



Unconfirmed

MINUTES

Ordinary Council Meeting

Wednesday 27 March 2024

Date: Wednesday 27 March 2024

Time: 5:30pm

**Location: 13 McGregor Street, PORT HEDLAND WA
6721**

Distribution Date: 10/04/2024

Mayor

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1 Opening of Meeting

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

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 Adrian McRae
Cr Tim Turner

Scheduled for Attendance:

Carl Askew (Chief Executive Officer)
Steve Leeson (Director Corporate Services)
Josephine Bianchi (Director Community Services)
Craig Watts (Director Regulatory Services)
Lee Furness (Director Infrastructure Services)
Tom Kettle (Manager Governance)
Karen Krollig (Governance Officer)
Rhiannon Smith (Governance Support Officer)
Belinda Yull (Governance Support Officer)

3.2 Attendance by Telephone / Instantaneous Communications

Nil

3.3 Apologies

Cr Arentz

3.4 Approved Leave of Absence

Nil

3.5 Disclosures of Interest

Name	Item No	Interest	Nature
Cr Ambika Rebello	12.2.1	Impartiality	Perceived, spouse works for PPA
Cr Flo Bennett	12.3.2	Financial	Employee

4 Applications for Leave of Absence

CM2324/226 COUNCIL DECISION

MOVED: Cr Tim Turner

SECONDED: Cr Lorraine Butson

That Council approve the application of leave of absence for Cr Flo Bennett for the period 23 April 2024 until 26 April 2024 and Deputy Mayor Christensen from 28 March 2024 until 3rd April 2024.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

5 Response to Previous Questions

5.1 Response to Questions taken on notice from Elected Member at the Council Meeting held on 28 February 2024

5.1.1	Cr Blanco
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At the 7 Feb OCM, one of my questions that I asked was omitted from the minutes, which was in relation to Hoa Binh wanting to present to the Council. Can I get a reason why that question was not put in the minutes??

The Mayor provided the following response:

We'll take that on notice.

The Manager Governance provided the following response:

This question was answered at the meeting and published in the minutes for 7 February 2024 Ordinary Council Meeting. The confusion may be that a response was not included within the letter you would have received, as it was not a question taken on notice.

The response from the Mayor was given on the night and was published within the minutes. Please see the excerpt below which was taken from the minutes of 7 February.

"Cr Blanco: Hoa Binh has actually agreed to present to the Council, can we ask the CEO to organise that meeting? I have spoken to them through email and they have agreed to present to Port Hedland Council, so can you make a request to invite them? I have spoken to Hoa Bihn and they have said they are happy to present to the Town of Port Hedland Council, so can you make a request?"

The Mayor provided the following response:

When Hoa Binh have decided to come to Australia, they will do a presentation."

It has been stated in the article that the meeting with the delegation from Port Hedland was aiming to attract more tourist and investment from Australia, including Port Hedland to Hoi An - so again, I'm asking who was in the delegation that you led from Port Hedland they have advertising in the internet and why are you representing Port Hedland as Mayor?

The EA to the CEO and Mayor provided the following formal response:

The Mayor has advised that he was the only delegate to attend from Port Hedland.

5.1.2	Cr Butson
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Item 12.1.3 - Net current finding position from the statement from financial statement at 31 January 2024 is a surplus of 37.88 million. Could I please have details of the net difference of 21- 29.19 million surplus please and I am happy to take that on notice.

The Mayor took this question on notice.

The Director Corporate Services provided the following formal response:

Net current assets represent the opening and closing funds used in the Annual Budget and the Annual Financial Report. It is the net difference between the total current assets and the total current liabilities at the time or reporting.

The positive \$37M reflects the Town is near halfway through its current reporting year, having recognised its annual rating revenue earlier in the year, with further expenditure drawing down upon this amount over coming months yet to occur, towards a \$200k year-end forecast.

I have been asked by the community if we could look into installing a light pole at the roundabout on the corner of Murdoch Drive and Captain's Way - as there is no lighting there and it's quite dark and dangerous.

The Mayor took this question on notice.

The Director Infrastructure Services provided the following formal response:

A manager from Infrastructure Services attended the site early on 29 February and advised that there are light poles at that roundabout, with the area being well lit. An email was circulated to Elected Members on 7 March including photos of the area.

Can we please follow-up as there have been a lot of questions on Facebook regarding the syringes in our parks in South Hedland? The community has asked if I could request that these parks are followed through and the playground equipment is free of syringes, etc in the parks.

The Mayor took this question on notice.

The Director Infrastructure Services provided the following formal response:

Most of the parks are visited daily and a check is done. We have quite an elaborate approach to the removal of syringes and we have also placed quite a number of syringe disposal units in the toilets at the parks. If members of the public find syringes in the park, contact us immediately and we will send someone there to remove the syringe. I can ensure you that it is done on a daily basis and that the Town takes this very seriously. Staff have had specialist training from the hospital and we also have a program on syringe disposal in not only our parks, but public toilets throughout the Town.

5.2 Response to Questions taken on notice from Public at the Council Meeting held on 28 February 2024

5.2.1	Jillian Fisher
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What date was the most recent information given to the Councillors regarding the Decmil lawsuit against the Town of Port Hedland?

The Director Infrastructure Services provided the following response:

It was last week. A briefing note went out; I would need to get that exact date for you.

The Director Infrastructure Services provided the following further response:

The exact date was 21 February 2024.

6 Public Time

Important note:

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

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

6.1 Public Question Time

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

6.1.1	Renae Coles
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When will the ToPH commit to more CCTVs within the South annex and commit to a fulltime person overseeing this once they have the full clearance and training provided?

The Mayor provided the following response:

Taken on notice.

Global Talent Connect from Sydney, some elected members have already met with them over the last 2 years, so it'd be great to hear from Kaleen as all they ask for is to be granted an audience with council so that all councillors are aware of what's going on. I would like to see the councillors support this particular company in getting them to come present to you, so you understand what they have actually been doing in this Town, plus all the information they have been provided and promised in the last 2 years.

6.1.2	Jan Gillingham
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Last week I attended a meeting to do with the big land transaction in South Hedland - it was basically Lotteries house. I parked my car across from Lotteries House just about 6:15PM and I was appalled at the amount of glass, broken glass all over the carparking areas.

Who is cleaning up this carpark? I mean it's not council's position I believe, but at the same time as it was getting dark and we were coming out about 7:45pm only half the lights were on in the carpark, Coles is still open until about 8pm so can we please look into this, can we look into the cleaning? Does the shopping centre have someone to clean before the morning or does it get cleaned overnight?

The Mayor provided the following response:

To answer your question, I know the cleaners are there every morning about 5am in the morning. Gardening, the pathway, in the shopping centre - they do a good job, they do a great job, but I'll take that on notice what you are saying with the shopping centre.

It is pleasing tonight to see the councillors declaring their interests. So, I'm asking you Mayor Carter could this please be more proficient? I know in the last few years declarations has just not happened, there are councillors around the table that should be declaring, and they are not declaring, and I think that we deserve better.

And my third question is a focus on the Bowling Club and the Yacht Club. What is the process at present? What are the updates please? Also, for both the Yacht Club and Bowling Club, are there still memorabilia in there? is it safe? has it been locked up? When will these buildings be put back together and given back to the community?

The CEO provided the following response:

In terms of the Yacht Club again, it is a secure building, and we are currently negotiating with council's preferred tenderer, and I am thinking we will have a report back for the April council meeting in terms of the outcomes of those negotiations. In terms of the Bowling Club - yes, we have locked and secured that facility and we are now in the process of working with the club who are in the process following the administration line of winding up.

6.1.3

Roger Higgins

How many Elected members around the table here reside in a residence for which they pay no rates at all to the ToPH?

The Mayor provided the following response:

I will leave that to the individual elected members answer that for you.

Are you allowing that question or not?

The Mayor provided the following response:

I'm allowing the question yes, but I'm allowing individual members to respond.

I think we as ratepayers who come to these meetings have every right to know which of our elected council members are paying rates to the ToPH. Otherwise it is a conflict of interest.

The Deputy Mayor responded:

Through the chair I'll start, I reside in my own house I have a mortgage on it and I live in it.

Cr Bennett responded:

I reside in my employers housing.

Cr Blanco responded:

I own my place.

Cr Butson responded:

I reside in my own place.

Perhaps I should rephrase, If you're running your own business and your own residence here are you paying rates? Now I think that's a significant question. I'm wondering how many employees of the ToPH have housing provided and don't pay any rates? That is probably a question you will need to take on notice.

The Mayor provided the following response:

I'll take that on notice thank you.

Cr Turner responded:

Through the chair I'd just like to answer the first question, I am a ratepayer.

The Mayor provided the following response:

Likewise.

6.1.4	Jillian Fisher
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Reading through the unconfirmed meeting minutes of the 28/2/24 the Mayor stated that he would get Cr Blanco a list of people who formed the delegation from Port Hedland. Can you please tell me if Cr Blanco was given a list?

The Mayor provided the following response:

He was. Next question.

Can the public have a copy of this?

The Mayor provided the following response:

No, next question?

About the declarations of interests and conflicts of interest can that be retrospective? I'll just put some background to that Cr Rebello – she, to my knowledge moved the motion regarding the PHCCI Funding. I was just wondering if a declaration of interest was put in for that, from the councillor? There was a post on Facebook from the PHCCI stating about the women in business upcoming luncheon that's on the 24th of May and Cr Rebello is actually a speaker at that luncheon. I was just wondering if it was a conflict of interest because the meeting that we had the SCM was actually on the 13/3/24 and this post went up on the 11/3/24. So, whether we have some sort of issue there?

The Mayor provided the following response:

There is no issue at all, that is fine.

6.1.5	Gloria Jacob
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I have a question in relation to the recent community engagement process that was handled by Creating Communities for proposed TWA facility that is being underwritten by Pacific Partners. Can you confirm the rumours that the Town is supportive of the development?

The Mayor provided the following response:

Is the Town supportive of the development? Correct, Yes.

So, the Town is supportive of the development?

The Mayor provided the following response:

As the councillors we have the option to support it or not support it, yes.

Has it been brought to Council?

The Mayor provided the following response:

No, not yet no.

So, in other words it hasn't been brought to the council so there is not a decided resolution?

The Mayor provided the following response:

Correct; at the moment.

When the Town resolved to support the project did it enter into any arrangements with Pacific Partnerships to have a portion or percentage of the proposed development accommodation units be available for the Town's use or for small business use? Has this been considered as part of the council's approval process?

The Director Regulatory Services provided the following response:

Through the chair, so the previous council meetings have been in relation to the land for 601 Parola which is the preferred site of tender for the Pacific Partnerships development. At moment I don't believe we've received a development application for the site from the applicant as yet. I believe that is coming shortly and access to rooms as part of their community responsibilities etc would be discussed with them at that time. At the moment there is no development application in from them that has been supported by the town. The council and the Town have had briefings from Pacific Partnerships so we are aware what's coming but we are waiting for that development application to be received that officers can report to council for recommendation.

So then I'm happy to take this on notice but I'll just put it out there as a question as to whether council would consider that is indeed part of the one the items in order for the application to progress, that the Town and the community benefits in a way to a percentage whenever the development occurs so that we can get benefit as well as the organisation gets more benefit. Thank you.

6.1.6	Chris Skelton
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With the numerous closures of community groups from the Bowls Club to the Yacht Club, tennis club, rec club, etc; what is the council going to do to provide more assistance, be it in rental or rates, to allow for community groups to flourish here in Port Hedland instead of their demise and packing up and going? The community needs these places - without them, what is encouraging families to move here?

Then secondly, my wife was almost attacked/ jumped at the South Hedland Shopping Centre by three teenage girls. What is the council going to do? And when are they going to start taking security seriously around South Hedland for families like mine and many others with children, so they can actually go to the shops safely?

The Mayor provided the following response:

We'll take it on notice thank you.

The Presiding Member declared Public Question Time closed at 5:58pm.

6.2 Public Statement Time

The Presiding Member declared Public Statement Time open at 5:59pm.

6.2.1	Jillian Fisher
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Ms Fisher spoke to:

- *Various payments by the Town and made the council aware of her own thoughts of whether these were grant funding payments.*
- *Questioned the annual report and whether Council had heard from the Auditor General (during statement time).*
- *The Collective Impact Prospectus 2024 and wondering why this is being developed as a draft.*

6.2.2	Renae Coles
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Ms Coles spoke to:

- *Councillors' behaviour not being appropriate. Councillors should value each other's opinions and work for the benefit of the community.*
- *Loss of sporting clubs*
- *Loss of income for small business due to soccer field not being ready.*
- *Neglect of Pretty Pool.*
- *Focus on housing, health and security.*

6.2.3	Roger Higgins
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Mr Higgins spoke to:

- *Challenging the councillors regarding the massive FIFO camp. Lack of support for local business from the 1500 room camp. Assumes vested interest. Has no proof though.*
- *Since the decision, collapse of the public and school dental service. No dentist in town who can see school children or the public - this is due to the decision made around the table by people with vested interest*
- *Challenge the councillors to make decisions that will grow the Town's permanent population not the FIFO population.*
- *Council rates rolled over for 2 years. Should go to the rates payers - would generate support in the place.*
- *Accountability for the council decisions.*
- *Port Hedland's diminishing population. Difference in population between Karratha and Port Hedland from previous years to now.*

6.2.4	Gloria Jacob
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Ms Jacob spoke to:

- *Item 12.2.2 - Additions and alterations to the existing childcare centre and 12.3.1 Childcare expansion. Recommendation of support for Council approval for both items to go ahead.*
- *Asked to participate in a study undertaken by Childhood Australia on behalf on the industries stakeholders in Port Hedland acknowledging there was a critical shortage of childcare in Port Hedland.*

- *Critical need for more childcare in the Town identified by the town and its community.*
- *Wants approval for the DA and committing to the recommended funding for the Town's asset.*
- *That this is not funding for Rose Nowers, but upgrading an asset the Town owns, currently leased to Rose Nowers which is addressing a critical need that the Town and the population have identified and support.*
- *Implore that councillors support the officer recommendation, acknowledging that engineering and traffic management planning is par for the course.*
- *Support for this to go ahead should not be compromised by traffic management issues and other issues that exist in most school areas.*
- *Rose Nowers has done due diligence on traffic management and parking around that space. All parking surrounding the space adequate for the expansion.*
- *Have opportunity to make something real that would enhance the community.*
- *To not support the project would cause confusion and angst from community, stakeholders and industry partners.*
- *Delayed already for the last 12 months.*
- *Councillors have the opportunity to progress this critical piece of infrastructure that will support a long standing, reputable service that has been in the community for near 45 years.*
- *Have implemented a housing strategy for staff.*
- *The benefit this would be to the work force.*
- *Extra childcare positions it would provide*

6.2.5	Nicola Jacob
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Ms Jacob spoke to:

Addressing item 12.2.2 Proposed additions and alterations to existing Rose Nowers Early Learning Centre.

- *Supports and recommends that there be the approval for the additions and alterations to go ahead due to the critical shortage of childcare in the Town of Port Hedland*
- *Fundamental necessity for working parents and their children.*
- *Board of Rose Nowers and staff have taken a proactive step proposing to increase its capacity by 90 additional places.*
- *Traffic should not be a deterrent to the proposed expansion. The centre has undertaken studies showing that there is adequate space for parents accessing the service.*

- *Traffic issues of the primary school responsibility of the Education Department and the Town to address as part of Rose Nowers management.*
- *Majority of traffic is created by school drop off and pickups and not by Rose Nowers. Studies show this.*
- *Paramount to not delay as necessity for the community.*
- *Requires the support of council to allow project to go ahead.*

6.2.6	Jan Gillingham
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Mrs Gillingham spoke to:

Addressing plan of the new land development at the back of the South Hedland Oval, Kevin Scott oval.

- *Kevin Scott oval expansion impossible if you lock the adjacent areas with camps.*
- *Plenty of land in Port Hedland - can we put the camp out a little bit further? Perhaps the back of Osprey.*
- *Disappointment that the presentations were so shortcoming in trying to get out into the public.*
- *FIFO accommodation for 800 workers but in front a façade which is going to be a 6-storey hotel overlooking the Kevin Scott Oval. Positioning of the service area out the front and not the back. This creates a long walk for the people living in the camp to actually get where they need to go e.g., the mess.*
- *Positioning of the camp to better the living conditions for the residents. Westerly facing to get the westerly breeze, ability to sit out and watch the sunset.*
- *The placement of the proposal for an IGA that may be built in the future - will there be an alcohol outlet there as well, being that this will be opposite the high school, who are already annoyed by the kids going across the road to the Caltex petrol station.*
- *Do councillors know that back in 2017, 2018, 2019 there was a presentation put to council, money from BHP and Fortescue and lotteries house for an entry statement. We need an entry statement into South Hedland and artistic indigenous path.*
- *Talk of a music hall in South Hedland.*
- *Thank you to all your staff for sending out information to the Not for Profit organisations inviting us to have stalls.*

6.2.7	Gloria Jacobs
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Introduced Rose Nowers staff who are in support of the extension and additions to the Rose Nowers Childcare Centre.

- *Staff a large part of the planning project.*
- *Diversity within their working community.*

The Presiding Member declared Public Statement Time closed at 6:31pm

6.3 Petitions / Deputations / Presentations / Submissions

Nil

7 Questions from Members without Notice

7.1.1	Cr Butson
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My first question on the 6th of February 2024 the meeting with representative Golden Gate Trade Services True Vietnam, was this meeting as Peter Carter or as the Mayor Peter Carter?

The Mayor provided the following response:

It was the Mayor, CEO and Deputy Mayor thank you.

Were these people the ones that were shown through the SH Bowling club?

The Mayor provided the following response:

No they were not, thank you.

