



# **Unconfirmed MINUTES**

## **Ordinary Council Meeting**

### **Wednesday 29 April 2026**

**Date: Wednesday 29 April 2026**

**Time: 5:30pm**

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

**Distribution Date: 13/05/2026**

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Mayor

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## **1 Opening of Meeting**

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

## **2 Acknowledgement of Traditional Owners and Dignitaries**

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

## **3 Recording of Attendance**

Important note:

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

### **3.1 Attendance**

Deputy Mayor Troy Melville  
Councillor Rachael Baxter  
Councillor Lorraine Butson  
Councillor Zoe Little  
Councillor Russell McDowall  
Councillor Sharon Todd  
Kenneth Donohoe (Temporary Chief Executive Officer)  
Alison Banks (Director Community Services)  
Lee Furness (Director Infrastructure Services)  
Florian Goessmann (Acting Director Corporate Services)  
Chaz Roberts (Acting Director Regulatory Services)  
Renaë Doyle (Manager Governance)  
Rhiannon Smith (Acting Governance Officer)  
Sophie Marlow (Governance Support Officer)  
Andrew Hammond (Local Government Monitor)

**3.2 Attendance by Telephone / Instantaneous Communications**

Councillor Rachael Baxter

**3.3 Apologies**

Councillor Frank Edwards

**3.4 Approved Leave of Absence**

Nil

**3.5 Disclosures of Interest**

Name	Item No	Interest	Nature
Councillor Butson	12.4.1	Financial	Son and Daughter work for Viola, and her son is closely associated and lives with her.
Deputy Mayor Melville	12.1.3	Impartiality	A member of number of committees.

**4 Applications for Leave of Absence****CM202627/149 COUNCIL DECISION****MOVED: Cr Lorraine Butson****SECONDED: Cr Zoe Little****That Council approve the application of leave of absence for Mayor Behrend for the 29 April 2026.*****CARRIED BY SIMPLE MAJORITY (6/0)***

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*  
*Against: Nil*

**CM202627/150 COUNCIL DECISION****MOVED: Deputy Mayor Troy Melville      SECONDED: Cr Lorraine Butson****That Council approve the application of leave of absence for Councillor Edwards for the period 29 April 2026 until 29 May 2026.***CARRIED BY SIMPLE MAJORITY (6/0)**For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville  
Against: Nil***CM202627/151 COUNCIL DECISION****MOVED: Cr Lorraine Butson      SECONDED: Cr Russell McDowall****That Council approve the application of leave of absence for Deputy Mayor Melville for the period 30 April 2026 until 10 May 2026.***CARRIED BY SIMPLE MAJORITY (6/0)**For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville  
Against: Nil***5 Response to Previous Questions****5.1 Response to Questions taken on notice from Elected Member at the Council Meeting held on 25 March 2026**

Nil

**5.2 Response to Questions taken on notice from Public at the Council Meeting held on 25 March 2026**

Nil

**6 Public Time**

Important note:

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

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

**6.1 Public Question Time**

**The Presiding Member declared Public Question Time open at 5:42pm.**

6.1.1	Roger Higgins
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Question 1:

I have noticed tonight that there is an additional portrait displayed alongside King Charles III. My question is, who is this portrait of, what is its purpose, and why is it on display?

Deputy Mayor Melville provided the following response:

Taken on notice

6.1.2	John Ashenden
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Question 1:

The public has repeatedly called for an independent forensic audit of the Town’s finances, which was also recommended by the former Commissioners, particularly Commissioner Jessica Shaw. Why is the Council proceeding with increased costs to ratepayers when the full extent of financial mismanagement and wastage has not yet been independently verified?

Deputy Mayor Melville>Chief Executive Officer provided the following response:

If I could guide you Chair, on your request. The Health Check and the Forward Improvement Plan has been put together, and that identifies a series of items which includes Finances, Enterprise Resource Planning (ERP), a whole series of components that sees the Chief Executive Officer working with a remediation group to work through those and make those recommendations to Council, to work through those on a required basis. The timing for that may be between 6 months to 2 years, to complete all those items.

Question 2:

What we are asking is, when will a motion for an independent forensic audit be

formally brought before Council for consideration? We are not asking about what the Town is doing; we are asking elected members to initiate an independent audit, rather than relying on the Administration to effectively review its own actions.

Deputy Mayor Melville provided the following response:

On behalf of the Council, we did have a briefing just recently from an independent auditor who gave us some recommendations and that'll be forthcoming. It wasn't ready in time for this particular meeting, but hopefully it's not going to be too long. I couldn't guarantee you an exact time. I don't want to prejudice anything moving forward, but we are aware of some of those items.

Question 3:

In relation to the proposed increases to rates and charges, can you clearly outline which specific costs are increasing, what those funds will be used for, and where they are allocated within the budget?

Deputy Mayor Melville>Chief Executive Officer provided the following response:

The questions in relation to the general rate provisions that have been proposed and the increase to fees and charges, they're across a whole raft of the entire budget. The budget is approximately \$122 million, that would be including the additional cost that the council sees in relation to insurances, costs, fuel, operations to make sure that all those rates go towards operational components. That is to be adopted in the budget by the Council, which I imagine will be sometime in July or August this year.

Question 4:

Given that a number of councillors are newly elected and still becoming familiar with the Town's financial position, at what point did each councillor first review the draft budget, and how much time have they taken to properly understand and assess the proposed increases impacting ratepayers before being asked to make decisions to be voted on tonight?

Deputy Mayor Melville provided the following response:

We've started to review the draft budget. There will be numerous workshops over the coming months as we lead into adopting the budget, in the timeframe indicated by the Temporary Chief Executive Officer. I'm all over budgets, I can't speak on behalf of the other councillors, but they're being briefed on itemised items throughout the entire portfolio and the different directorates and getting lots of briefing time for questions and answers. We're voting on some fees and charges and a proposal of rate increases. We're not voting on a draft budget, only components of it.

6.1.3	Ash Christensen
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Question 1:

In relation to community access to agendas and information provided by the Council. Councillors, the Council recently approved the Town of Port Hedland Communications Agreement between the Council and the Chief Executive Officer during the Commissioners' period. This agreement sets minimum timeframes for administration

to respond to councillors. Under previous Councils, policies were also in place that set timeframes for administration to provide information to councillors in relation to agenda items. My concern is that the community appears to be the one group that has not been afforded the same consideration. For example, in relation to tonight's meeting, ratepayers have been given only three working days to review the full agenda, understand the complex reports it contains, and prepare questions.

In addition, the community is encouraged to submit questions prior to the meeting so that administration has adequate time to prepare responses.

Does the Council acknowledge that this creates a potential double standard, whereby administration requests adequate time to respond, and councillors expect the same, yet the community—who arguably require the most time to understand these matters—is afforded the least? Does the Council consider that a double standard is currently being applied?

Deputy Mayor Melville>Chief Executive Officer provided the following response:

In relation to communications under 592 was a policy provision putting up and that does have dates. Generally, a council runs a meeting every month. It could have a longer period if it's so wished, but generally the agendas are out on the Friday evening, so the community can have time to read them. Under the legislation it's 72 hours, I do understand that the volume of some information being provided is intensive. That is part of the operations of the local government and a requirement for Councillors and other persons to read those.

Question 2:

In relation to the financial impact of Item 12.4.1, being the tender for the wastewater treatment plant. When Council originally approved the upgrade and construction of the new South Hedland Landfill Wastewater Treatment Plant, a business case was presented that included a projected return on investment, along with assumptions regarding operating costs, revenue, and cost recovery through user fees. In the report currently under consideration tonight, Council is being asked to enter into a contract of up to seven years, with ongoing operational costs. However, there appears to be no reference to the original business case or whether these costs align with the initial financial assumptions. Can the administration please provide context as to whether the proposed contract costs are consistent with the original business case and return on investment projections presented to Council at the time, and outline what impact these ongoing operational costs will have on the asset's financial performance, including any implications for the waste reserve, future expenses, and associated fees?

Director Infrastructure Services provided the following response:

Taken on notice.

Question 3:

In relation to service level agreements and budget transparency: Service level agreements are critical to understanding what the Town delivers, at what standard, and at what cost. Without them, it is difficult for both Council and the community to properly assess value for money and make informed decisions about expenditure, particularly in relation to rates. Can the administration please advise when the Town's service level agreements will be finalised and made available to the

community, and why these have not been completed prior to progressing decisions regarding the future budget and potential increases in rate revenue? It is assumed that service level agreements would exist for services delivered by the Town, outlining the services provided and enabling a clear understanding of the costs associated with delivering them.

Deputy Mayor Melville provided the following response:

When the staff put the budgets up, they identify a business case that would identify any agreements or operational costs that need to be considered. In relation to what is a service level agreement, they need further work to fully determine how a service level agreement is determined as an operational piece. But in preparing budgets, council staff consider risk, cost, forward planning, resolutions of Council and cost to prepare that budget.

6.1.4	Jillian Fisher
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Question 1:

Can you explain the difference on page 31 of the agenda? In the table at the bottom of the page, there are two GRV residential figures for the number of rateable properties. Can you explain why these are presented separately?

Deputy Mayor Melville>Chief Executive Officer>Director Corporate Services provided the following response:

The first line is the number of properties, 5,310, which are rated at the rate in the dollar. The second line is the number of properties, 1047, that are rated at the minimum. In our rating, we determined that the minimum rate for a residential property is \$1,300. That is applied to properties who through the GRV residential rate would fall under \$1,300. These properties if the regular rating of where the rate in the dollar is applied, their rate would be under \$1,300.

Question 2:

Can you please list specifically what pastoral stations get for their rates?

Deputy Mayor Melville>Chief Executive Officer provided the following response:

There is nothing specific to particular wards where we can, like a ward account, where we can put those provisions. But the utilisation of Town services etc, it's a part of all being a ratable service that can be charged under the ratable components. It's also about road grading, road maintenance, there's not a specific piece you can actually allocate it. It's all about putting those rates together and how all the different services are provided. You can't allocate that directly to a pastoral specific property or pastoral piece. It's about how do we maintain some of those services and the access and contributing towards the overall rates that are achieved and received by the town.

Question 3:

To my knowledge, the Council does not undertake internal road grading, with most pastoral stations carrying out their own grading. Similarly, most stations manage their own waste removal and disposal. These are core services—roads, rates, rubbish, and

recreation—that the Council provides to residents within the town. What additional services or benefits do pastoral stations receive in return for the proposed rate increases?

Deputy Mayor Melville>Chief Executive Officer>Director Corporate Services provided the following response:

It is about a ratable component based on differential rating and that's the amount that's allocated to maintain roads other services for the entire town. It's about being a part of the community; you can't specifically say that a particular service or road is achieving a value for rates. We don't do grading on a station road unless it's declared public road. But all the roads that access those areas, of which we've got about I think it's 458 kilometres of roads in the district, that goes towards a total cost including all other rating revenues to make our services and our rate capabilities. Waste services, if you're going to put a waste service out to pastoral stations, you would need to charge a higher level of rate because the cost to collect it will be a lot higher, that's why the rate level is where it is, not at a higher level.

6.1.5	Jan Gillingham
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Question 1:

Why was there no increase in rates proposed for the airport?

Deputy Mayor Melville>Chief Executive Officer>Director of Regulatory Services provided the following response:

Yes, it is, but we will take this question on notice and provide a more detailed answer.

Question 2:

I would like to ask, as this is now the third time I have raised the matter of the land on Hamilton Road, whether there have been any further development updates, or whether the matter has now been concluded.

Deputy Mayor Melville>Chief Executive Officer>Director Corporate Services provided the following response:

Council supported a major land transaction business plan for these two lots. One was owned by Horizon Power, the other a crown lot owned by the state. The council entered into an agreement with a developer to purchase and on sell the land, there are obligations that are outstanding on that agreement with the developer, they've met the initial obligations and received planning approval from the development assessment panel in March 2025. That approval remains valid for a period of four years, but under the agreement between the Town and the developer, the next milestones are to lodge a building application by the 30th of June and commence construction on the 1st of July. We have not received any official request from the developer to extend those time frames, but that's not to say that a request may be made between now and that date. Following the next milestones being met, the contract of sale and settlement would occur between the Town and the developer.

Question 3:

What about a public consultation for people in Hedland?

Deputy Mayor Melville>Chief Executive Officer>Director Regulatory Services provided the following response:

The development assessment panel application was publicly advertised in early 2025. A number of submissions were received from nearby landowners and occupiers. I don't recall if a submission was received from the Department of Education but understand there were other nearby concerned landowners. The panel deliberated and considered the public's submissions and resolved to approve the application with conditions. I understand some of the submissions their concerns were proposed to be dealt with via management plans, which would be worked out when the operation of each of those tenancies was known um following construction.

Question 4:

It has been reported in the media that the Western Australian Government has announced new Government Regional Officer Housing (GROH) initiatives. Can you please explain to the community what this new GROH housing program involves?

Deputy Mayor Melville>Chief Executive Officer provided the following response:

The announcement by the Premier I think was about \$419 million investment across what they call the seven of cities, of which Port Hedland is one of those. It's specifically for State Government housing, so that the State is making investment to build houses into these seven cities which are regional centres recognised by the Government of Western Australia. I know there are some discussions about the ability to have builders and how do you achieve that, but I believe the State is trying to look at some sort of modular system and put it out through a tender process. But very specifically it is provision provided by the State of Western Australia.

**The Presiding Member declared Public Question Time closed at 6:14pm.**

**6.2 Public Statement Time**

**The Presiding Member declared Public Statement Time open at 6:14pm**

6.2.1	John Ashenden
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- Concern about declining services and community confidence.
- Rates increasing amid community uncertainty.
- Desire for clearer understanding of council finances and expenditure.
- Reference to previous requests for an independent financial review.
- Importance of transparency and accountability for ratepayers.
- View that clearer information would help maintain community trust

6.2.2	David McGowan
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- Concern about a proposed 5% rates increase for small businesses.
- Acknowledgement of current cost pressures on local businesses.
- Request to consider alternatives to the increase, including use of cash reserves.

- Support for retaining and developing the observation tower as a tourism asset.
- Suggestion to explore partnerships to reduce maintenance costs, including communications infrastructure use.

6.2.3	Roger Higgins
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- Request made on behalf of ratepayers for clarification on councillors paying rates on their residence.
- Matter raised during public statement time.
- Intention stated to submit the request as a formal question at the next Council meeting.
- Notice of intention formally placed on the record.

6.2.4	Ash Christensen
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- Request made on behalf of ratepayers for clarification regarding councillors paying rates on their residence.
- Matter raised during public statement time.
- Intention stated to submit the matter as a formal question at the next Council meeting.
- Request provided as formal notice to Council.

