



AGENDA

Dear Mayor and Councillors,

I respectfully advise that an ORDINARY COUNCIL MEETING will be held in the Civic Centre, McGregor St, Port Hedland, on Wednesday, 28 July 2021, commencing at 5:30pm

MEETING AGENDA ATTACHED

Yours faithfully

A handwritten signature in black ink, appearing to read "Carl Askew".

Carl Askew
Chief Executive Officer

23 July 2021

DISCLAIMER

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

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

DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

Local Government Act 1995 – Section 5.65, 5.70 and 5.71

Local Government (Administration) Regulation 34C

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Administration) Regulation 34C</i>			
Name			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____ **Date:** _____

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

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

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

Order Of Business

Item 1	Opening of Meeting	6
Item 2	Acknowledgement of Traditional Owners and Dignitaries	6
Item 3	Recording of Attendance.....	6
3.1	Attendance.....	6
3.2	Attendance by Telephone / Instantaneous Communications	6
3.3	Apologies	6
3.4	Approved Leave of Absence	7
3.5	Disclosure of Interests.....	7
Item 4	Applications for Leave of Absence	7
Item 5	Response to Previous Questions	7
5.1	Mr Bill Dziombak	7
5.2	Mr Chris Whalley	7
5.3	Mr Camilo Blanco.....	7
5.4	Councillor Kew Ming	9
5.5	Councillor Gillingham.....	9
Item 6	Public Time	14
6.1	Public Question Time	14
6.2	Public Statement Time.....	14
6.3	Petitions/Deputations/Presentations/Submissions.....	14
Item 7	Questions from Members without Notice	14
Item 8	Announcements by Presiding Member without Discussion.....	15
Item 9	Declarations of All Members to Have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting	17
Item 10	Confirmation of Minutes of Previous Meeting	17
Item 11	Reports of Officers.....	18
11.1	Corporate Services	18
11.1.1	Policy Review - Amendment to 2/005 Debt Management Policy.....	18
11.1.2	Policy Review - 15/003 CCTV Operations Policy	21
11.1.3	Policy Review - 1/014 Execution of Documents and Affixing of the Common Seal and 1/019 Confidential Briefings.....	23
11.1.4	Policy Review - 2/007 Procurement Policy	26
11.1.5	Statement of Financial Activity for the period ended 30 June 2021	29

11.2	Community Services	32
11.2.1	Proposed amendments to Town of Port Hedland Public Places and Local Government Property Local Law 2016	32
11.2.2	2020/2021 Community Grants Program Outcomes.....	36
11.3	Regulatory Services	44
11.3.1	Final Adoption of Local Planning Policy 14 - Design Review Panel	44
11.3.2	Application for development approval: Proposed access track for cattle yards - Lot 702 Boodarie Station Access Road and Lot 364 Great Northern Highway, Boodarie.....	47
11.4	Infrastructure Services	55
11.4.1	Restricted Access Program - Sutherland Street Port Hedland	55
11.4.2	Solar Installation Strategy for Town Facilities & Housing.....	60
11.5	Executive Services	65
Item 12	Reports of Committees	66
Item 13	Motions of which Previous Notice has been given	66
Item 14	New Business of an Urgent Nature (Late items)	66
Item 15	Matters for Which Meeting May Be Closed (Confidential Matters)	66
Item 16	Closure	66
16.1	Date of Next Meeting	66
16.2	Closure.....	66

Item 1 Opening of Meeting

The Presiding Member is to declare the meeting open at [Enter Time](#).

Item 2 Acknowledgement of Traditional Owners and Dignitaries

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

Item 3 Recording of Attendance

Important note:

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

3.1 Attendance

Scheduled Present: Mayor Peter Carter
Deputy Mayor Renae Coles
Cr Eva Bartho
Cr Jan Gillingham
Cr Lewis Kew Ming
Cr Warren McDonogh
Cr Tim Turner
Cr Kylie Unkovich
Cr Elmar Zielke

Scheduled for Attendance: Carl Askew (Chief Executive Officer)
Karren MacClure (Director Corporate Services)
Lee Furness (Director Infrastructure Services)
Cheye Hill (Acting Director Community Services)
Chaz Roberts (Acting Director Regulatory Services)
Mark Dawson (Manager Governance)
Joshua Brown (Senior Governance Advisor)
Rebecca Wilkinson (Governance Officer)

3.2 Attendance by Telephone / Instantaneous Communications

3.3 Apologies

3.4 Approved Leave of Absence**3.5 Disclosure of Interests**

Item 4 Applications for Leave of Absence

Item 5 Response to Previous Questions

Responses are provided below to questions taken on notice at the Ordinary Council Meeting held on 30 June 2021:

5.1 MR BILL DZIOMBAK

I have one question in relation to Item 11.4.3 – Sutherland Street Shared Path Extension.

I sincerely and respectfully ask that if this Council will consider adopting option 2, which is to amend the Officer's Recommendation that Council may further defer this matter until the marina is constructed and reassess the project then? The reasons for which I will read out during Public Statement Time.

Response provided by Chief Executive Officer:

Item 11.4.3 Sutherland Street Shared Path Extension was considered at the Ordinary Council Meeting held on 30 June 2021, where the officer's recommendation was adopted.

5.2 MR CHRIS WHALLEY

Now that the retirement village has been demolished, does Council know when and where the new retirement village is going to be built and at what cost?

Response provided by Director Regulatory Services:

At the 28 April 2021 Ordinary Meeting, Council determined to defer any further consideration to commence construction of an aged persons accommodation facility at the Stevens Street site until such time as the Department of Water and Environmental Regulation's review of the short-term objectives of its Port Hedland Dust Program are completed.

5.3 MR CAMILO BLANCO

In relation to the budget, do you know what date the budget is referring to in regards to the interim actuals? When were they finished and what date does the budget refer to on the interim actuals?

Are you aware that according to the budget, in attachment 1 on Page 121, we have got expenses and employee costs, materials and contracts. Just a bit of background, when I finished as Mayor and when you resigned and the Council was dissolved, we had adopted a budget that changed the Capital Works and Maintenance Program from a historical \$5,000,000 to \$6,000,000 a year to a \$40,000,000 plus, a year, program and that has been

highlighted over the past couple of years in the budget. In this budget, 2021/2022, we have a reduction of well over 100%, materials and contracts going down to \$20,900,000, so that is \$20,000,000 plus reduction in that program. Are you aware that that is the case?

Do you know that there is a significant reduction in the materials and contracts program to the Town of Port Hedland, of over \$20,000,000 a year? Are you aware of that and are you going to adopt a budget, knowing that you don't know that that is the case?

Response provided by Director Corporate Services:

- The Budget process commences internally in December/January. As such when the process first commences the most current year to date actual data is at 31 December. This is updated as we move through the process and additional Actual data is available;
- The Annual Budget 2021-22 was finalised and documents prepared in May 2021;
- In response to questions around the Interim Actual Balances, the note in the budget document clarifying the Interim Actual Balances is located on page 122 as follows:

2020/21 Interim Actual Balances

- Balances shown in this budget as 2020/21 Actual are estimates as forecast at the time of budget preparation and are subject to final adjustments;
 - We can confirm that the Interim Actuals were based on Year to date Actual data to 30 April 2021 plus 2 months of forecast; and
 - Reference was made to the Interim Audit by yourself, however for clarification the Interim Audit is the commencement of the Audit process and is related to the commencement of testing by the Auditors, this has no bearing on the Interim Actual Balances shown in this Budget report which are simply a forecast at a point in time.
- Materials and Contracts, page 122 regarding questions concerning a reduction in materials and contracts of \$20,000,000. To clarify:
 - The reduction of \$24,000,000 when comparing the 2020/21 budget to the 2021/22 budget is due to a one-off payment of \$24,000,000 to be made towards the Marina showing in the 2020/21 Budget, and not in the 2021/22 Budget. This will only be paid once and therefore will only affect one year. Although the cash for this payment has been set aside and held in reserve, from an accounting perspective we are required to show the payment as an expense (not capital works) when it is paid; and
 - To clarify, this line is an operational expense, not Capital Works. The Capital Works budget can be seen on page 139 under note 4. Fixed Assets and is \$77,700,000.

5.4 COUNCILLOR KEW MING

1. *I have a question to do with the Youth and to the notice of motion from Councillor Turner. Can you please explain and inform me of the results of the presentation of your Youth Strategy discussed at the Ordinary Council Meeting on 24 March 2021, Item 5.3, as it appears there is a duplication of another one?*

Response provided by Director Community Services:

Section 5.3 of the Minutes of the Ordinary Council Meeting held on 24 March 2021 reference a question asked by Cr Turner on a Youth Strategy. This was responded to by the Director Community Services. No duplication has occurred.

2. *I would like to ask the Council to consider a promotion of forming a Youth Council, as I have discussed it with Roebourne Youth Council and Karratha and the Police of Roebourne. They thought it was a good idea to have a Youth input into the trouble we have with all of the areas in Town. So I do hope that we can get to a stage where we could form a Youth Council, a Teenage Council, because they are the people that are upcoming presiding people that are going to be in this Town and I think it would be good to get the input from them. Thank you.*

Response provided by Director Community Services:

As part of the development of its Youth Strategy the Town will consider Cr Kew Ming's suggestion of forming a Youth Council as well as investigate successful examples of Youth Council models in other municipalities.

5.5 COUNCILLOR GILLINGHAM

1. *I would just like to ask regarding the airport and I know we have possibly been down this track before, there is smoking booth at the airport and when I was there on Friday, I actually took particular notice that no one was in the booth but they were sitting on the brick wall and there were a lot of cigarette butts. The actual smoke that was coming across to where I got into my car at School of the Air, it was a little bit too much and I really feel that we really need to look into this please, because even people bringing their cars in and dropping people off at the drop off, people were actually being subjected within 20 metres of the smoking booth or the smokers and also I know that the 20 metres is just outside the School of Air border and we have another business next door which is the Polar Aviation and they are directly across from that and so this is something that I would like us to please look into because it is not a good look and yesterday there were actually milk crates that people were sitting on, which is not really on for an international airport that has just been done up. So, can we please look into that and ask the airport personnel what is actually happening there and I don't know whether they can move it to somewhere else, the smoking booth?*

Response provided by Director Regulatory Services:

Port Hedland International Airport advised that their contracted staff monitor this area daily and have CCTV coverage which indicates that there are no examples of this recently. These staff also move smokers from in front of the terminal to the designated areas as do the numerous signs provided. The Port Hedland International Airport designated smoking area is twice the distance to the School of the Air in comparison to the T1 Domestic smoking area in Perth and meets all regulatory requirements. Most airports provide similar designated smoking areas with appropriate seating. Port Hedland International Airport opted not to provide appropriate seating so as not to encourage smokers remaining in the area. Non-permanent seating under the shelter provided to allow smokers the ability to sit under cover from the elements, but not to encourage them to stay.

