

MINUTES

Ordinary Council Meeting

Wednesday 26 November 2025

Date: Wednesday 26 November 2025

Time: 5:30pm

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

Distribution Date: 10/12/2025

Commissioner (Chair)

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1 Opening of Meeting

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

2 Acknowledgement of Traditional Owners and Dignitaries

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

3 Recording of Attendance

Important note:

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

3.1 Attendance

Scheduled Present:

Commissioner Chair Jessica Shaw
Commissioner Deputy Chair Martin Aldridge
Commissioner Ron Yuryevich AM

Scheduled for Attendance:

Mark Dacombe (Interim Chief Executive Officer)
Stephen Leeson (Director Corporate Services)
Alison Banks (Director Community Services)
Kylie Davies (Director Regulatory Services)
Lee Furness (Director Infrastructure Services)
Tom Kettle (Manager Governance)
Maree Cutler-Naroba (Senior Governance Advisor)
Rhiannon Smith (Governance Support Officer)
Sophie Marlow (Governance Support Officer)

3.2 Attendance by Telephone / Instantaneous Communications

Nil

3.3 Apologies

Nil

3.4 Approved Leave of Absence

Nil

3.5 Disclosures of Interest

Nil

4 Applications for Leave of Absence

Nil

5 Response to Previous Questions

5.1 Response to Questions taken on notice from Elected Member at the Council Meeting held on 29 October 2025

Nil

5.2 Response to Questions taken on notice from Public at the Council Meeting held on 29 October 2025

5.2.1	Frank Cain
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Back in 2014, I was doing a lot of demolition work. I was charged landfill fees for tipping rubbish, but the council overcharged me by \$4,000. I took the matter to court and, after attending court around 40 times, I won the case. This ended up costing the council \$9,229, not including the time I had to take off work to attend all those hearings.

Around the same time, I served four months in jail to clear my outstanding fines. While I was in jail, I received additional fines from the council related to building and compliance issues, totalling \$87,000. These included:

- \$16,301 for failing to comply with a building order*
- \$12,500 for failing to notify the board of a change of address within 14 days after being removed from the site*
- \$12,500 for failing to comply with a direction under section 21.4.3*

These fines continued to accumulate. When I went to jail, all of them except the \$16,301 were added to my fines enforcement order. That \$16,301 is still outstanding and hasn't been resolved.

Question 1: Can someone look into the \$9,229 overcharge from the council for landfill fees? *I have all the paperwork to support my claim.*

Question 2: How do I get rid of the \$16,301 fine that's still on my fines enforcement order?

The Commissioner Chair provided the following response: Obviously this is a very complex matter with quite a long history and a lot of detail involved. We'll take your information and your query on notice.

Further response: The Town has attempted to contact Mr Cain but hasn't received a response. The Town invites Mr Cain to provide any documentation to support his queries by sending through to council@porthedland.wa.gov.au.

5.2.2	Jan Gillingham
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Question 2: *Over the weekend, I noticed that the gardens at Hedland Health Campus are in need of care and maintenance. As a member of the community, I believe this should be addressed, not only for the public but also for the staff who take pride in our hospital.*

Further response:

The Director of Infrastructure contacted the Facilities Management Department of the Hedland Health Campus on the 11th of November. The public statement regarding the tidiness of the area surrounding the hospital was passed on to the facilities clerk. The Hospital is aware of the issue, and contractors have been engaged to do a pre-cyclone clean-up of the area.

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

6.1.1	Camilo Blanco
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Letter attached: Complaint - Town of Port Hedland, concerns regarding regulatory oversight.

Questions 1 & 2: *I have informed the Town, the Department, the Minister, and the Department of Local Government. This question is about the PFAS (per-and polyfluoroalkyl substance) contamination issue; the Town's dirt being sold to a third-party, concrete processing next to the airport airstrip, compliance with CASSA. Have you been informed of this as commissioners and has there been an investigation done?*

Commissioner Chair's response:

Have we been informed the answer to that is no. Is there an investigation underway, to my knowledge no.

Question 3: *I'd like to know has the Town been served or received the writ issued by Pitt (Telona Pitt). I'd like to know if the Town is the primary person in the writ and how does that affect all the people listed in the writ. I'd like to know whether I'm correct in saying that the Act specifically states in these matters in relation to legal action against former council members acting in good faith are covered by the Town.*

Commissioner Chair's response:

Have we been served with or received a writ, the answer is no.

6.1.2	Jan Gillingham
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Question 1: What has been put or what could be put in place to replant fast growing trees so birds of prey and our native birds can inhabit to survive?

Chair>CEO>Director of Infrastructure Services response:

The Town has tried to save as many trees as it could, and you might notice trees which have been supported with ropes and weights to keep them standing. We have a significant tree planting program; we're growing trees at our nursery, and BHP gave us \$100,000 towards mature trees. We have a significant tree planting program along Murdoch which is contained in the agenda tonight and we will continue to grow and plant trees to ensure good environmental outcomes for the Town.

Question 2: *Regarding fresh water for our native birds in town, many seabirds we see today on McGregor St and the many Ibis birds on the soccer field. The water ponds which used to be on Cooke Point Dr, for effluent water, have now relocated to South Hedland years ago. The water ponds were home to many seabirds; they have now moved to the South Hedland Landfill seeking fresh water. What can the Town do in the future to have freshwater ponds for the birds?*

Chair>CEO>Director of Infrastructure's response:

I haven't ever considered that, but we would like to provide you a fuller explanation and look at what may or may not be able to be done for that.

6.1.3	Ash Christensen
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Question 1: *Can someone please clarify whether a whole of life costing model/document has been completed for the JD Hardie stage 3 BMX pump track outdoor elements and whether any supporting documentation such as a business plan exists?*

Chair>CEO>Director of Infrastructure's response:

Some whole of life costs have been calculated and that was done as part of our submission to Lotteries West and we're updating that at the moment, there is no business plan done for that project.

Question 2: *Can you please outline what benchmarking, or research has been undertaken to justify the proposed \$8.7 million costs for the pump track jump track JD Hardie stage three please?*

Chair>CEO>Director of Infrastructure's response:

There was significant research done on the pump tracks in Western Australia, including those of our near neighbours. It was also subject to public and council consultation, the consultation result for the plan that was put to the elected members at that time was that it lacked a wow factor, so they wanted more scope in the project. So that made the project more expensive. We have also looked at and talked to track users and other local governments on what the best materials for that pump track are. Then of course when you put the Pilbara factor on things, what would ordinarily be a \$ 4.5 million project, when it comes to build in Port Hedland is significantly more.

Question 3: *What performance measures or baseline indicators has the Town established to assess the future success of the JD Hardie Stage 3 project? Specifically what key performance indicators have been identified now prior to construction, to allow a meaningful evaluation once the facility is operational?*

Chair>CEO>Director of Infrastructure's response:

I think in terms of performance indicators as part of the master planning for the JD undertaken in 2019, a needs analysis informed items that would be part of the master plan and that included several things like the outdoor basketball courts, the pump track and the upgrading of the JD Hardie Centre. You may recall it was reconfigured and added to. There were the dance studios, the courts refurbished and there was a new youth zone that was given a good spruce up, landscaping was improved and so that needs analysis talked about what the needs of the Town were. Now that the

master plan is nearing completion, the Town will undertake a review of that analysis to ensure that those needs have been fulfilled through the work the Town has done.

6.1.4	Adrian McRae
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Question 1: *Was Tony Brown mistaken in advising Councillors Blanco and Deputy Mayor Christensen that the appointment of a supplementary employment contract should have required a new absolute majority resolution of council?*

Commissioner Chair's response:

We'll take that on notice, I would refer you to the answer previously provided, but I will take that on notice to see what additional information we can provide you with the legal advice that we acquired on that matter.

6.1.5	Renae Coles
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Question 1: *During COVID it was highly spoken about learning musical instruments to overcome mental health etc. With the upcoming 50-year anniversary of the Pilbara Music Festival, would the Town of Port Hedland play a larger more active role in the preparation by collaborating with the festival's organisers?*

Chair > CEO > Director Community Services response:

I think it might be best that you come and meet with the team, and we'll sit down and work through what we can do but certainly we'd love to be involved in that event.

Question 2: *Is the Gift Register on the ToPH website for the Mayor and Councillors up to date?*

Chair > CEO > Director Corporate Services response:

I would like to believe so. There is an annual check of it, but I suppose I will confirm that, and I'll reach out and get back to you.

Question 3: *Has there been any relocating of a potential contaminated substance in a pit at the ToPH depot tip that may have not been lined?*

Chair > Chief Executive Officer's response:

We'll take that on notice.

6.1.1	Jillian Fisher
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Question 1: *Has the list of surveillance camera locations been updated on the website and where can I find it?*

Chair>CEO>Director of Infrastructure Services response:

Currently we are undertaking a large project to install more cameras, that is ongoing and once that has finished we will update the map.

Question 2: *Part 10, system security details about video surveillance or camera locations, their maintenance schedule, and other details relating to their make model and any other operational requirements will not be made publicly available unless required by law. What were you just speaking about then?*

Commissioner Chair's response:

I suspect that there'll be two parts to this answer, sometimes it's good that the crooks don't know where the cameras are and it's good that they don't know what types of cameras they are, so they're less vulnerable to attack.

Chair > CEO > Director Infrastructure Services response:

We generally don't release footage unless the police ask us and then there's a protocol about how we release that. Our best practice is to show where the locations are and the locations that we have are generally on heavily used roads and in areas where there's one way in or limited ways of getting into places and areas to protect public infrastructure. So, we don't provide a lot of information about our cameras and that is to keep that network secure.

Question 3: *So, are you saying that this part of the policy has been superseded in the red information?*

Commissioner Chair's response:

My understanding is that the provision 10 is the same in the existing policy and in the revised draft, that is before council for decision tonight. There are no changes proposed for that part of the policy. That remains unchanged from where we currently are today, other elements of the policy though are revised as shown in the agenda papers.

6.2 Public Statement Time

The Presiding Member declared Public Statement Time open at 6:11pm

6.2.1	Danielle Lockyer
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Ms Lockyer, along with her daughter, Summer, spoke to:

- Confirmed acceptance of the grant terms and conditions as outlined in the letters received.
- Acknowledged the support enabling local netball players—Summer Lockyer, Annalee Winwood, Hayley Madison, Ella Whitby, Naomi Brockman, and Alira Bram—to pursue opportunities at national and international levels.

- Noted that if selected in Brisbane, players may travel to NSW, South Pacific Islands, Melbourne, New Zealand, and the Gold Coast as ambassadors for WA and Port Hedland.
- Thanked the Town for its support and the opportunity provided through the grant program

6.2.2

Camilo Blanco

Mr Blanco spoke to:

- Questioning of a lack of business case for pump track despite funding/master plan
- Queried possible delay/cancellation of March 2026 elections, citing comments from the State Solicitor's Office
- His dissatisfaction with current approach to Public Question Time; wants longer sessions to allow community questions to be taken on notice
- His opposition to approvals for worker camps, referencing the recent DAP meeting on a 1,600-person camp in South Hedland, and called for prioritisation of residential housing instead.

6.2.3

Ash Christensen

Mr Christensen spoke to:

- His strong support for pump/jump track concept and the benefits for youth/BMX community but raised concern about cost: \$8.7M vs \$3–\$4M for similar WA facilities; requested benchmarking against industry standards
- His disagreement with location; suggested co-location with South Hedland Skate Park
- Called for whole-of-life costings (maintenance, renewals, depreciation)
- Raised activation challenges from past assets (Wave Rider, Splash Park, Skate Park)
- Requested review of cost justification, location, activation planning
- Reiterated support for concept but stressed responsible delivery

6.2.4

Jillian Fisher

Ms Fisher spoke to:

- Her attendance at meetings at personal cost to ask questions/support residents
- Highlighted passion of residents for the future direction of the Town and importance of live streaming to encourage participation
- Her request that Commissioners temper attitude toward residents' concerns
- Emphasised residents' need for complete answers and to avoid shutting down debate

6.3 Petitions / Deputations / Presentations / Submissions

Nil

7 Questions from Members without Notice

Nil

8 Announcements by Presiding Member without Discussion**CM202526/154 PROCEDURAL MOTION**

MOVED:
CMM Chair Jessica Shaw

SECONDED:
CMM Deputy Chair Martin Aldridge

That Council amend the 26 November 2025 Ordinary Council Meeting Order of Business as set out in Council Policy 1/017 to deal with item 8 'Announcements by the Presiding Member without Discussion,' before item 5 'Response to Previous Questions.'

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich
Against: Nil

The following was heard before item 5 Public Time.

Good evening, ladies and gentlemen. It's a pleasure to be back here in Port Hedland.

You'll notice that what we're trying to do is instate (—or reinstate—the conventional practices of local government. There are certain things that happen in most other councils around the state during council meetings, the first of which is that the presiding officer usually makes an opening statement and then moves on. We're instituting that as we go.

Tonight, to ensure meetings don't run for an inordinate amount of time, we won't be reading out every single word of every motion. In most other local governments, motions are displayed on the screen and are available to members of the public online in advance of the meeting. We will adopt that approach moving forward. Over time, this local government has deviated from practices common across the state and given the significant work underway to improve council operations across Western Australia, that's the direction we intend to pursue.

The second matter I'd like to address tonight is the imminent departure of our CEO, Mark Dacombe, on Friday. Mark has served as Acting CEO for 12 months, and under the *Local Government Act 1995*, cannot continue beyond that period. On behalf of the

Commissioners, the Council, and the local community, I want to thank Mark for his remarkable commitment to Port Hedland.

You've faced some challenging times—not only during your tenure as Acting CEO but prior to that as well. Sincere thanks, Mark. You've made us feel incredibly welcome, and we've greatly appreciated the support and guidance you've provided during our time here.

Later this evening, we will go in camera to consider the appointment of a new Acting CEO, who we hope will join us as soon as possible, assuming they accept the offer we agree on tonight. We'll have more to say about that in due course.