6.2.5	Jan Gillingham
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- Clarification that GROH housing is for government employees and differs from public housing.
- Ongoing long wait times for public housing affecting local residents and families.
- Differences noted in rental arrangements and tenant obligations between GROH and public housing.
- Recognition of the role GROH plays for essential government workers.
- Support for Osprey Village-style housing and concerns about limited new teacher housing.
- Observation that State-owned housing land has not been adequately replaced.
- Call for stronger State funding rather than cost shifting to local ratepayers.
- Concern about timing and notification of South Hedland land consultation.
- Request for further consultation and consideration of alternative sites.

**The Presiding Member declared Public Statement Time closed at 6:32pm**

### **6.3 Petitions / Deputations / Presentations / Submissions**

Nil.

### **7 Questions from Members without Notice**

Councillor McDowall left the room at 6:32pm and returned at 6:33pm.

7.1.1	Cr Butson
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#### Question 1:

Who is responsible for ensuring that the dental clinic at the Hedland Health Campus is compliant? Is it the Council's responsibility to ensure compliance, or the Health

Department's? this relates to building compliance. I was approached by an elderly man who advised that there is a transportable building in the engineering car park between Karlarra House and the Hedland Health Campus.

The building does not have a disability ramp. He had to park his mobility buggy at the bottom and attempt to walk up the stairs to access the elevated building.

Additionally, there is no water supply or toilet facilities available at the site. Is there any possibility that we could write to the responsible authority regarding this matter?

Deputy Mayor Melville>Chief Executive Officer>Director Regulatory Services provided the following response:

The permit authority for State Government property is the generally the Department of Building Maintenance and Works, which is part of the Department of Finance. Yes, we can raise that with the department.

Question 2:

The main road on Throssell Road has a number of cracks and potholes across its width and along the length of the large off-street section. Is there any chance that this could be inspected and looked at, please?

Deputy Mayor Melville>Chief Executive Officer> Director Infrastructure Services provided the following response:

The latest mobilization for road repair will happen over the next couple of months, so that will be fixed.

Question 3:

The Kennedy Street Pundul trees. I did send an email, but the public is still wanting to know, with the Pundul trees, how come all of them got removed from the Kennedy Street new complex being built by Grounded?

Deputy Mayor Melville>Chief Executive Officer>Director Regulatory Services provided the following response:

The Grounded construction project on Kennedy Street was approved by the Development Assessment Panel last year. They did retain significant mature trees on site as part of their site planning. They were approved by the panel to remove other vegetation on the site in line with the construction management plan and this the Australian standards to protect the trees to be retained such as fencing them etc. So, they would need to comply with those conditions of approval.

Question 4:

A number of community members have approached me regarding the upcoming markets to be held downtown. Food van vendors have queried why there is a \$60 fee to operate at the event. Additionally, they have asked why they are required to be onsite at 1:30pm for inspection for a 5:00pm event start.

Deputy Mayor Melville>Chief Executive Officer>Director Regulatory Services provided the following response:

Taken on notice.

**8 Announcements by Presiding Member without Discussion**

The Commissioner’s meetings for the month of March 2026:

<b>DATE</b>	<b>MEETING DETAIL</b>	<b>ATTENDANCE</b>
03.03.2026	McLeod’s	CMM Jessica Shaw CMM Martin Aldridge Neil Douglas
03.03.2026	LG Inspectorate	CMM Jessica Shaw CMM Martin Aldridge Tony Brown
03.03.2026	City of Nedlands	CMM Jessica Shaw CMM Martin Aldridge T/CEO Kenneth Donohoe Cr David Caddy Cr Bianca Sandri Interim CEO Arthur Kyron Thalia Douglas
10.03.2026	Audit, Risk and Improvement Committee (ARIC) Meeting (Formal Committee Meeting)	CMM Jessica Shaw Presiding Member Baptiste Isambert Deputy Presiding Member Stephen Brown T/CEO Kenneth Donohoe Stephen Leeson Emily Richardson Rhiannon Smith DLGIRS Monitor Andrew Hammond
12.03.2026	LGIS	CMM Jessica Shaw CMM Martin Aldridge James Sheridan
19.03.2026	Citizenship Ceremony	CMM Martin Aldridge
23.03.2026	Pilbara Region Voting Group (Committee Meeting)	CMM Martin Aldridge Various additional stakeholders

23.03.2026	Hedland Community Road Safety Group Meeting (Formal Committee Meeting)	CMM Martin Aldridge Various additional stakeholders
25.03.2026	Cemetery Beach Mosaic Bench Ceremony	CMM Jessica Shaw CMM Martin Aldridge CMM Ronald Yuryevich AM Lee Furness Dorothy Papertalk Various additional stakeholders

**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:

- Deputy Mayor Troy Melville
- Councillor Russell McDowall
- Councillor Sharon Todd
- Councillor Rachael Baxter
- Councillor Lorraine Butson
- Councillor Zoe Little.

**10 Confirmation of Minutes of Previous Meeting**

**CM202627/152 COUNCIL DECISION**

**MOVED:** Cr Lorraine Butson

**SECONDED:** Cr Russell McDowall

**That Council confirm that the Minutes of the Special Council Meeting held on 19 March 2026 are a true and correct record.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville  
Against: Nil*

**CM202627/153 COUNCIL DECISION**

**MOVED:** Cr Lorraine Butson

**SECONDED:** Cr Russell McDowall

**That Council confirm that the Minutes of the Ordinary Council Meeting held on 24 March 2026 are a true and correct record.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville  
Against: Nil*

**CM202627/154 COUNCIL DECISION**

**MOVED:** Cr Lorraine Butson

**SECONDED:** Cr Russell McDowall

**That Council confirm that the Minutes of the Special Council Meeting held on 2 April 2026 are a true and correct record.**

*CARRIED BY SIMPLE MAJORITY (7/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little, Deputy Mayor Troy Melville and Mayor Jacinta Behrend  
Against: Nil*

*Disclaimer*

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

## **11 Reports of Committees**

### **11.1 Audit, Risk and Compliance Committee**

Nil

## 12 Reports of Officers

### 12.1 Corporate Services

<b>12.1.1</b>	<b>ARIC - Independent Member Appointments, Delegation and Revised Terms of Reference</b>
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**Author:** Senior Audit, Risk & Insurance Advisor

**Authorising Officer:** Temporary Chief Executive Officer

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

#### CM202627/155 COUNCIL DECISION

**MOVED:** Cr Sharon Todd

**SECONDED:** Cr Zoe Little

**That Council:**

- 1. Pursuant to section 5.8 of the Local Government Act 1995, establish an Audit, Risk and Improvement Committee as a committee of Council, to operate in accordance with Part 7 of the Act.**
- 2. Appoint Candidate A as Independent Presiding Member of the Town of Port Hedland Audit, Risk and Improvement Committee, for a term commencing on 29 April 2026 and concluding on 16 October 2027.**
- 3. Appoint Candidate B as Independent Deputy Presiding Member of the Town of Port Hedland Audit, Risk and Improvement Committee, for a term commencing on 29 April 2026 and concluding on 16 October 2027.**
- 4. Appoint Candidate C as Independent Deputy of the Presiding Member of the Town of Port Hedland Audit, Risk and Improvement Committee, for a term commencing on 29 April 2026 and concluding on 16 October 2027.**
- 5. That Council under section 5.16 of the Local Government Act 1995, delegates to the Audit, Risk and Improvement Committee, the function of meeting with the auditor of the local government at least once in every year, for the purposes of section 7.12A(2) of the Local Government Act 1995, with the delegation to be recorded in the Town’s Register of Delegations.**
- 6. Adopt the revised Town of Port Hedland Audit, Risk and Improvement Committee Terms of Reference, as per Attachment 7.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*

*Against: Nil*

**PURPOSE**

This report seeks Council approval for the appointment of independent members to the Town of Port Hedland's (the Town) Audit, Risk and Improvement Committee (the ARIC) and for the adoption of the ARIC's revised Terms of Reference.

The report also details the independent member selection process, the proposed committee structure, and the key amendments made to the Terms of Reference to ensure alignment with the amended legislation.

**DETAIL****Background**

Section 7.1A of the Local Government Act 1995 (the Act) requires a local government to establish a committee of council under section 5.8 called the audit, risk and improvement committee. The Act requires the presiding member to be independent, prevents employees of the Town from being members, and requires any Deputy Presiding Member to also be independent.

Section 7.1B of the Act also requires Council to appoint a deputy of the Presiding Member under section 5.11A. Accordingly, Council is required to appoint the independent officeholders needed for the committee to operate in accordance with the Act.

At the Special Council Meeting held on 2 April 2026, Council appointed Mayor Jacinta Behrend, Cr Sharon Todd and Cr Russell McDowall as elected members of the ARIC, and appointed Deputy Mayor Troy Melville as a deputy elected member. The remaining steps are to appoint the independent officeholders and adopt Terms of Reference that reflect the proposed structure and current legislative requirements.

**Independent Member Selection Process**

Candidates were selected from both the WALGA Pool of Independent ARIC Members and through an Expression of Interest released via SEEK. They were assessed for legislative eligibility, independence, relevant experience and suitability for the specific role to be filled. Confidential Attachment 1 contains the selection report containing the administration's recommendations to Council and Confidential Attachment 2 contains the selection report including all candidates.

The assessment also recognised that the three independent roles are distinct and not interchangeable. The Independent Presiding Member is responsible for chairing and leading the committee. The Independent Deputy Presiding Member is a standing member who may preside when the Presiding Member is unavailable. The Deputy of the Presiding Member is appointed under section 5.11A to act when required but is not a standing member unless separately appointed as one.

This approach assists Council to make appointments based on the requirements of each position and to put in place a structure that supports independence, continuity and clear presiding arrangements.

**Proposed Committee Structure**

The revised Terms of Reference establish a five-member standing ARIC comprising:

- One (1) Independent Presiding Member
- One (1) Independent Deputy Presiding Member
- Three (3) Elected Members

In addition to the standing members, the proposed structure is supported by appointed deputies, including:

- the Deputy of the Presiding Member, appointed in accordance with section 5.11A of the Local Government Act 1995; and
- one elected member (Councillor) deputy.

The Deputy of the Presiding Member is a legislatively required officeholder and is not a standing member of the committee unless separately appointed as such.

This structure has been designed to:

- comply with the requirements of sections 7.1A and 7.1B of the Act, including independence and presiding arrangements;
- provide two standing independent members to support objective oversight and sound governance;
- ensure meaningful elected member representation through three standing elected member positions;
- establish clear and lawful presiding and acting arrangements when the Presiding Member is unavailable;
- support meeting continuity and quorum certainty; and
- clearly distinguish between standing members and appointed deputies, improving clarity compared to the current Terms of Reference.

Overall, the proposed structure aligns with legislative requirements, improves independent oversight, and provides sufficient continuity and stability in the operation of the ARIC.

### **Proposed Presiding Order**

The revised Terms of Reference clearly define the presiding order for the ARIC in accordance with the proposed committee structure and relevant legislative provisions.

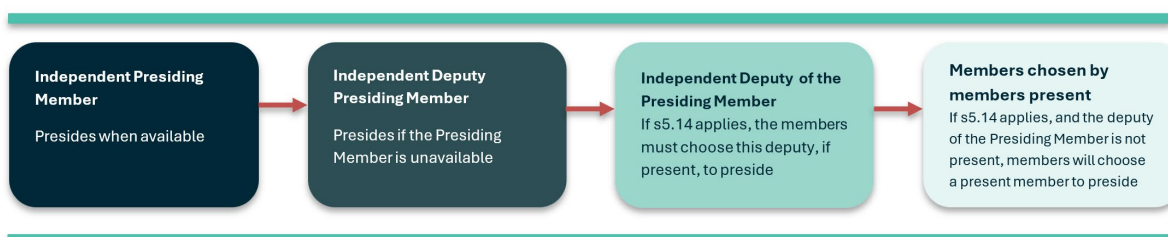
The presiding order is as follows:

1. Independent Presiding Member
2. Independent Deputy Presiding Member, if the Presiding Member is unavailable
3. Deputy of the Presiding Member, appointed under section 5.11A of the Act, if both the Presiding Member and the Independent Deputy Presiding Member are unavailable
4. A member chosen by the members present, from among the standing committee members, if none of the above officeholders can preside

The Independent Deputy Presiding Member is not the "Deputy of the Presiding Member" for the purposes of section 5.11A of the Act. Accordingly:

- Where the Presiding Member is unavailable, the Independent Deputy Presiding Member presides.
- In such circumstances, the Deputy of the Presiding Member may still be invited to attend in place of the Presiding Member, as they are the deputy to that office, but does not preside unless both the Presiding Member and Independent Deputy Presiding Member are unavailable.

These arrangements are explicitly detailed in the revised Terms of Reference.



## Revised Terms of Reference

The current Terms of Reference (Attachment 6) were adopted on 10 December 2025 during the reform transition period. The revised Terms of Reference (Attachment 7) have been updated to better reflect the legislative framework now in force and the proposed committee structure.

The revised document clarifies the committee's establishment under sections 5.8 and 7.1A of the Act, aligns the committee's functions more directly with regulation 16 of the Local Government (Audit) Regulations 1996, recognises the CEO review requirements under regulation 17, and confirms that any delegation to the committee must be made separately by Council.

## Delegations

Council is requested to delegate to the ARIC the local government's function under section 7.12A(2) of the Act to meet with the auditor at least once every year. This is an appropriate delegation as it aligns with the ARIC's statutory audit oversight role while remaining within the scope of the limited delegation power available to ARICs under section 7.1C.

The delegation must be made under section 5.16 by absolute majority and recorded in the Town's Register of Delegations.

## LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 "Significant Decision Making", this matter is considered to be of medium significance, as it relates to statutory governance arrangements and compliance with legislative requirements.

## CONSULTATION

### *Internal*

- Director Corporate Services
- Senior Audit, Risk and Insurance Advisor

*External Agencies*

- WA Local Government Association (WALGA)

*Community*

- Nil.

**LEGISLATION AND POLICY CONSIDERATIONS**

- Local Government Act 1995 – sections 5.8, 5.10, 5.12, 5.13, 5.14, 7.1A, 7.1B, 7.1C, 7.1CA and 7.12A
- Local Government (Audit) Regulations 1996 – regulations 14, 16 and 17
- Local Government (Administration) Regulations 1996 – provisions relating to committee meeting publication requirements, agenda availability, minutes and electronic attendance.
- Confidentiality of independent member EOIs – section 5.23(2)(b) of the Act. Contains information relating to the public affairs of applicants for appointment to the Town's ARIC.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Independent ARIC members are paid per-meeting fees set by Council within the ranges determined by the Salaries and Allowances Tribunal (SAT). The current SAT determination (Variation No. 1 of 2025, effective 1 January 2026) provides a per-meeting range of \$105 to \$1,215 for independent ARIC members.

At its meeting on 25 March 2026, Council resolved to pay the maximum fee of \$1,215 per meeting to independent ARIC members.