2. *Another thing to do with the airport as I went there several days ago to drop off a passenger, I went inside and I had my mask on, not many people had masks on inside there and people asking at the Qantas desk for a mask were directed to the security and security said it is not up to us to issue masks and you need to see your airline so it is a bit of catch twenty two. So I would just like to ask whose responsibility is it when you walk into the airport, is it your own responsibility to have a mask? If you don't have a mask because you don't have access to one and you go into the airport and at the moment we have had COVID outbreaks and we don't know what is going to happen over the next couple of days and so I just think that we need to get on top of this and I know that some people were not allowed to fly out to Perth and they were retained in Port Hedland and they want to go home to their families. So I was just like to know what is going on, because I know that the masks are available when you walk through the door to go onto your plane and you pick up from there, but it is walking into the airport, it is getting out of your car and going past people and I just think that we really need to be safe and so can we please look into that and find out what is going on with masks?*

Response provided by Director Regulatory Services:

Wearing of face masks is mandatory in WA while at an airport, travelling on aircraft or transporting a person subject to a quarantine direction, as per *Airport and Transportation (Face Mask) Directions* issued 12 January 2021 ("the Directions"). The Town is not responsible for provision of masks or enforcing the same within the Airport. PHIA has advised that they have a limited number of masks at the screening point as a last point of call only. It is the individual/patron who has the responsibility to supply and wear a mask under the Directions. PHIA has no control over the provision of masks at the check in and boarding process by any airlines. This is a matter for the airline concerned and their staff and or agents/contractors. The matter of non-wearing of masks in the terminal is a Police matter under the Directions.

3. *Just listening to our Public about the Finances, I have been going through the Finances, Mayor and I have been concerned about some of the Finances and was going to talk tonight at the item, but my question would be to Finance, I cannot get my head around the \$20,000,000 that is going to the Marina. I don't think I have heard this discussed or I have missed it somewhere along the lines and so there are some issues that I am quite concerned about and adopting the budget tonight if there are questions taken on notice and we are at a time that we are supposed to be voting for on a budget and so I am really*

concerned and I would like to ask what does it actually mean about the \$20,000,000 because I have read before about the \$40,000,000 that was in the Capital Works and now if we are reducing that, then that is a bit of a concern because it will come back on our ratepayers.

Response provided by Director Regulatory Services:

The \$40,000,000 and \$20,000,000 referenced relate to operating expenses for Materials and Contracts. This is not Capital Works.

The below highlighted line in question, shows a reduction of \$24,000,000 when comparing the 2020/21 Budget with the 2021/22 Budget. The reason being that the 2020/21 Budget includes a one-off payment of \$24,000,000 towards the Marina. Although this cash has been held in reserve, from an accounting perspective we are required to show the payment as an operational expense (not capital works) when it is paid:

TOWN OF PORT HEDLAND
STATEMENT OF COMPREHENSIVE INCOME
BY NATURE OR TYPE
FOR THE YEAR ENDED 30 JUNE 2022

	NOTE	2021/22 Budget \$ 000	2020/21 Interim Actual \$ 000	2020/21 Budget \$ 000
Revenue				
Rates	1(a)	54,708	53,672	53,422
Operating grants, subsidies and contributions	10(a)	2,480	1,216	2,169
Fees and charges	9	14,225	13,990	15,165
Interest earnings	13(a)	1,920	3,376	1,070
Other revenue	13(b)	2,247	3,314	4,068
		75,580	75,568	75,894
Expenses				
Employee costs		(28,929)	(25,286)	(26,690)
Materials and contracts		(20,900)	(39,556)	(43,690)
Utility charges		(4,250)	(3,879)	(4,090)
Depreciation on non-current assets	5	(10,534)	(9,462)	(10,657)
Interest expenses	13(d)	(1,381)	(10)	(687)
Insurance expenses		(1,034)	(889)	(1,029)
Other expenditure		(2,918)	(2,720)	(1,673)
		(69,946)	(81,802)	(88,516)
Subtotal		5,634	(6,234)	(12,622)
Non-operating grants, subsidies and contributions	10(b)	15,192	9,446	6,960
Profit on asset disposals	4(b)	126	26	44
Loss on asset disposals	4(b)	(153)	(583)	0
		15,165	8,889	7,004
Net result		20,799	2,655	(5,618)
Other comprehensive income				
Changes on revaluation of non-current assets		0	0	0
Total other comprehensive income		0	0	0
Total comprehensive income		20,799	2,655	(5,618)

This statement is to be read in conjunction with the accompanying notes.

The Town’s capital expenditure for 2020/21 year was \$49,000,000 out of a \$57,000,000 annual budget. Our Capital Works Budget for 2021/22 is \$77,700,000 and this can be seen as per below or within the ‘Attachments under separate cover’ associated with the Agenda for the Ordinary Council Meeting 30 June 2021, within Item 11.1.2 – Adoption of the 2021/22 Annual Budget & Rating Strategy, Attachment 1, on page 139, note 4, or by individual project in note 18 on page 155-157:

**TOWN OF PORT HEDLAND
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2022**

4. FIXED ASSETS

(a) Acquisition of Assets

The following assets are budgeted to be acquired during the year.

Asset class	Reporting program						2021/22 Budget total	Au
	Education and welfare	Housing	Community amenities	Recreation and culture	Transport	Other property and services		
	\$ 000	\$ 000	\$ 000	\$ 000	\$ 000	\$ 000	\$ 000	
<i>Property, Plant and Equipment</i>								
Buildings - non-specialised		8,966		15			8,981	
Buildings - specialised	100		3,700	9,388		4,305	17,493	
Furniture and equipment				45			45	
Plant and equipment				250	4,267	2,696	7,223	
	100	8,966	3,700	9,708	4,267	7,001	33,742	
<i>Infrastructure</i>								
Infrastructure - roads and bridges					9,577		9,577	
Other infrastructure - drainage			2,250			777	3,027	
Other infrastructure - footpaths			50		1,900		1,950	
Other infrastructure - parks and ovals			802	9,916	293		11,011	
Other infrastructure			11,456	5,735	1,180		18,371	
Other infrastructure - bus shelters			60				60	
	0	0	14,618	15,651	13,727	0	43,996	
<i>Right of use assets</i>								
Right of use - buildings							0	
Right of use - plant and equipment							0	
	0	0	0	0	0	0	0	
Total acquisitions	100	8,966	18,318	25,359	17,994	7,001	77,738	

A detailed breakdown of acquisitions on an individual asset basis can be found in the supplementary information attached to this budget document.

SIGNIFICANT ACCOUNTING POLICIES

RECOGNITION OF ASSETS

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Item 6 Public Time

Important note:

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

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

6.1 Public Question Time

6.2 Public Statement Time

6.3 Petitions/Deputations/Presentations/Submissions

Item 7 Questions from Members without Notice

Item 8 Announcements by Presiding Member without Discussion

The Mayor's meetings for the month of June 2021:

Date	Meeting	Meeting Details/Comments
01/06/21	Weekly Talk of Town radio segment	Weekly radio chat
01/06/21	Hedland Economic and Resources Forum Sundowner	Stakeholder Event
02/06/21	Hedland Economic and Resources Forum	Attended as speaker and conference attendee
03/06/21	Fortnightly ABC chat	Fortnightly radio chat
03/06/21	Spoilbank Marina Sod Turning	Sod turning for next stage of project with Minister Saffioti
03/06/21	June Ordinary Council Meeting	As per agenda on the Town's website
04/06/21	Breakfast meeting with the Hon Rita Saffioti MLA, Minister for Transport; Planning; Ports	- Regional Planning Strategy (Pilbara) - Heavy Vehicle Road Network - Duplication of Wilson Street and reconstruction of Redbank Bridge - East Port Hedland residential subdivision
08/06/21	Weekly Talk of Town radio segment	Weekly radio chat
08/06/21	Meet with Development WA	General update meeting
09/06/21	Meet with the Hon John Carey MLA, Minister for Housing; Local Government	Regional Capitals Alliance WA meeting with Minister Carey
11/06/21	Meet with Department of Foreign Affairs and Trade	Trade goods, sea farms, aquaculture and renewable energy sectors
15/06/21	Weekly Talk of Town radio segment	Weekly radio chat
16/06/21	Meet with BHP	General catch up meeting
17/06/21	Regional Capitals Alliance WA meeting in Broome	Various matters as per Regional Capitals Alliance WA agenda
18/06/21	Regional Capitals Alliance WA Tour of Broome	Tour of Broome with Regional Capitals Alliance WA group
20/06/21	NGA Regional Forum, Canberra	As per Regional Forum program on National General Assembly website
21/06/21	National General Assembly - Day 1	As per program on National General Assembly website
21/06/21	Meeting with the Hon Alex Hawke MP, Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs	Designated Area Migration Agreements
21/06/21	Attended question time at Parliament House, Canberra	Attended as guest

Date	Meeting	Meeting Details/Comments
21/06/21	Meet with the Hon Melissa Price MP, Minister for Defence Industry and Member for Durack	General update on various matters
21/06/21	Meeting with the Hon Anthony Albanese MP, Leader of the Opposition	Federal support for infrastructure projects, Duplication of Wallwork Road/Wilson Street between Port and South Hedland, Port Hedland's Heavy Vehicle Road network, Activating heavy industrial land, Communications
22/06/21	National General Assembly - Day 2	As per program on National General Assembly website
22/06/21	Weekly Talk of Town radio segment	Weekly radio chat
23/06/21	Pilbara 2021 Summit in Perth - Day 1	As per program on Pilbara 2021 Summit Website
23/06/21	Meet with the Hon John Carey MLA, Minister for Housing; Local Government	Community Infrastructure, Recreation and community Hub Infrastructure, Housing Development, Regional Planning Strategy – Pilbara,
23/06/21	Meet with the Hon Tony Buti MLA, Minister for Finance; Lands; Sport & Recreation; Citizenship & Multicultural Interests	Community infrastructure, Recreation and community Hub Infrastructure, Housing Development
24/06/21	Meet re Economic Development Strategy	General update on strategy development
24/06/21	Pilbara 2021 Summit - Day 2	As per program on Pilbara 2021 Summit Website
25/06/21	Meet with Minister Ellery's Chief of Staff, Minister for Education & Training	Industry aligned training facility, Hedland Senior High School
25/06/21	Meet with Bunnings	Update on Business Development in the Pilbara
28/06/21	Pilbara Country Zone Meeting	As per agenda on WALGA website
30/06/21	30 June Ordinary Council Meeting	As per agenda on the Town's website

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

Item 10 Confirmation of Minutes of Previous Meeting

Disclaimer

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

OFFICER'S RECOMMENDATION

That Council confirms that the Minutes of the Ordinary Council Meeting held on Wednesday 30 June 2021 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

Item 11 Reports of Officers

11.1 Corporate Services

11.1.1 POLICY REVIEW - AMENDMENT TO 2/005 DEBT MANAGEMENT POLICY

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.