Regarding the longer-term process of appointing a permanent CEO, we are now deeply engaged in that process. We received a very strong response and have an excellent field of candidates. We are currently shortlisting and interviewing for the permanent CEO role, recognising that one of the most important things we can do is deliver strong, stable leadership by appointing someone with the right mix of skills. We're moving forward quickly, and we consistently hear from the community: "When will you do that?" It remains a top priority, as I've said several times.

In terms of recent activities, Commissioner Aldridge and I had the incredible privilege of attending the ceremony naming the new ship HMAS Pilbara—an Arafura-class vessel—down in Henderson. Port Hedland will be her ceremonial port. I particularly want to thank the Kariyarra people for the water-gathering ceremony. The water collected just up the road from here in Port Hedland was used in the bottle that was smashed over the hull of HMAS Pilbara. It was a great event and something we can all be proud of. Although it may be some time before the ship herself visits, we look forward to welcoming her crew—hopefully around significant community events like Anzac Day.

This morning, we had a fantastic catch-up with the Port Hedland Chamber of Commerce and Industry. Thank you to PHCCI for making us feel so welcome. It was a robust and interesting conversation with some important issues raised. This afternoon, we met with the Youth Advisory Council—a remarkable group of young people here in Port Hedland, including some strong young women. It's inspiring to see how engaged they are in civic matters and how eager they are to improve the community they call home.

Other meetings are listed in Item 8, and as you can see, we've been actively getting out and about. A particularly important upcoming event is a community catch-up. We'll soon release the date for a coffee morning where we'll make ourselves available and hope people will join us for a cuppa on us. We want to hear your thoughts on the future direction of the Town during the time we have here. Keep an eye out for announcements through the usual channels—we're very much looking forward to ongoing engagement with the community.

Thanks again for having us.

The Commissioners' meetings for the month of October 2025:

DATE	MEETING DETAIL	ATTENDANCE
08.10.2025	Marine Rescue Port Hedland (Informal meeting)	Commander Zac Slaughter CMM Jessica Shaw CMM Martin Aldridge Various additional stakeholders
09.10.2025	Pilbara Ports Authority (Informal meeting)	Russel Trowbridge CMM Jessica Shaw CMM Martin Aldridge Denise Mackay (ToPH) Orazio Santalucia (ToPH) Tom Kettle (ToPH) Carryl Price (ToPH) Philip Christy (Pilbara Ports Executive General Manager Marine) Nick Perceval (Pilbara Ports Executive General Manager Terminal Operations) Various additional stakeholders
09.10.2025	Town of Port Hedland BMX Club	CMM Jessica Shaw CMM Martin Aldridge Jason Langford David Whitney Toby Malia
13.10.2025	Regional Capitals Alliance WA (RCAWA) (Introductory meeting)	Paul Rosair CMM Jessica Shaw
DATE	MEETING DETAIL	ATTENDANCE
16.10.2025	Hon Melissa Price MP (Informal meeting)	Hon Melissa Price MP CMM Jessica Shaw CMM Martin Aldridge CMM Ronald Yuryevich
16.10.2025	Australian Navy (NUSHIP Pilbara discussion)	CMDR, RAN - Chris Saville CMM Jessica Shaw CMM Martin Aldridge CMM Ronald Yuryevich A/CEO Mark Dacombe Denise Mackay (ToPH) Orazio Santalucia (ToPH)
17.10.2025	Kevin Michel MLA (Informal meeting)	Kevin Michel MLA CMM Jessica Shaw
17.10.2025	Kevin Michel MLA	Kevin Michel MLA CMM Martin Aldridge

	(JD Hardie Stage 3 LotteryWest Grant photos)	Lee Furness (ToPH) Shelly McDowall (ToPH) Orazio Santalucia (ToPH)
17.10.2025	Care for Hedland (Informal meeting)	CMM Jessica Shaw CMM Martin Aldridge Kylie Davies (ToPH) Michael Cuvalo (ToPH) Denise Mackay (ToPH) Orazio Santalucia (ToPH) Carryl Price (ToPH) Rupa Khatri (ToPH) Kelly Howlett Barry Harrison Sharyn Morrow Various additional stakeholders
24.10.2025	McArthur Recruitment Consulting	CMM Jessica Shaw CMM Martin Aldridge CMM Ronald Yuryevich Steve Nolis
27.10.2025	Department of Planning, Lands & Heritage - Development Assessment Panel (Member training)	CMM Jessica Shaw CMM Ronald Yuryevich Various additional stakeholders
DATE	MEETING DETAIL	ATTENDANCE
28.10.2025	Department of Planning, Lands & Heritage - Development Assessment Panel (Committee meeting)	Presiding Member Clayton Higham D. Presiding Member Dale Page Specialist DAP Member Karen Hyde CMM Jessica Shaw CMM Ronald Yuryevich
28.10.2025	Regional Capitals Australia (RCA) (Board meeting)	CMM Jessica Shaw CMM Ronald Yuryevich Various additional stakeholders
29.10.2025	Port Hedland Schools (Informal meeting)	Hedland Senior High School Cassia Primary School Baler Primary School St Cecilia's Catholic Primary School South Hedland Primary School CMM Jessica Shaw CMM Martin Aldridge CMM Ronald Yuryevich Denise Mackay (ToPH) Carryl Price (ToPH)

29.10.2025	Port Hedland International Airport (Meeting)	CEO Hayley Vale (PHIA) CMM Jessica Shaw CMM Martin Aldridge CMM Ronald Yuryevich A/CEO Mark Dacombe (ToPH) Kylie Davies (ToPH)
31.10.2025	Australian Navy (NUSHIP Pilbara Vessel Launch)	CMM Jessica Shaw CMM Martin Aldridge A/CEO Mark Dacombe Various additional stakeholders

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

All members declared by show of hands.

10 Confirmation of Minutes of Previous Meeting**CM202526/153 COUNCIL DECISION**

MOVED:
CMM Ronald Yuryevich

SECONDED:
CMM Deputy Chair Martin Aldridge

That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday, 29 October 2025 are a true and correct record.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich
Against: Nil

Disclaimer

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

11 Reports of Committees

11.1 Audit, Risk and Compliance Committee

Nil

12 Reports of Officers

12.1 Corporate Services

12.1.1	Statement of Financial Activity - October 2025
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Author: Senior Financial Accountant

Authorising Officer: Director Corporate Services

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

CM202526/155 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

That Council:

1. Receive the Monthly Financial Report for the period ended 31 October 2025 as shown in attachment 1;
2. Receive the Accounts paid under delegated authority for the period ended 31 October 2025 as shown in attachment 2;
3. Receive the Purchasing Card statements for the period ended 31 October 2025, as shown in attachment;
4. Receive the Investment Summary Report for the period ended 31 October 2025, as shown in attachment 4;
5. Receive the YTD Budget v Actual Report by Directorate for the period ended 31 October 2025, as shown in attachment 5; and
6. Receive the Capital Listing report for the period ending 31 October 2025, as shown in attachment 6.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich
Against: Nil

PURPOSE

The purpose of this report is for Council to receive the Statement of Financial Activity for the periods ending 31 October 2025.

DETAIL

The information provided in this report is for the period ended 31 October 2025, with financial results included in Attachment 1. The preparation of the reports has been made in compliance with the *Local Government Act 1995 and Financial Management Regulations*.

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 2025-2026 Budget, Council adopted the following thresholds as levels of material variances for financial reporting:

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

The opening funding surplus of \$7.5M presented in Year to Date Actual on the Statement of Financial Activity is an estimate of the closing balance for 2024-2025 and is subject to change as finalisation of 30 June transactions occurs and Financial end year audit is in progress.

The unrestricted cash balance of (\$4.33M) is due to receiving \$24million in rates income prior to the due date of 12 November and these being unapplied to the debtor as at balance date.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION*Internal*

- *Nil*

External Agencies

- *Nil*
-

Community

- *Nil*

LEGISLATION AND POLICY CONSIDERATIONS

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

FINANCIAL AND RESOURCE IMPLICATIONS

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

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

Reserves:

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

STRATEGIC SUSTAINABILITY IMPLICATIONS**Council Plan: Part A (Strategic Community Plan)**

The following sections of the Town's *Council Plan (Strategic Community Plan) 2025-2035* are applicable in consideration of this item:

Our Leadership:

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

Access and Inclusion

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

Nil

Council Plan Part B (Corporate Business Plan)

The following service of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Our Leadership:

Financial Management and Rates: Annual Budget; financial reporting; Long Term Financial Plan; rates; fees and charges; debtors and creditors; payroll.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial
Cause	There is an operational risk associated with this item due to a reduction in income or increase in expense throughout the 2025/26 financial year.
Effect (Consequence)	Could impact on the Town's ability to meet service levels or asset renewal funding requirements.
Risk Treatment	The Town's financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.
The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).	

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The opening funding surplus of \$7.5M presented in the YTD Actual on the Statement of Financial Activity, is as per the closing deficit presented in the unaudited financial statements from June 2025. The net current funding position is \$81.4M due to raising \$88M in General Rates in Quarter 1 of 2025/26.

ATTACHMENTS

1. The Monthly Financial Report for the period ended 31 October 2025 [**12.1.1.1** - 8 pages]
2. The Accounts paid under delegated authority for the period ended 31 October 2025 [**12.1.1.2** - 61 pages]
3. The Purchasing Card statements for the period ended 31 October 2025 [**12.1.1.3** - 29 pages]
4. The Investment Summary Report for the period ended 31 October 2025 [**12.1.1.4** - 10 pages]
5. The YTD Budget v Actual Report by Directorate for the period ended 31 October 2025 [**12.1.1.5** - 1 page]

12.1.2 Investment Advisory Services

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.

CM202526/156 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

That Council authorise the Chief Executive Officer to award the contract for Investment Advisory Services to the preferred applicant Prudential Investment Services Corp Pty Ltd for the total contract value of \$90,000 commencing February 2026 for a period of 3 years.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

PURPOSE

The purpose of this report is for Council to consider the assessment of submissions received for Investment Advisory Services and consider the evaluation panel's recommendation to award the Contract to the preferred respondent.

DETAIL**Background**

The objective of the Town of Port Hedland's (the Town) Council Investment Policy is to provide a framework for the investment of Council funds which seeks to maximise the return to Council whilst having due consideration for the risk and security of each investment and ensures that Council's liquidity requirements are being satisfied.

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

Procurement

A competitive Request for Quotation (RFQ) for the Investment Advisory Services was conducted, guided by the Town's Procurement Policy (2/007).

The Investment Policy states that any advisor must be approved by Council and appropriately licensed and independent, is presented to Council for their consideration and endorsement of the preferred respondent.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION*Internal*

- Director Corporate Services
- Manager Financial Services
- Senior Financial Accountant

LEGISLATION AND POLICY CONSIDERATIONS

The following Town of Port Hedland policies have been considered in relation to the preparation of this item:

- 2/007 Procurement

FINANCIAL AND RESOURCE IMPLICATIONS

The operational cost for Investment advisory has been a recurring budgeted expense annually, and the Town's 2025/26 Advisory consultancy budget is \$34,000.

STRATEGIC SUSTAINABILITY IMPLICATIONS**Council Plan: Part A (Strategic Community Plan)**

The following sections of the Town's *Council Plan (Strategic Community Plan) 2025-2035* apply in consideration of this item:

Financial Planning

Environmental

Nil

Economic

Nil

Social

Nil

Access and Inclusion

Nil

Council Plan Part B (Corporate Business Plan)

The following service of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Our Leadership:

Financial Management and Rates: Annual Budget; financial reporting; Long Term Financial Plan; rates; fees and charges; debtors and creditors; payroll.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial Compliance Fraud
Cause	Failure to award the Investment advisory would be in breach of the Council Investment Policy.
Effect (Consequence)	There would be financial exposure risks to the \$180M in Term Deposits.
Risk Treatment	Council adopts to the Officer's recommendation
The risk rating is considered to be High (10) which is determined by a likelihood of Almost certain (5) and a consequence of Minor (2).	
This risk will be mitigated by Council adopting the Officers' recommendation.	

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

This Investment advisory service is required to ensure the Town can continue to operate in an independent and compliant manner.

Therefore, it is recommended that Council adopt the officer's recommendation to award the Investment advisory contract to the Preferred Respondent.

ATTACHMENTS

Nil

12.1.3 Policy Review Program

Author: **Senior Governance 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.

CM202526/157 AMENDMENT MOTION

MOVED:
CMM Ronald Yuryevich

SECONDED:
CMM Deputy Chair Martin Aldridge

That Council divide this motion to deal with policy 1/031 Mayoral Chain and policy 4/006 Elections - Caretaker Period, as separate items.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich
Against: Nil

CM202526/158 ALTERNATE MOTION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

That Council:

- 1. Adopts policy 1/001 Council Framework;**
- 2. Adopts policy 1/030 Records Management;**
- 3. Adopts policy 4/011 Electronic Meetings and Electronic Attendance Policy;**
- 4. Adopts policy 6/006 Consumption of Alcohol;**
- 5. Adopts policy 15/003 Video Surveillance; and**
- 6. Rescind policy 3/003 Subsidies and Allowances.**

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich
Against: Nil

CM202526/159 ALTERNATE AMENDED MOTION

MOVED:
CMM Chair Jessica Shaw

SECONDED:
CMM Deputy Chair Martin Aldridge

That Council:

- 1. Adopts policy 1/013 Mayoral Chain, with the removal of reference to the Deputy Mayor throughout the Policy; and**
- 2. Requests the CEO defer policy 4/006 Elections – Caretaker Period, to a briefing with Commissioners.**

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

PURPOSE

The purpose of this report is for Council to consider and adopt:

- 1/001 Council Framework
- 1/030 Records Management
- 1/031 Mayoral Chain
- 4/006 Elections – Caretaker Period
- 4/011 Electronic Meetings and Electronic Attendance
- 6/006 Consumption of Alcohol
- 15/003 Video Surveillance

And to consider and rescind:

- 3/003 Subsidies and Allowances

DETAIL

At the 25 September 2024 Ordinary Council Meeting, report 12.1.2 Council Policy – Policy Framework was adopted. Included in this report was a register of Town policies outlining their status for their proposed review, development and adoption.