On the meetings you have had during your month of meetings, when is report going to be brought back to council for the to the council members?

The Mayor provided the following response:

I am working on that at the moment thank you.

And how long is that going to take?

The Mayor provided the following response:

I'm working on that thank you.

7.1.2	Cr Turner
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Picking up on the comments around community safety, I'm keen to get clarity around a future workshop coming out of the community safety plan. We have been working with UWA; the opportunity there is to drive some community led solutions around how to build a safer community. So, if we could get some timeline around when that workshop might occur? I'm not aware that we have, I think it has been parked or it hasn't been actioned for some time so I think that's an important piece of work that needs to be undertaken, so if we could do that would be a good thing.

The Mayor provided the following response:

No worries, thank you councillor.

7.1.3	Deputy Mayor Christensen
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May I please ask the question to see if we can change up the order of the meeting to allow items 12.2.2 and 12.3.1 to be brought forward as they both relate to the Rose Nowers Learning centre.

The Mayor provided the following response:

Can I please get a seconder on that?

CM202324/227 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen SECONDED: Cr Flo Bennett

That Council move order of business to hear items 12.2.2 and 12.3.1 before all other items.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

7.1.4	Cr Blanco
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I am still waiting for a series of answers for a series of questions I've asked over 6 months. Do we have any timeline on when I might be getting those?

The Mayor provided the following response:

Very soon, yes.

7.1.5	Cr Turner
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First question is again to community safety but more broadly the South Hedland and South Hedland Square. Can we get some sort of report back from administration about actions and steps that will be taken to progress that? That has been an item and it goes to the heart of the antisocial issues and challenges that sit in South Hedland.

Second question is I think one of the good things council has done is to support the development of a Youth Advisory Council, that has been little over a year in development and I would like a progress report and I think the council would like a progress report on how that is travelling and when we might expect our young councillors - our representatives, I should say.

7.1.6	Cr McRae
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Just wanted to know what we're doing as a council to petition, particularly state government, with regard to adding police and possibly social workers to our Town to try to stem this ridiculous rate of crime we're seeing across South and in Port and certainly Wedgefield?

The Mayor provided the following response:

Okay I'll take that on notice. I know that at the moment police are at full capacity, from what I've been told they have enough, have like 60 odd police officers they actually have enough police officers, but we always need more.

7.1.7	Cr Blanco
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Mr Mayor, can I clarify? You know I've had a fair bit to do with the police. And the police run 3 shifts, 62 officers and this is the same number we had when I was Mayor so when you do the calculations - 60 police officers, 3 shifts, our police officers required to stay in pairs to drive a car or go to an event which reduces the capacity of the police when you have a look at the operating model. There is a sergeant answering the phone, there must be a police officer servicing the lock up, that is a requirement. The numbers are 2 in the police station or 6 nightshift, 6 afternoon shift which reduces it to 2 cars, Port Hedland doesn't work at night, so you reduce the number of police cars on the street to 2 cars per day - that is if nobody is sick. If somebody is sick and there are no

replacements for them it reduces the ability of the police to put cars on the road to one. Then you've got holidays and all that stuff going on, when you're working in government you've got stress leave and all of those other things that limit the capacity of the police, so no - 60 is not enough for Port Hedland considering we have 1300+ domestic violence reports per year in South Hedland that require significant resources and that takes everybody off the road. So that's 3-4 a week when that happens - everybody is off the road and there's no cars on the road and the Town is not serviced by the police. So there needs to be a clear increase in the personnel in the police station, there is no doubt about that.

Deputy Mayor Christensen provided the following response:

Point of order through the chair.

The Mayor provided the following response:

Yes councillor.

The Deputy Mayor provided the following response:

Sorry to cut you off councillor while I think these conversations are very important - this is a decision-making forum - being the time we are in currently is question time, I haven't heard a question in the last 5 minutes we've heard from the conversation. Again, happy to support you to have that conversation in the appropriate manner but can I ask the meeting be brought back to the item where it's been asked for questions without notice for the council members please.

The Mayor provided the following response:

Yes, that is correct.

8 Announcements by Presiding Member without Discussion

The Mayor's meetings for the month of February 2024

DATE	MEETING DETAIL
6/02/2024	Triple M Radio Chat
6/02/2024	Meeting with representatives of Golden Gate Trade Services, True Vietnam
7/02/2024	Meeting with Dept. Of Local Government
7/02/2024	February Ordinary Council Meeting
8/02/2024	Hedland Housing Steering Committee Meeting
13/02/2024	Triple M Radio Chat
13/02/2024	North West Defence Alliance Meeting
14/02/2024	ABC Radio Interview re Brisbane Flights
14/02/2024	Triple M Radio Interview re Brisbane Flights
16/02/2024	6PR Radio Interview re Brisbane Flights
20/02/2024	Triple M Radio Chat
20/02/2024	Meeting with Pilbara Ports Authority CEO
21/02/2024	Regional Capitals Alliance WA Meeting, Perth
22/02/2024	WALGA Pilbara Country Zone Meeting, Perth
23/02/2024	Radius 5.0 Exhibition Opening
28/02/2024	Regional Capitals Australia meeting
29/02/2024	Meeting with De Grey Mining
29/02/2024	Triple M Radio Chat

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

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

10 Confirmation of Minutes of Previous Meeting**CM202324/228 COUNCIL DECISION****MOVED: Cr Camilo Blanco****SECONDED: Cr Lorraine Butson****That Council confirm that the Minutes of the Ordinary Council Meeting held on 28 February 2024 are a true and correct record.*****CARRIED BY SIMPLE MAJORITY (8/0)***

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

Disclaimer

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

11 Reports of Committees

11.1 Audit, Risk and Compliance Committee

Nil

members of the ARC Committee, at its Ordinary Council Meeting, held on 1 November 2023 (CM202324/138):

- Cr Camilo Blanco
- Cr Lorraine Butson
- Cr Tim Turner

Following the appointment of the new ARC Committee, at its meeting held on 28 November 2023, 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.

12 March 2024 Meeting Overview

At its meeting held on 12 March 2024, the following items were considered:

1. ARC Committee – Amended Terms of Reference

During the Ordinary Council Meeting held on November 1, 2023, the Council made a resolution to maintain the current Terms of Reference (TOR) for the ARC Committee and to subject them to a review by the ARC Committee before June 2024 (CM202324/138).

Furthermore, section 8.2 of the current TOR, requires the ARC Committee to “request the CEO perform a review after an Election, suggest improvements to and assess the adequacy of the ARC Committee TOR, request Council approval for proposed changes, and ensure appropriate disclosure as might be required by legislation or regulation.”

In accordance with the Council resolution and section 8.2 of the current Terms of Reference (TOR), the administration conducted a review of the TOR, resulting in several notable amendments:

- A provision was added to allow a proxy to participate in meetings if a Committee member is unavailable, ensuring uninterrupted continuity in the Committee's proceedings.
- The Authority and Independence section was restructured in the proposed TOR to align with the Town's Register of Delegated Authority – Statutory, enhancing clarity and conformity.
- The Committee's structure was revised to include a minimum of three members and a maximum of five members, emphasizing the inclusion of at least one independent member whenever feasible. This differs from the existing TOR, which lacks provision for an independent member.
- Guidelines for Committee member resignations were introduced in the proposed TOR to facilitate a structured and transparent process, contributing to the Committee's effective functioning.
- The proposed TOR relaxes stringent requirements regarding the sources from which Committee members may seek advice. Unlike the current TOR, which limits advice to specific qualifications such as being a Certified Practising Accountant (CPA) or Chartered Accountant (CA), the proposed TOR allows

members to seek guidance from suitably qualified individuals with relevant experience in financial risk management, risk management, corporate governance, or auditing, without mandating a highly specific degree. This adjustment reflects the evolution of the ARC Committee, expanding its focus beyond finance to encompass areas such as Finance, Audit, Risk, and Compliance.

The recommendation proposed that the Committee endorse the revised TOR and recommend its adoption by the Council. While Councilor Turner supported the motion, its lack of a seconder and subsequent absence of debate led to the item lapsing.

2. 2023 Compliance Audit Return

A recommendation was put forth to the Committee to:

- Note the outcome of the 2023 Compliance Audit Return;
- Note the actions the Town will undertake to ensure future compliance;
- Recommend Council adopt the 2023 Compliance Audit Return; and
- Recommend Council authorise the Mayor and Chief Executive Officer to sign and submit the Town's Compliance Audit Return 2023 to the Department of Local Government, Sport and Cultural Industries by 31 March 2024.

Annually, every Local Government Authority in Western Australia is required to perform a compliance audit for the preceding calendar year and submit the results to the Department of Local Government, Sport, and Cultural Industries (DLGSC) by March 31. The Compliance Audit Return (CAR) is a self-assessment tool that assesses the local government's compliance with the Local Government Act 1995 and its subsidiary regulations.

The Town used an evidence-based methodology to complete the 2023 CAR. Management were assigned the responsibility of addressing questions pertaining to their specific business units. Following the receipt of their responses, the Audit, Risk, and Insurance business unit requested sample evidence to verify the accuracy of the provided information. The sample evidence was cited and validated to ensure the accuracy of the responses.

Cr Turner supported the recommendation; however, with no seconder and no subsequent debate, the item lapsed. Consequently, the Town will be non-compliant with the deadline stipulated in Regulation 15 *of the Local Government (Audit) Regulations 1996*.

3. Risk Register Review

The Committee were presented with a risk report outlining extreme and high-rated residual risks. The report comprised:

- High and extreme rated residual risks
- Potential causes of the risks
- Potential impacts of the risks

- Current controls aimed at mitigating the risk levels
- Treatment plans for implementation in cases where risk levels are deemed inappropriate.

The Risk Report had not been previously presented to the Committee and was newly introduced with the aim of providing comprehensive oversight of the Town's risk landscape, encompassing both existing and emerging risks. It will now be a standing item at all future ARC Committee meetings, scheduled on a quarterly basis.

The recommendation proposed that the Committee receive the Quarterly Risk Report. The item passed with a Simple Majority vote (3/0).

4. Audit Log Review

The Committee received the Internal Audit Log, which tracks the status of audit actions from the previous Committee meeting to the current one.

Based on the non-aggregated view of the Internal Audit Log, 103 out of 144 actions have been completed, indicating a completion rate of 72%. The administration will persist in addressing outstanding audit actions, prioritising those with high-risk implications.

The recommendation proposed that the Committee receive and note the progress update regarding the management actions listed in the Internal Audit Log. The item passed with a Simple Majority vote (3/0).

5. Strategic Internal Audit Plan – 2023-24 Review 1 – Audit Log

The Committee received the Internal Audit Report from Paxon Group, internal auditors, as part of the Town's 3-Year Strategic Internal Audit Plan (2023-26), focusing on the Town's Internal Audit Log. The review aimed to assess whether previously identified risks had been effectively addressed by management. Paxon confirmed that all completed actions marked by the Town were indeed completed at the time of the review.

There was one finding from the review that stated actions from the Office of the Audit General's management letters were not included in the Audit Log. Paxon recommended incorporating actions from all assurance providers into the Audit Log and reporting them to the Committee. Management agreed to include external audit items in the Audit Log going forward, with updates to be reflected in the software and communicated to the ARC Committee in future reports.

A recommendation was put forth to the Committee to receive and note the 2023-24 Financial Year Internal Audit Report of the Internal Audit Log. The recommendation passed by a Simple Majority (3/0).

6. FY 2023-24 Quarter 2 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 2 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).

7. Confidential Item – Town Debtors

The Committee resolved to recommend that Council:

- Receive the report on Town Debt
- Write off the debt owed by the Port Hedland Yacht Club
- Write off the debt owed by the South Hedland Bowling and Tennis Club
- Rescind Policy 2/005 Debt Management and adopt the proposed Financial Hardship Policy; and
- Adopt the Financial Hardship Policy.

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 sections of the Town's *Strategic Community Plan 2022-2032* are 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 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:

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

Risk Type	Operational
Risk Category	Compliance
Cause	Not reporting to Council
Effect (Consequence)	Non-compliance with best practice principles
Risk Treatment	Council receives the minutes from the 28 November 2023 ARC Committee Meeting and future meetings

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.

The risk rating is medium (6) which is determined by a likelihood of possible (3) and a consequence of minor (2)

This risk will be eliminated by reporting the minutes of the ARC Committee to the Council for their consideration.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

In conclusion, this report presents the Unconfirmed Minutes of the Audit, Risk, and Compliance Committee (ARC Committee) meeting held on March 12, 2024, for Council's review. Established in accordance with section 7.1A of the *Local Government Act 1995*, the ARC Committee plays an important role in guiding and supporting the Council on matters outlined in its Terms of Reference.

Notable discussions during the meeting included proposed amendments to the ARC Committee's Terms of Reference, the 2023 Compliance Audit Return, a review of the Risk Register, an update on the Internal Audit Log, results of the audit of the Internal Audit Log, and the FY 2023-24 Quarter 2 Procurement Report on Panels Usage. A confidential item regarding Town Debtor’s was also deliberated on. The Committee's recommendations, decisions, and actions taken are reflected within this report.

ATTACHMENTS

1. Unconfirmed Minutes of the ARC Committee Meeting held on 12 March 2024 [12.1.1.1 - 47 pages]
2. CONFIDENTIAL - Unconfirmed Confidential Minutes of the ARC Committee Meeting held on 12 March 2024 [12.1.1.2 - 8 pages]
3. CONFIDENTIAL - Confidential Attachments of the ARC Committee Meeting held on 12 March 2024 [12.1.1.3 - 18 pages]
4. CONFIDENTIAL - Combined (incl Confidential) Attachments of the ARC Committee Meeting held on 12 March 2024 [12.1.1.4 - 92 pages]
5. Public Attachments for the Confidential Agenda [12.1.1.5 - 5 pages]
6. Public Attachments for the Public Agenda [12.1.1.6 - 35 pages]

12.1.2	Statement of Financial Activity - February 2024
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Author: Senior Financial Accountant

Authorising Officer: Director Corporate Services

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item. At times, they receive payments made in accordance with employment contracts and related Town of Port Hedland policies, which are disclosed in the attachments to this report.

CM202324/232 COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council:

- 1. Receive the Statement of Financial Activity for the period ended 29 February 2024 as shown in attachment 1;**
- 2. Receive the Material Variance Report, as shown in attachment 2;**
- 3. Note the Accounts paid under delegated authority for the period ended 29 February 2024 as shown in attachment 3;**
- 4. Receive the Purchasing Card statements for the period ended 29 February 2024, as shown in attachments 4 and 5.**
- 5. Receive the Investment Summary Report for the period ended 29 February 2024, as shown in attachment 7.**
- 6. Receive the Capital Project Listing for the period ended 29 February 2024, as shown in attachment 8.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

PURPOSE

The purpose of this report is for Council to consider the Statement of Financial Activity for the period ended 29 February 2024. 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 29 February 2024, with financial results included in Attachment 1. 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. The February Financial Report relies upon audited 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 audited unconfirmed June 2023 financial statements.

The net current funding position (surplus/(deficit) from the Statement of Financial Activity as at 29 February 2024 is a surplus of \$36.45M. This is due to the practice of raising rates and charges for the full financial year when the rates notices are generated. The YTD operating surplus of \$ 8.23M favourable to budget due to reduce YTD spend on materials and services.

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*

- *Nil*

External Agencies

- *Nil*

-

Community

- *Nil*

LEGISLATION AND POLICY CONSIDERATIONS

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

FINANCIAL AND 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* apply in relation to this item:

Our Leadership:

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

Access and Inclusion

The following outcomes 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:

Our Corporate Services:

Financial Management and Rates - Financial management services compliant with legislation to enable the Town to sustainably provide services to the community

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial
Cause	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.
Effect (Consequence)	Could impact on the Town’s ability to meet service levels or asset renewal funding requirements.
Risk Treatment	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 \$ 36.45M.

ATTACHMENTS

1. Statement of Financial Activity - February 2024 [**12.1.2.1** - 4 pages]
2. Material Variance Report - February 2024 [**12.1.2.2** - 2 pages]
3. Payment made under Delegated Authority - February 2024 [**12.1.2.3** - 54 pages]
4. Credit Card Statements - February 2024 [**12.1.2.4** - 20 pages]
5. CONFIDENTIAL - Credit Card Statements February 2024 for councillor viewing [**12.1.2.5** - 20 pages]
6. Fuel Card Statement February 2024 [**12.1.2.6** - 5 pages]
7. Investment Summary Report - February 2024 [**12.1.2.7** - 10 pages]
8. Capital Projects Listing - February 2024 [**12.1.2.8** - 10 pages]

12.1.3	Investment Policy Review
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Author: **Manager Financial Services**

Authorising Officer: **Director Corporate Services**

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

CM202324/233 COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council:

- 1. Adopts revised policy 2/010 Council Investments.**
- 2. Endorses the appointment of Prudential Investment Advisory Services.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

PURPOSE

The purpose of this report is for Council to consider a review of policy 2/010 Council Investments.

DETAIL

The objective of Council Policy 2/010 Council Investments is to provide a framework for the investment of Council funds which seeks to maximise the return to Council whilst having due consideration for the risk and security of each investment. This policy was last revised September 2022 (version 07) CM202223/017 7 and is included as attachment 1.

The current policy allows the Town to retain the services of suitably qualified investment professionals to provide assistance in investment strategy formulation, portfolio implementation and monitoring. Any such advisor must be approved by Council and licensed by the Australian Securities and Investments Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of Council policy.

As part of implementing Financial Advisory Services for the Town’s investments, included within the scope of works was a review of the current policy with

recommendations for improvement. Quotes from WALGA preferred suppliers were sought with the expectation that any independent advisor engaged by the Town have no actual or potential conflicts of interest in relation to the investments they are recommending or reviewing, including that they are not receiving any commissions or other benefits.