OFFICER'S RECOMMENDATION 1

That Council adopts amended Policy 2/005 'Debt Management' as per attachment 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider a minor amendment made to the Town's Policy '2/005 Debt Management' to align to the delegations register.

DETAIL

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

The debt collection policy required review as the policy did not align to the delegation register which has dollar values stipulated. In order to alleviate amending the policy every time a change has been made to the delegation register, a general statement referring the value to the amount stipulated on the delegation memo has been added as per the tracked Attachment 1.

LEVEL OF SIGNIFICANCE

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

CONSULTATION*Internal*

- Director of Corporate Services; and
- Governance business unit

External Agencies

Nil

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

The role of Council, as stated in section 2.7(2)(b) of the *Local Government Act 1995*, is to determine the Local Government's policies as well as regular reviews to ensure the needs of the community are met.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial or resource implications relevant to this item, as the Town has not made any financial amendments.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

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

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

Disability Access and Inclusion Plan

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

- Outcome 3 – Information

Corporate Business Plan

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

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

RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item, as it may be picked up at audit that the delegation register and the policy do not align. The risk rating is considered to be low (3), which is determined by a likelihood of possible (3) and a consequence of insignificant (1).

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

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

Council are required to regularly review its policies to ensure they are relevant, up to date and meet the needs of Council and the community. It is recommended that Policy Council accept the amendment to the Town Policies ‘2/005 Debt Management’ to ensure cohesiveness with the governance framework.

ATTACHMENTS

1. 2/005 Debt Management Policy (under separate cover)

11.1.2 POLICY REVIEW - 15/003 CCTV OPERATIONS POLICY

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

OFFICER'S RECOMMENDATION

That Council adopts amended Policy 15/003 Video Surveillance, as per Attachment 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider amendments to Policy 15/003 CCTV Operations.

DETAIL

Policy 15/003 'CCTV Operations' was last reviewed and amended at the 28 March 2018 Council Meeting.

This Policy has been updated to ensure consistent and appropriate management of the Town's video surveillance systems. The policy also ensures greater alignment to industry best practice, increased controls around system access, privacy protections and role clarity.

The Policy was reviewed by the Information Technology business unit in conjunction with the Infrastructure and Governance business units. The review revealed the need for updates to the policy, including a title change from CCTV Systems to Video Surveillance systems, greater role clarity and other enhancements to better align to new industry standards.

Subject to the policy being approved by Council detailed Internal Operating Procedures and Standard Operational Procedures will be developed by each responsible business unit.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, as the policy is to be updated with potential improvements.

CONSULTATION*Internal*

- Director Corporate Services;
- Director Infrastructure Services;
- Director Regulatory Services;
- Manager Infrastructure Operations
- Manager Information Technology & Program Delivery; and
- Manager Governance.

External Agencies

- Nil.

Community

- Nil.

LEGISLATION AND POLICY CONSIDERATIONS

The role of Council, as stated in section 2.7(2)(b) of the *Local Government Act 1995*, is to determine policies appropriate for the Local Government.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial resource implication with the proposed changes.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

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

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

Disability Access and Inclusion Plan

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

- Outcome 3 – Information; and
- Outcome 4 – Quality of Service.

Corporate Business Plan

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

- 1.b.4.2 Inform the community on Town projects, operations, services and events; and
- 4.b.3.1 Ensure governance information provided to the community is in line with legislated requirements.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The proposed amendments to the policy will ensure a compliant, consistent and appropriate approach to the use of CCTV in the Town of Port Hedland.

ATTACHMENTS

1. Policy 15/003 Video Surveillance (under separate cover)

11.1.3 POLICY REVIEW - 1/014 EXECUTION OF DOCUMENTS AND AFFIXING OF THE COMMON SEAL AND 1/019 CONFIDENTIAL BRIEFINGS

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

OFFICER'S RECOMMENDATION

That Council adopts amended Policy 1/014 Execution of Documents and Affixing of the Common Seal and Policy 1/019 Confidential Briefings as per the attachments.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider a review of the 1/014 Execution of Documents and Affixing of the Common Seal and 1/019 Confidential Briefings approve their adoption.

DETAIL

Policies are adopted by Council to set out agreed positions and to provide a framework for consistent decision making. Section 2.7(2)(b) of the *Local Government Act 1995* (the Act) defines a key role of a local government is to determine the local government's policies. Policies are the decisions of council, which establish the agreed views and direction with respect to certain matters, and define the principles and intent behind the programs that a local government implements. A policy can also be a general plan or approach to a specific need, problem or issue. Policy 1/014 Execution of Documents and Affixing of the Common Seal and 1/019 Confidential Briefings are scheduled for review as part of the Town's program of policy review.

The review of 1/014 Execution of Documents and Application of the Common Seal has resulted in some minor language changes to simplify the document, and the addition of the Chief Executive Officer as an authorised employee to a number of document types listed in Table 1. The review also clarifies those officers authorised to execute documents. It is also recommended the policy be renamed to 1/014 Execution of Documents and Affixing of the Common Seal to better reflect the language of the Act.

The review of 1/019 Confidential Briefings recommends a number of minor changes to reflect the introduction of the Model Code of Conduct.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

- Senior Governance Advisor
- Manager Governance

External Agencies

Nil

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Section 2.7(2)(b) of the Act provides that a council is to determine the local government's policies.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no known financial and resources implications associated with any of the proposed changes.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

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

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

Disability Access and Inclusion Plan

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

- Outcome 3 – Information

Corporate Business Plan

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

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

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item, as it may be perceived that the Town's policies are outdated, do not meet community expectations and do not reflect the requirements of the Act. The risk rating is considered to be medium (6), which is determined by a likelihood

of possible (3) and a consequence of minor (2). Adoption of the reviewed policies will eliminate this risk. Options

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

It is recommended that Council adopt the reviewed policies.

ATTACHMENTS

1. Policy 1/014 Execution of Documents and Affixing of the Common Seal (under separate cover)
2. Policy 1/019 Confidential Briefings (under separate cover)

11.1.4 POLICY REVIEW - 2/007 PROCUREMENT POLICY

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

OFFICER'S RECOMMENDATION

That Council adopts amended 2/007 Procurement Policy, as per attachment 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to approve of recent updates to 2/007 Procurement Policy.

DETAIL

Policies are adopted by council to set out agreed positions and to provide a framework for consistent decision making. Section 2.7(2)(b) of the *Local Government Act 1995* (the Act) defines a key role of a local government is to determine the local government's policies.

Policies are the decisions of council, which establish the agreed views and direction with respect to certain matters, and define the principles and intent behind the programs that a local government implements. A policy can also be a general plan or approach to a specific need, problem or issue.

A procurement policy is a legislative requirement as per regulation 11A of the *Local Government (Functions and General) Regulations 1996*. This regulation requires local governments to determine parameters for all purchases made under \$250,000 (excluding GST). Amounts over \$250,000 are to be tendered unless exemption provisions apply (Division 2 of the Functions and General regulations).

This review has been extensive and resulted in both a recommendation to change the Policy title from "Purchasing Policy" to "Procurement Policy" to better reflect the strategic nature of purchasing and includes a large number of improvements to both enable more efficient purchasing practices at the Town, increase use of local business and continue to ensure procurement integrity.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of high significance, as it includes a decision that will significantly affect the capacity of the Council carry out purchasing activities in line within the Strategic Community Plan and Corporate Business Plan.

CONSULTATION

Internal

- Procurement Business Unit

- Manager Governance
- Senior Governance Advisor
- Director Infrastructure Services

External Agencies

- Western Australian Local Government Association
- City of Joondalup (Policy)
- City of Armadale (Policy)

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Section 2.7(2)(b) of the *Local Government Act 1995* provides that a council is to determine the local government's policies. The proposed policy is also consistent with, and support the requirements of the *Local Government (Functions and General) Regulations 1996*.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no known financial and resources implications associated with any of the proposed changes.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 2.b.1 Forums are regularly provided to support industry and businesses, including Aboriginal and disability enterprises, in engaging with the community and stakeholders
- 2.b.3 Red tape for business is minimised through review and reform of relevant policies and by-laws
- 2.c.3 Local procurement is prioritised and promoted across industry and agencies
- 2.d.2 The development of industry specific value chains are encouraged and supported
- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken

The updated policy also better reflects the Town's regional environment where operating costs are generally higher than the metropolitan area and includes mechanisms to further support and encourage local business to do business with the Town.

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

Disability Access and Inclusion Plan

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

- Outcome 3 – Information

Corporate Business Plan

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

- 2.b.1.1 Provide local procurement forums, support and training.
- 2.b.3.1 Regularly review policies and local laws to minimise red tape within statutory frameworks.
- 2.c.3.1 Promote Town of Port Hedland procurement opportunities
- 2.d.2.1 Advocate and encourage key stakeholders to have locally based supply chains and service providers
- 4.b.3.1 Ensure governance information provided to the Community is in line with legislated requirements

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item, as it may be perceived that the Town's policies are outdated, do not meet community expectations and do not reflect legislative requirements. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2). Adoption of the reviewed policy will eliminate this risk.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

It is recommended that Council adopt the reviewed policy.

ATTACHMENTS

1. Procurement Policy 2/007 (under separate cover)

11.1.5 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 JUNE 2021

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.

