Town of Port Hedland

Unconfirmed

MINUTES

Ordinary Council Meeting

Date: **Wednesday 28 October 2026**

Time: **5:30pm**

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

Distribution Date: **2/11/2026**

The Chief Executive Officer recommends the endorsement of these minutes at the next Ordinary Council Meeting.

Signed: _____ Date: 03.11.2026

These minutes were confirmed at the Ordinary Council Meeting held on ...../...../.....

Signed: _____ Date: _____

(Presiding Person at the meeting which minutes were confirmed)

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1 Opening of Meeting

The Presiding Member declared the meeting open at 5:36pm.

2 Acknowledgement of Traditional Owners and Dignitaries

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

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 2014 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 2014 mobile telephones must be switched off and not used during the meeting.

3.1 Attendance

Elected Members:
Mayor Jacinta Behrend (Presiding Member)
Deputy Mayor Councillor Troy Melville
Councillor Rachael Baxter
Councillor Lorraine Butson
Councillor Frank Edwards
Councillor Russell McDowall
Councillor Jemma Scott
Councillor Sharon Todd

Administration:
Dale Stewart (Chief Executive Officer)
Ingrid Bishop (Director Corporate Services)
Lee Furness (Director Infrastructure Services)
Chaz Roberts (Acting Director Regulatory Services)
Anna Saville (Acting Director Community Services)
Renae Doyle (Manager Governance)
Sophie Marlow (Governance Support Officer)
Rhiannon Smith (Governance Support Officer)

Other:
Nil

Members of the Public:
One

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
Mayor Behrend	12.4.2	Impartiality	Lease Renewal Jabat Dance Incorporated. As I'm involved with Jabat as a parent of two children attending there.
Mayor Behrend	15.1.1	Impartiality	Due to my employer having made a contribution to the project and that in my capacity as a flashbackard Supervisor, I have no influence on such decisions
Deputy Mayor Councillor Melville	12.4.1	Impartiality	As an employee of BHP, I believe they made a significant contribution in the establishment of the GP housing back in the day.
Deputy Mayor Councillor Melville	15.1.1	Impartiality	As a BHP employee that made some contribution that's been referencing the report as my role as a team leader/supervisor has no bearing on the outcome of any of their decisions I'll declare the impartiality as well.

4 Applications for Leave of Absence

CM202627/240 COUNCIL DECISION

MOVED: Mayor Behrend **SECONDED: Cr Todd**

That Council approve the application of leave of absence for Cr Zoe Little for the period 28 October 2026 to 29 October 2026.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Behrend, Deputy Mayor Cr Melville, Cr Baxter, Cr Butson, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd

Against: Nil

5 Announcements by Presiding Member without Discussion

The Mayor's meetings for the month of September 2026:

Date	Meeting
2 September 2026	Town of Port Hedland hosted 'Sundowner': Meet and Greet Mayor and Councillors with Town of Port Hedland's Council Plan Key Stakeholders, Community Groups, Members and Industry Stakeholders and Town of Port Hedland's Elected Members and CEO, Dale Stewart.
5 September 2026	Karratha site visit with TLC Modular.
8 September 2026	Pilbara Music Festival 50th Anniversary Celebration.
9 September 2026	Renewed Strategy – Council Workshop 'Government Engagement Strategy' facilitated by GRA Partners with Elected Members and nominated Town of Port Hedland Executive Leadership Team.
11 September 2026	Regional Capitals Alliance WA (RCAWA): Board Meeting (videoconference).
16-17 September 2026	WALGA Local Government Convention 2026
17 September 2026	Northwest Defence Alliance (NWDA): Board Meeting (videoconference).
18 September 2026	Infrabuild Opening Day Celebration.
19 September 2026	Pilbara Community Services Excellence Awards 2026.
21 September 2026	Australian Citizenship Ceremony.
23 September 2026	Hedland Child and Family Safety Leadership Group Meeting
24 September 2026	Meeting with Minister for Child Protection, Hon Jessica Stojkovski MLA, CEO Dale Stewart, Director Community Services Alison Banks, and A/Manager Strategy and Communications Simon Cameron.
24 September 2026	Meeting with Commissioner Sue-Anne Hunter, National Commission for Aboriginal and Torres Strait Islander Children and Young People.
29 September 2026	Meeting with Hon Neil Thomson MLC, Shadow Minister for Aboriginal Affairs.

Introduction/opening statement

- Before I turn to the month's updates, I want to begin by acknowledging that this has been a difficult period for our community, and I think it is important that Council reflects on that tonight. Many in our community have been deeply affected by the ongoing reports concerning the safety and wellbeing of children in South Hedland, and by the investigation now under way.
- Every child in Hedland deserves to be safe, supported and cared for. Child protection is the responsibility of the State Government and its agencies, and those investigations must be allowed to run their course.
- But the wellbeing of children in our town matters to all of us, and the Town is engaged and prepared to support the State's multi-agency response and with community leaders to support children and families.

- We will continue to listen, to play our part, and to advocate strongly for the services and resources Hedland's children and families need.

Road safety

- I also want to acknowledge the tragic loss of a motorcyclist on our roads earlier this month. On behalf of Council, I extend our deepest sympathy to his family, his friends and everyone affected by this loss.
- The circumstances of the crash are being investigated, and it would be inappropriate to comment on them.
- However, the Town is advocating to Main Roads and the State to invest in the duplication of Wilson Street from Redbank Bridge to McGregor St, as well as a new bridge including a roundabout at Cook Point Drive intersection. The safety of our community is paramount, and we will continue to advocate for these improvements Against that backdrop, I also want to recognise that life in our community continues, and there is much that is positive to report.
- There has been plenty of excitement surrounding the opening of Running with Thieves later this week. It is a venue many people have been eagerly anticipating, and we look forward to seeing it open its doors and further strengthen Hedland's hospitality offering.
- Investments like this support local jobs, boost local economic activity and contribute to the vibrant, liveable community we are continuing to build.

JD Hardie Adventure Park

- An exciting development at the JD Hardy Adventure Park is nearing completion.

  This is a significant investment in community recreation and will soon provide an exciting, inclusive, and engaging space for local families, children, and visitors to enjoy. You may even see some elective members giving it a go.
- Thank you to Lottery's West and the Department of Creative Industries, Tourism, and Sport through the Playon program for helping bring this fantastic community asset to life

Cyclone season

- With cyclone season starting 1 November, I encourage all residents to take the time to prepare their homes and emergency plans.
- Cyclone preparedness is not something that can be left until the last minute. Every household has a role to play in ensuring they are ready before a warning is issued.
- A little preparation today can make a significant difference to your safety, your property and your peace of mind when severe weather arrives.

6 Response to Previous Questions

6.1 Response to Questions taken on notice from Elected Member at the Council Meeting held on 30 September 2026

Nil

6.2 Response to Questions taken on notice from Public at the Council Meeting held on 30 September 2026

Nil

7 Public Time

Important note:

In accordance with section 6.7(3) of the Town of Port Hedland Local Law on Standing Orders 2014, 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.

7.1 Public Question Time

The Presiding Member declared Public Question Time open at 5:44pm.

7.1.1	Ash Christensen

Question 1:

Has the Town obtained any independent legal advice confirming that the process or processes followed of the 26th of August ordinary council meeting constituted a valid adoption of the 2026/2027 Annual Budget under section 6.2 among others of the Local Government Act 1995? If so, will the administration make that advice available to the public or at least provide a summary of its conclusions and the legal basis upon its advice?

The Chief Executive Officer provided the following response:

Minutes Summary of Response:

The CEO advised that advice had been received regarding the matter. While the advice was provided by a government agency and did not constitute legal advice, it confirmed that no corrections to the minutes or further actions were required. The CEO expressed confidence in the advice received and indicated that he was comfortable making that advice available to Mr Christensen.

Question 2:

Madam Mayor, can you identify the exact point during the debate that took place on the 26th of August being the budget debate where Councillor Scott amended an emotion seconded was by Councillor Baxter was formally withdrawn, carried, lost or otherwise disposed of? Can you also identify the specific provision of the Town standing orders that authorises this action particularly given it was yourself that formally recognised the amendment recognise the mover and recognise the second.

Mayor Behrend took the question on notice.

Question 3:

Can you please explain how the speaking opportunities afforded to Councillor Melville and Councillor Scott complied with clause 9.8 of the Town standing orders? In particular, how Councillor Scott was afforded the mover's right of reply on an amendment that the administration I'm going off the administration's details that they put inside of the confirmed meeting minutes. Stated that the correct me if I'm wrong but the amendment was pretty much absorbed within the substantive motion and on top of that what procedural basis was Councillor Melville permitted to speak on providing the fact that the administration has stated that if it was absorbed therefore, we have now a Councillor speaking more than once on a motion which is in my eyes contrary to 9.8.

Mayor Behrend took the question on notice.

The Presiding Member declared Public Question Time closed at 5:48pm.