Prudential Investment Services were the successful applicants. An oversight is acknowledged in that Council approval was not sought prior to awarding the contract as stated within the current policy. This report seeks retrospective endorsement.

A proposed revised policy is included as attachment 2. Notable revisions are included as attachment 3.

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

- Finance Staff

External Agencies

- Prudential Advisory Services

Community

- N/A

LEGISLATION AND POLICY CONSIDERATIONS

Section 6.14 of the *Local Government Act 1995*

Local Government (Financial Management) Regulations 1996 r.19 / 19C / 28 / 49.

Council Policy 2/010 Council Investments (version 07) September 2022

FINANCIAL AND RESOURCE IMPLICATIONS

As at 29 February 2024 the Town's cash and cash equivalents were \$204.95M of which mostly invested as interest bearing fixed term deposits.

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* apply in relation to this item:

Our Leadership

Transparent and accountable governance and financial sustainability

Increased community awareness and positive perception of the Town of Port Hedland’s transparency and accountability.

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

Access and Inclusion

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

Nil

Corporate Business Plan

The following services 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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial
Cause	There is an Operational, risk associated with this item due to a reduction in income throughout the 2023-2024 financial year.
Effect (Consequence)	Could impact on the Town’s ability to meet service levels or asset renewal funding requirements.
Risk Treatment	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 proposed investment policy revision seeks to broaden the investment options for the Town's portfolio, seeking a higher return whilst maintaining required legislative compliance and minimise associated financial risk.

ATTACHMENTS

1. 2010- Council- Investments- Policy [**12.1.3.1** - 5 pages]
2. Port Hedland - Briefing Paper for Investment Policy Mar 2024 (003) [**12.1.3.2** - 6 pages]
3. Port Hedland Council Investments - draft Prudential w Tracked changes [**12.1.3.3** - 9 pages]

12.1.4	Proposed Rating Strategy 2025 - 2030
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Author: Administration Officer - Corporate Services
Authorising Officer: Director Corporate Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

CM202324/234 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Tim Turner

That Council:

- 1. Endorse the Proposed Rating Strategy included as attachment 2 for local public advertising and seeks ratepayer and community stakeholder feedback.**
- 2. Delegate the CEO discretion towards finalising the document style before release for community engagement.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

PURPOSE

The purpose of this report is for Council to consider a proposed Rating Strategy 2025 - 2030 that provides a clear indication to the community and ratepayers on future rating and seek ratepayer and community stakeholder feedback.

DETAIL

The Town’s current approach to levying rates annually adopts a differential rating approach whereby different rates are set for different land use categories.

Existing policy 2/004 RATING is included as attachment 1.

The following excerpt from the Town’s current 2023-2024 annual budget, outlines the rating approach:

2. RATES AND SERVICE CHARGES

(a) Rating Information		2023/24
Rate Description	Basis of valuation	Number of properties
(i) Differential general rates or general rates		
GRV Residential		5,406
GRV Commercial Industrial		574
GRV Mass Accommodation		19
UV Pastoral		10
UV Mining		468
UV Other		6
Total general rates		6,483
(ii) Minimum payment		
Gross Rental Valuations		
GRV Residential		874
GRV Commercial Industrial		167
GRV Mass Accommodation		0
Unimproved Value		
UV Pastoral		0
UV Mining		70
UV Other		5
Total minimum payments		1,116
		7,599

No changes are proposed for the Town’s existing differential rating categories. These are considered consistent with reference to the Department of Local Government, Sport and Cultural Industries (DLGSC) Rating Policy: Differential Rates, of note being;

Objectivity

The land on which differential general rates has been rated according to one or more of the following land characteristics:

- zoning
- land use
- vacant land

Fairness and Equity

The objects of and reasons for each proposed differential general rate are set out by the local government in a publicly available document and advertised. This has been provided annually as part of the budget adoption process.

Pilbara regional local governments recognise the impact that Mass Accommodation (Mining / Construction camps) have on their communities, preferring more residential workers and less fly in fly out (FIFO). Whilst understanding the necessity of having FIFO workers for mining and construction projects, their fair contribution is required so that the Town can continue to improve the services and infrastructure that the Town provides the community.

Consistency

The local government has rated similar properties that are used for the same purpose in the same way.

The local government has reviewed and considered rates proposed in neighbouring or similar local government districts in the rating strategy.

Transparency and administrative efficiency

The Town prepares, makes publicly available and advertises a document clearly describing the object of and reason for each differential general rate and publishes the notice after 1 May in the relevant year, inviting submissions to be made by an elector or ratepayer, with a closing date for submissions which is at least twenty-one days after the day on which the notice is published.

Proposed Rating Strategy 2025 to 2030

The intent of the proposed rating strategy is to:

- a) Maintain independent rating outcomes based on Landgate property valuations.
- b) Recognise the individual characteristics of residential, commercial / industrial (non-residential), mass accommodation, pastoral, mining and other land uses.
- c) Provide a clear indication to the community and ratepayers on future rating:
 - Achieving comparative rating consistency with neighbouring local governments supports the Town's long-term financial sustainability.
 - A gradual and consistent approach to increasing rates avoids the need to raise rates outside of an acceptable range and or comparison over the long term.
 - Intended future development projects will present rating growth opportunities for the town, recommended for funding future planned capital works projects. This presents an opportunity to reduce reliance on external grant funding, mitigating uncertainty which hinders project delivery.
- d) Introduce flexibility in Council's approach towards considering:
 - i. Specified Area Rating (SAR)
 - ii. Service charges
 - iii. Rate exempt properties
 - iv. Rate notification charges

The proposed Rating Strategy 2025 – 2030 is included as Appendix 1.

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

CONSULTATION

Internal

- Council, ELT and Finance Business Unit

External Agencies

- DLGSC Rating Policy

Community

- Local public notice of the proposed rating strategy will be provided. Towards encouraging engagement:
 - Major ratepayers will be contacted directly seeking their feedback.
 - Online feedback will be made available for the community.
 - In person information and feedback workshop(s) will be arranged for local ratepayers.

LEGISLATION AND POLICY CONSIDERATIONS

Existing policy 2/004 RATING is included as attachment 1. The operational components are ordinarily undertaken by the Town as administrative duties, documented as Internal Operating Procedures (IOP's).

Section 6.33 of the Local Government Act 1995 (the Act) provides local governments with the option of implementing differential rates. It is proposed that the Town's rating will continue to be based upon differing land use.

Section 6.36 of the Act requires local public notice of the intention to levy differential rating.

Department of Local Government, Sport and Cultural Industries Rating Policy: Differential Rates recommends if there are fewer than thirty ratepayers who will be

subject to the differential general rate, each affected ratepayer has been informed in writing by the local government.

Proposed Financial Hardship Policy (**Revising current policy 2/005 Debt Management via the Town's Audit Risk and Compliance Committee*)

FINANCIAL AND RESOURCE IMPLICATIONS

The strategic outcomes being considered are:

1. The current approach to rating becomes the base model for apportioning the Towns annual rating requirements
2. That new developments which become rateable and grow the Town's capacity to raise rates revenue, within the:
 - *Boodarie Strategic Industrial Area*
 - *Lumsden Point*
 - *Both new developments in Wedgefield (Hedland Junction) and Kingsford Smith Business Park, and*
 - *New major UV mining*

Their rating revenues be directed towards funding the Towns forward new capital works program requirements via the Strategic Reserve.

3. The Town's waste services operations and capital requirements is self-funded through a separately applied charge

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:

4.2.1 Sound long-term financial planning is implemented.

Environmental

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

Economic

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

Social

There are no significant identifiable social 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:

Nil

Corporate Business Plan

The following service 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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Financial
Cause	Revenue requirements to support operations and fund new and renewal capital works
Effect (Consequence)	Financial Sustainability
Risk Treatment	<p>There is a Strategic risk associated with this item caused by the need to maintain the Town’s long-term financial sustainability whilst providing services, maintaining community facilities and delivering new infrastructure, which requires significant revenue requirements.</p> <p>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>This risk will be mitigated by the identifying purpose and approach towards rating requirements that provide a clear indication to the community and ratepayers on future rating.</p>

OPTIONS

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

CONCLUSION

The proposed rating strategy (attachment 2) for ratepayer and community stakeholder feedback is proposed to in turn inform the drafting of the Town’s revised long-term financial plan and in turn the 2024-2025 annual budget. It seeks to establish a dedicated approach towards partially funding the Town’s forward new capital works program.

Feedback sought through online engagement, in-person workshops and direct communications to major ratepayers, will be collated and presented to Council as part of planned budget preparation workshops ahead of the intended regulatory requirements for local public notice of the intention to levy differential rating planned for May 2024.

ATTACHMENTS

1. 2 004 Rating_-_ V 03_- Adopted 3_ February 2021 [**12.1.4.1** - 6 pages]
2. 43973 TOPH Town of Port Hedland – Draft Rating Strategy D 1[82] [**12.1.4.2** - 16 pages]

PURPOSE

The purpose of this report is for Council to partially clear Condition 13 of the Spoilbank Marina Joint Development Assessment Panel (JDAP) approval DAP/20/01818 and delegate to the Chief Executive Officer the authority to undertake subsequent land adjustments pursuant to the *Land Administration Act 1997*.

DETAIL

The JDAP approved the Spoilbank Marina on 1 October 2020 pursuant to a number of development conditions. This report outlines the proposed approach to clearance of Condition 13, which states:

"The developer shall make suitable arrangements to adjust the land tenure boundaries and reserve purpose to the satisfaction of the Town of Port Hedland".

The process to adjust tenure boundaries was originally led by Pilbara Ports Authority, as the agency of the State tasked with delivery of the Spoilbank Marina project. In late 2023, the Government announced that Department of Transport will be managing the operations of Spoilbank Marina, following completion of construction. This has led to a series of complications in land tenure resolution, as the process needs to meet various legislation including the JDAP approval under the *Planning and Development Act 2005*, reserve changes pursuant to the *Land Administration Act 1997*, and areas of declared port and harbour pursuant to the *Port Authorities Act 1999*, and *Marine and Harbours Act 1981* respectively. The Town's involvement is limited as the decision maker under the *Planning and Development Act 2005*, and reserve manager pursuant to the *Land Administration Act 1997*. As the current land tenure and future land tenure will be managed by the Town of Port Hedland, any tenure changes must be to the satisfaction of the Council, and subject to Council endorsement.

The land tenure arrangements must be changed following the marina construction to realign asset responsibilities, as the current historical lot boundaries traverse the marina basin, which presents issues in terms of liability and management responsibility. The existing boundaries are shown with a yellow line in the map below, with Pilbara Ports generally responsible for the western side of the map, and the Town responsible for the eastern side. A construction license exists during the marina construction phase, so Pilbara Ports are responsible for all land within the construction footprint until the development is completed.



Map showing existing historical land boundaries

Staged Approach

A staged approach is recommended to address land tenure, to avoid delays in the opening of the marina associated with potentially protracted negotiations in relation to unresolved matters, including agreements detailing maintenance access to marine infrastructure and sand trap management, which are proposed to be resolved in Stage 2. The staged approach is generally outlined as follows:

Stage 1

Stage 1 proposed boundaries are included as Attachment 1 to this report which involves the following changes:

- Realignment of existing boundaries between Reserve 30768 (managed by Town) and Reserve 29082 (managed by Pilbara Ports) to separate the marine structures and marine infrastructure from landside infrastructure. This generally follows the top of the rock revetment areas, with the Town being responsible for landside infrastructure only. The Town will assume responsibility for landside infrastructure following the 5-year maintenance phase, which is a separate condition of development approval.
- Creation of a new Reserve and lot to be managed by Department of Transport for the marine side infrastructure. Department of Transport will be responsible

for managing rock revetments, the boat ramp, breakwaters, boat pens, public jetty and marine dredging (Shown as Lot 552 on Attachment 1).

- Amendment to the landside Reserve Purpose to include 'Marine Services, Cultural, Recreation, Entertainment, Community Purposes and for purposes ancillary or beneficial to that purpose only' with the power to lease for up to 21 years (Shown as Lot 554 on Attachment 1). This is in line with the land uses envisaged in the Spoilbank Marina Masterplan.
- Creation of a new separate landside Reserve on the eastern side of the Spoilbank, with the Reserve Purpose 'Caravan Park' with the power to lease of up to 21 years (Shown as Lot 555 on Attachment 1).

Stage 2

Stage 2 proposed boundaries may result in changes to the west of the western revetment area, and to the north of the northern revetment area, to ensure suitable management areas are set aside considering the predicted patterns of coastal erosion and proposed sediment/dredge management regime. The Department of Transport have proposed a further '10m inset' of tenure as outlined in Confidential Attachment 2. It is envisaged tenure will require further negotiation with Department of Transport to address considerations including, but not limited to:

- Final boundary alignment;
- the proposed mechanism for entering Town managed land for maintenance purposes (agreement linked to encumbrance on title);
- details of intended "make good" clauses in the event of damage to Town infrastructure during maintenance periods;
- anticipated frequency of access for maintenance;
- proposed pathway toward accessing beach areas for maintenance;
- parking of maintenance vehicles; and
- proposed mechanism to manage sand trap to support tenure solution at northern revetment area, including disposal location of captured materials.

The Town Administration does not support providing the Department tenure over the 10m inset as shown in their correspondence, given that there are several utility services and other infrastructure items the Town needs to retain access to. The Department has requested certainty over access to the rock revetments and groynes which can be formalised through a legal agreement or access license. As this negotiation is likely to result in a series of meetings and drafting of legal agreements, it is recommended to delegate negotiation of Stage 2 tenure to the Chief Executive Officer and delegates to resolve outstanding issues in the interests of the Town, with the tenure boundaries and legal documents being returned to the Council for adoption. This was detailed in the confidential briefing paper provided on 18 March 2024.

LEVEL OF SIGNIFICANCE

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

- Any transfer of ownership or control or the constructions, replacement or abandonment of a strategic asset.

CONSULTATION

Internal

- Councillors were provided a confidential briefing paper on 18 March 2024.
- Director Regulatory Services
- Director Infrastructure Services
- Manager Planning & Economic Development

External Agencies

- Pilbara Ports Authority
- Department of Transport
- Department of Planning, Lands and Heritage

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

Planning and Development Act 2005

Land Administration Act 1997

Port Authorities Act 1999

Marine and Harbours Act 1981

FINANCIAL AND RESOURCE IMPLICATIONS

Pilbara Ports Authority and Department of Transport will bare all costs associated with the land tenure changes as the developer pursuant to the JDAP approval.

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 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 proposed land tenure resolution process ensures suitable ongoing environmental management of the Spoilbank Marina.

Economic

The proposed Reserve Purposes in the adjusted reserves will ensure suitable economic development opportunities in line with the Marina Masterplan.

Social

Nil

Access and Inclusion

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

Our Infrastructure Services:

Parks and Gardens - Manage parks, ovals and open space (natural reserves) maintain tidy and attractive townsites and centres

Our Regulatory Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Compliance
Cause	Unsuitable tenure outcomes
Effect (Consequence)	Unsuitable management arrangements
Risk Treatment	Establish agreement on tenure and land management
<p>There is a Project, risk associated with this item caused by potentially unsuitable tenure outcomes, leading to potentially unsuitable management arrangements for Spoilbank Marina.</p> <p>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>	

This risk will be mitigated by the endorsing the Officer's proposed approach to resolving land tenure in accordance with the JDAP approval and *Land Administration Act 1997*.

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 proposed approach to resolving land tenure associated with Spoilbank Marina. A staged approach is recommended as outlined in the body of the report, to avoid possible delays in the opening of the marina following completion of construction.

ATTACHMENTS

1. Spoilbank Marina Stage 1_ Tenure [**12.2.1.1** - 1 page]
2. CONFIDENTIAL - 20240301 Letter of Understanding Request to To PH Final [**12.2.1.2** - 7 pages]
3. Attachment 3 - Marina Aerial (indicative boundaries only) [**12.2.1.3** - 1 page]

Steve Leeson, Director Corporate Services, left meeting at 7:34pm.

12.2.2	Proposed Additions and Alterations to Existing Child Care Centre Use (Rose Nowers Early Learning Centre) – Lot 2791 Boronia Close, South Hedland
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Author: Senior Urban Planner

Authorising Officer: Manager Planning & Economic Development
 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.