OFFICER'S RECOMMENDATION

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

1. Receives the Statement of Financial Activity for the period ended 30 June 2021;
2. Receives the Material Variance Report for the period ended 30 June 2021;
3. Notes the Accounts paid under delegated authority for period ended 30 June 2021; and
4. Receives the Credit Card Statements for period ended 30 June 2021.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to present to Council the interim Statement of Financial Activity for the period ended 30 June 2021. Supplementary information is also presented to Council to provide further information regarding the Town's activities.

DETAIL

The information provided in this report is for the period ended 30 June 2021, with financial results included in *Attachment 1. Statement of Financial Activity Notes 1-11* prepared by the Town of Port Hedland (Town).

The *Statement of Financial Activity Notes 1-1* are interim accounts for the period. The final statements prepared will be audited financial statements and as such the figures contained within, are expected to differ from the reported figures as further processing is still in progress.

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 2020/21 original budget, Council adopted the following thresholds as levels of material variances for financial reporting:

- With regards to expenditure classified as capital projects, a variance of 10% or \$10,000, whichever is greater, of the year to date budget, with individual project as the level that requires explanation; and
- With regards to all other items, excluding capital projects identified above, a variance of 10% or \$50,000, whichever is greater, of the year to date budget, with Nature and Type as the level that requires explanation.

The opening funding deficit of (\$209K) presented in YTD Actual on the Statement of Financial Activity is as per the closing deficit for the audited June 2020 financial statements.

The interim net current funding position as at 30 June 2021 is a deficit of \$1.25M. The breakdown of the cash position is displayed below:

	2020/21 Actuals
Current Assets: Cash and Investments	\$ 227.7M
Restricted Cash – Reserves	\$ 222.1M
Unrestricted Cash Position as at 30 June 2021	\$5.6 M

Previous Decisions

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

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

- All consultation and engagement is conducted internally.

External Agencies

- Nil.

Community

- Nil.

LEGISLATION AND POLICY CONSIDERATIONS

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

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

FINANCIAL AND RESOURCES IMPLICATIONS

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

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

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

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

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

RISK MANAGEMENT CONSIDERATIONS

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

There is a risk rating of medium (6) assigned in 2020/21 budget to the risk that a reduction in income or increase in expense throughout the 2020/21 financial year, is likely to have an impact on the Town's ability to meet service levels or asset renewal funding requirements. The risk action plan is to monitor revenue and expenditure on a regular basis, ensure in line with budget and amend as needed.

OPTIONS

Option 1 – Adopt officer's recommendation

Note the Statement of Financial Activity and reports for the period ended 30 June 2021 in accordance with regulation 34(1) of the Local Government (Financial Management) Regulations 1996.

Option 2 – Amend officer's recommendation

That Council receive the Statement of Financial Activity for the period ended 30 June 2021 and request further information or clarification.

Option 3 – Do not adopt officer's recommendation

That Council do not note or receive the Statement of Financial Activity for the period ended 30 June 2021.

CONCLUSION

The opening funding deficit of \$209 K presented in YTD Actual on the Statement of Financial Activity, is as per the closing deficit presented in the audited financial statements. The interim net current funding position is a deficit of \$1.25M.

ATTACHMENTS

1. Credit card payments - June 2021 (under separate cover)
2. Material Variance report - June 2021 (under separate cover)
3. Monthly Financial Statements - June 2021 (under separate cover)
4. Payments made under authority - June 2021 (under separate cover)

11.2 Community Services

11.2.1 PROPOSED AMENDMENTS TO TOWN OF PORT HEDLAND PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW 2016

Author: Coordinator Aquatic Operations
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. Commences the process to adopt the proposed *Town of Port Hedland Public Places and Local Government Property Amendment Local Law 2021*.
2. Pursuant to section 3.12(3) of the *Local Government Act 1995* gives local public notice to make the proposed *Town of Port Hedland Public Places and Local Government Property Amendment Local Law 2021* as per Attachment 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider whether to commence the gazettal process, including to advertise the proposed amendment in accordance with legislation to amend the *Town of Port Hedland Public Places and Local Government Property Local Law 2016* to reflect industry best practice with respect to the supervision of children at public swimming pools.

DETAIL

Town of Port Hedland Aquatic facilities have contributed to a growth in popularity of swimming and other water activities for sport, fitness, rehabilitation and recreation. There is a public expectation that facilities will be designed, operated and maintained in such a manner that they will pose no risk to the safety or health of their patrons.

A confidential briefing was provided to Council on the evaluation of the South Hedland Aquatic Centre School Holiday Program held over the Christmas school holidays, which highlighted an alarming increase of in-water rescues of children predominately under 12 years, all of which related to the primary caregiver failing to adhere to the centre's Watch around Water guidelines. The guidelines are available at:
<https://watcharoundwater.royallifesavingwa.com.au/>

Following the evaluation, it is recommended to consider amending clause 5.1 of the *Town of Port Hedland Public Places and Local Government Property Local Law 2016* ("the Local Law") to clarify the minimum age of unaccompanied minors to the Town's aquatic centres, and the minimum supervision levels required for children under 12 years of age.

Currently Authorised officers for the Town of Port Hedland enforce the provisions of clause 5.1 of the Local Law, which is specified by the Code of Practice for the Design Operation, Management and Maintenance of Aquatic Facilities 2007 and does not align with current best practice.

Research has been undertaken to establish similar Local Laws regarding unaccompanied minors gaining access to Aquatic Facilities. The research demonstrated a number of Regional and Metropolitan LGAs specify the minimum unaccompanied age as 12 years and must be accompanied by a responsible person over the age of 18 years.

In consideration of the increased risk profile of the aquatic facilities, Town Officers are requesting an amendment to the Local Law which will bring the Town in line with contemporary Aquatic Industry practice to ensure the safety, security and comfort of all patrons.

The amendments include:-

1. Increasing the age that an unaccompanied minor can enter the aquatic facility to 12 years old. All persons under 12 must be accompanied by a responsible adult over the age of 18.
2. Requiring any child under the age of 6 to be accompanied in the water by a responsible person over the age of 18, and within arms reach of that person.
3. Use of electronic recording devices or cameras are not permitted without approval.

The purpose of the proposed *Town of Port Hedland Public Places and Local Government Property Amendment Local Law 2021* is to regulate the minimum age of unaccompanied and unsupervised children within the Town of Port Hedland Aquatic Facilities, and to regulate the use of recording devices and cameras within those facilities. The effect of the proposed Local Law is to stipulate the age restrictions for persons entering the aquatic facilities, regulate use of recording devices and cameras within those facilities and to provide capacity to enforce contravention of the Local Law.

Town of Port Hedland officers view the safety of pool users as paramount and recommend minors should be supervised by a parent at all times when using the aquatic facilities. The proposed amendment Local Law aligns with current best practice and the Watch around Water guidelines. The additional provision included to authorise officers the power to remove persons using electronic recording devices or cameras, enables the Town to address risks identified by the Royal Commission into Institutional Responses to Child Sexual Abuse.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, as the matters will be advertised for public comment as part of the adoption of local law procedure under Local Government Act 1995 and as per the requirements of section 5.2 of the Town of Port Hedland Public Places and Local Government Property law 2016.

CONSULTATION

Internal

Director Community Services

Manager Leisure Facilities

Manager Environmental Health and Community Safety

Director Regulatory Service
Manager Community Development
Senior Governance Advisor
Coordinator Aquatic Operations
Aquatic Supervisor

External Agencies

RLSSA
City of Joondalup
City of Stirling
City of Canning
City of Armadale
Shire of Broome
City of Karratha
City of Mandurah
City of Kalgoorlie-Boulder
City of Bunbury
City of Vincent
Shire of Harvey

Community

If the officer's recommendation is adopted by Council, public advertising will commence for a period of six (6) weeks in accordance with s.3.12 of the *Local Government Act*. Officers understand the potential impacts of public perception relating to the increasing of the minimum age of an unaccompanied minor and have commenced consultation with the Community Development team.

LEGISLATION AND POLICY CONSIDERATIONS

FINANCIAL AND RESOURCES IMPLICATIONS

The costs associated with advertising the proposed amendment to the Local Law are adequately covered by existing budget allocations.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 1.d.3 Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities

Social

The Proposed Local Law will assist in educating the community by providing a clear guideline relating to unaccompanied entry to Aquatic Facilities under the Local Government Act 1995.

RISK MANAGEMENT CONSIDERATIONS

There is a health risk associated with this item that minors should be accompanied by a parent or guardian at all times when using the aquatic facilities. The risk rating for unaccompanied entry is considered to be high (16), which is determined by a likelihood of likely (4) and a consequence of major (4).

Adoption of the Proposed Local Law amendment will enable the Town to effectively address the risks of unaccompanied minor to the Towns aquatic facilities.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

The proposed Local Law allows Council the opportunity to amend the current Local Law to ensure a safe, secure and comfortable environment for all members of the community and mitigate highlighted risk factors associated with the unaccompanied entry to the Towns Aquatic Facilities.

ATTACHMENTS

1. Amendments to Public Places and Local Government Property Local Law 2021 (under separate cover)

11.2.2 2020/2021 COMMUNITY GRANTS PROGRAM OUTCOMES

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

OFFICER'S RECOMMENDATION

That Council receives and notes the outcome of the Community Grants Program for the 2020/21 Financial Year.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to note the grants awarded to the community via the Town of Port Hedland's Community Grants Program for the 2020/21 financial year under the Community Grants Program Policy 6/003 totally \$173,873.

