

# AGENDA

Dear Mayor and Councillors,

I respectfully advise that an **ORDINARY COUNCIL MEETING** be held in the **Civic Centre Chambers 13 McGregor Street, PORT HEDLAND WA 6721** on **Wednesday 27 August 2025**, commencing at **5:30pm**.

**MEETING AGENDA ATTACHED**

Yours faithfully



Mark Dacombe

Interim Chief Executive Officer

22 August 2025

#### DISCLAIMER

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

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

**DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS*****Local Government Act 1995 – Section 5.65, 5.70 and 5.71******Local Government (Model Code of Conduct) Regulations 2021***

*This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Model Code of Conduct) Regulations 2021*

|                                         |                                                                                                                     |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| Name                                    |                                                                                                                     |
| Position                                |                                                                                                                     |
| Date of Meeting                         |                                                                                                                     |
| Type of Meeting<br>(Please circle one)  | Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing |
| Interest Disclosed                      |                                                                                                                     |
| Item Number and Title                   |                                                                                                                     |
| Nature of Interest                      |                                                                                                                     |
| Type of Interest<br>(please circle one) | Financial Proximity Impartiality                                                                                    |
| Interest Disclosed                      |                                                                                                                     |
| Item Number and Title                   |                                                                                                                     |
| Nature of Interest                      |                                                                                                                     |
| Type of Interest<br>(please circle one) | Financial Proximity Impartiality                                                                                    |

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

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

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

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

## Order of Business

|                                                                                                                                                      |           |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>1 Opening of Meeting .....</b>                                                                                                                    | <b>7</b>  |
| <b>2 Acknowledgement of Traditional Owners and Dignitaries .....</b>                                                                                 | <b>7</b>  |
| <b>3 Recording of Attendance .....</b>                                                                                                               | <b>7</b>  |
| 3.1 Attendance.....                                                                                                                                  | 7         |
| 3.2 Attendance by Telephone / Instantaneous Communications .....                                                                                     | 8         |
| 3.3 Apologies .....                                                                                                                                  | 8         |
| 3.4 Approved Leave of Absence .....                                                                                                                  | 8         |
| 3.5 Disclosures of Interest.....                                                                                                                     | 8         |
| <b>4 Applications for Leave of Absence.....</b>                                                                                                      | <b>8</b>  |
| <b>5 Response to Previous Questions .....</b>                                                                                                        | <b>8</b>  |
| 5.1 Response to Questions taken on notice from Elected Members at the<br>Council Meeting held on 30 July 2025.....                                   | 8         |
| 5.2 Response to Questions taken on notice from Public at the Council Meeting<br>held on 30 July 2025 .....                                           | 8         |
| <b>6 Public Time .....</b>                                                                                                                           | <b>9</b>  |
| 6.1 Public Question Time.....                                                                                                                        | 9         |
| 6.2 Public Statement Time.....                                                                                                                       | 9         |
| 6.3 Petitions / Deputations / Presentations / Submissions .....                                                                                      | 9         |
| <b>7 Questions from Members without Notice .....</b>                                                                                                 | <b>9</b>  |
| <b>8 Announcements by Presiding Member without Discussion .....</b>                                                                                  | <b>9</b>  |
| <b>9 Declarations of All Members to have given due consideration to all<br/>    matters contained in the Business Paper before the Meeting .....</b> | <b>9</b>  |
| <b>10 Confirmation of Minutes of Previous Meeting.....</b>                                                                                           | <b>10</b> |
| <b>11 Reports of Committees .....</b>                                                                                                                | <b>11</b> |
| 11.1 Audit, Risk and Compliance Committee.....                                                                                                       | 11        |

|                                                                                                                                                       |           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 11.1.1 Minutes of the Audit, Risk & Compliance Committ Meeting held on 12 August 2025.....                                                            | 11        |
| <b>12 Reports of Officers.....</b>                                                                                                                    | <b>16</b> |
| <b>12.1 Corporate Services .....</b>                                                                                                                  | <b>16</b> |
| 12.1.1 Statement of Financial Activity - July 2025 .....                                                                                              | 16        |
| 12.1.2 Adoption of the 2025-2026 Annual Budget.....                                                                                                   | 20        |
| 12.1.3 2024-2025 Carry Over Projects.....                                                                                                             | 35        |
| 12.1.4 2025/2026 Delegation Register Review .....                                                                                                     | 39        |
| 12.1.5 Corporate Business Plan Quarterly Report - 2024-2025 Quarter 4.....                                                                            | 47        |
| 12.1.6 Policy Review Program.....                                                                                                                     | 52        |
| 12.1.7 Continuing Professional Development Policy Review .....                                                                                        | 57        |
| <b>12.2 Community Services.....</b>                                                                                                                   | <b>61</b> |
| 12.2.1 Town of Port Hedland Access and Inclusion Plan 2023-2026 .....                                                                                 | 61        |
| <b>12.3 Regulatory Services .....</b>                                                                                                                 | <b>67</b> |
| 12.3.1 Scheme Amendment No. 6 to Local Planning Scheme No. 7 - Short Term Rental Accommodation - Initiation for Advertising .....                     | 67        |
| 12.3.2 Application to Amend Development Approval for Temporary Workforce Accommodation on Lot 2 (No. 15) Dempster Street, Port Hedland .....          | 72        |
| 12.3.3 Application for development approval for Port Hedland power station expansion on Lot 255 (No. 53) Boodarie Station Access Road, Boodarie ..... | 79        |
| 12.3.4 Application for development approval for electricity transmission lines on various state government landholdings .....                         | 84        |
| <b>12.4 Infrastructure Services .....</b>                                                                                                             | <b>91</b> |
| <b>12.5 Executive Services.....</b>                                                                                                                   | <b>92</b> |
| 12.5.1 Council Improvement Plan .....                                                                                                                 | 92        |
| <b>13 New Business of an Urgent Nature (Late Items) .....</b>                                                                                         | <b>96</b> |

|                                                                               |           |
|-------------------------------------------------------------------------------|-----------|
| <b>14 Motions of Which Previous Notice has been given .....</b>               | <b>97</b> |
| <b>15 Matters for Which Meeting May be Closed (Confidential Matters).....</b> | <b>97</b> |
| 15.1 Town Debtors.....                                                        | 97        |
| <b>16 Closure.....</b>                                                        | <b>98</b> |
| 16.1 Date of Next Meeting .....                                               | 98        |
| 16.2 Closure.....                                                             | 98        |

## 1 Opening of Meeting

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

## 2 Acknowledgement of Traditional Owners and Dignitaries

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

## 3 Recording of Attendance

*Important note:*

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

### 3.1 Attendance

*Scheduled Present:*

Mayor Peter Carter  
Deputy Mayor Ash Christensen  
Cr Camilo Blanco  
Cr Lorraine Butson  
Cr Adrian McRae

*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)  
Nancy Kiliswa (A/Manager Governance)  
Karen Krollig (A/Senior Governance Advisor)  
Sophie Marlow (A/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**

| Name | Item No | Interest | Nature |
|------|---------|----------|--------|
|      |         |          |        |
|      |         |          |        |
|      |         |          |        |

**4 Applications for Leave of Absence**

Nil

**5 Response to Previous Questions**

5.1 Response to Questions taken on notice from Elected Members at the Council Meeting held on 30 July 2025.

Nil

5.2 Response to Questions taken on notice from Public at the Council Meeting held on 30 July 2025.

|       |                |
|-------|----------------|
| 5.2.1 | Jillian Fisher |
|-------|----------------|

*Could we have a reason from the Mayor of what the offence that Councillor Butson is apologising for?*

The Chief Executive Officer provided the following further response:

Cr Butson was found by the Standards Panel to have breached Regulation 17 of the Local Government (Model Code of Conduct) Regulations 2021, when she used the Town of Port Hedland's logo in respect to advertising an event which was not held by, or sponsored by, the Town.



## 6 Public Time

*Important note:*

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

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

### 6.1 Public Question Time

### 6.2 Public Statement Time

### 6.3 Petitions / Deputations / Presentations / Submissions

Nil

## 7 Questions from Members without Notice

## 8 Announcements by Presiding Member without Discussion

The Mayor's meetings for the month of July 2025:

| DATE       | MEETING DETAIL                | ATTENDANCE                             |
|------------|-------------------------------|----------------------------------------|
| 03.07.2025 | RCA – Informal catch-up       | Mayor Peter Carter<br>Edwina Blackburn |
| 03.07.2025 | RCAWA Forum                   | Various stakeholders                   |
| 04.07.2025 | RCAWA Meeting                 | Various stakeholders                   |
| 15.07.2025 | RCA Board Meeting             | Various stakeholders                   |
| 30.07.2025 | ToPH & BP – Informal catch-up | Mayor Peter Carter<br>Sarah Carter     |

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

## 10 Confirmation of Minutes of Previous Meeting

### **OFFICER'S RECOMMENDATION**

**That Council confirm that the Minutes of the Ordinary Council Meeting held on 30 July 2025 are a true and correct record with an administrative amendment to item 12.4.2, RFT2425-28 Port Hedland Yacht Club Kitchen to RFT2425-40 Port Hedland Yacht Club – Base Build & Kitchen Works.**

***SIMPLE MAJORITY VOTE REQUIRED***

### *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

|               |                                                                                             |
|---------------|---------------------------------------------------------------------------------------------|
| <b>11.1.1</b> | <b>Minutes of the Audit, Risk &amp; Compliance Committee Meeting held on 12 August 2025</b> |
|---------------|---------------------------------------------------------------------------------------------|

**Author:** Senior Audit Risk and Insurance Advisor

**Authorising Officer:** Manager Governance

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

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

**That Council:**

- 1. Receives the unconfirmed minutes of the Audit, Risk and Compliance Committee Meeting held on 12 August 2025, and;**
- 2. Pursuant to section 6.8 of the Local Government Act 1995 for the Enterprise Resource Planning Implementation project, carry over \$284,000 of 2024-2025 project funding into the 2025-2026 annual budget and endorse project variations V10 through V14 for \$341,430.**

***ABSOLUTE MAJORITY VOTE REQUIRED***

#### **PURPOSE**

The purpose of this report is to present the Unconfirmed Minutes of the Audit, Risk, and Compliance Committee (ARC Committee) meeting held on 12 August 2025, for Council's consideration.

#### **DETAIL**

##### Background

The Town's ARC Committee is a statutory body established under section 7.1A of the Local Government Act 1995. Its primary function is to assist the Council in fulfilling its governance and oversight obligations, specifically in the areas of financial reporting, internal controls, risk management, legislative compliance, ethical accountability, and internal audits.

##### 12 August 2025 Meeting Overview

At its meeting held on 12 August 2025, the following items were considered:

##### 12.1 Quarterly Internal Audit Log Review

The ARC Committee received an update on the progress of audit items, including those from the 2020-23 and 2023-26 Strategic Internal Audit Plans.

### 12.2 Quarter 4 Procurement Report on Panels Usage

The ARC Committee noted nil identified non-compliance with Policy 2/022 Panels of Pre-Qualified Suppliers for Quarter 4 Financial Year 2024-25.

### 12.3 Asset Management Framework Progress Report

The ARC Committee received the progress report on the Asset Management Framework.

### 12.4 Enterprise Resource Planning Implementation Progress Report

The ARC Committee received the progress report on the Enterprise Resource Planning Implementation Project and recommends Council;

- (b) to carry over \$284,000 of 2024-2025 project funding into the 2025-2026 annual budget; and
- (b) Endorse project variations V10 through V14 for \$341,430

### 12.5 Public Interest Disclosure Policies & Procedures Review

The ARC Committee noted the updated Policy 1/023 'Public Interest Disclosure Policy' and the updated IOP. The Committee also requested further clarification on sections 2.2 and 4.3 of the Policy, which will be provided to Councilors in due course.

### 12.6 Risk Register Review

The ARC Committee received the Quarterly Risk Report. The report included the strategic risks and highlighted the operational risks with high and extreme residual ratings and their status. The risks are to be reported to the ARC Committee in line with the reporting requirements defined in the Town's Risk Management Framework.

### 15.1 Confidential Item – Town Debtors

The ARC Committee received the report on Town Debt and endorsed the recovery action by way of seeking a vesting order on 12 Chunking Crescent and advised the State Solicitors Office of this intention.

## **LEVEL OF SIGNIFICANCE**

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

## **CONSULTATION**

### *Internal*

- ARC Committee
- Chief Executive Officer
- Director Corporate Services

- Manager Governance
- Manager Financial Services
- Manager ERP Project

*External Agencies*

- Nil

*Community*

- Nil

**LEGISLATION AND POLICY CONSIDERATIONS**

The ARC Committee's functions, powers, and membership are governed by its Terms of Reference.

**FINANCIAL AND RESOURCE IMPLICATIONS**

There are no financial implications associated with this item.

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

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

Our Leadership:

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

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

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

**Access and Inclusion**

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

Nil.

**Corporate Business Plan**

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

Our Corporate Services:

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

Financial Management and Rates - Financial management services compliant with

legislation to enable the Town to sustainably provide services to the community. Audit and Risk Management - Committed to organisation wide risk management principles, systems and processes that ensure consistent, efficient and effective assessment of risk in all planning, decision making and operational processes.

## **RISK MANAGEMENT CONSIDERATIONS**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <b>Risk Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Operational                                                              |
| <b>Risk Category</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Compliance                                                               |
| <b>Cause</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Not reporting to Council                                                 |
| <b>Effect (Consequence)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Non-compliance with best practice principles                             |
| <b>Risk Treatment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Council receives the minutes from the 26 November ARC Committee Meeting. |
| <p>There is an operational risk associated with this item caused by not reporting the activities of the ARC Committee to Council which could lead to non-compliance with best practice principles and to an extent Standing Orders Local Law 2014.</p> <p>The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).</p> <p>This risk will be eliminated by reporting the minutes of the ARC Committee to the Council for their consideration.</p> |                                                                          |

## **OPTIONS**

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

## **CONCLUSION**

This report presents the Unconfirmed Minutes of the Audit, Risk, and Compliance Committee meeting held on August 12, 2025, for Council’s review. The ARC Committee, established under section 7.1A of the Local Government Act 1995, assists Council with governance, oversight, and compliance matters.

Key discussions from the meeting included the Quarterly Internal Audit Log Review, Quarter 4 Procurement Report on Panels Usage, Asset Management Framework

Progress Report, Enterprise Resource Planning Implementation Progress Report, Public Interest Disclosure Policies & Procedures Review, Quarterly Risk Report and Confidential Town Debtors Report.