**STRATEGIC SUSTAINABILITY IMPLICATIONS****Council Plan:**

The following section of the Town's *Council Plan 2025-2035* applies 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**

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

**Access and Inclusion**

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

Nil.

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Compliance
<b>Cause</b>	The ARIC continuing to operate under Terms of Reference that do not clearly reflect the post-1 January 2026 legislative framework and proposed committee structure.
<b>Effect (Consequence)</b>	Non-compliance with the Local Government Act 1995 and associated regulations, resulting in weakened governance oversight, reduced effectiveness of the ARIC, and potential regulatory scrutiny.
<b>Risk Treatment</b>	Treat
<p>There is a strategic risk associated with this item caused by the ARIC operating under outdated Terms of Reference, leading to legislative non-compliance and reduced governance effectiveness.</p> <p>The risk rating is considered to be Medium (9) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>This risk will be treated by:</p> <ul style="list-style-type: none"> <li>• Appointing the required independent ARIC officeholders in accordance with sections 7.1A and 7.1B of the Act; and</li> <li>• Adopting revised Terms of Reference that reflect the current legislative framework, clarify committee structure, and provide clear presiding and deputy arrangements.</li> </ul>	

**OPTIONS**

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

**CONCLUSION**

Council has already appointed the elected member component of the ARIC. This report now seeks Council's approval to appoint independent officeholders and adopt the revised Terms of Reference so the committee can operate under a clear and current governance framework.

**ATTACHMENTS**

1. CONFIDENTIAL - ARIC Independent Member Selection Report - Part A [12.1.1.1 - 3 pages]
2. CONFIDENTIAL - ARIC Independent Member Evaluation Report - Part B [12.1.1.2 - 2 pages]
3. CONFIDENTIAL - Candidate A Application Pack [12.1.1.3 - 9 pages]
4. CONFIDENTIAL - Candidate B Application Pack [12.1.1.4 - 5 pages]
5. CONFIDENTIAL - Candidate C Application Pack [12.1.1.5 - 5 pages]

6. ARIC Terms of Reference Adopted 10 December 2025 [**12.1.1.6** - 8 pages]
7. Draft Revised Terms of Reference [**12.1.1.7** - 6 pages]

<b>12.1.2</b>	<b>Statement of Financial Activity - March 2026</b>
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**Author:** Senior Financial Accountant

**Authorising Officer:** Director Corporate Services

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

**CM202627/156 COUNCIL DECISION**

**MOVED:** Cr Lorraine Butson

**SECONDED:** Cr Sharon Todd

**That Council:**

- 1. Receive the Monthly Financial Report for the period ended 31 March 2026, as shown in attachment 1;**
- 2. Receive the Accounts paid under delegated authority for the period ended 31 March 2026, as shown in attachment 2;**
- 3. Receive the Purchasing Card statements for the period ended 31 March 2026, as shown in attachment 3;**
- 4. Receive the Investment Summary Report for the period ended 31 March 2026, as shown in attachment 4;**
- 5. Receive the YTD Budget v Actual Report by Directorate for the period ended 31 March 2026, as shown in attachment 5; and**
- 6. Receive the Capital Listing report for the period ended 31 March 2026, as shown in attachment 6.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*  
*Against: Nil*

**PURPOSE**

The purpose of this report is for Council to receive the Statement of Financial Activity for the period ending 31 March 2026.

**DETAIL**

The information provided in this report is for the period ended 31 March 2026, with financial results included in Attachment 1. The preparation of the reports has been

made in compliance with the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

The Town's financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.

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

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

### **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*

- *Management*

*External Agencies*

- *Nil*

*Community*

- *Nil*

### **LEGISLATION AND POLICY CONSIDERATIONS**

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

### **FINANCIAL AND RESOURCE IMPLICATIONS**

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

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

Reserves:

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

### **STRATEGIC SUSTAINABILITY IMPLICATIONS**

#### **Council Plan**

The following sections of the Town's Council Plan 2025-2035 are applicable 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

**Access and Inclusion**

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

Nil

**RISK MANAGEMENT CONSIDERATIONS**

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

**OPTIONS**

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

**CONCLUSION**

The opening funding surplus of \$5.95M presented in the Statement of Financial Activity for the period ending 31 March 2026, represents the actual balance on the audited Statement of Financial Activity 2024-2025. The net current funding position for the period ending 31 March 2026 is \$56.3M due to raising \$87.9M in General Rates in Quarter 1 of 2025-2026.

**ATTACHMENTS**

1. Monthly Financial Report for the Period ended 31 March 2026 [**12.1.2.1** - 8 pages]
2. Accounts paid under delegated authority for the period ended 31 March 2026 [**12.1.2.2** - 66 pages]
3. Purchasing Card statements for the period ended 31 March 2026 [**12.1.2.3** - 10 pages]

4. Investment Summary Report for the period ended 31 March 2026 [**12.1.2.4** - 10 pages]
5. YTD Budget v Actual Report by Directorate for the period ended 31 March 2026 [**12.1.2.5** - 1 page]
6. Capital Listing report for the period ended 31 March 2026 [**12.1.2.6** - 6 pages]

**12.1.3****Proposed Fees and Charges 2026 - 2027**

**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.

Deputy Mayor Melville declared an Impartiality Interest in this item and remained in the Chambers.

**OFFICERS RECOMMENDATION:**

**That Council, pursuant to Sections 6.16 to 6.19 of the Local Government Act 1995, adopts the Town of Port Hedland 2026/27 Schedule of Fees and Charges with expectations of Green waste to remain the 2025/2026 current budget levels and facility of IO to remain the current budget levels that has been publicly advertised, as detailed in Attachment 1, effective 1 July 2026.**

**CM202627/157 AMENDMENT MOTION**

**MOVED:** Deputy Mayor Troy Melville      **SECONDED:** Cr Zoe Little

**That Council, pursuant to Sections 6.16 to 6.19 of the Local Government Act 1995, adopts the Town of Port Hedland 2026/27 Schedule of Fees and Charges with the expectations of Green Waste fee to remain the current 2025/2026 level and facility fees to remain at 2025/2026 Rate.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*

*Against: Nil*

**PURPOSE**

The purpose of this report is for Council to consider and adopt the 2026/27 Schedule of Fees and Charges, effective from 1 July 2026.

**DETAIL**

Local governments must review their Fees and Charges each year as part of the development of the annual budget. Completing this review in advance of the budget allows for more accurate Fees and Charges revenue projections as well as allowing for point-of-sale systems to be updated in preparation of each new financial year.

A local government's Fees and Charges schedule is made up of two broad categories of fees;

- Regulatory fees which are charges set by legislation to recover the cost of administering and enforcing said legislation and;

- Discretionary fees set by the Council to cover the costs of Town delivered services.

Given these definitions, this agenda item addresses specifically the Discretionary fees.

Regulatory fees are updated throughout the year as the associated legislation is changed with new fee amounts.

The Town takes a measured approach to reviewing its Fees and Charges. An initial 3% Consumer Price Index (CPI) increase is applied to each discretionary fee, then rounding is applied. This is in alignment with the Long-Term Financial Plan. Each fee is reviewed by its associated business unit to determine whether that increase is appropriate when considered against the costs underlying that fee, comparison of neighbouring councils and in consideration of the community who typically use that fee. For example, some of the Town's non-residential landfill fees were lower than those of neighbouring councils, leading businesses to use the Town's facility over their local option.

### **SUMMARY OF CHANGES**

Total number of Discretionary fees: 452 down from 456 in 25/26.

Of the Discretionary fees:

New: 61

Discontinued: 59

Reduced: 15

No increase: 94

CPI and rounding increase: 183

Above CPI increase: 40

#### ***Restructure***

- The facility bookings across the Town have been restructured to improve customer service by standardising costs across equivalent spaces.
- 34 of the new fees and 43 of the discontinued fees are due to this restructuring and standardising of the facility bookings.

- 

#### ***New fees***

- 9 new fees are in Waste and Services, introducing a commercial rate across various waste types based on benchmarking against neighbouring councils.
- 4 new fees are in preparation for the Town's operation of the visitors' centre.

#### ***Reduced fees***

Aquatic memberships and joining fees reduced for two reasons;

- The \$20.00 (down from \$38.00) Aquatic membership fee corresponds to access to two swimming pools, one of which is seasonal, while the existing

Platinum Membership Fee of \$60 (up from \$58.50) includes two gyms AND two pools. This equalizes customer value for money.

- The Recreation and Leisure team recognizes inconsistent service delivery due to aging pool infrastructure.
- Teen Fit memberships and joining fees reduced due to a combination of community feedback, alignment to the Strategic Community Plan and benchmarking against other regional local governments. The Recreation and Leisure team also noted that staffing limitations presented challenges in consistently delivering the TeenFit program.

### ***No increase***

- A number of family-oriented fees have been held with no increase, including many facility entry fees, library fees, JD kids club fees and movie tickets.

### ***Above CPI increase***

- 15 waste fees have been increased through benchmarking against neighbouring councils, including high-risk loads such as asbestos, biomedical waste and contaminated soil.
- The towing charge for vehicles above 4.5T GVM had its maximum weight uncapped and fee increased accordingly, discontinuing the "Above 22.5T GVM" fee.
- Fitness tests, towing administrative maintenance and private hire labour costs were all increased above CPI to better reflect increased labour costs.

### ***Other***

- 10 Domestic, Non-domestic and Premium bin services have received a preliminary review but are subject to change with further development of the 26/27 Budget given the connection to the Rating strategy. The fact these are pending is highlighted in the attached pdf.

## **LEVEL OF SIGNIFICANCE**

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

- Significant - Any issue, proposal, decision or other matter that will substantially affect a wide range of people who reside in Port Hedland.

## **CONSULTATION**

### ***Internal***

- Consultation has occurred with each business unit where a Fee or Charge is owned by that business unit. Our centralised system allows for subject matter experts from each department to review each item, and the relevant manager or director to approve that business unit's items. This was carried out over a two-month period from the 2nd of December 2025 to the 30th of January 2026, with a further two-week management review period.

- Each business unit has benchmarked their Fees and Charges against prior year fees, neighbouring councils, associated overheads, quality of service delivery, and well-being of the community.
- The Draft 2026/27 Schedule of Fees and Charges is approved by the Executive Leadership Team before it is advertised to the community.

#### *External Agencies*

- LG Solutions provides the purpose-built Fees and Charges review software that ensures each business unit can review only their own fees. An inbuilt audit log tracks every change. It also provides a “fee reckoner” that allows for the underlying costs to be entered alongside how many times that fee is expected to be charged to help ensure that the fee is set to an appropriate level.
- Genesis Accounting are GST specialists that review each new and existing fee to ensure the correct GST code is applied. This ensures that the 2026/27 Schedule of Fees and Charges is fully compliant with GST legislation.

#### *Community*

- The Draft 2026/27 Schedule of Fees and Charges was endorsed for advertising and inviting submissions at the Executive Leadership Team (ELT) briefing held on Tuesday, 3 March 2026
- The public consultation period was opened for two weeks ending on the 31st of March 2026. A combination of printed materials displayed at the Town’s facilities, direct emailing to stakeholders and advertising through the public website, was used to notify the public of the Draft 2026/27 Schedule of Fees and Charges. During this advertising window, four submissions were received. A summary of each submission is as follows:

#### **Submission 1:** Dirty Deeds Property Service

##### Key concerns:

- Objection to ongoing increases in commercial green waste fees, noting green waste requires minimal processing and provides landfill benefits.
- View that fee increases lack a clear cost-based justification specific to Port Hedland.
- Minimum weight thresholds disproportionately impact small operators handling light green waste.
- Perceived inequity where residents without the ability to transport waste themselves miss out on free disposal as they need to rely on commercial operators.
- Concern that higher fees will be passed on to customers and may discourage proper disposal, increasing verge, drain and environmental issues.

#### **Submission 2:** South Hedland Swans Football Club

##### Key concerns:

- Objection to proposed facility hire fee increases given the poor condition and limited functionality of current facilities.

- Loss of dedicated clubrooms and reliance on shared facilities affecting usability and professionalism.
- Ongoing issues with leaks, mould, and closures reducing access and usable time.
- View that increased fees are not reflective of facility quality or availability.
- Request for greater consultation and involvement of sporting clubs in decisions affecting shared facilities.

**Submission 3:** Hedland Junior Football Association (HJFA)

Key concerns:

- Objection to the proposed 3% facility fee increase while facilities remain constrained.
- Requirement to share a single clubroom with multiple clubs, limiting access and usability.
- Ongoing repair and maintenance issues reducing the facility's operational capacity.
- Reduced access and functionality impacting club operations, member experience, and program delivery.
- Request that fee increases be reconsidered or deferred until facilities are fully operational.

**Submission 4:** Hedland Taekwondo Club Inc

Key concerns:

- Request for existing venue bookings to be consistently honoured, citing frequent displacement by other activities.
- Disruptions affect class delivery and member stability.
- Concern that independent clubs face fee increases while Town-run programs do not.
- Limited capacity to absorb increased fees, potentially requiring costs to be passed on to members.
- Request for clarity on whether storage fees are included in the proposed increases.

In response to Submission 1, Waste & Services propose removing the minimum load requirement when charging for clean green waste. Minimum load was previously 0.5T. In response to submissions 2, 3 and 4, The Recreation and Leisure business unit acknowledges the concerns and has provided detailed responses to each submission on how each concern is being addressed including but not limited to; planned repair works, replacement facilities, and fee reductions and waivers in line with the Fees and Charges Waiver Policy. There are no further changes proposed to the Draft 2026/27 Schedule of Fees and Charges.

**LEGISLATION AND POLICY CONSIDERATIONS**

Section 6.6 to 6.19 of the *Local Government Act 1995* detail the imposing of fees when adopting the annual budget but may be imposed or amended by Absolute Majority at any stage during the financial year.

**FINANCIAL AND RESOURCE IMPLICATIONS**

The Draft 2026/27 Schedule of Fees and Charges endeavours to demonstrate a fair and equitable setting of prices.

The principles followed to achieve this include:

- Both direct and indirect costs to be considered when setting prices.
- Consideration of the accessibility, affordability and efficient delivery of services.
- Competitive neutrality with commercial providers.

Council will develop a schedule of fees and charges ahead of the release of its annual budget each year.

Proposed pricing changes will be included in this schedule and will be communicated to stakeholders before the budget is adopted, giving them the chance to review and provide valuable feedback before the fee changes are finalised.

**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

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

**Access and Inclusion**

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

Nil

**ISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Financial
<b>Cause</b>	Delayed adoption of the Fees and Charges Schedule may result in lower than projected revenue, impacting the annual budget.