The Town has more than 50 policies, along with requirements for some additional policies to meet new legislative requirements. Adopted policies require periodic review. Some of these existing policies have become outdated and lack relevance to contemporary times, while others appear more operational in nature and would serve the organisation more effectively as procedures.

A risk-based approach to the review cycle is being undertaken to ensure that policies that relate to higher risk matters are reviewed more regularly, to those which carry

lower risks. A risk rating will be applied to Council policies as they are reported to the Council for review.

1. To consider and adopt:

1/001 Council Framework Policy

The review of the Council Framework Policy (attachment 1) is annually.

No changes are needed for this review round. The framework is still fit for purpose.

1/030 Records Management Policy

The current Records Management Policy (attachment 2) requires one change only. The Senior Records Officer title is changed to Senior Records & Information Officer (attachment 3).

1/013 Mayoral Chain Policy

The draft Mayoral Chain Policy (attachment 4) sets out the appropriate use, secure storage and handling of the Mayoral Chain during and after the Mayor's term of office.

4/006 Elections – Caretaker Period Policy

The Elections – Caretaker Period Policy (attachment 5) was updated to align with recent amendments to the WA *Local Government Act 1995*, which now define a statutory caretaker period and prohibit 'significant acts' during that time (attachment 6). These changes ensure the Town complies with legal requirements around decision-making, resource use and transparency during elections. Additionally, a draft Guide to Caretaker Period Requirements under the *LGA Act 1995* has also been developed as an operational documentation (attachment 7).

An alternate recommendation is provided to rescind the policy, should the Commissioners resolve that the addition of caretaker provisions to the *Local Government Act* now provides sufficient statutory guidance. This is because the legislative amendments comprehensively address caretaker period requirements, making a separate Council policy potentially redundant and reducing the risk of duplication or confusion.

Note: Caretaker conventions apply to Commissioners under the *Local Government Act 1995* and the 2023–2024 legislative reforms. Commissioners are treated as the council for governance purposes, so all restrictions on 'significant acts' during the caretaker period apply equally to them.

4/011 Electronic Meetings and Electronic Attendance Policy

The Electronic Meetings and Electronic Attendance Policy (attachment 8) was last updated in June 2023 and requires 2 yearly review. No further changes need to be made at this time.

6/006 Consumption of Alcohol Policy

The Consumption of Alcohol Policy (attachment 9) has been updated to reflect the new OneConnect application process, with hyperlinks reworded accordingly. The permitted alcohol consumption time has been adjusted from 11pm to 10pm to align

with RGL and Environmental Protection (Noise) Regulations. Legislative references have been modernised; the business unit and directorate updated to current structure and minor grammatical edits were made throughout (attachment 10).

15/003 Video Surveillance Policy

The current Video Surveillance Policy has had several changes noted as follows. Removal of two paragraphs as shown on the track changes document on attachment 11. This is because the CCTV now runs on its own separate network maintained through the engagement Infrastructure Operations have with Avantgarde. Secondly, the Video Surveillance MOU is currently managed by the State Government and remains in effect indefinitely. It does not require input from the community safety team. Further to the removal of these two paragraphs, minor changes have been made to consolidate items under one Australian Standard listed. The updated Policy is shown in attachment 12.

2. To consider and rescind

3/003 Subsidies and Allowances

The Subsidies and Allowances Policy (attachment 13) is to be rescinded as the WA *Industrial Relations Act 1979* does not permit the Town or CEO to alter/change the amount of the Port Hedland Allowance and any other above aware payments are the responsibility of the CEO.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

- Chief Executive Officer
- Manager Governance
- Senior Governance Advisor
- Directorates Officers and Managers

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

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

FINANCIAL AND RESOURCE IMPLICATIONS

There are no significant identifiable environmental, social or economic impacts relating to these items.

Access and Inclusion

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

- Outcome 4 – Quality of Service

Council Plan Part B (Corporate Business Plan)

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

Our Corporate Services:

Governance and Procurement - Provide high standards of governance and leadership.

Council Support - Provide high standards of professional support and expert advice to the Council.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	Out of date or non-compliant policies and / or gaps in policy framework.
Effect (Consequence)	Non-compliant decision making or not in line with best practice. Duplicitous and / or inconsistent policy positions.
Risk Treatment	Continuous review of policies following a risk-based approach.
<p>There is an Operational risk associated with this item caused by not maintaining an effective policy framework which may lead to compliance concerns.</p> <p>The risk rating is considered to be Medium (9) which is determined by a likelihood of (3) and a consequence of Moderate (3).</p> <p>This risk is considered acceptable due to the following controls in place:</p>	

- An existing policy is currently in effect.
- The risk falls within the Town's acceptable tolerance range.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – An alternate recommendation is provided to rescind the policy, should Council resolve that the addition of caretaker provisions to the *Local Government Act 1995* provide adequate statutory guidance.

ALTERNATE OFFICER'S RECOMMENDATION

That Council:

1. **Adopts policy 1/001 Council Framework;**
2. **Adopts policy 1/030 Records Management;**
3. **Adopts policy 1/013 Mayoral Chain;**
4. **Adopts policy 4/011 Electronic Meetings and Electronic Attendance Policy;**
5. **Adopts policy 6/006 Consumption of Alcohol;**
6. **Adopts policy 15/003 Video Surveillance;**
7. **Rescind policy 3/003 Subsidies and Allowances; and**
8. **Rescind policy 4/006 Elections – Caretaker Period; noting that *Local Government Act 1995* section 1.4A and 3.73 provide adequate statutory guidance.**

SIMPLE MAJORITY VOTE REQUIRED

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The proposed policy revisions have been developed to ensure alignment with current legislation, departmental guidance and best practice standards. The adoption and rescission of the identified policies will strengthen the Town's policy framework, address compliance requirements and support effective governance. The ongoing review program, supported by risk-based assessment and consultation with key stakeholders, will ensure that policies remain relevant and fit for purpose. Policy effectiveness and compliance will continue to be monitored as part of the Town's regular governance processes.

ATTACHMENTS

1. 1001- Council- Framework- Policy no changes needed [**12.1.3.1** - 4 pages]
2. 1.030 Records Management Policy - V 02 - Show Changes [**12.1.3.2** - 4 pages]
3. 1.030 Records Management Policy - V 02 - Clean DRAFT [**12.1.3.3** - 4 pages]
4. 1.013 Mayoral Chain V 01 - DRAFT [**12.1.3.4** - 3 pages]
5. 4 006 Elections Caretaker Period V04 Show Changes [**12.1.3.5** - 11 pages]
6. 4 006 Elections Caretaker Period V 04 DRAFT Clean Copy [**12.1.3.6** - 3 pages]
7. Guide to Caretaker Requirements Under the LG Act (1) To PH V 01 [**12.1.3.7** - 14 pages]
8. 4.011 Electronic Meetings and Electronic Attendance Policy V 02 - no changes [**12.1.3.8** - 4 pages]
9. 6 006 Consumption of Alcohol V04 Adopted 26 August 2020 revised wi (1) [**12.1.3.9** - 4 pages]
10. 6 006 Consumption of Alcohol V 04 Adopted 26 August 2020 clean version [**12.1.3.10** - 4 pages]
11. 15 003 Video Surveillance V 05 with track changes [**12.1.3.11** - 7 pages]
12. 15 003 Video Surveillance V05 clean copy [**12.1.3.12** - 6 pages]
13. 3003- Subsidies-and- Allowances to be rescinded [**12.1.3.13** - 1 page]

12.1.4	2026 Council and Committee Meeting Schedule
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Author: **Manager Governance**

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.

CM202526/160 COUNCIL DECISION

MOVED:
CMM Ronald Yuryevich

SECONDED:
CMM Deputy Chair Martin Aldridge

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

- 1. Approve the following Ordinary Council Meeting schedule for the 2026 calendar year;**

Date	Time	Location
Wednesday, 28 January 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 25 February 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 25 March 2026	5:30pm	Civic Centre, Port Hedland
Swearing in Ceremony Thursday 2 April 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 29 April 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 27 May 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 24 June 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 29 July 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 26 August 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 30 September 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 28 October 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 25 November 2026	5:30pm	Civic Centre, Port Hedland
Wednesday, 9 December 2026	5:30pm	Civic Centre, Port Hedland

- 2. Approve the following Audit, Risk and Compliance Committee meeting schedule for the 2026 calendar year;**

Date	Time	Location
Tuesday, 10 March 2026	5:30pm	Civic Centre, Port Hedland
Tuesday, 12 May 2026	5:30pm	Civic Centre, Port Hedland
Tuesday, 11 August 2026	5:30pm	Civic Centre, Port Hedland
Tuesday, 24 November 2026	5:30pm	Civic Centre, Port Hedland

3. Request the Chief Executive Officer, or his authorised officer, to advertise the approved dates by way of public notice, and on the Town of Port Hedland's official website.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

PURPOSE

The purpose of this report is for the Council to consider the approval of the proposed meeting schedules for the 2026 calendar year, to be advertised in accordance with legislative requirements.

DETAIL

The Council is required to set the schedule of Ordinary Council Meetings and Committee Meetings for the succeeding year and advertise the adopted dates, times and locations in line with the requirements of the *Local Government (Administration) Regulations 1996*.

2026 Ordinary Council Meeting Schedule

At the Ordinary Council Meeting held on 27 November 2024, the Council determined its meeting dates for 2025 and will now need to consider meeting dates for the next calendar year in accordance with legislation.

It is proposed that Council continue holding Ordinary Council Meetings on the last Wednesday of each month at 5:30pm in Council Chambers for the 2026 calendar year, with amendment to the schedule as follows:

- Hold the December Council Meeting on 10 December 2026, due to the Christmas break and school holidays;

The live streaming of all Council meetings will continue throughout 2026, to allow the public that are unable to attend the meetings in person the opportunity to view the

meeting in real time. School holidays and public holidays have also been considered in the preparation of the proposed 2026 schedule.

The Council currently holds a 2-hour agenda feedback session one week prior to each Council Meeting. It is proposed that this practice continue in 2026 as this provides an opportunity for Elected Members to seek clarification on reports in the agenda and ask any questions they may have relating to matters contained in the agenda.

2026 Election Date and Swearing In Ceremony

Saturday, 28 March 2026 is the date for the Town of Port Hedland local government election and has been included in this schedule. On Thursday, 2 April 2026, the Town will hold the swearing-in ceremony for newly elected members of Council.

2026 Audit, Risk and Compliance Committee Meeting Schedule

The proposed schedule for 2026 remains on a quarterly basis, with the first meeting of the year to be held on 10 March 2026.

The ARC Committee currently holds a 1-hour agenda feedback session one week prior to each ARC Committee Meeting. It is proposed that this practice continue in 2026 as this provides an opportunity for Committee members to seek clarification on reports in the agenda or ask any questions they may have relating to matters of audit, risk, compliance or finance.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

- Executive Leadership Team
- Senior Leadership Team
- Audit, Risk & Compliance Team
- Governance Team

External Agencies

Nil

Community

Upon approval of the meeting schedules, the community will be notified via public notice in the local newspaper, at the local libraries, and via the Town's website and social media.

LEGISLATION AND POLICY CONSIDERATIONS

Sections 5.3 to 5.5 of the *Local Government Act 1995* apply in relation to holding, convening and calling Council meetings.

Regulation 12(1) of the *Local Government (Administration) Regulations 1996* outlines the requirements for local public notice for Ordinary Council meetings and Committee meetings.

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

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

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

FINANCIAL AND RESOURCE IMPLICATIONS

There will be an approximate cost of \$115 associated with local public notice of the 2025 meeting schedule.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A (Strategic Community Plan)

The following sections of the Town's *Council Plan (Strategic Community Plan) 2025-2035* apply in consideration of this item:

Our Community:

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

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

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

Our Leadership:

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

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

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

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

Access and Inclusion

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

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

Council Plan Part B (Corporate Business Plan)

The following services of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Our Leadership:

Executive and Council Support: Support Council decision-making; policies and procedures; Councillor inductions, training and development; Electoral roll and election administration; Executive Assistant to CEO and Mayor.

Governance: Governance framework; procurement (including local business opportunities); Integrated Planning and Reporting; strategic risk management; internal audit; Audit, Risk and Compliance Committee.

Financial Management and Rates: Annual Budget; financial reporting; Long Term Financial Plan; rates; fees and charges; debtors and creditors; payroll.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	Council do not adopt proposed meeting schedule and risk not meeting deadlines for public notice, as well as best practice of governance
Effect (Consequence)	Inadequate information relating to schedule of 2026 meeting framework to public, elected members and staff, affecting the

	administration of meetings, personal commitments and lack of transparency.
Risk Treatment	Council adopts the 2026 Council and Committee Meeting Schedules
<p>There is an Operational risk associated with this item caused by lack of sufficient notice to members of the public, elected members and the administration, resulting in a loss of trust and transparency of the council's intent to meet to deliberate on important matters effecting the community and Town's operations.</p> <p>The risk rating is considered Low (3) determined by a likelihood of Rare (1) and a result of Moderate (3).</p> <p>This risk will be treated by the adoption of the officer's recommendation.</p>	

OPTIONS

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

CONCLUSION

Council and committee meetings for the succeeding calendar year must be set by the Council and advertised according to legislation. Advertising via local public notice and on the Town's official website/social media of the approved dates, times and locations of the proposed 2026 meeting schedules, will ensure that the community are aware and given the opportunity to prepare for and participate in council meetings. The meeting schedules will also ensure that the Town adheres to auditing and compliance deadlines.