**ATTACHMENTS**

1. Unconfirmed Minutes for the Audit, Risk and Compliance Committee Meeting held on 12 August 2025 [**11.1.1.1** - 59 pages]

## 12 Reports of Officers

### 12.1 Corporate Services

|               |                                                    |
|---------------|----------------------------------------------------|
| <b>12.1.1</b> | <b>Statement of Financial Activity - July 2025</b> |
|---------------|----------------------------------------------------|

**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.

#### OFFICER'S RECOMMENDATION

**That Council:**

- 1. Receive the Accounts paid under delegated authority for the period ended 31 July 2025 as shown in attachment 1;**
- 2. Receive the Purchasing Card statements for the period ended 31 July 2025, as shown in attachment 2; and**
- 3. Receive the Investment Summary Report for the period ended 31 July 2025, as shown in attachment 3.**

***SIMPLE MAJORITY VOTE REQUIRED***

#### PURPOSE

The purpose of this report is for Council to receive the Statement of Financial Activity for the period ended 31 July 2025. Due to the late adoption of the 2025 - 2026 annual budget there are no budget comparatives for the financial activity reports.

#### DETAIL

The 2025 - 2026 annual budget is expected to be adopted in late August 2025 and the information provided within will be made in compliance with the *Local Government Act 1995* and Financial Management Regulations.

The statement of financial activity supports the budget to actual variance analysis.

#### 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****Strategic Community Plan**

The following section of the Town's *Strategic Community Plan 2022-2032* apply in relation to this item:

Our Leadership:

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

**Access and Inclusion**

The following 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* applies in relation to this item:

Our Corporate Services:

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

**RISK MANAGEMENT CONSIDERATIONS**

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

**OPTIONS**

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

**CONCLUSION**

The July 2025 reporting period has no annual budget comparatives until the 2025 - 2026 annual budget is adopted. This report seeks to include attachments of actuals purchases and investment transactions only for July 2025.

**ATTACHMENTS**

1. 1. The Accounts paid under delegated authority for the period ended 31 July 2025 [**12.1.1.1** - 54 pages]
2. 2. The Purchasing Card Statements for the period ended 31 July 2025 [**12.1.1.2** - 29 pages]
3. 3. Investment Summary Report for the period ended 31 July 2025 [**12.1.1.3** - 10 pages]

|               |                                                |
|---------------|------------------------------------------------|
| <b>12.1.2</b> | <b>Adoption of the 2025-2026 Annual Budget</b> |
|---------------|------------------------------------------------|

**Author:** **Manager Financial Services**

**Authorising Officer:** **Director Corporate Services**

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

### **OFFICER'S RECOMMENDATION 1**

#### **GENERAL AND MINIMUM RATES**

- 1. Pursuant to Section 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following differential general rates and minimum payments on Gross Rental (GRV) and Unimproved Values (UV) for the 2025-2026 financial year:**

#### **General Rates:**

|            |                                    |                                    |
|------------|------------------------------------|------------------------------------|
| <b>I.</b>  | <b>GRV Residential</b>             | <b>4.3500 cents in the dollar</b>  |
| <b>II.</b> | <b>GRV Commercial / Industrial</b> | <b>7.8533 cents in the dollar</b>  |
| <b>III</b> | <b>GRV Mass Accommodation</b>      | <b>13.0500 cents in the dollar</b> |
| <b>IV.</b> | <b>Airport</b>                     | <b>8.7000 cents in the dollar</b>  |
| <b>V.</b>  | <b>UV Pastoral &amp; Other</b>     | <b>13.2870 cents in the dollar</b> |
| <b>VI.</b> | <b>UV Mining</b>                   | <b>24.0000 cents in the dollar</b> |

#### **Minimum Payments:**

|            |                                    |                |
|------------|------------------------------------|----------------|
| <b>I.</b>  | <b>GRV Residential</b>             | <b>\$1,300</b> |
| <b>II.</b> | <b>GRV Commercial / Industrial</b> | <b>\$1,900</b> |
| <b>III</b> | <b>GRV Accommodation</b>           | <b>\$1,900</b> |
| <b>IV.</b> | <b>UV Pastoral</b>                 | <b>\$1,900</b> |
| <b>V.</b>  | <b>UV Mining</b>                   | <b>\$250</b>   |

- 2. Endorses the 2025-2026 Differential Rating Statement of Objects & Reasons as per attachment 1.**

***ABSOLUTE MAJORITY VOTE REQUIRED***

**OFFICER'S RECOMMENDATION 2****CONCESSIONS AND EXEMPTIONS**

**That Council grant the following concessions and exemptions included as attachment 2 and summarised below:**

|                                |                   |
|--------------------------------|-------------------|
| <b>•Rate concessions total</b> | <b>\$ 208,094</b> |
| <b>•Rate Cap Gap total</b>     | <b>\$ 7,731</b>   |

**As applied to the 2025-2026 rates charges and in accordance with s6.46 and s6.47 of the Local Government Act 1995 and the Rates and Charges (Rebates and Deferments) Act 1992.**

***ABSOLUTE MAJORITY VOTE REQUIRED***

**OFFICER'S RECOMMENDATION 3****INSTALMENT PAYMENT ARRANGEMENTS AND INTEREST**

**That Council:**

- 1. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, council nominates the following due dates for the payment by instalments:**

- Option 1 (full Payment)**

**Full amount of rates and charges including arrears, to be paid on or before 15 October 2025 or 35 days after the date of issue appearing on the rate notice whichever is the later.**

- Option 2 (Four instalments)**

**First Instalment to be made on or before 15 October 2025 or 35 days after the date of issue appearing on the rate notice, whichever is later, including all arrears and a quarter of the current rates and service charges;**

**Second instalment to be made on or before 15 December 2025, or 2 months after the due date of the first instalment, whichever is the later;**

**Third instalment to be made on or before 16 February 2026, or 2 months after the due date of the second instalment, whichever is the later; and**

**Fourth instalment to be made on or before 16 April 2026, or 2 months after the due date of the third instalment, whichever is the later.**

- 2. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*, council adopts an instalment administration charge where the owner has elected to pay rates through an instalment option of \$15.00 for each instalment after the initial instalment is paid.**

3. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 68 of the *Local Government (Financial Management) Regulations 1996*, council adopts an interest rate of 5.50% where the owner has elected to pay rates and service charges through an instalment option.
4. Pursuant to Section 6.51(1) and subject to section 6.51(4) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, council adopts an interest rate of 7.0% for rates and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

**ABSOLUTE MAJORITY VOTE REQUIRED**

#### **OFFICER'S RECOMMENDATION 4**

##### **ELECTED MEMBERS FEES AND ALLOWANCES FOR 2025-2026**

That Council, in accordance with policy 4/008 Elected Member Allowances, Facilities and Expenses and pursuant to:

1. Section 5.98(1)(b) of the *Local Government Act 1995* and regulation 30 of the *Local Government (Financial Management) Regulations 1996*, Part 6.2(1) and Part 6.3(1)(a) of the Determination for Local Government Elected Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

| Mayor:   | Councillors: |
|----------|--------------|
| \$53,215 | \$35,480     |

2. Section 5.98(5) and 5.98A(1) of the *Local Government Act 1995*, Regulation 33 and 33A *Local Government (Financial Management) Regulations 1996*, and Part 7.2(1) and 7.3(1) of the Determination for Local Government Elected Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, adopts the annual allowance to be paid in addition to the annual meeting allowance:

|              |           |
|--------------|-----------|
| Mayor        | \$100,514 |
| Deputy Mayor | \$25,129  |

3. Section 5.99A(b) of the *Local Government Act 1995*, Regulation 34A *Local Government (Financial Management) Regulations 1996*, and Part 9.2(2) of the Determination for Local Government Elected Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, adopts the following annual allowances for elected members:

|                                  |         |
|----------------------------------|---------|
| Information Technology Allowance | \$2,000 |
|----------------------------------|---------|

**ABSOLUTE MAJORITY VOTE REQUIRED**

**OFFICER'S RECOMMENDATION 5****MATERIAL VARIANCE REPORTING FOR 2025-2026**

In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, regarding level of material variance for financial reporting in 2025-2026, adopts the following threshold:

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

***SIMPLE MAJORITY VOTE REQUIRED***

**OFFICER'S RECOMMENDATION 6****FEES AND CHARGES FOR 2025-2026**

Pursuant to Section 6.16 of the *Local Government Act 1995* and other relevant legislation, council adopts the Town of Port Hedland 2025-2026 Fees and Charges as detailed in Attachment 3.

***ABSOLUTE MAJORITY VOTE REQUIRED***

**OFFICER'S RECOMMENDATION 7****MUNICIPAL FUND BUDGET FOR 2025-2026**

Pursuant to provision of Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, council adopt the Budget as contained in Attachment 4, which includes the following:

- Statement of Comprehensive Income
- Statement of Cash Flows
- Statement of Financial Activity
- Statement of Capital Works
- Notes to and forming part of the Budget.

***ABSOLUTE MAJORITY VOTE REQUIRED***

**OFFICER'S RECOMMENDATION 8****PUBLISHED ANNUAL BUDGET 2025-2026**

That Council approves the Chief Executive Officer to oversee the final design of the published annual budget document.

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is to consider and adopt the Town of Port Hedland (the Town) annual budget for the 2025-2026 financial year together with supporting schedules, including imposition of rates and minimum payments, setting of Elected Members allowances for the year and other consequential matters arising from the budget papers.

**BACKGROUND**

The draft 2025-2026 Budget has been prepared based on guidance contained in the Strategic Community Plan and Long-Term Financial Plan with the aim to achieve strong financial sustainability and transparency. Twelve budget workshop presentations with associated documentation were held and provided to councillors as follows;

- 13 November 2024
- 4 March 2025
- 10 March 2025
- 17 March 2025
- 14 April 2025
- 19 May 2025
- 11 June 2025
- 18 June 2025
- 9 July 2025
- 16 July 2025
- 23 July 2025
- 6 August 2025

The Town's Rating Strategy 2025-2030 was approved for public consultation at the 20 May Special Council Meeting SCM202425/126.

Engagement with the Town's non-residential ratepayers was facilitated with the assistance of the Port Hedland Chamber of Commerce and Industry on 9 June 2025. An evening engagement session was held in the Council Chambers on 9 June 2025. Three written submissions were received when the public comment period ended.

Due to feedback from ratepayers, Council resolved to make an application to the Minister for Local Government for approval to impose a differential general rate under section 6.33(3) of the Local Government Act 1995 that is more than twice the lowest differential the being imposed. CM202425/373 on 25 June 2025. The Town sought to raise the Mass Accommodation Rate in the dollar to 13.050 cents in the dollar, which is Three (3) times the lowest (residential) Rate in the dollar for the GRV category, thus allowing for an equitable distribution of the rates burden.

A further engagement period began from 26 June 2025 to 21 July 2025 including a non-residential ratepayers information session at the Port Hedland Chamber of Commerce and an evening session at the Council Chambers on 14 July 2025.



One written submission was received when the public comment period ended and these were presented to, considered and addressed at a Council workshop on 23 July 2025.

The Minister for Local Government approved to allow the Town to impose a differential general rate under section 6.33(3) of the Local Government Act 1995 that is more than twice the lowest differential the being imposed on 11 August 2025.

The Town's Fees and Charges 2025-2026 were endorsed for advertising and invited submissions at the 20 May Special Council Meeting SCM202425/127 Alternative Motion.

One submission was received in addition to multiple unofficial comments on Facebook posts. The 26 May OCM also heard from 2 community members in public questions/statement time. The public comment period ended on 6 June 2025 and submissions were considered at a Council workshop on the 11 June 2025 and 18 June 2025.

## COMMENT

The budget has been prepared to include information required by the *Local Government Act 1955. Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards*.

The amount of budget deficiency to be made up through rating, has been determined after considering all other sources of revenues and related available reserve funding, together with expenditure requirements and their efficiency and saving measures, plus associated cost increases, including;

- Local Government Cost Index as opposed to Consumer Price Index
- Employee Industrial Agreement
- Contracted increases under service delivery agreements
- Utility charge increases, and
- Insurance premium rises

The Town does not apply any automated indexation to its annual expenditure budget. Each service area is reviewed annually.

The 2025-2026 annual budget's financial strategy includes:

- Interest earnings. Additional earnings directed to reserves.
- Cash backing depreciation to the Asset Management and Plant Reserves to be drawn down to fund asset renewals and upgrades.
- Waste operations net proceeds transferred to the Waste Management Reserve
- Liquid waste net proceeds to the Landfill Remediation Reserve.
- Rating Strategy which quarantined new rates growth (\$8.1M) to the Strategic Reserve
- Establishing a Public Art reserve and a Kingsford Smith Development Reserve.
- Carry Overs to be adopted separately after EOFY reconciliation.
- Brought forward prior year surplus offsets 2025-2026 rating requirement.

The main features of the proposed budget include:

- 0% rates rise for residential, commercial / industrial, pastoral / other properties. No increase in minimum rates.
- New Airport GRV category
- Pensioner Rate Cap Gap remains, maximum limit of \$500.
- \$208K in rating concessions for community groups and sporting clubs.
- Spoilbank Marina playground \$2.1M
- JD Hardie pump track \$4.4M
- Wedgefield industrial area road upgrades \$7.3M
- Parks renewals and upgrades \$1.2M
- Aquatics facility design \$3.9M
- \$45.5M capital works program including new and existing asset renewals.
- Events program \$2.0M

### Part A - General and Minimum Rates

Rates revenue is a substantial source of discretionary revenue for the Town of Port Hedland and accounts for approximately 72.2% of operating revenue in the 2025-2026 budget (up from 71.9%). Consistent with the Rating Strategy 2025-2030 \$8.1M of rating revenue has been quarantined from new development and uplift in mining valuations, transferred to the Strategic Reserve, towards the Town's forward capital works program intended as per the Long-Term Financial Plan.

The rates yield proposed in the 2025-2026 budget has been determined based on property valuations provided by the State Valuer General's Office (Landgate) as required per legislation, up until 17 June 2025.

Overview:

- The proposed differential rates model presented to Council was prepared under the Department of Local Government, Sports and Cultural Industries guidelines of objectivity, fairness and equity, and transparency as set out in their Rating Policy-Differential Rates (s6.33).
- No increases are proposed on the 2025-2026 rate in the dollar charges for Residential, Commercial / Industrial, Pastoral / Other rating categories.
- A new differential rating category has been established for the airport and now includes two mass accommodation work camps, to return the same 2024-2025 rating amount, plus increase towards offsetting the Town's increased costs of service delivery
- Sought Ministerial approval as per the provisions of the Local Government Act 1995 for Mass accommodation work camp rating revenue at a rate in the dollar charge of three (3x) times the residential rate proposed.

### Concessions and exemptions

The Town contacted recipients of 2024-2025 concessions to again apply. Council considers annual applications submitted by community groups, sporting clubs and other rate payers for rates concessions and exemptions between Feb and March each financial year, for between 50% to 100% relief. These are adopted by Council as part of the budget process.

#### Concessions

The 2025-2026 budget includes \$208,094 (prior year \$165,619) for rating concessions from applications received from community groups and sporting clubs.

#### Pensioner Cap Gap Remission

The 2025-2026 budget includes \$7,731 for pensioner Rate cap gap. The maximum support that will be provided in 2025-2026 will be capped at \$500.

### Instalment Payment Arrangements

The council offers ratepayers a four-instalment payment option. Payment due dates proposed are set in accordance with regulations, weekday operations and public holidays.