	If insufficient time is given between adoption and the go-live of the 1 <sup>st</sup> of July 2026 members of the public may be overcharged on fees that are proposed to be decreased given the work required to ensure point-of-sale systems are up to date.
<b>Effect (Consequence)</b>	May impact on the Town’s ability to recover cost of service delivery.
<b>Risk Treatment</b>	Council adopts the 2026/27 Schedule of Fees and Charges
<p>There is an Operational and service interruption risk associated with this item caused by the non-adoption of the 2026/27 Schedule of Fees and Charges leading to a reduction in fees and charges revenue.</p> <p>The risk rating is considered to be Medium (9) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>This risk will be accepted by the adoption of the 2026/27 Schedule of Fees and Charges</p>	

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation

**CONCLUSION**

The Town of Port Hedland 2026/27 Schedule of Fees and Charges has been developed through a structured, cost-conscious and consultative process that balances financial sustainability, legal compliance and community wellbeing. The review applies a consistent CPI-based methodology aligned with the Long-Term Financial Plan, while allowing for targeted variations informed by benchmarking, service costs, asset condition and community impact. Stakeholder feedback received through public consultation has been carefully considered, resulting in a limited amendment and clear responses to concerns raised. Adoption of the 2026/27 Schedule of Fees and Charges by Council is required to support accurate budgeting, ensure timely system updates and maintain appropriate cost recovery for Town services.

**ATTACHMENTS**

1. Discretionary fee review 02 04 26 [**12.1.3.1** - 32 pages]

**12.1.4 Notice of Intention to Levy Differential Rating**

**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.

**CM202627/158 COUNCIL DECISION**

**MOVED:** Cr Lorraine Butson

**SECONDED:** Cr Sharon Todd

**That Council, following revaluations, feedback and considerations:**

- 1. Pursuant to Section 6.36(3A) of the *Local Government Act 1995*, endorse the proposed Statement of Objects and Reasons for Differential Rates 2026 –2027 as per Attachment 1.**
- 2. Pursuant to section 6.36(1) of the Local Government Act 1995, gives local public notice and invite submissions on its intention to impose the following general rates and minimum payments**

<b>Differential Rating Category</b>	<b>Proposed Rates in \$</b>	<b>Multiplier Lowest Rate in \$</b>	<b>Minimum Rate</b>
GRV Residential	\$0.04350000	Lowest GRV	\$1,300
GRV Commercial/Industrial	\$0.08245965	1.9	\$1,900
GRV Mass Accommodation	\$0.17400000	4.0	\$1,900
GRV Airport	\$0.08700000	2.0	\$1,900
UV Pastoral/Other	\$0.13951299	Lowest UV	\$1,900
UV Mining	\$0.25200000	1.81	\$250

- 3. Pursuant to section 6.33(3) of the Local Government Act 1995, endorse an application to the Minister for approval to impose a differential general rate that is more than twice the lowest differential rate being imposed.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*

*Against: Nil*

**PURPOSE**

For Council to consider a proposed differential rating model for 2026-2027 for the purpose of advertising and seeking further public submissions, towards:

- Objects and Reasons for Differential Rates with a new category; and

- Revised rate in the dollar charges and minimum amounts per differential rating category.

### **DETAIL**

Councils levy Rates each year to meet budget requirements to deliver services and community infrastructure; Councils apply Rates in a manner that is deemed to be fair and equitable for the Town's ratepayers.

To maintain equity across the Town, the valuation of individual properties is used as a basis for calculating the rates imposed in accordance with their predominant land use. This is called Differential Rating and is pursuant to Section 6.33 of the *Local Government Act*.

### Property Valuations

The Valuer-General (Landgate) independently value each property through a process that involves assessing the Gross Rental Value (GRV) and/or Unimproved Value (UV). The GRV reflects the estimated rental value of a property, while the UV is the value of land only. The valuations are updated regularly to ensure a fair and equitable distribution of rates.

The Valuer-General determines the GRV for all properties within the Town of Port Hedland every three years. The current general valuation is effective from 1 July 2025. (Valuation period 2025/26 to 2028/29).

UV are reviewed and provided to the Town annually by the Valuer General. This covers, but not limited to Mining leases, State Agreements, Mining tenements, Pastoral leases, along with all other leasing and licences as described by the Mining Act (*Mining Act 1904*) and the Port Hedland Port Authority "The Government Trading Enterprises Act 2023 (WA) (GTE Act)" leased land and privately owned land. The current valuation is effective from 1 July 2025, and a 2026 update is expected in April or May.

### Differential Rating

The main objectives of the proposed 2026-2027 rates model presented are:

- A separate calculated rate in the dollar and established minimum rates to achieve greater equity across all sectors and ensure a minimum base level contribution.
- Raise sufficient yield to maintain current and additional services, future infrastructure growth & renewal to meet community expectations, as outlined in the adopted Strategic Community Plan 2022-2032.
- Maintain the distribution of rating burden considering objective, fair and equitable standards.
- Provide a level of certainty and consistency for ratepayers with a fair & stable view to long-term rates modelling, while providing financial sustainability for the Town of Port Hedland.

Average Rating Impacts

The proposed differential rating model is forecast to have the following impacts upon an average property categorised as follows:

<b>Category</b>	<b>2025/26 Rate Revenue</b>	<b>Proposed 2026/27 Rate Revenue</b>	<b>Average Weekly Increase</b>
Residential	\$13,513,856	\$13,513,856	\$0.00
Commercial/Industrial	\$6,106,046	\$6,400,328	\$9.50
Mass Accommodation	\$2,070,610	\$2,760,813	\$829.57
Airport	\$801,180	\$801,180	0.00
Pastoral / Other	\$279,129	\$292,705	\$15.36
Mining / Strategic	\$65,304,947	\$68,569,332	\$129.70

The following table outlines the proposed differential general rates and minimum charges, proposed to be advertised for the 2026-27 financial year. The proposed rate model is expected to yield \$92,338,214 (prior to concession applications) estimated at \$200,000, of which \$9,976,045 is proposed to be quarantined and transferred into the strategic reserve (up from \$5,750,000 in 2025-26).

<b>Differential Rate Category</b>	<b>Ratable value</b>	<b># of ratable properties</b>	<b>Proposed Rates in \$ / Minimum Charge</b>	<b>Estimates Rates Revenue \$</b>	<b>% Increase since prior year</b>
GRV Residential	\$ 279,373,708	5,310	0.04350000	12,152,756	0.00%
GRV Commercial / Industrial	\$ 74,944,875	596	0.08245965	6,179,928	5.00%
GRV Mass Accommodation	\$ 15,866,740	16	0.17400000	2,760,813	33.33%
GRV Airport	\$ 9,208,960	1	0.08700000	801,180	0.00%
UV Pastoral / Other	\$ 2,043,574	17	0.13951299	285,105	5.00%
UV Mining / Strategic	\$ 272,032,072	484	0.25200000	68,552,082	5.00%
<b>Subtotal</b>	<b>\$ 653,469,929</b>	<b>6,424</b>		<b>90,731,864</b>	<b>4.9%</b>
<b>Minimum payment</b>					
GRV Residential		1,047	1300.00	1,361,100	0.0%
GRV Commercial / Industrial		116	1900.00	220,400	0.0%
GRV Mass Accommodation		-	1900.00	0	0.0%
GRV Airport		-	1900.00	0	0.0%
UV Pastoral / Other		4	1900.00	7,600	0.0%
UV Mining / Strategic		69	250.00	17,250	0.0%
<b>Subtotal</b>	<b>\$ -</b>	<b>1,236</b>		<b>1,606,350</b>	<b>0</b>
<b>RATES TOTAL</b>	<b>\$ 653,469,929</b>	<b>7660</b>		<b>92,338,214</b>	<b>4.84%</b>
			<b>Concessions</b>	200,000	
			<b>Amount Quarantined and transferred to Reserve</b>	9,976,045	
			<b>Net Rating</b>	<b>82,162,169</b>	

**LEVEL OF SIGNIFICANCE**

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

- Significant - Any issue, proposal, decision or other matter that will substantially affect a wide range of people who reside in Port Hedland.

**CONSULTATION***Internal*

Budget development has involved all teams at the Town, when determine budget efficiencies.

*External Agencies*

Relevant information received and reviewed for valuation (GRV & UV) purpose has been obtained from:

- Landgate
- Port Hedland Port Authority
- Department of Mines, Petroleum and Exploration
- Department of Local Government, Industry Regulations and Safety.

*Community*

- Submissions will be sought from ratepayers via state-wide and local public notices.
- Individual letters of consultation will be sent out to ratepayers whose differential category has less than 30 rateable properties
- A community and ratepayer open forum will again be held at date and time to be confirmed.
- A business community engagement session is also intended to be held in conjunction with the Port Hedland Chamber of Commerce and Industry.

**LEGISLATION AND POLICY CONSIDERATIONS**

- Policy 2/004 Rating
- Town of Port Hedland Rating Strategy 2025-2030
- Section 6.33 of the Local Government Act 1995 (the Act) provides local governments with the option of implementing differential rates. It is proposed that the Town's rating will continue to be based upon differing land use.
- Section 6.33 (3) notes when imposing a differential rates, a local government is not, to without the approval of the Minister, to impose a differential general rates which is more than twice the lowest differential general rates imposed.
- Section 6.36 of the Act requires local public notice of the intention to levy differential rating.

- Section 6.36 of the Act, local governments are required to give a minimum period of 21 days’ notice of the proposed differential general rates and minimum rate to consider any submissions received.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Rating is one of the most significant functions of the Town representing 72% of the total revenue, it directly impacts every ratepayer in the Town.

**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

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

**Access and Inclusion**

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

- Outcome 3 – Accessible Information
- Outcome 4 – Quality of Service
- Outcome 5 – Opportunities for Feedback
- Outcome 6 – Public Consultation

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Financial
<b>Cause</b>	Revenue required to support operations and fund new and renewal capital works
<b>Effect (Consequence)</b>	Financial Sustainability
<b>Risk Treatment</b>	Review annually

There is an Operational risk associated with this item caused by the need to maintain the Town’s long-term financial sustainability whilst providing services, maintaining community facilities and delivering new infrastructure, which requires significant revenue requirements.

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

This risk will be mitigated by identifying the purpose and approach towards rating requirements that provide a clear indication to the community and ratepayers on future rating.

### **OPTIONS**

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

### **CONCLUSION**

The proposed rating model for 2026-2027 to be advertised for ratepayer and community stakeholder feedback. Feedback will be collated and presented to Council as part of the continued budget preparation workshops ahead of formally adopting the Town’s annual budget.

### **ATTACHMENTS**

1. Statement of Objects and Reasons 2026 2027 V2 [**12.1.4.1** - 10 pages]

## **12.2 Community Services**

Nil.

## 12.3 Regulatory Services

<b>12.3.1</b>	<b>Australian Mining Cities Alliance</b>
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**Author:** Principal Economic Development

**Authorising Officer:** Director Regulatory Services

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

### CM202627/159 COUNCIL DECISION

**MOVED:** Cr Lorraine Butson

**SECONDED:** Cr Sharon Todd

**That Council:**

- 1. Endorse the Town of Port Hedland joining the Australian Mining Cities Alliance (AMCA).**
- 2. Appoint Mayor as the representative of the Town of Port Hedland on the AMCA Board of Directors and Deputy Mayor as Proxy; and**
- 3. Appoint the CEO to the AMCA Operational Committee.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*  
*Against: Nil*

## PURPOSE

The purpose of this report is for Council to consider joining the Australian Mining Cities Alliance to strengthen the Town of Port Hedland's collective advocacy efforts.

## DETAIL

### *Overview*

The Australian Mining Cities Alliance (AMCA) is a coalition of local governments where minerals mining or gas extraction is the predominant economic development activity within their jurisdictions. These regions generate billions for the national economy and serve as hubs for critical minerals but remain underserved and excluded from long-term federal planning.

AMCA was established in 2017 to progress the economic and social development of mining cities across Australia, share experiences and expertise among the members of the Alliance, and seek to improve State, Territory and Federal policy settings relating to mining cities.

The Alliance currently comprises six local governments across Western Australia, New South Wales and Queensland:

- City of Kalgoorlie-Boulder (WA)
- City of Broken Hill (NSW)
- Mount Isa City Council (QLD)
- Isaac Regional Council (QLD)
- City of Karratha (WA)
- Shire of East Pilbara (WA)

### *Advocacy activity*

Over the past 18 months, the Alliance has focused its advocacy on the following priorities:

- Expand Critical Minerals List
  - Inclusion of Iron ore, Magnetite and Steel-Making Coal in Australia's Critical Minerals List
- Tax Reform for Sustainable Regional Mining Communities
  - Revising the Fringe Benefit Tax to make regional living more affordable and sustainable, including increasing home affordability and ownership.
- National Data Collection on Mining Workforce and Population Trends
  - Mandate the ABS to collect non-resident workforce data through a dedicated national framework
  - Develop a national funding model that considers both resident and non-resident populations.
  - Form a cross-government working group to oversee regional impact assessments, economic diversification, and infrastructure planning.
- Transformation of Mining Communities Following Mine Closures
  - Ensuring mining communities are well supported following mine closure.

Over the next twelve months, the Alliance aims to increase its lobbying efforts, review its existing position papers and develop a new advocacy position advocating for a proportion of mining royalties to be reinvested in host regions.

There is an opportunity for the Town of Port Hedland (Town) to join the Alliance to strengthen the Town's advocacy through collective engagement with other local governments with major mining economies, improve access to shared policy intelligence and peer networks, and help secure better long-term planning and investment outcomes for communities that underpin Australia's resource sector.

Port Hedland's role as an internationally significant minerals export and logistics hub strongly aligns with AMCA's purpose, particularly in relation to infrastructure demand, housing pressures, workforce constraints, and the need for coordinated, long-term planning that matches the scale and national importance of mining city economies.

### *Commitment*

Membership provides the Town with an opportunity to nominate the Mayor (or a delegate) to the AMCA Board of Directors and to nominate a representative to the operational committee, allowing the Town to ensure the needs of Port Hedland are considered in the Alliance's policy and advocacy priorities.

The Alliance meets approximately five times per year (typically twice online, two delegations to Canberra, and once in-person meeting hosted by one of the member local governments). One of the Canberra delegations is aligned with the Australian Local Government Association National General Assembly allowing delegates to attend both the Assembly and AMCA meetings at Parliament House.

### **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*

- ELT (18 November 2025)
- Director Regulatory Services
- Manager Planning & Economic Development

#### *External Agencies*

- Australian Mining Cities Alliance

#### *Community*

- Nil

### **LEGISLATION AND POLICY CONSIDERATIONS**

- Should Council endorse joining the AMCA, the Elected Member External Groups Representation Information Statement will be updated to include the appointment to the Board of Directors.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

- Joining fee - \$10,000 (one off)
- Annual Tier 1 membership fee - \$20,000 (per financial year, pro-rata)
- Estimated travel costs - \$8,000

The joining fee and membership fee Australian Mining Cities Alliance will be funded through existing funds available under the Town's FY2025-2026 operational budget.

Travel costs will be resourced using the Town's FY2025-2026 operational budget.

Funds will be allocated to the FY2026-2027 operational budget to cover ongoing membership and associated travel expenses.