ATTACHMENTS

Nil

12.1.5	Electors' Motion for Appointment of Two Elected Members for Advocacy Purposes (Deferred by Council 25 June 2025 OCM)
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Author: Governance Officer

Authorising Officer: Director Corporate Services

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

CM202526/161 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

That Council:

- 1. Receive this report addressing Elector's motion 7.2.1 and note the attached legal advice that indicates the motion is not consistent with the Local Government 1995 and therefore ultra vires.**
- 2. Not support the implementation of Elector's motion 7.2.1.**

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

PURPOSE

The purpose of this report is for Council to consider:

1. Elector's Motion 7.2.1 which was originally moved at the Annual General Meeting of Electors, held on 18 March 2025 and subsequently brought before Council for decision at the Ordinary Council Meeting held on 25 June 2025.

The original Elector's motion stated:

That two elected members be appointed to formally deliver the will of the people to the appropriate Western Australian State and Federal authorities, advocating for an independent investigation into the following matters:

- *Excess deaths and adverse reactions in Australia since the roll out of the vaccines.*

- *The misrepresentation and flawed testing processes of the Therapeutic Goods Administration (TGA).*
 - *The actions and decisions of Health Ministers during the pandemic.*
 - *The operational conduct of all COVID-19 related policies and implementations.*
 - *The withholding and reaction of critical information from the public.*
2. *To further consider the role of the Council under the Local Government Act 1995 (the Act) to provide good government of persons in the district and the role of the Mayor to act as spokesperson for the Town, and*
 3. *Resolve to note Elector's Motion 7.2.1 and take no further action due to the motion being inconsistent with the provisions of the Act.*

DETAIL

Electors motion 7.2.1 was presented to the Town of Port Hedland Annual Meeting of Electors on the 18 March 2025 and carried 8/0.

At the 7 May 2025 Ordinary Council Meeting the Council considered the motion including issues with jurisdiction, statutory role and function, technical expertise, resource and financial considerations and alternate channels for the community to raise their concerns. The Council supported an alternate recommendation to request the CEO to bring a further report to the Council to address the motion (CM202425/322).

At the 25 June 2025 Ordinary Council Meeting the Council, the further report was brought to Council:

OFFICER'S RECOMMENDATION

That Council receive this report addressing Elector's motion 7.2.1 and note the attached legal advice that indicates the motion is not consistent with the *Local Government Act 1995* and therefore ultra vires.

SIMPLE MAJORITY VOTE REQUIRED

Consequently, a motion to defer the item until 26 November 2025 Ordinary Council Meeting was carried:

CM202425/365 DEFER ITEM

MOVED: Cr Adrian McRae

SECONDED: Cr Lorraine Butson

That Council defer this item until 26 November 2025 Ordinary Council Meeting.

CARRIED BY SIMPLE MAJORITY (5/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Camilo Blanco, Cr Lorraine Butson and Cr Adrian McRae

Against: Nil

The Town has sought legal advice on the key issues highlighted in the report to the 7 May 2025 Ordinary Council Meeting (attachment 1). The legal advice states that under the Act, the council have a broad general function to provide "good government" for people in their area. This power is intentionally written in wide terms and must be interpreted liberally. However, this broad power is not unlimited. Any action a council takes must:

1. Serve the local community - It must genuinely relate to providing good government for residents in the council's area, and
2. Stay within traditional local government boundaries - The action must fall within what has been historically understood as proper local government business - matters that affect the welfare and good governance of the local community.

While councils have significant flexibility to act in their community's interests, they cannot step outside their proper role as a local government body. Actions must have a clear connection to local community welfare and governance, rather than extending into areas that are not traditionally considered local government responsibilities.

This legal framework ensures councils can be responsive to their communities while staying within their proper governmental role.

The motion asks Council to appoint two elected members to formally represent "the will of the people" to State and Federal authorities, advocating for an independent investigation into various COVID-19 related matters

The proposed action would involve the council in national public health advocacy that goes beyond traditional local government responsibilities. These are matters typically handled by State and Federal governments, not local councils.

The motion fails to demonstrate how these advocacy activities would directly serve the "good government" of residents specifically within the Town's boundaries. The issues raised are broad national concerns rather than local community matters.

The legal advice notes it's unclear what specific "will of the people" the appointed members would be representing, raising questions about the legitimacy and clarity of their mandate.

The solicitor's assessment is that this motion would likely be "ultra vires" - meaning it exceeds the council's legal authority under the Act.

While councils can advocate on issues affecting their local communities, this motion appears to step outside the proper boundaries of local government into national political advocacy, making it legally questionable and potentially invalid if adopted.

The Mayor is designated as the principal spokesperson for the Town under section 2.8 of the Act. This is a specific legal role that cannot be delegated or shared with other council members for official Town representation.

The *Local Government Act 1995* clearly defines:

- The Council's governing role (Section 2.7)
- Individual councillors' roles (Section 2.10)

Appointing councillors as official spokespersons for the Town falls outside these defined roles and responsibilities.

Having two councillors acting as official Town spokespersons would create confusion about who speaks for the Town and could directly conflict with the Mayor's statutory role.

This role conflict provides additional evidence that the proposed motion exceeds the council's legal authority, "ultra vires."

Even if the subject matter were appropriate for council involvement, the method proposed - appointing councillors as Town spokespersons - contradicts the clear structure established in the Act, where the Mayor holds the exclusive role as the Town's principal spokesperson.

Should Council have ongoing concerns in these areas, there are several alternative approaches that would be more appropriate and legally sound:

Alternative approaches to consider:

- Expressing community concerns through appropriate channels (such as formal submissions to relevant authorities).
- Supporting community groups who have expertise in health advocacy.
- Focusing on local health and wellbeing initiatives within council's clear authority.
- Facilitating community forums where residents can express their views directly.

These alternatives would allow Council to be responsive to community concerns while staying within proper legal boundaries and avoiding potential challenges to the validity of their actions. Such approaches also ensure that advocacy efforts are channeled through established processes and leverage appropriate expertise, rather than placing councillors in roles that may exceed their authority under the Act.

LEVEL OF SIGNIFICANCE

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

- Exception - The costs of engagement outweigh the benefits of it.

CONSULTATION

Internal

- Nil

External Agencies

- McLeod's Barristers and Solicitors

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

- *Local Government Act 1995* – s2.7, s5.90, s5.103, part 6
- *Public Health Act 2016* – Part 14, s204, defines state authority over health policy matters
- *Defamation Act 2005* – s27-28, s30, potential liability exposure for advocacy statements

FINANCIAL AND RESOURCE IMPLICATIONS

A Council resolution to support the Elector's motion would have a financial implication to support the travel and accommodation associated with advocacy efforts. This is currently unbudgeted.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A (Strategic Community Plan)

The following section of the Town's *Council Plan (Strategic Community Plan) 2025-2035* is applicable in the consideration of this item:

Our Leadership:

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

Economic

This motion engages the council in activities outside their traditional scope, and there are associated costs and resource implications that must be carefully considered. These financial factors, combined with the governance and community considerations already identified, suggest that local governments should prioritise activities that fall clearly within their established responsibilities and provide direct benefits to their local communities.

Social

Such motions have the potential to affect community harmony and may create divisions within the local area. When councils take positions on contentious national issues, this can undermine their traditional role as inclusive civic institutions that serve all residents regardless of their individual views on broader political matters. These social effects can be long-lasting and may take considerable time and effort to address, potentially affecting community relationships and public confidence in local government for years to come.

Access and Inclusion

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

Nil

Council Plan Part B (Corporate Business Plan)

The following services of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Executive and Council Support: Support Council decision-making; policies and procedures; Councillor inductions, training and development; Electoral roll and election administration; Executive Assistant to CEO and Mayor

Governance: Governance framework; procurement (including local business opportunities); Integrated Planning and Reporting; strategic risk management; internal audit; Audit, Risk and Compliance Committee

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Reputational
Cause	The Town being associated with controversial health positions that lack scientific consensus. Setting precedents for Council involvement in non-municipal matters and bypassing normal community consultation processes.

Effect (Consequence)	Potentially attracting negative media attention and damaging professional relationships with government partners. Political and reputational risks for Councillors, representative authority and mandate issues.
Risk Treatment	Council rejection of electors' motion for advocacy.
<p>There is an Operational risk associated with this item caused by Council endorsement of advocacy, leading to misinformation amplification, social infrastructure damage, economic and business impacts, intergenerational tensions, mental health and wellbeing effects, democratic process implications, and long-term community recovery.</p> <p>The risk rating is considered to be High (16) which is determined by a likelihood of Likely (4) and a consequence of Major (4).</p> <p>This risk will be avoided by the Council noting this report and acknowledging community concerns through alternative actions.</p>	

Risk Type	Operational
Risk Category	Financial
Cause	Significant financial and resource implications without clear benefit.
Effect (Consequence)	Legal and insurance exposure beyond normal Council operations
Risk Treatment	Council rejection of electors' motion for advocacy.
<p>There is a financial risk associated with this item caused by Council endorsement of advocacy, leading to</p> <p>The risk rating is considered to be High (16) which is determined by a likelihood of Likely (4) and a consequence of Major (4).</p> <p>This risk will be avoided by the Council noting this report and acknowledging community concerns through alternative actions.</p>	

OPTIONS

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

CONCLUSION

The advice suggests exploring alternative ways to address community health concerns that align with council's defined role, ensuring both effective advocacy and legal compliance.

This ensures that council operates within its legal framework and scope and context of municipal concern under case law, to best serve the community long-term.

ATTACHMENTS

1. Letter to Town of Port Hedland [**12.1.5.1** - 5 pages]
2. Elector questions for Advocacy report [**12.1.5.2** - 2 pages]
3. Attachment 1_-_electors Motion 1_-_council decision_ [**12.1.5.3** - 1 page]

12.2 Community Services

12.2.1	Community Engagement Framework
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Author: Senior Community Development Officer

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.

CM202526/162 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

That Council:

- 1. Adopt the Town of Port Hedland Engagement Strategy 2025-2028**
- 2. Adopt the Town of Port Hedland Community Engagement Policy**

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

PURPOSE

The purpose of this report is for Council to endorse the proposed Community Engagement Framework, through adoption of the:

1. Town of Port Hedland Engagement Strategy 2025-2028
2. Town of Port Hedland Community Engagement Policy

DETAIL

Community Engagement is the cornerstone of effective local governance, ensuring that decisions reflect the needs, values and aspirations of the people they impact. By actively involving residents, businesses and the wider community in the process of making decisions that affect them, local governments build trust, enhance transparency and foster a sense of shared ownership over outcomes.

This understanding is reflected in the *Local Government Act 1995*, which requires local governments to engage with the community on various matters, such as planning-related issues, the Strategic Community Plan, the development and review of local laws or the advertisement of differential rates.

The Town of Port Hedland is developing a Community Engagement Framework; a suite of strategic documents and guidelines to steer the Town's Engagement with our community. The Community Engagement Framework captures a unified approach to

ensuring best practice engagement is taking place in relation to all relevant activities across the organisation.

The externally facing aspects of the Community Engagement Framework consist of:

1. Town of Port Hedland Engagement Strategy 2025-2028; and
2. Town of Port Hedland Community Engagement Policy

These strategic-level documents will be supplemented by a series of internal resources, tools and procedures, including engagement plan templates, an engagement register, engagement workflows and an engagement risk assessment, to ensure the appropriate level of engagement is selected in all circumstances.

Town of Port Hedland Engagement Strategy 2025-2028

The Town of Port Hedland Engagement Strategy 2025-2028 (the 'Strategy') defines how the Town will engage with our community and stakeholders, fostering a transparent and inclusive decision-making process and setting the intention to build strong and robust relationships with our community.

The Strategy sets out:

1. The principles of quality engagement that the Town seeks to uphold
2. An overview of who the Town will seek to engage with as a part of decision-making, with a particular focus on engagement with Aboriginal and Torres Strait Islander peoples
3. Guidelines on how the Town will determine which engagement methods are appropriate, in accordance with the level of engagement to be achieved under the IAP2 spectrum.
4. The Town's commitment as to when it will engage with community and stakeholders
5. The roles of staff, elected members and the community within engagement and the stages of the Town's engagement processes.

Town of Port Hedland Community Engagement Policy

The Town of Port Hedland Community Engagement Policy (the 'Policy') outlines the Town's commitment and approach to involving the community in decision-making that affects them, in an effective and meaningful way.

The Policy gives effect to the intentions, methods and principles set out in the Strategy, by requiring all engagement undertaken by the Town, to be conducted in alignment with the Policy and the engagement practices set out therein. These practices include:

- Engagement approaches that are tailored to the circumstances, to ensure diverse voices are captured, using a range of methodologies

- Engagement that is inclusive of all members of the community, regardless of age, gender, sexual identity, ethnicity, education or ability
- Engagement that is grounded and guided by the principles of IAP2; and
- Engagement that is purposeful, respectful, effective and transparent.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- Executive Leadership Team
- Senior Leadership Team
- Various technical Officers and Coordinators involved in planning, service and project delivery and communications.

External Agencies

- Council facilitated external collaboration through a series of inclusive workshops that engaged community members, local organisations, and Aboriginal and Torres Strait Islander voices. This approach ensured diverse perspectives were embedded in decision-making, strengthened partnerships, and drove improvements in how we engage with stakeholders. The insights gained informed the development of more inclusive mechanisms and strategies, shaping future outcomes and reinforcing Council's commitment to culturally responsive engagement.

LEGISLATION AND POLICY CONSIDERATIONS

The Community Engagement Framework will support adherence to legislative engagement requirements, including those set out in the:

- *Local Government Act 1995* (WA)
- *Planning and Development Act 2005* (WA) and associated regulations
- *Road Traffic Act 1974* (WA)
- *Land Administration Regulations 1998*
- *Aboriginal Heritage Act 1972* (WA)
- *Public Health Act 2016* (WA)

- *Privacy Act 1988* (Cth)
- *Health Act 1911* (WA) and associated regulations
- *Heritage of Western Australia Act 1990* (WA)
- *Occupational Health, Safety and Welfare Act 1984* (WA) and associated regulations
- *Environment Protection Act 1986* (WA)
- *Bushfires Act 1954* (WA) and associated regulations

FINANCIAL AND RESOURCE IMPLICATIONS

The financial and resourcing requirements associated with the implementation of the Community Engagement Framework has been accounted for in existing operational budget.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A (Strategic Community Plan)

The following sections of the Town's *Council Plan (Strategic Community Plan) 2025-2035* apply in consideration of this item:

Our Community:

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

1.1.3 Youth services and facilities are implemented with regular input from youth and providers.

1.1.4 Partnerships with stakeholders to deliver sport and recreation are enhanced.

1.1.5 Agencies and the community are fully engaged in reducing anti-social behaviours and improving community safety.

1.2.1 Newcomers to Port Hedland are provided with inductions, information and opportunities to engage and get involved.

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

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

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

1.3.1 The community, industry, arts and cultural organisations are engaged in identifying, planning and coordinating events and activities.

