the Elected Members were invited to participate in a Concept Design workshop, the purpose of the workshop was an opportunity to express ideas, priorities, and preferences for the proposed concept. The input from Council was considered by the Architects and the concept reflects the collective vision of all stakeholders involved. This workshop contributed to a more inclusive and well-informed design process.

#### *External Agencies*

- Town of Port Hedland Youth Advisory Council (YAC)
- Hedland BMX
- Hedland Home School
- Hedland Youth Stakeholder Action Group (HYSAG)
- Youth Involvement Council (YIC)
- Sport and Rec Clubs/ Youth Programming

- Fair Game
- Night Lights –Slam
- Basketball WA
- Volleyball Club
- West Coast Eagles (indoor cricket)
- WA Cricket
- Roller Derby
- Taekwondo
- Alliance Dance
- Royal Life Saving
- Mission Australia
- Food Bank
- Wirrika Maya Health service
- Roy Hill
- Kids Club
- Hedland Senior High School (Follow the Dream, Clontarf)
- Shooting Stars
- Headspace
- Other Hours School Care OHSC Providers
- Juliyardi Aboriginal Corporation
- Karriyarra Aboriginal Corporation
- IBN Group
- Asburton Aboriginal Corporation/ Youth Engagement
- NORDA Architects and their sub-consultants; and
- ABV Leisure consultants

In relation to the new *Aboriginal Cultural Heritage Act 2021*, Town officers will conduct any relevant assessments, obtain any required permits or management plans and undertake any consultation as required under the Act.

### **LEGISLATION AND POLICY CONSIDERATIONS**

The following Council policies have been considered:

- 4/009 Significant Decision Making;
- 8/003 Access and Inclusion; and
- 10/003 Landscaping

Public art has been considered in relation to this design, as required by the Town's Local Planning Policy on Public Art (LPP/04)

Section 3.57 of the *Local Government Act 1995* will apply when tendering for construction.

The *Aboriginal Cultural Heritage Act 2021* will be considered in relation to this project.

**FINANCIAL AND RESOURCE IMPLICATIONS**

As outlined in the Long-Term Financial Plan (LTFP), a total amount of \$6,000,000 has been allocated for this project of which 33.33% is intended to be grant funded.

**Funding Breakdown**

Contributor	Value
Town of Port Hedland – Strategic Reserve	\$4,000,000
Grant Funding Partner	\$2,000,000 +

Based on the attached concept design, the preliminary cost estimate provided by NORDA Architects amounts to \$7,000,000. This estimate indicates a deficit in funding that needs to be addressed. It is anticipated that this funding shortfall will be mitigated through securing alternative funding sources or via an adjustment to the project scope, to ensure the successful completion of the project does not exceed the Town’s allocated contribution of \$4,000,000.

**Grant Funding**

Applications for external funding will be explored in 2024 in the wider context of the Town’s external funding strategy. Opportunities include industry partners, State Government funds such as Community Sporting and Recreation Facilities Fund (CSRFF) rounds and LotteryWest. In order for applications to be submitted, the Town will require an endorsed Concept design, whole of life costings, Management Plans and a Quantity Surveyors report.

**STRATEGIC SUSTAINABILITY IMPLICATIONS**

**Strategic Community Plan**

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

Our Community:

- 1.1.6 Town-wide health, safety, recreation and sporting activities and services are promoted.
- 1.2.4 Regular opportunities for the broad community to have input into the Town of Port Hedland plans and programs are provided for transparency, accountability and two-way interaction.
- 1.2.5 Opportunities to get involved and results of engagement are regularly promoted.
- 1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.

Our Economy:

2.1.1 Lobby State and Federal Governments and private sector for improved infrastructure investment.

2.5.5 Support tourism infrastructure development

Our Built and Natural Environment:

3.3.2 The community has access to attractive natural habitats, built form, parks and amenities.

Our Leadership:

4.2.1 Sound long-term financial planning is implemented.

4.3.2 Community members, businesses and tourists are engaged to provide feedback about local facilities and services.

4.3.4 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.

**Access and Inclusion**

The following outcome/s of the Town’s Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 1 – Events and Services
- Outcome 2 – Buildings and Facilities

**Corporate Business Plan**

The following service/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Our Corporate Services:

Strategic and Corporate Planning - Planning for the future (Integrated Planning and Reporting): community vision, clear strategic direction and financial sustainability

Our Infrastructure Services:

**Projects and Assets** - Effective and efficient project and asset management

Parks and Gardens - Manage parks, ovals and open space (natural reserves)

Maintain tidy and attractive townsites and centres

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Project
<b>Risk Category</b>	Reputational
<b>Cause</b>	If Council do not support the endorsement of the Concept Design



<b>Effect (Consequence)</b>	There will be potential community backlash due to the endorsed Masterplan for this site
<b>Risk Treatment</b>	Adopt the officers recommendation
<p>There is a reputational risk associated with this item because of the identified community need and community desire for improved community and youth amenities at the JD Hardie Youth &amp; Community Hub. The risk rating is considered to be medium (9), which is determined by a likelihood of possible (3) and a consequence of moderate (3).</p>	

<b>Risk Type</b>	Project
<b>Risk Category</b>	Financial
<b>Cause</b>	If the Town do not reach the grant funding requirements as outlined in the LTFP for this project
<b>Effect (Consequence)</b>	The Town will need to determine if the project will progress and fund the project it its entirety
<b>Risk Treatment</b>	Adopt the officers recommendation to endorse the Concept will allow the design to progress and meet eligibility requirements for grant funding applications, giving the Town the best opportunity to receive external funding
<p>There is a financial risk that the project will not secure the grant funding target identified in the LTFP. This risk rating is considered to be high (12), which is determined by a likelihood of possible (3) and a consequence of major (4).</p>	

<b>Risk Type</b>	Project
<b>Risk Category</b>	Environmental & Compliance
<b>Cause</b>	If the site is identified under the Aboriginal & Cultural Heritage Act 2021
<b>Effect (Consequence)</b>	The project may be delayed as an Aboriginal Cultural Heritage Management Plan will be required
<b>Risk Treatment</b>	Investigate via the official inquiry system and consult with relevant parties if required
<p>There is a risk that the project may be delayed if it is determined that an Aboriginal Cultural Heritage Management Plan is required, as this would need to be negotiated with the relevant parties. Preliminary investigations via the official Aboriginal Cultural Heritage Inquiry System (ACHIS) indicates that there is not a registered site within the project's boundaries. This risk rating is considered to be medium (6), which is determined by a likelihood of unlikely (2) and a consequence of moderate (3).</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

Council is recommended to endorse the Concept design by NORDA Architects, inclusive of the scope changes and proceed with the necessary steps to release the Tender for construction upon confirmation of reaching the necessary grant funding contribution, at which time will return to Council for award.

**ATTACHMENTS**

1. JD Hardie - Stage 3 - Concept Plan [**12.4.1.1** - 2 pages]
2. JD Hardie - Stage 3 - Engagement Summary [**12.4.1.2** - 6 pages]
3. Donovan Payne - JD Hardie - Concept Masterplan [**12.4.1.3** - 8 pages]
4. Donovan Payne - JD Hardie - Masterplan Report [**12.4.1.4** - 106 pages]
5. ABV Leisure - JD Hardie - Community Needs Analysis Report [**12.4.1.5** - 106 pages]

<b>12.4.2</b>	<b>RFT2324-05 Panel - Pre-Qualified Suppliers - Trades</b>
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**Author:** Contracts Advisor  
**Authorising Officer:** Director Infrastructure Services  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION 1**

That Council awards the following successful tenderers to the panel RFT2324-05 ‘Trade Services Pre-Qualified Panel’ for an initial period of one (1) year, with two (2) single one (1) year extensions at the discretion of the Town of Port Hedland, based on the rates supplied in their respective tenders:

- 1. XXX
- 2. XXX
- 3. XXX
- 4. XXX
- 5. XXX
- 6. XXX
- 7. XXX
- 8. XXX
- 9. XXX
- 10. XXX
- 11. XXX
- 12. XXX
- 13. XXX

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is to provide a summarised assessment of the submissions received in response to Invitation to Apply (Tender) RFT2324-05 “Trade Services” (**Panel**), and for Council to endorse for the evaluation panel’s recommendation of contractors to be appointed to the Panel.

**DETAIL**

The Town of Port Hedland (**Town**) is seeking to appoint a Panel of professional Trade Services who have extensive expertise and skills to assist the Town with various ad hoc and operational requests to facilitate timely delivery of projects and minor maintenance.

The Contract will be awarded to the approved suppliers on the Panel who best demonstrate the ability to provide quality products and/or services at a competitive price. The quoted prices have been assessed along-side the qualitative and compliance criteria to determine the most advantageous outcome to the Town.

The Town has adopted the best value for money approach to the request under the Panel. This means that although price is considered, the response(s) containing the lowest price will not necessarily be accepted, nor will the lowest offer be ranked the highest on the qualitative criteria.

A scoring system has been used as part of the assessment against the qualitative criteria. Unless otherwise stated, a response which provides all the information requested will be assessed as satisfactory. The extent to which the respondent demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each response will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

*Consultant: "Procurement\_PLUS"*

The Town engaged the consultant "Procurement\_PLUS" to assist with the development, and provide support, in preparing the tender request and contract documentation for this Panel.

Procurement\_PLUS has extensive experience in providing advice and support regarding procurement practices and has previously been engaged by other government agencies from local government to state agencies for assistance with their procurement practices.

