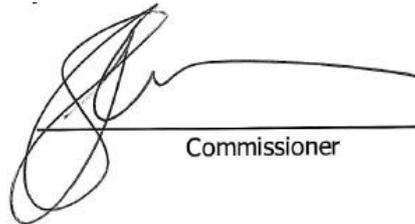




Confirmed
MINUTES
Special Council Meeting
Monday, 22 December 2025

Date: Monday, 22 December 2025
Time: 5:30pm
**Location: 13 McGregor Street, PORT HEDLAND WA
6721**
Distribution Date: 30/01/2026



Commissioner

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1 Opening of Meeting

The Presiding Member declared 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

Scheduled Present:

- Commissioner (Chair) Jessica Shaw
- Commissioner (Deputy Chair) Martin Aldridge
- Commissioner Ronald Yuryevich AM (Video)

Scheduled for Attendance:

- Kenneth Donohoe (T/Chief Executive Officer)
- Florian Goessmann (A/Director Corporate Services)
- Anna Savill (A/Director Community Services)
- Kylie Davies (Director Regulatory Services)
- Grant Voss (A/Director Infrastructure Services)
- Nancy Kiliswa (A/Manager Governance)
- Sophie Marlow (Governance Support Officer)
- Emily Richardson (Audit, Risk & Insurance Officer)

3.2 Attendance by Telephone / Instantaneous Communications

The Presiding Member noted that Commissioner Yuryevich has sought and been given permission to attend by video conference this evening.

3.3 Apologies

Nil

3.4 Approved Leave of Absence

Nil

3.5 Disclosures Of Interest

Nil

4 Public Time

4.1 Public Question Time

The presiding member declared public question time open at 5:33pm.

A summary of questions and responses are provided below. To listen to full details of questions and responses from the meeting – please view [here](#).

4.1.1	Ash Christensen
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Question 1:

Topic: Depreciation calculation for JD Hardie Stage Three.

Key Point: *Why does the report show annual depreciation of \$128,500 when the project cost is \$8.7M? Which asset components were included/excluded, and what capitalised asset value was used?*

Response: Administration will take the question on notice.

Question 2:

Topic: Whole-of-life cost model and depreciation assumptions.

Key Point: *If \$9M depreciates over 20 years, linear depreciation should be \$300K–\$400K annually, not \$150K. Does the life cycle model include all components (shade structures, lighting, CCTV, irrigation)? If not, what are the annual depreciation and renewal costs?*

Response: Presiding Member will take the question on notice. Added that detailed questions should ideally be submitted in advance for on-the-night answers.

Question 3:

Topic: Confidential item 10.1 – Key Worker Housing proposal.

Key Point: *Without breaching confidentiality, what stage is being decided tonight (concept design, DA approval, construction approval, or other)?*

Response: The Presiding Member explained the project is complex and requires closed-door discussion for governance and financial considerations. Decisions will be reported after public session. Emphasised commitment to strong governance and transparency.

4.1.2	John Ashenden
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Question 1:

Topic: Legal authority for commissioners to initiate and operate a large-scale housing program.

Key Point: *Which provision of the Local Government Act or subsidiary legislation authorises this, given housing is a State responsibility, and the proposal was previously rejected by an elected council?*

Response: The Presiding Member will take the question on notice but noted that commissioners have all the powers of a council under the Act, which empowers them to consider such proposals.

Question 2:

Topic: Procedural fairness and pre-determination concerns.

Key Point: *Has any contractor, developer, financier, or delivery partner been identified or engaged, and if so, how does this not breach procedural fairness since the matter was previously voted down?*

Response: The Presiding Member stated commissioners can consider administration recommendations as empowered under the Act. The project has been in development for years, and recommendations will be considered in closed session tonight, with reporting back afterward.

Question 3:

Topic: Long-term financial and legal responsibility.

Key Point: *Who will be responsible for maintenance, insurance, liability, vacancy risks, rental collection, enforcement, and cost overruns? Will ratepayers bear the risk if state funding or policy support is withdrawn?*

Response: The Presiding Member acknowledged the complexity of the project and assured that governance and financial implications will be fully considered in closed session, with updates provided after.

4.1.3	Adrian McRae
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Question 1:

Topic: Updated business plan for key worker housing.