Conditions apply including an instalment charge and interest.

For owners who elect to pay by instalment, an initial instalment administration charge of \$0 and an instalment charge of \$15 for each instalment after the initial instalment is paid (excluding eligible pensioners and seniors), pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996.

An interest rate of 5.5% per annum where the owner has elected to pay rates and service charges through an instalment option (excluding eligible pensioners and seniors), pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996.

### Elected Members Fees and Allowances

As per policy 4/008 Elected Member allowances, facilities, and expenses, elected members are paid at 100% of the yearly maximum Salaries and Allowances Tribunal WA (SAT) determinations. SAT determined an increase in remuneration, fees, expenses, and allowance ranges provided for Elected Members as per Determination No 1 of 2024. This increase has been reflected in the 2025-2026 budget documentation.

Mandatory superannuation for elected members of Tier 1 local governments is effective from 19<sup>th</sup> October.

### Material Variance Reporting For 2025-2026

Each year, the Council is required to adopt a percentage or value to be used in statements of financial activity for reporting material variances, as required by Clause 34(5) of the Local Government (Financial Management) Regulations 1996.

The recommendation for the 2025-2026 material variance threshold is to remain the same as 2024-2025 with a variance of 10% or \$50,000, whichever is greater, of the year-to-date budget of operational and capital expenditure requiring explanation.

### Fees and Charges

The Town's 2025-2026 Fees and Charges were endorsed for advertising by Council at the 25 June OCM CM202324/294.

### Municipal Fund Budget 2025-2026

In addition to the items noted above, the recurrent operating budget includes:

Expenditure forecast increases of 15.7%. Primarily due to;

- Employee cost increase of \$0.4M, under the existing industrial agreement of 4% with an increase in staff numbers of 7 FTE.
- Increases within materials and contracts agreements of \$7.3M, mostly associated with contracts for services as well as additional facilities such as maintaining the newly built Spoilbank.
- Increased utility costs forecasts based upon actual 2024-2025 costs incurred.
- Increased annual depreciation charge of \$1.4M

Revenue forecasts changes include:

- Interest earnings of \$9.3M which is being transferred to reserves.
- Capital works funding of \$13.0M, notably
  - LotteryWest \$2M Spoilbank Marina playground
  - State Government \$4M JD Hardie Pump Track

### Capital Works

- A capital works program of \$45.5M for investment in infrastructure, land and buildings, plant and equipment, furniture and equipment is planned.
- \$33.4M on new works.
- \$12.1M on asset renewals, funded via reserves with cash backing of depreciation.
- An estimated surplus of \$6.5M is anticipated to be brought forward from the prior year 2024-2025 as of 30<sup>th</sup> June 2025. However, this is unaudited and may change. Any change will be addressed as part of a future budget review.

- 2024-2025 carry-over projects of net \$1.5M operational and \$30.4M capital are recommended to be adopted independently of the 2025-2026 annual budget adoption process, for transparency and to continue ongoing project work deliverables.
- Projects are itemised within the Statement of Capital Works Program included as attachment 4.

#### Loans

- No new loans are proposed for 2025-2026

#### Grant Funding

- The Town is actively pursuing numerous additional funding sources to fund projects and operations, to alleviate pressure on the Town's financial reserves.

#### New Accounting Standards

- During the budget year, there are no new Australian Accounting Standards and Interpretations expected to be compiled.
- It is not expected these standards will have an impact on the annual budget.

#### Published Annual Budget 2025-2026

The annual budget statements along with an overview and highlights, are produced into an online version available for public information. This will be supplemented with local pictures and graphics into a final version available on the Town's website. This requires time to produce. It is requested that the Council approve the CEO to oversee.

### **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of high significance due to the financial implications of the budget. Section 6.2 of the Local Government Act 1995 requires that no later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June. To not adopt the budget before 31 August would breach legislated requirements without Ministerial approval.

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

### **CONSULTATION**

#### Internal

- Consultation has occurred with all business units and through briefings and eleven workshops with Council members and Town Executive with inviting individual briefings as requested.

## External

- Consultation has occurred as prescribed. Correspondence was sent to individual ratepayers for the categories GRV Mass Accommodation, UV Pastoral and GRV Airport (less than 30 ratepayers per category). Additionally, community groups were invited to advertised information sessions.
- Reference to Department of Local Government, Sport and Cultural Industries. Guidelines.

## STATUTORY ENVIRONMENT

LGA S6.2 requires that not later than 31 August in each financial year or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 5 and 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* detail the form and content of the budget. The draft 2025-2026 budget as presented is considered to meet statutory requirements.

Section 7B (2) of the *Salaries and allowances Act 1975* requires the Tribunal, at intervals of not more than 12 months, to inquire into and determine -

- The amount of fees to be paid to Council Members;
- The amount of expenses to be reimbursed to Council members;
- The amount of allowance to be paid to Council members.

The Determination on Local Government Chief Executive Officers and Elected Members requires local governments to set an amount within the relevant SAT range determined for fees, expenses or allowances.

Section 5.98 of the *Local Government Act 1995* sets out fees, expenses, and reimbursements etc. payable to Council members as determined by the Tribunal.

Section 5.98A of the *Local Government Act 1995* sets out fees etc. payable to sets out allowance which may be paid to deputy president or deputy Mayors up to a percentage determined by the Tribunal (Absolute Majority required).

Section 5.99 provides that a local government may pay an annual fee in lieu of fees for attending meetings, as determined by the Tribunal (Absolute Majority required).

Section 5.99A sets out a local government may pay an annual allowance for Council members in lieu of reimbursement of expenses, as determined by the Tribunal (Absolute Majority required).

Regulations 30, 31, 32 and 34ACA of the Local *Government (Administration) Regulations 1996* set the limits, parameters and types of allowances that can be paid to Council Members.

Section 6.36(1) requires a local government to give local public notice of its intention before imposing any differential general rates or a minimum payment under section 6.35(6)(c).

Section 6.36(4) requires a local government to consider any submissions received before imposing the proposed rate or minimum payment, with or without modification.

## **POLICY IMPLICATIONS**

As part of the drafting process for the proposed 2025-2026 annual budget:

- Rating Strategy 2025-2030 was adopted CM202324/293
- Policy reviews undertaken:
  - 2/004 Rating
  - 2/010 Council Investments
  - 2/018 Borrowings
  - 2/019 Reserves
  - 2/005 Financial Hardship

## **FINANCIAL IMPLICATIONS**

Specific financial implications are as outlined in the body of this report and as itemised in the draft 2025-2026 budget attached for adoption.

The proposed 2025-2026 Annual Budget provides the Town with the ability to collect revenue and expend funds to provide essential services to the Town of Port Hedland residents.

The 2024-2025 comparative actuals are estimate calculations as best forecasts available at the time of preparing the budget documentation. These are subject to further year-end accounting routines and external audit confirmation.

Prior year surplus forecasts reduce the amount of rating requirements for the current year.

Prior year carry-over projects are not re-budgeted, now adopted independently as a separate process, following confirmation of actual project expenditure and committed amounts.

## **STRATEGIC IMPLICATIONS**

The 2025-2026 Budget was developed considering the Town's Plan for the Future adopted by Council, as part of its integrated planning framework.

Strategic Community Plan 2022-2032

The following sections are applicable in the consideration of this item:

- 1.4.1The 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
- 1.4.3Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
- 2.5.1Pursue investment in key infrastructure development such as the port, airport, service industry and logistics
- 2.5.2Ensure future supply of housing and serviced land for development
- 2.5.3Invest and develop key community and recreation infrastructure
- 2.5.5Support tourism infrastructure development
- 3.2.1Identify, plan and develop the present and future needs for serviced land and infrastructure provision
- 3.2.2Prepare, educate, respond and recover in partnership with key agencies from emergencies such as cyclones
- 3.2.3Provide and promote sustainable energy, waste and water management practices
- 3.3.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry
- 3.3.2 The community has access to attractive natural habitats, built form, parks and amenities
- 3.3.5The greening and vegetation of streetscape verges are systematically implemented
- 4.2.1Sound long-term financial planning is implemented
- 4.2.2Transparent and regular financial reporting and communication to the community is undertaken
- 4.2.3Transparent and regular governance reporting and communication to the community is undertaken
- 4.2.4Constructive forums are provided for discussion and the representation of the diversity of views and needs that impact on the Town's developments, programs and policies
- 4.3.4Efficiency strategies across the Town's infrastructure and amenity assets are implemented

Corporate Business Plan 2023-2027

The following sections are applicable in the consideration of this item:

Our Corporate Services:

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



## Access and Inclusion

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

- Outcome 1-Events and Services
- Outcome 2-Buildings and Facilities
- Outcome 3-Accessible Information
- Outcome 4-Quality of Service
- Outcome 7-Employment Opportunities

## RISK MANAGEMENT CONSIDERATIONS

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <b>Risk Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Operational                                                                         |
| <b>Risk Category</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Financial<br>Service Interruption<br>Reputational                                   |
| <b>Cause</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Not adopting the annual budget                                                      |
| <b>Effect<br/>(Consequence)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Would delay the Town in delivering essential works to ratepayers and the community. |
| <b>Risk Treatment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Council adopting the annual budget.                                                 |
| <p>There is an operational and Service interruption risk associated with this item caused through an extended time to adopt the Town's budget, leading to delays in procurement requirements for services and projects.</p> <p>There is a reputational risk associated with this item if the budget is not adopted by 31 August and Ministerial approval is therefore needed.</p> <p>The risk rating is considered to be Medium (8) which is determined by a likelihood of Unlikely (2) and a consequence of Major (4).</p> <p>This risk will be avoided by the adoption of the annual budget by the council.</p> |                                                                                     |

## OPTIONS

Option 1-Adopt officer's recommendation

Option 2-Amend officer's recommendation

Changes moved to the proposed statements and amounts

- It would be recommended, dependent on their nature and likely impact,
- Local Government Act 1995 s5.41 Functions of CEO, are to:  
(d) manage the day-to-day operations of the local government

Changes to service delivery budget allocations are determined by Council by absolute majority. The CEO is responsible, upon advice to Council, for allocating the operational budget to achieve service delivery outcomes

Option 3-Not adopt the officer's recommendation

The Local Government Act 1995 requires a local government's annual budget to be adopted by 31 August each year or otherwise seek Ministerial approval to be later than this date.

### **CONCLUSION**

The 2025-2026 annual budget has been prepared in a financially responsible manner to ensure a realistic and deliverable program of works. There has been a strong focus on ensuring consistent service levels and capital works program. The Town's Long Term Financial Plan continues its review process with Council and will set parameters for the drafting of future years' annual budgets.

### **ATTACHMENTS**

1. Statement-of- Objects-and- Reasons- FINAL [**12.1.2.1** - 12 pages]
2. 2025-26 Concessions and exemptions [**12.1.2.2** - 1 page]
3. 25-26 Fees And Charges [**12.1.2.3** - 40 pages]
4. 25-26 Budget Draft – V 21 [**12.1.3.4** – 25 pages]

**12.1.3      2024-2025 Carry Over Projects**

**Author:** **Manager Financial Services**

**Authorising Officer:** **Director Corporate Services**

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

**OFFICER'S RECOMMENDATION**

**That Council pursuant to section 6.8 of the Local Government Act 1995 amends the Town of Port Hedland 2025–2026 annual budget to include 2024–2025 carry over projects as detailed in Attachments 1 and 2.**

***ABSOLUTE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider the Town of Port Hedland's (the Town) 2024-2025 carry over project expenditure and amend into the 2025-2026 annual budget. The Local Government Act 1995 allows for expenditure incurred in a financial year prior.

Carry over projects are where works have been previously approved by Council, though yet to commence or be completed, may have purchase orders raised and or grants secured but not yet expended.

This resolution ensures that works which have commenced and not yet complete, have been accounted for and will continue to be reported upon within monthly financial reporting during 2025-2026.

**DETAIL**

As part of drafting the Town's annual budget, prior year carryover project funds are accounted for within the Town's Unfinished Works & Committed Works Reserve. Project amounts which have commenced and not yet completed are subject to confirmation as part of year end accounting routines.

This enables the 2025-2026 budget to be drafted upon the basis for works and programs specific for and intended within that annual cycle. This creates greater transparency within the annual budget cycle.

**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.

**CONSULTATION***Internal*

- Project managers

*External Agencies*

- Nil

*Community*

- Nil

**LEGISLATION AND POLICY CONSIDERATIONS**

Local Government Act 1995 s6.8

1. A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - b) is authorised in advance by resolution\*; or
  - c) is authorised in advance by the mayor or president in an emergency.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Prior year projects which were not completed prior to 30 June 2025 from the 2024-2025 financial year are listed in attachments 1 and 2. These projects have been funded through prior year's budget and therefore have a net nil impact on Council's total cash balances in the 2025-2026 financial year.

It is proposed that \$1,550,770 operating expenditure funding be carried over to 2025-2026 due to ongoing project work, mostly comprising IT projects, town planning and environmental initiatives and an extension of consultant support in Finance and Governance initiatives. These are included as attachment 1.

It is also proposed that \$30,407,730 gross capital expenditure be carried over to 2025-2026 due to unspent municipal and grant funding, for contracts and purchase orders issued with works not yet completed. These are included as attachment 2.

| <b>Capital Expenditure:</b>                               | <b>\$</b>  |
|-----------------------------------------------------------|------------|
| 2024-2025 Budget for Capital Works (PPE & Infrastructure) | 50,338,171 |
| 2023-2024 Carried forward projects                        | 19,955,855 |
| Additional approved projects                              | 2,235,354  |

|                                          |                          |
|------------------------------------------|--------------------------|
| <b>Total Budgeted Payments</b>           | 72,529,380               |
| Actual SpendYTD                          | 28,736,910               |
| Project savings / discontinued / rescope | 14,562,797               |
| <b>Carryovers Proposed</b>               | <b><u>29,229,673</u></b> |

A listing of the 2024-2025 carried forward capital balances, by project, will become part of the August Monthly Financial Statements.

As these projects were previously approved, works are continuing to be progressed as intended. Commitments are in place for many project items and any cancellation of works may result in financial liabilities.

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Leadership:

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

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* applies in relation to this item:

#### Our Corporate Services:

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

## **RISK MANAGEMENT CONSIDERATIONS**

|                      |                                                   |
|----------------------|---------------------------------------------------|
| <b>Risk Type</b>     | Operational                                       |
| <b>Risk Category</b> | Financial                                         |
| <b>Cause</b>         | Carry over projects details are not accounted for |

|                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Effect (Consequence)</b>                                                                                                                                                                                                                                                                                                                                                                                             | There is no financial authority to continue with works and commitments, therefore projects will remain unfinished. |
| <b>Risk Treatment</b>                                                                                                                                                                                                                                                                                                                                                                                                   | Confirmation of project balances and amend the annual budget.                                                      |
| <p>There is a service delivery risk associated with this item caused through appropriate management of budgets, leading to financial and reputational risk of projects / works not being completed.</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 mitigated by accepting the recommendation</p> |                                                                                                                    |

### OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation - Carry over project budgets will not be amended into the current annual budget and reported upon.