The benefits to the Town of using Procurement\_PLUS include:

- Minimisation of regulatory and procurement risk.
- Practical procurement expertise and experience from an external source.
- Support to maintain good procurement practices and underlying procurement principles.
- Elimination of perceived bias.
- An affordable solution that delivers value for money.

*Invitation to Apply*

RFT2324-05 was released via VendorPanel (the Town's e-tendering portal) on 26 September 2023 and was advertised in both the West Australian and the North West Telegraph newspapers. The closing date for submissions was 8 November 2023.

*Panel Industry Briefing*

On Thursday 5 October 2023, a Panel Industry Briefing (**Briefing**) was presented in person by Procurement\_PLUS at the Port Hedland Chamber of Commerce. This Briefing was advertised on the Town's website and social medial platforms, and the

Chamber of Commerce included the Briefing information in their membership newsletter.

The information presenting during this Briefing included:

- Introduction to Procurement and Procurement Principles
- Legislation and Regulations that govern Local Government procurement.
- What Panels of Pre-Qualified Suppliers are, and, how contractors are awarded work under a panel.
- Timeframes around the Town's tender request and award process.
- The qualitative criteria the Town will assess submissions on.
- Helpful tips on how to draft a strong tender response.
- Using VendorPanel (How to access the program and submit tenders)

22 representatives from various businesses RSVP'd to the event, and approximately 10 attended the session in person.

#### *Addendum Details*

There was one addendum submitted to clarify the scope of the services, project timeline and supplier qualification requirements. The Town provided responses to each of the questions within the addendum.

#### *Tender Assessment*

The Town received Seventeen (17) submissions for RF2223-05. The respondents were as follows:

1. Gadget Locksmiths
2. Hedland Diverse Plumbing
3. Hedland Electrical
4. Jupps Floorcoverings Port Hedland
5. Pilbara Constructions Pty Ltd
6. Coldpoint Refrigeration
7. Up Your Grass Garden Maintenance
8. Mining Electrical Contracting Pty Ltd
9. Port Hedland Glazing & Building Maintenance
10. 6 Star Group Yarnda Gana
11. Oresome Aircon Cleaning Pty Ltd
12. Lite Force Pty Ltd
13. Yurra Pty Ltd
14. Scarborough Painting Services (Northwest) Pty Ltd
15. Ribshire Pty Ltd T/A Goodline
16. Mechanical Project Services
17. Bugardi Contracting Pty Ltd

Of the submissions received, four (4) were rejected due to being a non-compliant response and not as per the requirements of the Invitation to Apply. The remaining respondents provided compliant tender responses and were able to satisfy the

evaluation panel that they have the necessary skills, qualifications and experience to meet the requirements of the Tender.

All compliant tender submissions have been evaluated by a panel of six (6) Town employees whose main objectives were:

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

The Town's Procurement Advisor facilitated the evaluation meeting held on 24 November 2023.

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

<b>Qualitative Criteria</b>	<b>%</b>
Relevant Experience	40%
Organisation Capacity to Deliver and Resources	30%
Key Personnel and Skills	30%
<b>TOTAL:</b>	<b>100%</b>

A summary of the assessment results of each submission received is included in confidential evaluation report (**Evaluation Report**) attached.

**LEVEL OF SIGNIFICANCE**

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

- Significant - A decision that will significantly affect the capacity of the Council to carry out any activity identified in the strategic plan.
- Significant - A decision that will significantly affect the cost to Council to carry out any activity identified in the strategic plan.
- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland.

**CONSULTATION**

*Internal*

- Infrastructure Operations team
- Infrastructure Projects team
- Infrastructure Engineering and Assets Team
- Corporate Procurement Team

*External Agencies*

- Procurement\_PLUS

*Community*

- Contractor representatives who attended the Panel Industry Briefing held on Thursday 5 October 2023 at the Port Hedland Chamber of Commerce.

**LEGISLATION AND POLICY CONSIDERATIONS**

Section 3.57 of the *Local Government Act 1995*, and Division 3 – Panels of pre-qualified suppliers of the *Local Government (Functions and General) Regulations 1996* apply in relation to the Invitation to Apply.

The Evaluation Report and correspondence 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 Panel:

- 2/007 'Purchasing'
- 2/016 'Regional Price Preference'
- 2/022 'Panels of Pre-Qualified Suppliers'
- 4/009 'Significant Decision Making'

The successful suppliers must abide by the Town's Code of Conduct while carrying out works for the Town.

**FINANCIAL AND RESOURCE 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. Funding for works completed under the Panel is included within the relevant directorate's approved budgets.

Numerous Council adopted budgets will be utilised for various works completed under this panel. Examples of operating budgets include:

- 100032-1270-1001-61004
- 200014-1270-1001-61004
- 100010-1280-1001-61004
- 300005-1280-3001-61004
- 300013-1280-3001-61004

These budgets are utilised for various maintenance and operational works conducted by contractors. Sufficient operational budget exists to support operations at this time, and a further review will be undertaken at Q2.

## STRATEGIC SUSTAINABILITY IMPLICATIONS

### Strategic Community Plan

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

#### Our Economy:

2.3.3 Prioritise, encourage and promote local procurement.

2.3.5 Identify opportunities for new social enterprises, innovators, and small and medium-sized businesses and implement strategies to attract and support them.

2.5.1 Pursue investment in key infrastructure development such as the port, airport, service industry and logistics.

#### Our Built and Natural Environment:

3.1.4 Ensure natural resource assets are well-managed and enhanced.

#### *Environmental*

Nil

#### *Economic*

The appointment and subsequent engagement of local suppliers to the Panel will support economic development within the Town.

Further, as the Town will be able to engage contractors on the Panel quickly for urgent and day-to-day operational requirements, this will reduce administration pressure. This will result in contractor's being engaged to complete the works quicker.

#### *Social*

As a number of suppliers are local Aboriginal enterprises, the appointment of those businesses to the Panel will support growth in Aboriginal participation within the Town.

### Access and Inclusion

The following outcome/s of the Town's Access and Inclusion Plan 2023-2026 apply in relation to this item:

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

### Corporate Business Plan

The following service/s of the Town's Corporate Business Plan 2023-2027 apply in relation to this item:



Our Corporate Services:

Governance and Procurement - Provide high standards of governance and leadership

Our Infrastructure Services:

Projects and Assets - Effective and efficient project and asset management

Roads and Footpaths - Provide an effective road network through the construction, maintenance and renewal of sealed and unsealed local roads and associated infrastructure

Drainage - Drainage systems that provide effective disposal of stormwater to protect community and Town assets

Parks and Gardens - Manage parks, ovals and open space (natural reserves)

Maintain tidy and attractive townsites and centres

Verges and Street Trees - Increase the number of trees to provide a softer landscape, assist in dust suppression, cooling of public spaces and better shade to protect pedestrians and drivers

Property Management and Maintenance - Ensure facilities are well maintained in line with the Town's asset management program

Our Regulatory Services:

Business and Economic Development - Lead an integrated and collaborative approach to achieve the community's vision of 'building prosperity for all – enabling sustained economic growth'

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Service Interruption
<b>Cause</b>	Increased internal administration pressure and lengthy timeframes to assess contractor's competency and capability for day-to-day operational needs.
<b>Effect (Consequence)</b>	Will likely cause delays in procuring qualified contractors to complete urgent works.
<b>Risk Treatment</b>	Adopting the officer's recommendation will reduce this risk by allowing the Town to engage contractors who have already been pre-qualified and assessed as competent and capable of completing the works.
<p>There is an Operational risk associated with this item caused by the requirement to engage contractors quickly to complete urgent works (particularly during cyclone season) and for day-to-day operational requirements.</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Likely (4) and a consequence of Minor (2).</p> <p>This risk will be reduced by adopting the officer's recommendation as the Panel contractor's have already been assessed and are pre-qualified.</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

The Town is seeking to appoint a Panel of professional Trade Services who have extensive expertise and skills to assist the Town with various ad hoc and operational requests to facilitate timely delivery of projects and minor maintenance. The Contract will be awarded to the approved suppliers on the Panel who best demonstrate the ability to provide quality products and/or services at a competitive price. The quoted prices have been assessed along-side the qualitative and compliance criteria to determine the most advantageous outcome to the Town.

**ATTACHMENTS**

1. CONFIDENTIAL REDACTED - Evaluation Report - RFT2324-05 Trade Services Panel [**12.4.2.1** - 70 pages]

<b>12.4.3</b>	<b>Tender Award - RFT2324-02 Tennis &amp; Hockey Changerooms Refurbishment</b>
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<b>Author:</b>	<b>Project Manager</b>
<b>Authorising Officer:</b>	<b>Director Infrastructure Services Manager Infrastructure Projects &amp; Assets</b>
<b>Disclosure of Interest:</b>	The Authorising Officer declares that they do not have any conflicts of interest in relation to this item. The Author declares that she has a perceived conflict of interest as her son plays hockey and tennis.

<p><b>OFFICER’S RECOMMENDATION</b></p> <p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>1. Authorise the Chief Executive Officer to enter a Contract for the award of RFT2324 02 Tennis and Hockey Refurbishment Part Offer A to XXX for the total amount of \$XXX (excluding GST).</b></li> <li><b>2. Authorise additional budget of \$141,186 in the Financial Year 2023/24 Annual Budget to complete Part Offer A only to be funded from the asset management reserve</b></li> </ol> <p style="text-align: right;"><i><b>ABSOLUTE MAJORITY VOTE REQUIRED</b></i></p>
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**PURPOSE**

The purpose of this report is for the Council to consider the assessment of submissions received for RFT2324 02 Tennis and Hockey Club refurbishment and consider the evaluation panel’s recommendation to award the tender to the preferred tenderer.