7.2 Public Statement Time

The Presiding Member declared Public Statement Time open at 5:48pm

7.2.1	Ash Christensen

Mr Christensen spoke to:

- Resident raised concerns regarding the process used to adopt the 2026/2027 Annual Budget at the 26 August Ordinary Council Meeting.
- Questioned whether the substantive budget motion was properly voted on following an amendment moved during debate.
- Sought clarification on how the amendment was dealt with and whether the process complied with the Standing Orders, including Clause 9.8.
- Emphasised the importance of accurate meeting records and procedural compliance.
- Requested administration provide an explanation, with reference to the meeting recording, Standing Orders and relevant legislation, demonstrating how the budget was lawfully adopted.

The Presiding Member declared Public Statement Time closed at 5:52pm.

7.3 Petitions / Deputations / Presentations / Submissions

Nil

8 Questions from Members without Notice

8.1.1	Cr Lorraine Butson

Question 1:

Can we please have an update on where we are at with the progress on verge and we cleanups in South Hedland.

The Director Infrastructure Services provided the following response:

A new contract was let, I think the council meeting before last and they have now commenced that contract. They're moving through, they did Wedgefield I think and they're now moving to South Hedland.

Question 2:

Thank you for the response on the rocks at the new Adventure Park. Is there any possibility that, I can take it on notice on how much the rocks did cost for the purchase of that facility?

The Director Infrastructure Services provided the following response:

I think I will have to take it on notice because I think some of them were already on the site which were reused and so I'll take that on notice.

Question 3:

I would like to read out a Facebook message that was given to me from a person that I did bring questions up at Council. It's from Vicky at 9 Jennis Way, the smoke issue. She would like to thank the Planning Department for sorting that issue out for her and she thanked me as well. So, I just thought that would be a nice thing to bring back to Council.

The other question she has asked in the message is wondering if properties are held accountable for their overhanging trees and branches in access walkways. The walkway is between near the Shay Gap Park.

The Chief Executive Officer provided the following response:

Thank you through the chair. Thank you for the bouquet. It's always pleasing to see, we'll make sure that's passed on to the team as well through the appropriate Director. In relation to the question of overhanging branches on PAWs, (public access ways) and walkways I'll refer that to the Director Infrastructure Services.

The Director Infrastructure Services provided the following further response:

Yes, we do send them a notice or depending on where the tree is we may cut it down ourselves. If she sends it through Snap, Send, Solve it will get looked at.

Question 4:

For our retired seniors and pensioners, I was going to ask if we could have a recognition for their community contribution to the years in our community. I asked through the chair that we have a morning tea ceremony to thank them for what they have contributed to our community and one of them is 108 years old. Mr. Stewart is currently 108, there's also a lot of people between the ages of 80 to 108 that have

been here all their lives, and their families have actually settled here and also the grandkids and things through the chair. Thank you.

Mayor Behrend provided the following response:

That's an amazing idea and thinking about those people within our community, it really does show the amazing longevity of our local residents. Working with the CEO, we can come to an arrangement that will recognise their contributions to the community.

8.1.2	Deputy Mayor Cr Troy Melville

Question 1:

In regard to your announcements Presiding Member, in reference to the advocacy, would the Mayor be prepared to consider a motion under Item 13 New Business of an Urgent Nature in regard to some advocacy around the Main Roads upgrade*?*

Mayor Behrend provided the following response:

Thank you, Deputy Mayor Melville. As the Presiding Member, I will allow this matter to be dealt with in Item 13 of this evening's agenda and in accordance with clause 5.5(1) of the Town of Port Hedland Standing Orders Local Law 2014.

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

The following Elected Members declared that they had given due consideration to all matters contained in the agenda:

Mayor Behrend

Deputy Mayor Cr Melville

Cr Baxter

Cr Butson

Cr Edwards

Cr McDowall

Cr Scott

Cr Todd

10 Confirmation of Minutes of Previous Meeting

CM202627/241 OFFICERS' RECOMMENDATION & COUNCIL DECISION

MOVED: Cr McDowall SECONDED: Cr Todd

That Council confirm that the Minutes of the Ordinary Council Meeting held on 30 September 2026 are a true and correct record.

CARRIED BY SIMPLE MAJORITY (7/1)

For: Mayor Behrend, Deputy Mayor Cr Melville, Cr Baxter, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd

Against: Cr Butson

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

There are no Committee reports this month.

12 Reports of Officers

12.1 Corporate Services

12.1.1	Statement of Financial Activity - September 2026
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. 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.

CM202627/242 OFFICERS' RECOMMENDATION & COUNCIL DECISION

MOVED: Cr Butson SECONDED: Cr McDowall

That Council with respect to the Statement of Financial Activity:

1. **Receives the Monthly Financial Report for the period ended 30 September 2026, as contained in Attachment 1;**
2. **Receives the Accounts Paid under delegated authority and Purchasing Card Statements for the period ended 30 September 2026, as contained in Attachment 2; and**
3. **Receives the 2026-2027 Capital Works Program Monthly Report for the period ended 30 September 2026, as contained in Attachment 3.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Behrend, Deputy Mayor Cr Melville, Cr Baxter, Cr Butson, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd

Against: Nil

PURPOSE

The purpose of this report is for Council to consider the Statement of Financial Activity for the period ended 30 September 2026. Supplementary information is also presented to Council to provide further information regarding the Town's activities.

DETAIL

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires the Town to prepare a monthly statement of financial activity showing financial performance against budget.

As part of the 2026-2027 Budget, Council adopted the following thresholds as levels of material variances for financial reporting:

- A variance of 10% or $50,000, whichever is greater, of the Year-to-Date budget of operational and capital expenditure requires explanation.
- The September Financial Report relies upon the opening balance from the 2025-2026 financial year, while still subject to Annual Audit.

The Statement of Financial Activity as at 30 September 2026 is reporting a YTD surplus of $92.9 million, which includes an $85 million operating surplus. The YTD operating

surplus is favourable to budget by 6.3% or $5 million, due to timing of YTD budgeted employee costs and materials and contracts spends.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance as the proposal or decision is not of a nature or significance that requires engagement.

CONSULTATION

Internal

- Executive Leadership Team
- Business Unit Managers

External

Nil

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

- Section 6.4 Financial Report

Local Government (Financial Management) Regulations 1996

- Regulation 34 Financial activity statement required each month

FINANCIAL AND RESOURCE IMPLICATIONS

The opening funding surplus of $8.4 million presented on the Statement of Financial Activity is as per the closing surplus of the unaudited June 2026 Financial Statements. The acquisition of Capital works was $6.2 million YTD, which is 13% less than YTD Budget of $7.1 million, due to timing of acquisition of Fleet and IT equipment.

The unrestricted cash is negative $5.1 million for September due annual rating income being due in October. Once rate income is received in October the negative unrestricted cash will reverse. The investment portfolio however is currently valued at $209.2 million with $31.1 million in liquid funds earning an average annual return of 4.99%.

The Accounts Paid under delegated authority totalled $10.7 million for September 2026. This included $8.6 million in general creditor payments, $1.87 million in payroll, $0.3 million in other routine payments such as loan, credit card, refund and merchant fee transactions.

This is favourable to the Adopted Budget by $4.9 million. This will be considered at the scheduled budget review in the third quarter.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan

The following sections of the Town's Council Plan 2025-2035 apply in consideration of this item:

Our Leadership

We are united in our actions to connect, listen, support and advocate, thereby leveraging the potential of our people, places and resources.
4.2 Transparent and accountable governance and financial sustainability.

Environmental

There are no significant identifiable environment implications related to this item.

Economic

There are no significant identifiable economic implications related to this item.

Social

There are no significant identifiable social implications related to this item.

Access and Inclusion

The Town's Access and Inclusion Plan 2023-2026 has been considered, with no access and inclusion implications identified.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial
Cause	There is an Operational, risk associated with this item due to a reduction in income or increase in expense throughout the 2026-2027 financial year.
Effect (Consequence)	Could impact the Town's ability to meet service levels or asset renewal funding requirements.
Risk Treatment	The Town's financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.
The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).	

OPTIONS

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

CONCLUSION

The September 2026 Statement of Financial Activity provides Council with a timely view of the Town's actual financial performance and position. Receiving the report supports Council's statutory oversight role.

ATTACHMENTS

1. Monthly Financial Report for the period ended 30 September 2026 [**12.1.1.1** - 19 pages]
2. Accounts Paid under delegated authority for the period ended 30 September 2026 [**12.1.1.2** - 58 pages]
3. Capital Listing Report for the period ended 30 September 2026 [**12.1.1.3** - 4 pages]

12.1.2	Port Hedland International Airport Rates Waiver
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.

CM202627/243 OFFICERS' RECOMMENDATION & COUNCIL DECISION

MOVED: Deputy Mayor Cr Melville SECONDED: Cr Butson

That Council with respect to the Waiver of Rates and Charges for the Port Hedland International Airport:

1. **Pursuant to Section 6.47 of the Local Government Act 1995, approve a waiver of $124,469.16 being the rates imposed over four parcels of land identified in the Port Hedland International Airport Head Lease as being eligible for a rates waiver; and**
2. **Approve a 30-day extension to the original rates payment due date of 15 October 2026 to the new date of 14 November 2026 and waivers the penalty interest for late payment for this period only.**

CARRIED BY ABSOLUTE MAJORITY (8/0)

For: Mayor Behrend, Deputy Mayor Cr Melville, Cr Baxter, Cr Butson, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd

Against: Nil

PURPOSE

The purpose of this report is for Council to consider waiving a portion of the rates imposed against the Port Hedland International Airport (PHIA) which comprises of a portion of rates which would not be payable under the terms and conditions of the PHIA Head Lease.