### CONCLUSION

Prior year projects have been reconciled and accounted for. The reports recommendation ensures these projects can continue to be reported upon as part of the amended 2025-2026 annual budget monthly financial reporting. These projects have been previously endorsed and are funded through prior year’s municipal and grant funds and therefore have a net nil impact on Council’s forecast 30 June 2026 financial position.

### ATTACHMENTS

1. Att 1 -Carry over 25-26 Opex proposed [**12.1.3.1** - 1 page]
2. Att 2 -Capital expenditure 2024.25 detail - with net CF [**12.1.3.2** - 2 pages]

**12.1.4      2025/2026 Delegation Register Review****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.**OFFICER'S RECOMMENDATION****That Council adopt the 2025-2026 Town of Port Hedland Delegation Register as per Attachment 1.*****ABSOLUTE MAJORITY VOTE REQUIRED*****PURPOSE**

The purpose of this report is for Council to adopt the 2025-2026 annual review of the Town of Port Hedland (the Town) Delegation Register. The Town of Port Hedland has delegations in place from the Council to the Chief Executive Officer (CEO), other officers and the Audit Committee.

A workshop was hosted with Council on 18 June 2025 with further information requested and provided to the Council in relation to several delegations. The Delegation Register was presented to the Council at the 25 June Ordinary Council meeting to facilitate compliance with the requirement that the Delegation Register be reviewed by the Council at least once per financial year. The decision to adopt the 2025/2026 annual review of the Delegation Register was lost for want of an absolute majority.

A further workshop with the Council was hosted on 6 August 2025 with further information provided to the Council. The result of this workshop has been the inclusion of two draft conditions to the Delegation Register as outlined in the table below. This is provided for as attachment 2 and is not recommended by Town officers due to the impact of the operational burden and the lack of clarity on the purpose of reporting. This is outlined in the table below.

**DETAIL**

Delegations of authority are an effective and efficient means of carrying out the functions or discharging the duties of the local government, by allowing decisions of the Council to be made by the CEO who in turn can delegate to other staff where appropriate.

*The Local Government Act 1995, Dog Act 1976, Cat Act 2011 and the Planning and Development (Local Planning Schemes) Regulations 2015* all require local governments to conduct an annual review of any delegations made under those Acts.

The delegation register annual review is facilitated through the Governance business unit, with managers and executives recommending updates for council to adopt. Meetings are conducted with all managers and directors, and then a final draft register is brought to the Executive Leadership Team (ELT) for review, prior to being adopted by Council.

Under s5.44 of the *Local Government Act 1995* (the Act), a CEO may delegate to any employee of the Town the exercise of any of the CEO's powers or the discharge of any of the CEO's duties. These changes will be implemented pending the outcome of Council's review of the statutory delegations.

The below table outlines the statutory changes made to the delegation register and references the delegation register at attachment 1:

| <b>Statutory Delegation</b>             | <b>Changes Proposed</b>                                                                                                                                                                                | <b>Reason for Change</b>                                                      | <b>Comments</b> |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------------|
| <b>Administration Review Amendments</b> |                                                                                                                                                                                                        |                                                                               |                 |
| <b><i>Local Government Act 1995</i></b> |                                                                                                                                                                                                        |                                                                               |                 |
| 1.2.18 Tenders for Goods and Services   | Amendment to Function 13 (directors will have authority to appoint the next preferred tenderer up to their authorised expenditure as per item 22.3 of this register and within their directorate only. | Supply of goods and services market conditions. Efficiency and work processes |                 |
| <b><i>Dog Act 1976</i></b>              |                                                                                                                                                                                                        |                                                                               |                 |
| 8.1.3 Appoint Authorised Persons        | Addition of role of Trainee Ranger to subdelegates with functions to 2(d) Issue an order regarding a nuisance dog, 2(f) Request personal details, 2(h) Veterinary services and 2(i) to issue an        | Operational requirements                                                      |                 |



|                                                                            |                                                                                                                                                                                                  |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                            | infringement notice.                                                                                                                                                                             |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b><i>Planning and Development Act 2005</i></b>                            |                                                                                                                                                                                                  |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 20.2.3 Port Hedland West End Improvement Scheme No.1                       | Change to condition (i) to read: 'have development value or more than \$10,000,000;' (instead of 'less than')                                                                                    | Typographical error      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>6 August 2025 Briefing Amendments</b>                                   |                                                                                                                                                                                                  |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b><i>Local Government Act 1995</i></b>                                    |                                                                                                                                                                                                  |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 1.2.3 Compensation for damage incurred when performing executive functions | Addition of condition: 'A report on the use of this delegation will be presented to the ARC Committee Meeting at least once per 6-month period and aligned with the report of delegation 1.2.4.' | Requested by the Council | <p>It is not recommended to increase operational reporting at this time due to the transition into OneConnect ERP. Increasing reporting creates resource demand on the Administration without systems improvement.</p> <p>The Town is not receiving complaints in regard to the use of this delegation and it is unclear on the issue/s that a regular report would be seeking to address.</p> <p>It is recommended that a briefing be held with the Council to understand areas</p> |

|                                  |                                                                                                                                                                                                                               |                          |                                                                                                                                                                                                                                                 |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                  |                                                                                                                                                                                                                               |                          | <p>of Council concern to better define the development of appropriate reporting.</p> <p>Should Council resolve to increase reporting requirements at this time, a draft condition will be provided in the Delegation report to the Council.</p> |
| <b>Local Government Act 1995</b> |                                                                                                                                                                                                                               |                          |                                                                                                                                                                                                                                                 |
| 1.2.4 Powers of Entry            | Addition of condition: 'A report on contentious/non-consensual entry use of this delegation will be presented to the ARC Committee Meeting at least once per 6-month period and aligned with the report of delegation 1.2.3.' | Requested by the Council | As above.                                                                                                                                                                                                                                       |

### LEVEL OF SIGNIFICANCE

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

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

### CONSULTATION

#### *Internal*

- Executive Leadership Team
- Senior Leadership Team

- Senior Governance Advisor
- Governance Officer
- Council Workshop

#### *External Agencies*

- Nil

#### *Community*

- Nil

### **LEGISLATION AND POLICY CONSIDERATIONS**

Sections 5.16, 5.17, 5.18, 5.42, 5.43, 5.44, 5.45, 5.46, 7.1B and 9.10 of the *Local Government Act 1995* relate to delegations and the appointment of authorised persons.

Under s5.42 and 5.45 of the Act to delegate any powers to a Chief Executive Officer or amend or revoke a delegation an absolute majority is required.

Delegations under the following additional Acts are included in this Delegation Register:

- *Emergency Management Act 2005*
- *Building Act 2011*
- *Bush Fires Act 1954*
- *Cat Act 2011*
- *Dog Act 1974*
- *Food Act 2005*
- *Fines, Penalties and Infringement Notices Enforcement Act 1994*
- *Graffiti Vandalism Act 2016*
- *Litter Act 1979*
- *Control of Vehicles (Off Road Areas) Act 1978*
- *Liquor Control Act 1988*
- *Health (Miscellaneous Provisions) Act 1911*
- *Public Health Act 2015*
- *Caravan and Camping Grounds Act 1995*
- *Planning and Development Act 2005*
- *Road Traffic (Vehicles) Act 2012*
- *Environmental Protection Act 1986*
- *Animal Welfare Act 2002*

All delegations under each of the Town's Local Laws have been included in this Delegation Register as follows:

- Parking Local Law
- Bush Fire Brigades Local Law

- Public Places and Local Government Property Local Law
- Cemetery Local Law
- Dogs Local Law
- Health Local Law
- Animals, Environment and Nuisances Local Law
- Waste Local Law

The following policies are reflected within the delegation register:

- 1/009 Legal Representation for Council Members and Employees
- 1/014 Execution of Documents and Application of the Common Seal
- 2/005 Financial Hardship
- 2/007 Procurement Policy
- 2/010 Council Investments
- 2/022 Panels of Pre-Qualified Suppliers
- 6/003 Community Grants Program

## **FINANCE AND RESOURCE IMPLICATIONS**

There are no identifiable costs associated with the adoption of the reviewed Delegation Register.

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

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

### Our Leadership:

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

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

## **Access and Inclusion**

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

- Outcome 3 – Accessible Information

## **Corporate Business Plan**

The following actions 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**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Risk Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Operational                                                                                                                                        |
| <b>Risk Category</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Compliance                                                                                                                                         |
| <b>Cause</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | If the Delegation Register is not adopted there is a compliance risk associated with the review not being conducted within the statutory timeframe |
| <b>Effect (Consequence)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Non-compliance with statutory timeframes and potential negative impact on the Town's reputation                                                    |
| <b>Risk Treatment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Council adopts the Delegation Register                                                                                                             |
| <p>There is an Operational risk associated with this item caused by the Delegation Register not being adopted leading to non-compliance with statutory timeframes and the potential for employees to be unable to continue operating in an effective and efficient manner.</p> <p>The risk rating is considered Medium (5) determined by a likelihood of Possible (3) and a result of Minor (2).</p> <p>This risk will be eliminated by the adoption of the officer's recommendation.</p> |                                                                                                                                                    |

**OPTIONS**

*Option 1 – Adopt officer's recommendation*

*Option 2 – Alternant Motion*

**That Council adopt the 2025-2026 Town of Port Hedland Delegation Register as per Attachment 2.**

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

**CONCLUSION**

The proposed adoption of the 2025/2026 Town of Port Hedland Delegation Register following the review of the Town of Port Hedland Delegation Register seeks to maintain efficient decision-making and implementation process. Delegations of

authority are required to streamline local government review procedures, whilst adhering to legislative requirements.

A thorough review has been conducted, involving input from managers and the Executive Leadership Team. The Council's approval of these changes as recommended under attachment 1, enables the CEO and delegated officers to fulfill their duties effectively. A subsequent report will follow considering further delegation reviews with Council at an upcoming workshop.

### **ATTACHMENTS**

1. Att 1 Officer Recommended - Town of Port Hedland Delegation Register DRAFT [**12.1.4.1** - 216 pages]
2. Att 2 - SB Changes - Not recommended - To PH Delegation Register [**12.1.4.2** - 215 pages]
3. Att 3 - Delegations 1.2.3 and 1.2.4 marked changes [**12.1.4.3** - 2 pages]

|               |                                                                           |
|---------------|---------------------------------------------------------------------------|
| <b>12.1.5</b> | <b>Corporate Business Plan Quarterly Report - 2024-2025<br/>Quarter 4</b> |
|---------------|---------------------------------------------------------------------------|

**Author:** Senior Corporate Performance Advisor

**Authorising Officer:** Director Corporate Services

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

**OFFICER'S RECOMMENDATION**

**That Council receives the Corporate Business Plan Quarterly Report – 2024/2025 Quarter 4 as per Attachment 1.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for the Council to receive the Quarter 4 report on the progress of service delivery as outlined in the Corporate Business Plan (CBP) 2023-2027. The report captures the period April to June 2025.

**DETAIL**

The Integrated Planning and Reporting (IPR) provides local governments with a framework for establishing local priorities and linking these to operational functions as detailed in Strategic Community Plans and Corporate Business Plans. The IPR Framework requires that regular monitoring and reporting of these plans are undertaken. The Town of Port Hedland's IPRF recommends implementing quarterly reports to inform the Council of the Town's performance against the community outcomes, enabling the Town to respond to changing priorities.

The Town of Port Hedland's Corporate Business Plan 2023-2027 was adopted by the Council on 30th August 2023. It is the Town's 4-year planning document that comprises the services, service levels, any planned changes and major projects the Town aims to deliver over the four years, to achieve the deliverables listed in the Strategic Community Plan 2022-2032. It is reviewed and updated annually in line with the development of each year's annual budget. The Town is in the process of undertaking a minor review of its Strategic Community Plan and annual review of the Corporate Business Plan in accordance with the Integrated Planning and Reporting Framework (IPRF) requirement.

The quarterly report ensures that the Council and the community are aware of the Town's progress against the CBP's Actions and that services are being delivered. It is an effective means to update the Council and the community on progress against agreed priority actions. The report provides information on the progress made against these service levels and covers the period April to June 2025.

The report identifies the key actions, the status of each action, the percent complete along with commentary on the progress where applicable. The majority of the services are being progressed and are on track. However, some of the actions have yet to start or are behind schedule and delays have been explained. Comments have been provided for such actions including details of their expected start dates.

### Summary:

The table and chart below provide a summary of the overall progress of the 114 actions reported against:

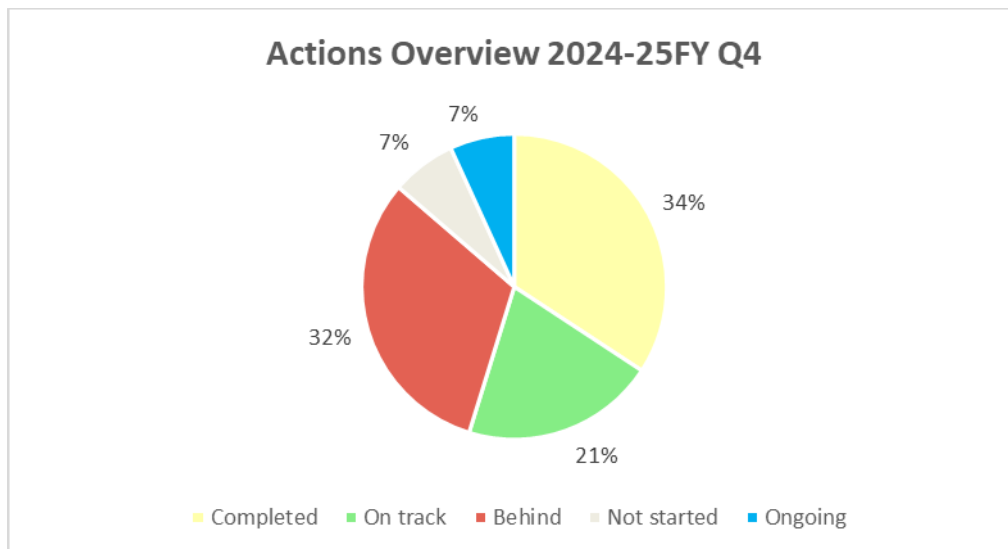
| Action Progress Status | Description                                                                                                                             | Number     | %          |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|------------|------------|
| Not started            | This initiative/project is scheduled to start at a later time in the course of the Corporate Business Plan                              | 5          | 4          |
| On track               | This initiative/project is in progress and expected to be completed in the scheduled time                                               | 15         | 13         |
| Behind schedule        | This initiative/project has not started at the scheduled time or is in progress but not expected to be completed in the scheduled time. | 23         | 21         |
| Completed              | This initiative/project was completed during the prior quarters                                                                         | 66         | 58         |
| Ongoing                | This initiative/project is in progress and expected to continue for some time in the future                                             | 5          | 4          |
| Total                  |                                                                                                                                         | <b>114</b> | <b>100</b> |

### **2024/25 Financial Year – Q4**

Of the 114 CBP actions, 43 actions were completed in 2023-24 Financial Year. These actions have been greyed in the report for ease of reference. 2 completed actions from 2023-24 FY were reopened in FY2024-25. Of the 73 CBP actions that were not completed in FY2023/24, 25 actions were completed, 15 are on track, 23 actions are behind schedule, 5 actions have not started and 5 are ongoing in Q4 of 2024-25FY.