Key Point: *Has an updated business plan been provided to commissioners, approved, and circulated for public comment before debating significant expenditure?*

Response: The Presiding Member referred to previous answers, stating multiple matters are up for consideration tonight and will report back after closed session.

Question 2:

Topic: Compliance with *Local Government Act* for major project changes.

Key Point: *Given large discrepancies from the original plan (from 100+ units at \$10M to 40 units at \$70M), are commissioners aware that section 3.59 requires a new business plan for significantly different proposals over \$2M or 10% of rates income?*

Response: The Presiding Member reiterated awareness of the Act's provisions and assured governance, and financial implications will be considered in closed session, with reporting afterward.

Question 3:

Topic: Funding responsibility and State election commitments.

Key Point: *Are commissioners considering spending tens of millions of ratepayer funds to fulfill a State government election promise for housing, which should be fully state funded?*

Response: The Presiding Member stated a range of matters are under consideration, assured ongoing engagement with State and Federal governments, and emphasised responsiveness to community needs.

4.1.4	Camilo Blanco
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Question 1:

Topic: Governance and probity in CEO recruitment.

Key Point: *What arrangements ensure the recruitment process is independent and free from actual or perceived bias, given the Acting CEO may apply for the role?*

Response: The Presiding Member stated the process complies with the *Local Government Act*, regulations, Town of Port Hedland local laws, CEO Recruitment Policy, and Terms of Reference, ensuring legal and governance requirements are met.

Question 2:

Topic: Timing of CEO appointment relative to upcoming election.

Key Point: *Has deferring the appointment until after the March election been considered to allow new councillors confidence and ownership?*

Response: The Presiding Member explained multiple approaches were considered. Emphasised urgency due to previous council's inability to form a recruitment committee, the need for stability, and the importance of strong leadership. A nationwide search was conducted, re-advertised, and interviews held. Commissioners aim to appoint a qualified CEO to steady the organisation before the election.

Question 3:

Topic: Commissioners' intention to appoint CEO before election.

Key Point: *Are commissioners now deciding to appoint a substantive CEO before March, contrary to earlier statements?*

Response: The Presiding Member clarified they cannot pre-empt council decisions but confirmed commissioners have full council powers under the Act to appoint a CEO following due process. Decisions will be made at properly convened meetings. Assured the community that actions will prioritise good governance and the Town's best interests.

4.1.5	Merryn Browning
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Question 1:

Topic: Justification for reversing previous council decision on Key Worker Housing.

Key Point: *What has materially changed since the elected council rejected the proposal, and where is the documented evidence supporting that change?*

Response: The Presiding Member referred to previous answers, noting this is the first time commissioners are considering the matter. Emphasised that circumstances and information differ from those before the previous council. Commissioners will assess the project on its merits with a focus on governance and financial implications.

Question 2:

Topic: Ratepayer contribution vs. state responsibility.

Key Point: *Why should ratepayers commit around \$60M for worker housing—a State function—while the State contributes only a fraction, given past governance failures (e.g., \$80M in unpaid rates written off)?*

Response: The Presiding Member acknowledged concerns but stressed commissioners are not previous decision-makers. Assured governance structures are in place for this project. Highlighted housing as the number one issue raised by the community and the opportunity for collaboration among industry and all levels of government to address urgent housing needs.

Question 3:

Topic: Conflict of Interest & governance assurance.

Key Point: *How have you actively managed and documented the risk of apprehended bias, given prior professional connections to senior State Ministers and the State's unmet election commitment tied to this project?*

Response: The Presiding Member acknowledged previous roles as Parliamentary Secretary and MP, confirming relationships with cabinet and opposition members. Stated compliance with conflict of interest disclosure requirements and policies and affirmed there are no conflicts to declare for the item under consideration in closed session.

4.1.6	Renae Coles
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Question 1:

Topic: Community communication and transparency on housing decisions.

Key Point: *How will the Town keep the community informed about major decisions and financial commitments for key worker housing, especially when parts of the process are confidential?*

Response: The Presiding Member explained this is the first time the project has come before commissioners. Broader housing issues will be addressed in an upcoming Housing Strategy, which will be published in agenda papers. Engagement with state and federal governments is ongoing. Confidentiality is limited to tonight's agenda scope, but broader questions can be raised later.