**DETAIL**

*Background*

The Tennis and Hockey Clubrooms are at the eastern end of the McGregor Street Reserve in Port Hedland and are used by the Port Hedland Tennis Club and Hedland Hockey Club throughout the year.

The Port Hedland Tennis and Hockey building is dilapidated and in need of internal upgrades. Currently the building is open to rodents and infestations, making it impossible to store equipment for the clubs, within the current internal spaces.

It is also impossible to keep the toilets and kitchen clean.

This refurbishment will address the requirement for compliant ablutions and general internal upgrades to support the groups who activate the facility. The expansion of

these facilities will include the use of the building that backs into the off-leash dog area, to enable additional spaces for the clubs to store their operational equipment

The Port Hedland Tennis/ Hockey Clubrooms have had no remediation works completed for years. The facility does not comply with the Town's Access and Inclusion Plan 2023-2026 commitments and is open to the elements - meaning equipment is infiltrated and damaged with vermin.

### *Scope Inclusions*

This tender was split into three (3) part offers which provided for upgrades to specific areas of the facility and considering the usable areas, frequencies and seasonal users.

#### Part A

The scope under this part offer is the refurbishment of the internal spaces, including the expansion into the current unused space of the Canine Club ablution and storage. The upgrades include expansion of the kitchen area to include a servery to the Hockey side, as well as ablution upgrades and inclusion of a Universally Accessible Toilet.

#### Part B

The scope under this Part Offer is for installing shade over the facility's hockey side. There is currently no amenity for the hockey spectators and parents during the training season. The removal of this scope will be replaced by prefabricated shade structures to be installed around the current shed and roof line. This part will not be awarded now.

#### Part C

The scope under this part includes the enclosure of the undercover tennis area to provide an air conditioned space for spectators and a potential meeting area for community groups. The design has glazing around the sides to allow for viewing both the courts and overseeing the external grassed area adjacent to the space. This part will not be awarded now.

### *Request for Tender*

An initial RFT2223/21 was released in February 2023. The Council then chose not to award the RFT and asked for the renovations as part of the 23/24 Capital Works Program.

The Town released a Request for Tender (RFT) on 23<sup>rd</sup> August 2023 on Vendorpanel (the Town's e-tendering portal) and was advertised in the West Australian and the North West Telegraph with a closing date of 15 September 2023. The RFT number for this project is RFT 2324 02. There was 1 addendum that was released after the tender period closed relating to scope definition and required pricing for Part A only.

*Tender Assessment*

The Town received 3 (three) responses The respondents were as follows:

1. TEC Services
2. Ertech Pty Ltd
3. Pilbara Constructions

An evaluation meeting was held on 11th October 2023, facilitated by the Town’s procurement representative. The compliant submissions were evaluated by a panel of three (3) Town employees whose main objectives were:

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

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

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

**LEVEL OF SIGNIFICANCE**

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

- Exception - The Council already has a sound understanding of the views and preferences of the people likely to be affected by, or interested in, the proposal or decision.

**CONSULTATION**

*Internal*

- Director Infrastructure Services
- Manager Infrastructure Operations
- Manager Infrastructure Projects and Assets
- Senior Sports and Recreation Officer
- Sports and Recreation Officer

*External Agencies*

- Nil

*Community*

- Port Hedland Tennis Club
- Hedland Hockey

**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 of Port Hedland policies have been considered in relation to the preparation of this item:

- 1/014 Execution of Documents
- 1/022 Risk Management
- 2/007 Procurement
- 2/019 Financial Reserves
- 4/009 Significant Decision Making

The following sections of the *Local Government Act 1995* have been considered/ apply in relation to this item:

- 3.57 Tenderer for providing goods or services
- 5.42 Delegation of some powers and duties to CEO
- 5.44 CEO may delegate powers and duties to other employees
- 5.94 Public can inspect local government information
- 5.95 Limits on right to inspect local government information
- 6.8 Expenditure from municipal fund not included in annual budget
- 9.49A Execution of documents
- 9.49B Contract formalities
- 9.49 Documents, how authenticated

Further to the above, "Part 4, Division 2 – Tender for providing goods or services" of the *Local Government (Functions and General) Regulations 1996* also applies in relation to this item.

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

**FINANCIAL AND RESOURCE IMPLICATIONS**

As part of the FY2023/24 Annual budget \$576,000 has been adopted for the refurbishment of the Tennis and Hockey facilities. This value was reflective of a previous tender released in 2022, which returned Part A Offers at this value.

Due to the rapidly changing construction market, the submissions against RFT232402 have increased from the previous tender process. Any unused contingency will be returned to the budget.

Item	Value \$
FY2023/24 Budget	576,000
Preferred Tenderer – Part A Offer	XXX
Difference between RFT2223/21 and RFT 202324/02	81,186
Contingency	60,000
Total Budget Required	XXX
Additional Budget required	XXX

**STRATEGIC SUSTAINABILITY IMPLICATIONS**

**Strategic Community Plan**

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

Our community:

1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.

1.4.2 Facilities and community infrastructure are revitalised across the town

1.4.3 Facilities and community infrastructure are well maintained, managed and fit-for-purpose to provide a range of lifestyle opportunities.

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

**Access and Inclusion**

The following outcome/s of the Town’s Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 2 – Buildings and Facilities

**Corporate Business Plan**

The following service/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Our Infrastructure Services:

**Projects and Assets**

- Effective and efficient project and asset management
- Property Management and Maintenance
- Ensure facilities are well maintained in line with the Town’s asset management program

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Compliance
<b>Cause</b>	Current state of the facilities for the use by the community
<b>Effect (Consequence)</b>	Restricted use for community groups and their members and spectators
<b>Risk Treatment</b>	Award the tender
<p>There is an Operational, risk associated with this item caused by Current state of the facilities for the use by the community, leading the closure of the toilets and kitchen for use by the community groups and their members and spectators</p> <p>The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).</p> <p>This risk will be {custom-field-risk-remedy} by the Council awarding the RFT2324 02 to the preferred tenderer and endorsing additional budget</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

The current state of the Tennis and Hockey facilities are below the standard of minimal compliance for use by the community. By awarding the tender, the Council supports the provision of fit-for-purpose facilities for sporting and community user groups.

**ATTACHMENTS**

Nil



**12.4.4 RFT2324-01 Pre-Qualified Construction Panel****Author:** Contracts Advisor**Authorising Officer:** Director Infrastructure Services**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.**OFFICER'S RECOMMENDATION**

That Council awards the following successful tenderers to the panel RFT2324-01 'Pre-Qualified Construction Panel' for an initial period of one (1) year, with two (2) single one (1) year extensions at the discretion of the Town of Port Hedland, based on the rates supplied in their respective tenders:

1. XXX
2. XXX
3. XXX
4. XXX
5. XXX
6. XXX

*SIMPLE MAJORITY VOTE REQUIRED*

**PURPOSE**

The purpose of this report is to provide a summarised assessment of the submissions received in response to Invitation to Apply (Tender) RFT2324-01 "Pre-Qualified Construction Panel" ('Panel'), and for Council to endorse for the evaluation panel's recommendation of contractors to be appointed to the Panel.

**DETAIL**

The Town of Port Hedland ('Town') is seeking to appoint a Panel of professional Construction contractors who have extensive expertise and skills to assist the Town with various minor construction and refurbishment works to facilitate timely delivery of projects and minor refurbishments.

The Contract will be awarded to the approved suppliers on the Panel who best demonstrate the ability to provide quality products and/or services at a competitive price. The quoted prices have been assessed against the qualitative and compliance criteria to determine the most advantageous outcome to the Town.

The Town has adopted the best value for money approach to the request under the Panel. This means that although price is considered, the response(s) containing the

lowest price will not necessarily be accepted, nor will the lowest offer be ranked the highest on the qualitative criteria.

A scoring system has been used as part of the assessment against the qualitative criteria. Unless otherwise stated, a response which provides all the information requested will be assessed as satisfactory. The extent to which the respondent demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each response will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

*Consultant: "Procurement\_PLUS"*

The Town engaged the consultant "Procurement\_PLUS" to assist with the development, and provide support, in preparing the tender request and contract documentation for this Panel.

Procurement\_PLUS has extensive experience in providing advice and support regarding procurement practices and has previously been engaged by other government agencies from local government to state agencies for assistance with their procurement practices.

The benefits to the Town of using Procurement\_PLUS include:

- Minimisation of regulatory and procurement risk.
- Practical procurement expertise and experience from an external source.
- Support to maintain good procurement practices and underlying procurement principles.
- Elimination of perceived bias.
- An affordable solution that delivers value for money.

*Invitation to Apply*

RFT2324-01 was released via VendorPanel (the Town's e-tendering portal) on 29 September 2023 and was advertised in both the West Australian and the North West Telegraph newspapers. The closing date for submissions was 8 November 2023.

*Panel Industry Briefing*

On Thursday 5 October 2023, a Panel Industry Briefing (**Briefing**) was presented in person by ProcurementPLUS at the Port Hedland Chamber of Commerce. This Briefing was advertised on the Town's website and social medial platforms, and the Chamber of Commerce included the Briefing information in their membership newsletter.

The information presenting during this Briefing included:

- Introduction to Procurement and Procurement Principles
- Legislation and Regulations that govern Local Government procurement.
- What Panels of Pre-Qualified Suppliers are, and, how contractors are awarded work under a panel.

- Timeframes around the Town's tender request and award process.
- The qualitative criteria the Town will assess submissions on.
- Helpful tips on how to draft a strong tender response.
- Using VendorPanel (How to access the program and submit tenders)

22 representatives from various businesses RSVP'd to the event, and approximately 10 attended the session in person.