The chart below shows the actions overview of the progress made in Q4 of FY2024/25:





Highlights of the period April to June include the progression of important projects including:

- Childcare Expansion and Development - Detailed design has been completed.
- ERP – Electronic Content Management passed the UAT Phase 1 testing milestone and is ready for deployment in August 2025.
- Community Safety – One Shopping Centre pop up and two social media posts done in Q4 to increase community awareness on logging safety issues.
- Key worker housing - Out for tender for design and construct proposals.
- South Hedland Civic and Community Hub – Value engineering is taking place for a refurbishment option

### 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*

- ELT
- SLT
- Senior Officers

#### *External Agencies*

- Nil

#### *Community*

- Nil

**LEGISLATION AND POLICY CONSIDERATIONS**

Section 5.56 of Local Government Act 1995 outlines the requirement for Local Governments to plan for the future. The adoption, implementation and reporting of strategic community and CBP facilitate this requirement

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

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

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

Our Leadership:

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

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

**Access and Inclusion**

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

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

**Corporate Business Plan**

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

Our Corporate Services:

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

**RISK MANAGEMENT CONSIDERATIONS**

|                      |                            |
|----------------------|----------------------------|
| <b>Risk Type</b>     | Strategic                  |
| <b>Risk Category</b> | Compliance<br>Reputational |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Cause</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Non-compliance with statutory requirement as well as inability to meet community expectations                                                                                                                                                                                                                                                             |
| <b>Effect<br/>(Consequence)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Not delivering on the Council and community expectation to be informed of the Town's performance against the Corporate Business Plan.<br><br>Non-compliance with the IPR (Integrated Planning and Reporting) requirement to have a system of monitoring and reporting performance of the Town's Strategic Community Plan and the Corporate Business Plan. |
| <b>Risk Treatment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Progress report on the Town's CBP performance is provided to Council                                                                                                                                                                                                                                                                                      |
| <p>There is a Strategic, risk associated with this item caused by non-compliance with statutory requirement and the potential for the Town to be unable to meet community expectations, leading to perception that the Town has not performed as expected by the community.</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).</p> <p>This risk will be eliminated by receiving and noting the progress report.</p> |                                                                                                                                                                                                                                                                                                                                                           |

## OPTIONS

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

## CONCLUSION

This report is provided to inform the Council of the progress the Town has made in regard to the adopted Corporate Business Plan 2023-2027. The Corporate Business Plan outlines the organisation's services, service levels and major projects to achieve its deliverables in the Strategic Community Plan. The report identifies the status of each action along with commentary on the progress where applicable.

## ATTACHMENTS

1. To PH CBP Quarterly Report\_ 2024-25 Q 4 V 5 [**12.1.5.1** - 33 pages]

|               |                              |
|---------------|------------------------------|
| <b>12.1.6</b> | <b>Policy Review Program</b> |
|---------------|------------------------------|

**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.

**OFFICER'S RECOMMENDATION 1**

**That Council adopt:**

- 1. 2/004 Ratings Policy as per attachment 2;**
- 2. 2/010 Council Investments Policy as per attachment 3;**
- 3. 2/019 Financial Reserves Policy as per attachment 6; and**
- 4. 2/005 Financial Hardship Policy as per attachment 7.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider and adopt the Town of Port Hedland (the Town) policies as part of the on-going review program:

- 2/004 Ratings Policy
- 2/010 Council Investments Policy
- 2/019 Financial Reserves Policy
- 2/005 Financial Hardship Policy

**DETAIL**

At the 25 September 2024 Ordinary Council Meeting, report 12.1.2 Council Policy – Policy Framework was adopted (en bloc Council Decision CM202425/140). Included as attachment 8 is 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.

**2/004 Ratings Policy**

This policy was last reviewed and adopted by Council on 27 March 2024 (CM20324/234).

The changes between versions include:

- No content changes recommended
- Extending review frequency from annual to every 3 years to align with triennial rating valuation cycle

The Draft version has been included as Attachment 1. The 'marked changes' version previously adopted in 2024 has been included as Attachment 2.

**2/010 Council Investments Policy**

This policy was last reviewed and adopted by Council on 27 March 2024 (CM202223/233).

The changes between versions include:

- Minor change to replace outdated 'Strategic Community Plan 2018-28' reference with 'Council's objectives' in anticipation of new Council plan
- Formatting changes to align with corporate policy template

The Draft version has been included as Attachment 3. The 'marked changes' version previously adopted in 2024 has been included as Attachment 4.

**2/019 Financial Reserves Policy**

This policy was last reviewed and adopted by Council on 27 March 2024 (CM202223/233).

The changes between versions include:

- Establishing new Public Art Reserve (moving \$463k from balance sheet for transparency)
- Creating Kingsford Smith Development Reserve for land sale proceeds and construction funding
- Updating Employee Leave Reserve (removing outdated sick leave/redundancy references)
- Spoilbank Reserve expanded to include maintenance funding with rollover capability

The Draft version has been included as Attachment 5. The 'marked changes' version previously adopted in 2024 has been included as Attachment 6

**2/005 Financial Hardship Policy**

This policy was last reviewed and adopted by Council on 27 March 2024 (CM202223/234).

There are no changes proposed for this policy – the policy has been well-received since being rewritten from a debt collection focus to providing relief assistance.

The Draft version has been included as Attachment 7.

**LEVEL OF SIGNIFICANCE**

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

**CONSULTATION***Internal*

- ELT / SLT

*External Agencies*

- NIL

*Community*

- NIL

**LEGISLATION AND POLICY CONSIDERATIONS**

- *Local Government Act 1995*
- *Local Government (Functions and general) Regulations 1996*
- *Public Interest Disclosure Act 2003*
- *Public Interest Disclosure Regulations 2003*
- *Corruption, Crime and Misconduct Act 2003*

**FINANCIAL AND RESOURCE IMPLICATIONS**

No immediate impact forecast.

## STRATEGIC SUSTAINABILITY IMPLICATIONS

### Strategic Community Plan

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

#### Our Leadership:

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

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 3 – Accessible Information

### 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.

## RISK MANAGEMENT CONSIDERATIONS

|                             |                                                                                                                      |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------|
| <b>Risk Type</b>            | Operational                                                                                                          |
| <b>Risk Category</b>        | Financial<br>Compliance<br>Reputational<br>Fraud                                                                     |
| <b>Cause</b>                | Out of date or non-compliant policies and or gaps in policy framework.                                               |
| <b>Effect (Consequence)</b> | Non-compliant decision making or not in line with best practice. Duplicitous and / or inconsistent policy positions. |
| <b>Risk Treatment</b>       | Continuous review of policies following a risk-based approach.                                                       |

There is an Operational risk associated with this item caused by not maintaining an effective policy framework which may lead to compliance concerns.

The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).

This risk is considered acceptable due to the following controls in place:

- 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 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

## CONCLUSION

The policy reviews have been considered to align with legislation, departmental guidance and best practice.

## ATTACHMENTS

1. Att 1 - 2.004 Ratings Policy - V 05 - DRAFT [**12.1.6.1** - 5 pages]
2. Att 2 - 2.004 Ratings V 04 - Marked Changes [**12.1.6.2** - 6 pages]
3. Att 3 - 2.010 Council Investments V 09 - DRAFT [**12.1.6.3** - 6 pages]
4. Att 4 - 2.010 Council Investments V 08 - Marked Changes [**12.1.6.4** - 6 pages]
5. Att 5 - 2.019 Financial Reserves- V 06 - DRAFT [**12.1.6.5** - 7 pages]
6. Att 6 - 2.019 Financial Reserves- V 05 - Marked Changes [**12.1.6.6** - 7 pages]
7. Att 7 - 2.005- Financial- Hardship DRAFT - No changes from Version 1 [**12.1.6.7** - 4 pages]
8. Policy Review Register 2025 *as at 22 August* [**12.1.6.8** - 10 pages]



**12.1.7 Continuing Professional Development Policy Review**

**Author:** Council Support Officer

**Authorising Officer:** Director Corporate Services

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

**OFFICER'S RECOMMENDATION**

**That Council:**

- 1. That Council adopts policy 4/001 Continuing Professional Development (attachment 2); and**
- 2. Rescind policy 4/010 Elected Member Professional Development.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider the adoption of the newly created policy 4/001 Continuing Professional Development, which will rescind a previous similar policy, 4/010 Elected Member Professional Development.

**DETAIL**

The Town administration engaged Hammond Woodhouse Advisory (HWA) to support the development and implementation of actions to address high-medium risk matters in the Council Improvement Plan (CIP), as agreed with the Department of Local Government, Sport and Culture, now Department of Local Government, Industry Regulation and Safety (LGIRS).

A review of Elected Member professional development was identified as a key action of the plan, and a review of the existing policy and processes was carried out by HWA, resulting in the generation of proposed policy 4/001 Continuing Professional Development.

This review has been completed with the engagement of Council and key administrative personnel. During these discussions, and following a briefing with Council on the 18 June 2025, key components for improvement were identified as being;

- Clarity around continuing professional development (CPD),
- Removal of content relating to mandatory training,
- Removal of unjust financial authority for out of training budget expenditure, and
- Review provisions relating to training expenses during the caretaker period.

Attachment 1 of this report is the HWA discussion paper presented at briefing with Council and makes the basis for the review. Attachment 2 is the draft policy that the Council developed in consultation with HWA.

The draft policy (attachment 2) was presented to the 30 July Ordinary Council Meeting and deferred for further workshop and discussion by the Council. This workshop was facilitated on 6 August 2025 and attachment 3 is the draft policy that was discussed at this meeting.

The officer's recommendation is for the adoption of attachment 2 per the deferred recommendation, however attachment 3 is provided as an alternate recommendation for the Council to consider.

### **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 has already been addressed by the Council's strategies, policies or plans, which have recently been consulted on.

### **CONSULTATION**

#### *Internal*

- Chief Executive Officer
- Manager Governance
- Senior Governance Advisor
- Council Support Officer

#### *External Agencies*

- HWAdvisory
- LGIRS

#### *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.

Section 5.128 of the Act deals with voluntary training and development activities

### **FINANCIAL AND RESOURCE IMPLICATIONS**

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* applies in relation to this item:

- Outcome 4 – Quality of Service

### Corporate Business Plan

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

#### Our Corporate Services:

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

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

### RISK MANAGEMENT CONSIDERATIONS

|                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Risk Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                | Strategic                                                                                                                                                                                                         |
| <b>Risk Category</b>                                                                                                                                                                                                                                                                                                                                                                                                            | Reputational                                                                                                                                                                                                      |
| <b>Cause</b>                                                                                                                                                                                                                                                                                                                                                                                                                    | Failure to comply with Council Improvement Plan requirements agreed with LGIRS.                                                                                                                                   |
| <b>Effect (Consequence)</b>                                                                                                                                                                                                                                                                                                                                                                                                     | Compliance – Failure to comply with LGIRS agreement may result in further intervention by LGIRS.<br>Reputational – Further intervention will affect the public's confidence in the local government's operations. |
| <b>Risk Treatment</b>                                                                                                                                                                                                                                                                                                                                                                                                           | Adopt the policy as a deliverable of the Council Improvement Plan                                                                                                                                                 |
| <p>There is a Strategic risk associated with this item caused by failure to comply with the Council Improvement Plan requirements agreed with LGIRS, which will lead to compliance and reputational consequences.</p> <p>The risk rating is considered to be High (16) which is determined by a likelihood of Possible (4) and a consequence of Major (4).</p> <p>This risk will be avoided by adopting the revised policy.</p> |                                                                                                                                                                                                                   |

### OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Alternate officer's recommendation

#### That Council:

**3. Adopts policy 4/001 Continuing Professional Development (attachment 3); and**

**4. Rescind policy 4/010 Elected Member Professional Development.**

Option 3 – Do not adopt officer's recommendation

**CONCLUSION**

The review of the Elected Member Professional Development policy has been conducted and resulted in the creation of a new proposed policy 4/001 Continuing Professional Development (attachment 2) to better support the ongoing development of Elected Members for the Town of Port Hedland.

**ATTACHMENTS**

1. HWA Briefing Paper - Continuing Professional Development policy review [12.1.7.1 - 4 pages]
2. ATT 2 - 4.001 DRAFT Elected Member Professional Development - 2025 Original Deferred Version [12.1.7.2 - 4 pages]
3. ATT 3 - 4.001 DRAFT Elected Member Professional Development - 2025 Alternate Version [12.1.7.3 - 4 pages]

## 12.2 Community Services

|               |                                                                 |
|---------------|-----------------------------------------------------------------|
| <b>12.2.1</b> | <b>Town of Port Hedland Access and Inclusion Plan 2023-2026</b> |
|---------------|-----------------------------------------------------------------|

**Author:** Community Safety Advisor

**Authorising Officer:** Manager of Youth & Community Development

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

### OFFICER'S RECOMMENDATION

**That Council:**

- 1. Receive the Town of Port Hedland Access and Inclusion Plan 2024-2025 Annual Report; and**
- 2. Receive the Department of Communities Disability, Access and Inclusion 2024-2025 Progress Report.**

***SIMPLE MAJORITY VOTE REQUIRED***

### PURPOSE

The purpose of this report is for Council to consider, receive and note the:

1. Annual report on the implementation of the Town of Port Hedland Access and Inclusion Plan 2023-2026; and
2. Department of Communities Disability, Access and Inclusion Progress Report 2024-2025.

### DETAIL

The *Disability Services Act 1993* (WA), requires public authorities, including local governments, to:

- Develop and implement a Disability Access and Inclusion Plan (DAIP); and
- Report annually on the progress made in achieving the outcomes under the DAIP.

The Town of Port Hedland Access and Inclusion Plan 2023-2026 was adopted by Council in February 2023 as the Town's DAIP. This plan is a demonstration of the Town's commitment to a vibrant, caring and connected community where people of all ages, abilities and backgrounds are welcomed and included. A copy of the Access and Inclusion Plan 2023-2026 is included as an attachment to this report.

The Access and Inclusion Plan 2023-2026 seeks to ensure that the Town's services, facilities, buildings, employment and information are accessible and inclusive and sets out actions for the Town to take to achieve this.

Current NDIS statistics show that there are 270 NDIS participants living in the Port Hedland area. Understandably, there will also be many more people in our community

living with a disability who do not participate in the NDIS scheme. This highlights the importance of the Town's work to build an accessible and inclusive community.

The Town submits an annual report to the Department of Communities, providing information on the progress achieved under the Access and Inclusion Plan 2023-2026 that aligns with the WA State Disability Strategy 2020-2030.