Question 2:

Topic: Funding commitments from other governments.

Key Point: *Has the Town received any formal correspondence or commitments from state or federal governments for additional funding, and can these be made public?*

Response: The Presiding Member stated matters will be considered in closed session tonight, and further information will be provided after decisions are made.

Question 3:

Topic: Confidentiality of contract details.

Key Point: *What aspects of the contract or commercial information require confidentiality, and how does disclosure risk harming public or third-party interests?*

Response: The Presiding Member explained all tender processes are commercially sensitive and involve procurement considerations. Confidentiality is standard practice to protect negotiations and third-party interests, especially given the complexity and multiple parties involved in this project.

4.1.7	Jillian Fisher
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Question 1:

Topic: CEO recruitment process without a formal committee.

Key Point: *How could commissioners interview CEO candidates without having a formally convened CEO Recruitment Committee?*

Response: The Presiding Member explained the Terms of Reference allow informal meetings for advice, shortlisting, and interviews. Formal meetings are only required for decision-making. Tonight, a chair and deputy chair will be appointed, followed by a formal meeting to make recommendations to Council.

Question 2:

Topic: Review of previous council's handling of CEO recruitment.

Key Point: *Have commissioners reviewed meeting minutes and noted that the previous Mayor restricted progress?*

Response: The Presiding Member confirmed commissioners reviewed minutes, consulted recruitment consultants, and examined historical documentation. All records are securely stored and accessible only to commissioners and an executive officer. Emphasized the importance of resolving the issue.

Question 3:

Topic: Focus on key worker housing vs. ratepayer concerns.

Key Point: *Why prioritise key worker housing—a project seen as outside council's remit—when ratepayers want reduced rates and expenses?*

Response: The Presiding Member rejected the premise that housing is outside council's remit. Stated housing is a critical issue requiring collaboration across all levels of government. Highlighted cost-of-living pressures, noting rent is the top concern raised by residents, often exceeding \$850/week, which is unaffordable for many on modest incomes.

The presiding member declared public question time closed at 6:10pm.

The presiding member declared public statement time open at 6:10pm.

4.2 Public Statement Time

4.2.1	Camilo Blanco
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Mr Blanco spoke to:

- His concerns about staff advice on declaring financial interests; emphasised the Employee Code of Conduct requires declarations.
- His concern that Service Workers Housing proposal differs from previous plans, and a new business plan should be prepared and approved before decisions.
- Addressed CEO selection committee issues, noting bias and administrative failures, and requested no further blame on all council members.

4.2.2	John Ashenden
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Mr Ashenden spoke to:

- His opposition to reintroduction of the key worker housing proposal, previously rejected by elected council; stating that housing is a state responsibility, not local government.
- His concerns about governance and transparency: unelected Commissioner controlling ratepayer funds, no public consultation, and potential costs in the tens of millions.
- Warning of dangerous precedent where appointed bodies override past council decisions, assume state functions, and commit future generations without consent; called for transparency and accountability.

4.2.3	Merryn Browning
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Mrs Browning spoke to:

- Her concerns about independence and governance when a previously rejected proposal is revived by appointed commissioners.
- Highlighted lack of transparency and justification for asking local ratepayers to fund a state responsibility, with potential costs up to \$60 million and no public consultation or mandate.

- Stressed that commissioners must act solely in the best interests of the Town and ratepayers, not advance state outcomes or election promises; called for accountability and clear reasoning.

4.2.4	Ash Christensen
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Mr Christensen spoke to:

- His concern that Town struggles to maintain existing assets; adding high-cost facility may repeat pattern of poor operational support.
- Concern regarding Key worker housing proposal, that business plan figures differ from RCA WA lobbying numbers, raising accountability and trust concerns.
- Administration has not addressed these issues; commissioners urged to seek clear explanation and share findings with community before decisions.

4.2.5	Renaë Coles
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Mrs Coles spoke to:

- Her support of key worker housing in principle but expressed concern about the long-term financial burden on ratepayers, especially low-income families.
- Warned that rising rates and maintenance costs could make living in Port Hedland unaffordable for locals, despite community contributions.
- Urged commissioners to reconsider the financial implications before proceeding, stressing the impact on families and affordability.