#### *Addendum Details*

There were two addendums submitted as per the following:

Addendum 1: Queried the Town's requirement for pipework services under this Panel.

Addendum 2: Queried the types of work contractors will be required to complete under the Panel.

The Town provided responses to each of the questions within the addendums.

#### *Tender Assessment*

The Town received Eleven (11) submissions for RF2223-01. The respondents were as follows:

1. Jupps Floorcoverings Port Hedland
2. Tec Services Group Pty Ltd
3. 6 Star Group Yarnda Gana
4. Oresome Aircon Cleaning Pty Ltd
5. Lite Force Pty Ltd
6. Acero Construction Pty Ltd
7. Metropolis Projects Group Pty Ltd
8. Pilbara Constructions Pty Ltd
9. Scarboro Painting Services (Northwest) Pty Ltd \*
10. Ribshire Pty. Ltd. T/A Goodline
11. Bugardi Contracting Pty Ltd

In accordance with the Town's policy 2/022 Panels of Pre-Qualified Suppliers, a minimum of three (3) suppliers are required to establish a panel.

Of the submissions received, four (4) were rejected due to being a non-compliant response and not as per the request for tender. The remaining respondents provided compliant tender responses.

All compliant tender submissions have been evaluated by a panel of six (6) Town employees whose main objectives were:

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

The Town’s Senior Procurement & Contracting Advisor facilitated the evaluation meeting held on Monday 27 November 2023.

The compliance submissions were assessed against the qualitative criteria as listed below:

<b>Qualitative Criteria</b>	<b>%</b>
Relevant Experience	40
Organisation Capacity to Deliver and Resources	30
Key Personnel and Skills	30
<b>TOTAL:</b>	<b>100%</b>

A summary of the assessment results of each submission received is included in confidential evaluation report (**Evaluation Report**) attached.

**LEVEL OF SIGNIFICANCE**

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

- Significant - A decision that will significantly affect the capacity of the Council to carry out any activity identified in the strategic plan.
- Significant - A decision that will significantly affect the cost to Council to carry out any activity identified in the strategic plan.
- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland

**CONSULTATION**

*Internal*

- Infrastructure Operations team
- Infrastructure Projects team
- Infrastructure Engineering and Assets Team
- Corporate Procurement Team

*External Agencies*

- Procurement\_PLUS

*Community*

- Contractor representatives who attended the Panel Industry Briefing held on Thursday 5 October 2023 at the Port Hedland Chamber of Commerce.

**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 correspondence 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 Panel:

- 2/007 'Purchasing'
- 2/016 'Regional Price Preference'
- 2/022 'Panels of Pre-Qualified Suppliers'
- 4/009 'Significant Decision Making'

The successful suppliers must abide by the Town's Code of Conduct while carrying out works for the Town.

**FINANCIAL AND RESOURCE IMPLICATIONS**

By establishing a panel of pre-qualified supplier, the Town is supporting efficiencies in financial management and resourcing. It will create a readily available resource pool of both operators and equipment. Funding for works completed under the Panel is included within the relevant directorate's approved budgets.

Numerous Council adopted budgets will be utilised for various works completed under this panel. Examples of operating budgets include:

- 100032-1270-1001-61004
- 200014-1270-1001-61004
- 100010-1280-1001-61004
- 300005-1280-3001-61004
- 300013-1280-3001-61004

These budgets are utilised for various maintenance and operational works conducted by contractors. Sufficient operational budget exists to support operations at this time, and a further review will be undertaken at Q2.

## STRATEGIC SUSTAINABILITY IMPLICATIONS

### Strategic Community Plan

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

#### Our Economy:

2.3.3 Prioritise, encourage and promote local procurement.

2.3.5 Identify opportunities for new social enterprises, innovators, and small and medium-sized businesses and implement strategies to attract and support them.

2.5.1 Pursue investment in key infrastructure development such as the port, airport, service industry and logistics.

#### Our Built and Natural Environment:

3.1.4 Ensure natural resource assets are well-managed and enhanced.

#### *Environmental*

Nil

#### *Economic*

The appointment and subsequent engagement of local suppliers to the Panel will support economic development within the Town.

Further, as the Town will be able to engage contractors on the Panel quickly for urgent and day-to-day operational requirements, this will reduce administration pressure. This will result in contractor's being engaged to complete the works quicker.

#### *Social*

As a number of suppliers are local Aboriginal enterprises, the appointment of those businesses to the Panel will support growth in Aboriginal participation within the Town.

### Access and Inclusion

The following outcome/s of the Town's Access and Inclusion Plan 2023-2026 apply in relation to this item:

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

### Corporate Business Plan

The following service/s of the Town's Corporate Business Plan 2023-2027 apply in relation to this item:

Our Corporate Services:

Governance and Procurement - Provide high standards of governance and leadership

Our Infrastructure Services:

Projects and Assets - Effective and efficient project and asset management

Roads and Footpaths - Provide an effective road network through the construction, maintenance and renewal of sealed and unsealed local roads and associated infrastructure

Drainage - Drainage systems that provide effective disposal of stormwater to protect community and Town assets

Parks and Gardens - Manage parks, ovals and open space (natural reserves)

Maintain tidy and attractive townsites and centres

Verges and Street Trees - Increase the number of trees to provide a softer landscape, assist in dust suppression, cooling of public spaces and better shade to protect pedestrians and drivers

Property Management and Maintenance - Ensure facilities are well maintained in line with the Town's asset management program

Our Regulatory Services:

Business and Economic Development - Lead an integrated and collaborative approach to achieve the community's vision of 'building prosperity for all – enabling sustained economic growth'

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Service Interruption
<b>Cause</b>	Increased internal administration pressure and lengthy timeframes to assess contractor's competency and capability for minor refurbishment works.
<b>Effect (Consequence)</b>	Will likely cause delays in procuring qualified contractors to complete works, in which time prices may increase.
<b>Risk Treatment</b>	Adopting the officer's recommendation will reduce this risk by allowing the Town to engage contractors who have already been pre-qualified and assessed as competent and capable of completing the works.
<p>There is an Operational risk associated with this item caused by the requirement to engage contractors quickly to complete minor refurbishment or construction works (particularly during cyclone season).</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Likely (4) and a consequence of Minor (2).</p> <p>This risk will be reduced by adopting the officer's recommendation as the contractor's on the panel Panel have already been assessed and are pre-qualified.</p>	

**OPTIONS**

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

The Town is seeking to appoint a Panel of Construction contractors who have extensive expertise and skills to assist the Town with various minor construction and refurbishment works to facilitate timely delivery of projects and refurbishments. The Contract will be awarded to the approved suppliers on the Panel who best demonstrate the ability to provide quality products and/or services at a competitive price. The quoted prices have been assessed against the qualitative and compliance criteria to determine the most advantageous outcome to the Town.

**ATTACHMENTS**

1. CONFIDENTIAL REDACTED - Evaluation Report - RFT2324-01 Construction Contractors Panel [**12.4.4.1** - 55 pages]



<b>12.4.5</b>	<b>Award of Tender RFT2223-17 Consultant Performing Arts Design</b>
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**Author:** **Manager Infrastructure Projects & Assets**

**Authorising Officer:** **Director Infrastructure Services**

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

**OFFICER’S RECOMMENDATION**

**That Council:**

- 1. Authorise the Chief Executive Officer to enter into a Contract for the award of RFT2223-17 Consultants for the design of Performing Arts Centre to XXX for the total amount of \$XXX (excluding GST).**
- 2. Authorise the administration to initiate Phase 1 of the contract for Concept Schematic Design of the Performing Arts Centre.**
- 3. Authorise additional budget of \$59,144 in the Financial Year 2023/24 Annual Budget to complete Phase 1.**
- 4. Note that additional funding will be necessary in future budget years to advance the contract and complete Phases 2 and 3.**

**ABSOLUTE MAJORITY VOTE REQUIRED**

**PURPOSE**

The purpose of this report is for the Council to consider the assessment of submissions received for RFT2223-17 Consultant for the Design of the Performing Arts Centre and consider the evaluation panel’s recommendation to award the tender to the preferred tenderer.

The tender was released with the inclusion of STOP/HOLD points at key stages throughout the delivery of the services, to enable Elected Members endorsement of the next stage prior to the consultant completing the works.

The intention of the STOP/HOLD points is to allow the Town to direct the services to be suspended or terminated, while ensuring the Town is only liable for the cost of works completed by the consultant up to that phase.

**DETAIL***Background*

The Town's Arts and Culture Strategy 2019-2022 highlighted the need for an integrated hub for Hedland's arts and cultural infrastructure with facilities that provide appropriate spaces for performance and community use.

An evaluation of the Town's current cultural facilities has revealed several key challenges. These facilities are spread across different locations, which often leads to inefficiencies. Many of them are operating beyond their intended capacity, and quite a few do not meet the required standards in terms of environmental sustainability and accessibility requirements.

The Town is facing a shortage of performing arts venues, with the Matt Dann Theatre and Cinema encountering challenges related to seating capacity and limitations arising from shared access with the Department of Education. Rehearsal spaces are in short supply, as are conference facilities, climate-controlled gallery spaces, and dedicated, well-equipped, large outdoor cultural and arts areas.

This assessment underscores the need for improvements and investments in cultural infrastructure to better meet the demands and standards for arts and cultural activities in the community.

The Town engaged Officer Woods Architects and RFF Consultants in July 2021 to undertake an investigation and evaluation of options for a consolidated Arts and Culture Precinct in Hedland.