In accordance with Department of Communities timelines, the 2025 report was submitted on 15 July 2025 with a reporting period of 1 July 2024 – 30 June 2025. A copy of the report submitted to the Department of Communities is an attachment to this report.

For completeness and ease of reference, in addition, a Town of Port Hedland annual report on the Access and Inclusion Plan 2023-2026 has been prepared, detailing progress achieved across the entirety of the plan. A copy of this annual report is included as an attachment to this report.

Notable progress achieved during the 2024-2025 period, which has been captured in these reports includes:

- All major events run by the Town of Port Hedland have been subject to the completion of an 'accessible events checklist' as part of event planning. In addition, when Town facilities are booked for external events, hirers are prompted to consider accessible events guidelines.
- A 'Quiet Zone' has operated at all Town community events, providing a sensory-friendly space with soft lighting, noise-cancelling headphones and sensory-friendly activities, as well as non-verbal communication aids.
- In June 2025, the Town hosted Disability Sports Australia to present an 'Abilities Unleashed' sports day, engaging and including community members of all abilities in a fun and inclusive day of activities. This event also connects people with disabilities to local sport and active recreation opportunities.
- Stage 1 of the Cooke Point Shared Footpath upgrades has been undertaken, aimed at connecting the missing link in a coastal shared footpath, including shade structures and outdoor furniture to meet DAIP standards.
- Upgrades were completed to the Koombana Lookout, including construction of a new 1:14 ramp connecting the lookout to the Civic Centre carpark and a new rear-opening wheelchair parking spot.
- A 'Quiet Hour' runs at the Wanangkura Stadium gym on a weekly basis, reducing noise and harsh lighting to provide a comfortable environment for those with sensory sensitivities.
- The Town has demonstrated its commitment to working collaboratively on issues of accessibility in our community, as an active member and supporter of the Hedland Access and Inclusion Action Group and other community stakeholders.
- Upgrades to the Town of Port Hedland website have ensured content meets the *Web Content Accessibility Guidelines (WCAG) 2.2* and enabled the website to be available in additional languages.

- The Town continues to provide Disability & Inclusion training for all staff, with specific training to support leaders in the space.
- All Town job advertisements display the Town's diversity statement.
- The Town is currently engaging with the Open Doors Project to coordinate a free workshop aimed at community members and local business, to provide skills and resources to increase inclusion and accessibility in workplaces and facilities across community.

## **LEVEL OF SIGNIFICANCE**

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

- Significant - The extent to which the decision flows logically and consequently from a significant decision already made or from a decision in the strategic or annual corporate plans.

## **CONSULTATION**

### *Internal*

- Infrastructure Projects & Assets Team
- Public Affairs Team
- Planning and Economic Development Team
- Events, Arts and Culture Team
- Youth and Community Development Team
- Parks and Gardens Team
- Human Resources

### *External*

- Hedland Access and Inclusion Action Group
- Cassia Primary School – Special Education Unit
- Coles South Hedland
- Disability Sports AUstralia

## **LEGISLATION AND POLICY CONSIDERATIONS**

All public authorities in Western Australia are required to develop, implement, review and report on an Access and Inclusion Plan under ss27-29C of the Disability Services Act 1993 (WA). The Town of Port Hedland Policy 8/003 Access and Inclusion was considered in the preparation of this item.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Financial resources required to support the implementation of the Access and Inclusion Plan 2023-2026 will be allocated from the Community Engagement and Development

Access & Inclusion budget, with a total estimated expenditure of approximately \$35,000.

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Community:

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

1.1.2 Community needs and gaps in health provision are identified and delivered.

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.

#### Our Leadership:

4.3.1 High-quality and responsive customer service is provided.

### ***Environmental***

Nil

### ***Economic***

Nil

### ***Social***

Ongoing compliance with the Town of Port Hedland Access and Inclusion Plan 2023-2026 will provide a more accessible and inclusive community for people with disabilities, their families and carers.

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

### **Access and Inclusion**

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

- Outcome 1 – Events and Services
- Outcome 2 – Buildings and Facilities
- Outcome 3 – Accessible Information
- Outcome 4 – Quality of Service
- Outcome 5 – Opportunities for Feedback
- Outcome 6 – Public Consultation
- Outcome 7 – Employment Opportunities
- Outcome 8 – Advocate for an Increase in Inclusion

### **Corporate Business Plan**

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



Our Community Services:

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

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

**RISK MANAGEMENT CONSIDERATIONS**

|                                                                                            |                                                                                      |
|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>Risk Type</b>                                                                           | Operational                                                                          |
| <b>Risk Category</b>                                                                       | Compliance                                                                           |
| <b>Cause</b>                                                                               | Failure to prepare and submit the progress report on time                            |
| <b>Effect<br/>(Consequence)</b>                                                            | Failure to meet legislative requirements under the Disability Services Act 1993 (WA) |
| <b>Risk Treatment</b>                                                                      | Report submitted to the Department of Communities on time                            |
| This risk has been mitigated by the submission of the report within the required timeline. |                                                                                      |

**OPTIONS**

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

**CONCLUSION**

The Town of Port Hedland is required under the *Disability Services Act 1993* (WA) to have a Disability Access and Inclusion Plan ('DAIP') and report annually to the Department of Communities on the plan's implementation. The Access and Inclusion Plan 2023-2026 constitutes the Town's DAIP.

A DAIP report for the Department of Communities was prepared and submitted in July 2025 in the prescribed format. In addition, an annual report has been prepared on the Town's progress under the Access and Inclusion Plan 2023-2026, during the 2024-2025 financial year period.

As detailed in these reports and outlined above, significant progress has been achieved during this reporting period in the implementation of improvements to accessibility and inclusion in the Port Hedland community. From infrastructure upgrades to improved service provision, capacity building and community collaboration, through

its work in this space, the Town has demonstrated its commitment to a caring, connected and inclusive community.

**ATTACHMENTS**

1. Town of Port Hedland - DAIP Report 2024-2025 [**12.2.1.1** - 12 pages]
2. Access and Inclusion Plan Annual Report 2024-2025 [**12.2.1.2** - 5 pages]

## 12.3 Regulatory Services

|               |                                                                                                                                 |
|---------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>12.3.1</b> | <b>Scheme Amendment No. 6 to Local Planning Scheme No. 7<br/>- Short Term Rental Accommodation - Initiation for Advertising</b> |
|---------------|---------------------------------------------------------------------------------------------------------------------------------|

**Author:** Senior Strategic Planner

**Authorising Officer:** Manager Planning & Economic Development  
Director Regulatory Services

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

### OFFICER'S RECOMMENDATION

**That Council:**

- 1. In accordance with Section 75 of the *Planning and Development Act 2005* (PD Act) resolves to Prepare Amendment No. 6 of the Town of Port Hedland Local Planning Scheme No. 7, as shown in Attachment 1.**
- 2. In accordance with Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, determines that Amendment No. 6 of the Town of Port Hedland Local Planning Scheme No. 7 is a standard amendment for the following reasons:**
  - a. The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;**
  - b. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and**
  - c. The amendment is not considered a complex or basic amendment.**
- 3. Authorises the Mayor and the Chief Executive Officer, in accordance with Section 9.49a of the *Local Government Act 1995*, to execute under Common Seal Amendment No. 6 of the Town of Port Hedland Local Planning Scheme No. 7.**

***SIMPLE MAJORITY VOTE REQUIRED***

### PURPOSE

The purpose of this report is for Council to consider resolving to prepare (initiate) Amendment No. 6 of the Local Planning Scheme No. 7 (LPS 7) for the purposes of advertising.

## DETAIL

The purpose of Scheme Amendment No. 6 is to amend the Town's LPS 7 to incorporate the State Government's planning reforms for short-term rental accommodation uses.

Short-Term Rental Accommodation (STRA) refers to the practice of renting out a property or part of a property, to paying guests for stays of up to three months in duration. This type of accommodation, which is usually booked through online platforms, is popular among travelers and visitors seeking temporary lodging for holidays, business trips or other short stays.

STRA is either hosted - where the host lives on the property during the short-term stay, or unhosted - where guests have exclusive use of an entire dwelling, for example a whole house, villa or apartment.

The State government has developed planning and registration controls for consistency across local government planning schemes as well as alignment with the recently introduced *Short-Term Rental 2 Accommodation Act 2024* (STRA Act 2024). Amendments have also been made to the *Planning & Development (Local Planning Schemes) Regulations 2015* (Regulations) to provide greater consistency and certainty where planning approvals are required for STRA proposals.

The changes introduce a consistent set of definitions for STRA to be used within all local government planning schemes in Western Australia, to ensure that STRA is treated as a specific type of land use, distinct from 'traditional accommodation' such as hotels, motels and serviced apartments.

*Planning Bulletin 115/2024 Short-Term Rental Accommodation (STRA) – Guidance for Local Government* recommends amendments to local planning schemes to complement and align with new 'deemed' land use classes for short term rental accommodation be initiated as soon as possible to allow for development approvals to be obtained by 1 January 2026. Scheme amendments are mandatory for local governments, requiring incorporating two new STRA land use classes into the zoning table of a local planning scheme as:

- Including 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation'; and
- Deleting superseded land uses such as 'bed and breakfast' and 'holiday house'.

**Attachment 1 – Scheme Amendment Report** provides a detailed explanation of the proposed amendment and its justification, consistent with the State's direction as highlighted under the Planning Regulations and recommendations outlined under Planning Bulletin 115/2024.

The Town's Local Planning Strategy (2021) identified diversification of tourism accommodation as an area of focus. Scheme Amendment No. 6 therefore provides an opportunity to address this, whilst promoting short-stay accommodation to be located in higher amenity areas (such as Tourism, Centre, and Mixed-Use zones). Scheme Amendment No. 6 also ensures that any potential land-use conflicts with residential uses can be sufficiently managed through the development approval process.

Under the Regulations, the amendment is considered 'standard', and to progress it, the amendment must be referred to the Minister for Planning and then advertised to the public in accordance with the Planning and Development Act.

The scheme amendment report will be referred back to the Council after advertising for a final decision, then referral to the Minister for Planning for endorsement. The Amendment is largely a procedural matter for the Town to incorporate the new definitions and standards as outlined in **Attachment 1**.

### **LEVEL OF SIGNIFICANCE**

- In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because advertising will be undertaken in line with the Regulations.

### **CONSULTATION**

#### *Internal*

- Nil

#### *External Agencies*

- Prior to advertising, Amendment No. 6 is required to be referred to the Minister for Planning under section 83A of the Planning and Development Act 2005 for consent to advertise.
- Should Council and the Minister resolve to advertise the amendment, notice will be provided to any public authority the Town considers will be affected by the amendment.

#### *Community*

- Should Council and the Minister resolve to advertise the amendment, engagement will take place as required under Clause 47 the Regulations for a minimum period of 42 days, and consisting of:
  - Publication of a public notice in the North West Telegraph;
  - Display of the notice and a copy of the scheme amendment documentation for public inspection at the Town administration offices, at each library and on the Town website;
  - Providing the notice to any public authority the Town considers will be affected by the amendment; and
  - Providing the notice to any landowners whose property is considered to be directly affected by the amendment.
- Submissions received during the public advertising period will be presented back to Council for its consideration.

**LEGISLATION AND POLICY CONSIDERATIONS**

- *Planning and Development Act 2005*
- *Short-Term Rental 2 Accommodation Act 2024*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Planning Bulletin 115/2024 Short-Term Rental Accommodation (STRA) – Guidance for Local Government
- Town of Port Hedland Local Planning Scheme No. 7

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

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

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

Our Built and Natural Environment:

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

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

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:

Nil

**Corporate Business Plan**

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

Our Regulatory Services:

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

**RISK MANAGEMENT CONSIDERATIONS**

|                             |                                                                                                                              |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------|
| <b>Risk Type</b>            | Strategic                                                                                                                    |
| <b>Risk Category</b>        | Compliance                                                                                                                   |
| <b>Cause</b>                | Not proceeding with the amendment                                                                                            |
| <b>Effect (Consequence)</b> | The Town's Local Planning Scheme No. 7 is not consistent with the State planning framework, reducing clarity for future STRA |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | developers around the requirements for development approval. |
| <b>Risk Treatment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Endorsing the Officer Recommendation                         |
| <p>There is a Strategic risk associated with this item caused by not proceeding with the amendment, leading to the Town's Local Planning Scheme No. 7 not being consistent with the State planning framework, reducing clarity for future STRA developers around the requirements for development approval.</p> <p>The risk rating is considered to be Medium (8) which is determined by a likelihood of Likely (4) and a consequence of Minor (2).</p> <p>This risk will be treated by the endorsing the Officer Recommendation.</p> |                                                              |

## OPTIONS

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

## CONCLUSION

Scheme Amendment No. 6 is required to implement the State Government's planning reforms for short-term rental accommodation uses. The proposed amendment is considered to be a 'standard amendment' under the Regulations as it is consistent with the Local Planning Strategy. It is not considered that it will have significant adverse environmental, social or economic impacts. It is recommended that Council resolve to prepare (initiate) the proposed Scheme Amendment No. 6 for the purpose of public advertising.

## ATTACHMENTS

1. STRA Scheme Amendment Report [**12.3.1.1** - 15 pages]

|               |                                                                                                                                        |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <b>12.3.2</b> | <b>Application to Amend Development Approval for Temporary Workforce Accommodation on Lot 2 (No. 15) Dempster Street, Port Hedland</b> |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------|

**Author:** Coordinator Urban Planning

**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.

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

**That Council approves the application for an amendment to the Development Application 2022/191 (Reference No: 2022/191.01) in accordance with Clause 77 of the Planning and Development (Local Planning Scheme) Regulations 2015 and Town of Port Hedland Local Planning Scheme No. 7, subject to the conditions and advice notes contained in Attachment 1.**

***SIMPLE MAJORITY VOTE REQUIRED***

#### **PURPOSE**

The purpose of this report is for the Council to consider an application for amendments to a former development approval, application DA 2022/191, for the temporary 'Workforce Accommodation' on Lot 2 (No. 15) Dempster Street, Port Hedland. The application was approved by the Council at its Special Council Meeting on 15 May 2023, (CM202223/055) as per Attachment 3.

#### **DETAIL**

##### Site Context

The subject land is 3.23 hectares in area. The lot is located on the east side of the Port Hedland suburban area and abuts the foreshore reserve and dunes to the north. Immediately north-east of the subject site, are single, and two storey grouped dwellings. Properties abutting the west and south-west also contain single and two-storey grouped dwellings and a former recreation facility. The former recreation facility is presently privately owned. The land opposite Dempster Street is vacant, owned by BHP and will ultimately have housing constructed on it.

Community uses located within 300 metres from the subject site are:

- 'One Tree Len Taplin' childcare centre, located south-east on Dempster Street.
- YMCA Port Hedland Early Learning Centre located on the corner of Dempster Street and Keesing Street.
- Andrew McLaughlin Community Centre, located east on Keesing Street.
- Cooke Point Playgroup located east on Keesing Street.