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

1.4.4 Community services and facilities are well promoted.

Our Economy:

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

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

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

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

Our Built and Natural Environment:

3.1.1 Inform and engage Traditional Owners, key stakeholders, and the community in the protection and enhancement of the natural environment.

Our Leadership:

4.1.3 A positive town narrative and a unique brand is developed and promoted.

4.2.4 Constructive forums are facilitated for discussion and the representation of the diversity of community views and needs that impact on the town's developments, programs and policies.

4.3.1 High-quality and responsive customer service is provided.

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

Environmental

Nil

Economic

The Community Engagement Strategy and Policy will support a reduced level of economic risk associated with investment in projects that are unsuitable or do not have the buy-in of the community, by ensuring appropriate engagement is undertaken prior to determining to proceed with significant operational or capital works projects.

Social

Effective engagement strengthens social cohesion, by fostering inclusive participation, promoting trust, a shared ownership of decisions and a stronger sense of belonging in our community.

Access and Inclusion

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

- Outcome 3 – Accessible Information
- Outcome 5 – Opportunities for Feedback
- Outcome 6 – Public Consultation

Council Plan: Part B (Corporate Business Plan)

The following service of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Our Community:

Community Development: Lead inclusive community engagement, support social development, and strengthen partnerships with Aboriginal and Torres Strait Islander communities.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Reputational
Cause	Not adopting the Community Engagement Strategy and Policy
Effect (Consequence)	The Town does not have an embedded and clear approach to community engagement, which may result in decisions being made without the appropriate level of engagement being undertaken.
Risk Treatment	Adoption of the Community Engagement Strategy and Policy
<p>There is a Strategic risk associated with this item caused by a failure to adopt the Community Engagement Strategy and Policy, leading to the lack of a clear engagement approach for the Town and the possibility of decisions being made without the appropriate level of community engagement being undertaken.</p> <p>The risk rating is considered to be Medium (7) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>This risk will be avoided by the adoption and implementation of the Community Engagement Strategy and Policy</p>	

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 externally facing components of the Town's Community Engagement Framework, the Community Engagement Strategy and Policy is a critical step in strengthening the Town's commitment to inclusive, transparent and meaningful engagement with our community and stakeholders. The coordinated implementation of the Community Engagement Policy and Strategy will enable a clear

and consistent approach to how the Town will involve the community in decision-making processes that affect their lives, community and environment.

By embedding principles of IAP2 and tailoring engagement methods to reflect the diversity of our community, the Community Engagement Strategy and Policy will ensure that all voices are heard and respected. Its adoption will support the development of robust relationships, enhance mutual trust and guide the Town in delivering services and initiatives that are responsive to community needs and aspirations.

ATTACHMENTS

1. TOPH Community Engagement Strategy 2025-2028 [**12.2.1.1** - 24 pages]
2. TOPH Community Engagement Policy [**12.2.1.2** - 6 pages]

12.3 Regulatory Services

12.3.1	Local Planning Policy 01 – Exemptions from Development Approval – Final Adoption
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Author: Strategic Planner

Authorising Officer: Manager Planning & Economic Development

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

CM202526/163 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

That the Council pursuant to Clause 5, Part 2, Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* adopt the amended Local Planning Policy 01 – Exemptions from Development Approval, as per Attachment 1.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich
Against: Nil

PURPOSE

The purpose of this report is for the Council to consider adoption of the amended Local Planning Policy 01 – ‘Exemptions from Development Approval’ (LPP/01) under Local Planning Scheme No. 7 (LPS 7), as shown in Attachment 1.

DETAIL

Proposal

The LPP/01 has been expanded to include additional land uses and building works exemptions, that are considered low impact unlikely to impact amenity or generate issues of community concern. The modifications are proposed to streamline planning processes and reduce regulatory barriers in addition to the exemptions provided under the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations).

Background

The Regulations enable local governments to prepare local planning policies on matters relating to planning and development, where consistent with the Town’s Local Planning Scheme No. 7 (LPS7).

This policy was first adopted by the Town on 28 August 2019, with the following objectives:

- "1. *Reduce red tape by removing the need to apply to the Town of Port Hedland for development approval for particular developments that positively contribute to the local community and are not likely to cause issues of community concern.*
2. *Supplement the provisions of the Town of Port Hedland Local Planning Scheme No. 5 (Scheme) and the Planning and Development (Local Planning Scheme) Regulations 2015 (Regulations) by providing guidance to applicants detailing when certain land uses and building works are exempt from the requirement to obtain development approval."*

The Council at its Ordinary Meeting on 30 July 2025 resolved to amend and advertise the LPP/01 for public comment (Resolution CM202526/102). Advertising has been completed with no submission received, and the draft policy is presented to the Council for finalisation. No substantive modifications were made to the policy following advertising.

The Policy is not required to be approved by the Western Australian Planning Commission as it meets the requirements of the Regulations.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because it has implications for future developments within Port Hedland.

CONSULTATION

Internal

- Town Planning and Development

External Agencies

- Nil

Community

- Public advertising has been undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a minimum of twenty-one (21) days. An advertisement was published in the 'North West Telegraph' on 17 September 2025. Comments were invited until 17 October 2025, and no submissions were received.

LEGISLATION AND POLICY CONSIDERATIONS

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

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

STRATEGIC SUSTAINABILITY IMPLICATIONS**Council Plan: Part A (Strategic Community Plan)**

The following sections of the Town's *Council Plan (Strategic Community Plan) 2025-2035* apply in consideration of this item:

Our Economy:

2.3.2 Minimise red tape for business through regular review and reform of relevant policies and bylaws.

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

Our Built and Natural Environment:

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

3.2.4 Enhance the protection and valuing of amenities and urban space through community engagement.

Economic

Streamlining approvals reduces costs and delays for businesses and developers enabling timely delivery of low-impact developments that enhance local amenity and services, while providing clear guidance on the planning requirements.

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

Access and Inclusion

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

Nil

Council Plan: Part B (Corporate Business Plan)

The following services of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Our Built and Natural Environment: Planning and Building Services: Heritage inventory and events; protection of Traditional Owners' cultural sites; Housing Summit actions; supply of housing and serviced land for development; Crown land and Native Title issues for Town development; Town Planning; precinct planning and place making; building approvals and permits; and statutory compliance (structures, public buildings, pools).

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Reputational
Cause	Reduced ability to control land use outcomes
Effect (Consequence)	Developments that are inconsistent with community expectations and have an adverse impact on adjoining properties.
Risk Treatment	LPP/01 sets enforceable conditions for what types of development can be exempt, including scale, location, and design requirements.
<p>There is a strategic risk associated with this item caused by a reduced ability to control land use outcomes, potentially resulting in developments that are inconsistent with community expectations and have an adverse impact on adjoining properties.</p> <p>The risk rating is Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).</p> <p>This risk will be accepted by the adoption of LPP/01 outlining conditions for what types of development can be exempt, including scale, location, and design requirements.</p>	

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

CONCLUSION

The modifications proposed to the Local Planning Policy (LPP/01) - Exemptions from Development Approval, are to streamline planning processes. The changes are additional to the exemptions provided under the Regulations and have been reviewed in context of suitability under the LPS7 and the Pilbara regional context.

It is recommended that the Council adopt the draft amended Local Planning Policy 01 – Exemptions from Development Approval, as outlined in Attachment 1.

ATTACHMENTS

1. LP P 01 Exemptions from Development Approval Final [**12.3.1.1** - 7 pages]

12.3.2 Spoilbank Marina Playground Naming

Author: Planning and Development Support Officer

Authorising Officer: Manager Planning & Economic Development
Director Regulatory Services

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

CM202526/164 COUNCIL DECISION

MOVED:
CMM Ronald Yuryevich

SECONDED:
CMM Deputy Chair Martin Aldridge

That Council support the name of 'Kurlu Kurlu Wirri', for the children's playground, located on a portion of Lot 554 (Reserve 54515) Sutherland Street, Port Hedland.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

PURPOSE

The purpose of this report is for Council to consider the naming of the Town's children's playground facility in Sutherland Street, Port Hedland to 'Kurlu Kurlu Wirri'.

DETAILBackground

The subject playground land is a portion of Reserve 54515 on Deposited Plan 424409, which forms part of the 'Spoil Bank Marina' area. The whole reserve area is 30.18 hectares, managed by the Town of Port Hedland for Marine Services, Cultural Recreation, Entertainment and Community Purposes.

The Town's Community Services directorate undertook consultation with representatives of the traditional owners in 2024 and 2025 and have received the suggested name for consideration.



Location Plan: Source Nearmap September 2025

Proposal

The name 'Kurlu Kurlu Wirri' was provided by Kariyarra Aboriginal Corporation Board Director, Diana Brown. The name is indicated as meaning 'little people play' in Kariyarra language.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because community engagement was undertaken as part of the application assessment process.

CONSULTATION

Internal

- Manager Planning and Economic Development
- Project Manager
- Senior Community Development Officer

External Agencies

- Kariyarra Aboriginal Corporation.
- Wangka Maya Aboriginal Corporation and Language Centre.
- Julyardi Aboriginal Corporation.

Community

- The proposal was advertised in the Northwest Telegraph, to surrounding areas via email and letter, and on the Town's Website. The advertisement took place from the 2 July 2025 to the 1 August 2025.
- 4 responses were received, from Julyardi Aboriginal Corporation (Raylene Button), Vicki Brooks, Kristie Ferguson, and Jan Cowan. Full details of the submissions and officer comments can be found in Attachment 1 – Schedule of Submissions.

The Planning and Economic Development Services business unit has undertaken public consultation process in accordance with the State Landgate's guidelines for 'Aboriginal naming and dual naming of geographic features and places in Western Australia'. The name has been officially recognised and endorsed by the relevant traditional owner group (KAC) and therefore supported for adoption.

FINANCIAL AND RESOURCE IMPLICATIONS

- Nil

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A (Strategic Community Plan)

The following sections of the Town's *Council Plan (Strategic Community Plan) 2025-2035* apply in consideration of this item:

Our Community:

1.3.1 The community, industry, arts and cultural organizations are engaged in identifying, planning and coordinating events and activities.

Our Economy:

2.5.3 Invest and develop key community and recreation infrastructure.

Our Built and Natural Environment:

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

Our Leadership:

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

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

Access and Inclusion

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

- Outcome 6 – Public Consultation

Council Plan Part B (Corporate Business Plan)

The following service of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Our Community:

Sports and Recreation: Manage and activate community sporting facilities including ovals, pavilions, and clubrooms. Support local clubs with governance, programming, and facility use.

Our Built and Natural Environment:

Project Management and Support: Asset management plans; major projects; annual capital works plan; service worker housing project; Town renewal program.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Health & Safety
Cause	When assets and places are unnamed it has potential creates difficulty in identifying the asset in the Town's register and maintenance schedules. The playground being unnamed lacks clarity in identification for the community and users of the playground.
Effect (Consequence)	When the asset is not identified correctly, the community may lack clarity when accessing the Town's recreational places.
Risk Treatment	Naming of the Playground will provide clarity to address the identified risks.
<p>There is an Operational risk associated with this item caused by lack of clarity.</p> <p>The risk rating is considered to be Low (2) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).</p> <p>This risk will be avoided by naming the asset.</p>	

OPTIONS

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

CONCLUSION

The Town’s Community Services completed an initial community consultation process for the naming of the site and received the name ‘Kurlu Kurlu Wirri’ from a Kariyarra Aboriginal Corporation (KAC).

The naming of the children’s playground has been in progress for about 12 months, and Council must formally adopt the name by resolution before it can be referred to Landgate.

The Planning and Economic Development Services business unit has undertaken public consultation process in accordance with the State Landgate’s guidelines for ‘Aboriginal naming and dual naming of geographic features and places in Western Australia’. As the name has been officially recognised and endorsed by the relevant traditional owner group (KAC) it is recommended that the Council also support the name of ‘Kurlu Kurlu Wirri’.

ATTACHMENTS

1. ATTACH 1 [**12.3.2.1** - 2 pages]

12.3.3	Airport Precinct Road Naming Proposal - Amendment
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Author: Planning and Development Support Officer

Authorising Officer: Coordinator Urban Planning
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.

CM202526/165 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

That Council support the amended road naming application to Landgate for the following road names for the Airport Precinct:

- 1. Arif Close**
- 2. Dixon Drive**
- 3. Jack Adams Drive**
- 4. Flyboy Road**

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

PURPOSE

The purpose of this report is for Council to consider the proposed names for the Airport Precinct and support the road naming application to Landgate.

DETAIL

At the Ordinary Council Meeting held 25 June 2025, Council supported the following names be applied to roads within the Airport precinct:

1. Arif Close
2. Dixon Drive
3. John Adams Road
4. Flyboy Road

Subsequently, a request from a family member was received to amend the name from 'John Adams Road' to 'Jack Adams Drive', reflecting the name by which he was commonly known and preferred.

In 1942 World War II saw three air raids on Port Hedland by Japanese aircraft. Tragically, the only casualty was 19-year-old Private John (Jack) Adams, a young infantryman stationed at the airfield. The road naming is commemorative of this.

In response to this request, it is proposed that the road names be amended to the following, and as shown on Attachment 1. These names will be submitted to Landgate for consideration.