DETAIL

At the Special Council Meeting held 25 August 2015 report 7.1.2 Long-Term Lease (201516/025) awarded Tender 05/15 Port Hedland International Airport and subsequently on 11 March 2016, a 50-year lease was entered into with the Town of Port Hedland.

For the 2025-2026 to 2028-2029 triennial revaluation period, Landgate's Valuer General valued the entire airport precinct as a single valuation which contrasts to the valuation approach applied prior to 2025 where 46 sub-leased properties located at the airport precinct were valued individually.

For the 2025-2026 rating period a joint reconciliation undertaken between PHIA and the Town identified that the Airport Terminal Building and administration office was deemed to be applicable for a rates reimbursement or waiver. This decision relates to clause 17.1(c) of the Head Lease with PHIA, which states that the Town must reimburse the lessee for rates that are not used for commercial purposes and / or are not rated at the commencement of the lease.

The land parcels identified are:

Previous Assessment Number	Ven-number	Name	Address	Valuation prior to 2025
A407110	1967315-21	Terminal	50 Waldron Drive	$1,300,000
A406960	1967315-3	Terminal (kiosk)	22 Walden Drive	$13,520
A805200	1967315	Vacant land	Lot 435 Bayley Retreat	$100,000
A806870	1967315-36	Operational Yard	4 Pattersson Road	$17,160
Not rated at commencement of the Head Lease				$1,430,680

Landgate has deemed the valuation of $9,208,960 with equates to $801,180.00 in rates imposed for 2026-2027 on the entire airport precinct. This has activated the request from PHIA to waiver the eligible land parcels.

The rate in the dollar imposed in the 2026-2027 Annual Budget for GRV Airport is $0.08700 therefore the waiver equates to $124,469.16, which is made up of $1,430,680 valuation for the four (4) land parcels x $0.08700 rate in the dollar imposed, which equates to $124,469.16. The waiver will see a reduction in the forecasted revenue, with a total amount payable by PHIA being $676,730.84.

Since 2025-2026, PHIA has issued its own invoices for reimbursement from sub-lessees based on the Landgate valuation of all land parcels. In 2025-2026 rating year a 30-day extension of time to pay was requested by PHIA and approved by Council.

PHIA have again requested a 30-day extension of time, with the new payable date being 14 November 2026 to enable the Town to confirm the eligibility of the four (4) land parcels, and to seek approval from Council to waive the property rates and any applicable penalty interest. Penalty interest of 7% is applicable from 15 October until the rates are paid in full.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

Nil

External

- Landgate Valuer General
- Port Hedland International Airport

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

The following legislation applies to this report:

Local Government Act 1995

- Section 6.47 Concessions

"Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

*Absolute majority required."

Council Policy

- 2/020 Fees and Charges Waiver Policy

Port Hedland International Airport Head Lease.

FINANCIAL AND RESOURCE IMPLICATIONS

PHIA advised the Town of their request to waive the property rates within the required 35 day period.

The 2026-2027 Annual Budget rate revenue forecast for GRV Airport in $801,180.00

The waiver will see a reduction of forecast revenue of $124,449.16, with a total amount payable by PHIA being $676,730.84.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan

The following sections of the Town's Council Plan 2025-2035 apply in consideration of this item:

Our Leadership
We are united in our actions to connect, listen, support and advocate, thereby leveraging the potential of our people, places and resources.
4.2 Transparent and accountable governance and financial sustainability

Environmental

There are no significant identifiable environmental implications related to this item.

Economic

There are no significant identifiable economic implications related to this item.

Social

There are no significant identifiable social implications related to this item.

Access and Inclusion

The Town's Access and Inclusion Plan 2023-2026 has been considered, with no access and inclusion implications identified.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial
Cause	Issuing rates notice that is disputed.
Effect (Consequence)	Cashflow implications.
Risk Treatment	Agreement over rates waiver and apportionment.
There is an Operational risk associated with this item caused by disputing valuations on a rates notice, leading to unpaid rates. The risk rating is considered to be Medium (9) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3). This risk will be accepted by the waiving of a portion of rates that are eligible under the head lease.	

OPTIONS

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

CONCLUSION

The Town has assessed the PHIA requests for waiving rates apportioned to four (4) land parcels located on the PHIA precinct based on a Head Lease agreement. The Town has also supported the request to waive penalty interest imposed until 14 November with penalty interest to apply after this date if required.

The Town has confirmed the four eligible parcels of land eligible and will address the waiver in future at the time of issuing the PHIA rates notice annually.

ATTACHMENTS

Nil

12.1.3	2027 Meeting Dates - Council and Audit, Risk and Improvement Committee

Author: **Governance 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.

CM202627/244 OFFICERS' RECOMMENDATION & COUNCIL DECISION

MOVED: Deputy Mayor Cr Melville SECONDED: Cr Scott

That Council, pursuant to section 5.25(1)(g) of the Local Government Act 1995 adopts the 2027 Ordinary Council Meeting and Audit, Risk and Improvement Committee Meeting Dates as contained in Attachment 1, and requests the Chief Executive Officer to publish the adopted meeting dates on the Town of Port Hedland website.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Behrend, Deputy Mayor Cr Melville, Cr Baxter, Cr Butson, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd

Against: Nil

PURPOSE

For Council to consider and adopt the proposed 2027 Ordinary Council Meeting (OCM) and Audit, Risk and Improvement Committee (ARIC) meeting dates in Attachment 1.

DETAIL

Each year, Council adopts the schedule of OCMs and the ARIC meeting schedule of dates for the forthcoming calendar year in accordance with section 5.25(1)(g) of the Local Government Act 1995. Following adoption, the meeting dates, times and locations are publicly advertised on the Town's website in accordance with regulation 12(1) of the Local Government (Administration) Regulations 1996.

The proposed schedule of meeting dates provides certainty for Elected Members, employees and the community, supporting effective planning and participation throughout the year.

The meeting schedule has also been developed with consideration of the 2027 Local Government Ordinary Election, scheduled to be held on 16 October 2027.

The Chief Executive Officer Performance (CEO) Committee Review is a key governance process that supports Council in assessing the CEO's performance against agreed objectives, key performance indicators and strategic priorities. The review provides an opportunity to consider the CEO's achievements, leadership and contribution to the organisation, while identifying any areas for ongoing development and improvement. At the time of preparing this report, the dates for the next CEO Performance committee Review have not yet been confirmed and will be scheduled in consultation with the Committee.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 Significant Decision Making, this matter is considered to be of low significance because it relates to the annual scheduling of Council and ARIC meetings and does not substantially change existing operations, policies or community outcomes.

CONSULTATION

Internal

- Elected Members
- Executive Leadership Team
- Senior Leadership Team
- Governance Business Unit

External

Nil

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

The following legislation applies to this report:
Local Government Act 1995

- Section 5.25(1)(g) the giving of public notice of the date and agenda for council or committee meetings
- Section 5.8 Establishments of Committees

Local Government (Administration) Regulations 1996

- Regulation 12(1) In this regulation — meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.
- Regulation 12(2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —
  (a) ordinary council meetings;
  (b) ordinary council meetings; committee meetings.

Emergency Management Act 2005
Council Policy

- 1/019 Council Meetings and Forums

Council Policy 1/019 Council Policy relating to OCM's was adopted by Council at its meeting held on 30 September 2026. The policy provides that OCM are generally held on the last Wednesday of each month, commencing at 5:30 pm in the Town of Port Hedland Council Chambers.

Council does not convene an OCM in January, as this period is designated as a recess. The December 2027 OCM has been scheduled for 8 December 2027 to accommodate end of year public holiday arrangements and to ensure sufficient time for Council business to be completed prior to the Christmas and New Year period.

FINANCIAL AND RESOURCE IMPLICATIONS

There is no material financial or resource implications arising from adoption of the meeting schedule. Meeting administration will be undertaken within existing operational resources.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan

The following sections of the Town's Council Plan 2025-2035 apply in consideration of this item:

Our Leadership
We are united in our actions to connect, listen, support and advocate, thereby leveraging the potential of our people, places and resources.
4.2 Transparent and accountable governance and financial sustainability.
4.3 Effective delivery of services and infrastructure to meet community needs.

Environmental

There are no significant identifiable environmental implications related to this item.

Economic

There are no significant identifiable economic implications related to this item.

Social

There are no significant identifiable social implications related to this item.