Dempster street and immediate surrounding streets are local roads, connecting Keessing Street, Robinson Street, Thompson Street, Tinder Street, Corney Street, Sutherland Street and Anderson Street.



Image / Location Plan: Nearmap Aerial Photo - 14 May 2025

### Background

The subject lot was previously owned by the Commonwealth of Australia Department of Home Affairs. It was purchased in September 2022 by DA Campbell Property Holdings Pty Ltd.

The previously approved development application (2022/191) included the temporary use of the existing infrastructure as workforce accommodation for a period of five years until 30 April 2028, with conditions as outlined under Attachment 3.

The applicant has initiated the development approval and has met several conditions as outlined in Attachment 4.

### Summary of Proposal

The applicant proposal to amend the development approval (2022/191) is summarised as:

1. The main change sought is to Conditions 1 and 2 regarding the temporary approval period, from 30 April 2028 to 30 April 2033. This extension is sought due to delays in conditions clearance processes, alignment with broader strategic planning and redevelopment approach, and the need for sufficient time to complete feasibility investigations and secure funding for development works.

The change is supported as the applicant has made considerable progress towards complying with several planning conditions, including completed demolition of the 'J' block, the former high security building.

2. Other modifications are proposed to eight (8) conditions and deletions to five (5) conditions where the conditions are redundant due to actions completed in the original conditions.

As noted above the applicant has completed several of the conditions, which are now redundant. Officer comments and discussion on the proposed changes are outlined under Attachment 4.

#### Land Use Permissibility

**Condition imposed** - The temporary 'Workforce accommodation' use was approved by the Town under the provisions of the Scheme and *Planning and Development (Local Planning Schemes) Regulations 2015*. The use being temporary is supported for an extension of time, as the applicant has provided a draft structure plan for assessment, demonstrating an indicative future subdivision layout, zoning and density. The indicative development design is compatible with the surrounding residential uses.

Consideration of the structure plan will follow a separate process and will be referred to the Council for consideration in future, to make a recommendation to the Western Australian Planning Commission.

The temporary use of 'Workforce accommodation' does not conflict with the principles of orderly and proper planning or impact the structure planning process.

#### Urban Development Zone

The lot is zoned 'Urban Development' under LPS7. Clause 16 Zones / Table 3 – Zones Objectives, states the objectives as:

- *To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.*
- *To provide for a range of residential densities to encourage a variety of residential accommodation.*
- *To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.*

As the 'Workforce accommodation' use is not outlined under the use permissibility under the zoning table, the development did not expressly meet the objectives of

the zone. The Town applied Conditions 22 and 23, requiring the lodgment of a structure plan to govern the development outcome of the land. A draft structure plan has now been lodged with the Town for assessment.

#### Local Planning Policy No. 5 - Workforce Accommodation (LPP5)

The former application and use for temporary 'Workforce accommodation' was considered under the Town's LPP5, which states the objectives as:

- "1. To integrate workforce accommodation into the surrounding local environment through physical design and management measures which promote social cohesion.*
- 2. To ensure the application of design standards to workforce accommodation are commensurate with the development lifespan and location*
- 3. To encourage workforce accommodation to be located close to urban settings and commercial centres that ensures reciprocal benefits for the local community and local business from an integrated workforce accommodation facility.*
- 4. To support high-quality, adaptive and sustainable design of workforce accommodation that responds to regional climatic conditions, provides a high level of amenity for occupants and promotes articulated frontages that avoid sterile streetscapes.*
- 5. To facilitate workforce accommodation that is demonstrated to meet the temporary needs of a specific industry or project and allow decision makers to apply discretion regarding the duration (term) of approval, acknowledging it as a temporary and transitional use."*

The extension to the time for the temporary use is considered acceptable as the development is considered to meet the policy objectives for the reasons below:

- a) management measures encourage social integration of the workforce occupants and community, outlined under the Social Impact Management Plan;
- b) the development is located within the urban setting of the township area encouraging integration and reciprocal benefits for the community and local business; and
- c) the applicant has commenced upgrading the facilities on site, fencing and landscaping, providing a higher level of amenity for occupants and the surrounding community.

#### Community Contribution

**Condition imposed** - The former application was supported in 2023 subject to a condition requiring a contribution to community infrastructure, to be used locally. The contribution of \$63,840 was applied in reference to shared path infrastructure and has been paid by the applicant. As the applicant now seeks an extension of time to the development approval, a further contribution to community infrastructure in the area is contemplated, subject to Council approval. A further similar contribution amount is therefore recommended, totalling \$67,109 being the original contribution amount plus CPI.

The former contribution has been paid by the applicant and used for the provision on the Town's foreshore shared path project, located near the subject site. As further improvements and infrastructure are proposed for this location, a further contribution can be applied directly in this locality, as recommended above.

### **LEVEL OF SIGNIFICANCE**

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

- Significant - The extent to which the decision flows logically and consequently from a significant decision already made or from a decision in the strategic or annual corporate plans.

### **CONSULTATION**

Pursuant to Clause 64 of Schedule 2 of the Deemed Provisions under the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal was advertised for a period of 28 days, between 30 June 2025 and 28 July 2025 to the nearby residents/landowners within 200m radius and on the Town's webpage. The Town did not receive any submissions.

### **LEGISLATION AND POLICY CONSIDERATIONS**

- Planning and Development Act 2005.
- Planning and Development Act (Local Planning Scheme) Regulations 2015.
- Town of Port Hedland Local Planning Strategy.
- Town of Port Hedland Local Planning Scheme No. 7.
- Local Planning Policy 5 – Workforce Accommodation.
- Position Statement - Workforce Accommodation
- Local Planning Policy 05 - Workforce Accommodation (LPP/05)
- Local Planning Policy 06 - Social Impact Assessment (LPP/06)
- Local Planning Policy 11 - Stormwater Management (LPP/11)

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The proposal attracted a standard application fee of \$295. The application has been recommended for approval subject to a condition for a community contribution of \$67,109 for the extension of time from 5 to 10 years. The financial contribution will be subject to the Council's support for the application and applying the condition.

### **STRATEGIC SUSTAINABILITY IMPLICATIONS**

#### **Strategic Community Plan**

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

#### Our Community:

1.2.2 A residential workforce is promoted to industry as the preferred option.

Our Built and Natural Environment:

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

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

**Access and Inclusion**

Nil

**Corporate Business Plan**

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

Our Regulatory Services:

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

**RISK MANAGEMENT CONSIDERATIONS**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Risk Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Operational                                                                                                                                                     |
| <b>Risk Category</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Compliance                                                                                                                                                      |
| <b>Cause</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Non-compliance with conditions on the development approval.                                                                                                     |
| <b>Effect (Consequence)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Development not being compliant with the planning framework and the development approval.                                                                       |
| <b>Risk Treatment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Conditions of approval are clearly outlined, routine inspection by the Town can monitor the development in accordance with the development approval conditions. |
| <p>There is an operational risk associated with this item caused by the landowner/developer not meeting the conditions of the development approval, leading to the development not in compliance with the planning framework and the development approval.</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Likely (4) and a consequence of Minor (2).</p> <p>This risk will be accepted by the Town's ability to undertaken compliance action in accordance with the <i>Planning and Development Act 2005</i>.</p> |                                                                                                                                                                 |

**OPTIONS**

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

**CONCLUSION**

This report provides an assessment of the request made by the applicant to modify the approval for temporary 'Workforce accommodation' use at Lot 2 (No. 15) Dempster Street, Port Hedland. The proposed amendments, including a five-year extension to the approval period and modifications to specific conditions, are supported as outlined under Attachment 1 (Conditions) and Attachment 4 (Table of Officer Response to Proposed Amended Conditions). These changes are supported as several conditions have been complied with and actioned by the Applicant.

**ATTACHMENTS**

1. Conditions of Approval [**12.3.2.1** - 4 pages]
2. Proposal Cover Letter [**12.3.2.2** - 8 pages]
3. Special Council Meeting Minutes on 15 May 2023 [**12.3.2.3** - 21 pages]
4. Table of Officer Response [**12.3.2.4** - 9 pages]
5. Inspection Photos [**12.3.2.5** - 2 pages]

|               |                                                                                                                                                 |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>12.3.3</b> | <b>Application for development approval for Port Hedland power station expansion on Lot 255 (No. 53) Boodarie Station Access Road, Boodarie</b> |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------|

**Author:** Senior Urban 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.

**OFFICER'S RECOMMENDATION**

**That Council approves development application (reference no: 2025/053) in accordance with Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Town of Port Hedland Local Planning Scheme No. 7, subject to the conditions and advice notes contained in Attachment 1 and in accordance with the development plans contained in Attachment 2.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to consider an application for development approval for a proposed gas power station expansion and incidental works. The application is referred to Council for determination due to staff delegation to deal with applications being limited to development value below \$10 million. The proposed development value is \$150 million.

**DETAIL****Background**

APA Pilbara Holdings Pty Ltd (the applicant), seeks approval for the expansion of the gas fired power station at the Port Hedland power station, located in Boodarie (see Attachment 3 – Location plan).

**Summary of the proposal**

This application seeks approval for development of gas fired reciprocating engines with a total capacity of 95 Mega Watts. Incidental development includes:

- Engine halls to house the reciprocating engines, measuring 48 metres in width by nine metres in height;
- Engine auxiliary systems;
- Switch rooms, control rooms;
- Extensions to the existing workshop, office and warehouse facilities; and

- Civil works.

### Local Planning Framework

Local Planning Scheme No. 7

**Complies** - Development is located on land zoned 'Strategic Industry' under Local Planning Scheme No. 7 (LPS7). The objectives of the zone are as follows:

Strategic Industry: To designate industrial sites of State or regional significance.

The proposed development is defined as 'Industry' under LPS7, which is defined as follows:

means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes –

- (a) the storage of goods;*
- (b) the work of administration or accounting;*
- (c) the selling of goods by wholesale or retail;*
- (d) the provision of amenities for employees;*
- (e) incidental purposes*

The land use is listed under LPS7 with a land use permissibility of 'D'. This means that the local government may exercise its discretion and issue approval.

### Development Standards

Setbacks:

**Complies** - A minimum of six metres from the street boundary is required. Development is setback 120 metres to the Boodarie Station Access Road frontage and 20 metres from the nearest side boundary.

Landscaping and screening:

**Condition imposed** - A minimum of 10% of the total property area is required to be landscaped under Table 7 Additional requirements that apply to land in Scheme Area. A condition is recommended, requiring submission, approval and implementation of a landscaping plan. Officers consider tree planting along the road frontage to be sufficient, to assist in the screening of the development.

### Local Planning Policy 04 Percent for Public Art (LPP04)

**Condition imposed** - The purpose of LPP04 is for development to contribute to a sense of identity and place. This is especially pertinent when the built form is industrial and utilitarian in nature. Given the visibility of the development and that it will increase



the bulk and scale of the built form from public areas, and that it is not exempt development, a condition is recommended regarding the contribution of Public Art.

### **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*

- The proposal was not referred internally.

#### *External Agencies*

The proposal was referred to the following agencies:

- Development WA
- Main Roads WA
- Horizon Power
- Water Corporation
- Department of Jobs, Tourism, Science and Innovation

Correspondence was sent via email on 12 May 2025, and invited submissions until 15 July 2025, for a period of 64 days. No submissions were received.

#### *Community*

The proposal was referred to:

- Kariyarra aboriginal corporation
- Jenna livestock

Correspondence was sent via email on 12 May 2025, and invited submissions until 15 July 2025, for a period of 64 days. 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 Strategy

Town of Port Hedland Local Planning Scheme No. 7

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Assessment of the application is within the Town's operational budget and there are no additional financial impacts for the Town.

Any potential uplift in rating will be considered inline with the Town's Rating Strategy 2025-2030 and quarantined appropriately for funding future community infrastructure needs.

## STRATEGIC SUSTAINABILITY IMPLICATIONS

### Strategic Community Plan

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

#### Our Built and Natural Environment:

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

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* applies in relation to this item:

- Outcome 4 – Quality of Service

### Corporate Business Plan

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

#### Our Regulatory Services:

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

## RISK MANAGEMENT CONSIDERATIONS

|                                                                                                                                                                                                                    |                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Risk Type</b>                                                                                                                                                                                                   | Operational                                                                                                                                |
| <b>Risk Category</b>                                                                                                                                                                                               | Compliance                                                                                                                                 |
| <b>Cause</b>                                                                                                                                                                                                       | The developer not meeting the conditions of the development approval                                                                       |
| <b>Effect (Consequence)</b>                                                                                                                                                                                        | Development not being compliant with the planning framework and the development approval.                                                  |
| <b>Risk Treatment</b>                                                                                                                                                                                              | The risk is negated by the Town's ability to undertake compliance action in accordance with the <i>Planning and Development Act 2005</i> . |
| There is an Operational risk associated with this item caused by the developer not meeting the conditions of the development approval, leading to the development not being compliant with the planning framework. |                                                                                                                                            |

The risk rating is considered to be Low (4) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).

This risk will be treated by the Town's ability to undertake compliance action in accordance with the *Planning and Development Act 2005*.

### **OPTIONS**

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

### **CONCLUSION**

The proposed development is consistent with the local planning framework and in-keeping with the development aspirations of the area. Conditional approval is recommended.

### **ATTACHMENTS**

1. Attachment 1 Conditions [**12.3.3.1** - 3 pages]
2. Attachment 2 - Development plans [**12.3.3.2** - 2 pages]
3. Attachment 3 - Location plan [**12.3.3.3** - 1 page]

|               |                                                                                                                         |
|---------------|-------------------------------------------------------------------------------------------------------------------------|
| <b>12.3.4</b> | <b>Application for development approval for electricity transmission lines on various state government landholdings</b> |
|---------------|-------------------------------------------------------------------------------------------------------------------------|

**Author:** Senior Urban 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.

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

**That Council approves development application (reference no: 2024/143) in accordance with Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Town of Port Hedland Local Planning Scheme No. 7, subject to the conditions and advice notes contained in Attachment 1 and in accordance with the development plans contained in Attachment 2.**

***SIMPLE MAJORITY VOTE REQUIRED***

#### **PURPOSE**

The purpose of this report is for Council to consider an application for development approval for proposed aerial electricity transmission lines and incidental works. The application is referred to Council for determination due to staff delegation to deal with applications limited to development of a value below \$10 million. The proposed development value is \$22 million.

#### **DETAIL**

##### **Background**

APA Pilbara Holdings Pty Ltd (the applicant), seeks approval for the construction of a high voltage electrical transmission line from the Port Hedland power station, located in Boodarie, to Northern Star Resources Ltd (former De Grey Mining Ltd) Hemi Gold mine site project, approximately 65 kilometres to the south of the power station (see Attachment 3 – Location plan).

##### **Summary of the proposal**

This application seeks approval for development of aerial electricity transmission lines over seven (7) kilometres, within a crown lease area. The transmission lines are proposed to commence at the Port Hedland Power Station, located on the Boodarie Station Access Road and cross to the east of the Great Northern Highway. The infrastructure will then run parallel to the highway, located on Crown Land.