1. Arif Close
2. Dixon Drive
3. Jack Adams Drive
4. Flyboy Road

The naming of roads and geographical locations, including buildings and rooms, is governed by the Land Administration Act 1997, under sections 26 and 26A. To ensure road and place naming is undertaken appropriately, the Town has adopted Policy 12/010 - Naming of Roads and Places. The proposed names are in accordance with Policy 12/010 - Naming of Roads and Places.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because community engagement was undertaken as part of the application assessment process.

CONSULTATION

Internal

- Manager Planning and Economic Development

External Agencies

- Landgate

Community

- In accordance with Policy 12/010, the application was advertised in the North West Telegraph and to surrounding areas via email and letter and on the Town's website. The amended advertisement took place from 23 July 2025 to 22 August 2025.
- Two submissions were received in support of the proposed amendment. Details can be found in Attachment 2 – Schedule of Submissions.

LEGISLATION AND POLICY CONSIDERATIONS

- Land Administration Act 1997
- Policy 12/010 - Naming of Roads and Places

FINANCIAL AND RESOURCE IMPLICATIONS

- Nil

STRATEGIC SUSTAINABILITY IMPLICATIONS**Strategic Community Plan**

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

Our Built and Natural Environment:

3.2.4 Enhance the protection and valuing of amenities and urban space through community engagement.

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Infrastructure Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Health & Safety
Cause	When roads are unnamed, it creates difficulty in identifying the assets in the Town's register and maintenance schedules. The roads being unnamed lacks clarity in direction for the community and users of the road network.

Effect (Consequence)	When the asset is not identified correctly, the road users can become confused when navigating the Town of Port Hedland roads.
Risk Treatment	Naming the roads will provide clarity to address identified risks
<p>There is a/an Operational risk associated with this item caused by poor identification, leading to lack of clarity.</p> <p>The risk rating is considered to be Low (2) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).</p> <p>This risk will be avoided by the official naming of the roads.</p>	

OPTIONS

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

CONCLUSION

Official naming of the proposed roads Arif Close, Dixon Drive, Jack Adams Drive and Flyboy Road at the Port Hedland International Airport, would be considered appropriate names for these roads, consistent with principles in the existing Policy 12/010 - Naming of Roads and Places and the Land Administration Act 1997.

ATTACHMENTS

1. Airport Precinct Aerial Map [**12.3.3.1** - 1 page]
2. Schedule of Submissions [**12.3.3.2** - 1 page]

12.4 Infrastructure Services

12.4.1	Staff Housing Disposal of Residential Property
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Author: Coordinator Property Management

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.

CM202526/166 COUNCIL DECISION

MOVED:
CMM Ronald Yuryevich

SECONDED:
CMM Deputy Chair Martin Aldridge

That Council:

1. Approve to dispose of the residential property as listed by way of sale at auction: 18 Logue Court, South Hedland;
2. Support the reserve sale price listing of the property as the level of the market range provided in the sales appraisals;
3. Approve that all revenue from the sale of the property be set aside in the Housing Reserve to fund the 2026/2027 FY of the staff housing renewal program; and
4. In the event that the property is passed in at Auction, delegate authority to the CEO to enter into private treaty for the sale of the property negotiation on behalf of the Town to a maximum of 10% below the auction reserve price.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

PURPOSE

The purpose of this report is for the Council to consider the approval to dispose of one (1) of the Town of Port Hedland properties from its housing portfolio, which is no longer appropriate for staff housing. The proceeds will be placed in the Housing Reserve Fund in order to assist with funding the 26/27 staff housing renewal program.

DETAIL

The Town of Port Hedland (Town) currently has 78 properties within its residential portfolio to house Town employees. At the April 2018 OCM, the Council moved to dispose of 4 existing residential properties by way of sale at auction. The disposal of 3 properties was undertaken at this time. Properties were as follows:

- 4 Janice Way, South Hedland
- 12 Janice Way, South Hedland
- 3 Mitchie Crescent, South Hedland.

18 Logue Court was retained for use by employees at this time. Since the disposal, the Town's property portfolio and standard of employee housing has increased significantly. The ongoing housing renewal program, along with scheduled maintenance programs that are in place, allows residential properties to be maintained to a higher standard. Properties are being tenanted for longer periods of time with less vacancies. The construction of houses during this timeframe has added an increased standard to the properties that are offered to Town employees.

18 Logue Court was constructed in 1971 and was last utilized as employee housing in October of 2024. Prior to this tenancy, renewal works were completed at the property. These works included painting, bathroom and kitchen renewals & other general maintenance items. A property inspection was completed to ensure it would be available for allocation to the next employee. Inspections identified that the external eaves required extensive replacement work which would be of considerable cost due to the presence of asbestos.

Given the need for extensive works, and the location of the property, staff would recommend the sale of this property.

LEVEL OF SIGNIFICANCE

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

- Exception - The proposal or decision has already been addressed by the Council's strategies, policies or plans, which have recently been consulted on.

CONSULTATION

Internal

- Director Infrastructure

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

The sale of the property by way of an auction is consistent with the *Local Government Act (WA) 1995* and the Staff Housing IOP. The Town seeks to have a range of

appropriate Staff Housing for staff. The property at 18 Logue Court is deemed no longer to meet the needs of the Town with regard to housing of staff.

FINANCIAL AND RESOURCE IMPLICATIONS

It has been the common practice at the Town that the proceeds are placed in the Housing Reserve Fund in order to assist with the ongoing maintenance of existing stock or purchase/construction of new staff housing.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A (Strategic Community Plan)

The following sections of the Town's *Council Plan (Strategic Community Plan) 2025-2035* apply in consideration of this item:

Nil

Environmental

Nil

Economic

By self-funding the staff housing renewal budget for 26/27, the Town would be able to self-support the renewal program and avoid impact on the operational and housing renewal budget for that financial year.>

Social

Nil

Access and Inclusion

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

Nil

Council Plan Part B (Corporate Business Plan)

The following services of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Property Management and Maintenance.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial
Cause	18 Logue Court unsuitable for continued employee accommodation due to age, location and necessary maintenance

Effect (Consequence)	Council decision to dispose of the property in 2018 to be undertaken.
Risk Treatment	Funds from the sale to self-fund 26/27 housing renewal program
<p>There is a/an Operational risk associated with this item caused by 18 Louge Court requiring extensive external work to undertaken to remove existing eaves which contain asbestos material, leading to 18 Logue Court being unsuitable for continued long term employee housing.</p> <p>The risk rating is considered to be Low (1) which is determined by a likelihood of Rare (1) and a consequence of Insignificant (1).</p> <p>This risk will be accepted by the sale of 18 Logue by auction with funds being allocated from the housing reserve budget to self-support housing renewal works for the 26/27 financial year.</p>	

OPTIONS

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

CONCLUSION

The Town has increased their housing portfolio through the purchase and construction of dedicated employee housing over the past 5 years. A successful staff housing renewal program has also been implemented & allows for the ongoing upkeep and maintenance of existing properties that are of newer build and in good repair. The sale of 18 Logue Court would assist with self-funding the 26/27 housing renewal budget, taking pressure from the general operations budget.

ATTACHMENTS

1. CONFIDENTIAL - 18 Logue Court CMA Sales Appraisal [**12.4.1.1** - 8 pages]
2. CONFIDENTIAL - 18 Logue Court South Hedland - Sales Marketing Appraisal [**12.4.1.2** - 6 pages]
3. OCM 23 April 2018 [**12.4.1.3** - 6 pages]

12.4.2	Award of RFT2526-03 Rose Nowers Childcare Carpark Upgrade (Boronia Close Road Safety Improvements)
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Author: Project Manager

Authorizing Officer: Director Infrastructure Services

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

CM202526/167 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

OFFICER'S RECOMMENDATION 1

That Council:

Pursuant to Section 6.8(1)(b) of the *Local Government Act 1995*, amend the 2025-2026 Annual Budget as follows:

Account	Description	Current Budget	Amendment	Amended Budget
Strategic Reserve 30132	Transfer from Strategic Reserve	(13,269,470)	(\$51,967.00)	(13,398,162)
10232	Rose Nowers Carpark up-grades	\$1,459,307.00	\$51,967.00	\$1,511,274.00

CARRIED BY ABSOLUTE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

CM202526/168 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

OFFICER'S RECOMMENDATION 2

That Council authorise the Chief Executive Officer to enter into a Contract for the awarding of RFT2526-03 Rose Nowers Childcare Carpark Upgrade (Boronia Close Road Safety Improvements) to Garli Pty Ltd for the amount of \$1,500,774.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

PURPOSE

The purpose of this report is for Council to consider to consider the assessment of the tender submission received for RFT2526-03 Rose Nowers Childcare Carpark Upgrade (Boronia Close Road Safety Improvements) and consider the evaluation panel's recommendation to award the tender to the preferred tenderer.

DETAIL**Background:**

This project involves the upgrades of the existing Rose Nowers Car park at Boronia Close, South Hedland. The work is being done to improve the general layout and safety of the car park, serving the Rose Nowers childcare Centre and the Cassia Primary School. The project also includes an upgrade of the existing stormwater drainage capacity and pavement design.

The new design allows for a single entry and exit point for the main 'loop' road and western car parking areas (including overflow) and a further single-entry exit point for the section of parking to the east.

The proposed stormwater controls flow through a series of side entry pits, providing connection into the existing system and ultimately discharging into the existing open swale network. New drainage channels will allow stormwater to pass unobstructed through Boronia Close.

Request for Tender:

The Town released a Request for Tender (RFT) on 20 August 2025 on Vendor panel with a closing date of 10 October 2025. Three (3) addendums were released during the tender period relating to clarifications. These are related to the tender proceeding after the appointment of Commissioners; new asset management requirements; the quantities in the schedule of rates.

Tender Assessment:

The Town received one (1) compliant response. The respondent was as follows:

1. Garli Pty Ltd

An evaluation meeting was held on 24 October 2025, facilitated by the Town's procurement representative. The submission was evaluated by a panel of four (4) Town employees whose main objectives were to:

1. Make a recommendation to the Council

2. Ensure the tender submission are assessed fairly in accordance with a predetermined weighting schedule;
3. Ensure adherence to Local Government Policies and legislation; and
4. Ensure that the requirements specified in the Request are evaluated in a way that can be measured and documented.

The compliant submission was assessed against the following qualitative criteria:

Criteria	(%)
Relevant Experience, Key Personnel & Skills	40%
Capacity to Deliver & Resources	30%
Demonstrated Understanding & Methodology	30%
TOTAL	100%

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

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- Elected Members;
- Executive Leadership Team;
- Management Team;
- Town Planning and development Team;
- Community Development Team;
- Infrastructure Operations and Projects Team;

External Agencies

- Management of the Rose Nowers Childcare Centre;
- Management of the Cassia Primary School;

Community

- Previous engagement with residents near the footprint of the project;

- The parents and stakeholders of Cassia Primary School;
- The parents and stakeholders of the Rose Nowers Childcare Centre;

LEGISLATION AND POLICY CONSIDERATIONS

The following Town of Port Hedland policies have been considered in relation to the preparation of this item:

- 1/014 Execution of Documents
- 1/022 Risk Management
- 2/007 Procurement
- 2/019 Financial Reserves
- 4/009 Significant Decision Making
- 8/003 Access and Inclusion Policy
- 9/010 Asset Management Policy

FINANCIAL AND RESOURCE IMPLICATIONS

Project Budget

This contract will be allocated against the Rose Nowers Carpark Upgrade (Boronia Close Road Safety Improvements) (project code 10232), which has a current available budget of \$1,459,307. This available budget is carried over from the previous financial year.

The available budget is insufficient to cover the submitted tender price and entire scope of this project. Therefore, as mentioned in the recommendation section, an additional \$51,967 funding is needed to complete this project.

The Funding Source for the additional funds will be from Strategic Reserve (30132).

<u>Funding</u>	<u>Value (\$)</u>
Strategic funding (Project 10232)	1,459,307.00
Strategic Reserve (30132)	51,967.00
Total	1,511,274.00
<u>Costing</u>	<u>Value (\$)</u>
Contract Award	1,500,774.00
Project Management	10,500.00
Total	1,511,274.00

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A (Strategic Community Plan)

The following sections of the Town's *Council Plan (Strategic Community Plan) 2025-2035* apply in consideration of this item:

Our community:

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

1.4.2 Facilities and community infrastructure are revitalized across the town.

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

Our Economy:

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

2.5.3 Invest and develop key community and recreation infrastructure.

Our Built and Natural Environment:

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

Our Leadership:

4.3.1 High-quality and responsive customer service is provided.

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

Economic and Social Impact

This project will result in a faster drop-off experience for parents, and easier exit from the car park. It will also provide a much saver method to park and drop their children to the childcare or school. Pedestrian safety will be much improved.

Access and Inclusion

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

- Outcome 2 – Buildings and Facilities

Council Plan: Part B (Corporate Business Plan)

The following services of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Our community:

Community Safety: Implement the Community Safety Plan, expand CCTV coverage, and foster collaborative partnerships to enhance safety.

Our Built and Natural Environment:

Roads, Footpaths and Drainage Management: Construction and maintenance of sealed and unsealed roads; construction and maintenance of footpaths; stormwater drainage maintenance, renewals and upgrades.

Our Leadership:

Enterprise Resource Planning: Integrated platform for the Town's core business functions.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Service Interruption Reputational
Cause	If Council do not support the endorsement of the RFT 2526-03 Rose Nowers Childcare Carpark Upgrade
Effect (Consequence)	The delivery of the project will be delayed, thus creating a higher likelihood of significant disruption to both schools' operations during the new school term starting in February through to April.
Risk Treatment	Adopt the officer's recommendation
<p>There is a reputational risk associated with this item if construction is delayed and traffic delays in the area are exacerbated due to a later construction window.</p> <p>The risk rating is considered to be Medium (5) which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3).</p> <p>This risk will be eliminated by the adoption of the Officers' recommendations.</p>	

OPTIONS

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

CONCLUSION

It is recommended that the Council support the officer's recommendation to award RFT 2526-03 Rose Nowers Childcare Carpark Upgrade (Boronia Close Road Safety Improvements) to the preferred tenderer indicated in the tender evaluation.