### **STRATEGIC SUSTAINABILITY IMPLICATIONS**

#### **Council Plan**

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

Our Economy:

We build prosperity for all – enabling sustained and diversified economic and employment growth.

2.1 Business and job growth.

Our Leadership:

We are united in our actions to connect, listen, support and advocate, thereby leveraging the potential of our people, places and resources.

4.1 Global, national, state, and local presence and voice.

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

**Access and Inclusion**

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

Nil

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Reputational
<b>Cause</b>	Membership does not translate into tangible outcomes
<b>Effect (Consequence)</b>	Perception that membership is not viewed as value for money
<b>Risk Treatment</b>	Accepted
<p>There is a Strategic risk associated with this item caused by membership not translating into tangible outcomes, leading to perception that membership does not represent value for money.</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).</p> <p>This risk will be accepted. Tangible outcomes of the Town’s membership will be evaluated with in 18 months prior to renewing membership for FY2027-2028.</p>	

**OPTIONS**

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

Membership with the Australian Mining Cities Alliance would see the Town of Port Hedland join like-minded local governments in advocating for meaningful change that supports resilient, sustainable and liveable regions.

**ATTACHMENTS**

Nil

<b>12.3.2</b>	<b>Proposed Scheme Amendment No. 9 – Additional use 'transport depot'</b>
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**Author:** Coordinator Urban Planning

**Authorising Officer:** Manager Planning & Economic Development  
Principal Economic Development

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

#### **CM202627/160 COUNCIL DECISION**

**MOVED:** Cr Sharon Todd

**SECONDED:** Cr Russell McDowall

#### **That Council:**

- 1. In accordance with Section 75 of the Planning and Development Act 2005 (PD Act) resolves to prepare Amendment No. 9 of the Town of Port Hedland Local Planning Scheme No. 7, as shown in Attachment 1.**
- 2. In accordance with Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, determines that Amendment No. 9 of the Town of Port Hedland Local Planning Scheme No. 7 is a standard amendment for the following reasons:**
  - a. The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and**
  - b. The amendment would not result in any significant environmental, social, economic or governance impacts on land in the scheme area**
- 3. Authorises the Chief Executive Officer (CEO) to proceed to advertise the proposed Amendment No. 9 for a period of 42 days, in accordance with regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015, immediately upon receipt of the Minister for Planning's approval to advertise.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*

*Against: Nil*

#### **PURPOSE**

The purpose of this report is for Council to consider resolving to prepare (initiate) Amendment No. 9 (the Amendment) of the Local Planning Scheme No. 7 (LPS 7) for the purposes of advertising.

## DETAIL

### Context and background

The Amendment is sought over Lot 6 and 5407 Leehey Street and Lot 1 Trig Street, Wedgefield (**Attachment 2 – Locality Plan**). The three properties total 3.22 hectares in area and have road frontages to Leehey Street and Trigg Street (**Attachment 3 – Site Plan**). The subject site is located within the Wedgefield Industrial area, which is the Town's primary industrial precinct.

The immediate locality is characterised by light-industrial land uses on varied lot sizes, typical of an established industrial area. Leehey Street accommodates a mix of automotive services, logistics operations and caretaker's dwellings.

DA Campbell Property Holdings Pty Ltd is the proprietor of the three properties and Campbell Transport operates from the premises, which has been used as a transport depot for approximately forty years. The business provides bulk haulage, general freight, mining logistics and agricultural transport and operates a fleet of heavy vehicles including quad road trains. Ancillary operations include office and workshop activities, refuelling, parking and washdown of vehicles.

In 2023, compliance action was initiated by the Town, stemming from complaints regarding unauthorised development, buildings and site operations causing nuisance to nearby properties. A Directions Notice for unauthorised land uses and works were issued to the landowner and was subsequently appealed at the State Administrative Tribunal (SAT). This process resulted in a mediated outcome being agreed between Officers of the Town and the landowner, with one of the key actions agreed being the preparation and approval of a scheme amendment to facilitate the lawful use of the site as a transport depot.

### The proposal

The Amendment seeks to formalise the existing long-term use of the site as a 'Transport Depot' and seeks to:

- Apply an additional use 'Transport Depot';
- Remove reference to Lot 5407 Leehey Street from an additional use as a Caretaker's dwelling; and
- Update the Scheme Maps accordingly.

### Officer assessment

The applicant conveys, and Officers agree, that the proposed amendment is appropriate for the following reasons:

#### 1. Formalises a long-standing use

The amendment formally recognises a transport depot that has operated continuously on the subject land since the establishment of Wedgefield. It will provide a framework to resolve compliance issues and provide certainty to all stakeholders.

#### 2. Alignment with the local planning framework

The proposal is consistent with the Local Planning Strategy, which supports ongoing industrial activity in appropriate areas such as Wedgefield.

### 3.Reflects the established character of Wedgefield

Wedgefield was historically developed to support the resources sector, accommodating a mix of industrial, transport and serviced-based operations.

### 4.Resolution of non-conforming use and SAT facilitated outcomes

The amendment would resolve the current non-conforming use by formally recognising the transport depot and associated operations across the three properties. This outcome follows mediation through SAT with the Officer's view that a transport depot is an appropriate land use, subject to improved management and compliance.

While 6 Leehey Street has established non-conforming use rights, 4C Trig Street and 12 Leehey Steet likely do not. Officers are generally supportive of formalising this through the mechanism of Development Approval to consolidate and manage the operations to minimise offsite impacts.

The Amendment provides the statutory mechanism to regularise these arrangements and ensure the use operates to an appropriate standard. To-date, an application for Development Approval has been lodged with the Town and advertising recently concluded. The application will progress following a decision on this Scheme Amendment. The development application seeks to improve the operations of the site and addresses the issues subject of the original complaints, particularly with respect to crossovers, formalising access arrangements, landscaping and drainage.

## **LEVEL OF SIGNIFICANCE**

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

## **CONSULTATION**

### *Internal*

- Planning Services
- Engineering Services
- Environmental Health Services

### *External Agencies*

- Prior to advertising, Amendment No. 9 is required to be referred to the Minister for Planning under section 83A of the *Planning and Development Act 2005* for consent to advertise.
- Environmental Protection Authority.
- Should Council and the Minister resolve to advertise the amendment, notice will be provided to any public authority the Town considers will be affected by the amendment.

### *Community*

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

### **LEGISLATION AND POLICY CONSIDERATIONS**

- *Planning and Development Act 2005*
- Planning and Development (Local Planning Schemes) Regulations 2015
- Town of Port Hedland Local Planning Scheme No. 7
- SPP 4.1 - Industrial interface

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

### **STRATEGIC SUSTAINABILITY IMPLICATIONS**

#### **Council Plan**

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

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

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

#### **Access and Inclusion**

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

- Outcome 6 – Public Consultation

**RISK MANAGEMENT CONSIDERATIONS**

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

**OPTIONS**

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

**CONCLUSION**

The proposed Scheme Amendment seeks to regularise the long-standing use of the subject land as a Transport Depot. The Amendment responds directly to compliance matters previously identified by the Town and reflects the outcomes of mediation facilitated through the State Administrative Tribunal. Officers consider the Amendment to be appropriate on planning grounds, as it formalises an established industrial use that is generally compatible with the character and function of the area. The Amendment provides a statutory mechanism to resolve compliance issues. Accordingly, Officers support the proposed Amendment and recommend it proceed, as it represents a balanced and pragmatic planning outcome that supports industrial activity while ensuring appropriate regulatory controls are in place.

**ATTACHMENTS**

1. Attachment 1 - Amendment Report [**12.3.2.1** - 31 pages]
2. Attachment 2 - Locality Plan [**12.3.2.2** - 1 page]
3. Attachment 3 - Site Plan [**12.3.2.3** - 1 page]

**12.4 Infrastructure Services**

<b>12.4.1</b>	<b>Award of RFT2526-13 Operation and Maintenance - South Hedland Landfill Wastewater Treatment Plant</b>
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**Author:** Senior Waste & Resource Recovery Officer

**Authorising Officer:** Manager Waste & Services  
 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.

Councillor Butson declared a Financial Interest in this item and left the Chambers at 7:19pm and returned 7:29pm.

**CM202627/161 COUNCIL DECISION**

**MOVED:** Deputy Mayor Troy Melville      **SECONDED:** Cr Russell McDowall

**That Council:**

- 1. Authorises the Chief Executive Officer to enter into a Contract for the award of RFT2526-13 Operation and Maintenance Services - South Hedland Wastewater Treatment Plant to Veolia Water Operations Pty Ltd for period of 5 years with 1+1year extensions (At the sole discretion of the principal.)**
- 2. Authorises the total amount of \$1,886,941.00 (excluding GST) +CPI in years 2-7 of the contract.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*  
*Against: Nil*

**PURPOSE**

The purpose of this report is for the Council to consider the assessment of submissions received for RFT2526-13 Operation and Maintenance Services - South Hedland Wastewater Treatment Plant (WWTP) and consider the evaluation panel’s recommendation to award the tender to the preferred tenderer.

The Wastewater Treatment Plant is used by businesses to dispose of wastewater (mainly septic tanks) in an approved fashion. The costs for operations are covered by the fees which are charged or use and are ring fenced as part of the Waste Reserve. Any increases in charges will be factored into the new fees and charges to be agreed by Council as part of the 2026/27 Annual Budget deliberations.

**DETAIL**

### Background

The scope for the operation and maintenance of South Hedland Landfill WWTP is for the Contractor to assume 24 hour/day responsibility for operating and maintaining the WWTP, performing routine checks and adjustments as required to maintain plant ability to meet treated water quality requirements of the Guidelines for the Non-potable Uses of Recycled Water in Western Australia (August 2011) for use as dust suppression at South Hedland Landfill and emergency firefighting.

This includes but is not limited to:

- Daily onsite monitoring and chemical treatment management.
- Remote monitoring for fault and abnormality detection.
- Remote process and performance monitoring.
- Routine desludging of the treatment process.
- Complete monthly sampling and laboratory analysis for PH, Residual Chlorine, and E. coli.
- Management of effluent pond levels.
- 24/7 access to technical experts including wastewater engineers and electrical technicians experienced with programmable logic controllers.

### Request for Tender

The Town released a Request for Tender (RFT) on 12 November 2025 on Vendorpanel (the Town's e-tendering portal) and was advertised in the West Australian and the Northwest Telegraph with a closing date of 15 December 2025. The RFT number for this project is RFT2526-13. There was one (1) addendum released during the tender period relating to the scope of work clarifications.

### Tender Assessment

The Town received three (3) responses of which one (1) was deemed non-compliant due to the tenderer not attending compulsory site visit meeting.

The respondents were as follows:

1. Iconic Water Solutions Partners Australia Pty Ltd
2. Veolia Water Operations Pty Ltd
3. Waste Water Services Pty Ltd

An evaluation meeting was held on 8 Jan 2026, facilitated by the Town's procurement representative. The compliant submissions were evaluated by a panel of three (3) Town employee's whose main objectives were to:

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

The compliant submissions were assessed against the following qualitative criteria:

<b>Qualitative Criteria</b>	<b>(%)</b>
<i>Relevant Experience</i>	30%
<i>Demonstrated Understanding &amp; Resources</i>	30%
<i>Service &amp; Maintenance</i>	40%
<b>Total</b>	<b>100%</b>

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

### **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the wastewater treatment plant is a significant asset which generates income for the Town and provides a much-needed service.

### **CONSULTATION**

#### *Internal*

- TOPH Procurement

#### *External Agencies*

*Nil*

#### *Community*

*Nil*

### **LEGISLATION AND POLICY CONSIDERATIONS**

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

1/014 Execution of Documents

1/022 Risk Management

2/007 Procurement

2/019 Financial Reserves

4/009 Significant Decision Making

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

3.57 Tenderer for providing goods or services

9.49A Execution of documents

9.49B Contract formalities

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

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

**FINANCIAL AND RESOURCE IMPLICATIONS**

As per the 25/26 Annual Budget, \$236,496 is allocated to this project. A further budget allocation will be required for years 2 – 5 and if utilised in years 6 and 7.

		<b>Budget Value (\$)</b>
Financial Year 2026	Contract Year 1	\$269,563.00
Financial Year 2027	Contract Year 2	\$269,563.00
Financial Year 2028	Contract Year 3	\$269,563.00 + CPI or 2%
Financial Year 2029	Contract Year 4	\$269,563.00 + CPI or 2%
Financial Year 2030	Contract Year 5	\$269,563.00 + CPI or 2%
Financial Year 2 031	Extension 1	\$269,563.00 + CPI or 2%
Financial Year 2 032	Extension 2	\$269,563.00 + CPI or 2%

**STRATEGIC SUSTAINABILITY IMPLICATIONS**

**Council Plan:**

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

*Environmental*

The award of RFT2526-13 for the operation and maintenance of the South Hedland Landfill Wastewater Treatment Plant has positive environmental implications by ensuring the facility is managed in accordance with relevant regulatory requirements and best practice standards. Ongoing professional operation, monitoring and maintenance of the plant supports effective treatment of wastewater prior to reuse for non-potable purposes such as dust suppression and emergency firefighting, reducing the risk of environmental contamination. The contract ensures consistent compliance with the *Guidelines for the Non-potable Uses of Recycled Water in Western Australia*, supporting environmental protection outcomes and responsible management of a critical waste and wastewater asset.

*Economic*

The award of the contract provides economic certainty for the ongoing operation of a revenue-generating asset, with operational costs fully recovered through user fees and managed within the Waste Reserve. Engaging an experienced operator mitigates the risk of plant failure, service disruption and potential non-compliance costs,

supporting long-term financial sustainability. The multi-year contract structure also enables predictable budgeting and cost control, ensuring wastewater service charges can be appropriately considered through the Town’s annual Fees and Charges process while supporting local and regional economic activity reliant on this essential service.

*Social*

The continuation of reliable operation and maintenance services at the South Hedland Landfill Wastewater Treatment Plant supports positive social outcomes for the community by ensuring uninterrupted access to an essential waste disposal service for local businesses and service providers. Effective management of wastewater contributes to public health protection, reduces odour and environmental nuisance risks, and supports safe landfill operations. By maintaining continuity of service through a suitably qualified contractor, the Town demonstrates its commitment to meeting community expectations, regulatory compliance, and the provision of essential infrastructure that underpins liveability within the community

**Access and Inclusion**

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

Nil

**Corporate Business Plan**

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

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Project
<b>Risk Category</b>	Reputational & Service Interruption
<b>Cause</b>	If Council do not support the endorsement of RFT2526-13 to proceed with award of contract to successful Tenderer
<b>Effect (Consequence)</b>	The Town will fail to meet a community service need and the Recycled Water Scheme Approval condition to ensure quality of recycled water and use of recycled water for dust suppression at South Hedland Landfill meets the requirements of the Australian Guidelines for Water Recycling and other regulatory requirements.
<b>Risk Treatment</b>	Adopt the officer’s recommendation

There is a reputational risk associated with this item because the facility offers liquid waste acceptance services to the community

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

This risk will be eliminated by the adoption of the Officers' recommendations.