DETAIL

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

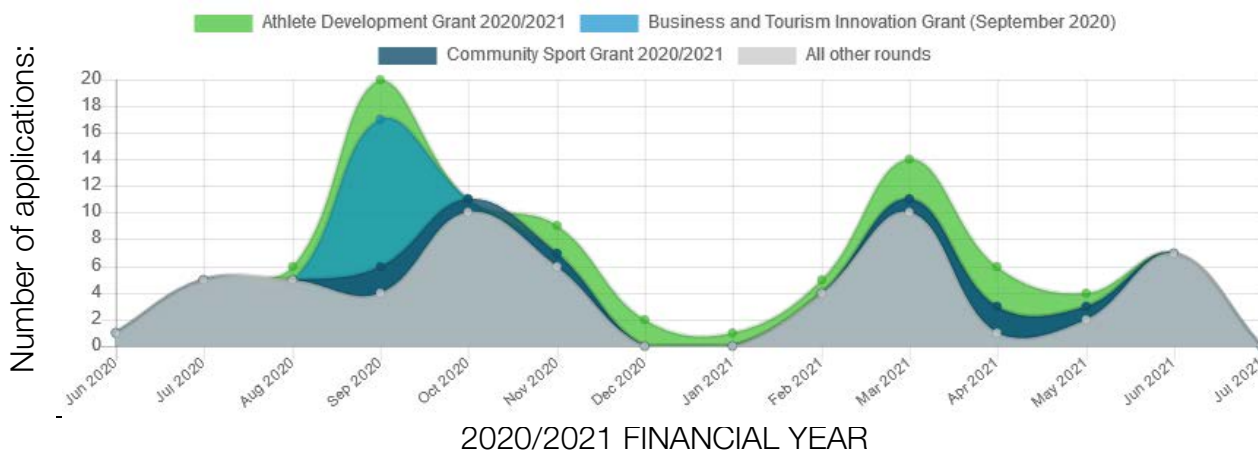
- An equitable, transparent and consistent process to distribute funding;
- All applications received which fall within the policy and its associated guidelines are equally considered for support;
- The Town supports the community to deliver essential events, programs, projects and services that meet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

The Town's Community Grants Program is divided into four streams and facilitates a total of twelve different types of grants to encourage a variety of activities, projects and programs which support the whole community. The budget for the 2020/2021 program was \$180,000.

These grants range from a minimum of \$250 in small, community applications (Friendly Neighbourhood Grant) to \$10,000 (Community Development and Community Collaboration Grants). The Town promotes the Community Grants program on a regular basis through communication and engagement channels.

The most popular grants in 2020/21 were the Athlete Development Grant, the Business and Tourism Innovation Grant and the Community Sports Grant.

Number of Community Grant Applications submitted per month for the 2020/2021 FY:



Grant Outcome Summary

In 2020/21, the Town awarded 68 applicants a total of \$173,873 with an application approval rate of 82%. Of the 18% that did not receive the funding requested, this was either due to withdrawal because an event or program was cancelled; because the Town was able to provide in-kind support in lieu of the grant funding; or the application did not meet eligibility requirements.

In total, 30 not-for-profit or community groups received funding including 8 Aboriginal organisations, 8 arts and culture organisations and 10 sporting clubs. 15 local businesses have also been supported as well as 15 young people through the Athlete Development Grant and the Youth Leadership and Development Grant.

List of successful applications for the 2020/21 Community Grants Program

Successful Applications for the Community Collaboration Grant

	Organisation Name	Project Name	Amount Awarded
1	Pilbara Community Legal Service Inc.	Creative Hands Harmony Week - Celebrating Hedland Multiculturalism and Diversity	\$10,000.00
2	Fair Game Australia Ltd.	Game On! with Fair Game	\$10,000.00
3	FORM Building a State of Creativity Inc.	SH+SEA Brendan Pang Residency and Workshops	\$9,940.00
4	Hedland Toy Library Inc.	Inclusive Community Collaboration	\$9,817.52
		TOTAL	\$39,757.52

Successful Applications for the Community Development Grant

	Organisation Name	Project Name	Amount Awarded
1	Jabat Dance Incorporated	Jabat Dance Concert 2021	\$5,000.00
2	Pilbara Universities Centre	Indigenous Leadership Project	\$10,000.00
3	Empowering People in Communities Inc	Inclusion and Resilience Programs	\$10,000.00
4	The Junction Co.	Grow program	\$10,000.00
5	The Nomads Charitable & Educational Foundation	Yurti Band	\$10,000.00
		TOTAL	\$45,000.00

Successful Applications for the Business and Tourism Innovation Grant

	Organisation Name	Project Name	Amount Awarded
1	(f)empowered communications	Digital communications workshops for small business owners	\$2,000.00
2	Binky Clay	Website design for Binky Clay	\$2,000.00
3	Jinparinya Aboriginal Corporation	Jinparinya Community Women's Experience	\$2,000.00
4	Goodinya	Goodinya Bush Medicines	\$2,000.00
5	Treloar Child Care Centre Inc	Creating Healthy Choices for Children	\$300.00
6	Bella Boo Ecoshop	Providing educational toys and resources for Port Hedland families	\$2,000.00
7	Kindermusik with Kylie	Bring community to the caregivers of babies and toddlers	\$2,000.00
8	Symmetry & Tide	Reformer Pilates for whole body wellness	\$2,000.00
9	Millstyle Revamped Furniture Co	Furniture painting workshops	\$2,000.00
10	(f)empowered communications	(f)empowered online classroom	\$2,000.00
11	Swiss Launderette	Disability access upgrades	\$2,000.00
		TOTAL	\$20,300.00

Successful Applications for the Seed Funding Grant

	Organisation Name	Project Name	Amount Awarded
1	Hedland Snake Removal	Equipment upgrade and volunteer snake handling training	\$1,000.00
2	Lisa's Kangaroo Retreat Inc	Safe Water for the Kangaroos	\$1,000.00
		TOTAL	\$2,000.00

Successful Applications for the Seed Funding Grant

	Organisation Name	Project Name	Amount Awarded
1	FORM Building a State of Creativity Inc.	Spin a Yarn Weaving Workshop Series	\$2,944.55
2	Hedland Follow the Dream	Mural for the Follow the Dream building	\$2,500.00
3	Hedland School of Dance	Hedland School of Dance Mini Stars & Rising Stars Showcase	\$3,000.00
4	North West Entertainment Services	The Thought Fort	\$3,000.00
5	Hedland Camera Club	August Camera Club - Hedland Weekend Showcase	\$3,000.00
6	SheOak Lane	STM WA Indigenous Fashion Showcase	\$1,800.00
7	The Filipino Australian Friendship Association Hedland Incorporated	123rd Philippines Independence Day	\$3,000.00
		TOTAL	\$19,244.55

Successful Applications for the Special Events Grant

	Organisation Name	Project Name	Amount Awarded
1	Hedland Filipino Australian Society	"Keeping the Christmas Spirit Alive" Cultural Event	\$2,000.00
2	Hedland Well Women's Centre	Pink Pilbara Breakfast 2020	\$2,000.00
3	Pilbara Aboriginal Corporation Of Traditional Owners	Annual Family Christmas Event	\$1,000.00
4	Julyardi Aboriginal Corporation	Christmas 2020 Pool Party	\$2,000.00
		TOTAL	\$7,000.00

Successful Applications for the Community Sports Grant

	Organisation Name	Project Name	Amount Awarded
1	Hedland Little Athletics Club	Hedland Little A's Equipment Project	\$2,376.00
2	South Hedland Football Club	AFL NPFL Grand Final	\$3,000.00
3	Royal Life Saving WA	RLSSWA Pilbara Spirit Swimming and Life Saving Carnival	\$3,000.00
4	Commonwealth Games Australia WA Division	Champions 2 Country - Pilbara Activation	\$3,000.00
5	Port Hedland Cricket Association Incorporated	Junior Cricket Country Week 2021	\$3,000.00
6	Port Hedland Golf Club	MiClub Computer Program	\$2,650.00
7	South Hedland Cougars RLFC Inc.	South Hedland Cougars Juniors Development	\$3,000.00

8	Swan Districts Football Club	Male youth 15's and female talent competition	\$1,500.00
9	Hedland BMX	Apply First aid and CPR course to members looking to take up coaching and officiating rolls	\$1,000.00
		TOTAL	\$22,526.00

Successful Applications for the Athlete Development Grant

	Individual Name	Project Name	Amount Awarded
1	Lilly	Little Athletic - Regional Championships Broome	\$500.00
2	Riley	BMX WA State Championship 2020	\$250.00
3	Cate	QBE Football West Country Week 2020	\$500.00
4	Lachlan	Country Week 2020	\$500.00
5	Amber	QBE Country Week 2020	\$500.00
6	Brooklyn & Sienna	Regional Country Champs 2021	\$1,000.00
7	Jo	2021 WA Country Championships	\$500.00
8	Jaymes	WA State Swimming Championships	\$500.00
9	Brooklyn & Sienna	Representing Hedland at State Titles for Athletics	\$1,000.00
10	Deziah	North West Reds Team - Junior State Championship	\$500.00
11	Darius	North west reds junior state rugby league championships	\$500.00
12	Lidia	North West Netball Championships	\$305.00
13	Michael Elliot	Western Australia State Championship 2021: Brazilian Jiu Jitsu	\$750.00
14	Matt Inzalaco	AFBJJ WA State Titles	\$500.00
		TOTAL	\$7,805.00

Successful Applications for the Artist Development Grant

	Individual Name	Project Name	Amount Awarded
1	Gloria Ann Lockyer	Women of Colours Exhibit 2020	\$1,000.00
2	Tina Hall	Workshop Tooling - Lino-print Making	\$1,000.00
		TOTAL	\$2,000.00

Successful Applications for the Friendly Neighbourhood Grant

	Individual Name	Project Name	Amount Awarded
1	Ree Barrow	Pretty Pool Container Collect	\$200.00
2	Ree Barrow	Panja Parade BBQ	\$200.00
		TOTAL	\$400.00

Successful Applications for the Space Activation Grant

	Organisation/Individual Name	Project Name	Amount Awarded
1	The Junction Co Inc.	Activate Portside	\$1,000.00
2	In The Mix Health Foods	The Bungalow on Edgar Christmas Sip & Shop	\$840.00
3	Try My Thai Pty Ltd.	Port Hedland Cooking Competition	\$1,000.00
4	Art is Alive	Art Break Day 2021 Port Hedland	\$1,000.00
5	South Hedland Senior High School	Beautifying Milli Maya	\$1,000.00
6	Lions Cancer Institute Inc	Pilbara Special Children's - Christmas Big Day Out!	\$1,000.00
7	Miss Nur-Irdah Halik	2020 Kids Christmas Party	\$1,000.00
8	Mrs Kanchanaporn Garrioch	Thai New Year	\$1,000.00
		TOTAL	\$7,840.00

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

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

- Community Engagement Officer;
- Manager Community Development;
- Director of Community Services;
- Sports and Facilities Officer; and
- Senior Arts and Culture Officer.