ATTACHMENTS

1. Attachment 1 - Request Summary Report [**12.4.2.1** - 6 pages]
2. Attachment 2 - Confidential Multi-party evaluation report [**12.4.2.2** - 9 pages]
3. Attachment 3 - 20250731 Design Drawings [**12.4.2.3** - 3 pages]

12.4.3	Project Governance Guidelines
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Author: **Project Officer Business**

Authorising Officer: **Director Infrastructure Services**

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

CM202526/169 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

That Council endorse the Project Governance Structure for Major Projects as outlined in Attachment 1.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich
Against: Nil

PURPOSE

The purpose of this report is for Council to consider Council's endorsement of the Project Governance Structure for major projects. The Project Governance Structure sets out the way in which the Council can continue to oversee the development of major projects with the ability to make decisions at a number of points on whether investment will be made in those projects.

DETAIL

Background

The Project Governance Structure was developed as part of the Town's internal Project Management Framework. It was designed to introduce a consistent and transparent governance and reporting framework for major capital projects, ensuring alignment with strategic objectives and improved decision-making processes.

The structure responds to the need for greater clarity around roles, responsibilities, and reporting lines, particularly for projects with significant financial, operational, or reputational implications.

Detail – Gate System

The Structure sets out a "gate system" through which identified projects will travel in order for the Council to make informed investment decisions. The gates identify appropriate reporting mechanisms and documentation which is required at each stage and how the stages will be reported to the Council. It is envisaged that not all projects

will be subject to the framework and prior to any decisions being made Council will agree an appropriate Project Governance document for each project which will be agreed with Council prior to the project commencing. The document will set out the specific times the Council will be consulted and make those investment decisions.

Each gate represents a critical phase in the project lifecycle, where specific governance activities occur, and key decisions are made. This approach ensures that Council is appropriately engaged at each stage, enabling informed investment decisions, strategic oversight, and transparent reporting.

Gate 0 – Project Initiation Form

This initial gate marks the formal commencement of a project. It focuses on establishing the project's strategic relevance, feasibility, and alignment with the Town's broader objectives. The key activity at this stage is the completion and review of the Project Initiation Form (PIF), which outlines the project's purpose, scope, estimated budget, and anticipated benefits. The PIF's will be presented to Elected Members through the budget development process at the end of Gate 1.

Gate 1 – Initiation Phase

The initiation phase represents the early planning phase of a project, where initial concepts begin to take shape and are considered within the context of the Town's broader budgetary framework and strategic alignment. This gate is critical for ensuring that emerging projects are aligned with Council's strategic priorities and are positioned for inclusion in the annual budget cycle.

During this phase, internal project owners work to refine the scope, develop preliminary cost estimates, complete livability assessments and identify potential funding sources. The focus is on ensuring that the project is both feasible and financially sustainable, with sufficient detail to support informed discussions.

A key activity at Gate 1 is the facilitation of Council Engagement Sessions, typically held in a workshop format. These sessions provide Elected Members with an opportunity to review proposed projects, ask questions, and offer input prior to formal budget adoption. This engagement ensures that Council is aware of upcoming initiatives and can influence their development early in the process.

While no formal approvals are made through this process, the feedback received from Council is instrumental in shaping the project's direction and confirming its strategic relevance. The Project Initiation Forms (PIFs) and information gathered in Gate 1 of the Project Management Framework, which outline the project's purpose, scope, estimated budget, and anticipated benefits, are presented to Elected Members as part of the budget development process at the conclusion of Gate 1. Once the budget process has been completed and the projects have allocated funds the projects may proceed into gate 2.

Gate 2 – Planning Phase

The planning phase marks the stage in the project lifecycle where the foundational elements of the project are formalised and endorsed. At this gate, Council have formally adopted the project budget. The governance structure for the project is confirmed, including the potential establishment of a Project Advisory Group (PAG) to provide technical and stakeholder input throughout the design process.

Key decisions made during Gate 2 include the endorsement of design tenders, architectural concept designs, and associated cost plans. Council also considers financial investment decisions that enable the project to progress into detailed design and procurement.

This phase ensures that the project is strategically aligned, financially sound, and supported by a clear governance framework. It provides Council with multiple opportunities to influence the direction of the project and confirm its commitment to the proposed outcomes. The decisions made at Gate 2 set the stage for the technical development and procurement activities that follow in Gate 3A.

Gate 3A – Execution Phase – Design

The execution phase – design represents the transition from planning into the technical development of the project. During this phase, the project team works to finalise the design, ensuring that all architectural, engineering, and compliance elements are addressed in preparation for procurement.

Council is presented with schematic designs and refined cost plans for endorsement, confirming that the project remains within approved financial parameters and meets the functional requirements established during earlier phases. It should be noted that not all projects will require a schematic design.

Gate 3A ensures that the project is fully designed, compliant with relevant standards, and ready to proceed to construction. It reinforces Council's role in maintaining financial discipline and ensuring that the project remains aligned with community expectations and strategic objectives.

Gate 3B – Execution Phase - Construction

The execution phase – construction Gate 3B focuses on the active execution of the project. It focuses on confirming that all preparatory work has been completed and that the project is ready to move into construction with full governance and financial endorsement.

At this stage, Council is asked to approve the construction tender and the final execution cost plan, which reflects the total anticipated investment required to deliver the project. This decision is supported by recommendations from the PSC and informed by performance reporting and stakeholder feedback.

Gate 3B ensures that Council has full visibility over the transition into construction, reinforcing transparency, accountability, and strategic alignment. It marks the

conclusion of planning and design efforts and sets the foundation for successful project delivery.

Gate 4 – Close-Out Phase

The Close Out Phase represents the formal conclusion of the project and serves as an opportunity to reflect on its overall performance and outcomes. At this stage, the focus shifts from delivery to evaluation, ensuring that the project has met its intended objectives and delivered value to the community. This phase provides an opportunity to document lessons learned, identify areas for improvement, and ensure that insights gained during the project are captured for future reference.

A report will be prepared and presented to Council, summarizing the project's performance across key areas such as budget, schedule, and scope. This report will also include the Project Owner's benefits realization confirming whether the anticipated outcomes and strategic benefits have been achieved. The close-out phase reinforces transparency and accountability, ensuring that Council and the community are informed of the final outcomes and that the project is formally closed from a governance perspective.

Detail – Governance Structure

The Project Governance Structure establishes a tiered model of oversight and decision-making to support the successful delivery of major projects. This model ensures that responsibilities are clearly defined across three key governance groups:

- Council – Serves as the primary decision-making body, providing strategic oversight and formal approvals at critical stages of the project lifecycle. The council is responsible for endorsing budgets, investment decisions, and key project milestones, ensuring alignment with community expectations and strategic priorities.
- Project Steering Committee (PSC) – Composed of internal stakeholders, the PSC is responsible for maintaining high-level oversight of the project. Its role includes ensuring strategic alignment with organizational objectives, endorsing key project documents, and making recommendations to the Council on major decisions. The PSC typically includes members of the Executive and Senior Leadership Teams.
- Project Advisory Group (PAG) – The PAG provides technical expertise and stakeholder input to support project delivery. Membership is a mix of internal and external representatives, including subject matter experts, community stakeholders, and technical advisors.

A decision-making matrix defines responsibilities at each project gate, ensuring that all stakeholders are appropriately engaged and informed. The structure also introduces a performance reporting framework, with clear thresholds for program, budget, scope, risk, and stakeholder engagement.

This governance model supports:

- Improved transparency and accountability.
- More informed financial investment decisions.
- Enhanced stakeholder engagement and communication.
- Alignment with strategic documents.

Project Reporting

It is envisaged that a Project Governance Report will be prepared by the staff outlining the governance arrangements for each major project. This report will be endorsed by the Council. The report will outline the touch points for the project in terms of Council engagement and the frequency of reporting. The governance arrangements and reporting for each project will depend on the complexity of the project, the risks associated with delivery, and public interest in the project. For example, during the pre-execution phases quarterly reporting may be appropriate; however, once a project moves into execution phase, monthly reporting may be required. The Project Governance Report will outline all of the governance arrangements, including reporting provided for the project.

Major Projects Committee

The Council may in the future decide to form a Major Projects Committee as a Committee of Council. The Terms of Reference for the Committee would be decided at the time of instigation with the overall role of the Committee to assist with the governance and reporting of the project and to assist staff with identification and management of emerging risks.

Next Steps

Subject to Council endorsement, the Project Governance Structure will be formally adopted and implemented across all applicable major capital projects through the following:

- A change management plan will be rolled out, including training and engagement sessions for staff and stakeholders.
- Ongoing monitoring and refinement will be undertaken to ensure the structure remains fit-for-purpose and responsive to organizational and Council needs.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- Projects & Assets Team
- Operations Team
- Waste Team
- Planning Team
- Environmental Health Team
- Finance Team
- IT Team
- ERP Team
- Procurement Team
- Insurance & Risk Team
- Youth Team
- Arts & Culture Team
- Leisure Team
- Public Affairs Team
- HR & WHS Team
- Senior Leadership Team
- Executive Leadership Team

LEGISLATION AND POLICY CONSIDERATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

There are no direct financial implications associated with the endorsement of the Project Governance Structure itself. Implementation will be managed within existing staff resources and operational budgets.

However, the structure formalises Council's role in key financial decision-making points throughout the project lifecycle, including:

- Approval of project budgets during the annual budget adoption process.
- Endorsement of financial investment decisions at critical project gates.
- Approval of budget adjustments where required.
- Endorsement of design and construction tenders, ensuring alignment with approved financial parameters.

This governance approach ensures that Council remains informed and accountable for major financial commitments, while enabling more structured and transparent project delivery.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A (Strategic Community Plan)

The following sections of the Town's *Council Plan (Strategic Community Plan) 2025-2035* apply in consideration of this item:

Our Community:

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

Our Leadership:

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

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

Environmental, Economic & Social

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

Access and Inclusion

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

Nil

Council Plan: Part B (Corporate Business Plan)

The following services of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Our Built and Natural Environment:

Project Management and Support: Asset management plans; major projects; annual capital works plan; service worker housing project; Town renewal program.

Our Leadership:

Governance: Governance framework; procurement (including local business opportunities); Integrated Planning and Reporting; strategic risk management; internal audit; Audit, Risk and Compliance Committee.

Enterprise Resource Planning: Integrated platform for the Town's core business functions.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Reputational
Cause	<ul style="list-style-type: none"> • Perceived lack of robust project management practices, including inconsistent reporting, unclear roles and responsibilities, and limited stakeholder engagement. • Absence of a clearly communicated governance framework contributing to confusion and misalignment.
Effect (Consequence)	<ul style="list-style-type: none"> • Reduced confidence in project delivery and financial decision-making by Council and stakeholders. • Delays in project timelines due to unclear governance and resistance to new processes.
Risk Treatment	<ul style="list-style-type: none"> • Endorsement of the Project Governance Structure • By endorsing the structure, Council will be more informed, leading to more confidence in approving financial investment decisions • Implement change management plan with training, engagement, and support.
<p>There is a Project risk associated with this item caused by the perception of poor project management and reporting practices, leading to reduced confidence in project delivery and financial decision-making by Council and stakeholders, as well as delays in project timelines due to unclear governance and resistance to new processes.</p> <p>The risk rating is considered to be High (12), which is determined by a likelihood of Likely (4) and a consequence of Moderate (3).</p> <p>This risk will be treated by the endorsement of the Project Governance Structure and implementation of a change management plan that includes training, engagement, and support.</p>	

Risk Type	Project
Risk Category	Reputational
Cause	<ul style="list-style-type: none"> • Perceived lack of involvement by Council in the early stages of project development, leading to concerns about

	transparency, ownership, and alignment with strategic priorities.
Effect (Consequence)	<ul style="list-style-type: none"> • Delays in project timelines due to unclear governance and resistance to new processes. • Increased reputational risk for the Town due to perceived lack of transparency and oversight. • Inefficient resource allocation and potential cost overruns from misaligned decision-making.
Risk Treatment	<ul style="list-style-type: none"> • Endorsement of the Project Governance Structure • By endorsing the structure, Council will be more informed, leading to more confidence in approving financial investment decisions • Implement change management plan with training, engagement, and support.
<p>There is a Project risk associated with this item caused by perceived lack of involvement by Council in project development, leading to delays in project timelines, increased reputational risk, and inefficient resource allocation.</p> <p>The risk rating is considered to be High (12), which is determined by a likelihood of Likely (4) and a consequence of Moderate (3).</p> <p>This risk will be treated by the endorsement of the Project Governance Structure and implementation of a change management plan including training, engagement, and support.</p>	

Risk Type	Operational
Risk Category	Operational
Cause	<ul style="list-style-type: none"> • Resistance from staff and stakeholders to adopt the new governance structure, stemming from uncertainty, lack of clarity, or perceived loss of control, resulting in delays and reduced engagement.
Effect (Consequence)	<ul style="list-style-type: none"> • Reduced confidence in project delivery and financial decision-making by Council and stakeholders. • Delays in project timelines due to unclear governance and resistance to new processes. • Increased reputational risk for the Town due to perceived lack of transparency and oversight. • Inefficient resource allocation and potential cost overruns from misaligned decision-making. • Missed strategic outcomes due to lack of alignment with Council priorities and community expectations.

Risk Treatment	<ul style="list-style-type: none"> • Endorsement of the Project Governance Structure • By endorsing the structure, Council will be more informed, leading to more confidence in approving financial investment decisions • Implement change management plan with training, engagement, and support.
<p>There is an Operational risk associated with this item caused by resistance from staff and stakeholders to adopt the new governance structure, leading to delays in project timelines, reduced confidence in decision-making, reputational damage, inefficient resource use, and missed strategic outcomes.</p> <p>The risk rating is considered to be High (12), which is determined by a likelihood of Likely (4) and a consequence of Moderate (3).</p> <p>This risk will be treated by the endorsement of the Project Governance Structure and implementation of a change management plan including training, engagement, and support.</p>	

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Do not adopt officer’s recommendation

CONCLUSION

The Project Governance Structure provides a robust framework to ensure strategic alignment, transparency, and accountability in the delivery of major capital projects. Endorsement by Council will support improved decision-making and project outcomes.