Access and Inclusion

The proposed schedule supports access to meeting information through publication of adopted dates, agendas and minutes.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	The 2027 meeting schedule is not adopted or published.
Effect (Consequence)	Insufficient notice may affect meeting administration and public transparency.
Risk Treatment	Adopt and publish the 2027 Council and Committee meeting dates.
There is an operational risk associated with this item if sufficient notice is not provided to the public, Elected Members, and Administration. This may reduce transparency and stakeholder awareness of Council meetings and decision-making processes. The risk rating is considered Low (4), based on a likelihood of Rare (1) and a consequence of Moderate (4). The risk will be mitigated through the adoption and publication of the annual meeting schedule in accordance with legislative requirements.	

OPTIONS

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

CONCLUSION

Adoption of the proposed 2027 Ordinary Council Meeting and ARIC meeting dates will provide a clear schedule for Elected Members, employees and the community, support effective meeting administration and enable the Town to meet its public notice legislative obligations.

ATTACHMENTS

1. 2027 Meeting Dates - Council and ARIC [**12.1.3.1** - 1 page]

12.2 Community Services

There are no reports in this section.

12.3 Regulatory Services

There are no reports in this section.

12.4 Infrastructure Services

12.4.1	Lease Renewal - General Practitioner Housing

Deputy Mayor Cr Melville declared an Impartiality Interest in Item 12.4.1.

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

OFFICERS' RECOMMENDATION

That Council with respect to the Renewal of Leases – General Practitioner Housing:

1. **Review the current leases held by the Medical Practitioners for the properties 1 – 10/19 Dempster Street, Port Hedland and provide authorisation for the leases to be renewed at the current rate of $525.00 per/week for a 12-month term;**
2. **Request the Chief Executive Officer (CEO) to undertake a market review of the rental subsidy for consideration in the review of the Fee and Charges (and Rent) prior to adoption of the 2027/28 Annual Budget; and**
3. **Authorises the Mayor and CEO to sign and affix the common seal on the Lease agreement documents in accordance with Council Policy 1/014 Execution of Documents and Affixing the Common Seal and is keeping with the example lease reference in Attachment 3, and upon satisfaction to the CEO that the dwellings are occupied by a General Practitioner.**

CM202627/245 COUNCIL DECISION

MOVED: Deputy Mayor Cr Melville SECONDED: Cr Scott

That Council with respect to the Renewal of Leases – General Practitioner Housing:

1. **Review the current leases held by the Medical Practitioners for the properties 1 – 10/19 Dempster Street, Port Hedland and provide authorisation for the leases to be renewed at the rate of $600.00 per/week for a 12-month term;**
2. **Request the Chief Executive Officer (CEO) to undertake a market review of the rental subsidy for consideration in the review of the Fee and Charges (and Rent) prior to adoption of the 2027/28 Annual Budget, including the requirement to do a expression of interest review of general practitioner housing needs every three years as a matter of principle; and**
3. **Authorises the Mayor and CEO to sign and affix the common seal on the Lease agreement documents in accordance with Council Policy**

1/014 Execution of Documents and Affixing the Common Seal and in keeping with the example lease reference in Attachment 3, and upon satisfaction to the CEO that the dwellings are occupied by a General Practitioner.

CARRIED BY ABSOLUTE MAJORITY (8/0)

For: Mayor Behrend, Deputy Mayor Cr Melville, Cr Baxter, Cr Butson, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd

Against: Nil

Reasons for Change:

Council considered that rental arrangements should remain fair and reasonable while continuing to support the attraction and retention of GPs in Hedland. The rental increase was considered justified and still represented a subsidised arrangement compared with market rates.

Council also wished to ensure flexibility should new GP providers enter the market or existing providers seek to expand their services. To support this objective, Council resolved that the Town undertake an Expression of Interest process at least every three years to test the market and ensure all suitable providers have an opportunity to be considered. This approach helps ensure the Town continues to achieve its objective of attracting and retaining quality GP services for the community.

PURPOSE

The purpose of this report is for Council to consider the renewal of the General Practitioner Housing leases located at 1 – 10/19 Dempster Street, Port Hedland for a period of 12 months with the current weekly rental of $525.00 per/week to be applied.

DETAIL

During the mining boom from early 2010s, it was identified by the Town that the housing crisis was significantly impacting the ability for medical services to attract key personnel to Port Hedland. The average cost of market rentals meant that general practitioner centers located locally were unable to provide adequate numbers of medical professionals to meet the demand that the boom placed on the industry. As such, the Town of Port Hedland, in conjunction with funding from BHP and Royalties for Regions, commenced a housing project in 2012 that consisted of 10 3x2 & 4x2 homes, developed and built at 19 Dempster Street, Port Hedland for the specific purpose of providing practices access to purpose-built housing at a reduced rental value. These properties are known specifically as General Practitioner Housing or "GP" Housing. The properties have maintained ongoing tenancies since 2014. The applied rental amounts are significantly discounted in line with annual market appraisals to allow the ongoing allocation of housing to support local medical practices and provide health services to the wider community. The rental amounts are reviewed and approved by Council for the ongoing 12-month term which is reviewed annually.

The properties are currently occupied by the below tenants, all of whom have requested a renewal of lease at the current value of $525.00 per week. In line with the Residential Tenancy Act 1987 (WA), Tenants were contacted in writing to confirm that they would like to renew the existing leases upon the expiry date. Previously, a market rental appraisal was requested and provided to the CEO for review and

consideration. As we are working through internal processes to ensure compliance, delegation and legislation are correctly applied, the Lessees' that were anticipating a lease renewal in June, were advised that their leases would remain in holdover as the renewal of the leases and the rental amount would need to go before Council for review and consideration. All current leases have been included in this report for Council to consider and if supported, provide approval of the proposed rental amount.

Systems improvements are underway within the Town's operations to ensure increased lead time is activated for items that require Council consideration and approval and improve customer experience for tenants with leases up for renewal.

Dempster Street	Lessee	Agreement Expiration	Rent per week
1/19	Pilbara Medical Holdings	31 October 2026	$525.00
2/19	Pilbara Medical Holdings	31 October 2026	$525.00
3/19	RDG 6 Pty Ltd	15 June 2026	$525.00
4/19	Wirraka Maya	31 October 2026	$525.00
5/19	Pilbara Medical Holdings	31 October 2026	$525.00
6/19	Pilbara Medical Holdings	31 October 2026	$525.00
7/19	RDG 6 Pty Ltd	15 June 2026	$525.00
8/19	Wirraka Maya	31 October 2026	$525.00
9/19	Pilbara Medical Holdings	31 October 2026	$525.00
10/19	Pilbara Medical Holdings	10 November 2026	$525.00

As outlined, the current rental amount for each property is $525.00 p/week. In 2024, the rental amount of $825.00 p/week was in place. In 2025, a request was received from the Lessees to reduce the rental amount as they could not continue to retain practitioners while paying the agreed rental value. The request to reduce the amount was reviewed and approved, and a decreased rental amount of $525.00 was set for the 12-month period 25/26.

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

- Director Infrastructure Services
- Leasing Officer

External

- Hedland First National Real Estate Rental Appraisal

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

The following legislation applies to this report:

Local Government Act 1995 (WA)

- Section 3.58 Disposing of property
- Section 6.16 Imposition of fees and charges

Local Government (Functions and General) Regulations 1996 (WA)

- Regulation 30.2 (2)(b) Dispositions of property excluded from Act s. 3.58

Residential Tenancy Act 1987 (WA)

The Proposed renewal of the General Practitioner section subject to the provisions of the Local Government Act 1995 (WA) relating to the management and leasing of local government property. Council has the authority to grant and renew leases over local government property and must ensure that its decisions are made in a manner that is transparent, accountable and in the best interests of the community.

The continued provision of subsidised housing for medical practitioners supports the Town's objective of facilitating essential health services for the local community and is consistent with Council's functions under the Act to provide for the good government of persons within its district.

Council Policy

- 1/014 Execution of Documents and Affixing of the Common Seal

FINANCIAL AND RESOURCE IMPLICATIONS

Based on the attached appraisals in attachment 1 and 2 and in line with current properties either leased or available on the market of a similar build, the properties, a mixture of 3x2 bedroom/bathroom & 4x2 bedroom/bathroom would be advertised for rent for between $1,550.00 - $1,900.00 per week.

While this would provide significant revenue for the Town, the impact on the General Practitioners would be unsustainable in attempting to cover the rental costs of more than 3 times the current agreed rental amount.

The ongoing rental amount of $525.00 would continue to provide a rental income of approximately $273,000 per annum with all 10 properties leased and maintained by the tenants.

While the Town completes the following annual scheduled maintenance: RCD testing, smoke detector testing, termite inspections, & air conditioner servicing, it is the responsibility of the tenant to maintain lawns, general cleanliness of the property, & to report any maintenance issues identified that require rectification or replacement of fixtures and fittings due to end of life or through standard wear and tear. Details of roles and responsibilities are captured in the Annexure 5 Maintenance Schedule within the draft lease attached.