### **OPTIONS**

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

### **CONCLUSION**

The South Hedland Landfill Wastewater Treatment Plant is a critical asset that supports environmental protection, public health and economic activity within the Town. Awarding RFT2526-13 to the preferred tenderer ensures the facility is operated and maintained to appropriate technical and regulatory standards, providing continuity of service and risk mitigation for the Town. On this basis, acceptance of the officer's recommendation represents a prudent, low-risk decision that supports sustainable service delivery and the effective management of essential infrastructure.

### **ATTACHMENTS**

Multiparty Evaluation Report

Request Summary Report

Evaluation Report and Authorisation Memo

<b>12.4.2</b>	<b>Cook Point Caravan Park - Deed of Variation</b>
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**Author:** Coordinator Property Management

**Authorising Officer:** Director Infrastructure Services

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

**CM202627/162 COUNCIL DECISION**

**MOVED:** Cr Lorraine Butson

**SECONDED:** Cr Sharon Todd

**That Council:**

- 1. Approves the request for the Deed of Variation (Confidential Attachment 1) to enable an extension of time for the completion of maintenance and investment works until 31 May 2027.**
- 2. Acknowledges the capital investment of approximately \$7 million of capital investment at the Cook Point Caravan Park.**
- 3. Authorises the CEO and Mayor to affix the Common Seal to the Deed of Variation.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*

*Against: Nil*

**PURPOSE**

The purpose of this report is for Council to consider the approval and signing of a Deed of Variation for completion of the investment works outlined in the current lease agreement held between the Town of Port Hedland and Discovery Holiday Parks Pty Ltd for the Cooke Point Caravan Park.

The current lease stipulates that these works were to be completed by 19 March 2024 at the Lessee's own cost and in accordance with all work conditions. The Lessee is requesting an extension approving the completion of works be moved to 31 May 2027 as the current schedule would involve substantial disruption to the park during the 2026 peak period. Accommodation would be required to house contractors completing the works; limiting availability to visitors during this time.

Discovery Parks were not able to complete all of the works during the timeframe specified due to staff changes and covid affecting project delivery. It should be noted that Discovery Parks will be making a significantly greater investment in the park than they are obligated to make under the lease.

Under the lease, any improvements made become the property of the lessor.

An outline of the planned works is included as Attachment 2.

**DETAIL**

A lease agreement is currently held between Town of Port Hedland and Discovery Holiday Parks Pty Ltd. The initial proposed lease was reported at OCM 26 August 2020, CM202021/035:

**OCM 26 August 2020, CM202021/035:**

Carried by Commissioner Riebeling

That Council:

1. Approve the draft Heads of Agreement with Discovery Holiday Parks Pty Ltd (ACN 111 782 846) for the proposed lease of the Cooke Point Caravan Park;
2. Approve the business plan prepared for this transaction which is a major land transaction in accordance with Section 3.59(2) of the Local Government Act 1995; and
3. Approve state-wide notice to be given for this transaction in accordance with section 3.59(4) of the Local Government Act 1995.

02/09/2020 - Statewide and local public notice as advertised in the West Australian (31A)

**OCM 25 November 2020, CM202021/096:**

Officers Recommendation 1/Council Decision

Moved: CR Unkovich Seconded: CR Zielke

- That Council approve to proceed with a new lease for the Cooke Point Caravan Park with Discovery Holiday Parks Pty Ltd (ACN 111 782 846) as proposed in the Heads of Agreement in accordance with section 3.59(5) of the Local Government Act 1995.

Carried 9/0

14/01/2021 - Draft lease received from Jackson McDonald. With Town legal team for review.

15/04/2021 - Draft lease provided to Discovery Holiday Parks Pty Ltd for review and consideration.

**OCM 25 November 2020, CM202021/097:**

Officers Recommendation 2/Council Decision

Moved: CR Gillingham Seconded: CR Unkovich

That Council:

1. Notes that no submission were received in response to the Statewide Public Notice;
2. Approve to proceed with a Surrender of Lease of the existing lease with Aspen Parks Property Management Ltd (ACN 096 790 331);
3. Approve to proceed with obtaining Ministerial Consent to Lease and Surrender of Lease pursuant to the Land Administration Act 1997.

The Cook Point Caravan Park is located at 2 Taylor Street, Port Hedland. The current lease obligations require the proponent to invest \$10 million across the 21-year term, structured as follows:

1. Maintenance and Renewal Works - \$7.2m
2. New Investment works - \$2.8m

Since the commencement of the lease in March 2022, Discovery Parks has invested \$2.6M to complete the following projects and maintenance items at the park:

- Major refurbishment of 20 Superior cabins
- New air conditioners & controllers for over 40 cabins across the park
- New hot water upgrades
- New plant and equipment (laundry & housekeeping)
- Amenities refreshment
- General repairs and maintenance

There are 2 remaining mandatory items that are planned to be completed by the proponent as outlined below:

Description	Comment	Start Date	End Date
<b>Vehicle Wash Bay upgrade</b>	<b>Oily water separator and bunding (assuming DA approval by March 2026)</b>	<b>Apr 26</b>	<b>Apr 26</b>
<b>Replace hot water system in bunk house</b>	<b>Bunk house currently not used, replacement to be done in conjunction with cafe and reception upgrade</b>	<b>Nov 26</b>	<b>Apr 27</b>

The Lessee met with the Town in November 2025 and in accordance with clause 8.4 of the terms of the lease, placed a formal request in writing to extend the completion of the New Investment Works to 31 May 2027. The remaining work schedule is as below:

Description	Comment	Start Date	End Date
Redevelopment of Pool Area	Re-line pool, address deficiencies, enhance shade, paving & landscaping	Jan 26	Apr 26
Upgrade powered sites	12 enhanced sites	March 26	Apr 26
Improve existing BBQ areas	Including seating and shade	Oct 26	Dec 26
Renovate camp kitchen	Refurb existing and extend	Dec 26	Feb 27
Improve park layout and infrastructure	Realign site for improved access # 1	Jan 26	Mar 26
	Realign site for improved access # 2	Mar 26	Apr 26
	Realign site for improved access # 3	Oct 26	Dec 26
Enhance ablutions	Refurb amenities block #1	Jan 26	Mar 26
	Refurb amenities block #2	Feb 27	Apr 27
Redevelopment of main building	Combining reception and cafe with outdoor seating	Nov 26	Apr 27
Manager's residence	Demolish and replace manager's residence	Jan 27	May 27

## LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because the work will be completed albeit at a later time. This has no impact on the financial obligation of the operator and enables the Park to remain open during the peak tourist season.

## CONSULTATION

### *Internal*

- Director Infrastructure Services
- Manager Infrastructure Operations
- Coordinator Property Management
- Director Corporate Services
- Leasing Officer
- Manager of Governance
- Principal Economic Development & Tourism

### *External Agencies*

- McLeod's Lawyers
- Discovery Holiday Parks Pty Ltd

### *Community*

## LEGISLATION AND POLICY CONSIDERATIONS

The Local Government Act was followed in the awarding of the lease. The Variation Deed enables the dates of the works to be changed and is consistent with the lease provisions.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There are no financial implications as the financial obligations outlined in the Lease are not impacted by the extension request. Discovery Parks will be making a significantly higher investment than they are required to do under the lease.

### **STRATEGIC SUSTAINABILITY IMPLICATIONS**

#### **Council Plan**

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

Our Economy: We build prosperity for all – enabling sustained and diversified economic and employment growth.

2.4 Infrastructure for growth

#### ***Environmental***

The proposed extension to the completion of the remaining investment works is not expected to result in any adverse environmental impacts for the Town. Delaying the works allows construction activities to be better planned and staged, reducing the intensity of short-term environmental disturbance that may otherwise occur during the peak season. The scope of works, including upgrades to amenities, infrastructure and the vehicle wash bay with appropriate treatment measures, will ultimately improve environmental management outcomes within the park by enhancing efficiency, reducing the risk of contamination, and supporting compliance with relevant environmental standards and approvals. Overall, the extension supports a balanced approach that maintains ongoing operations while enabling environmentally responsible delivery of the required upgrades.

#### ***Economic***

Tourism WA's 2024 data shows domestic visitors to Port Hedland stay an average of 8.2 days and spend approximately \$215 per day, equating to \$1,763 per trip. This highlights the direct relationship between visitor capacity and local economic benefit.

Cooke Point Caravan Park (Discovery Parks – Port Hedland) is critical tourism infrastructure and one of only two commercial caravan parks in the town. The proposed New Investment Works are essential to ensure the park meets contemporary visitor expectations. Failure to grant the extension would reduce the availability of cabins and caravan sites during peak season, directly constraining accommodation capacity. This would limit the number of visitors Port Hedland can host at any one time and result in a measurable reduction in tourism expenditure, with flow-on impacts to local businesses that rely on visitor spending.

It should also be noted that the additional \$3 million investment in eight new cabins (three superior, four standard and one disability-accessible) will reduce the number of caravan sites within the park. This will further reduce the supply of commercial

caravan sites in Port Hedland, negatively affecting the Town’s capacity to accommodate caravanners and campers and placing additional pressure on an already limited accommodation market.

**Social**

The proposed extension to the completion of the remaining investment works at Cooke Point Caravan Park supports positive social outcomes for the Port Hedland community by maintaining accommodation availability during the 2026 peak tourism season. Ensuring the park remains operational avoids displacement of visitors, workers and event-related traveller’s who rely on short-term accommodation, while also supporting community activities and regional events that depend on visitor capacity. Completion of the upgraded facilities over the extended timeframe will improve amenity, accessibility and overall user experience, contributing to a more inclusive and welcoming environment for families, workers, caravanners and visitors to the town, without causing unnecessary disruption to the local community during peak periods.

**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**

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Compliance
<b>Cause</b>	Current lease conditions outline mandatory maintenance, and investment works at the facility to be completed during the 21-year tenure. The completion of the new investment works is a mandatory obligation outlined within the lease.
<b>Effect (Consequence)</b>	A request for an extension to complete the required works was discussed with the Town in November 2025. The impact of completing the works through the 2026 peak period will significantly impact the availability of cabins & sites at the park available to visitors.
<b>Risk Treatment</b>	Support the requested extension of time for the completion of the new investment works to 31 May 2027 to avoid impacting the 2026 peak season. The requested extension poses no impact to the lease agreement or financial obligations of the proponent.

There is a Strategic risk associated with this item caused by the request to extend the completion of new investment works, leading to the finalisation of works later than executed agreement.

The risk rating is considered to be Low (1) which is determined by a likelihood of Rare (1) and a consequence of Minor (2).

This risk will be accepted by accepting the officer’s recommendation.

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Service Interruption
<b>Cause</b>	Not granting an extension.
<b>Effect (Consequence)</b>	Cabins and caravan sites taken offline due to being used to accommodate contractors and use as a lay-down area.
<b>Risk Treatment</b>	Avoided
<p>There is a Strategic risk associated with this item caused by not granting an extension, leading to impacts on the availability of tourist accommodation.</p> <p>The risk rating is considered to be Low (3) which is determined by a likelihood of Rare (1) and a consequence of Moderate (3).</p> <p>This risk will be accepted by accepting the officer’s recommendation.</p>	

**OPTIONS**

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

**CONCLUSION**

Cooke Point Caravan Park (Discovery Parks – Port Hedland) is critical tourism infrastructure for the Town and one of only two commercial caravan parks servicing Port Hedland. The remaining investment works form a key component of the long-term upgrade of the facility and are necessary to ensure the park continues to meet contemporary visitor expectations, safety standards and service levels. Discovery Holiday Parks has already demonstrated a strong commitment to the asset through significant investment since commencement of the lease, with the remaining works clearly defined and scheduled for completion.

Approval of the Deed of Variation to extend the completion date for the remaining investment works to 31 May 2027 provides a practical and low-risk outcome for the Town. The extension enables the park to remain fully operational during the 2026 peak tourist season, avoiding disruption to accommodation supply and associated economic impacts, while not altering the lease terms or financial obligations of the Lessee. On this basis, the proposed variation represents a balanced and commercially sound approach that supports economic outcomes, tourism capacity, and the long-term performance of a key Town asset.

**ATTACHMENTS**

1. CONFIDENTIAL - Deed of Variation [12.4.2.1 - 68 pages]
2. Discovery Parks Planned Upgrades [12.4.2.2 - 18 pages]

**12.5 Executive Services**

<b>12.5.1</b>	<b>Elected Member Representation - Committees</b>
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**Author:** Executive Assistant to the CEO and Mayor  
**Authorising Officer:** Temporary Chief Executive Officer  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**CM202627/163 MOTION TO SUSPEND STANDING ORDERS**

**MOVED:** Deputy Mayor Troy Melville      **SECONDED:** Cr Lorraine Butson

**That the Town of Port Hedland Standing Orders Local Law 2014 be suspended at 7.36 pm.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*  
*Against: Nil*

**CM202627/164 MOTION TO REINSTATE STANDING ORDERS**

**MOVED:** Cr Sharon Todd      **SECONDED:** Cr Russell McDowall

**That the Town of Port Hedland Standing Orders Local Law 2014 be reinstated at 7.58 pm.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*  
*Against: Nil*

**CM202627/165 COUNCIL MOTION****MOVED: Cr Lorraine Butson****SECONDED: Cr Russell McDowall****That Council:**

- 1. Appoint the following members to the BHP Stakeholder Engagement Group (SEG)**
  - Representative 1 – Councillor Todd**
  - Proxy 1 – Councillor McDowall**
- 2. Appoint the following members to the East Pilbara District Health Advisory Committee (EPDHAC)**
  - Representative 1 Councillor Todd**
  - Representative 2 - Councillor Baxter**
- 3. Appoint the following members to the Hedland Community Road Safety Group**
  - Representative 1 – Mayor Behrend**
  - Proxy 1 – Deputy Mayor Melville**
- 4. Appoint the following members to the Hedland Housing Solutions Steering Committee**
  - Mayor – Mayor Behrend**
  - Proxy 1 – Councillor Todd**
- 5. Appoint the following member to the Hedland Senior High School Independent Public School Board**
  - Representative 1 – Councillor Little**
- 6. Appoint the following members to the Local Emergency Management Committee (LEMC):**
  - Representative 1 -Mayor Behrend**
  - Proxy 1 – Deputy Mayor Melville**
- 7. Appoint the following members to the North West Defence Alliance**
  - Representative 1 – Mayor**
  - Proxy 1 – Councillor Edwards**
- 8. Appoint the following members to the Port Hedland Industries Council (PHIC)**
  - Representative 1 – Councillor Butson**
  - Representative 2 – Mayor Behrend**
- 9. Appoint the following members to the Port Hedland Technical Advisory and Consultative Committee (TACC)**
  - Representative 1 – Mayor Behrend**
  - Proxy 1 – Councillor Todd**

- 10. Appoint the following members to the Regional Aviation Consultation Group (RACG)**
  - Representative 1 – Deputy Mayor Melville**
  - Proxy 1 – Councillor Butson**
  
- 11. Appoint the following members to the Regional Capitals Alliance Western Australia (CAWA)**
  - Representative 1 – Mayor Behrend**
  - Proxy 1 – Deputy Mayor Melville**
  
- 12. Appoint the following members to the Regional Capitals Australia (RCA)**
  - Representative 1 – Mayor Behrend**
  - Proxy 1 – Deputy Mayor Melville**
  
- 13. Appoint the following members to the Regional Development Assessment Panel (RDAP) Representation**
  - Representative 1 – Mayor**
  - Representative 2 – Councillor Butson**
  - Deputy Delegate 1 – Councillor Todd**
  - Deputy Delegate 2 – Councillor McDowall**
  - Deputy Delegate 3 – Councillor Baxter (Advised otherwise)**
  
- 14. Appoint the following members to the The Port of Port Hedland Community Consultative Committee (PHCCC)**
  - Representative 1 – Councillor Butson**
  - Representative 2 – Mayor Behrend**
  
- 15. Appoint the following members to the WALGA Pilbara Country Zone:**
  - Representative 1 – Mayor Behrend**
  - Representative 2 – Councillor McDowall**
  - Proxy 1 – Councillor Butson**
  
- 16. Appoint the following members to the WALGA Pilbara Regional Roads Group (RRG):**
  - Representative 1 – Deputy Mayor Melville**
  - Proxy 1 – Councillor Butson**

*CARRIED BY ABSOLUTE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*  
*Against: Nil*

*Council did not resolve to appoint the representative for 17. WALGA RoadWise Recognised Advisory Committee as outlined in the report, due to an automatic past WALGA nomination of Ash Christianson and if a new appointment was resolved it may not be accepted by WALGA.*

## **PURPOSE**

For Council to consider appointments to committees and external groups, that have Council representatives; terms of reference; and subsequent reporting back to Council of those committees or external groups following the Local Government Extraordinary Election held on 28 March 2026.