CM202324/229 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen

SECONDED: Cr Camilo Blanco

Recommendation 1

That Council, pursuant to Clause 74 of Schedule 2 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, approves Development Application (2023/) for Proposed Additions and Alterations to Existing Child Care Centre Use (Rose Nowers Early Learning Centre) at Lot 2791 (No. 26) Boronia Close, South Hedland 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 applicant shall undertake and submit the following:**
 - a) a survey of the existing traffic conditions within peak and off-peak times in the locality of the Child Care Centre.**
 - b) an assessment of future traffic conditions expected, given the proposed increased children numbers and or changes to the school requirements in future.**

- of the site and be maintained thereafter to the satisfaction of the Town.**
- 7. Prior to lodging an application for a building permit, the Applicant / Landowner shall lodge an acoustic report and implement and recommendations on noise mitigations.**
 - 8. Prior to lodging an application for a building permit, the Applicant / Landowner shall lodge a detailed landscaping plan for the subject site for approval by the Town, and must include but not limited to the following:**
 - a) the location, and size of all existing trees and vegetation.**
 - b) existing trees and landscape areas to be retained.**
 - c) Existing trees to be removed.**
 - d) landscaping areas to be updated and reticulated.**
 - e) the location, number and type of proposed trees, shrubs including planter and/or tree pit sizes and planting density.**
 - f) pavement types and surface treatments within outdoor play areas.**
 - g) Extent of and materials to be used for playground shade structures.**
 - 9. Prior to the commencement of site and or pre-building works, if any existing trees landscaping required to be retained, shall be protected by the Applicant and Builder in accordance with Australian Standard 4970-2009 'Protection of Trees'. The protection measures shall be maintained until all building works have been completed.**
 - 10. Prior to lodging an application for a building permit, the Applicant /Builder must submit, have approved, and thereafter implement, a Dust Management Plan detailing how risks of wind and/or water-borne erosion and sedimentation will be prevented during construction works.**
 - 11. The Applicant, Landowner and Builder must not use gravel fines (cracker dust) for covering/sealing the property, within landscaping areas or the verge, given its ability to erode during rainfall events, and where there is vehicular and or pedestrian traffic, compromising on-site drainage systems and or the public drainage network. It can also become air-borne and causes dust nuisance during high wind conditions.**

- 12. Any required additional car parking bays shall be constructed to the satisfaction of the Town prior to the occupation or use of the development and:**
- a) designed to a 'User class 3A' with the B99 vehicle in accordance with the Australian Standards 2890.1:2004 (or as amended) and the Building Codes.**
 - b) sealed (bitumen or asphalt), kerbed, drained and line marked;**
 - c) unobstructed in any way or used for any other purpose other than parking.**
 - d) provided with wheel stops, where bays are adjacent to any infrastructure, including landscaping, footpaths, fences etc.**
 - e) include provision of a minimum of 1 car bay in accordance with AS 2890.6 'Off-street parking for people with disabilities', on-site or immediately adjacent to the front door of the childcare building.**
- 13. The Applicant/Operator of the childcare centre must not permit any staff or visitors to park vehicles on the street verges.**
- 14. The Applicant/Landowner must provide a loading/unloading bay wholly on-site or immediately adjacent to the childcare building and not be obstructed in any way or used for any other purpose.**
- 15. Any approved waste bin storage area must be screened from the streetscape by landscaping and or suitable designed fencing incorporating crime prevention through environmental design principles, to the satisfaction of the Town.**
- 16. Prior to occupation or use of the site, the Applicant/Operator of the childcare centre shall construct vehicle crossovers to the specification and satisfaction of the Town's Infrastructure Services. The crossovers, to be maintained for the duration of the development to the satisfaction of the Town of Port Hedland**

Advice Notes:

- a) Further to the Applicant undertaking survey and assessment, the Town will undertake a road network safety audit to inform potential road network upgrades/improvements if required.**
- b) This approval relates to the details provided in the application; to undertake the development in a different manner to that stated in**

the application, a fresh application for planning approval must be submitted to the Town of Port Hedland.

- c) This approval constitutes development approval only and does not obviate the responsibility of the landowner/ applicant to comply with all relevant building, health, and engineering requirements.**
- d) The approved childcare centre use must maintain compliance with the Children and Community Services Act 2004 and maintain its operating license / permit.**
- e) The development to comply with the Environmental Protection (Noise) Regulations 1997, to the satisfaction of the Town of Port Hedland.**
- f) If the applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.**

Recommendation 2

That Council notes that further investigation to resolve traffic management issues will be undertaken, with a report to be provided for Council consideration in relation to amendments to the road network and associated costings at a future meeting.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner
Against: Nil

PURPOSE

The purpose of this report is for Council to consider a development application for alterations and addition to an existing 'Childcare Centre' land use (Rose Nowers Early Learning Centre). The childcare centre building is located on land owned by the Town.

DETAIL

History

1 August 1979 A child day care centre was built (Building application 237/79 refers). There are no records indicating whether a planning

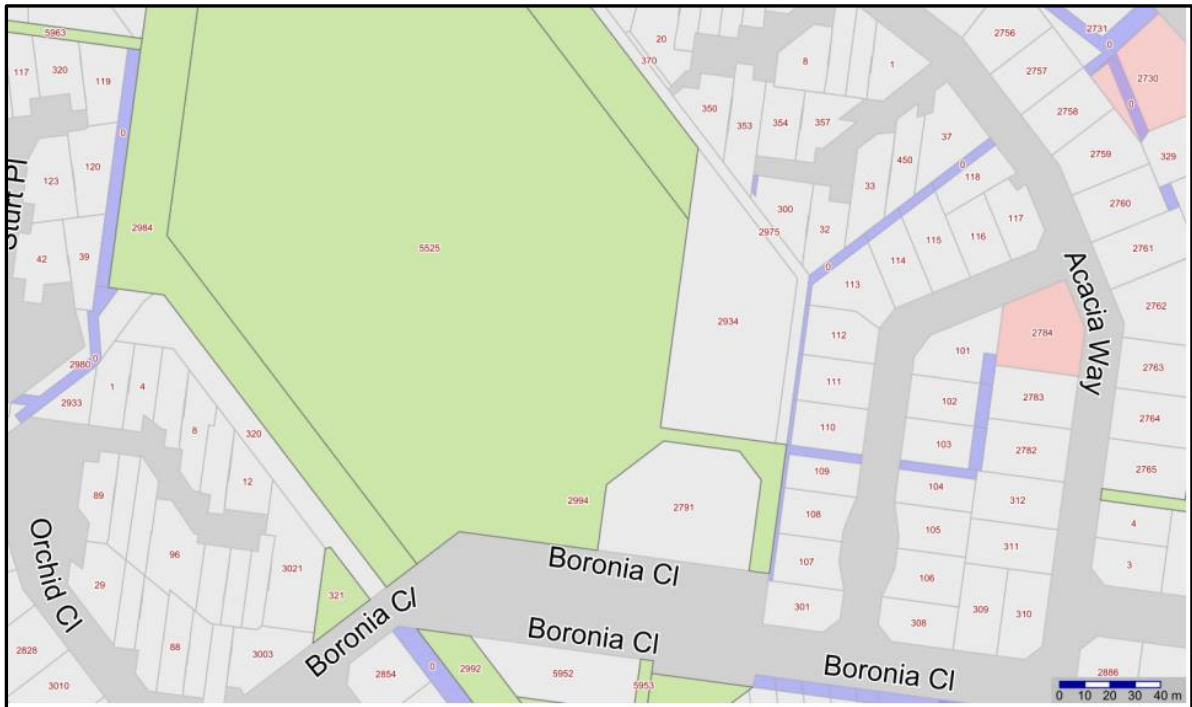
	approval was issued for the initial construction but there is a record of a building permit.
25 Feb 1985	Building permit issued for alterations and additions.
26 July 1989	Building permit issued for a shed addition (Building application 89/180).
2 July 2002	The Town approved alterations and additions to the childcare centre (transportable building).
10 May 2010	Building permit issue for 8 shade sails. Planning Approval was exempted.
8 June 2011	The Council approved major repair works for the childcare centre consisting of re-roofing and additions of offices, cot rooms, storerooms, and a bathroom.
8 Sept 2023	Application package received for development application for Additions to Rose Nowers Early Learning Centre and increasing children numbers from 43 to 134 and seeking a waiver of application fees (DA2023-171).

Site Context

The Rose Nowers Early Learning Centre is located on Lot 2791 Boronia Close. The lot is 2516.61 square metres in area. The Centre is centrally located within a housing cluster in South Hedland considered restricted by location. Whilst, the facility is suitably placed next to a state school, 'Cassia Primary', it and the school are constrained by location on a local / loop section of the road network, with limited access and egress options. The interactions of both school and childcare uses make considering the childcare centre in isolation near impossible (refer Attachment 1).

As the school is surrounded on three side by drain reserves and housing beyond, it also has limited options to expand carparking to cater for increased demand in future and for alternative access points. It is considered, if and when the school needs to expand in future, a solution to separate the school and the childcare centre traffic must be found as the location cannot sustain further traffic concentration to the south in Boronia Close.

The subject land is relatively flat with a levels across the of approximately AHD 12.26 to 11.89 on the west side, and AHD 12.39 to 12.05 on the east. The existing building has finished floor level of AHD 12.45 (refer Attachment 2).



Location Plan



Aerial Photo

Proposal

The development proposal consists of the following (refer Attachment 1):

- Approximate 545 sqm extensions to the east and west of the original building.

- A 2m wide veranda wrapping around most of the north, east and west sides of the building.
- A reduced setback to the front boundary of 3.15m to the building and 1.25m to veranda posts on west side.
- Proposed increased childcare accommodation numbers from 43 to 134 children.
- New paving to the whole perimeter of the building under the verandas.
- Outdoor play area totalling approximately 1584sqm.
- New aluminium slat fencing to the front and east side boundaries.
- A new van parking area to the east side.
- No car parking is proposed on site. Use of all existing car parking bays within the road reserve and sharing/use of the school car parking is proposed (refer Attachment 3).

Land Tenure

The subject land, Lot 2791 (No.25) Boronia Close is owned by Town of Port Hedland (2509.82 sqm). The land is surrounded by a 'u' shaped parcel of Crown reserve land managed by the Department of Education (Lot 2994).

The reserve containing the Cassia Primary School (Department of Education) is comprised of Lots 5525 and 2994 Boronia Close (totaling 3.6215 hectares).

Lot 2934 Boronia Close (4002.93 sqm) is Crown land with the State of WA, is located to the north of the subject land.

Traffic Conflict

Site inspections conducted by engineering officers in October 2023 (mornings) identified concerns of:

- current traffic flow and conflict at the right turn on the eastern side of Boronia Loop into the school and the 'on-road' shared carpark. Vehicles turning right into the car park need to give way to on-coming traffic and vehicles turning left into the school.
- traffic cueing evident on Boronia Loop at the bend (blind corner) in road and access point to the two primary school car parking areas.
- vehicles have been observed overtaking and crossing over to the opposite side of the road (traffic lane) creating near miss incidents. This issue has also been reported by the public through the application consultation process.
- an appropriate intersection treatment/control is required to address the issue, which will require a capital investment.
- the traffic flow of the 'Kiss and Ride' at the school, the traffic que is banking back towards the entrance from Boronia Close and contributing to issues at the intersection.

It is considered, increased numbers at the childcare centre will exacerbate the issues and create an increased risk of a serious incident. The current car parking demands need to be surveyed as they seem contrary to what is suggested by Applicant's traffic Impact statement (TIS) (refer Attachments 4, 5 and 6) . Further much more detailed

surveys and assessment is required to determine impacts of shared public parking within this location, and potential to cause further traffic issues and risk of traffic incidents.

It is recommended the Applicant onsite traffic counts to gain an accurate measurement of the demand and traffic flow at the peak time and model it through suitable software. A road safety audit is also recommended by a qualified person with the findings in the report addressed as part of the proposed development.

Car Parking & Access

There are several issues identified for the development proposal:

- There is no parking proposed on or off-site as part of this development proposal. An existing area which was formerly used for car parking is proposed to be built over.
- The applicant was advised to examine opportunities in providing car parking within the location but has provided a basic parking assessment suggesting no further parking is needed. All parking provided in the vicinity is on the road reserve or on Education Department land.
- The access and egress points for school and childcare centre uses are unnecessarily interrelated. Egress for a large part of school car park and public bus service passes through a driveway in front of the childcare centre. A review of alternative access /egress options should be explored.
- The road network in the location is hugely restrictive. Consideration should be given to short and long term improvements.

The Applicant's Traffic Impact Statement (TIS) indicates a parking shortfall of 23, for the upgrade to the childcare centre proposed increasing the capacity from 43 to 133 Children and staff from 9 to 22. The TISA indicates the requirement for a total of 36 car bays (within the road reserve) to meet the expanded needs. The applicant's TIS report, however, lacks information, including reference to disability parking bay, loading zone and designated pickup/drop-off points near the centre. Failing to meet these requirements can pose safety hazards through potential congestion, uncontrolled parking on the verge, footpaths and creating hazards for children walking to school. Safety is paramount to the facility's primary occupants (children) and should not be compromised.

Potential Improvements /Solutions

There are various treatments that could be considered for the location to address existing / future traffic and parking issues, that could be created by the development:

- mini roundabout at the intersection of access way to school and loop road adjacent childcare centre lot.
- reconfiguration of entry to school and exiting car parking bays within the road reserve near the egress intersection which could include realignment of the existing through lane.
- realigning the access out of the school to reduce conflict with the childcare centre pedestrian traffic.

These concepts have not been designed or tested and need expenditure of resources for further investigation by the Town through safety audits on the existing road network and any suggested design improvements before determining what is acceptable.

The Australian National Road Safety Strategy commits to applying the Safe Systems approach, guided under 4 principals:

- Safe Roads
- Safe vehicles
- Safe road use
- Safe speeds

Known research indicates the lowest speed threshold at 30km/h being the limit for fatal or serious injured crashes between vehicles and pedestrians. Therefore, pedestrians and more so, children within the development proposal locality are the most vulnerable roads users requiring extra consideration in the design and useability of the road network.

Road safety auditing (RSA) is a method which can be employed to assess the site for risks and hazards to road users using the Safe Systems approach. An RSA will identify the road safety issues with findings and make recommendations on the findings. The findings will determine the likelihood of the crash occurring and will be considered an "important" finding if there is a potential for a fatal or serious injury.

Applicant Further Survey Information

A meeting was conducted on 22 February 2024, with Town's staff from Community Services, Engineering Services and Planning Services and representatives from Rose Nowers Early Learning Centre (RNELC) (Gloria Jacobs, Nicolas Spadaccini, Sarah McKenzie). The RNELC representative explained that there was issues with traffic queuing and potential conflict.

After the meeting, information was provided by the Applicant on 26 February 2024 consisting of traffic count data. The data was collected over a one (1) hour period (1.45pm to 2.45pm) as follows:

1. Date,
2. Time,
3. Numbers of cars and buses in Council Car Parking at 1.45pm, 2.00pm and 2.45pm
4. Number of cars in School Parking area at 1.45pm, 2.00pm and 2.45pm
5. Number of cars on curb parking at 1.45pm, 2.00pm and 2.45pm
6. Number of cars and buses travelling east and west on Boronia Crescent at 2.00pm, 2.07pm, 2.15pm, 2.25pm, 2.35pm, 2.45pm
7. Number of cars and buses exiting road in front of RNELC at 2.00pm, 2.07pm, 2.15pm, 2.25pm, 2.35pm, 2.45pm

Further information was also provided the same day (26 February 2024), on drop-off and pick-up times from 3 January 2024 to 26 February 2024.

Engineering Services have examined the information provided and advise that it the data confirms there are clashing demands for parking and access to the childcare centre and school sites. Detailed Engineering Services comments on the data are below:

Data Sets	Comments
Cassia Primary drop-off times 7:39am – 8:11am Cassia Primary pick-up times 2:10am–3:15am	The Rose Nowers Early Learning Centre (RNELC) drop off times were tallied into time slots based on the Cassia Primary school drop off time and pick up times, being as follows (only the drop off times during school term have been used, this has been done to most accurately represent the current scenario).
Cassia primary school drop off time [morning]	<ol style="list-style-type: none"> 1. RNELC drop off before Cassia Primary - drop off 2. RNELC drop off between Cassia Primary - drop off 3. RNELC drop off after Cassia Primary - drop off
Cassia primary school pick time [afternoon]	<ol style="list-style-type: none"> 1. RNELC drop off before Cassia Primary - pick up 2. RNELC drop off between Cassia Primary - pick up 3. RNELC drop off after Cassia Primary - pick up
	The key statistic being the number of RNELC drop offs between the Cassia primary school drop off times. This is essential to understanding the interaction and amount of traffic crossing the road from the car park and into the RNELC.
	The two tables below summarise the statistics based on the information provided by RNELC
<ul style="list-style-type: none"> • 9.44 RNELC children being dropped off before the Cassia primary school drop off time • 10.50 RNELC children being dropped off during the Cassia primary school drop off time • 8.22 RNELC children being dropped off after the Cassia primary school drop off time 	<p>Analysis of this information highlights the main issue being at the Cassia Primary School morning drop off time, on average most of RNELC children are being dropped off during the Cassia primary school drop off time.</p> <p>On average this represents 37% of the Rose Nowers Early Learning Centre (RNELC) children being dropped off during the Cassia primary school drop off time. This demonstrates that a considerable number of children and being dropped off at the same time in the morning and there is high potential for an accident to occur at the crossing point</p> <p>Further looking into the data for the 33min window which has been allowed for the primary school drop off time, on average 10.5 children are being dropped off at the RNELC. Therefore, on average 21 crossings of the road in a 33 min period. This equates to, one crossing required every 1.6mins.</p>
7. Number of cars and buses exiting road in front of RNELC at 2.00pm,	The current capacity of the childcare is 43 children with a proposal to increase this to 134 children, represents an increase of 3.1 times more capacity.