The presiding member declared public statement time closed at 6:28pm.

5 Questions from Members without Notice

Nil

6 Announcements by Presiding Member without Discussion

The Presiding Member made the following statement:

I hear loud and clear the commentary that's been offered tonight. There's a lot of assumptions that have been made about what is before us tonight, based on the project that was before Council some years ago. That is not what we're being asked to consider tonight. There are a whole range of considerations. As I say, when we

come back from behind closed doors, we'll advise what decisions have been taken, and be very happy to then answer questions at subsequent council meetings about those decisions.

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

The commissioners declared that they had given due consideration to all matters contained in the agenda by show of hands.

8 Reports of Officers

8.1 Corporate Services

8.1.1	Minutes of the Special Audit, Risk and Compliance Committee Meeting held on 10 August 2025 & FY2024-2025 Audited Financial Statements
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Author: Senior Audit, Risk and Insurance Advisor
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.

SCM202526/148 COUNCIL DECISION

MOVED: CMM Deputy Chair Martin Aldridge

SECONDED: CMM Ronald Yuryevich

RECOMMENDATION 1: OFFICER'S RECOMMENDATION

That Council receives the Unconfirmed Minutes from the Special Audit, Risk and Compliance Committee Meeting held on 10 December 2025.

CARRIED BY SIMPLE MAJORITY (3/0)

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

SCM202526/147 COUNCIL DECISION

MOVED: CMM Ronald Yuryevich

SECONDED: CMM Deputy Chair Martin Aldridge

RECOMMENDATION 2: COMMITTEE RECOMMENDATION

That Council:

- 1. Adopt the Audited Annual Financial Statements, Independent Auditor's Closing Report and Management Letters of Audit Findings for the financial year ended 30 June 2025.**
- 2. Endorse that the Audited Annual Financial Statements for the financial year ended 30 June 2025 be part of the Town of Port Hedland's 2024-2025 annual financial report.**

CARRIED BY SIMPLE MAJORITY (3/0)

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

PURPOSE

The Audit, Risk and Compliance Committee (the Committee) is required to report to Council and provide advice and recommendations on matters within its Terms of Reference. A key responsibility of the Committee is to assist Council in fulfilling its oversight obligations regarding external audit reporting.

RSM Australia Pty Ltd, the Town's appointed auditors, have advised that the Office of the Auditor General (OAG) intends to issue an unmodified audit opinion for the financial year ended 30 June 2025. This opinion confirms that the Town's financial statements present fairly, in all material respects, in accordance with the applicable financial reporting framework.

A Special meeting of the Audit, Risk and Compliance Committee was held on 10 December 2025. At this meeting, the Committee unanimously resolved to report to Council in accordance with Recommendation 2 of this report. For completeness, the minutes of the meeting are attached and addressed through Recommendation 1 of this report.

DETAIL

The Town of Port Hedland (the "Town") is required annually to prepare general purpose financial statements and refer them to its Auditors as soon as practicable, no later than 30 September following the end of the financial year (Section 6.4 of the Local Government Act 1995). The draft Annual Financial Report for the year ended 30 June 2025 was submitted to its Auditors on 30 September 2025

The Annual Financial Report is prepared in accordance with Australian Accounting Standards; the Local Government Act 1995; and the Local Government (Financial Management) Regulations 1996. Management is responsible for preparing the Annual Financial Report in accordance with the Standards, Act and Regulations and to ensure that it fairly reflects the financial performance and position of the Town.

The Town's Auditors conducted the end of year audit offsite between 6-10 October 2025 and onsite between 13-17 October 2025. The role of the Auditor is to provide an opinion based on their audit as to whether Management has fulfilled these obligations. The Auditors also prepare a separate, more detailed report for Management, identifying any issues arising from the conduct of the audit, and recommending any corrective actions.

An Emphasis of Matter has been included to highlight the restatement of prior year figures. In the current reporting period, the Town has undertaken a comprehensive process to confirm the existence of 670 assets which were subject to the 2023-2024 qualification and obtained valuations to restate the prior periods to clear the qualification. The ultimate restatement to assets back in 2023 was \$10.3M and the

errors have been corrected retrospectively, and prior year asset management weaknesses have been resolved.

Under section 5.54 of the Local Government Act 1995, the Annual Financial Report and Independent Auditor's Report must be accepted by the local government by 31 December.