Significant community consultation was undertaken alongside engagement with a range of stakeholders to recognise future opportunities and propose development options for selected sites using design, feasibility and business expertise.

At the Ordinary Council Meeting (OCM) in March 2022, the council endorsed the feasibility study and needs analysis for a centralised Arts and Culture Precinct and noted the proposed location of the former TAFE site on Hamilton Road, South Hedland.

At the OCM in February 2023, Council endorsed a concept masterplan that was developed by the Town with XXX, to re-establish the former TAFE Site as the Town of Port Hedland's Civic and Community Precinct.

The Council endorsed the following:

- 
1. Endorse the Hedland Civic and Community Precinct Concept Design Masterplan as per Attachment 1; and
  2. Requests the Chief Executive Officer to undertake a review of the Long Term Financial Plan and report to the Council.

*CARRIED BY SIMPLE MAJORITY (9/0)*

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**SUBSTANTIVE AND COUNCIL DECISION**

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CM202223/018 COUNCIL DECISION

MOVED: CR CHRISTENSEN

SECONDED: CR COLES

That Council, subject to adoption of the Officer's Recommendation 1 as contained in Confidential Item 15.1;

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As part of the former TAFE site's redevelopment, a portion of the parcel was identified as a suitable location for a new Performing Arts Centre. The facility will be a key piece of infrastructure, providing a greater opportunity for groups to showcase the region.

The current adopted Long Term Financial Plan (LTFP) intends for the Town's new Performing Arts Centre to be delivered over a period of 2 Financial Years (FY) commencing in FY2026/2027 subject to future considerations of fundings.

*Request for Tender*

The Town released a Request for Tender (RFT) on 19<sup>th</sup> July 2023 on Vendorpanel (the Town's e-tendering portal) and was advertised in the West Australian and the North West Telegraph with a closing date of 30<sup>th</sup> August 2023. The RFT number for this project is RFT 2223-27. There were 17 addendums that were released during the tender period relating to scope clarifications.

The development of the Performing Arts Centre schematic concept design and detailed design documentation will be delivered through multiple Phases. The award of the Phases will be at the discretion of the Town and Council endorsement based upon Milestones and further approvals prior to proceeding with the work under each Phase.

The Town released an RFT on 19<sup>th</sup> July 2023 requesting a suitably qualified consultant to complete work under a lead design consultant's scope, for the Performing Arts Centre.

The RFT was publicly released on Vendorpanel (the Town's e-tendering portal) on 19<sup>th</sup> July 2023 and was advertised in the West Australian and the Northwest Telegraph on 19<sup>th</sup> July 2023 with a closing date of 30<sup>th</sup> August 2023

*Tender Assessment*

The Town received 14 (fourteen) responses of which one (1) was deemed non-compliant. The respondents were as follows:

1. Antarctica Group
2. ARCH S3D
3. Bollig Design Group Pty Ltd
4. Carabiner
5. Christou Design Group Pty Ltd

- 6. DE Ateller Pty Ltd
- 7. DESIM
- 8. Hunt Architects
- 9. KHA Studio
- 10. Site Architecture Studio
- 11. T&Z Architects
- 12. The Buchan Group Australia Pty Ltd
- 13. TRCB
- 14. With Architecture Studio Pty Ltd

An evaluation meeting was held on 13<sup>th</sup> September 2023, facilitated by the Town's procurement representative. The complaint submissions were 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.

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

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

The RFT included three (3) phases to deliver a full design package for the Performing Arts Centre. These three (3) phases were made up of:

Stage	Description	STOP/HOLD point
Phase 1	Pre-design Schematic/ Concept Phase	Council Endorsement
Provisional Sum 1	Business Case Development	
Provisional Sum 2	Community Engagement	
Phase 2	Design Development and Documentation	Council Endorsement
Phase 3	Provision of IFC's, Consultant Administration and construction support	Council Endorsement

At each phase's completion, Council endorsement will be required prior to the next phase's execution, as written in the contract. If the Council fail to provide the required approval to proceed, the Town will have the opportunity to conclude the contract.

The intent is that at each STOP/HOLD point, the Council will be asked to endorse a critical milestone and funding for the next Phase, as noted below.

### **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is of low significance, because: the Design of the Performing Arts Centre is supported in FY2023/24 adopted budget.

### **CONSULTATION**

#### *Internal*

- Director Community Services
- Manager Arts and Culture
- Manager Infrastructure Projects and Assets

#### *External Agencies*

- Nil

#### *Community*

- Nil

## LEGISLATION AND POLICY CONSIDERATIONS

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

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

The following Town of Port Hedland policies have been considered in relation to the preparation of this item:

1/014 Execution of Documents

1/022 Risk Management

2/007 Procurement

2/019 Financial Reserves

4/009 Significant Decision Making

The following sections of the *Local Government Act 1995* have been considered/ apply in relation to this item:

3.57 Tenderer for providing goods or services

6.8 Expenditure from municipal fund not included in annual budget

9.49A Execution of documents

9.49B Contract formalities

Further to the above, "Part 4, Division 2 – Tender for providing goods or services" of the *Local Government (Functions and General) Regulations 1996* also applies in relation to this item.

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

## FINANCIAL AND RESOURCE IMPLICATIONS

As part of the 23/24 Annual Budget, \$300,000 has been allocated to this specific aspect of the project. It is anticipated that this will be sufficient to cover any forecast costs for the remainder of this budget year, however an allocation of \$59,144 in the 2024/25 budget year will be required to cover future expenditures for the remainder of Phase 1.

The RFT included the provision of three (3) phases to deliver a full design package for the Performing Arts Centre.

Council is advised that the contract includes STOP/HOLD points at key stages throughout the delivery of the services to ensure Elected Members endorse the next stage prior to the consultant completing the works.

The intention of the STOP/HOLD points is to allow the Town to direct the services be suspended or terminated, while ensuring the Town is only liable for the cost of works completed by the consultant up to that phase.

<b>Phase</b>	<b>Value (\$)</b>
Phase 1 Concept Schematic (FY23/24)	\$281,040
Provisional Sums (Business Case, Community Engagement, Consultant Disbursements)	\$78,104
Phase 1 Total (inc provisional sum)	\$359,144
Adopted Budget (FY23/24)	\$300,000
Additional Budget Required to complete Phase 1 to be made available in FY24/25	\$59,144
<b>STOP HOLD POINT</b>	
<b>1) Council Endorsement Concept</b>	
<b>2) Council Endorsement to Proceed to Detailed Design</b>	
Phase 2 – Detailed Design (FY2024/25)	\$513,830
<b>STOP HOLD POINT</b>	
<b>1) Council Endorsement to Fund the Project for Construction in the Annual Budget</b>	
Phase 3 (as per the annual budget and long-term financial plan) – Provision of IFC's and construction support	\$848,310
Total Contract Value	\$1,721,284

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our community:

1.3.1 The community, industry, arts and cultural organisations are engaged in identifying, planning and coordinating events and activities.

1.3.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara

lifestyle are consistently programmed and delivered.

1.3.4 The Town's program of events and activities is promoted locally, regionally and nationally.

1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.

1.4.2 Facilities and community infrastructure are revitalised across the town

1.4.3 Facilities and community infrastructure are well maintained, managed and fit-for-purpose to provide a range of lifestyle opportunities.

#### Our Economy:

2.1.1 Lobby State and Federal Governments and private sector for improved infrastructure investment.

2.4.3 Grow and promote existing and new local events that champion local culture and community.

2.5.3 Invest and develop key community and recreation infrastructure.

#### Our Built and Natural Environment:

3.1.1 Inform and engage Traditional Owners, key stakeholders, and the community in the protection and enhancement of the natural environment.

3.3.5 The greening and vegetation of streetscape verges are systematically implemented.

#### Our Leadership:

4.2.1 Sound long-term financial planning is implemented.

4.2.4 Constructive forums are facilitated for discussion and the representation of the diversity of community views and needs that impact on the town's developments, programs and policies.

4.3.2 Community members, businesses and tourists are engaged to provide feedback about local facilities and services.

4.3.4 Efficiency strategies across the town's infrastructure and amenity assets are implemented.

### ***Environmental***

As this is an existing development any further development on this site will have a negligible environmental impact.

### ***Economic***

This masterplan is included in the long-term financial planning of the Town.



***Social***

It is expected that the realisation of this masterplan would have a significant impact on social capital for the wider Port Hedland community.

**Access and Inclusion**

The following outcomes of the Town's *Access and Inclusion Plan 2023-2026* apply in relation to this item:

- Outcome 1 – Events and Services
- Outcome 2 – Buildings and Facilities
- Outcome 6 – Public Consultation

**Corporate Business Plan**

The following services of the Town's Corporate Business Plan 2023-2027 apply in relation to this item:

Our Community Services:

Events, Arts and Culture - Cultivate an arts and cultural scene that celebrates the rich and culturally significant history of our region, as well as embracing the future  
Community Safety - Initiatives to reduce the incidence of crime and enhance community safety and lifestyle

Our Infrastructure Services:

Projects and Assets - Effective and efficient project and asset management

Our Regulatory Services:

Business and Economic Development - Lead an integrated and collaborative approach to achieve the community's vision of 'building prosperity for all – enabling sustained economic growth'

Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes

**RISK MANAGEMENT CONSIDERATIONS**

There is a reputational and service interruption risk associated with this item because the Town has committed to the development of suitable facilities to align with the Corporate Business Plan 2023-2027. The risk is considered to be a 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 Officers recommendation.