External Agencies

Nil

Community

The respective Grants were advertised through the Town Community Notices, on the Town Facebook Page and promoted through email networks. Two sessions on how to apply for grants were also held at the JD Hardie Youth and Community Hub and Civic Centre in February 2021. A number of organisations called to find out more information and understand

whether their initiative would fit the criteria. The Community Engagement Team responded to all enquiries.

LEGISLATION AND POLICY CONSIDERATIONS

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

FINANCIAL AND RESOURCES IMPLICATIONS

The budget for 2020/2021 Community Grants Program was \$180,000 and the total amount awarded was \$173,873.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 1.a.3 Youth services and facilities are implemented with regular input from youth and providers
- 1.a.4 Partnerships with stakeholders to deliver sport and recreation are enhanced
- 1.a.6 Town-wide health, safety, recreation and sporting activities and services
- 1.c.1 The community, industry, arts and cultural organisations are engaged to identify, plan and coordinate events and activities
- 1.c.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered
- 2.a.1 Local training providers, business, industry, services, agencies, social sector and infrastructure providers are fully engaged and coordinated in the development of training and employment opportunities
- 2.a.2 Partnerships with private enterprises and government to fund projects and create jobs are pursued
- 2.a.3 Innovation is encouraged to enhance the diversity of employment opportunities
- 2.c.2 Opportunities for social enterprise, innovators, and small and medium sized businesses are identified, and strategies to attract and support them are implemented

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

Corporate Business Plan

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

RISK MANAGEMENT CONSIDERATIONS

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

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

CONCLUSION

The assessment process identified 68 successful applications for the 2020/21 Community Grants Program. The total amount awarded to all applicants was \$173,873. The Community Grants Program for 2020/21 has supported a variety of activities, projects and programs which benefit the whole community.

ATTACHMENTS

Nil

11.3 Regulatory Services

11.3.1 FINAL ADOPTION OF LOCAL PLANNING POLICY 14 - DESIGN REVIEW PANEL

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

OFFICER'S RECOMMENDATION

That Council:

1. Notes the amendments received from the Western Australian Planning Commission and the Office of the Government Architect as depicted in Attachment 1 in respect to Local Planning Policy 14 – Design Review Panel; and
2. Pursuant to Schedule 2 – Part 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*:
 - a. adopts LPP14, as included at Attachment 2, and
 - b. publishes notice of its adoption in a local newspaper and forwards a copy of the adopted policy to the Western Australian Planning Commission.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider submissions received during the public advertising of Draft Local Planning Policy 14 – Design Review Panel ('LPP14').

DETAIL

Background

Council, at its 28 April 2021 meeting, considered draft LPP14 which set out the background, operation and implementation of LPP14. Council resolved as follows:

1. Advertises the draft Local Planning Policy 14 – Design Review Panel, as attached, for 21 days pursuant to Schedule 2, Part 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* for the purpose of public consultation; and
2. Refers the draft Local Planning Policy 14 – Design Review Panel to the West Australian Planning Commission.

Public advertising

No public submissions were received during the advertising of LPP14.

LPP14 was referred to the WAPC and Office of Government Architect who provided recommended amendments to LPP14 as depicted in Attachment 1. The majority of those amendments are not substantive in nature and enhance the effectiveness of LPP14. The three key amendments are:

- 1 With respect to the selection criteria of the panel members, adding experience in effective design review or provision of design advice, or the ability to analyse, evaluate and report on complex design issues (see clause 3.4(b) of Attachment 1);
- 2 The Town will prepare the report summarising the actions and recommendations of the Design Review Panel meeting, rather than the Chairperson. However, the Chairperson will approve that report (see clause 4.11 of Attachment 1). This will save on the Chairperson's fees; and
- 3 Adding that the Town strongly encourages proponents to engage in design review at the concept stage prior to the lodgement of a development application (see clause 5.1 of Attachment 1). This means design recommendations are made at an earlier level when the overall design is more malleable, rather than after detailed design at the development application stage.

The Town has also made minor amendments and reformatting to standardise this policy with its other local planning policies, which are matters of form and not substance.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because it will result in improvements in design and built outcomes in Hedland. It is anticipated that the Design Review Panel will only be used a few times a year for the types of development applications in Part 1 – Application of LPP14.

CONSULTATION

Internal

Executive Leadership Team;
Town Planning and Development team; and
Infrastructure Projects team.

External Agencies

Western Australian Planning Commission
Office of the Government Architect

Community

Consulted as part of public advertising of the draft policy.

LEGISLATION AND POLICY CONSIDERATIONS

- *Planning and Development (Local Planning Scheme) Regulations 2015 – Schedule 2, Part 2*: requires the Town to advertise draft local planning policies for at least 21 days;
- WAPC Design Review Guide published February 2019; and
- State Planning Policy 7.0 – Design of the Built Environment.

FINANCIAL AND RESOURCES IMPLICATIONS

Funding has been included within the 2021-22 annual budget (\$50,000) for payment of the panel members review of information and attendance at the Design Review Panel meetings.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
- 1.b.5 Opportunities to get involved and results of engagement are regularly promoted

Environmental

- The establishment of a design review panel will result in an improvement in design and built form outcomes in Hedland.

Economic and social

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

RISK MANAGEMENT CONSIDERATIONS

There is a built environmental risk associated with this item because failure to establish a Design Review Panel will result in poorer design and built form outcomes in Hedland. The risk rating is considered to be low (4), which is determined by a likelihood of unlikely (2) and a consequence of minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The adoption of the policy with the recommended amendments from the WAPC and OGA will ultimately result in an improvement in design and built form outcomes in Hedland for eligible development proposals and applications.

ATTACHMENTS

1. LPP14 - WAPC and OGA amendments (track changes) (under separate cover)
2. LPP/14 - Design Review Panel (Final) (under separate cover)

11.3.2 APPLICATION FOR DEVELOPMENT APPROVAL: PROPOSED ACCESS TRACK FOR CATTLE YARDS - LOT 702 BOODARIE STATION ACCESS ROAD AND LOT 364 GREAT NORTHERN HIGHWAY, BOODARIE

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

OFFICER'S RECOMMENDATION

That Council grants development approval for the proposed access track on Lot 702 Boodarie Station Access Road and Lot 364 Great Northern Highway, Boodarie, subject to the following conditions and advice notes:

Conditions:

1. Development shall be in accordance with the following plans and documents and any mark-ups, except where minor modifications are approved in writing by the Chief Executive Officer prior to commencement of works:
 - a. DRW 1 of 1, Site plan and cross-section, 12 May 2021.
2. Prior to the commencement of works, tenure shall be secured over Lot 702 to provide legal access to Lot 364, to the satisfaction of the Town.
3. Prior to the commencement of works, the developer shall consult the lessee of Lot 364 (Melreef Pty Ltd) with regards to the planned works programme. Details shall be agreed to, including but not limited to:
 - a. Days and hours of works;
 - b. Location of stored materials, machinery and plant;
 - c. Dust and noise mitigation measures;
 - d. Access to, from and within the site;
 - e. Any preventative biosecurity measures;
 - f. Induction of personnel; and
 - g. Maintaining access to and from the site.

Both parties shall act in good faith to address these matters within a timely and reasonable manner. If no agreement can be reached, development proposed over Lot 364 is not required to be constructed under this approval.

4. Upon completion of the works, the developer shall obtain the written consent from the Town that works have been completed in accordance with the approved plans. Works shall be completed to the specification and satisfaction of the Town.
5. The developer shall maintain a defects liability period for the works for a period of not less than one full wet season, from November to April. Should any defects occur, these shall be rectified to the specification of the development approval or to the satisfaction of the Town, acting reasonably and having regard to the track being located within a flood risk area.

-
6. Upon completion of the defects liability period, being one full wet season, the developer shall obtain the written consent from the Town that the works are in a satisfactory condition. If works are not in a satisfactory condition, remedial works shall be completed by the developer to the specification of the development approval or to the satisfaction of the Town, acting reasonably and having regard to the track being located within a flood risk area.

SIMPLE MAJORITY VOTE REQUIRED

Advice Notes:

1. This is a development approval issued under the Town of Port Hedland Local Planning Scheme No. 7 only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. 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.
3. All works in the road reserve, including but not limited to the construction of a crossover and other streetscape works and works to the road carriageway must be to the specification and satisfaction of the Town. The applicant and owner should liaise with the Town's Technical Services and Town Planning and Development Services in this regard.
4. The landowner is reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements.
5. Please note that the proposed development is in close proximity to high-pressure water and gas pipelines. It is recommended that the precise location of these are obtained prior to the commencement of works.

PURPOSE

The purpose of this report is for Council to consider a development application for a proposed access track, connecting the Hedland export depot cattle yards to Boodarie Station Access Road.

DETAIL

Background

Lot 364 Great Northern Highway, Boodarie, is a Reserve (No. 33593) vested to the Town with the power to lease. It is located approximately 4.5 kilometres south-west of the South Hedland town centre and measures 6.8831 hectares in area (**Attachment 1 – Location context plan**).

It is currently leased to Melreef Pty Ltd (the lessee) for the purposes of operating a cattle stock holding yard. The lessee originally held a lease for the site in July 2007 and renewed it again

in November 2015 (backdated to 1 July 2015) for a period of 10 years. Improvements to the site include fencing, cattle run and loading ramp.

Boodarie Station Access Road upgrades

Development WA are undertaking road and intersection upgrades to the Boodarie Station Access Road, to allow large trucks safe access to and from the Great Northern Highway (the Highway). This will allow for the development of the Boodarie Strategic Industrial Area estate.

Upon receiving an application from Development WA for intersection works, Main Roads and the Water Corporation raised concerns about the cattle stock holding yard at Lot 364.

Main Roads WA concerns - access from Highway

Vehicles, including but not limited to A-Triple road trains (53.4m long truck combinations), have historically been accessing the property directly from the Highway. To access the loading ramps, trucks have been undertaking unsafe manoeuvres on the Highway and park within the road reserve, according to Main Roads. Trucks access the lease area through an informal dirt access track that is not designed or constructed to Highway specifications (see **Attachment 2 – Site context plan**).

This section of road is signposted as a 110km/h zone and receives approximately 3,000 vehicles per day. Main Roads have expressed concerns that a traffic accident may one day occur as:

- Access to the cattle yards is not designed and constructed correctly; and
- The access point is too close to the planned intersection upgrades, which form part of the new industrial estate.