The Audited Annual Financial Report and Management Letters were signed off by the Auditors on 9 December 2025, during the Exit Meeting. The Audit Risk and Compliance Committee has delegated authority to liaise with the Auditor, receive and examine the Auditor's report and any Management issues arising from the conduct of the audit.

SUMMARY OF FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2025

Continuing Operations

The Town reports a net surplus of \$30.79 million (refer to page 3 of the Annual Financial Report), this is favourable to the budget by \$9.12 million

The Town's operating revenue streams in financial year 2024/25 is favourable to the budget by \$9.2 million or 8.6%. This mostly relates to additional waste fee income from large commercial disposals at the landfill site and interest revenue on the Town's term deposits.

The Town's operating expenses are unfavourable to the budget by \$7.0 million or 6.9%. This mostly relates to an increase in Materials and Contracts due to the addition of the Spoilbank landside marina into our care and maintenance regime as well as Depreciation which is a non-cash expenditure recognising the diminishing value of nearly \$650M worth of Town's assets including buildings, roads and bridges.

AUDIT FINDINGS

The Town's Auditors have identified several matters for consideration to be addressed by Management. Please refer to Confidential Attachment 3 for these findings.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium as it summarises the financial position of the Town for the financial year ended 30 June 2025.

CONSULTATION

Internal

- ARC Committee
- ELT

- Financial Services

External Agencies

- RSM Australia
- The Office of the Auditor General

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

Part 7 of the Local Government Act 1995 and the Local Government (Audit) Regulations 1996 details the requirements for audit.

Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 details the CEO's duties in relation to financial management.

Under section 5.54 of the Local Government Act 1995, the annual financial statements and audit report must be accepted by 31 December, provided the auditor's report is available. If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

FINANCE AND RESOURCE IMPLICATIONS

The costs associated with conducting the interim and end of financial year audit are included in the annual budget and financial statements.

The auditor's closing report indicated a \$22,000 to \$25,000 variation to the audit fee in recognition of the substantial amount of time and effort of both the Town and the Audit team.

STRATEGIC SUSTAINABILITY IMPLICATIONS

COUNCIL PLAN: PART A

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

Our Leadership:

4.2 Transparent and accountable governance and financial sustainability.

Access and Inclusion

There are no significant outcomes of the Town's Access and Inclusion Plan 2023-2026 relating to this item.

COUNCIL PLAN: PART B

The following actions of the Town's *Council Plan 2025-2035* apply in relation to this item:

Our Leadership:

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

Audit and Risk Management - Committed to organisation wide risk management principles, systems and processes that ensure consistent, efficient and effective assessment of risk in all planning, decision making and operational processes.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	Regulated financial and reporting requirements
Effect	Non-compliance
Risk Treatment	Management controls and external support and overview
<p>There is an Operational risk associated with this item caused by Regulated financial and reporting requirements, leading to potential for non-compliance.</p> <p>The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).</p> <p>This risk will be accepted by the management accounting practices, with external support services and overview by audit agencies.</p>	

OPTIONS

- Option 1 – Adopt officer's recommendation
- Option 2 – Amend officer's recommendation
- Option 3 – Not adopt the officer's recommendation

CONCLUSION

The 2024-2025 Financial Year Annual Financial Report, Independent Auditor's Closing Report and Management Letters are attached for the Committee's review.

RSM Australia Pty Ltd have advised that the Office of the Auditor General has issued an unmodified audit opinion for the financial year ended 30 June 2025, indicating that the financial statements are presented fairly and in all material respects, in accordance with the applicable financial reporting framework.

The Town's administration have worked collaboratively together and with the support of both RSM and the OAG to achieve this.

ATTACHMENTS

1. Unconfirmed Minutes for the 10 December 2025 Special Audit, Risk & Compliance Committee Meeting [**8.1.1.1** - 24 pages]
2. Town of Port Hedland - Final Annual Financial Report 2025 (Signed and Stamped and Opinion attached) [**8.1.1.2** - 53 pages]
3. CONFIDENTIAL - Town of Port Hedland Final Audit Management Letter [**8.1.1.3** - 5 pages]
4. CONFIDENTIAL - Town of Port Hedland ITGC Audit Management Letter [**8.1.1.4** - 7 pages]
5. CONFIDENTIAL - Town of Port Hedland - Closing Report (30 June 2025) - Issued 12.12.25 [**8.1.1.5** - 19 pages]

8.2 Community Services

Nil

8.3 Regulatory Services

Nil

8.4 Infrastructure Services

8.4.1	Award of Tender - RFT2526-10 JD Hardie Youth & Community Hub Masterplan - Stage 3
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Author: Project Manager

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.