<p>2.07pm, 2.15pm, 2.25pm, 2.35pm, 2.45pm</p>	<p>If this is applied to the current scenario, the 21 average crossings translate to 65 pedestrian crossings within the primary school drop off time. This now equates to one crossing required every 0.5mins. As you can see the crossing frequency becomes quite demanding (every 30 seconds), pushing the exposure of pedestrians to vehicular traffic and potential clashes.</p> <p>If we look at the manual traffic counts provided, in particular number of cars and buses exiting road in front of RNELC. During the peak pickup time for the primary school (2.25pm) approximately 200 cars were counted passing the road in front of the school.</p> <p>If a similar number is then applied to the primary school drop off period, 200 cars are passing the RNELC in a 33min period. This equates to one car passing every 10 seconds (on average).</p> <p>Based on the above there will not be enough gaps in traffic for the number of pedestrians to safely cross with the required frequency of vehicle movements.</p> <p>It is considered that suitable upgrades to the car park design are done to facilitate the additional traffic. The design would need to compose of removing the road in front of childcare centre and addressing the intersection and parking layout of the site in general. A pedestrian priority crossing in front of the centre cannot be implemented as it would cause massive congestion issues, the risk should be eliminated, and the current site has potential to facilitate this.</p>
	<p>Moving forward, Engineering Services recommends, that the Town develop some concept designs and get a road safety audit completed for the site/concept designs. This will inform a potential solution to the traffic issues and from there a detailed cost estimate could be calculated for the required upgrades.</p>

Table 1 - Cassia Primary School (morning drop-off)			
Date	Before School drop off	Between drop off time	After school drop off
31/01/2024	6	11	4
1/02/2024	6	9	13
2/02/2024	11	9	8
5/02/2024	12	6	8
6/02/2024	8	9	9

7/02/2024	11	13	9
8/02/2024	14	9	10
9/02/2024	12	7	11
12/02/2024	12	4	7
13/02/2024	7	12	5
14/02/2024	9	8	8
15/02/2024	6	15	9
16/02/2024	6	15	8
19/02/2024	8	10	9
20/02/2024	12	5	8
21/02/2024	11	13	8
22/02/2024	11	16	9
23/02/2024	8	18	5
Total	170	189	148
Average	9.44	10.50	8.22

Table 2 - Cassia Primary School (afternoon pick-up)			
Date	Before school drop off	Between drop off time	After school drop off
31/01/2024	3	5	13
1/02/2024	1	3	24
2/02/2024	1	3	24
5/02/2024	4	3	19
6/02/2024	2	4	20
7/02/2024	2	9	22
8/02/2024	4	2	27
9/02/2024	2	5	23
12/02/2024	2	5	16
13/02/2024	1	3	20
14/02/2024	2	3	20
15/02/2024	1	2	27
16/02/2024	2	3	24
19/02/2024	3	5	19
20/02/2024	1	3	21
21/02/2024	2	3	27
22/02/2024	4	2	30
23/02/2024	2	4	25
Total	39	67	401
Average	2.17	3.72	22.28

LEVEL OF SIGNIFICANCE

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

- Significant - The degree to which a decision or issues are difficult to reverse.
- Exception - Any physical alterations to strategic assets that are required to: prevent an immediate hazardous situation arising and repair an asset to ensure public health and safety due to damage from an emergency or unforeseen situation.

CONSULTATION

The proposal was advertised between 13 September and 6 October 2023. One submission was received from residents in Eucalypt Way concerned about hazards for traffic and pedestrians. The Education Department was consulted on the development application but did not provide comment.

The submission table below outlines the details of the one submission received:

<p>1.</p>	<p>As the resident of the above address, I wish to make a submission of NO to the up-and-coming proposal of extensions to Rose Nowers Learning centre. It is not for the extension as such but to what will come of the extra numbers for which the extensions are for.</p> <p>With the numbers that have been quoted from 43 to 133 will come a lot more Infrastructure, more movement around the Centre. This will come in the form of Traffic when drop off and pick up occurs.</p> <p>At the present stage during these times, the corner or bend of Boronia Ave at Cassia Primary becomes the worst, and most dangerous corner with Parents stopping along the roadway completely blocking of Boronia Ave to traffic. Unfortunately, people are not taking care and passing on a blind corner with vehicles coming from the other way at the same time. A major accident awaiting to happen.</p> <p>At present the traffic comes into the pickup point of Cassia and the flow of traffic then passes in front of the learning Centre to exit back onto Boronia Ave. this is completely wrong straight away. The traffic should never go pass the Learning Centre at all.</p> <p>Problems occur here that is, people wanting to go back onto Boronia Ave are blocked back in front of the centre as they cannot see passed the park cars in the parking bays allocated for the Learning Centre, to make a safe exit onto the roadway. Or they just take a chance to exit in front of the oncoming traffic. Many times,</p>	<p>Noted: Inspection also revealed traffic demands and issues in flow and conflict.</p> <p>It is recommended that should the development proposal be supported, the Town conduct road safety audits of the existing road network and undertake investigations of potential improvement options and further road safety audits of the design options, prior to commitment to constructing the development.</p>
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	<p>on our travels home people have pulled out in front of us, us nearly tee- boning them or them tee-boning us.</p> <p>.....it is not the extensions we are concerned with but the problems that will occur as of the follow up and I think more planning needs to go into the control of the movement for the safety of parents and the CHILDREN that will be using the facilities (sic),</p>	
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Stakeholder consultation included:

Internal

- Community Services.
- Building Services.
- Environmental Health.
- Engineering Services.

External Agencies

- Education Department.
- Department of Communities (Housing)

Community

- Landowners and occupiers within a 200m radius of the application site.

LEGISLATION AND POLICY CONSIDERATIONS

The following policy and legislation is applicable to the development:

Building/ Environmental Health

- *Building Act 2011.*
- *Environmental Protection Act 1986.*
- *Environmental Protection Regulations 1987.*
- *Environmental Protection (Noise) Regulations 1997.*

Planning

- *Planning and Development Act 2005.*
- *Planning and Development (Local Planning Schemes) Regulations 2015.*
- State Planning Policy 7.0 – Design of the Built Environment.
- Liveable Neighbourhoods 2009
- Liveable Neighbourhoods 2015 (Draft)
- Town of Port Hedland Local Planning Strategy.
- Town of Port Hedland Local Planning Scheme No.7.
- Local Planning Policy 11 – Stormwater Management.

Engineering

- 9/005 Vehicle Crossover Policy (Town of Port Hedland)>

FINANCIAL AND RESOURCE IMPLICATIONS

Further investigative works are required to be conducted for potential improvement options to the road network to reduce traffic conflict and assist traffic flow at peak times. It is likely the Town may be requested to meet all costs for improvements to the road network and provision of additional car parking in the vicinity.

High level estimated costs for examining, designing and providing improvements:

1. Road network changes – \$ 1.5 Million
 - Eucalypt Ct access road (between Lot 2791 and residential lots on Eucalypt Way) \$500,000.
 - Round-about Boronia Close \$500,000.
2. Car parking changes –
 - Provision of further car parking bays \$500,000.

Whether such costs are shared with the Applicant and the Primary School (Education Department) will be subject to negotiations. It is recommended that discussions with the Education Department will be required as any suggested improvement to the road network will impact the access and or egress to school site.

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:

- 1.4.1 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:

- 2.2.2 Maintain strong partnerships with the private sector and government to fund projects and pursue job creation.
- 2.2.3 Encourage innovation and new business creation to enhance the diversity of employment opportunities.
- 2.5.3 Invest and develop key community and recreation infrastructure.

Our Built and Natural Environment:

- 1.2.1 Identify, plan and develop the present and future needs for serviced land and infrastructure provision.

Our Leadership:

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

Access and Inclusion

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

- Outcome 2 – Buildings and Facilities
- Outcome 7 – Employment Opportunities

Corporate Business Plan

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

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.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Health & Safety Financial Reputational
Cause	Health, Compliance, Reputational
Effect (Consequence)	<ul style="list-style-type: none"> • Considering the development in isolation of the broader road design issues and adjoining primary school use. • Not undertaking road safety audit. • Not applying improvement measures to the road network. • Approving the development subject to understanding traffic and road safety issues in detail.
Risk Treatment	<ul style="list-style-type: none"> • Increased ‘vehicle to vehicle’ and ‘vehicle to pedestrian’ conflict. • Increase risk of a fatality.
<p>It is considered there are health & safety, operational, and reputational risks associated with this item.</p> <p>The risk rating is considered Medium (9) to High (12) which is determined by a likelihood of Likely (4) and a consequence of Moderate (3) to Major (4).</p>	

This risk will be mitigated by the Town taking action to identify safety risks, potential solutions to improve safety and implementation of works to effect change.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

Planning and Engineering Services believe there are current issues with the road network, traffic flow and access to the school and the childcare centre uses. There is evidence of traffic conflicts due to access demands and interactions between the school and the centre during peak times. It is considered that redevelopment of the centre to increase children and staff populations will exacerbate traffic conflict.

It is considered that the application can however be supported subject to the Town conducting road safety audits of the existing road network and undertaking investigations of potential improvement options and further road safety audits of the design options, prior to commitment to constructing the development.

ATTACHMENTS

1. Attachment 1- Aerial Image [**12.2.2.1** - 1 page]
2. Attachment 2 - Survey Plan [**12.2.2.2** - 1 page]
3. Attachment 3 - Architecturals Plans [**12.2.2.3** - 8 pages]
4. Attachment 4- Traffic Impact Report [**12.2.2.4** - 16 pages]
5. Attachment 5 - TIS Appendix 1 [**12.2.2.5** - 3 pages]
6. Attachment 6 - TIS Appendix 2 [**12.2.2.6** - 12 pages]

names are subsequently required to be realigned to the new layout, summarised below:

- Molten Way will no longer be constructed. As approved road names cannot be reused, this name is required to be retired on a permanent basis;
- Silicon Road and Metallic Loop to be relocated south-west of their original location, but maintain the same general alignment;
- As a result of Silicon Road being relocated, the northern end of Silicon Road will become an extension of Hematite Drive.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

Consultation is not required for this item.

External Agencies

Consultation is not required for this item.

Community

Consultation is not required for this item.

LEGISLATION AND POLICY CONSIDERATIONS

Road naming within Port Hedland is governed by the Town's Policy 12/010 - Naming of Roads and Places, which sets out the requirements and processed for the selection and support of proposed names.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial or resource implications associated with this item.

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 Built and Natural Environment:

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

Environmental

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 services 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

Risk Type	Strategic
Risk Category	Reputational
Cause	Failure to adopt the officer’s recommendation
Effect (Consequence)	Improper wayfinding within the Hedland Junction area
Risk Treatment	Adoption of the officer’s recommendation
<p>There is a Strategic, risk associated with this item as failure to adopt the officer’s recommendation may result in poorly functioning wayfinding abilities due to the lack of approved street naming.</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Likely (4) and a consequence of Insignificant (1).</p> <p>This risk will be eliminated by the adoption of the officer’s recommendation.</p>	

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Do not adopt officer’s recommendation

CONCLUSION

Appropriate and accurate naming of roads is important as it enables addressing of adjoining properties and ensures accurate wayfinding. Support of the officer’s recommendation will confirm that this is able to occur.

ATTACHMENTS

1. Original Road Name Approval [**12.2.3.1** - 7 pages]
2. Amended Road Layout [**12.2.3.2** - 1 page]

Steve Leeson, Director Corporate Services returned to the meeting at 7:36pm.

**Lee Furness, Director Infrastructure Services, left meeting at 7:40pm
Lee Furness returned to the meeting at 7:45pm**

12.2.4	Business Plan for Major Land Transaction - Lot 5996 Cottier Drive, South Hedland
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Author: Senior Economic Development Officer
Authorising Officer: Manager Planning & Economic Development
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

CM202324/237 COUNCIL DECISION

MOVED: Cr Tim Turner

SECONDED: Cr Ambika Rebello

That Council:

- 1. Notes that:**
 - i) a restricted Request for Proposal has been released to three shortlisted proponents for the design, construct and/or option to operate service worker housing;**
 - ii) that the award of any works will be brought to Council at a later date; and**
 - iii) that any works awarded will be conditional on Council adopting the Major Land Transaction business case following public advertising.**
- 2. Notes that the deposit for this purchase has been provisionally included within the Quarter 2 budget amendment and that the balance of funds for the purchase will be sourced from the strategic reserve and included within the 2024/25 budget.**
- 3. Notes the State Government has allocated \$4,554,950.00 in funding to the Town to facilitate infrastructure works to prepare Lot 5996, Cottier Drive, South Hedland for development.**
- 4. Endorses the draft Business Plan for Major Land Transaction - Lot 5996, Cottier Drive, South Hedland and authorises the CEO to make minor amendments that do not substantially alter the intent of the Business Plan prior to advertising.**

5. Requests the CEO to commence state-wide and local public notice of the Business Plan for a period not less than six-week period and requests for all public comments to be collated and the Business Plan be presented back to Council for final endorsement.

CARRIED BY SIMPLE MAJORITY (5/3)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Flo Bennett and Cr Tim Turner

Against: Cr Adrian McRae, Cr Camilo Blanco and Cr Lorraine Butson

PURPOSE

The purpose of this report is for Council to consider endorsing the Business Plan for a Major Land Transaction – Lot 5996, Cottier Drive, South Hedland for public advertising in accordance with section 3.59 of the Local Government Act 1995, in preparation should the Council decide to award a design, construct and/or option of operate proposal in relation to this project at a later date.

DETAIL

Background

The Town continues to pursue the development of service worker housing within South Hedland to address the acute housing stress experienced within the district, and areas of market failure.

Housing supply and affordability remains a critical issue facing Port Hedland. Many other issues for the community can be in one way or another be traced the lack of affordable housing. As such, access to affordable housing has been identified by the Town as a key factor in ensuring future economic and trade development.

Increasing the supply and availability of affordable housing is key to attracting and retaining workers in sectors such as education, tourism, childcare, retail, and hospitality.

The cost of housing in Port Hedland is so high that it is higher than the Australia minimum wage of \$23.23 per hour or \$882.80 per week. As such, without a housing subsidy or a wage substantially higher than the minimum wage, service workers are unable to afford to live and work in Port Hedland.

Housing by the numbers

- Relative to regional WA, there is a current deficit of 1031 service workers in Hedland. Without intervention, this is expected to increase to 1444 by 2031.
- Average rent across Port Hedland is \$1000 per week compared to \$544 across regional WA.
- Average rents have increased 20% p.a in Port Hedland and 36% p.a in South Hedland since 2020.
- Housing supply has grown 0.2% p.a since 2017.
- There have been nine building approvals in the Town of Port Hedland between June 2022-April 2023.
- \$7.2 billion in aggregate capital expenditure for large new infrastructure projects is expected to further exacerbate the issue in the coming years.

Proposed transaction

The Town of Port Hedland (Town) proposes to undertake a Major Land Transaction to develop the land comprising Lot 5996 on Deposited Plan 219941 Crown Land Certificate of Title Volume 2575 Folio 853. The site is depicted by the boundaries of the highlight site per Attachment 2.

The Site is suitably sized and strategically located to accommodate residential housing development. The development provides future residents walking-distance access to the South Hedland commercial centre.

Under the proposal, the Town proposes to

1. acquire Lot 5996, Cottier Drive, South Hedland
2. develop dwellings for service workers
3. lease individual dwellings to service workers or to companies for the purposes of employing service workers.

Major Land Transaction

Before undertaking a Major Land Transaction, the Town of Port Hedland under Section 3.59 of the Local Government Act 1995, is to prepare a business plan. The business plan is required to include an overall assessment of the major land transaction and is to include details of:

- a. its expected effect on the provision of facilities and services by the local government; and
- b. its expected effect on other persons providing facilities and services in the district; and
- c. its expected financial effect on the local government; and
- d. its expected effect on matters referred to in the local government's current plan prepared under section 5.56; and
- e. the ability of the local government to manage the undertaking or the performance of the transaction; and
- f. any other matter prescribed for the purposes of this subsection. The business plan presented to Council as Attachment 1 complies with these requirements.

Public Advertising

If the draft Business Plan is endorsed by Council, the Town will make the plan accessible to the public through the Town of Port Hedland website and have hard copies available through the Town of Port Hedland Administration Office and the Town operated libraries for a period of at least (6) six weeks.

The Town will present submissions made by the public to Council following the advertising period for Council to consider before deciding whether to adopt the Business Plan.

Prior Council Decisions

At the 28 June 2023 Ordinary Council Meeting, the Council of the Town of Port Hedland endorsed the South Hedland Service Worker Housing Business Case and supported undertaking a procurement process to develop service worker accommodation within South Hedland.

At the 30 August 2023 Ordinary Council Meeting, the Council of the Town of Port Hedland endorsed the Service Worker Demand Analysis and Socio-Economic Impact Assessment.

LEVEL OF SIGNIFICANCE

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

- Significant - Any transfer of ownership or control or the constructions, replacement or abandonment of a strategic asset.
- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland

CONSULTATION

Internal

- Director Regulatory Services
- Director Infrastructure Services
- Manager Planning and Economic Development
- Manager Infrastructure Projects & Assets – Infrastructure & Services
- Manager Public Affairs
- Project Manager

External Agencies

- McLeods Lawyers

Community

- Nil – previous consultation has occurred when developing the Service Worker Demand Analysis and Socio-Economic Impact Assessment.

LEGISLATION AND POLICY CONSIDERATIONS

Sections 3.59 of the *Local Government Act 1995* and regulation 8A of the *Local Government (Functions and General) Regulations 1996*.

FINANCIAL AND RESOURCE IMPLICATIONS

Land acquisition

The Town has agreed to purchase the subject lot for approximately \$460,000, excluding GST. This cost has been recommended for including in the Quarter 2 budget amendment.

Development costs

The Town has allocated \$40 million as part of its Long-Term Financial Plan to the project. The total cost of the development will be determined by the Request for Proposal process.

The Town continues to seek funding for this project, noting that Council has determined an external funding contribution must be incorporated within the anticipated cost of development.

Grant Funding

The State Government has allocated \$4,554,950.00 through the Infrastructure Development Fund for this project.

Legal fees

Legal advice related to compliance to the Local Government Act 1995 is budgeted under the Corporate Services operational budgets.

Advertising

Advertising expenses are budgeted under the Regulatory Services operational budget.

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:

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

Our Economy:

2.1.4 Regularly engage local businesses, government agencies and other relevant stakeholders to:

- Identify strategic employment and economic development opportunities and priorities
- Assess and address market failures affecting the cost of living
- Assess and address cost of doing business challenges.
-

2.2.1 Engage and coordinate local training providers, business, industry, services, agencies, social sector and infrastructure providers in the development of training and employment opportunities.