The Town will be providing a rental subsidy of between $533,000 and $715,000 (per annum) to ensure continuation of GP services to the community.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan

The following sections of the Town's Council Plan 2025-2035 apply in consideration of this item:

Our Leadership
We are united in our actions to connect, listen, support and advocate, thereby leveraging the potential of our people, places and resources.
4.3 Effective delivery of services and infrastructure to meet community needs

Environmental

The proposed renewal of the current leases remains administrative in nature and relates to the continued occupation and use of the purpose-built General Practitioner housing. There are no proposed changes to the land or building use, or any changes or modifications to the building footprints.

Economic

Currently, all 10 properties are leased and occupied by GP's. If the Town were to increase rental charges in accordance with the market appraisal, there is a risk that some tenants may elect not to renew their lease agreements. Given the specialised nature of the accommodation, the Town would likely need to undertake a new Expression of Interest (EOI) process to identify eligible practitioners. As the most recent EOI process appears to have been undertaken approximately three years ago, current market demand has not been recently tested, and there is no guarantee that vacant properties would be readily filled, particularly where higher rental costs apply. Extended vacancies could impact the availability of GP services to the community and result in ongoing holding and maintenance costs for the Town, together with reduced rental revenue.

Social

The renewal of the leases will allow the local practices to continue to support the wider community with ongoing availability of doctors delivering much needed health services. Supporting the renewal of the leases at the same rental amount of $525.00 per week will ensure the properties remain affordable and are utilised for the agreed purpose.

Access and Inclusion

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

• Outcome 4 – Quality of Service

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Reputational
Cause	Negotiations to renew the current and expired leases for the General Practitioner housing 1-10/19 Dempster Street.

Effect (Consequence)	Review and consideration of increasing the current rental amount of $525.00 per week payable by the Lessee's may expose the Town to adverse publicity and reputational damage if the increase negatively impacts General Practitioners from continuing to provide necessary services within the Town.
Risk Treatment	Support the negotiation of the renewal of all leases for 1-10/19 Dempster Street for continued rental amount of $525.00 per week for each rental property for a 12-month period.
There is a Strategic risk associated with this item caused by not renewing and entering into a negotiated lease leading to a potential loss of GP services and reputational damage within the community. The risk rating is considered to be High (12) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3). This risk will be eliminated by the negotiation and execution of a 12-month lease agreement between the Town and the existing Practitioners for an agreed weekly rental amount of $525.00.	

OPTIONS

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

CONCLUSION

The general practitioner housing stemmed from a collaboration between the Town of Port Hedland and BHP to ensure medical practices can continue to provide and support services within the wider community. The ability to secure long term, affordable accommodation for their practitioners in partnership with the Town is invaluable and a positive achievement that is of benefit to the entire community.

ATTACHMENTS

1. Rental Appraisal - 3x2 1-10/19 Dempster Street, Port Hedland [**12.4.1.1** - 1 page]
2. Rental Appraisal - 4x2 1-10/19 Dempster Street Port Hedland [**12.4.1.2** - 1 page]
3. Lease Agreement - Pilbara Medical Holdings [**12.4.1.3** - 27 pages]

12.4.2	Lease Renewal - Jabat Dance Incorporated

Mayor Behrend declared an Impartiality Interest in Item 12.4.2.

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

CM202627/246 OFFICERS' RECOMMENDATION & COUNCIL DECISION

MOVED: Cr Scott **SECONDED: Cr Todd**

That Council with respect to the Lease Renewal Jabat Dance Incorporated:

1. **Approves the request to proceed with the negotiation of a new lease agreement for a 3-year term with the option for two further 1-year terms with an initial annual fee of $214.50 (as per the adopted Fee and Charges Schedule and as amended from time to time); and**
2. **Authorise the Mayor and Chief Executive Officer to sign the Lease agreement documents in accordance with Council Policy 1/014 Execution of Documents and Affixing of the Common Seal and is keeping with the Town's proforma not for profit lease template.**

CARRIED BY SIMPLE MAJORITY (7/1)

For: Mayor Behrend, Deputy Mayor Cr Melville, Cr Baxter, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd

Against: Cr Butson

PURPOSE

The purpose of this report is for Council to consider entering into a new lease with Jabat Dance Incorporated (Jabat) over a portion of Reserve 34344, Lot 3278 Tinder Street, Port Hedland, which is vested for the purpose of Recreation and Parking.

DETAIL

Reserve 34344 is placed under the care, control and management of the Town by way of a management order, for the purpose of "dance lessons, fitness activities, voting booths, local stall markets, fund raising events reasonably ancillary thereto. The Town has the approval to lease the reserve, for any term not exceeding 21 years, subject to the Ministers Approval.

The current lease between the Town and Jabat commenced 20 October 2021 for a term of three (3) years with an additional two (2) twelve (12) month options, and expired on 19 October 2026, with no further term options available.

Jabat has expressed interest in renewing the lease for a further three (3) years, with an additional two (2) twelve (12) month options. Systems improvements are underway within the Town's operations to ensure increased lead time is activated for items that require Council consideration and approval and improve customer experience for tenants with leases up for renewal.

The Andrew McLaughlin Centre could be used as an evacuation centre for any event other than a cyclone. The current lease includes the following covenant:

"The parties covenant and agree to the following:

a) In the case of an emergency, the Lessee must permit entry by the Lessor and any relevant emergency response agencies onto the Premises for the use and occupations of members of the community who have been displaced as a result of that emergency (Welfare Centre);

b) The Lessor shall use reasonable endeavours to notify the Lessee as soon as practicable of its intent to the Premises as a Welfare Centre;

c) The Lessor may store essential items at the Premises at all times, for the use in the Welfare Centre during emergencies, as reasonably determined by the Town to serve that purpose;

d) After an emergency event, the Lessor shall clear and clean the Premises to return to the state it was in before entry and occupation of the Premises due to the emergency, and notify the Lessee as soon as that occurs; and

e) During an emergency, the Lessor will use reasonable endeavours to ensure the Lessee's possessions within the Premises are not damaged."

This covenant would be required to be included in the new lease as advised by the Manager Environmental Services and agreed to by Jabat.

There are no current plans in place for this parcel of land.

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

- Manager Environmental Services
- Manager Planning and Economic Development

External

- Jabat Dance Incorporated

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

The following legislation applies to this report:

Local Government Act 1995

- Section 3.58 (1) Disposing of Property
- Section 6.16 Imposition of fees and charges

Local Government (Functions and General) Regulations 1996

- Section 30 (2)(b) the land is disposed of to a body, whether incorporated or not –
  (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature;
  and
  (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions.

In accordance with Council Policy 5/02 Community Leasing the Lessee remains eligible for reduced rent. This included consideration of strategic alignment, community benefit, facility utilisation, asset sustainability, and the capacity of the applicant organisation to maintain and manage the leased premises. The Community Rental is consistent with the original terms of the agreement for management of the facility.

Council Policy

- 1/014 Execution of Documents and Affixing of the Common Seal

FINANCIAL AND RESOURCE IMPLICATIONS

The proposed lease arrangement will have no impact on the Town as the current lease is a Community Lease and references the current Fees and Charges Schedule, being $214.50.

A market rental appraisal was completed by Hedland First National and outlined an appraisal range of $6,500.00 - $7,500.00 plus GST per month, which equates to approximately $85,800.00 - $90,109.00 including GST. The Town would be subsiding the rental by up to $89,894.50 including per annum.

Existing property management and lease administration resources will be utilised with no additional staffing or operational allocation necessary.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan

The following sections of the Town's Council Plan 2025-2035 apply in consideration of this item:

Our Community
We honour our people and our cultural heritage – ensuring wellbeing, diversity, creativity and strong civic engagement and dialogue.
1.4 Well-utilised and valued community facilities and services

Environmental

There are no significant identifiable environmental implications related to this item.

Economic

There are no significant identifiable economic implications related to this item.

Social

The renewal of the current lease will allow Jabat to continue to provide and offer positive social interaction and outcomes to the community for the foreseeable future.

The dance company has significant memberships and continues to deliver and provide access and opportunities for talented dancers across the region.

Access and Inclusion

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

- Outcome 2 – Buildings and Facilities

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Reputational
Cause	Request to renew the lease that is due to expire on 19 October 2026 with the existing proponent.
Effect (Consequence)	As there is a current lease between Town of Port Hedland and Jabat Dance Company Inc, the Town may be exposed to adverse publicity and reputational damage if the lease is not renewed.
Risk Treatment	Support the negotiation of a renewal of lease with Jabat Dance Inc for $214.50 per/annum, taking into consideration their long-standing presence in the community and the opportunities made available for the members involved.
There is a Strategic risk associated with this item caused by not negotiating the renewal of the current lease, leading to potential reputational damage within the community. 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 negotiation and execution of an agreed term Lease between the Town and Jabat.	

OPTIONS

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

CONCLUSION

Jabat is an established company that provides opportunities for residents to engage in social activities and be involved in community-minded activities. The company provides a place to learn and improve skills, teaches discipline and respect, and can lead to opportunities in the entertainment industry or within the company itself. The adoption of this item would allow Jabat the ability to continue to operate and provide a unique recreational activity to the wider community.