The development includes:

- Clearing of vegetation for the towers and incidental development;
- Transmission towers with an indicative height of between 40 and 70 metres, with a span of between 300 and 500 metres;
- Transmission poles with an indicative height of between 17 and 35 metres, with a span of between 100 and 300 metres; and
- A substation at the Port Hedland power station.

The remaining 58 kilometres of transmission lines will be constructed under approvals from the Department of Energy, Mines and Industry Regulation and Safety under the Mining Act 1978, through miscellaneous licences.

## Local Planning Framework

### Local Planning Strategy – Visual Protection Area

**Condition imposed** -The area subject of the proposal is characterised by a largely uninterrupted natural and rural vistas, featuring remnant bushland and flat plains. At present a small power transmission line exists with poles, not exceeding 10 metres in height, running parallel to the Highway. The Town's Planning Strategy identifies the importance of maintaining the amenity of the natural landscape along main roads such as the Great Northern Highway, stating a 200m visual protection area either side of the reserve.

The introduction of large lattice towers measuring between 40 and 70 metres and transmission poles between 17 and 35 metres, in the locations proposed will increase the bulk and scale of industrial features in an otherwise relatively natural vista. The transmission lines both intercept the 200m corridor, as well as sit outside this space. However, given the characteristics of the landscape and scale and nature of the proposed development, it is considered that the infrastructure will adversely impact amenity in the locality.

The applicant has provided a visual impact assessment prepared by Preston Consulting, contained under Attachment 4 – Visual Impact Assessment (VIA). The VIA report concludes:

*"As demonstrated in the visuals, the project is only likely to significantly affect the viewshed along Great Northern Highway in the northern section of the Project. These areas are however already heavily influenced by infrastructure such as roads and industrial facilities. The impacts of the project on visual amenity are therefore unlikely to be significant for the viewpoints assessed in this VIA. The project will not result in any significant visual impacts to sensitive locations such as South Hedland town site."*

Conclusions of the applicant's report are contrary to the Town's officer assessment. Management actions are not proposed, and officers consider that efforts should be made to minimise and/or offset the visual impact of the development with preparation of a Visual Landscape Management Strategy.

The Western Australian Planning Commission's policy document: *"Visual Landscape Planning in Western Australia - a manual for evaluation, assessment, siting and*

*design,"* guides the preparation and implementation of these strategies. Implementation may include one or more of the following options:

- Increase the setbacks of the infrastructure;
- Reduce the dimensions of the development;
- Place the infrastructure underground;
- Plant trees/vegetation forward of the transmission towers and incidental infrastructure; and/or
- Plant trees/vegetation closer to town to offset the impacted viewshed.

The Policy document is relevant to the assessment and considered under the *Planning and Development (Local Planning Schemes) Regulations 2015 section 67 'Consideration of application by local government'*. A condition is recommended to address visual landscape impacts.

#### Local Planning Scheme No. 7 - Zone Objectives and Applicable Land uses

Development spans over land zoned 'Strategic Industry' and 'Rural' and land reserved as 'Primary Distributor Road' under Local Planning Scheme No. 7 (LPS7). The objectives for each zone and reserve are as follows:

Strategic Industry: *To designate industrial sites of State or regional significance.*

Rural:

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

Primary Distributor Road:

*To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.*

The transmission lines and incidental development meets the objectives of LPS7 and recommended for approval subject to conditions.

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

The proposed development is defined as 'Works' under the *Planning and Development (Local Planning Schemes) Regulations 2015* as ancillary infrastructure to the operations of the APA Port Hedland Power Station ('Industry' land use) and the APA Solar Farm ('Renewable Energy Facility' land use).

The land uses are listed under LPS7 with a land use permissibility of 'D' and have been approved by the Town (power station) and State (RDAP – for the solar farm November 2022) for the existing facilities. The transmission lines and other works are not exempt under the Planning Regulations or other legislation and requires the approval of the Town.

#### Detailed Development / Management Plans

**Condition imposed** - The applicant has provided concept development plans for the project and yet to define detail and locations of infrastructure. The applicant has indicated that two locations are being considered for the substation addition to the Port Hedland Power Station located on west side of Great Northern Highway (GNH). The substation is recommended not be located within visual protection area of GNH. Whilst the development is supported, it is recommended that detailed plans and standard manage plans for traffic, construction be provided for approval prior to commencement of works (refer Attachment 1 - Conditions).

#### Local Planning Policy 04 Percent for Public Art (LPP04)

**Condition imposed** -The purpose of Town's Policy LPP04 is for all development to contribute to a sense of identity and place, unless exempt. This is especially pertinent when the built form is industrial and utilitarian in nature.

This development does not fall under the exemption provisions of the Policy for 'infrastructure works' (part 4.3), as this is defined to include only *coastal protection infrastructure, standalone civil works, footpaths and roads*.

Given the visibility of the development and that it will increase the bulk and scale of the built form from public areas, and that it's not exempted development, the Town's standard condition is recommended regarding the contribution of Public Art.

#### **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*

- The proposal was not referred internally.

*External Agencies*

The proposal was referred to the following agencies:

- Development WA
- Main Roads WA
- Horizon Power
- Water Corporation

Correspondence was sent via email on 18 June 2025, and invited submissions until 16 July 2025, for a period of 28 days. One submission was received from the Water Corporation with advice regarding possible approvals required. An advice note is recommended to this effect.

*Community*

The proposal was referred to:

- Kariyarra aboriginal corporation
- Jenna livestock

Correspondence was sent via email on 18 June 2025, and invited submissions until 16 July 2025, for a period of 28 days. 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 Strategy

Town of Port Hedland Local Planning Scheme No. 7

**FINANCIAL AND RESOURCE IMPLICATIONS**

Assessment of the application is within the Town's operational budget and any potential uplift in rating will be considered inline with the Town's Rating Strategy 2025-2030 and quarantined appropriately for funding future community infrastructure needs.



## STRATEGIC SUSTAINABILITY IMPLICATIONS

### Strategic Community Plan

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

#### Our Built and Natural Environment:

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

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

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

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

### ***Environmental***

*Nil*

### ***Economic***

*Nil*

### ***Social***

*The amenity of the landscape will be adversely affected if conditions are not imposed that address the built form.*

### **Access and Inclusion**

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

- Outcome 6 – Public Consultation

### **Corporate Business Plan**

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

#### Our Regulatory Services:

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

## RISK MANAGEMENT CONSIDERATIONS

|                      |                                                                       |
|----------------------|-----------------------------------------------------------------------|
| <b>Risk Type</b>     | Operational                                                           |
| <b>Risk Category</b> | Compliance                                                            |
| <b>Cause</b>         | The developer not meeting the conditions of the development approval. |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Effect<br/>(Consequence)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Development not being compliant with the planning framework and the development approval.                                                  |
| <b>Risk Treatment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | The risk is negated by the Town's ability to undertake compliance action in accordance with the <i>Planning and Development Act 2005</i> . |
| <p>There is an Operational risk associated with this item caused by the developer not meeting the conditions of the development approval, leading to the development not being compliant with the planning framework.</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).</p> <p>This risk will be treated by the Town's ability to undertake compliance action in accordance with the <i>Planning and Development Act 2005</i>.</p> |                                                                                                                                            |

## OPTIONS

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

## CONCLUSION

The proposed development is largely consistent with the local planning framework. Concerns regarding the adverse impact on the visual amenity from the Great Northern Highway can be adequately addressed through a condition that addresses visual landscape strategies. This is consistent with and can be guided by the State Government's Visual Landscape Planning in Western Australia. The development is recommended for approval subject to conditions outlined under Attachment 1.

## ATTACHMENTS

1. Attachment 1 Conditions [**12.3.4.1** - 3 pages]
2. Attachment 2 - Development plans [**12.3.4.2** - 5 pages]
3. Attachment 3 - Location plan [**12.3.4.3** - 1 page]
4. Attachment 4 - Visual impact assessment [**12.3.4.4** - 36 pages]

## **12.4 Infrastructure Services**

Nil

**12.5 Executive Services**

|               |                                 |
|---------------|---------------------------------|
| <b>12.5.1</b> | <b>Council Improvement Plan</b> |
|---------------|---------------------------------|

**Author:** Council Support Officer

**Authorising Officer:** Acting Chief Executive Officer

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

**OFFICER'S RECOMMENDATION**

**That Council:**

- 1. Note the progress of implementation of the Council Improvement Plan; and**
- 2. Request the CEO send the response letter to the Director General of the Department of Local Government, Industry Safety and Regulation per attachment 3, with a copy of this report and the updated progress report per attachment 1.**

***SIMPLE MAJORITY VOTE REQUIRED***

**PURPOSE**

The purpose of this report is for Council to note the progress of implementation of the Council Improvement Plan adopted on the 28 August 2024. A progress report will be presented to Council on a quarterly basis, and provided to the Department of Local Government, Industry Regulation and Safety (DLGIRS).

**DETAIL**

Between the 6 – 7 February 2024, the Town hosted representatives from the DLGIRS to conduct meetings with the Town's Executive Leadership Team, individual Elected Members, and Council.

Following the Department's visit, the Town received a letter directing the Town to consider and determine a suitable improvement plan. At the 28 August 2024 Ordinary Council Meeting, Council resolved to implement the Town's proposed Council Improvement Plan. Following this resolution, Town administration engaged with specialist consultants to form a scope of work and address components of the Council Improvement Plan based on the risk rating for each component. The rollout of the individual phases commenced in January 2025, and it is anticipated that completion of the plan will be within a 12-month period.

The Council are required to undertake considerable work in the implementation of the Council Improvement Plan over the 2025 calendar year, with a copy of the Ordinary Council Meeting quarterly report being provided to the department following the report being noted in the Ordinary Council Meeting minutes.

The implementation of the plan is being rolled out in phases, with phases 1 and 2 already before the Council in ways of training and new policies. The completion of these phases has been dependent on external presenter availability, the release of Communication Agreement per the Local Government Act reform process, as well as the availability of the Council to partake in sessions being run to satisfy the deliverables of the plan.

Town administration commenced the facilitation of phase 3 initiatives in May 2025, including;

- Understanding financial reports and WHS roles and responsibilities training,
  - WALGA sessions postponed due to Councillor availability.
- Leadership training for Elected Members,
  - Postponed due to Councillor availability.
- Major project reporting,
  - Currently completed for Major Capital Works, Enterprise Resource Planning Project and Asset Management Framework via the ARC Committee.
  - Council Workshop on 25 March 2025 to refine reporting as part of IPR Minor Strategic Review – Council Plan 2025-2035.
- Review workloads,
  - The CEO has reduced the number of briefings and aligned strategic requirements in consultation with the Council.

The Town received a letter from the Director General of the then DLGSC, now Local Government, Industry Regulation and Safety (LGIRS) on 14 April 2025 (attachment 2). This was provided to the Council in the Council Improvement Plan quarterly update to the 28 May 2025 Ordinary Council Meeting. A draft response is included for Council consideration (attachment 3).

## **LEVEL OF SIGNIFICANCE**

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

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

## **CONSULTATION**

### *Internal*

- Interim Chief Executive Officer
- Director Corporate Services
- Manager Governance
- EA to the CEO and Mayor

### *External Agencies*

- HWAdvisory
- WALGA

- LGIS
- DLGSC
- Professional Coaching Australia

*Community*

- Nil

**LEGISLATION AND POLICY CONSIDERATIONS***Local Government Act 1995**1.031 Council Policy – Policy Framework**Town of Port Hedland Standing Orders Local Law 2014***FINANCIAL AND RESOURCE IMPLICATIONS**

To date, the cost of consultancy work carried out on the improvement plan since the initial engagement with the Department of Local Government Sports and Culture is \$53,025. The 2025/26 Annual Budget has allowed \$50,000 in professional services for expenditure post July 2025.

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

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

Our Leadership:

4.1.1 Town of Port Hedland is represented and is an active contributor in international, national, state and regional forums and policy development.

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

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

**Access and Inclusion**

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

Nil

**Corporate Business Plan**

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

Our Corporate Services:

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

**RISK MANAGEMENT CONSIDERATIONS**

|                  |           |
|------------------|-----------|
| <b>Risk Type</b> | Strategic |
|------------------|-----------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Risk Category</b>                                                                                                                                                                                                                                                                                                                                                                                                                           | Compliance<br>Reputational                                                                                                                                                                                                                                                                |
| <b>Cause</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | Failure to comply with the Council Improvement Plan                                                                                                                                                                                                                                       |
| <b>Effect<br/>(Consequence)</b>                                                                                                                                                                                                                                                                                                                                                                                                                | Compliance – Failure to comply with the departments direction may result in further intervention or suspension of the local government<br>Reputational – Further intervention with or suspension of the Council will affect the public's confidence in the local government's operations. |
| <b>Risk Treatment</b>                                                                                                                                                                                                                                                                                                                                                                                                                          | Council to comply with the deliverables in the Council Improvement Plan                                                                                                                                                                                                                   |
| <p>There is a Strategic risk associated with this item caused by failure to comply with the deliverables within the Council Improvement Plan, leading to Compliance and Reputational consequences.</p> <p>The risk rating is considered to be Extreme (20) which is determined by a likelihood of Almost certain (5) and a consequence of Major (4).</p> <p>This risk will be mitigated by implementation of the Council Improvement Plan.</p> |                                                                                                                                                                                                                                                                                           |

## OPTIONS

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

## CONCLUSION

The Council is required by the department to fulfill the requirements of the Council Improvement Plan over a series of initiatives to be undertaken over 3 – 12 months of the date of adoption.

Failure to comply with proposals made by the Department could have negative impacts for the elected Council of the Town of Port Hedland with disciplinary actions resulting accordingly.

The Town administration will continue to provide the Council with support and guidance to address the concerns of the department and facilitate the necessary steps to satisfy the local government's governing body.

## ATTACHMENTS

1. CIMPP - Progress Report August 2025 [**12.5.2.1** - 12 pages]
2. Director General Response\_-\_ CEO Town of Port Hedland\_-\_ Improvement Plan Update 78 P S 0 Y 1 70 a 6 [**12.5.2.2** - 2 pages]
3. 20250806 DRAFT - LGIRS Director General Council Improvement Plan Response [**12.5.2.3** - 2 pages]

**13 New Business of an Urgent Nature (Late Items)**

Nil



## 14 Motions of Which Previous Notice has been given

Nil

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

### **PROCEDURAL MOTION**

**That Council close the meeting to members of the public as prescribed in section 5.23(2) of the Local Government Act 1995, to consider item 15.1 Town Debtors.**

***SIMPLE MAJORITY VOTE REQUIRED***

|             |                     |
|-------------|---------------------|
| <b>15.1</b> | <b>Town Debtors</b> |
|-------------|---------------------|

### **Reasons for Confidentiality**

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

e (iii) a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government

## **16 Closure**

### **16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday, 24 September 2025 commencing at 5:30 pm.

### **16.2 Closure**

There being no further business, the Presiding Member declared the meeting closed.