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

2.5.1 Pursue investment in key infrastructure development such as the port, airport, service industry and logistics.

2.5.2 Ensure future supply of housing and serviced land for development.

2.5.3 Invest and develop key community and recreation infrastructure.

2.5.5 Support tourism infrastructure development

2.5.6 Support regional growth initiatives.

Our Built and Natural Environment:

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.

Environmental

The Town will be required to undertake necessary studies and mitigate any environmental impacts/concerns.

Socio-economic

Total socio-economic benefits are estimated at \$152.4 million.

The project is expected to benefit the community and economy of Port Hedland by:

- Higher resilience and insulation from the turbulence of the mining and transport section' business cycle.
- Greater capacity or key industries to attract and retain staff.
- Increase positively feeding investment into a range of local sectors due to increased certainty around the tenure of labour.
- The Town of Port Hedland economy will increase by approximately \$19 million per annum, representing approximately \$250 million over the 20-year project lifespan.
- Will reduce service worker labour costs and provide local businesses with circa \$16.6 million worth of labour cost savings over the assessment period.
- Closing the gap in housing costs between the Town of Port Hedland will provide local businesses with more confidence to invest and expand with a greater availability of labour.
- The value of additional commercial development as a result of the South Hedland Service Worker Housing project is \$3.575 million (present value).
- The indirect value of construction associated with the South Hedland Service Worker Housing project equates to approximately \$21.6 million (present value).
- The delivery of the project is expected to lead to a 2.5% reduction in rental prices in Port Hedland.
- The delivery of the project has the potential to boost business confidence to a level appropriate to enable the expansion of key services including Childcare, Health and Community Service, and Not-for-Profit.
- The South Hedland Service Worker Housing project has the potential to reduce the Social and Community Service worker gap by circa 12.6%, alleviating pressure on community services, including childcare and NFP sector.
- The South Hedland Service Worker Housing project has the potential to unlock an enhanced offering of retail services via the expansion of operating
- Hours and/or the delivery of new, or extension of existing, anchor or specialty stores.
- The South Hedland Service Worker Housing project has the potential to provide additional volunteering with a value equivalent to \$70,230 p.a. to the Town of Port Hedland.
- The delivery of the Project is expected to increase the volume of participants in local sports by 100 people. This has the potential to alleviate social isolation in the community and trigger a positive cycle of involvement into local clubs by residents. This will reduce resident turnover and increase the attractiveness of the town among new entrants.

- A more stable and permanent resident population will enable the development and/or reestablishment of community groups and services in addition to contributing to greater business confidence.
- The Cottier Drive Project has the potential to further increase community diversity.
- The Cottier Drive Project will generate \$7,633,180 of State Tax Revenue, in present terms, over 20 years.

Access and Inclusion

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

- Outcome 2 – Buildings and Facilities
- Outcome 5 – Opportunities for Feedback
- Outcome 6 – Public Consultation

Corporate Business Plan

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Reputational
Cause	Fail to endorse advertising of the Business Plan
Effect (Consequence)	The project will not be able to proceed without complying with the <i>Local Government Act 1995</i> .
Risk Treatment	Adopting the Officer’s recommendation.
<p>There is a reputational risk associated with this item as failure to endorse the Business Plan for public advertising would inhibit progress on the development.</p> <p>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 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 endorsement of the Business Plan for public advertising will allow for the Town to meet its legislative responsibilities in seeking feedback from the community prior to undertaking a major land transaction.

ATTACHMENTS

1. Attachment 2 - Proposed Development Site [**12.2.4.1** - 2 pages]
2. Attachment 1 - Business Plan for Major Land Transaction - Lot 5996 (draft) [**12.2.4.2** - 14 pages]

12.3 Community Services

12.3.1	Childcare Expansion 25 Boronia Close South Hedland
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Author: **Manager Recreation & Leisure Facilities**
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. Thanks Rose Nowers for the work associated with the centre’s project expansion to date;**
- 2. Request that the CEO or his delegate make appropriate arrangements under the Rose Nowers current community lease to enable the Town to undertake the expansion project in-house;**
- 3. Allocates \$3M in the FY24/25 budget from its Strategic Reserves for the Rose Nowers project expansion on the proviso it is matched by grant funding before the project can commence; and**
- 4. Request that Rose Nowers and the CEO or his delegate apply for grant funding and industry funding to support the project expansion.**

SIMPLE MAJORITY VOTE REQUIRED

CM202324/230 AMENDMENT MOTION

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Flo Bennett

That Council:

- 1. Thanks Rose Nowers for the work associated with the centre’s project expansion to date;**
- 2. Request that the CEO or his delegate make appropriate arrangements under the Rose Nowers current community lease to enable the Town to undertake the expansion project in-house;**
- 3. Allocates \$3M in the FY24/25 budget from its Strategic Reserves *towards childcare developments as per the Long-Term Financial Plan* for the Rose Nowers project expansion on the proviso it is matched by grant funding before the project can commence; and**

4. Request that Rose Nowers and the CEO or his delegate apply for grant funding and industry funding to support the project expansion.

CARRIED BY SIMPLE MAJORITY (6/2)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner
Against: Cr Adrian McRae and Cr Camilo Blanco

PURPOSE

This report is for Council to note and thank Rose Nowers for all their work on the centre's project expansion to date, to note the legal advice received by the Town on risks associated with undertaking the development and to consider project managing the delivery of Rose Nowers' project expansion at the facility.

DETAIL

Project Summary

The Rose Nowers Childcare Centre is at 25 Boronia Close in South Hedland and was first opened in 1990. The Centre is a ToPH asset and subject of a ToPH community lease, with Rose Nowers Early Learning Centre having been the Lessee since the centre opened.

The site is approximately 2,500 sqm in size and has available land to cater for an expansion. The service has regulatory approval for 43 placements at present, and the number of placements can expand to 134 placements with the Rose Nowers expansion proposal. Currently Hedland is experiencing critical issues with families being able to access suitable childcare placements, and this project is considered a viable solution that will alleviate some of these constraints.

In 2021 the Town commissioned Child Australia to assess the Childcare needs in Hedland, with the findings of those reports indicating a shortfall of around 380 childcare places across Hedland. The Town is completing a follow-up gap analysis to assess the childcare needs in 2024.

Rose Nowers presented their expansion proposal to Council on 8 March 2023, together with:

- a report undertaken by a consultant (RFF) engaged to assess its plan to expand the facility;
- a proposed floor plan sketch;
- a concept estimate for concept design from RBB. The project cost for construction in its conceptual state had been estimated at \$6,478,924 plus GST in 2022.

On 4 August 2023, the Town provided a generic letter of support to Rose Nowers to enable their application for Round 1 of the Commonwealth Government's Growing Regions Program.

On 8 August 2023 formal correspondence from Rose Nowers was sent to the Town's Mayor and Councillors advising that the work with their architects had progressed to a stage where it could be considered DA ready (attachment 1). The letter also sought Council's consideration to financially support the project, and guidance as to whether the Council would:

1. Take the project in house and deliver it in full; or
2. Assist to fund the project for delivery by Rose Nowers Project Management team

On 31 August 2023, following Elected Members' request at the 23 August 2023 Agenda Feedback Session, Rose Nowers clarified it had submitted an EOI for Stage 1 of the Commonwealth Government's Growing Regions Program – Round 1.

In November 2023 Rose Nowers advised the Town that they had been unsuccessful in the first Round of the Growing Regions Program and provided the Commonwealth's feedback email which indicated insufficient formal documentation confirming cash contributions from other sources (in this case being the Town).

However, whilst eligibility requirements were not met, Rose Nowers was encouraged to consider applying for Growing Regions Round 2.

On 23 November, the Town received legal advice from McLeod's (attached) that considered the pros and cons associated with the Town (the asset owner), undertaking the development, versus Rose Nowers (the lessee). The advice indicates that the legal and statutory requirements related to the project, and associated risks, would be better met and mitigated by the Town undertaking the development itself.

Rose Nowers has been made aware of this advice.

Next Steps

Council is now requested to consider providing a formal response to Rose Nowers via a formal Council resolution that addresses:

- Whether the Council supports Rose Nower's project in principle
- Whether the Council intends to financially support the project, and if so, how and at what value;
- Subject to Council support, the Town is to work with Rose Nowers to lodge an application to Growing Regions Round 2 and any other available grant funding and industry funding opportunities.

Officers are recommending the Town takes the project in-house and includes it in the next round of available funding for capital projects of this nature, with the project to commence in FY24/25.

In addition, the Town is also in the process of reviewing its 2021 report on 'Assessing Childcare Needs in Hedland' to provide updated information to further support the development of future childcare infrastructure.

LEVEL OF SIGNIFICANCE

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

- Significant - Any issue, proposal, decision, or other matter that will substantially affect a wide range of people who reside in Port Hedland.
- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland

CONSULTATION

Internal

- ToPH Executive Leadership Team
- Manager Youth and Community Development
- Manager Infrastructure Projects and Assets
- Senior Urban Planner
- Elected Members throughout 2023, via two face-to-face briefings with Rose Nowers representatives, and via email correspondence

External

- *Rose Nowers Chair, Board and Committee*

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

- 1.2 An inclusive and involved community
- 1.4 Well-utilised and valued community facilities and services
- 2.2 Enhanced local training and workforce opportunities
- 2.5 Improved infrastructure development
- 4.3 Effective delivery of services and infrastructure to meet community needs

Community Development Plan 2022 – 2027

- 6. Addressing early years support needs.

- ToPH Assessing Childcare Needs Report from listed recommendations.
- Support meetings, facilitated by the Hedland Collective, to collaboratively monitor

4. Creating powerful partnerships.

- Invest in the development of powerful partnerships both externally and internally
- Strengthen key stakeholder collaboration networks with the focus on collective action:
- Support the Hedland Collective and its priority collaborations:
- Childcare

Economic Development and Tourism Strategy 2022

Priority Infrastructure Projects: “Through consultation with stakeholders, the following priority infrastructure has been identified and should be the focus of advocacy efforts, where the State and Commonwealth Government can provide support: Childcare.”

Access and Inclusion Plan

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

- Outcome 1 – Services and Events
- Outcome 2 – Buildings and Facilities
- Outcome 7 - Employment

Corporate Business Plan

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

Our Community Services:

Youth and Community Development - Provide and/or advocate for services and activities for youth and the wider community Engagement of the community to achieve sustainable outcomes, equitable decision making, and deepen relationships and trust between organisations and community

Infrastructure Services

Projects and Assets - Effective and efficient project and asset management. Childcare expansion and development.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Reputational
Cause	Critical need for additional childcare placement in Port Hedland

Effect (Consequence)	Widespread impact on community livability
Risk Treatment	Following the officer’s recommendation
<p>There is a reputational risk associated with this item caused by a critical need for additional childcare placement in Port Hedland, leading to <type effect>.</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 will be mitigated by Council supporting the next phase of this project.</p>	

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Adopt the amended recommendation as below:

That Council:

- 1. Thanks Rose Nowers for the work associated with the centre’s project expansion to date;**
- 2. Note it will not provide financial support for the expansion of the Rose Nowers childcare centre; and**
- 3. Request that the CEO continue pursuing funding opportunities for a new childcare development as part of Stage 4 of the JD Hardie Masterplan.**

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

In recognition of childcare being a critical need for the Hedland community, the Town has been working with Rose Nowers for the past 12 months on a project expansion at the site. Rose Nowers has advanced the project significantly, to a point where Council is now required to indicate and quantify its financial support or otherwise.

Attachments

1. CONFIDENTIAL - RNELC To PH Funding Support Letter [**12.3.1.1** - 2 pages]
2. CONFIDENTIAL - 223075 A 00.00 Cover Sheet P 4 [**12.3.1.2** - 1 page]
3. CONFIDENTIAL - 223075 A 01.00 SITE SURVEY P 5 [**12.3.1.3** - 1 page]
4. CONFIDENTIAL - 223075 A 02.00 SITE PLAN P 5 [**12.3.1.4** - 1 page]
5. CONFIDENTIAL - 223075 A 04.00 PROPOSED FLOOR PLAN P 8 [**12.3.1.5** - 1 page]
6. CONFIDENTIAL - 223075 A 06.00 PROPOSED ELEVATIONS P 4 [**12.3.1.6** - 1 page]
7. CONFIDENTIAL - 20231123 Legal Advice [**12.3.1.7** - 7 pages]

8. CONFIDENTIAL - Assessing- Childcare- Needs-in- Hedland [**12.3.1.8** - 17 pages]

Cr Bennett declared a disclosure of interest for Item 12.3.2.

12.3.2	South Hedland General Practice Services Review
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Author: Administration Officer - Community Services

Authorising Officer: Manager Youth and Community Development
 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.

CM202324/238 COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council notes the Hedland General Practice Services Review and its recommendations.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

PURPOSE

The Council is requested to note the report and associated recommendations commissioned by the Town, BHP and Fortescue Metals Group (FMG) and undertaken by Rural Health West to understand what is needed to maintain a sustainable General Practice in Hedland.

DETAIL

In June 2023 a long-standing general practice service provider in South Hedland withdrew its services. With the loss of this service, the primary care needs of the South Hedland community have been largely unmet and additional pressure placed on services provided by Wirraka Maya Health Service Aboriginal Corporation, Hedland Health Campus and the private general practice located in Port Hedland.

In order to assist potential new medical service providers and support existing service providers, BHP, Fortescue, the Town of Port Hedland engaged Rural Health West to identify the barriers and enablers to setting up and/or operating a sustainable private general practice in Hedland including a scope to;

- Explore the enablers that encourage general practice service providers to operate services and work in the location.
- Review of the factors negatively affecting establishment and ongoing supply of general practice services to the South Hedland community.
- Review of the factors negatively affecting establishment and ongoing supply of general practice services to the South Hedland community.
- Review will consider the impact of any additional services on the existing primary care service providers in South and Port Hedland.

The research program has now been completed and recommendations for potential service providers, community and stakeholders to facilitate and support general practice service provision for South Hedland into the future has now come back for final endorsement.

Barriers that were identified during the review included:

GP Suitability – Ability to attract and retain GPs who are suited to the unique demands of rural general practice.

Ability to maintain GP workforce (workforce) - Following the need for attracting GPs appropriate to the location, the need to retain and grow the GP workforce was identified as a barrier to general practice sustainability and longevity.

Practice and support staff (workforce) - Whilst GPs are the primary service provided by general practices, practice managers, receptionists, and various other health care roles are vital for the efficient and effective operation of medical practice.

General practice business model (infrastructure) - Interviewees regularly identified the business model of general practice as a barrier experienced not only in Hedland but Australia wide, contributing to the pressures for sustainable access to general practice services.

Suitability for clinical premises (infrastructure) - One of the main factors negatively affecting general practice services in Hedland was described as the excessively high cost of renting appropriate medical facilities in an ideal location. Compounding availability of clinical premises, cost of materials for renovations and fit outs, availability and cost of trades, and lack of new infrastructure were all identified as further barriers in Hedland.

Local housing affordability and accessibility (infrastructure) - Access to affordable housing was identified by all stakeholders as a key barrier to health service provision in Hedland. Securing affordable housing is critical to attracting and retaining workers in sectors such as education, tourism, childcare, retail, and hospitality, especially where incomes are significantly lower compared with the mining sector. The high cost and low supply of local housing impacts the current provision and growth of health care services in Hedland.

Limited access and options for childcare and education (infrastructure) - Access to childcare was consistently identified as a barrier to attracting and retaining the workforce required for sustainable general practice in Hedland. Also impacting the broader Pilbara workforce, several strategies have been implemented in recent years, but with the growing population in Hedland and the rising cost of living, access to childcare for families with young children is a growing constraint.

Community expectation (environment) - The relationship between GPs and their community plays a vital role in the sustainability of general practice. Not only does the GP need to be suitably aligned with the community values and the health landscape they form part of, but the community expectation and perception of health services and general practice is equally as important.

Rural Health West have provided six recommendations in order to respond to this community issue with key responsibilities being allocated to key partners. These recommendations include the below:

Recommendation 1 - Enhanced and localised future workforce attraction strategies

Recommendation 2 - GP suitability and tailored employment opportunities

Recommendation 3 - Family support

Recommendation 4 - Availability of housing and clinical premises

Recommendation 5 - Strengthen general practice viability and community health

Recommendation 6 - Promoting the Hedland lifestyle and community.

It is expected that these recommendations will be further workshopped with relevant stakeholders identified as part of this report, with a view to setting timeframes for their implementation.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of {custom-field-low-med-high} significance, because: {custom-field-level-of-significance}

CONSULTATION

Internal

- Youth and Community Development Team
- Manager Youth and Community Development
- Director Community Services
- Executive Leadership Team

External Agencies

- BHP

- Fortescue
- Rural Health West
- Rural Clinic School WA
- WA Centre for Rural Health
- Royal Flying Doctor Service
- Spectrum Health
- Port Hedland Medical Centre
- Marlu Health
- Wirraka Maya Health Service
- Pilbara Therapy Service
- WA Primary Health Alliance
- The Royal Australia College of General Practitioners
- Pilbara Development Commission
- Other Pilbara health professionals

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

Nil associated with the drafting of this report.

FINANCIAL AND RESOURCE IMPLICATIONS

There may be associated costs or in kind supports to respond to the recommendations identified which may include but not limited to:

- Further subsidies to rent on ToPH properties
- Inclusion in place branding or promotional activities relevant to the workforce attraction and Hedland lifestyle and community
- Engagement with other stakeholders to increase training and development opportunities for school leavers and community members.

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 community:

1.1.1 Stakeholders are engaged to develop a whole-of-town approach to increase access to quality health and wellbeing services.

Our Economy

2.1 Effective Advocacy and partnerships

2.2 Enhanced local training and workforce opportunities

2.3 An enabling attractive business environment

2.4 Marketing and promotion

Social and economic impacts relating to this item have been identified above.