When creating a new access point onto the Highway, users are required to obtain Main Roads approval to construct a crossover and driveway to certain specifications. This was not done by the lessee.

Water Corporation concerns - access and parking over water pipeline

Trucks have also been driving over and parking on a Water Corporation reserve. This contains a high-pressure underground water pipeline (Reserve 33016). This pipeline supplies water to Port and South Hedland from a bore field to the south-west. When accessing and parking vehicles over a water pipeline, users are required to obtain the Water Corporation's approval. Should approval be granted, this generally requires protection works to ensure that the pipeline is safe from damage.

The lessee has not obtained any approvals from the Water Corporation to access this reserve and the pipeline is not protected to the specification and satisfaction of the authority. There are concerns that the large vehicles may damage the pipeline and disrupt the water supply to the Town.

Proposed development

Development WA and the Town have discussed these issues with the lessee and several state government agencies with the view to provide alternative access. The solution deemed most appropriate for all parties was decided upon a looped access track to and from Boodarie Station Access Road. Details of this are contained within **Attachment 3 – Proposed site plan**.

Development WA has lodged a development application with the Town to construct this access track. A summary of key details are provided below and include, but are not limited to:

- Proposed over two properties, being Lot 702 Boodarie Station Access Road and Lot 364 Great Northern Highway.
- Lot 702 is land vested (managed) by the Department of Planning, Lands and Heritage.
- Lot 364 is land vested (managed) by the Town.
- It is nine-metres wide and 150mm thick, consisting of compacted gravel.
- Is designed to accommodate RAV 10 vehicles (largest vehicle combination), such as A-Triple road trains, which are frequently used by the lessee.
- Includes a sealed crossover, culverts and headwalls.

The application does not include the track on the eastern side, within the water pipeline and Highway reserve (eastern side of Lot 364). A separate development approval will be sought over this land once tenure is resolved with the Water Corporation.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 ‘Significant Decision Making’, this matter is considered to be of medium significance, because the alternative access will ensure safer passage along the Highway and protect the Port and South Hedland water pipeline.

CONSULTATION

Internal

- Chief Executive Officer
- Director Regulatory Services
- Manager Town Planning and Development
- Project Engineer

No objections were raised with the above staff members and conditions have been recommended where requested.

External Agencies

External agencies including the Water Corporation, Main Roads and Department of Planning, Lands and Heritage have been consulted early in the process and agreed to this design, prior to Development WA lodging a development application.

Community

The proposal was advertised to both the lessee and the operator of the adjoining power plant on Lot 365 (No. 32) Boodarie Station Access Road (Newcrest Mining). Notifications were sent via email, inviting comments for a period of 21 days. An objection was received from the lessee and no submission was received from Newcrest Mining. A summary of the objection is contained below, along with officer responses. The full version of the submission can be found in **Attachment 4 – Lessee objection**.

Summary of objections raised by lessee and officer responses	
Points of objection	Officer response
The construction of the access track within and outside of the lease area will create a detrimental financial impact due to the future maintenance costs.	Officers from the Town have agreed in principle to assist with the maintenance of the track on Lot 702. It is not anticipated that this will cost much in either time or resources. A grader can be made available to regrade the track once a year.

	<p>However, this will depend on the reason/source of damage. E.g. normal wear and tear, for the term of this lease, may be covered. Malicious damage may not.</p> <p>This is more than what the current lease requires, whereby the maintenance of all tracks are the responsibility of the lessee within the lease boundaries.</p>
<p>The construction of the access track within the subject site without the approval of Melreef Pty Ltd will be in breach of the current lease.</p>	<p>Not a planning consideration.</p> <p>Should the objector’s comments be true or of concern, the approval can be amended to remove the access track from within the subject site.</p>
<p>The design of the access track does not consider the topography and natural drainage. There are no culverts and/or drainage under the track.</p>	<p>The design has taken into consideration these factors and is designed to sit relatively flush with the existing topography where possible. This design allows for overland flow from the elevated land in the south-east, across to the lower lying north-west. This will ensure that the track does not act as a dam and will limit water ponding across the subject site. Where the track is elevated, it includes culverts and a concrete flood way.</p>
<p>Melreef Pty Ltd has not received any financial compensation.</p>	<p>Not a planning consideration.</p> <p>It is not understood why the matter of financial compensation is raised.</p> <p>The proposed access track will provide safe and legal access for the lessee.</p> <p>This will be provided at no cost to the lessee.</p> <p>This will guarantee continued access for the lessee. Whereas, the current unauthorised access could be blocked by either Main Roads or Water Corporation.</p> <p>No land is being sterilised or lost as a result.</p> <ul style="list-style-type: none"> • The proposed track is 9m in width. • A truck only requires 2.5m. • It is designed to function as a 3m wide firebreak, which is required by law.
<p>There is no warranty period or defects period.</p>	<p>A condition is recommended stipulating a defects period of one full wet season (November to April).</p>
<p>There is no warranty for unfettered future access.</p>	<p>The current access and parking (directly off the Highway and on the water pipeline) are not guaranteed and may be closed at any time by either Main Roads or the Water Corporation.</p> <p>Development WA in conjunction with the Town, is seeking to guarantee legal access to the lessee through this access track.</p> <p>Tenure is currently being dealt with by Development WA and the Town for access over Lot 702 and the Water Corporation</p>

	<p>reserve. Obtaining tenure over one or more of these properties will guarantee future legal access.</p>
<p>Melreef Pty Ltd should not be financially impacted by the provision of the access track, especially given our current access causes no financial detriment.</p>	<p>The current access arrangements are unauthorised and are not guaranteed.</p> <p>Should a vehicle cause damage to the water pipeline or result in an incident on the Highway, the lessee may be subject to significant financial liability.</p> <p>The Water Corporation or Main Roads could physically block/close access via the informal track at any point. This could cause significant operational disruption and financial impact to the lessee.</p> <p>It is not understood how the lessee is financially impacted, given they will enjoy the benefits of guaranteed legal access and be the recipient of a new access track, worth \$1.5 million. This is being fully funded by the state government.</p>
<p>The Town is a proponent of the Highway and Boodarie Station Access Road upgrades and is funding the works. This makes the Town responsible for causing detriment to Melreef Pty Ltd and is responsible for any financial damages.</p> <p>Melreef Pty Ltd reserves the right to protect its legal rights and commercial interest through legal action should the Town fail to remedy the issues raised.</p>	<p>Not a planning consideration.</p> <p>The Town is not a proponent of the Highway/Boodarie Station Access Road upgrades. The Town is not funding or arranging the works, which is being completed by Development WA.</p> <p>Noted.</p>

LEGISLATION AND POLICY CONSIDERATIONS

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*; and
- Town of Port Hedland Local Planning Scheme No. 7.

FINANCIAL AND RESOURCES IMPLICATIONS

As raised by the lessee in the objection, lawyers may be engaged to challenge a decision of Council that may affect the lease. This may require Council to engage the services of a lawyer to respond to any legal encounter, which would be absorbed through the standard legal services budget.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

2.d.2 The development of industry specific value chains are encouraged and supported

3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed

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

RISK MANAGEMENT CONSIDERATIONS

There is a financial risk associated with this item because the lessee may choose to launch legal action against a decision of Council. The risk rating is considered to be medium (8), which is determined by a likelihood of likely (4) and a consequence of minor (2).

Third party reviews of planning decisions do not exist in Western Australia, therefore any action taken by the lessee would not be in relation to the development approval, including the conditions.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

In regards to the point made by the lessee, that granting development approval on site may cause detriment to the lease, the Council may wish to amend the officer's recommendation.

To alleviate the lessee's concerns, one option may be to grant development approval only on Lot 702 (adjoining state land) and exclude approval located on Lot 364 (lessee's site).

This will mean that alternative access is still provided to the lessee's site and that the lessee can arrange their own access internally, to their own specification.

Option 3 – Do not adopt officer's recommendation

CONCLUSION

It is paramount that alternative access is provided to Lot 364, given the concerns raised by Main Roads and the Water Corporation. Having Development WA offer to fund and undertake this project whilst they are undertaking the Boodarie Station Access Road and Highway intersection upgrades is advantageous to resolving this issue. This application has several benefits including:

- Safer passage for Highway users;
- Protection of the Port and South Hedland water supply; and
- Guaranteeing access rights to the lessee of Lot 364 Great Northern Highway.

Given the above, it is recommended that Council approve this application.

ATTACHMENTS

1. Attachment 1 - Location plan (under separate cover)

2. Attachment 2 - Site context plan (under separate cover)
3. Attachment 3 - Site plan (under separate cover)
4. Attachment 4 - Lessee objection (under separate cover)

11.4 Infrastructure Services

11.4.1 RESTRICTED ACCESS PROGRAM - SUTHERLAND STREET PORT HEDLAND

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

OFFICER'S RECOMMENDATION

That Council notes that rocks will be installed at Sutherland Street, Port Hedland to protect the sensitive dune environment and Town assets whilst enabling the beach to be accessed from existing formalised routes.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to inform Council of the need to install rocks along Sutherland Street from the Hedland Hotel at 1 Lukis Street through to Howe Street, Port Hedland. This is necessary due to the number of vehicles illegally accessing the beach via the footpath and causing extensive damage to the footpath and the sensitive dune environment. This area is a nesting area of the flat back turtle.

DETAIL

The Infrastructure Operations Engineering Works crew have been identifying areas where motorbikes, quadbikes and 4 wheel-drives have been accessing drain infrastructure, paths, verges, bush blocks and dunes for the Restricted Access Program. The Restricted Access Program is where the Town places large rocks to stop vehicles from accessing areas where they are not permitted. It has been particularly successful and has assisted with improving safety in a number of areas.

One of the areas earmarked for this program is a section of Sutherland Street between Lukis Street and Howe Street, as identified in red below:



Vehicles have been observed frequently driving along the road and footpath on Sutherland Street, creating at least 7 illegal tracks to access the beach and the recreational area of spoil bank.

Some of the illegal access points have been blocked off previously by pine pole barriers only for them to be vandalised or driven around.

The negative impacts of this activity include:

- Vehicles being operated a popular and heavily used section of footpath.
- Heavy erosion being caused on the verge adjacent to the footpath.
- Significant damage to vegetation on the dunes and the subsequent erosion and scouring during rain events.
- Caltrop prickly plants are growing thick in these sections of dune after being introduced and spread by these vehicles.