All appointments to committees and external groups will be for the term expiring at the next Town of Port Hedland Ordinary Election in October 2027.

## **DETAIL**

At the Ordinary Council Meeting held on 24 September 2025, appointments of Commissioners to committees and external groups were reviewed and confirmed, with the intention that new appointments would be made immediately following the Local Government Extraordinary Election scheduled for 28 March 2026.

The Council election has now been finalised and a new Council appointed. As a result, a review and reappointment of Council representatives to committees and external groups is required.

This report seeks Council's consideration and resolution to nominate and appoint Elected Members as the Town of Port Hedland's representatives on the committees and external groups for which the Town has received formal invitations to participate.

A Council resolution is required to formalise each appointment.

## **Committees**

### 1. BHP Stakeholder Engagement Group

The BHP Stakeholder Engagement Group (SEG) is an innovative forum for Pilbara stakeholders to meet, discuss BHP related issues and have input into aspects of the planning of our operations. The SEG will provide an opportunity for BHP to request feedback regarding its operating environment, growth programs, sustainable development and environmental and economic impacts to assist with internal decision making.

- It is recommended that one Council representative is appointed to the SEG with one proxy.
- The CEO formally represents the Town of Port Hedland Administration.
- Meetings occur quarterly.

### 2. East Pilbara District Health Advisory Committee (EPDHAC)

The East Pilbara District Health Advisory Committee (EPDHAC) is established by the Western Australian Country Health Service to identify issues and improve health care experiences in regional centres and promote community health information and services.

- It is recommended that two Council representatives are appointed to the EPDHAC.
- Officers formally represent the Town of Port Hedland Administration.
- Meetings occur monthly.

### 3. Hedland Community Road Safety Group

The Hedland Community Road Safety Group was founded in 1994 as a joint initiative between state, local and regional government in conjunction with the community to implement the Towards Zero state road safety strategy for 2008-2020. This group aims to encourage safe road use, improve roads safety, raise community awareness and develop and coordinate road safety strategies.

- It is recommended that one Council representative is appointed to the Hedland Community Road Safety Group with one proxy.
- Meetings occur quarterly with additional meetings as required.

### 4. Hedland Housing Solutions Steering Committee

The Town of Port Hedland Housing Solutions Steering Committee is a collaborative approach to planning and delivering integrated strategies for housing within the Town of Port Hedland, with a focus on the suburbs of Port Hedland and South Hedland.

- It is recommended that one Council representative is appointed to the Committee with one proxy.
- Meetings occur quarterly.

### 5. Hedland Senior High School Independent Public School Board

The Hedland Senior High School Independent Public School Board (School Board) was formed in 2013 to integrate the community business and resource sector in conjunction with community stakeholders to provide quality education for students and a future long-term vision for the school.

- It is recommended that one Council representative is appointed to the School Board.
- Meetings occur quarterly.

### 6. Local Emergency Management Committee (LEMC)

The Local Emergency Management Committee (LEMC) is established under provision 38 of the *Emergency Management Act 2005 (WA)*. The purpose of the LEMC is prescribed in section 39, to provide advice to Council, liaise with external authorities, complete any mandated emergency management activities.

- It is recommended that one Council representative is appointed to the LEMC with one proxy.
- The CEO and other officers formally represent the Town of Port Hedland Administration.
- Meetings occur quarterly with additional meetings as required.

### 7. North West Defence Alliance

Australia's defence strategy since 2020 has focused on strengthening the ADF's presence in the north to deter threats amid rising Indo-Pacific competition. The north-west's economic importance and proximity to key trade routes make it strategically vital. Through sustained advocacy, the NWDA has helped secure major investments, including air base upgrades, expanded exercises, new training areas, and a stronger operational focus by Army units, though continued effort is needed to ensure commitments are met.

As defence activity increases, the NWDA will connect communities and industry with defence opportunities by promoting local manufacturing and sustainment, helping businesses prepare for contracts, and supporting workforce pathways. It will also work with community groups to ensure the growing defence presence delivers positive social and economic outcomes, particularly for young people in the Gascoyne, Pilbara and Kimberley.

- It is recommended that one Council representative is appointed to the North West Defence Alliance with one proxy.
- The CEO formally represents the Town of Port Hedland Administration.
- Meetings occur as required.

#### 8. Port Hedland Industries Council (PHIC)

The Port Hedland Industries Council (PHIC) was established by industry port users in 2009 to provide a collaborative approach to cumulative industry issues. PHIC provides a single industry point of contact and coordinates inter-industry responses to issues such as air quality and noise. The Council is the lead representative body on issues where two or more operators are involved.

- It is recommended that one Council representative is appointed to the PHIC with one proxy.
- Officers formally represent the Town of Port Hedland Administration.
- Meetings occur quarterly.

#### 9. Port Hedland Technical Advisory and Consultative Committee (TACC)

The Port Hedland Technical Advisory and Consultative Committee (TACC) was established in 2006 by the Pilbara Port Authority. The purpose of the Technical Committee is to provide a platform for the discussion of dredging and ocean disposal of dredged material with community stakeholders, including the consideration of environmental matters and long-term permitting arrangements.

- It is recommended that one Council representative is appointed to TACC with one proxy.
- Meetings occur as required.

#### 10. Regional Aviation Consultation Group (RACG)

The purpose of the RACG and associated RACG meetings is to facilitate a forum to discuss the overall air service performance and, where possible, improve community access to air services for Port Hedland that will foster the liveability in the region.

- It is recommended that one Council representative is appointed to the RACG with one proxy.
- The CEO and other officers formally represent the Town of Port Hedland Administration.
- Meetings occur twice yearly.

#### 11. Regional Capitals Alliance Western Australia (RCAWA)

The Regional Capitals Alliance Western Australia (RCAWA) work in unison with both state and federal government to achieve a sustainable development future for Western Australia encompassing social, economic and environmental resources, infrastructure and funding requirements of sub-regional centres and strategies for the state's growing population.

- It is recommended that one Council representative is appointed to RCAWA with one proxy.
- The CEO formally represents the Town of Port Hedland Administration.
- Meetings occur bi-monthly.

#### 12. Regional Capitals Australia (RCA)

Regional Capitals Australia (RCA) was formed in 2012 to bring Australia's 51 regional capital cities together as one unified voice. The RCA vision is to provide an alliance, a reference group, a 'strength-in-numbers' body that understands all things 'regional capitals'. Through their local government member councils, they present to the Federal Government the needs of combined communities, voicing the social and economic issues specific to our cities.

- It is recommended that one Council representative is appointed to the RCA with one proxy.
- The CEO formally represents the Town of Port Hedland Administration.
- Meetings occur monthly.

#### 13. Regional Development Assessment Panel (RDAP)

The Regional Development Assessment Panel (RDAP) was formed as a key component of planning reform in the state. The intention of RDAP is to improve the balance between technical advice and local knowledge. This is achieved by determining development applications within a threshold type and value, through consistent, accountable and professional decision-making. The Northern RDAP encompasses the Kimberley, Pilbara and Gascoyne region.

- Under *Regulation 24 of the Planning and Development (Development Assessment Panels) Regulations 2011*, Councils are required to nominate, as soon as possible following elections, four elected members to sit as DAP members (two positions plus two deputies). These nominations will be considered by the Minister and formally appointed by the Minister.
- Meetings occur as required.

#### 14. The Port of Port Hedland Community Consultative Committee (PHCCC)

The Port of Port Hedland Community Consultative Committee (PHCCC) was established in 2015 to promote and facilitate communication between the Pilbara Port Authority and the community in regard to port operations.

- It is recommended that two Council representatives are appointed to the PHCCC.
- Meetings occur as required.

#### 15. WALGA Pilbara Country Zone)

Councillors are elected to State Council from one of 17 Zones, which are groupings of Local Governments convened together on the basis of population, commonalities of interest and geographical alignment.

The relationship between State Council and Zones within the Western Australian Local Government Association (WALGA) is a critical one in the political representation of Local Government at the State and Federal levels.

Zones have an integral role in shaping the political and strategic direction of WALGA. Not only are Zones responsible for bringing relevant local and regional issues to the State decision making table, they are a key player in developing policy and legislative initiatives for Local Government. Zone delegates are elected or appointed to represent their Council on the Zone and make decisions on their Council's behalf at the regional level.

- It is recommended that two Council Members be appointed to the Pilbara Country Zone as voting delegates and the CEO as deputy delegate.
- Council may appoint as many deputy delegates as they wish.
- The CEO formally represents the Town of Port Hedland Administration.
- Meetings occur several times a year and are in person at the WALGA offices located in Perth.

#### 16. Pilbara Regional Roads Group (RRG)

The Regional Road Group (RRG) of the Pilbara was established under the State Road Funds to Local Government Agreement (between the state Government of Australia and the Western Australian Local Government Association). This is overseen by a State Advisory Committee. The RRG comprises of elected member representatives from each Local Government within the Pilbara.

The intention of the RRG is to make recommendations on the allocation of funds available from the State Government sources for local roads according to areas of greatest need and where they will provide maximum benefit to all roads users.

- It is recommended that one Council representative is appointed to the RRG with one proxy.
- Meetings occur as required.

#### 17. WALGA RoadWise Recognised Advisory Committee

The purpose of the Committee is to review submissions completed by Western Australian Local Government Association (WALGA) road safety staff on behalf of

RoadWise Councils and to determine the fair and consistent allocation of Points and Ribbons.

The Committee also oversees the allocation process to ensure consistency and equity, manages the dispute resolution process for any complaints relating to RoadWise Recognised, and monitors and shares emerging evidence, research, and practical experience regarding the effectiveness of road safety interventions and actions.

In addition, the Committee monitors and makes recommendations on the usefulness and methodology of the Points allocation matrix as required and evaluates the overall effectiveness of RoadWise Recognised in motivating and supporting Local Governments to deliver best practice road safety outcomes.

- It is recommended that one Council representative is appointed to the Committee with one proxy.
- Meetings occur quarterly.

### **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 Agencies*

- Above mentioned external committees

#### *Community*

- Nil

### **LEGISLATION AND POLICY CONSIDERATIONS**

- Policy 4/010 'Elected Member Professional Development';
- Town of Port Hedland Code of Conduct for Council Members, Committee Members, Appointees and Candidates.
- Elected Member External Groups Representation Information Statement
- *Local Government Act 1995* – Regional Roads Group;
- *Main Roads Act 1930* - Regional Roads Group;
- *Road Traffic Act 1974* - Regional Roads Group;
- *Planning and Development (Development Assessment Panels) Regulations 2011* Joint Development Assessment Panel (JDAP); and

### **FINANCIAL AND RESOURCE IMPLICATIONS**

If travel is required, costs associated with attendance at meetings with external agencies are included in the Town of Port Hedland 2025/2026 budget under 'Members of Council Accommodation and Travel Expenses'. Attendance via Teams/Zoom is also permitted where applicable.

**STRATEGIC SUSTAINABILITY IMPLICATIONS**

**Strategic Community Plan**

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

Our Leadership:

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

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

**Access and Inclusion**

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

- Outcome 1 – Events and Services
- Outcome 3 – Accessible Information

**Corporate Business Plan**

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

Our Community: We honour our people and our cultural heritage – ensuring wellbeing, diversity, creativity and strong civic engagement and dialogue.

1.2 Inclusive and involved community

Our Economy: We build prosperity for all – enabling sustained and diversified economic and employment growth.

2.2 Enhanced local training and workforce opportunities

2.3 Marketing and promotion

Our Leadership: We are united in our actions to connect, listen, support and advocate, thereby leveraging the potential of our people, places and resources.

4.1 Global, national, state, and local presence and voice.

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Reputational
<b>Cause</b>	Limitation of key partnerships with various external committees
<b>Effect (Consequence)</b>	Resulting in a reputational Risk

<b>Risk Treatment</b>	Eliminated risk through the approval and acceptance of Commissioners to the various external committees
<p>There is a reputational risk associated with this item because this report aims to preserve the positive reputation of Council in the community and with stakeholders. If representatives are not appointed, the Town may miss important opportunities to represent Port Hedland at regional and/or State level.</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Rare (1) and a consequence of Minor (2).</p> <p>This risk will be avoided by the adoption of the officer’s recommendation.</p>	

**OPTIONS**

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

**CONCLUSION**

This report aims to preserve the positive reputation of the Council in the community and with stakeholders. The Town of Port Hedland has a vested interest in working in unison with various external organisations and community stakeholders with the aim to foster relationships, promote open communication, develop concepts, address concerns and provide services across the community.

Formally appointing Elected Members to various committees/external groups ensures that the community’s ambition of having Port Hedland represented on a Regional, State and potentially Federal level is achieved.