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

Corporate Business Plan

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

Our Community Services:

Community Safety - Initiatives to reduce the incidence of crime and enhance community safety and lifestyle

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic Reputational
Risk Category	Reputational
Cause	Lack of provision of adequate GP services
Effect (Consequence)	Widespread negative impact on community health
Risk Treatment	Implementation of report recommendations
<p>There is a strategic risk associated with this item caused by lack of adequate GP services, leading to widespread negative impact on community health. The risk rating is considered to be high which is determined by a likelihood of 4 and a consequence of 4.</p> <p>This risk will be mitigated by the implementation of the reports’ recommendations.</p>	

OPTIONS

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

CONCLUSION

The closure of GP services across Hedland in recent years has impacted on community health and wellbeing. The Town, in collaboration with BHP and FMG has taken the initiative to engage Rural Health West to conduct consultation and produce a report on identifying the barriers and enablers to setting up and/or operating a sustainable private general practice in Hedland. A series of recommendations have been developed, and this are being submitted to Council for consideration.

ATTACHMENTS

1. South Hedland general practice services review report, January 2024 - FINAL [12.3.2.1 - 22 pages]

12.3.3	Ngalikuru Kuma-Marri Plan – Hedland Aboriginal and Torres Strait Islander Partnership Plan 2024-2028
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Author: **Manager Recreation & Leisure Facilities**

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.

CM202324/239 COUNCIL DECISION

MOVED: Cr Tim Turner

SECONDED: Cr Ambika Rebello

That Council:

- 1. Thank the community for its contributions to the Ngalikuru Kuma Marri Plan 2024-2028;**
- 2. Note the Ngalikuru Kuma Marri Plan 2024-2028;**
- 3. Request that the CEO or delegate advertise the plan for public comments for a period of 21 days; and**
- 4. Receive all comments from the public advertising period at the next available Council meeting.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

PURPOSE

The purpose of this report is for Council to consider noting the Ngalikuru Kuma-Marri Plan - Hedland Aboriginal and Torres Strait Islander Partnership Plan 2024-2028 and endorse the public comment period of 21 days.

DETAIL

The Ngalikuru Kuma-Marri Plan – Hedland Aboriginal and Torres Strait Islander Partnership Plan 2024-2028 (The Plan) represents an agreement/accord between the Town of Port Hedland, Aboriginal and Torres Strait Islander peoples and communities of Hedland as to how we will work together towards our common aspirations, with mutual collaboration and cooperation. As a strategic framework document, it guides Council’s operations, activities and engagement with Aboriginal and Torres Strait Islander peoples and provides the over-arching plan for reconciliation and action within the Hedland township and its remote communities.

It has become both an expectation and organisational standard for Australian government, business and community development agencies to engage with their local Aboriginal and Torres Strait Islander communities to develop ways of working that meet the needs of the organisation whilst placing the needs of community at the forefront of their practice.

While identifying a wide range of workplace actions, it also fulfils the role of a strategic framework which establishes shared priorities and responsibilities. It establishes a common vision - a vision which local Aboriginal and Torres Strait Islander communities and organisations have had an active role in both shaping and bringing to fruition.

LEVEL OF SIGNIFICANCE

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

- The development of this document is both driven and inspired by feedback, opinions, priorities and ideas derived from extensive internal and external community input undertaken between July 2021 and March 2023. Community feedback indicates a strong direction for the Town to continue building a safe, family-friendly, vibrant and cohesive community.
- Formulation of the Plan was undertaken by the ToPH Community Development Team along with the input and support of Facilitators Bank of I.D.E.A.S.
- Internal workshops and information briefing sessions were conducted with ToPH Elected Members, Executive Leadership Team and the Senior Leadership Team with the feedback garnered throughout this process used to inform the development of the Plan. Other key ToPH planning documents were essential foundation resources for the preparation of the Plan as outlined above.

External Agencies

- The community engagement stage utilised a wide range of integrated activities (formal and informal) and included 85+ external agencies, community members and stakeholders. It involved the following elements:
 - Desktop research
 - Under the banner, 'Hedland Huddle', hosting and facilitating a range of community sessions engaging community members, businesses, and organisations
 - Use of a variety of 'My Big Ideas' cards to elicit ideas and opinions and how community members could contribute to make it happen
 - Administration of the 2021 ToPH Community Perception Survey
 - Various draft and final plans

Community

- The community engagement and consultation process involved a wide range of activities (formal and informal) in which community members and stakeholders exchanged ideas, opinions, information, knowledge, and wisdom. Participants sought common ground and considered options through meaningful, interactive conversations.
- The overall community engagement activities during the period July 2021 to February 2023 engaged 1,325 community members through 197 structured one-on-one and group conversations which generated 6,470 ideas and opinions.
- Specifically, regarding the opinions and ideas of members of Hedland's Aboriginal and Torres Strait Islander communities and organisations, a total of 397 were engaged through 64 structured one-on-one and group conversations and workshops which generated 2,024 ideas and opinions
- The Town will continue to welcome feedback from interested community members and community organisations throughout the duration and implementation of this plan, with a view of reasonable adjustments being considered as part of a yearly review process.

LEGISLATION AND POLICY CONSIDERATIONS

Reconciliation Action Plans, nor plans of this nature, are not a legislative requirement. They are frameworks which offer organisations a structured approach to advance reconciliation.

FINANCIAL AND RESOURCE IMPLICATIONS

All costs associated with the development of the Plan have been included in the FY 23/24 Operational Budget.

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:

1.1.1 Stakeholders are engaged to develop a whole-of-town approach to increase access to quality health and wellbeing services.

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

1.2.3 Forums and activities to give a voice to youth, people with a disability, ageing, Aboriginal and Torres Strait Islander, and Culturally and Linguistically Diverse (CaLD) people are recognised and supported.

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

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

1.3.1 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.

Our Economy:

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

2.2.1 Engage and coordinate local training providers, business, industry, services, agencies, social sector and infrastructure providers in the development of training and employment opportunities.

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

There are no significant identifiable environmental, social 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 1 – Events and Services
- Outcome 2 – Buildings and Facilities
- Outcome 3 – Accessible Information
- Outcome 4 – Quality of Service
- Outcome 5 – Opportunities for Feedback
- Outcome 6 – Public Consultation
- Outcome 7 – Employment Opportunities
- Outcome 8 – Advocate for an Increase in Inclusion

Corporate Business Plan

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

Our Community Services:

Youth and Community Development - Provide and/ or advocate for services and activities for youth and the wider community Engagement of the community to achieve sustainable outcomes, equitable decision making, and deepen relationships and trust between organisations and community

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

Our Corporate Services:

Customer Service - High quality and responsive customer service is provided

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Reputational
Cause	Extensive time spent during consultation and feedback with community during the continuum of this project.
Effect (Consequence)	Potential negative perception on the organisation
Risk Treatment	Implementation of report recommendations
<p>There is an Operational risk associated with this item caused by extensive time spent during consultation and feedback with community during the continuum of this project. Consultation methodologies have intended to remain as non-prohibitive as possible, there are still some groups that are yet to provide feedback, leading to potential negative perception on the organisation.</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>This risk will be accepted by the implementation of report 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 Hedland Aboriginal and Torres Strait Islander Partnership Plan sets the intention of the Town of Port Hedland to work together with our Aboriginal and Torres Strait Islander peoples and communities of Hedland in a meaningful, collaborative and co-operative manner. As a strategic framework document, it guides Council’s operations, activities and engagement with Aboriginal and Torres Strait Islander peoples and provides the over-arching plan for Reconciliation and action within the Hedland townships and its remote communities.

The Plan, as a strategic framework document, guides Council's operations, activities and engagement with Aboriginal and Torres Strait Islander peoples and provides the over-arching plan for reconciliation and action within the Hedland township and its remote communities.

ATTACHMENTS

1. TP H 14004 Aboriginal Partnership doc Simplified V 05 (002) [**12.3.3.1** - 11 pages]
2. TP H 14963 Aboriginal and TSI partnership - Feb '24 v 2 [**12.3.3.2** - 36 pages]

12.4 Infrastructure Services

12.4.1	Pre-Qualified Panel of Construction Professionals [RFT2324-20]
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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.

CM202324/240 COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Lorraine Butson

That Council awards the following successful Respondents to the panel RFT2324-20 'Pre-Qualified Panel of Construction Professionals' for an initial period of one (1) year, with two (2) x one (1) year extension options, exercisable at the discretion of the Town of Port Hedland:

- 1. Architects**
- 2. Civil Engineers**
- 3. Structural Engineers**
- 4. Mechanical Engineers**
- 5. Electrical Engineers**
- 6. Quantity Surveyors**
- 7. Geotechnical Engineers**
- 8. Project Management Services**
- 9. Landscape Architects**
- 10. Traffic Engineers**
- 11. Technical Report Writing Consultants**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

PURPOSE

This report provides a summarised assessment of the submissions received in response to the Invitation to Apply (Tender) RFT2324-20 "Pre-Qualified Panel Construction Professionals" ('Panel'), and for Council to endorse for the evaluation panel's recommendation of contractors to be appointed to the Panel.

In accordance with Regulation 24AC of the Local Government (Functions and General) Regulations 1996, a Panel of Pre-qualified Suppliers ("Panel") may be created where the following factors apply:

- A range of similar goods and services are required to be purchased on a continuing and regular basis;
- There are numerous potential suppliers in the local area, that would satisfy the test of 'value for money';
- The purchasing activity under the intended panel is assessed as being of a low to medium risk;
- The panel will streamline and improve procurement processes; and
- The Town of Port Hedland (the Town) has the capability to establish, manage the risks and achieve the benefits expected of the proposed panel.

The Town has successfully used a number of panels in the past. The panels also provide an avenue for local suppliers to work directly with the Town and not have to provide quotes for every transaction. The panels are set up to pre-qualify suppliers who provide hourly rates for their services.

DETAIL

Background

The Town of Port Hedland ('**Town**') is seeking to appoint a Panel of Construction Professionals who have extensive expertise and skills to assist the Town with various ad-hoc professional services to facilitate the timely delivery of its projects.

The Panel will include a diverse range of Contractors offering services in various categories critical to the Town's infrastructure and development projects. It will provide cost-effective and specialist technical services for the effective management of the Town's facilities and assets, as well as providing professional expertise and support in relation to the delivery of the Town's capital works program.

The Panel will consist of the following categories:

Architects	Geotechnical Engineers
Civil Engineers	Project Managers
Structural Engineers	Landscape Architects
Mechanical Engineers	Traffic Engineers
Electrical Engineers	Technical Report Writing Consultants
Quantity Surveyors	

A brief summary of each of these categories are outlined below.

Architects

Architects are engaged to design and plan the built environment, such as buildings, residential housing and community facilities. Their expertise in spatial design, functionality, stakeholder engagement and aesthetics ensure that the Town's built environment aligns with the Town's vision and meet the needs of the end users.

Civil Engineers

Civil engineers are frequently engaged to provide technical expertise in relation to the Town's infrastructure assets such as roads, footpaths and drainage systems. Their technical knowledge and expertise is vital for ensuring the efficiency and sustainability of the Town's civil assets contributing to the overall safety of the community.

Structural Engineers

Structural engineers ensure the safety and resilience of buildings and infrastructure. Structural engineers specialise in the design and analysis of structural systems, ensuring that buildings and infrastructure withstand environmental loads and meet safety standards, which is of particular importance in our geographical region. Their contributions are critical for ensuring the integrity and resilience of the Town's built environment.

Mechanical Engineers

Mechanical engineers specialise in HVAC (heating, ventilation, and air conditioning), plumbing, and fire protection systems. Mechanical engineering contributes to energy efficiency and environmental sustainability, further supporting the Town's commitment to reducing carbon emissions and addressing climate change.

Electrical Engineers

Electrical engineers are engaged to provide technical expertise in the installation of electrical systems, including lighting, power distribution, and communication networks. Their expertise contributes to reliable and efficient operation of the Town's electrical infrastructure, enhancing the safety, activation, and functionality of public spaces.

Quantity Surveyors

Quantity surveyors are typically engaged to provide project cost estimates at varying stages of a project's development, and third-party assessments of construction-related progress claims. Their expertise in estimating, contract administration, and cost control helps optimise budgets and ensures value for money in infrastructure investments is achieved.

Geotechnical Engineers

Geotechnical engineers assess subsurface conditions of work sites and provide recommendations for foundation design, slope stability, and earthworks. Their expertise mitigates geological risks, contributing to the safety, stability and resilience of infrastructure and assets in challenging terrain.

Project Management Services

Consultants are typically engaged to provide diverse project management services to oversee the effective delivery of construction projects, with varying levels of involvement from administration to Superintendent functions. Their leadership and coordination skills are essential for successful project outcomes and stakeholder satisfaction.

Landscape Architects

Landscape architects are frequently engaged to design outdoor spaces, parks and recreational areas that enhance the aesthetic appeal, functionality and sustainability of the Town's built environment. Their expertise in site planning, vegetation selection, and environmental conservation and sustainability contributes to the livability and attractiveness of the Town.

Traffic Engineers

Traffic engineers specialise in the design and management of transportation systems, including roads, intersections, and parking facilities. Their expertise in traffic flow analysis, road safety, and transportation planning ensures efficient and safe mobility of the Town's residents and visitors.

Technical Report Writing Consultants

Report writing consultants appointed under this Panel will provide specialised expertise in preparing technical reports, documentation, and regulatory submissions for the Town's construction projects, with a high attention to detail, clarity of communication, and compliance with relevant industry standards.

REQUEST FOR TENDER

Engagement of Consultant

Due to the scale and complexity of this Panel, the Town engaged a consultant "Procurement_PLUS" to assist with the development, and provide support, in the preparation of the tender request and contract documentation.

Procurement_PLUS have 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

Tender RFT2324-20 was released via VendorPanel (the Town's e-tendering portal) on 6 December 2023 and was publicly advertised in both the West Australian and the Northwest Telegraph newspapers. The closing date for submissions was 24 January 2024, as required by the *Local Government Act 1995*.

Addendum Details

There were 13 addendums submitted during the tender period, of which included questions regarding:

Traffic Management Professionals.
 WALGA's Preferred Suppliers panels.
 Clarification on the Qualitative Criteria within the tender.
 The format of the schedule of rates template included in the tender.
 Survey works under the Panel.
 Requirement for various engineering services under the Panel.
 Reporting requirements as part of the services under the Panel.
 Insurance requirements and thresholds.
 A request to extend the deadline to respond.

The Town provided responses to each of the questions within the addenda, which were distributed to all invitees.

Tender Closing

Tender RFT2324-20 closed on 24 January 2024 at 3:00pm WST, with fifty-five (55) submissions received from the following respondents:

- | | |
|---|--|
| 1. Accent Estimating Pty Ltd | 27. Merefield Wilde and Woollard Pty Ltd |
| 2. Acor Consultants Pty Ltd | 28. Erutan Pty Ltd T/A Nature Playgrounds |
| 3. Actus Associates Pty Ltd | 29. ND Surveying Services |
| 4. Altus Group Consulting Pty Ltd | 30. Norda Architects Pty Ltd |
| 5. Aspect Studios Pty Ltd | 31. Paemac Pty Ltd |
| 6. BG&E Pty Ltd | 32. PD Project Delivery Pty Ltd |
| 7. Build Plus Group Pty Ltd | 33. Landspace Pty Ltd T/A Plan E |
| 8. Carabiner Architects Pty Ltd | 34. Plexus Engineers Pty Ltd |
| 9. Chrysalis Quantity Surveying Pty Ltd | 35. Plus Architecture Western Australia Pty Ltd |
| 10. CMW GeoSciences Pty Ltd | 36. PMLV Invest & Construction Pty Ltd |
| 11. EMF Griffiths WA Pty Ltd | 37. Tusno Pty Ltd T/A Porter Consulting Engineers |
| 12. Altrum Pty Ltd T/A Engineered Efficiency | 38. Precision Consulting Management |
| 13. Ernst & Young | 39. Quantum Phases Consortium Pty Ltd |
| 14. H & H Architects | 40. Rawlinson (WA) Pty Ltd |
| 15. Harvey & Miller Consulting Pty Ltd | 41. Rider Levett Bucknall WA Pty Ltd |
| 16. Hocking Planning & Architecture Pty Ltd | 42. RPS AAP Consulting Pty Ltd |
| 17. Hodge Collard Preston unit Trust | 43. Wheelwright Family Trust T/A RW Quantity Surveyors |
| 18. JDSI Consulting Engineers Pty Ltd | 44. Saba Civil Management and Consultancy Pty Ltd |
| 19. JJ Ryan Consulting Pty Ltd | 45. Saligna Management Group Pty Ltd |
| 20. Josh Byrne & Associates Pty Ltd | 46. SMEC Australia Pty Ltd |
| 21. KCTT T/A KC Traffic and Transport Pty Ltd | 47. Stantec Australia Pty Ltd |
| 22. Landscape Planners Pty Ltd | 48. TALIS Consultants Pty Ltd |
| 23. Matthews Veccia Scavalli Pty Ltd | |
| 24. MBMpl Pty Ltd | |
| 25. McDowall Affleck Pty Ltd | |
| 26. MCG Architects Pty Ltd | |

- | | |
|---|---|
| <p>49. M & R Robinson Pty Ltd T/A Shop Consulting</p> <p>50. AIE Engineering and Construction Management Pty Ltd</p> <p>51. The Trustee for Edgar Idle Unit Trust</p> | <p>52. The Trustee for UDLA Unit Trust</p> <p>53. Warringtonfire Australia Pty Ltd</p> <p>54. Whitehaus Architects Pty Ltd</p> <p>55. WML Consultants Pty Ltd</p> |
|---|---|

Tender Evaluation

The Town has adopted the best value for money approach to the request for this Panel. This means that although price is considered, the responses containing the lowest price will not necessarily be accepted, nor will the lowest offer be ranked the highest on the qualitative criteria.