ATTACHMENTS

1. Project Governance Structure [**12.4.3.1** - 9 pages]

12.4.4	RFT-2526-08 Murdoch Street Irrigation and Tree Installation
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Author: Coordinator Landscape and Irrigation

Authorising Officer: Manager Infrastructure Operations

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

CM202526/170 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

That Council:

- 1. Authorise the Chief Executive Officer to enter into a contract for the award of RFT-2526-08 to Yurra for the total amount of \$545,061.00 (excluding GST) for the period of 6 months.**
- 2. Note that the budget is funded from**
10337 – Irrigation Infrastructure Renewal (\$300,000.00)
300038 – Landscaping Renewal Program (\$285,000.00)

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich
Against: Nil

PURPOSE

The purpose of this report is for the Council to consider the assessment of submissions received for RFT 2526-08 and consider the evaluation panel's recommendation to award the tender to the preferred tenderer.

DETAIL

Background

As part of the Town of Port Hedland annual street program The Town of Port Hedland requires an external contractor to assist in the delivery of the design and construction of a compliant irrigation system to accommodate approx. 600 trees.

The project required the installation of 600 trees within the South Hedland area.

- 530 x 5L Melaleuca Leucadendron
- 70 x 45L Peltophourm pterocarpum (to be installed along Murdoch drive among the existing Delonix Fabaceae.)

The Landscaping Policy is a formal policy adopted by the Town that outlines requirements and benchmarks for landscaping on Town-owned or managed properties, including:

- Public open spaces (POS)
- Urban landscape areas
- Facilities

Key alignments:

- Encourages use of drought-tolerant species suitable for the Pilbara climate
- Promotes water-efficient irrigation systems
- Requires landscaping applications to include irrigation and plant species plans
- Applies CPTED principles and accessibility standards

Request for Tender

The Town released a Request for Tender (RFT) on 1st October 2025 on Vendorpanel with a closing date of 20th October 2025. The RFT number for this project is RFT2526-08. One addendum was released during the tender period.

Tender Assessment

The Town received 3 responses which were deemed compliant. An evaluation meeting was held on 11/11/2025, facilitated by the Town's procurement representative. The compliant submission was evaluated by a panel of 6 Town employees whose main objectives were to:

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

The compliant submissions were assessed against the following qualitative criteria:

Qualitative Criteria	(%)
<i>Relevant Experience</i>	30 %
<i>Demonstrated Understanding & Resources</i>	30 %
<i>Capacity to Deliver & Resources</i>	40 %
Total	100%

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

LEVEL OF SIGNIFICANCE

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

- Exception - The proposal or decision has already been addressed by the Council's strategies, policies or plans, which have recently been consulted on.

CONSULTATION*Internal*

- Procurement

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

The following Town of Port Hedland policies have been considered in relation to the preparation of this item:

1/014 Execution of Documents

1/022 Risk Management

2/007 Procurement

2/019 Financial Reserves

4/009 Significant Decision Making

The following sections of the *Local Government Act 1995* have been considered in relation to this item:

s3.57 Tenderer for providing goods or services

s9.49A Execution of documents

s9.49B Contract formalities

Further to the above, "Part 4, Division 2 – Tender for providing goods or services" of the *Local Government (Functions and General) Regulations 1996* also applies in relation to this item.

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

FINANCIAL AND RESOURCE IMPLICATIONS

Within the 2025/26 Operational Works Budgets, \$585,000.00 had been allocated to fund this project.

The contractor is required to

- Dig and secure 600 tree well (5L require minimum well 450mmx450mm 45L require minimum 900x900mm unless written approval is provided by TOPH officer)
- Install 600 x Tree (supplied by TOPH) using clean fill
- Stake and secure trees using a tree tie and hard wood tree stakes
- Supply and distribute Terracotem in every tree well at installation of tree
- Base of trees must have tree wells consisting of steel tree rings to be filled with mulch
- Conduct dial before you dig prior to works being conducted
- Ensure any required traffic management is quoted appropriately
- The awarded contractor is responsible for any required applications related to the works and adhering to safe work practices.

The contractor is responsible for ensuring that all cultural heritage checks and considerations are made prior to completing works and no cultural artwork, sites or the likes are disturbed all disrupted during the installation of irrigation and trees.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A (Strategic Community Plan)

The following sections of the Town's *Council Plan (Strategic Community Plan) 2025-2035* are applicable in consideration of this item:

Our Community:

1.3.1 The community, industry, arts, and cultural organisations are engaged in identifying, planning, and coordinating events and activities.

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

1.4.2 Facilities and community infrastructure are revitalised across the town

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

Our Economy:

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

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

2.5.3 Invest and develop key community and recreation infrastructure.

2.5.5 Support tourism infrastructure development

Our Built and Natural Environment:

3.1.1 Inform and engage Traditional Owners, key stakeholders, and the community in the protection and enhancement of the natural environment.

3.3.5 The greening and vegetation of streetscape verges are systematically implemented

Our Leadership:

4.2.1 Sound long-term financial planning is implemented.

4.2.4 Constructive forums are facilitated for discussion and the representation of the diversity of community views and needs that impact on the town's developments, programs and policies.

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

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

Environmental

- **Reducing invasive species:** Removal of declared weed trees and shrubs helps protect native flora and reduce ecological degradation.
- **Improving urban biodiversity:** Clearing and maintaining verges, laneways, and footpaths creates healthier green corridors for local wildlife.
- **Minimising pollution:** Daily litter collection, including hazardous waste like needles and broken glass, reduces environmental contamination and improves public safety.
- **Sustainable practices:** The inclusion of weed spray treatment and proper disposal of waste at the ToPH landfill aligns with responsible land management and waste reduction strategies.

Economic

- **Efficient use of budget:** The \$631,342.98 has already been allocated within the capital budget during this financial year 25/26 ensuring financial responsibility.
- **Local job creation:** Engaging a contractor like Yurra supports local employment and business development.
- **Cost-effective service delivery:** The comprehensive scope and clear performance expectations ensure high-quality outcomes with minimal risk of rework or delays.
- **Asset protection:** Regular maintenance of verges and public infrastructure (e.g., signage, bollards, footpaths) helps extend asset life and reduce long-term repair costs.

Social

- **Creating safer public spaces:** Removal of litter, glass, and hazardous materials improves safety for pedestrians and cyclists.
- **Supporting accessibility:** Compliance with the Town's Disability Access and Inclusion Plan (DAIP) ensures inclusive access to maintained areas.
- **Improving visual amenity:** Clean, well-maintained verges and footpaths contribute to civic pride and a more attractive urban environment.

Access and Inclusion

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

- Outcome 4 – Quality of Service

Council Plan Part B (Corporate Business Plan)

The following services of the Town's *Council Plan (Corporate Business Plan) 2025-2035* apply in relation to this item:

Our community:

Community Safety: Implement the Community Safety Plan, expand CCTV coverage, and foster collaborative partnerships to enhance safety.

Parks and Gardens, Irrigation, Verges and Street Trees: Maintain ovals, parks and gardens; manage casual hire of parks and gardens; maintain the Town's street and public open space lighting in Port Hedland and South Hedland; tree planting (1200 trees per year) and maintenance.

Our Leadership:

Customer Service: Customer Service Strategy and Charter; general enquiries; cat/dog registration and payments.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Failure to complete annual renewal program
Cause	That council do not support the endorsement of RFT2526-08 to proceed with the appointment of a contractor for Street tree installation
Effect (Consequence)	The Town will fail to complete annual renewal program allocated in the 2025/2026 financial year's budget with strategic community outcomes resulting in community dissatisfaction
Risk Treatment	Adopt the officer's recommendation
<p>There is a reputational and service interruption risk associated with this item as failure to proceed with the contract will result in incompleteness of works in annual renewal programs which may lead to negative public perception and complaints.</p> <p>The risk rating is considered to be Medium (9) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>This risk will be eliminated by the adoption of the Officer's recommendations.</p>	

OPTIONS

Option 1 – Adopt officer’s recommendation

CONCLUSION

It is recommended that the Council support the officer's recommendation to award RFT 2526-08 to the preferred tenderer indicated in the tender evaluation. This will ensure the timely and professional delivery of the required works for the Irrigation and Tree installation on Murdoch Drive, South Hedland. This will enhance visual amenity, and alignment with the Town’s environmental and operational objectives. The contract will also support responsible asset management, reduce reputational risk, and contribute to community wellbeing through cleaner, greener, and safer public open spaces.

ATTACHMENTS

1. CONFIDENTIAL - V P 480673 - Multi party evaluation report [**12.4.4.1** - 12 pages]
2. CONFIDENTIAL - Request Summary Report [**12.4.4.2** - 9 pages]

12.5 Executive Services

Nil

13 New Business of an Urgent Nature (Late Items)

Nil

14 Motions of Which Previous Notice has been given

Nil

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

CM202526/171 COUNCIL DECISION

MOVED:

CMM Deputy Chair Martin Aldridge

SECONDED:

CMM Ronald Yuryevich

That Council close the meeting to members of the public as prescribed in section 5.23(2) of the *Local Government Act 1995*, to consider item 15.1 Appointment of the Acting Chief Executive Officer.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

The Presiding Member declared the meeting closed to the public at 6:44pm .

15.2	Appointment of the Acting Chief Executive Officer
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Reasons for Confidentiality

This report has been deemed confidential pursuant to Section 5.23 (2) of the *Local Government Act 1995*, as the information to be received, discussed or considered in relation to this agenda item is in relation to clause; (a) a matter affecting an employee or employees. (b) the personal affairs of any person.

ORIGINAL MOTION**That Council:**

- 1. Appoints Ken Donohoe, who is considered to be a suitably qualified and experienced applicant, as the Acting Chief Executive Officer commencing on 28 November 2025 on an interim basis for a period of six months which may be extended by agreement between the Council and the appointee but may not exceed 12 months in total or until a permanent Chief Executive Officer has been recruited and commenced employment.**
- 2. Offer a Total Reward Package of \$400,562 in accordance with the Chief Executive Officer (Band 1) determination of the Salaries and Allowances Tribunal outlined in Government Chief Executive Officers and Elected Members Determination No. 1 of 2025.**
- 3. Offer a Regional/Isolation Allowance of \$70,000 in addition to the Toward Reward package in accordance with the determination of the Salaries and Allowances Tribunal outlined in Government Chief Executive Officers and Elected Members Determination No. 1 of 2025.**
- 4. Authorise the Chair of Commissioners under section 9.49A(4) of the *Local Government Act 1995* to execute a contract of employment to facilitate the appointment in accordance of this resolution with administrative assistance from the Acting Executive Manager Human Resources.**

ABSOLUTE MAJORITY VOTE REQUIRED

CM202526/172 COUNCIL DECISION

MOVED:

CMM Deputy Chair Martin Aldridge

SECONDED:

CMM Ronald Yuryevich

That Council suspend sections 9.6, 9.8 and 9.9 of the Town of Port Hedland Standing Orders Local Law 2014, in accordance with section 18.2 'Suspension for Standing Orders

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

CM202526/173 COUNCIL DECISION

MOVED:

CMM Deputy Chair Martin Aldridge

SECONDED:

CMM Ronald Yuryevich

That Council resume sections 9.6, 9.8 and 9.9 of the Town of Port Hedland Standing Orders Local Law 2014.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

CM202526/174 SUBSTANTIVE ALTERNATE MOTION

MOVED:
CMM Ronald Yuryevich

SECONDED:
CMM Deputy Chair Martin Aldridge

That Council:

- 1. Appoints Kenn Donohoe, who is considered to be a suitably qualified and experienced applicant, as the Acting Chief Executive Officer commencing on 28 November 2025 on an interim basis for a period of six months which may be extended by agreement between the Council and the appointee but may not exceed 12 months in total or until a permanent Chief Executive Officer has been recruited and commenced employment.**
- 2. Offer a package comprising a salary of \$330,000 (cash component) each year pro rata and superannuation of \$48,000 pro rata to take account of the term in accordance with the Chief Executive Officer (Band 1) determination of the Salaries and Allowances Tribunal outlined in Government Chief Executive Officers and Elected Members Determination No. 1 of 2025.**
- 3. Offer a Regional/Isolation Allowance of \$70,000 pro rata to take account of the term in addition to the salary and superannuation package in accordance with the determination of the Salaries and Allowances Tribunal outlined in Government Chief Executive Officers and Elected Members Determination No. 1 of 2025.**
- 4. Offer a motor vehicle of \$28,554 and housing \$58,760 (nominal value) pro rata to take account of the term in accordance with the determination of the Salaries and Allowances Tribunal outlined in Government Chief Executive Officers and Elected Members Determination No. 1 of 2025.**
- 5. Authorise the Chair of Commissioners under section 9.49A(4) of the *Local Government Act 1995* to execute a contract of employment to facilitate the appointment in accordance with this resolution with administrative assistance from the Acting Executive Manager Human Resources.**

CARRIED BY ABSOLUTE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

CM202526/175 COUNCIL DECISION

MOVED:

CMM Ronald Yuryevich

SECONDED:

CMM Deputy Chair Martin Aldridge

Council reopen the meeting to members of the public.

CARRIED BY SIMPLE MAJORITY (3/0)

For: CMM Chair Jessica Shaw, CMM Deputy Chair Martin Aldridge and CMM Ronald Yuryevich

Against: Nil

The Presiding Member reopened the meeting to the public at 7:25pm.

The decision made behind closed doors was read aloud and the presiding member thanked the CEO, Directors, staff and public members for their attendance.

16 Closure

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday, 10 December 2025 commencing at 5:30 pm.

16.2 Closure

There being no further business, the Presiding Member declared the meeting closed at 7:28pm.