<b>Risk Type</b>	Reputational
<b>Risk Category</b>	Service Interruption
<b>Cause</b>	Disregarding the commitments in the Town's Corporate Business Plan 2023-2027 to proceed with design of a Performing Arts Centre
<b>Effect (Consequence)</b>	The Town will fail to commence the project which conflict with the commitments in the Corporate Business Plan 2023-2027
<b>Risk Treatment</b>	Award the tender
<p>There is a reputational and service interruption risk associated with this item because the Town has committed to the development of suitable facilities to align with the Corporate Business Plan 2023-2027. The risk is considered to be a 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 Officers recommendation</p> <p>This risk will be eliminated by the Council awarding the RFT222317 to the preferred tenderer and endorsing additional budget</p>	

Staff have minimized the Town's risk exposure through executing this as a phased contract with hold points. This enables the Council to decide at each phase whether the project will proceed.

There is an additional reputational risk associated with this item as the Performing Arts Centre is identified in several endorsed plans, including the annual budget, LTFP, and the Community Strategic Plan (CSP).

A further risk is that the suitably qualified tenderers will be reluctant to submit against future Request for Tenders, if the Town does not consistently award works committed to, in its strategic documents and annual budgets.

### **OPTIONS**

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

### **CONCLUSION**

The award of this tender will commence the design process on a community facility that has been identified as a critical asset to support the growth of the community and ongoing lifestyle improvements for those who choose to live in Port Hedland.

**ATTACHMENTS**

1. CONFIDENTIAL REDACTED - Request Summary Report [**12.4.5.1** - 4 pages]
2. CONFIDENTIAL REDACTED - V P 367417 - Multi party evaluation report [**12.4.5.2** - 19 pages]
3. CONFIDENTIAL REDACTED - 2\_-\_ AMENDED Evaluation Authorisation Memo\_-\_ Consultancy and Design Performing Arts Kss F 2 P Edw E [**12.4.5.3** - 6 pages]

<b>12.4.6</b>	<b>Award of Tender RFT2223-27 Design &amp; Consultancy - Civic &amp; Community Hub</b>
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**Author:** **Manager Infrastructure Projects & Assets**  
**Authorising Officer:** **Director Infrastructure Services**  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

**That Council:**

- 1. Authorise the Chief Executive Officer to enter into a Contract for the award of RFT2223-27 Design & Consultancy Civic & Community Hub to XXX for the total amount of \$XXX (excluding GST).**
- 2. Authorise the administration to initiate Phase 1 of the contract for Concept Schematic Design of the Civic & Community Hub.**
- 3. Authorise additional budget of \$XXX to be funded from the Strategic Reserve in the Financial Year 2023/24 Annual Budget to complete Phase 1.**
- 4. Note that additional funding will be necessary in future budget years to advance the contract and complete Phases 2 and 3.**

***ABSOLUTE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for the Council to consider the assessment of submissions received for *RFT 2223-27 Civic & Community Hub* and consider the evaluation panel’s recommendation to award the tender to the preferred tenderer.

The tender was released with the inclusion of STOP/HOLD points at key stages throughout the delivery of the services to ensure Elected Members endorse the next stage prior to the consultant completing the works.

The intention of the STOP/HOLD points is to allow the Town to direct the services to be suspended or terminated, while ensuring the Town is only liable for the cost of works completed by the consultant to up to that phase.

**DETAIL**

*Background*

At the Ordinary Council Meeting in February 2023, the Council endorsed a concept masterplan that was developed by the Town with Carabiner Architects. The plan aims

to transform the former TAFE Site (Lot 500 Forrest Circle) as the Town's Civic and Community Hub. The redevelopment and adaptive reuse of these buildings will include the following elements;

- Civic & Administration building
- Town library
- Community space
- Commercial space
- Commercial café/restaurant and;
- Integration of existing operational Child Care Facility (external building works only)

Council endorsed the following:

#### SUBSTANTIVE AND COUNCIL DECISION

CM202223/018 COUNCIL DECISION

MOVED: CR CHRISTENSEN

SECONDED: CR COLES

That Council, subject to adoption of the Officer's Recommendation 1 as contained in Confidential Item 15.1;

1. Endorse the Hedland Civic and Community Precinct Concept Design Masterplan as per Attachment 1; and
2. Requests the Chief Executive Officer to undertake a review of the Long Term Financial Plan and report to the Council.

*CARRIED BY SIMPLE MAJORITY (9/0)*

A structural assessment for the existing Port Hedland Civic Centre presented at the September 2020 Council meeting noted that the current building having completed one full 50-year life cycle, has resulted in;

- Structural issues and ongoing repairs; and
- Insufficient space for the administration

The current adopted Long Term Financial Plan (LTFP) indicates that the Civic & Community Hub to be delivered over a period of 5 Financial Years (FY) commencing in FY31/32. An adjustment to the LTFP to bring forward the next stages of design will address the above noted issues with the existing Civic Centre and aligns with the Town's current Strategic Workforce Plan 2020-2024.

#### Request for Tender

The Town released a Request for Tender (RFT) on 19<sup>th</sup> July 2023 on Vendorpanel (the Town's e-tendering portal) and was advertised in the West Australian and the North

West Telegraph with a closing date of 30th August 2023. The RFT number for this project is RFT 2223-27. There were 15 addendums that were released during the tender period relating to scope clarifications.

The development of the Civic and Community Hub schematic concept design and detailed design documentation will be delivered through multiple Phases.

The award of the Phases will be at the discretion of the Town and Council endorsement based upon Milestones and further approvals prior to proceeding with the work under each Phase.

#### Tender Assessment

The Town received 10 (ten) responses of which two (2) were deemed non-compliant due to non-attendance at the mandatory site briefing. The respondents were as follows:

- Carabiner
- Christou Design Group
- Desim
- Gresley Abas Architects
- Hodge Collard Preston
- NORDA
- Peter Hirst Architect
- Peter Hobbs Architect
- T&Z Architects
- TRCB

An evaluation meeting was held on 13<sup>th</sup> September 2023, facilitated by the Town's procurement representative. The complaint submissions were evaluated by a panel of six (6) Town employee's whose main objectives were to:

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

The compliant submissions were assessed against the following qualitative criteria:

<b>Qualitative Criteria</b>	<b>(%)</b>
Relevant Experience & Key Personnel	40
Capacity to Deliver & Resources	30
Demonstrated Understanding	30
<b>Total</b>	<b>100</b>

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

The RFT included three (3) phases to deliver a full design package for the Performing Arts. These three (3) phases were made up of:

<b>Stage</b>	<b>Description</b>	<b>STOP/HOLD point</b>
Phase 1	Predesign Schematic/ Concept Phase	Council Endorsement
Provisional Sum 1	Business Case Development	
Provisional Sum 2	Community Engagement	
Phase 2	Design Development and Documentation	Council Endorsement
Phase 3	Provision of IFC's, Consultant Administration and construction support	Council Endorsement

At each phase's completion, Council endorsement will be required prior to the next phase's execution, as written in the contract. If Council's decision is not to proceed past a particular STOP/HOLD point in the process, the Town will have the opportunity to conclude the contract.

The intent is that at each STOP/HOLD point, the Council will be asked to endorse a critical milestone and funding for the next Phase, as noted below.

**LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is of low significance, because: the Design of the Civic & Community Hub is supported in the FY2023/24 adopted budget.

**CONSULTATION**

*Internal*

- Infrastructure Services
- Regulatory Services
- Community Services
- Procurement

*External Agencies*

- Nil

*Community*

During the design phase there will be significant opportunities for Council and stakeholder to provide specific input into the development of the final design.

**LEGISLATION AND POLICY CONSIDERATIONS**

The following Town of Port Hedland policies have been considered in relation to the preparation of this item:

- 1/014 Execution of Documents
- 1/022 Risk Management
- 2/007 Procurement
- 2/019 Financial Reserves
- 4/009 Significant Decision Making

The following sections of the *Local Government Act 1995* have been considered in relation to this item:

- 3.57 Tenderer for providing goods or services
- 6.8 Expenditure from municipal fund not included in annual budget
- 9.49A Execution of documents
- 9.49B Contract formalities

Further to the above, "Part 4, Division 2 – Tender for providing goods or services" of the *Local Government (Functions and General) Regulations 1996* also applies in relation to this item.

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



**FINANCIAL AND RESOURCE IMPLICATIONS**

Within the 2023/2024 Annual Budget, \$337,000 has been allocated to fund the specific aspect of this project. It is anticipated that this will cover forecast costs for the remainder of this financial year, however an allocation of \$274,580 in the 2024/2025 annual budget will be required to cover future expenditures for the remainder of Phase 1. This will be funded from the Strategic Reserve.

The RFT included the provision of three (3) phases to deliver a full design package for the Civic and Community Hub.

Council is advised that the contract includes STOP/HOLD points at key stages throughout the delivery of the services to ensure Elected Members endorse the next stage prior to the consultant completing the works.

The intention of the STOP/HOLD points is to allow the Town to direct the services be suspended or terminated, while ensuring the Town is only liable for the cost of works completed by the consultant up to that phase.