The evaluation for RFT2324-20 was conducted in accordance with the Town’s Procurement Policy, which requires a minimum of three (3) evaluation panel members, two (2) of which must be from the Town’s Executive team. In this instance, the panel consisted of:

- Two (2) Directors
- Two (2) Managers
- One (1) Senior-level Officer
- One (1) Advisor-level Officer

In addition to the above, the consultant, Procurement_PLUS, participated as a non-voting member of the evaluation panel.

As no members of the evaluation panel declared any financial or proximity interests for this tender, they proceeded to evaluate each response individually prior to the evaluation panel consensus meeting.

The qualitative criteria used to evaluate the responses to RFT2324-20 were weighted, as follows:

Qualitative Criteria	%
Relevant Experience	40%
Organisation Capacity to Deliver and Resources	30%
Key Personnel and Skills	30%
TOTAL:	100%

The scores for each criterion are multiplied by their respective weight, giving an overall aggregated score. This ensures that the evaluation of each response considers the varying importance of each criterion. The aggregate score of each response is then used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Of the submissions received, two (2) responses were deemed non-compliant, and as such were removed from the final assessment. The remaining respondents provided compliant tender responses.

Evaluation panel consensus meetings were facilitated and attended by the Town's Procurement Team and held on Wednesday 6 March 2024 and Thursday 14 March 2024. The objectives of the panel consensus meeting were to:

- 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 Council.

A summary of the assessment results of each submission received is included in the confidential evaluation report (**Evaluation Report**) attached.

Operation of Panel

The Town's policy "2/022 Panels of Pre-Qualified Suppliers" governs the use of panel arrangements at the Town.

As stipulated in the Request for Tender, Town staff may either directly engage with, or seek multiple quotes from any of the respective panel suppliers.

The Town will aim to distribute the goods or services required between each Panel Member so that the total value of the services awarded to each supplier is similar at the end of the term of the Panel Agreement. Care will be taken to ensure that no one Consultant is overloaded at any time by keeping accurate records of the timelines of each job.

All purchases made via a pre-qualified suppliers are to be made in line with any financial delegation limits imposed under the Town's Delegation Register.

Contract Term

Each supplier contract established under this panel will be for an initial term of one (1) year, with two (2) options to extend for a further one (1) year term. Extensions will be exercisable at the sole discretion of the Town, by an appropriately delegated officer in line with delegation 1.2.19 Panels of Pre-Qualified Suppliers for Goods and Services function 9.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', awarding this tender is deemed to be of medium significance, as:

A decision that will significantly affect the capacity of the Council to carry out any activity identified in the strategic plan.

A decision that will significantly affect the cost to Council to carry out any activity identified in the strategic plan.

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 Consultant

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 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 also abide by the Town's Code of Conduct while carrying out works for the Town.

FINANCIAL AND RESOURCE IMPLICATIONS

The appointment of suppliers to this Panel will provide budget predictability through fixed pricing for a minimum term of one (1) year, with the ability to extend each contract for a maximum term of three (3) years.

This approach not only ensures cost savings and value for money, but also facilitates effective allocation of resources for relevant asset management and capital works projects. The Town will benefit from competitive pricing while maintaining quality standards and timely delivery of services, contributing to the economic prosperity and financial sustainability of the respective suppliers.

Funding for proposed works completed under this Panel will be factored within the relevant directorate's approved capital and operational budgets.

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 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.

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 outcomes 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 services 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

Risk Type	Operational
Risk Category	Service Interruption
Cause	Increased internal administration pressure and lengthy timeframes to assess consultant competency and capability
Effect (Consequence)	Will likely cause delays in procuring qualified consultants to provide specialist technical services, resulting in increased prices
Risk Treatment	Adopting the officer’s recommendation will reduce this risk by allowing the Town to engage consultants directly, whom have already been pre-qualified and assessed as competent and capable of completing a range of services.
<p>There is a current operational risk caused by the requirement to engage consultants at short notice, if required.</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 consultants on the Panel have already been assessed for competency 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 Professionals who have extensive expertise and skills to assist the Town with various works to facilitate timely delivery of projects. Responses received for Tender RFT2324-20 have been thoroughly

assessed, resulting in a comprehensive evaluation of submissions and the recommendation of consultants for appointment to the pre-qualified panel of construction professionals.

Through adherence to procurement policies, thorough evaluation criteria, and consultation with internal and external stakeholders, the Town has maintained transparency, fairness, and accountability throughout the process.

The establishment of this panel contributes toward enhancing the Town's capacity for timely and efficient project delivery, with a diverse range of expertise readily available to support infrastructure and development initiatives, ensuring value for money is achieved.

ATTACHMENTS

1. CONFIDENTIAL - 12.4.1 - 1.1- Evaluation Report - RF T 2324-20 Construction Professionals [**12.4.1.1** - 176 pages]

12.5 Executive Services**12.5.1 Attendance at Conferences**

Author: Executive Assistant to the CEO and Mayor

Authorising Officer: Chief Executive Officer

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

CM202324/241 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Tim Turner

That Council:

- 1. Nominate and approve the following Elected Members to attend the International Public Works Conference on 30 April – 3 May 2024 in Melbourne:**
 - a. Deputy Mayor Christensen
 - b. Cr Bennett; and
 - c. Mayor Carter
- 2. Notes that the CEO may appoint Officers to attend the International Public Works Conference on behalf of the Town of Port Hedland; and**
- 3. Notes that a report will be submitted by the Elected Members nominated above on their attendance to the Chief Executive Officer prior to 4 June 2024.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

CM202324/242 COUNCIL DECISION**MOVED: Cr Camilo Blanco****SECONDED: Cr Flo Bennett****That Council:**

- 1. Nominate and approve the following Elected Members to attend the Pilbara 2024 Summit on behalf of the Town of Port Hedland on 26 – 27 June 2024 in Karratha:**
 - a. Mayor Carter**
 - b. Deputy Mayor Christensen**
 - c. Cr McRae**
- 2. Change the date of the June 2024 Ordinary Council Meeting to:
- Tuesday 25th June 2024 at 5.30pm in Council Chambers
and advertise accordingly.**
- 3. Notes that the CEO may appoint Officers to attend the Pilbara 2024 Summit on behalf of the Town of Port Hedland; and**
- 4. Notes that a report will be submitted by the Elected Members nominated above on their attendance to the Chief Executive Officer prior to 28 July 2024.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

CM202324/243 COUNCIL DECISION**MOVED: Cr Camilo Blanco****SECONDED: Cr Lorraine Butson****That Council:**

- 1. Nominate and approve the following Elected Members to attend the National General Assembly and Regional Cooperation and Development Forum on behalf of the Town of Port Hedland on 2 – 4 July 2024 in Canberra:**
 - a. Mayor Carter;**
 - b. Deputy Mayor Christensen;**
 - c. Cr McRae;**
 - d. Cr Rebello;**
 - e. Cr Turner**
 - f. Cr Butson**
- 2. Nominate and approve the above Elected Members to also attend the Australian Council of Local Government (ACLG) Forum on the 5th of July 2024 in Canberra.**
- 3. Notes that the CEO may appoint Officers to attend the National General Assembly and Regional Cooperation and Development Forum on behalf of the Town of Port Hedland; and**
- 4. Note that if the Council wishes to submit a motion to ALGA in response to one or more of the priority areas identified in the discussion paper, it will need to do so by Tuesday 30 April 2024 and;**
- 5. Notes that a report will be submitted by the Elected Members nominated above on their attendance to the Chief Executive Officer prior to 5 August 2024.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

PURPOSE

The purpose of this report is for Council to consider the attendance of the Mayor and relevant Elected Members at the following conferences:

- International Public Works Conference, 30 April – 3 May 2024, Melbourne
- Pilbara 2024 Summit, 26-27 June 2024, Karratha

- National General Assembly and Regional Cooperation and Development Forum, 2-4 July 2024, Canberra
- ACLG Forum on 5th July 2024, Canberra

DETAIL

INTERNATIONAL PUBLIC WORKS CONFERENCE, 30 APRIL – 3 MAY 2024, MELBOURNE

Held every two years, the IPWEA International Public Works Conference is the best chance for organisations to engage with key stakeholders in the public works industry from across Australasia and beyond.

The central conference theme **Adaptation: Thriving in a New World** reflects the global need to adapt and grow within an evolving landscape. Adaptation is essential for progress and sustainability in the rapidly evolving fields of public works and engineering. IPWEA remains committed to empowering communities and building a sustainable future through professional excellence, innovation, and adaptation.

Registration

Registration to attend the International Public Works Conference is \$2,595 plus GST per person.

Key Topics

- Adaptation: Thriving in a New World
- Public Works in Action
- Sustainability
- Technology
- Asset Management

PILBARA 2024 SUMMIT, 26-27 JUNE 2024, KARRATHA

Pilbara 2024 is the regions not to be missed event and it will be looking at the economic growth, investment, development and diverse and dynamic industry across the region.

The event provides the perfect opportunity for the Pilbara regions senior industry, investors, businesses, community, and government representatives to re-join and reconnect for this unique networking and shared learning opportunity.

The Pilbara 2024 agenda is currently being finalised and will be released soon.

Registration

Registration to attend the Pilbara 2024 Summit is \$1,900 plus GST per person.

Key Topics

- Strategic Development, Investment Opportunities and Emerging Industries Driving Economic Growth
- Clean Energy Transition and Transformation
- Industrial Decarbonisation
- A Diversifying Resources Powerhouse of WA – Growth & New Developments
- Traditional Owner Engagement and Economic Development
- Energy & Strategic Security in the North West of Australia
- Freight & Logistics – Growth and Opportunities
- Creating Thriving and Diverse Communities

National General Assembly (NGA) and Regional Cooperation and Development Forum, 2-4 July 2024, Canberra**ACLG Forum 5 July 2024, Canberra**

The theme of the 2024 NGA is “Building Community Trust” which acknowledges the critical importance of trust in our democracy’s different level of government, its institutions, and amongst its citizens. The conference program features a range of high profile and engaging speakers who will explore ideas about what creates trust, and how we nurture it.

The Australian Council of Local Government (ACLG) Forum will also be held on the 5th of July after the NGA Forum. The 2024 ACLG is expected to attract around 600 local government representatives, including mayors and Shire Presidents, councillors, CEOs as well as a range of peak body representatives.

The ACLG will provide local governments throughout Australia with the opportunity to directly engage with Federal Ministers from across portfolios – harnessing the power of collaboration to drive effective local change.

Registration

Registration to attend the NGA and Regional Forum is \$1,220 plus GST per person. There is no registration cost to attend the ACLG Forum.

Registration to attend the General Assembly Dinner is \$175 per person.

Key Topics

- Energy Transition
- Disaster Resilience and Recovery
- National Housing and Community Infrastructure
- Roads and Transport
- Politics and Civic Engagement
- Local Government Report
- Debate on Motions
- Intergenerational Equity and Fairness

- Social Capital in the Built Environment
- For the Love of Community Engagement

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

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

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

Section 2.3 ‘Travel’ in the Town’s policy 4/008 ‘Elected Members Allowances, Facilities and Expenses’ is applicable as it sets out parameters associated with the booking of travel registration fees and accommodation arrangements.

Section 2.2 ‘Reimbursements’ in the Town’s policy 4/008 ‘Elected Members Allowances, Facilities and Expenses’ is applicable as it sets out parameters associated with meals and incidentals provided.

FINANCIAL AND RESOURCE IMPLICATIONS

Note that the below costs will be deducted from the 23/24 FY budget.

The following table outlines the approximate costs for attending the above conference:

INTERNATIONAL PUBLIC WORKS CONFERENCE, 30 APRIL – 3 MAY 2024, MELBOURNE		
Detail	Approximate Total Cost	Notes
Accommodation (stopover)	\$200	1x Night Perth 4/05/2024
Accommodation Melbourne	\$1000	5x nights 29/04/2024 – 4/05/2024
Flights	\$1,600	

Registration Fee	\$2,595	
Maximum Meals / Incidentals claimable	\$1,211.35	<u>Based on 7 days away:</u> Breakfast \$32.55 Lunch\$46.00 Dinner \$64.50 Incidentals \$30 Total: \$173.05
Total	\$5,706.35	Total approximate cost per person to attend International Public Works Conference

PILBARA 2024 SUMMIT, 26-27 JUNE 2024, KARRATHA

Detail	Approximate Total Cost	Notes
Accommodation Karratha	\$500	2x nights
Fuel	\$200	
Registration Fee	\$1,900	
Maximum Meals / Incidentals claimable	\$346	<u>Based on 2 days away:</u> Breakfast \$32.55 Lunch\$46.00 Dinner \$64.50 Incidentals \$30 Total: \$173.05
Total	\$2,946	Total approximate cost per person to attend Pilbara 2024 Summit

NATIONAL GENERAL ASSEMBLY & REGIONAL COOPERATION AND DEVELOPMENT FORUM, 2-4 JULY 2024, CANBERRA., ACLG FORUM 5 JULY 2024

Detail	Approximate Total Cost	Notes
Accommodation (stopover)	\$250	1x Night Perth 30/06/2024
Accommodation Canberra	\$1,500	5x nights 1/07/24 – 6/07/24
Flights	\$1,900	

Registration Fee	\$1,395	Registration includes General Assembly dinner cost of \$175
Maximum Meals / Incidentals claimable	\$1,211.35	Based on 7 days away: Breakfast \$32.55 Lunch\$46.00 Dinner \$64.50 Incidentals \$30 Total: \$173.05
Total	\$6,256	Total approximate cost per person to attend NGA & Regional Cooperation & Development Forum & ACLG Forum

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 Leadership:

- 4.1.1 Town of Port Hedland is represented and is an active contributor in international, national, state and regional forums and policy development.
- 4.1.2 Hedland is positively marketed and promoted locally, state-wide, nationally and internationally to tourists, investors and new residents.

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

Access and Inclusion

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

Nil

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 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’

Public Affairs and Communication - Enhancing and protecting the Town’s reputation Providing advice and support to the Council, Executive Leadership Team and business units

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Reputational
Cause	Limitation of key partnerships with stakeholders
Effect (Consequence)	Resulting in reputational Risk
Risk Treatment	Eliminated risk through the approval and attendance at the relevant conferences.
<p>There is a reputational risk associated with this item because this report aims to preserve the positive reputation of Council in the community and with stakeholders. If representatives do not attend, the Town may miss important opportunities to represent Port Hedland at regional and/or State level. The risk rating is considered to be low (1), which is determined by a likelihood of unlikely (2) and a consequence of minor (2).</p> <p>This risk will be eliminated by the adoption of 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

Attendance at the above conferences will ensure the implementation and maintenance of relationships with other local governments, influential individuals or Departments and other key stakeholders. These relationships will provide the opportunity of future benefit to our community through networking and increased knowledge and advice. It also allows the Town to gain insight into the unique factors affecting regional local governments, business and community sectors to share information and strategy.

ATTACHMENTS

1. NGA Provisional Program 2024 [**12.5.1.1** - 4 pages]
2. 2024- NG A- Motions- Discussion- Paper [**12.5.1.2** - 24 pages]
3. IPWC 2024 Melbourne DRAFT Program [**12.5.1.3** - 6 pages]

13 New Business of an Urgent Nature (Late Items)

Nil

14 Motions of Which Previous Notice has been given

Nil

15 Matters for Which Meeting May be Closed (Confidential Matters)

CM202324/242 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Tim Turner

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 and 15.2.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

15.1	Strategic Land Acquisition
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Confidential Reasons:

e (ii) a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government

CM202324/243 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Tim Turner

That Council:

- 1. Endorses the draft business case per confidential Attachment 1 and authorises the CEO to make minor amendments that do not substantially alter the intent of the business case.**
- 2. Authorises the CEO or his delegate to pursue freehold or leasehold tenure over the parcel of land indicated as Site 8 in confidential Attachment 2 by submitting the business case to the relevant Minister or State Government department.**
- 3. Authorises the CEO to purchase the parcel of land if the purchase price is below the intended freehold acquisition price or within +/- 10% of the intended freehold acquisition price indicated within this report.**
- 4. Notes that if the purchase price exceeds 10% of the expected freehold acquisition cost indicated in this report, the matter will be**

brought to the Council for a decision on whether to proceed with the sale.

- 5. Notes that a decision on whether the State will sell the parcel of the land to the Town is not expected to occur within the 2023/24 financial year and that the funds required to purchase the parcel of land would be drawn from the strategic reserve for inclusion in the 2024/25 annual budget.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

15.2	Town Debtors
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Confidential Reasons:

e (ii) a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government

CM202324/244 COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Lorraine Butson

That Council:

- 1. Receives the report on Town Debt;**
- 2. Writes off the debt owed by the Port Hedland Yacht Club;**
- 3. Writes off the debt owed by the South Hedland Bowling and Tennis Club;**
- 4. Rescinds Policy 2/005 Debt Management; and**
- 5. Adopts the Financial Hardship Policy, as per Attachment 5.**

CARRIED BY SIMPLE MAJORITY (7/1)

For: Cr Adrian McRae, Mayor Peter Carter, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Deputy Mayor Ash Christensen

CM202324/245 COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Deputy Mayor Ash Christensen

Council reopen the meeting to members of the public.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Cr Adrian McRae, Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Flo Bennett, Cr Lorraine Butson and Cr Tim Turner

Against: Nil

The Presiding Member declared the meeting open to members of the public and read aloud the decisions of Council made whilst behind closed doors.

16 Closure

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday, 24 April 2024 commencing at 5:30 pm.

16.2 Closure

There being no further business, the Presiding Member declared the meeting closed at 8:39pm.