ATTACHMENTS

1. Rental Report - 45 Keesing Street Port Hedland WA 6721- Andrew McLaughlin Centre [**12.4.2.1** - 7 pages]
2. Lease - Jabat Dance Incorporated [**12.4.2.2** - 42 pages]

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

OFFICERS' RECOMMENDATION

That Council with respect to the Port Hedland Observation Tower:

1. **Notes the findings contained within Attachment 1 regarding the condition of the Port Hedland Observation Tower, including the indicative scope and costs associated with restoring and reopening the facility, and notes demolition and conversion of the site to landscaped public open space as an alternative option; and**
2. **Request the Chief Executive Officer to present a future report to Council for consideration on community engagement and sentiment as to the retention verses demolishing by the 30 April 2027.**

CM202627/247 COUNCIL DECISION

MOVED: Deputy Mayor Cr Melville SECONDED: Cr McDowall

That Council with respect to the Port Hedland Observation Tower:

1. **Notes the findings contained within Attachment 1 regarding the condition of the Port Hedland Observation Tower, including the indicative scope and costs associated with restoring and reopening the facility; and**
2. **Request the Chief Executive Officer to present a future report to Council for consideration on community engagement and sentiment as to the retention verses demolishing by the 30 April 2027.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Behrend, Deputy Mayor Cr Melville, Cr Baxter, Cr Butson, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd

Against: Nil

Reasons for Change:

Council removed the reference to demolition at this stage and resolved to undertake community engagement before considering the future of the Observation Tower.

PURPOSE

The purpose of this report is for Council to consider the findings of the Port Hedland Observation Tower investigations, the scope and indicative cost of works required to restore and reopen the facility, and alternative long-term management options, including demolition and landscaping of the site as public open space. The restoration cost estimates are high-level only and are provided for planning and future budget consideration. The final project scope, cost and delivery approach would be subject to detailed design, approvals, procurement and further Council consideration.

DETAIL

The Port Hedland Observation Tower is a Town-owned community asset located on Crown reserve land at 13 Wedge St, Port Hedland and is managed by the Town of Port Hedland under a management order.

To better understand the condition of the structure and determine the works required to enable its safe reopening, the Town engaged AIE Engineering to undertake a detailed investigation of the Observation Tower. The facility has been closed to public access due to concerns regarding the condition, structural integrity, and safety of the asset.

At the Ordinary Council Meeting held on 29 April 2026, Council considered a report regarding the future management of the Observation Tower. The report outlined the condition of the asset, its heritage and community significance, identified safety risks, and potential future management options. Council subsequently endorsed progressing further investigations and planning activities to better understand the remediation requirements, compliance obligations, project costs, funding opportunities and long-term management approach for the asset.

Following Council's endorsement, the Town engaged AIE Engineering to undertake a detailed invasive technical investigation, structural assessment, BCA compliance review and cost planning exercise. The purpose of this work was to confirm the extent of deterioration, identify the works required to restore the structure, assess compliance requirements and prepare indicative cost estimates to support future decision-making

Work was also undertaken to understand the indicative cost of demolishing the Observation Tower and landscaping the site as public open space. This information has been included to support Council’s consideration of the alternative recommendation should Council wish to pursue demolition as the preferred long-term management option.

The investigation found a number of structural deficiencies and deterioration issues require intervention before the tower can safely be reopened to the public. The report identified deterioration affecting structural bracing, platform support members, ladders, barriers, floor plates and other access components.

The report categorised the required works into three categories:

Make-Safe or Urgent Works: are those required to address immediate structural deficiencies and make-safe requirements while the tower remains closed, including deteriorated members requiring interim support, stabilisation, repair or replacement, and controls needed to maintain public safety

Upgrade or Mandatory Compliance Works: are those required before the tower can be recommissioned for public use, including structural upgrades, BCA and access-related modifications, replacement of deficient barriers, floor plates, ladders and platform support members, and any works required to achieve certification or an approved Performance Solution

Maintenance or Discretionary Works: are works that support the long-term presentation, durability, amenity or enhancement of the asset but are not the primary driver for making the structure safe or compliant for reopening.

The scope of works remains preliminary and has been informed by the AIE Engineering investigation, Building Code of Australia review and cost planning exercise. The works are subject to detailed design, approvals, and procurement.

Work Category	Indicative Scope of Works
Make-Safe or Urgent Works	Works required to address immediate make-safe requirements while the tower remains closed, including engineered interim or permanent treatment of deteriorated eastern members at Levels 5 and 6; temporary support, stabilisation, repair or replacement where required; investigation and temporary sealing of water ingress into primary tubular members; maintaining closure of the tower; and restricting access beneath affected areas until refurbishment works are progressed.
Upgrade or Mandatory Compliance Works	Works required before the tower can be recommissioned for public access, including strengthening the deficient lower-level east and west diagonal bracing; reinstating the detached ground-level east horizontal brace; repairing local holing and corrosion in the Level 4 tower leg; strengthening, repairing or replacing deficient platform support members at Levels 4 and 5; completing permanent repairs to deteriorated eastern members at Levels 5 and 6; replacing the Level 5 to 6 ladder; replacing deteriorated floor plates at Levels 4 to 6; replacing and upgrading barriers; addressing BCA and access-related requirements for stairs, landings, barriers, handrails, tactile indicators, slip resistance and lighting where required; preparing Performance Solutions where full Deemed-to-Satisfy compliance cannot be achieved; and preparing detailed engineering drawings, specifications and certification documentation.
Maintenance or Discretionary Works	Works that support presentation, durability, amenity and long-term asset management, including local corrosion repairs not otherwise included in make-safe or mandatory compliance works; replacement of deteriorated bolts where required; inspection of concealed surfaces exposed during the works; preparation and recoating of retained structural steelwork; coating maintenance; and any additional enhancements identified through detailed design that are not essential to making the tower safe or compliant for reopening.

Assumptions

- The scope and cost estimates are based on the AIE Engineering investigation, BCA assessment and cost plan available at the time of preparing this report.
- The tower will remain closed to public access until the required make-safe, upgrade, compliance and certification works have been completed.
- Additional defects may be identified once works commence and concealed areas are exposed.

- Cost estimates are provided for planning and budgeting purposes only and will require validation through procurement and market engagement.

Exclusions

- Detailed design, final engineering certification, statutory approvals and any required Performance Solution documentation are excluded from the current investigation stage.
- Future operational costs, ongoing maintenance budgets, activation programming and long-term asset management decisions are excluded from the current scope.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- Director Infrastructure Services
- Manager Infrastructure Projects and Assets
- Project Manager
- Principle Economic Development & Tourism
- Coordinator Visitor Services
- Senior Funding & Partnerships Officer

External

- AIE Engineering

Community

The Community has not been consulted and give the amount has not been accessible for at least 36 years, the question must be asked is demolition a viable option. Therefore, proposed community engagement exercise to ascertain the community appetite for retention or option to demolish.

LEGISLATION AND POLICY CONSIDERATIONS

There are no significant legislative or policy implications arising directly from this item. Any future procurement, funding, approvals, or works resulting from Council's decision will be undertaken in accordance with the relevant provisions of the Local Government Act 1995, associated regulations, and applicable Town policies.

Council Policy

- 8/005 Community Engagement

FINANCIAL AND RESOURCE IMPLICATIONS

The cost estimates have been prepared as an Opinion of Probable Construction Costs and are provided as high-level estimates for planning and budgeting purposes only.

The figures are not a final project budget and do not represent confirmed contractor pricing. Detailed design, further scope development, procurement and market engagement will be required to confirm the final project scope, contingency requirements and budget.

Budget Estimates	FY 2027/2028
Urgent Works	$368,631
Mandatory Compliance Works	$660,788
Discretionary Works	$310,200
Detailed Design	$170,000
Contingency 25%	$377,405
Total	$1,887,024

Preliminary consideration has been given to potential external funding opportunities for the project. At this stage, government grant funding is not considered a likely funding source due to the nature of the works and the project's limited alignment with typical grant program objectives. Opportunities may exist to explore industry partnerships or sponsorship arrangements with local organisations in lieu of brand recognition and awareness.

As an alternative to restoration, consideration has also been given to demolition of the Observation Tower and landscaping of the site as public open space. The estimated cost of this option is approximately $360,000 to $550,000, subject to further scope development, approvals, procurement and contractor pricing. While this option would remove ongoing safety, compliance, inspection and maintenance obligations associated with the structure, it would also result in the permanent loss of the asset as a local landmark.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan

The following sections of the Town's Council Plan 2025-2035 apply in consideration of this item:

Our Community
We honour our people and our cultural heritage – ensuring wellbeing, diversity, creativity and strong civic engagement and dialogue.
1.3 A unique, vibrant and diverse community lifestyle
1.4 Well-utilised and valued community facilities and services

Our Economy
We build prosperity for all – enabling sustained and diversified economic and employment growth.
2.1 Business and job growth
2.3 Marketing and promotion
2.4 Infrastructure for growth

Our Natural and Built Environment
We treasure and protect our natural environment and provide sustainable and resilient infrastructure and built form.
3.2 Safe and fit-for-purpose built environment

3.3 Accessible, attractive and sustainable urban environment

Our Leadership
We are united in our actions to connect, listen, support and advocate, thereby leveraging the potential of our people, places and resources.
4.3 Effective delivery of services and infrastructure to meet community needs

Environmental

There are no significant identifiable environmental implications related to this item.