<b>Phase</b>	<b>Value (\$)</b>
Phase 1 Concept Schematic (FY23/24)	\$506,580
Provisional Sums (Business Case, Community Engagement, Consultant Disbursements)	\$105,000
<b>Phase 1 Total (inc provisional sum)</b>	<b>\$611,545</b>
Adopted Budget (FY23/24)	\$337,000
Additional Budget Required to complete Phase 1 to be made available in FY24/25	\$274,580
<b>STOP HOLD POINT</b>	
<b>1) Council Endorsement Concept</b>	
<b>2) Council Endorsement to Proceed to Detailed Design</b>	
Phase 2 – Detailed Design (FY2024/25 or as per the Longterm Financial Plan)	<b>\$692,950</b>
<b>STOP HOLD POINT</b>	
<b>1) Council Endorsement to Fund the Project for Construction in the Annual Budget</b>	
Phase 3 (as per the annual budget and long-term financial plan) – Provision of IFC’s and construction support	<b>\$322,795</b>
<b>Total Contract Value</b>	<b>\$1,627,290</b>

Further to the above the current Long Term Financial Plan (LTFP) has future funds intended for this project as outlined below:

Financial Year (FY)	Value
FY31/32	\$20,000,000
FY32/33	\$15,000,000
FY33/34	\$15,000,000
FY34/35	\$15,000,000
FY35/36	\$15,000,000

Subsequent to the Council’s approval of the Concept Schematic Phase, it would be advisable to initiate the procurement of an early works contractor via a Request for Tender (RFT) process. This Contractor will be responsible for executing demolition activities in accordance with the approved concept. This action should precede the commencement of Phase 2 (Detailed Design).

The objective behind this strategy is to substantially mitigate construction-related activities leaving only the building shell and necessary infrastructure for the detailed design phase. To facilitate these preliminary works, the Town Administration will be required to seek Council approval for budget allocation of approximately \$1,500,000 concurrent with the endorsement of the Concept Schematic Phase.

**STRATEGIC SUSTAINABILITY IMPLICATIONS**

**Strategic Community Plan**

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

**Our Community:**

1.3.1 The community, industry, arts, and cultural organisations are engaged in identifying, planning, and coordinating events and activities.

1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.

1.4.2 Facilities and community infrastructure are revitalised across the town

1.4.3 Facilities and community infrastructure are well maintained, managed and fit-for-purpose to provide a range of lifestyle opportunities

**Our Economy:**

2.1.1 Lobby State and Federal Governments and private sector for improved infrastructure investment.

2.5.1 Pursue investment in key infrastructure development such as the port, airport, service industry and logistics.

2.5.3 Invest and develop key community and recreation infrastructure.

2.5.5 Support tourism infrastructure development

**Our Built and Natural Environment:**

3.1.1 Inform and engage Traditional Owners, key stakeholders, and the community in the protection and enhancement of the natural environment.

3.3.5 The greening and vegetation of streetscape verges are systematically implemented

**Our Leadership:**

4.2.1 Sound long-term financial planning is implemented.

4.2.4 Constructive forums are facilitated for discussion and the representation of the diversity of community views and needs that impact on the town's developments, programs and policies.

4.3.2 Community members, businesses and tourists are engaged to provide feedback about local facilities and services.

4.3.4 Efficiency strategies across the town's infrastructure and amenity assets are implemented

*Environmental*

As this is an existing development any further development on this site will have a negligible environmental impact.

*Economic*

This masterplan is included in the long-term financial planning of the Town.

*Social*

It is expected that the realisation of this masterplan would have a significant impact on social capital for the wider Port Hedland community.

**Access and Inclusion**

The following outcome of the Town's *Access and Inclusion Plan 2023-2026* apply in relation to this item:

- Outcome 1 – Events and Services
- Outcome 2 – Buildings and Facilities
- Outcome 6 – Public Consultation

**Corporate Business Plan**

The following services of the Town's *Corporate Business Plan 2023-2027* apply in relation to this item:

**Our Corporate Services:**

Strategic and Corporate Planning - Planning for the future (Integrated Planning and Reporting): community vision, clear strategic direction and financial sustainability

**Our Infrastructure Services:**

Projects and Assets - Effective and efficient project and asset management  
 Property Management and Maintenance - Ensure facilities are well maintained in line with the Town's asset management program

**Our Regulatory Services:**

Business and Economic Development - Lead an integrated and collaborative approach to achieve the community's vision of 'building prosperity for all – enabling sustained economic growth'

The endorsement aligns with the Town's Library Strategic Direction 1 – Plan and building a new library in a central location in South Hedland.

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Project
<b>Risk Category</b>	Reputational & Service Interruption
<b>Cause</b>	If Council do not support the endorsement of RFT2223-27 to proceed with the design of the Civic & Community Hub
<b>Effect (Consequence)</b>	The Town will fail to commence the project which conflicts with the commitments in the Corporate Business Plan 2023-2027
<b>Risk Treatment</b>	Adopt the officers recommendation
<p>There is a reputational and service interruption risk associated with this item because the Town has committed to the development of suitable facilities to align with the <i>Corporate Business Plan 2023-2027</i>. The risk is considered to be a medium (9), which is determined by a likelihood of possible (3) and a consequence of moderate (3).</p> <p>The risk will be eliminated by the adoption of the Officers recommendations.</p>	

There is reputational risk associated with this item as the Civic & Community Hub is identified in a number of endorsed plans, including the annual budget, LTFP, the Corporate Business Plan (CBP) and the Community Strategic Plan (CSP).

Further risk is that suitably qualified tenderers will be reluctant to submit against future Request for Tenders, if the Town does not award for works committed to, in its strategic documents and annual budgets

Town Officers have minimised the Town's risk exposure through executing this as a phased contract with hold points. This enables the Council to make decisions at each phase on whether the project will proceed.

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Reputational
<b>Cause</b>	If Council do not support the adjustment to the current Long Term Financial Plan
<b>Effect (Consequence)</b>	Adoption of the Concept design in FY23/24 but its actual realisation not occurring until FY31/32
<b>Risk Treatment</b>	Adopt the officers recommendation
<p>There is further reputational risk linked to this matter if the current Long Term Financial Plan is not adjusted to accommodate the advancement of this project. This situation may lead to the adoption of the Concept design in the FY23/24 but its actual realisation not occurring until FY31/32, potentially necessitating minor redesign efforts due to shifts in community or Council need or utilisation.</p> <p>An adjustment to the LTFP to bring forward the next stages of design will address the noted issues with the existing Civic Centre and aligns with the Towns current Strategic Workforce Plan 2020-2024.</p> <p>The risk is considered to be a medium (6), which is determined by a likelihood of a Possible (3) and consequence of Minor (2)</p>	

### OPTIONS

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

### CONCLUSION

It is recommended that Council support the officer's recommendation to award RFT2223-27 to the preferred tenderer indicated in the tender evaluation. This will initiate the design process for a facility deemed crucial in fostering the growth of the Civic & Community needs and ongoing enhancement in the quality of facilities within Port Hedland.

### ATTACHMENTS

1. CONFIDENTIAL REDACTED - Evaluation Memo - RF T 2223-27 Civic Community Hub Design\_ RFX [12.4.6.1 - 21 pages]

<b>12.4.7</b>	<b>Waste Strategy Minor Review</b>
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**Author:** Director Infrastructure Services  
**Authorising Officer:** Director Infrastructure Services  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER’S RECOMMENDATION**

**That Council endorse the changes to the Waste Strategy 2023-2028 as outlined in Attachment 1.**

*SIMPLE MAJORITY VOTE REQUIRED*

**PURPOSE**

The purpose of this report is for Council to consider the minor changes in the adopted Waste Strategy to bring the actions in line with the Community Strategic Plan and the outlining the role of the Town in delivering the actions contained in the Waste Strategy.

**DETAIL**

At the May 2023 OCM the Council passed the following:

OFFICER’S RECOMMENDATION

That Council adopt the 2023-28 Waste Strategy as per Attachment 3.

*SIMPLE MAJORITY VOTE REQUIRED*

CM202223/066 COUNCIL DECISION

MOVED: CR CHRISTENSEN SECONDED: CR BENNETT

AMENDMENT

That Council:

- 1) Adopt the 2023-28 Waste Strategy as per Attachment 3.
- 2) Requests the CEO schedule a review of the Town of Port Hedland Waste Strategy 2023-2028 for commencement in December 2023 with a view to standardising the strategy in line with defining the roles of Council as per the Town’s current Strategic Community Plan 2022-32.

*CARRIED BY SIMPLE MAJORITY (8/0)*

The actions contained in the Waste Strategy have been reviewed and have been aligned with the roles of Council as per the Town's current Strategic Community Plan 2022-32. The changes are contained in Attachment 1. A review of the actions contained in the Waste Strategy will be presented to Council prior to the end of the Financial year.

### **LEVEL OF SIGNIFICANCE**

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

- Exception - The proposal or decision has already been addressed by the Council's strategies, policies or plans, which have recently been consulted on.

### **CONSULTATION**

#### *Internal*

- Acting Waste Manager

#### *External Agencies*

- Nil

#### *Community*

- Nil

### **LEGISLATION AND POLICY CONSIDERATIONS**

National:

- National Food Waste Strategy
- Australian Government Waste Policy 2018 and 2019 Action Plan
- COAG Waste Export bans Western Australia:
- Waste Avoidance and Resource Recovery Act 2007
- Waste Avoidance and Resource Recovery Strategy 2030
- Pilbara Port City Growth Plan 2014
- Pilbara Recovery Plan 2020

The Town of Port Hedland:

- Port Hedland Sustainability Strategy 2022-2027
- Strategic Community Plan 2018-2028
- Economic Development and Tourism Strategy
- Strategic Resource Plan 2019/20 – 2033/34
- Waste Management Strategy 2018 and 2022

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

**STRATEGIC SUSTAINABILITY IMPLICATIONS****Strategic Community Plan**

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

Our Built and Natural Environment:

3.2.3 Provide and promote sustainable energy, waste and water management practices.

*Environmental*

*Nil*

*Economic*

*Nil*

*Social*

The changes provide clarity to the Community of the different roles the Council has in undertaking the actions contained in the Waste Strategy.