**ATTACHMENTS**

2026 Elected Member Representation - Committees

**13 New Business of an Urgent Nature (Late Items)****13.1 Port Hedland Observation Tower**

**Author:** Coordinator Visitor Services

**Authorising Officer:** Principal Economic Development

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

**OFFICERS RECOMMENDATION****That Council:**

- 1. Notes the structural engineering assessment undertaken on the Port Hedland Observation Tower in February 2026 (Attachment 1).**
- 2. Notes that the assessment identifies urgent structural and safety risks that require timely intervention to mitigate unmanaged risk to the Town.**
- 3. Endorses, in principle, the restoration and reopening of the Port Hedland Observation Tower as a managed public attraction as the preferred long-term approach to managing the asset, subject to further investigations to confirm the scope, cost, and compliance requirements.**
- 4. Directs the Chief Executive Officer to undertake the necessary investigations and technical assessments to:**
- 5. Confirm the scope of works required to address immediate safety concerns,**
- 6. Inform the restoration and reopening of the tower in a manner that meets regulatory and safety requirements, and**
- 7. Explore external funding opportunities to support restoration and reopening of the tower as a public and historic attraction.**
- 8. Notes that a further report will be presented to Council detailing:**
- 9. The findings of the investigations.**
- 10. The scope and indicative cost of works required to address immediate structural and safety issues.**
- 11. The scope and indicative cost of works required to restore and reopen the tower to the public; and**
- 12. A recommended approach for project delivery, funding, and long-term asset management.**

Deputy Mayor Melville moved the following motion to include Point 13.  
Cr Lorraine Butson seconded the motion.

**CM202627/166 COUNCIL MOTION**

**MOVED: Deputy Mayor Troy Melville      SECONDED: Cr Lorraine Butson**

**That Council:**

- 1. Notes the structural engineering assessment undertaken on the Port Hedland Observation Tower in February 2026 (Attachment 1).**
- 2. Notes that the assessment identifies urgent structural and safety risks that require timely intervention to mitigate unmanaged risk to the Town.**
- 3. Endorses, in principle, the restoration and reopening of the Port Hedland Observation Tower as a managed public attraction as the preferred long-term approach to managing the asset, subject to further investigations to confirm the scope, cost, and compliance requirements.**
- 4. Directs the Chief Executive Officer to undertake the necessary investigations and technical assessments to:**
- 5. Confirm the scope of works required to address immediate safety concerns,**
- 6. Inform the restoration and reopening of the tower in a manner that meets regulatory and safety requirements, and**
- 7. Explore external funding opportunities to support restoration and reopening of the tower as a public and historic attraction.**
- 8. Notes that a further report will be presented to Council detailing:**
- 9. The findings of the investigations.**
- 10. The scope and indicative cost of works required to address immediate structural and safety issues.**
- 11. The scope and indicative cost of works required to restore and reopen the tower to the public; and**
- 12. A recommended approach for project delivery, funding, and long-term asset management.**
- 13. Develop a policy on the development of a historical policy by October 2027.**

*CARRIED BY SIMPLE MAJORITY (6/0)*

*For: Cr Lorraine Butson, Cr Rachael Baxter, Cr Russell McDowall, Cr Sharon Todd, Cr Zoe Little and Deputy Mayor Troy Melville*

*Against: Nil*

## **PURPOSE**

The purpose of this report is for Council to note the condition of the Port Hedland Observation Tower and to consider how the asset is to be managed into the future.

## **DETAIL**

The Town undertook a structural engineering assessment of the Port Hedland Observation Tower in early 2026. The assessment identified that the tower currently presents a severe risk to safety due to significant and widespread structural deterioration, with the report recommending immediate remediation of some elements of the tower to address safety issues.

## **BACKGROUND**

The Port Hedland Public Observation Tower is a steel lookout structure located in the West End precinct, adjacent to the Port Hedland Visitor Centre. Although now recognised as a local public lookout, archival drawings indicate the tower was constructed in 1965 as part of the Mount Goldsworthy Mining Associates operation, where it served as a navigation aid during the beginning of the development of Port Hedland's iron ore export facilities. Documentation shows the tower was relocated to the Port Hedland Visitor Centre on Wedge Street around 1990, following the closure of the Goldsworthy mine and removal of associated infrastructure. Following relocation, the tower was repurposed as a public observation asset and operated on this basis for several years.

It is understood the tower was closed in the late 1990's following a health event from a user of the tower and risk assessment that was subsequently undertaken, although there are limited records that can confirm the exact details. Preliminary discussions with the Town's insurers indicate that design treatments and management mechanisms can be put in place to reduce risks to acceptable levels should the tower be reopened for managed access, but further investigations will need to be undertaken. There are similar, higher risk and unmanaged tourist facilities in Western Australia such as the heritage park lookout and Gloucester Tree located in the Shire of Manjimup so it's considered possible to manage any associated risks with reopening the tower.

## **ISSUES**

### Structural integrity

The Town undertook a structural review of the tower in July 2015 at the request of the then Audit & Finance Committee (AF201415/041). Following the delivery of the report, the then Audit, Risk and Governance Committee resolved to install a fence around the tower to ensure public safety and that a fence to be in place until such time as funds could be prioritised to remove the tower (ARG201617/029). Limited attention has been given to the tower since the fence was installed.

In February 2026, the Town of Port Hedland engaged AIE Engineering to undertake a structural assessment of the tower. The assessment concluded that the tower currently presents a severe risk to safety due to significant and widespread structural

deterioration. The inspection identified multiple defects requiring urgent intervention, including critically corroded structural bracing, columns, handrails, platforms, and access elements. The report recommended remediation be undertaken within three months to address Priority 1 defects that pose direct safety risks. Further works are recommended within a 6-, 12-, and 24-month timeframe to manage high, medium, and lower risk corrosion issues. A coordinated remediation program is strongly recommended, including like for like replacement of severely deteriorated elements, renewal of protective coatings, and further structural analysis where specified, to ensure public safety and the ongoing serviceability of the tower.

### Ownership

The tower was previously owned by the Port Hedland Tourist Bureau Incorporated. Records from 1990 indicate that Council approved for the tower to be relocated to its current location at the back of the Port Hedland Visitor Centre, subject to a condition that the Town be indemnified against any claims arising from the tower.

Following the deregistration of the Tourist Bureau in 2014, ownership of the tower reverted to the Town, as the tower is located on Crown reserve land managed by the Town.

### **OPTIONS CONSIDERED**

To address the issues identified in the structural assessment report, three options were investigated:

#### ***a) Option A. Restore and reopen as a public attraction***

Fully restore the tower and reopen it as a managed attraction via the Port Hedland Visitor Centre, supported by landscaping and interpretive storytelling showcasing Port Hedland's iron ore journey.

### Benefits

- Addresses immediate safety risks
- Preserves the structure as a heritage asset
- Activates a unique heritage and tourism asset
- Enhances industrial tourism and visitor experience
- Supports placemaking and West End revitalisation
- Strong alignment with Community Plan 2022–2032 and Economic Development and Tourism Strategy

### Costs

- \$1,050,000 - \$1,200,000 (estimated) to restore access

#### ***Option B. Restore for safety only (No Public Access)***

Undertake targeted restoration to stabilise the tower and address critical safety issues, without reopening it to the public.

### Benefits

- Addresses immediate safety risks
- Preserves the structure as a heritage asset
- Defers decision on public activation

Costs

- \$800,000 (estimated) to maintain the structure

***Option C. Demolish tower and landscape site***

Demolish the tower to eliminate ongoing safety and compliance risks and landscape the site as a public open space.

Benefits

- Removes all long-term safety and compliance liabilities
- Predictable, capped project cost
- No ongoing maintenance or inspection obligations

Costs

- \$360,000 – \$550,000 (estimated) to demolish and tidy the site
- Loss of a historically significant asset

It is noted that all cost estimates are a first cost estimate only, and that costs are likely to change following more detailed investigations.

**RECOMMENDED SOLUTION**

Pending confirmation of the required scope, cost and compliance requirements, ***Option A. Restore and reopen as a public attraction*** is considered as the most appropriate solution for the tower's long-term management.

**PROPOSED NEXT STEPS**Addressing immediate safety concerns

As a matter of priority, undertake necessary work to define the scope and price the critical safety remediation works (Priority 1 defects) in order to remove unmanaged safety risks, or alternatively, implementation of temporary measures to secure the structure.

Progressing restoration of the tower and public access

Engagement of the required technical specialists to reduce project cost risk and enable informed decision-making, funded from the existing regulatory services professional services budgets within the economic development cost centre. This includes engaging engineers to undertake intrusive investigations, detailed structural assessments, and compliance reviews (estimated cost - \$25,000).

Engaging a Quantity Surveyor to develop a robust cost estimate inclusive of regional loading, escalation, contingencies, and maintenance, The reports will clearly define the critical works required to address WHS risks and achieve minimum NCC and regulatory compliance (estimated cost - \$10,000).

The tower cannot fully comply with the DAIP (Disability, Access and Inclusion plan); therefore, an access consultant will also be engaged to identify lawful and practical alternative access solutions (estimated cost - \$10,000).

**LEVEL OF SIGNIFICANCE**

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

- Significant - A decision that will significantly affect the capacity of the Council to carry out any activity identified in the strategic plan.
- Significant - A decision that will significantly affect the cost to Council to carry out any activity identified in the strategic plan.
- Significant - Any issue, proposal, decision or other matter that will substantially affect a wide range of people who reside in Port Hedland.
- Significant - The degree to which a decision or issues are difficult to reverse.
- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland.

## **CONSULTATION**

### *Internal*

- Executive Leadership Team
- Senior Leadership Team
- A/Director Regulatory Services
- A/Manager Planning and Economic Development
- Coordinator Parks & Reserves
- Coordinator Landscape & Irrigation
- Senior Audit, Risk & Insurance Advisor
- Senior Project Manager

### *External Agencies*

- AIE Engineering Consultants – structural engineering assessment and advice
- Pilbara Constructions – budget estimates
- Yurra – budget estimate
- Tecon – building surveyor advice
- LGIS – The Town's insurer

### *Community*

- Nil

## **LEGISLATION AND POLICY CONSIDERATIONS**

- *Local Government Act 1995* (WA)
- *Land Administration Act 1997* (WA)
- *Work Health and Safety Act 2020* (WA)
- *Building Act 2011* (WA)
- Building Regulations 2012
- National Construction Code (NCC)
- Town of Port Hedland Disability Access and Inclusion Plan (DAIP)

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The cost of undertaking necessary investigations is estimated at \$45,000. These works will be funded through the Regulatory Services operational budget.

High level assessments have estimated the total restoration and reopening of the tower to be between \$1,050,000 - \$1,210,000.

Further investigations will confirm the budget required to restore public access to the tower.

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### Council Plan

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

#### 1.3 A unique, vibrant and diverse community lifestyle

Restoration and reopening of the Observation Tower supports community identity, heritage storytelling, and cultural recognition of Port Hedland's industrial history.

#### 1.4 Well-utilised and valued community facilities and services

The Observation Tower is an existing community asset. Restoring and reopening ensures that it is valued, accessible (where practicable), and actively managed rather than deteriorating and unused.

#### 2.1 Business and job growth

Reopening the Observation Tower as a managed attraction supports visitor economy activity and contributes to tourism-led economic diversification.

#### 2.3 Marketing and promotion

The Observation Tower strengthens Port Hedland's destination appeal as a place to live, visit and invest, aligning with Council's place-based marketing objectives.

#### 3.2 Safe and fit-for-purpose-built environment

Restoration works directly address identified structural and safety risks, ensuring the tower meets contemporary safety and compliance standards prior to public access.

#### 3.3 Accessible, attractive and sustainable urban environment

Adaptive reuse of the tower supports sustainable asset management and contributes to the activation and attractiveness of the West End precinct.

#### 4.3 Effective delivery of services and infrastructure to meet community needs

Structured remediation, certification and operational management support safe and reliable delivery of a public facility.

### ***Environmental***

Nil

### ***Economic***

Reopening the observation tower as a managed public attraction supports economic sustainability through enhanced visitor experiences, industrial tourism activation and increased visitation to the west end precinct. The project also protects the town from

ongoing unmanaged risk and potential future unplanned expenditure associated with structural failure.

**Social**

The Observation Tower is a valued historic landmark with strong community significance. Restoration and reopening supports community identity, local pride, cultural storytelling, and recreational amenities. Improved public safety outcomes also positively contribute to community wellbeing.

**Access and Inclusion**

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

While full physical accessibility to the Observation Tower cannot be achieved due to structural and heritage constraints, equivalent access opportunities will be explored through alternative measures such as ground-level interpretation, virtual experiences and digital storytelling, consistent with the Access and Inclusion Plan

- Outcome 2 – Buildings and Facilities

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Health & Safety
<b>Cause</b>	Severe and widespread structural deterioration of the observation tower
<b>Effect (Consequence)</b>	Potential for serious injury or fatality to members of the public, contractors or staff due to structural failure or falling elements, resulting in regulatory non-compliance, legal liability, insurance impacts and reputational damage to the Town.
<b>Risk Treatment</b>	Undertake restoration and remediation works to address all critical structural and safety defects, supported by engineering certification, compliance with relevant standards, and implementation of ongoing operational and safety management controls prior to reopening to the public.
<p>There is an Operational risk associated with this item caused by structural deterioration and non-compliance of the observation tower, leading to a heightened risk of injury or fatality and associated legal, regulatory and reputational consequences.</p> <p>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).</p> <p>This risk will be treated by adopting the Officer’s Recommendation.</p>	

<b>Risk Type</b>	Operational
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<b>Risk Category</b>	Financial
<b>Cause</b>	Estimates do not currently include intrusive investigation, permits or modifications required to achieve NCC compliance additionally no detailed QS cost plan including regional loading escalation or contingencies.
<b>Effect (Consequence)</b>	Potential for significant increase in capital costs beyond current estimate, funding shortfall risk
<b>Risk Treatment</b>	Undertake intrusive investigations prior to finalizing scope, engage a QS to prepare a detailed cost plan.
<p>There is a/an Operational risk associated with this item caused by the absence of intrusive investigations, leading to potential for significant increased capital cost</p> <p>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).</p> <p>This risk will be treated by adopting the Officer’s Recommendation.</p>	

**OPTIONS**

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

**CONCLUSION**

This report seeks Councils endorsement to support the restoration and reopening of the Port Hedland public observation tower, to progress with targeted investigation and cost planning and to note that a further report will be presented to council outlining the findings.

**ATTACHMENTS**

1. Engineering Report AIE Feb 2026 [**13.2.1** - 35 pages]
2. Port Hedland Observation Tower [**13.2.2** - 1 page]

**14 Motions of Which Previous Notice has been given**

Nil

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

Nil

**16 Closure**

**16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 27 May 2026 commencing at 5:30pm.

**16.2 Closure**

There being no further business, the Presiding Member declared the meeting closed at 8:05pm.