Economic

The investigation provides Council with an understanding of the indicative costs associated with restoring and reopening the Observation Tower. While no additional funding is being sought through this report, the findings will inform future project development, funding applications, budget planning and Council's consideration of the long-term management of the asset.

Social

The Observation Tower is a recognised local landmark with historical and community significance. The findings of the investigation provide Council with information regarding the works required to restore and potentially reopen the facility for public use. While no decision regarding project funding or construction is sought through this report, the future restoration of the asset has the potential to contribute to community pride, preservation of local heritage

Access and Inclusion

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

- Outcome 2 – Buildings and Facilities.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Financial
Cause	The scope and costs identified through the investigation are preliminary and may change as, detailed design and project development are undertaken.
Effect (Consequence)	Project costs may increase, resulting in additional funding requirements and potential impacts to future budget planning and project delivery.
Risk Treatment	Undertake detailed design, cost planning, risk assessment and project development prior to seeking Council approval for project funding.
There is a Project risk associated with this item caused by the preliminary nature of the current scope and cost estimates, leading to potential changes in project costs and future funding requirements. The risk rating is considered to be medium (9) which is determined by a likelihood of Almost Certain (3) and a consequence of Moderate (3).	

This risk will be treated through detailed design, cost planning, risk assessment and further project development activities.

Risk Type	Project
Risk Category	Reputational
Cause	If no decision is made on the future of the Observation Tower.
Effect (Consequence)	Public concern and dissatisfaction if future decisions regarding the Observation Tower do not align with community expectations of the opening and use of the tower.
Risk Treatment	Maintain transparent communication with Council and the community regarding the findings of the investigation, project development activities and future decision-making processes.
There is a Project risk associated with this item caused by community expectations regarding restoration and reopening of the Observation Tower, leading to potential reputational impacts to the Town if future outcomes do not align with those expectations. The risk rating is considered to be Medium (10), which is determined by a likelihood of Almost Certain (5) and a consequence of Moderate (2). This risk will be treated through transparent communication with Council and the community regarding project status and future decision-making processes.	

Risk Type	Project
Risk Category	Reputational
Cause	If the tower is demolished Potential future demolition of the Tower and permanent removal of a recognised local landmark.
Effect (Consequence)	Community concern, criticism or dissatisfaction if demolition is perceived as a loss of local heritage, identity or public amenity.
Risk Treatment	Ensure any future consideration of demolition is supported by clear technical advice, transparent reporting to Council, community communication and consideration of opportunities to recognise the site's history through landscaping, interpretation or public open space design.
There is a Project risk associated with this item caused by the potential future demolition of the Observation Tower and permanent removal of a recognised local landmark, leading to reputational impacts if the decision is perceived by the community as a loss of local heritage, identity or public amenity. The risk rating is considered to be High (15), which is determined by a likelihood of Almost Certain (5) and a consequence of Moderate (3).	

This risk will be treated through clear technical advice, transparent reporting to Council, community communication and consideration of opportunities to recognise the site's history through landscaping, interpretation or public open space design.

OPTIONS

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

CONCLUSION

The detailed investigation has provided the Town with an understanding of the current condition of the Port Hedland Observation Tower, the works required to address the identified structural and compliance deficiencies, and the indicative costs associated with restoring and reopening the facility. The investigation confirms that the Observation Tower should remain closed to public access until the required make-safe works, upgrades and compliance measures have been completed and certified. The engineering report was based on visual observations only and therefore costings may be subject to change if further testing is undertaken.

The findings of the investigation provide a clear basis for future project development and enable Council to consider the extent of the works required to preserve and potentially restore this historically significant community asset. While the report identifies a pathway for restoration and reopening.

It is therefore recommended that Council note the findings of the investigation, note the indicative remediation scope and costs, and support progression of the next stage of project development to enable a budget request to be considered as part of the Q2 Budget Adoption

ATTACHMENTS

1. Port Hedland Observation Tower Assessment Report - Combined [**12.4.3.1** - 73 pages]
2. Demolition of the Observation Tower [**12.4.3.2** - 2 pages]

12.5 Office of the CEO

There are no reports in this section.

13 New Business of an Urgent Nature (Late Items)

The Presiding Member advised that further to Item 8 of this minutes, and pursuant to Clause 5.5(1) of the Town of Port Hedland Standing Orders Local Law 2014, that she was satisfied the request to raise the matter relating to Wilson Street, Port Hedland as new business of an urgent nature, is appropriate for consideration.

CM202627/248 MAYOR DECISION

MOVED: Mayor Behrend SECONDED: Deputy Mayor Cr Melville
That Council accepts an item of urgent business relating to Wilson Street, Port Hedland.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Behrend, Deputy Mayor Cr Melville, Cr Baxter, Cr Butson, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd
Against: Nil

CM202627/249 COUNCIL DECISION

MOVED: Deputy Mayor Cr Melville SECONDED: Cr McDowall

The Council:

1. **Acknowledges the significant and ongoing road safety concerns along the Port Hedland Wilson Street transport corridor, including the intersection of Wilson Street and Cooke Point Drive, and notes the recent tragic loss of life together with a previous fatality associated with this location in recent years.**
2. **Requests the Chief Executive Officer to write to the Minister for Transport, Hon Rita Saffioti MLA, seeking the urgent prioritisation, funding and delivery of:**
   - **Upgrade of the intersection of Wilson Street and Cooke Point Drive;**
   - **Duplication of Wilson Street between the Great Northern Highway interchange and McGregor Street;**
   - **Duplication of the Redbank Bridge;**
   - **Provision of an Australian standards-compliant shared path / dual-use path over the Bridge as part of the corridor upgrades; and**
   - **Installation of appropriate pedestrian and cyclist safety barriers and associated protective infrastructure on one or both bridge structures.**
3. **Advocates that the above works be treated as a matter of urgency by the State Government and Main Roads Western Australia, having regard to community safety, increasing traffic volumes, freight movements, active transport requirements and the recent loss of a second Hedland resident within approximately six years at this location.**

Requests the Chief Executive Officer to provide a report to Council by June 2027 regarding advocacy outcomes, stakeholder engagement and any commitments secured from State Government agencies.

CARRIED UNANIMOUSLY (8/0)

For: Mayor Behrend, Deputy Mayor Melville, Cr Baxter, Cr Butson, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd

Against: Nil

14 Motions of Which Previous Notice has been given

Nil

15 Matters for Which Meeting May be Closed (Confidential Matters)
15.1 Reports of Officers

15.1.1	Award of RFT2526-30 Rose Nowers Childcare Centre Expansion

Mayor Behrend and Deputy Mayor Cr Melville both declared an Impartiality Interest in Item 15.1.1.

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

CM202627/250 OFFICERS' RECOMMENDATION & COUNCIL DECISION

MOVED: Deputy Mayor Cr Melville SECONDED: Cr Todd

That Council with respect to the Award of RFT2526-30 Rose Nowers Childcare Centre Expansion, authorises the Chief Executive Officer to enter into a contract for the award of RFT2526-30 to Byblos Constructions Pty Ltd for the total amount of $8,742,830.81 (excluding GST).

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Behrend, Deputy Mayor Cr Melville, Cr Baxter, Cr Butson, Cr Edwards, Cr McDowall, Cr Scott and Cr Todd

Against: Nil

PURPOSE

The purpose of this report is for the Council to consider the assessment of submissions received for RFT2526-30 and consider the evaluation panel's recommendation to award the tender to the preferred tenderer.

DETAIL

The Rose Nowers Childcare Centre Expansion project involves the delivery of construction works to expand and improve the existing childcare facility in South Hedland. The project is intended to respond to demand for additional childcare capacity and support the provision of accessible, fit-for-purpose early childhood education and care services within the community.

The contract will comprise the construction of the expansion works, including all associated building works, services, site preparation, and completion activities necessary to deliver the project in accordance with the tender documentation, approved design, specifications, and relevant statutory requirements. The completed works will support improved service capacity, functionality, accessibility, and long-term community benefit.

The Town released Request for Tender RFT2526-30 on 1 July 2026 through VendorPanel, the Town's e-tendering portal. The tender was advertised in The West Australian, the Northwest Telegraph, on the Town of Port Hedland website and through VendorPanel, with a closing date of 20 September 2026.

The tender process was undertaken in accordance with the Town's procurement requirements and applicable local government tendering provisions. This included

public advertising, release of addenda during the tender period, receipt of submissions through VendorPanel, compliance review, and evaluation against the advertised qualitative criteria and weighting schedule.

The Town received three responses.

The respondents were as follows:

- Respondent 1: Gbsc Yurra Pty Ltd
- Respondent 2: Byblos Constructions Pty Ltd
- Respondent 3: Tec Services Group Pty Ltd

An evaluation meeting was held on 1 October 2026 and was facilitated by the Town's procurement representative. The compliant submissions were evaluated by a panel of five (5) Town employees whose objectives were to assess submissions fairly against the predetermined weighting schedule, ensure adherence to applicable local government policies and legislation, and evaluate the requirements specified in the Request in a measurable and documented manner and make a recommendation to Council.