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

**Access and Inclusion**

The following outcome/s of the Town's Access and Inclusion Plan 2023-2026 apply in relation to this item:

- Outcome 3 – Accessible Information

**Corporate Business Plan**

The following service/s of the Town's Corporate Business Plan 2023-2027 apply in relation to this item:

Our Infrastructure Services:

Waste and Services - Provision of general waste services and recycling



**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Reputational
<b>Cause</b>	Lack of clarity in the different roles Council has in the Waste Strategy and lack of alignment with the roles contained in the current Strategic Community Plan.
<b>Effect (Consequence)</b>	Lack of alignment between the Town’s strategic documents.
<b>Risk Treatment</b>	Update the actions to align with the roles as contained in the Town's Community Strategic Plan 2022-32.
<p>There is an Operational, risk associated with this item caused by a lack of clarity in the roles the Town undertakes in implementing the Waste Strategy, leading to a lack of alignment between the Town’s key strategic documents.                      The risk rating is considered to be Low (1) which is determined by a likelihood of Rare (1) and a consequence of Insignificant (1).</p> <p>This risk will be eliminated by the amendment of the action tables contained in the Waste Strategy to include the roles of the Town in the implementation of the Waste Strategy.</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

It is acknowledged the Town plays different roles in the implementation of the Waste Strategy and by identifying those roles in line with the Community Strategic Plan 2022-2023 the documents will be more aligned. A further review of the Waste Strategy will be required when the State Government releases its Waste Avoidance Strategy sometime in 2024.

**ATTACHMENTS**

1. TPH14149 Waste Strategy updates Nov 29 [12.4.7.1 - 14 pages]

<b>12.4.8</b>	<b>Growing Regions Fund Application</b>
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**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.

**OFFICER’S RECOMMENDATION**

**That Council:**

- 1. Endorse the submission of the full application for the Growing Regions Fund, for the value of \$15.0M, to support the construction of South Hedland Integrated Sports Hub (SHISH) Stage 1 A & 1 B.**
- 2. Endorse the allocation of funding to support the construction of Stage 1A & 1B for the in the future budget years FY2024/25 and FY2025/26, to be confirmed upon tender award.**

***ABSOLUTE MAJORITY VOTE REQUIRED***

**PURPOSE**

This report is for the Council to consider the application of funding for the South Hedland Integrated Sports Hub (SHISH) Stage 1A and 1B, up to the maximum grant value of \$15,000,000. This project is essential in progressing the implementation of the South Hedland Sports and Arts Precinct.

Stage 1A and 1B consists of:

- Stage 1A: Premier floodlit sports and event oval, landscaping and services, a new precinct entry road.
- Stage 1B: Construction of a Multipurpose Community Sports Pavilion (950m2). It will deliver targeted community infrastructure to improve amenity and lifestyle, address existing deficiencies, provide for more functional and flexible uses, and support the operations and development of co-located sports clubs, community groups and the wider community.

**DETAIL**

The Growing Regions fund is facilitated by the Federal Government. The program has a focus on infrastructure and community projects to drive economic growth, enhance livability, bolster social inclusion and support local amenity. The grant funding application will support the delivery of Stage 1A and 1B of the South Hedland Intergrated Sports Hub.

Stage 1A consists of:

- Redevelopment of Kevin Scott Oval in an alternate location. The relocated oval will be positioned to enable the resident clubs and users access the oval and the adjacent pavilion (Stage 1B) directly from a new access road and realignment of the existing Hudson Road. It will accommodate a range of sports, will have suitable lighting for large and small ball sports and be suitable for senior and junior games
- New vehicular entry and road realignment and new access from the main road. This will create the space required for future stages of the master plan implementation whilst reducing congestion currently experienced when various precinct activities are occurring at the same time. The increased space will accommodate improved vehicular access, improved car parking and the provision of landscaped formal and informal recreation opportunities, and shared path installation.
- landscaping, including shaded spectator viewing for the oval, fitness loop and fitness equipment stations, a play space, and utilisation of the existing trees with additional planting to create shaded recreation and viewing spaces.

Stage 1B consists of the construction of a new multi-user sports pavilion that includes:

- Clubroom, divided into two spaces, with view to two active playing surfaces.
- Change rooms x 4 (with ability to combine via a separating roller door to enable use as 2 larger change rooms). The change rooms are universal in design and can be utilised for all gender use and competition
- Club storage areas x 9. Individually accessible and lockable, each with roller doors for ease of access.
- First Aid Room
- Umpires Change. Non gender specific. Privacy is provided for users through separate, self-contained, shower and toilet cubicles.
- Club administration area/competition office – Multiuser office space to accommodate administration office and storage area for multiple sports and community groups with lockable cabinetry for each user.
- Large kitchen suitable for food preparation, designed with a servery to the club room and both ovals. Cool room and dry storage.
- Public toilets.
- One Universal Access toilet and changing rooms are positioned on each side of the building for ease of access.
- Staff toilet, internal.
- Other amenities such as cleaner's area, laundry and battery room for solar panels.
- Undercover spectator viewing is provided on both sides of the pavilion and runs its full length.

**LEVEL OF SIGNIFICANCE**

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

- Exception - The proposal or decision has already been addressed by the Council's strategies, policies, or plans, which have recently been consulted on.

**CONSULTATION**

Internal

- Executive Leadership Team
- Manager Public Affairs
- Manager Infrastructure Projects & Assets
- Manager Planning and Development
- Project Manager
- Senior Project Officer – Business
- Senior Public Affairs Officer

External Agencies

Department of Local Government, Sport, and Cultural Industries

Community

Significant community engagement was done in this project.

**LEGISLATION AND POLICY CONSIDERATIONS**

The following Town policies have been considered in relation to this item:

- 1/022 Risk Management 2/017 Grant Funding
- 4/006 Elections – Caretaker Period 4/009 Significant Decision Making

*There are no identified legislative implications associated with this report.*

**FINANCIAL AND RESOURCE IMPLICATIONS**

The SHISH Stage 1A and 1B works have been incorporated into the Town's 2022-2037 Long Term Financial Plan, with a 50% grant funding target being required.

A more accurate quantity survey will be undertaken prior to the award of the tender. This will assist the Town in providing accurate costing for the delivery of the project and to inform the tender process.

**STRATEGIC SUSTAINABILITY IMPLICATIONS****Strategic Community Plan**

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

Our community:

- 1.1.4 Partnerships with stakeholders to deliver sport and recreation are enhanced.
- 1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.
- 1.4.2 Facilities and community infrastructure are revitalised across the town
- 1.4.3 Facilities and community infrastructure are well maintained, managed and fit-for-purpose to provide a range of lifestyle opportunities.

Our Economy:

- 2.1.1 Lobby State and Federal Governments and private sectors for improved infrastructure investment.
- 2.5.3 Invest and develop key community and recreation infrastructure.

Our Built and Natural Environment:

- 3.2.1 1 Identify, plan and develop the present and future needs for serviced land and infrastructure provision.

**Access and Inclusion**

The following outcome/s of the Town's *Access and Inclusion Plan 2023-2026* apply in relation to this item:

- Outcome 1 – Events and Services
- Outcome 2 – Buildings and Facilities

**Corporate Business Plan**

The following service/s of the Town's *Corporate Business Plan 2023-2027* apply in relation to this item:

Our Community Services:

- Recreation Leisure Facilities and Programs - Provide and promote, with key stakeholders' recreation and sporting activities for healthy lifestyles
- Club Development - To assist sporting and recreation clubs and organizations to develop and thrive in the local Hedland community

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Project
<b>Risk Category</b>	Reputational
<b>Cause</b>	Lack of grant funding to support targets as per LTFP
<b>Effect (Consequence)</b>	Unable to commence construction of SHISH Stages 1A and 1B due insufficient funding targets met
<b>Risk Treatment</b>	Support the grant funding application
<p>There is a Project, risk associated with this item caused by Lack of grant funding to support targets, leading to being unable to commence construction of SHISH Stages 1A and 1B due insufficient funding targets having been met.</p> <p>The risk rating is considered to be Medium (9) which is determined by a likelihood of Possible (3) and a consequence of Minor (3).</p>	

This risk will be eliminated by the the adoption of this recommendation

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

The SHISH Project has been identified as the Council’s top priority for delivery and the support of this grant application will assist the Town to deliver on this much needed community facility.

**ATTACHMENTS**

Nil

## **12.5 Executive Services**

Nil.

**13 New Business of an Urgent Nature (Late Items)**

Nil



**14 Motions of Which Previous Notice has been given**

**15 Matters for Which Meeting May be Closed (Confidential Matters)**

**PROCEDURAL MOTION**

**That Council close the meeting to members of the public as prescribed in section 5.23(2) of the Local Government Act 1995, to consider items 15.1, 15.2 and 15.3.**

*SIMPLE MAJORITY VOTE REQUIRED*

<b>15.1</b>	<b>Market Led Development Proposal</b>
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**Confidential Reason:** e (i) a matter that if disclosed, would reveal a trade secret, where the trade secret is held by, or is about, a person other than local government

<b>15.2</b>	<b>Port Hedland Yacht Club Venue Lease</b>
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**Confidential Reason:** c a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

<b>15.3</b>	<b>Business Plan for Major Land Transaction – Lot 601 South Hedland</b>
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**Confidential Reason:** c a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

## **16 Closure**

### **16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday, 7 February 2023 commencing at 5:30 pm.

### **16.2 Closure**

There being no further business, the Presiding Member declared the meeting closed.