SCM202526/149 COUNCIL DECISION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

OFFICER'S RECOMMENDATION 1

That Council: Pursuant to section 6.8 of the Local Government Act 1995, amend the 2025/2026 Annual Budget as follows:

Account	Description	Current Budget	Amendment	Amended Budget
Strategic Reserve 30132	Transfer from Reserve	(13,398,162)	(4,300,000)	(17,698,162)
10044	JD Hardie Stage 3	4,400,000	4,300,000	8,700,000

CARRIED BY ABSOLUTE MAJORITY (3/0)

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

Against: Nil

SCM202526/150 COUNCIL DECISION**MOVED:**
CMM Ronald Yuryevich**SECONDED:**
CMM Deputy Chair Martin Aldridge**OFFICER'S RECOMMENDATION 2**

That Council authorise the Temporary Chief Executive Officer to enter a Contract for the award of RFT2526-10 JD Hardie Youth & Community Hub – Stage 3 – Adventure Park Construction to Byblos Constructions Pty Ltd for \$7,190,511 (excluding GST).

CARRIED BY SIMPLE MAJORITY (3/0)

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

PURPOSE

The purpose of this report is for the Council to consider bringing forward the FY2026/27 budget allocation as noted within the Council Plan to support the assessment of submissions received for RFT2526-10 JD Hardie Youth & Community Hub – Stage 3 – Adventure Park Construction (The Tender) and consider the evaluation panel's recommendation to award the tender to the preferred tenderer.

DETAIL***Background***

The JD Hardie Youth and Community Hub is a key strategic asset for the Town of Port Hedland, offering inclusive, multi-use spaces for youth, community, and recreational activities. Stage 3 of the redevelopment builds on previous upgrades and will deliver enhanced indoor and outdoor facilities, including:

- Construction of BMX pump/jump tracks and parkour areas
- Installation of shade structures and hardscape elements
- Landscaping works (turfing, irrigation, and soft landscaping)

This project aligns with the Town's adopted JD Hardie Youth & Community Hub masterplan and supports broader objectives in youth engagement, community wellbeing, and infrastructure renewal.

A draft operational management plan has been developed for the Adventure Park, with programming considerations incorporated into the design. The facility is intended primarily as a public open space, encouraging informal community use and activation through everyday recreation. The design supports this purpose by providing

accessible, safe, and inclusive spaces for families and young people, while also ensuring flexibility for a range of activities.

While community use will remain the primary focus, the administration will from time to time deliver programmed events such as skills clinics, competitions, and community activations. The design has been developed to accommodate these events, with features such as shaded seating, BBQ facilities, lighting, and open turfed areas to support gatherings and enhance the user experience. This approach ensures the Adventure Park remains a vibrant, multi-purpose space that promotes social connection and active lifestyles.

Contract Scope

The scope of this contract is for the construction of the Stage 3 Adventure Park located at the JD Hardie Youth & Community Hub. The contract will be delivered in a single package and will include:

- Construction of a junior and senior BMX pump track
- Construction of a multi-lane jump track
- Installation of parkour elements designed for youth activity and movement
Construction of permanent shade structures to support year-round usability
- Landscaping and irrigation
- Installation of lighting to enable safe and extended use during evening hours, particularly important given Port Hedland's extreme daytime temperatures
- Installation of CCTV infrastructure to support site safety and asset protection
- Installation of fencing and vehicle access points to ensure safety and controlled entry
- Provision of site signage to support wayfinding and site identity

Contractor Responsibilities

The successful contractor must deliver works in accordance with the provided specifications, comply with current Australian Standards, and meet wind region D and terrain requirements. Key obligations include:

- Preparation of a dilapidation report
- Securing all relevant building approvals and permits
- Attendance at project commencement meetings and mandatory risk workshops
- Development of a project risk register
- Submission of management plans:

- Safety Management Plan
 - Quality Management Plan
 - Traffic Management Plan
 - Construction Management Plan (including methodologies)
- Provision and ongoing management of a detailed delivery program Performance will be monitored against KPIs for workplace health and safety, quality, financial management, and overall delivery.