The compliant submissions were assessed against the following qualitative criteria:

Qualitative Criteria	(%)
Relevant Experience	30%
Capacity to Deliver and Resources	20%
Key Personnel & Skills	20%
Demonstrated Understanding	30%
Total	100%

In forming its recommendation, the evaluation panel considered the qualitative assessment outcomes together with the submitted pricing and overall value for money. The recommended tenderer represents the most advantageous outcome for the Town, having regard to capability, methodology, resourcing, demonstrated understanding of the project requirements, and price.

A summary of the assessment results for each submission received is included in the confidential tender evaluation report attached to this item.

Awarding the tender will allow the Town to progress the project from procurement to construction and support timely delivery of the planned expansion works. Delays to the award may affect construction commencement, funding milestones, stakeholder expectations and the availability of improved childcare capacity for the Hedland community.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of high significance because the decision relates to a major capital project identified through the Town's planning and budget processes, involves a significant procurement decision, and will influence the timing and delivery of increased childcare capacity for the South Hedland community.

- 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

- Director Infrastructure Services
- Director Community Services
- Manager Waste & Services
- Manager Infrastructure Projects & Assets
- Project Manager
- Principal Communications
- Procurement Officer

External

- H+H Architects

LEGISLATION AND POLICY CONSIDERATIONS

The following legislation applies to this report:
Local Government Act 1995
Section 3.57 Tender for providing goods or services
Section 5.23 4(c) Information contained in a tender received by the local government for a contract to the extent that the information —
(i) is a tendered price; or
(ii) a tendered methodology for calculating a price;
Section 9.49A Execution of Documents
Section 9.49B Contract Formalities
Local Government (Functions and General) Regulations 1996
Part 4, Division 2 – Tender for providing goods or services
Council Policies:

- 1/014 Execution of Documents
- 1/022 Risk Management
- 2/007 Procurement
- 2/019 Financial Reserves
- 4/009 Significant Decision Making

Following Council approval, the Town will finalise the contract documentation in accordance with the tender conditions and relevant delegations. Contract administration will be managed by the Town, with project governance, reporting, superintendent functions and contractor performance monitored throughout delivery.

Subject to Council approval, the next steps will include finalising contract documentation, issuing contract award correspondence, confirming project commencement requirements with the successful tenderer, and progressing construction planning in consultation with relevant internal stakeholders and the childcare operator.

FINANCIAL AND RESOURCE IMPLICATIONS

The project has an estimated total budget of $9,000,000 and is included within the Town's Long Term Financial Plan. The Town has committed $3,000,000 towards the project, comprising $2,000,000 included in the adopted FY2026/27 Annual Budget and a further $1,000,000 to be considered through the FY2027/28 budget development process.

The balance of project funding has been secured through external partner contributions, including $2,000,000 from BHP, $2,000,000 from Fortescue and $2,000,000 from the Australian Government Department of Education, with the funding application submitted by Rose Nowers Early Learning Centre on behalf of the project.

Funding	Value	Status
The Town of Port Hedland – FY2026-2027	$2,000,000	Confirmed
The Town of Port Hedland – FY2027-2028	$1,000,000	Confirmed
BHP	$2,000,000	Agreement in Place
Fortescue	$2,000,000	Agreement being finalised
Department of Education Building Early Education Fund – Small-Scale Grant	$2,000,000	Agreement in progress
Total	$9,000,000	

The recommended tender award will be managed within the approved project budget and confirmed external funding commitments. Any future budget adjustments or variations outside approved delegations will be reported and managed in accordance with the Town's financial management and procurement requirements.

While the total project funding profile is identified, some external funding agreements remain in progress or are being finalised. The Town will continue to work with funding partners to finalise agreement requirements and manage any timing, reporting or delivery obligations associated with those contributions.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan:

The following sections of the Town's Council Plan 2025-2035 apply in consideration of this item:

<u>Our Community</u>
We honour our people and our cultural heritage – ensuring wellbeing, diversity, creativity and strong civic engagement and dialogue.
1.1 Hardy, healthy and safe people
1.2 Inclusive and involved community
1.4 Well-utilised and valued community facilities and services

Our Economy
We build prosperity for all – enabling sustained and diversified economic and employment growth.
2.1 Business and job growth
2.4 Infrastructure for growth

Our Natural and Built Environment
We treasure and protect our natural environment and provide sustainable and resilient infrastructure and built form.
3.2 Safe and fit-for-purpose built environment

Our Leadership
We are united in our actions to connect, listen, support and advocate, thereby leveraging the potential of our people, places and resources.
4.3 Effective delivery of services and infrastructure to meet community needs

Environmental

The project is not expected to result in significant adverse environmental implications. Environmental impacts associated with the construction works will be managed through the contractor's construction management processes, including appropriate controls for waste management, dust, noise, site runoff and general site disturbance. The completed facility will be delivered in accordance with applicable building, planning and statutory requirements.

Economic

The project is expected to have positive economic implications by improving access to childcare services, which may support workforce participation for parents and carers in South Hedland. The construction phase may also provide economic activity through the engagement of contractors, suppliers, and service providers, with potential flow-on benefits to the local economy.

Social

The project is expected to have positive social implications by increasing access to early childhood education and care services in South Hedland. The expansion of the Rose Nowers Childcare Centre will support local families by improving childcare availability, which may assist parents and carers to participate in employment, training, education and community life. The project will also contribute to improved community infrastructure and support long-term social outcomes for children and families in the local area.

Access and Inclusion

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

- Outcome 2 – Buildings and Facilities.
- Outcome 3 – Accessible Information.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Reputational Service Interruption
Cause	If Council does not support the award of RFT2526-30, the construction phase of the Rose Nowers Childcare Centre Expansion will not proceed as planned.
Effect (Consequence)	The Town may be unable to deliver the planned childcare expansion within the expected timeframe, which may delay increased childcare capacity for the community and create reputational impacts due to unmet community and stakeholder expectations.
Risk Treatment	Adopt the officer's recommendation
There is a reputational and service interruption risk associated with this item because, if Council does not support the award of RFT2526-30, the construction phase of the Rose Nowers Childcare Centre Expansion will not proceed as planned. The risk rating is considered to be Moderate, which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3). This risk will be mitigated by the adoption of the officer's recommendation, enabling the Town to progress the project to contract award and construction delivery.	

Risk Type	Project
Risk Category	Financial
Cause	If the tender is not awarded, or if the project is delayed, there may be cost escalation, funding timing impacts, or additional costs associated with re-tendering or maintaining project momentum.
Effect (Consequence)	The Town may be exposed to increased project costs, budget pressure, or delays in meeting funding and delivery milestones.
Risk Treatment	Adopt the officer's recommendation
There is a financial risk associated with this item because, if the tender is not awarded or the project is delayed, the Town may be exposed to cost escalation, funding timing impacts, re-tendering costs and budget pressure. The risk rating is considered to be Moderate, (6) which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3). This risk will be mitigated by the adoption of the officer's recommendation, enabling the Town to proceed with the preferred tenderer and maintain progress against the approved project budget and funding milestones.	

Risk Type	Project
Risk Category	Environmental
Cause	Construction activities may generate dust, noise, waste, site runoff and general site disturbance.
Effect (Consequence)	If not managed appropriately, these impacts may affect nearby users, the surrounding environment, or result in non-compliance with relevant approvals and statutory requirements.
Risk Treatment	Require the contractor to manage environmental controls through construction management processes, including dust suppression, waste management, noise control and site runoff management.
There is an environmental risk associated with this item because construction activities may generate dust, noise, waste, site runoff and general site disturbance if they are not appropriately managed through construction controls. The risk rating is considered to be Moderate, which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3). This risk will be mitigated through the adoption of the officer's recommendation and the requirement for the contractor to manage environmental controls through appropriate construction management processes.	

OPTIONS

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

CONCLUSION

It is recommended that Council support the officer's recommendation to award RFT 2526-30 to the preferred tenderer indicated in the tender evaluation. This will enable the Town to progress the Rose Nowers Childcare Centre Expansion to construction, supporting increased childcare capacity, improved service functionality and accessibility, and long-term benefits for children, families and the broader South Hedland community.

ATTACHMENTS

Reasons for Confidentiality

Section 5.23(4)(c) Information contained in a tender received by the local government for a contract to the extent that the information —
(i) is a tendered price; or
(ii) a tendered methodology for calculating a price

1. CONFIDENTIAL - Multi-party Evaluation Report [**15.1.1.1** - 11 pages]
2. CONFIDENTIAL - Rose Nowers Post Tender Evaluation Updated [**15.1.1.2** - 2 pages]

16 Closure

There being no further business, the Presiding Member declared the meeting closed at 6:39pm and reminded Council of the next Ordinary Meeting of Council, is scheduled for 5:30pm Wednesday, 25 November 2026, at this same venue.