The below images show the undesignated access on Sutherland Street and damage caused to the dune environment and footpath infrastructure:





LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

Consultation has occurred with relevant Infrastructure Operations staff.

External Agencies

Not applicable.

Community

The Foreshore Masterplan recently approved by the Council calls for protection of sensitive dune areas and the placing of rocks would assist in the management of the area. Extensive community consultation was undertaken on the Foreshore Management Plan.

LEGISLATION AND POLICY CONSIDERATIONS

Town Of Port Hedland - Public Places and Local Government Property Local Law 2016

2.8 Activities which may be prohibited on specified local government property

- (2) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property—
- (c) taking, riding or driving a vehicle on the property or a particular class of vehicle.

FINANCIAL AND RESOURCES IMPLICATIONS

The Restricted Access Program has a linear metre cost of \$110, and equates to \$157,850 for the verges highlighted in Attachment 2. The project area has been prioritised for the 2021/2022 financial year and equates to 60% of the approved budget for this years Restricted Access Program.

The total length identified for this section of rock laying is 1,435m, with spacing between these set to 0.8m apart. This would require approximately 900 boulders for the total project area.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 3.a.2 Biodiversity is understood by the community and protected
- 3.a.3 Natural resource assets are well-managed and enhanced
- 3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities

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

RISK MANAGEMENT CONSIDERATIONS

There is a risk of negative public reaction associated with this item because of the high profile of the area. It has been noted that while many in the community recognise the practical value, there is less enthusiasm for the visual aspect of rock barriers.

As per the risk matrix contained in Policy 1/022 'Risk Management', the risk rating is considered to be medium (6), which is determined by a likelihood of possible and a consequence of minor.

To reduce this risk, the action plan is to make all stakeholders aware that the installation of rocks in this location is imminent due to the new budget being adopted.

OPTIONS

Options are not applicable for this item, as the matter is for noting.

CONCLUSION

Large rocks have been extremely successful at eliminating illegal access throughout South Hedland and other areas such as 4 Mile Reserve and McGregor Street soccer fields. The area along Sutherland Street has a much larger public profile and the dune environment must be protected given the sensitive nature of the area. Access to the beach will not be stopped rather vehicular access will be able to be achieved through designated access areas.

ATTACHMENTS

Nil

11.4.2 SOLAR INSTALLATION STRATEGY FOR TOWN FACILITIES & HOUSING

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

OFFICER'S RECOMMENDATION

That Council:

1. Proceeds with the installation of solar for any new or newly refurbished facility and housing that has a remaining operational life expectancy of greater than 7 years;
2. Continues with discussions with Horizon Power and other third parties regarding the development of a solar farm; and
3. Develop a Sustainability Strategy to guide the Town's sustainability activities.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider and endorse the Officer's recommendation and allow the Town to pursue solar opportunities for the proposed new, refurbished or existing facilities.

DETAIL

The Town of Port Hedland is currently engaging in an ambitious development program in excess of \$500M over the next 10 years. Many of these development works include new or refurbished facilities, such as the Wanangkura Stadium expansion, JD Hardie, and new pavilions at South Hedland Integrated Sports Hub (SHISH) and Port Hedland Sports & Community Hub (PHSCH), which have large power draws and associated costs to power these facilities.

In order to utilise favourable environmental conditions of Port Hedland and reduce ongoing costs for these new and upgraded facilities as well as Town owned housing, solar power should be installed.

HFM Consultants were engaged to investigate the supply of energy (wholly or partially) to these new and upgraded facilities as well as Town owned housing through solar power.

HFM's scope was as follows:

- Determine opportunities for the installation of solar panels at Town facilities (existing, planned and future) including size, type, location, battery storage, service upgrades, and any other additional requirements:
 - Civic Centre;
 - Depot;
 - JD Hardie Youth Centre and Masterplan Area;

- Port Hedland Sports & Community Hub;
 - South Hedland Integrated Sports Hub;
 - South Hedland Library;
 - Gratwick Pool;
 - South Hedland Aquatic Centre;
 - Staff housing; and
 - Waste Disposal Facility.
- Provide a cost analysis report, including indicative cost estimates for the installation of the solar panels at the agreed sites, as well as ongoing maintenance costs and anticipated repayment period;
 - Undertake an energy efficiency analysis of existing facilities listed below, and propose potential energy efficient options such as LED's, insulation, air-conditioning, etc:
 - Civic Centre;
 - South Hedland Library;
 - Gratwick Pool;
 - South Hedland Aquatic Centre; and
 - 2 x Typical Staff houses (1 x 2 storey town house & 1 x 1 storey house).
 - Provide a cost analysis report including indicative cost estimates for the installation of green upgrades identified in the efficiency analysis;
 - Create a standard specification for the installation of solar panels within the Town, both roof and ground mounted;
 - Liaise with Western/ Horizon Power to determine/ negotiate agreements on the behalf of the Town;
 - Undertake a desktop analysis of the existing power grid, with the assistance of Western/ Horizon Power, to determine its ability to handle recharge;
 - Investigate the option of the construction of a solar farm of sufficient size to offset all town facilities, including cost estimate, maintenance and repayment period;
 - Undertake a cost benefit analysis for the purchase of solar power from a standalone solar farm such as Pilbara Solar;
 - Create an energy efficient design option specification. This specification will be used by the Town to help inform future design and building works;
 - Investigate other green energy options for the Town as a whole and provide a report; and
 - Deliver Final Summary Report compiling and summarising Solar Options, and make recommendations for adoption in the Town's solar strategy.

Horizon Power has set a limit on how much solar the electricity system can accommodate in each town without disrupting supply to customers. This is called hosting capacity.

Currently there is around 6,000kW hosting capacity available in Karratha, Port Hedland and Roebourne. Once the hosting capacity is exhausted no additional solar system will be allowed without additional solar smoother system. The solar smoother system is a battery system that is used to protect the network from sudden generation fluctuations. The solar smoother system increases the solar budget by approximately 80 to 100%.

Given the Town's aging assets, should solar be installed at properties with a remaining asset life of less than 7 years, it is likely that the simple payback for the installations will not be

achieved and the benefit of the solar would be wasted. Additionally, to retrofit aging infrastructure with solar is far more expensive as the buildings would not have previously been designed to cater for the installation of solar. This is due to the roof structures not being designed to take the load or the electrical wiring not being up to current standards and requiring additional work to bring it up to code.

Any property within the nominated dust zone has been excluded from consideration given the expected future uses/ ownership of these properties. As a result, of the 46 current residential properties in the Solar Report, only 41 are recommended to be retrofitted with solar.

The Solar project is one activity that the Town is undertaking to be more sustainable into the future. The Town has/is undertaking a number of activities to lessen the Town's carbon footprint. Examples of these activities are:

- Roll out of recycling bins
- Solar hot water heating on a number of town owned houses
- Design of new facilities which enables solar to be placed on rooves such as the new shade structure at JD Hardie
- Placement of recycling bins in the Civic Centre, JD Hardie and Depot offices.

The Town does not have a Sustainability Strategy as such to guide its activities. A sustainability strategy would enable the Town to have a much more deliberate approach to sustainability activities thereby reducing the Town's carbon footprint and assisting in meeting the State's target of carbon neutral by 2050.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the implementation of solar power will have positive and long lasting implications for the present and future economic and environmental wellbeing of Port Hedland and as it relates to the development of community infrastructure.

CONSULTATION

Internal

- Director Infrastructure and Town Services;
- Director Regulatory Services;
- Manager Infrastructure Projects and Assets;
- Manager Town Planning & Development;
- Manager Environmental Health and Community Safety, Regulatory Services
- Principal Project Manager;
- Project Manager;
- Manager Governance

External Agencies

- Port Hedland Airport;

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

The following policies apply:

9/010 – Asset Management

FINANCIAL AND RESOURCES IMPLICATIONS

The proposed financial impacts are outlined in the table below:

No.	Site	Solar Capacity	Budget (ex GST)
1	Town Facilities/ Properties	1,120kW	\$3,082,000
2	Solar Farm	1,500kw	\$7,460,000
	TOTAL		\$10,542,000

Note that the above costings are purely construction costs and the Solar Farm does not include any allowance for land acquisition or negotiations with Horizon Power.

It should be noted that the 21/22 approved budget allocates \$100,000 for the installation of solar at various existing facilities. Budget for solar at new facilities such as the Port Hedland Community Centre will come out of the relevant project budgets.

Additional budgets will be requested in subsequent financial years.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 1.d.2 Facilities and community infrastructure are revitalised across the Town
- 3.a.3 Natural resource assets are well-managed and enhanced
- 3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed
- 3.b.3 Sustainable energy, waste and water management practices are provided and promoted
- 3.b.4 Innovation and resilience of the built form are encouraged, assessed and implemented
- 4.b.1 Sound long-term financial planning is implemented
- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

Environmental

The key advantages of solar are as follows:

- o Reducing greenhouse gas emissions thereby helping to slow climate change;
- o Reducing the Town's carbon footprint; and
- o Reduce the Town's reliance on fossil fuels.

Economic

The Town of Port Hedland is currently engaging in an ambitious development program in excess of \$500M over the next 10 years. Many of these development works include new or refurbished facilities. Given this, power costs are anticipated to nearly double. By investing in solar, the Town can not only offset the increases, they can reduce ongoing costs and over time potentially eliminating power costs.

Disability Access and Inclusion Plan

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

- Outcome 2 – Buildings and Facilities

Corporate Business Plan

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

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because of the community perception that the Town is not taking advantage of an abundant natural resource by pursuing sustainable and renewable energies. The risk rating is considered to be medium (8), which is determined by a likelihood of likely (4) and a consequence of minor (2). This risk will be eliminated with the adoption of the officer's recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

There is a clear need and expectation in the Port Hedland community for the installation of solar at Town facilities as well as a clear need for the development of a sustainability strategy to guide the Town's sustainability activities.

It is recommended that Council endorse the officer's recommendations.

ATTACHMENTS

Nil

11.5 Executive Services

Nil

Item 12 Reports of Committees

Nil.

Item 13 Motions of which Previous Notice has been given

Nil.

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

Nil.

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

Nil.

Item 16 Closure

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday, 25 August 2021 commencing at 5.30 pm.

16.2 Closure

There being no further business, the Presiding Member declared the meeting closed at [enter time](#).