Project Timeline

The successful tenderer is proposed to complete works by the end of October 2026 (practical completion); however, it is important to note that the date for practical completion is subject to change should any extension of time claims be awarded. A defect liability period of 12 months will be in place from the date of practical completion.

PROCUREMENT PROCESS

At its meeting on 29 October 2025, Council resolved to call tenders for the Stage 3 construction works. The tender was advertised on 31 October 2025 and closed on 28 November 2025, in accordance with the Local Government Act 1995 and the Town's Procurement Policy.

Request for Tender

The Town released a Request for Tender (RFT) on 31 October 2025 on Vendorpanel (the Town's e-tendering portal) and was advertised in the West Australian and the North West Telegraph with a closing date of 28th November 2025. The RFT number for this project is RFT2526-10. There were eight (8) addendums that were released during the tender period relating to scope clarifications.

Four (4) tenders were received by the closing date from:

1. TEC Services Group Pty Ltd
2. Byblos Constructions Pty Ltd
3. Yurra Pty Ltd
4. Street & Garden Furniture Company Pty Ltd

Of these, two (2) were deemed non-compliant, as they responded with non-conforming submissions. The remaining compliant submissions were assessed by a five (5) member evaluation panel comprising of the following:

- Director Infrastructure Services

- Director Community Services
- A/Manager Infrastructure Projects & Assets
- Project Manager
- Senior Project Officer and;
- Design consultant for technical advice (non-voting member)

Tender Assessment

The tenders were first assessed for compliance with the tender documents, then against the qualitative criteria:

Criteria	(%)
Relevant Experience	30
Demonstrated Understanding	40
Capacity to Deliver & Resources	30
Total	100%

Evaluation Panel Members were asked to complete Conflict of Interest declarations prior to accessing the responses, individual assessments were undertaken, and an evaluation panel consensus meeting was conducted on 3rd December 2025 facilitated by the Town's procurement representatives

The evaluation panel's objectives were to make a recommendation to Council, ensure the tender submissions are assessed fairly in accordance with the predetermined weighting schedule; ensure adherence to policies and legislation, and ensure that the requirements specified in the tender are evaluated in a way that can be measured and documented.

A value for money assessment was undertaken as part of the tender evaluation process to ensure the Town achieved the best possible outcome for this project. Following this review, the preferred tenderer not only met all qualitative requirements but also emerged as the best value for money option.

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

A financial viability assessment was also undertaken during the evaluation phase, to confirm suitability for the scope of the project. The Preferred Tenderer's Ilion report assesses their level of risk as "minimal risk", this demonstrates their financial capacity to deliver this project scope.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

No further consultation is required to carry out the Officer's recommendation, however as part of the project engagement process the endorsed design has been based upon feedback derived from extensive consultation across a range of internal officers, external agencies, clubs, key stakeholders, and community members.

The Administration will continue to provide updates to the relevant stakeholders and community regarding the progress of the project.

In alignment with the Town's Project Management Framework, Council will be provided with regular project performance reports which will include a project update, identified risks, emerging issues, project cost forecasting, and compliance.

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

The pre-tender estimate for JD Hardie Stage 3 was based on the Quantity Surveyor's design estimate. This figure includes allowances for civil works, landscaping, BMX and parkour facilities, shade structures, electrical services and contingencies. The pre-tender estimate has been included within this report as a confidential attachment.

The project has received a total of \$4,300,000 in external grant funding to support the delivery of this project, with the Town contributing \$4,400,000 from its Strategic Reserve.

Within the 2025-2026 Annual Budget, \$4,300,000 has been allocated to fund this project and proposed budget allocation of \$4,400,000 in FY 2026/2027 as identified in the Council Plan.

Budget Implications

This contract will be awarded under the JD Hardie Stage 3 capital works budget (project code 10044). A summary of this budget is shown below.

Source	FY2025/26	FY2026/27	Total
External Funding	4,000,000	400,000	4,400,000
Strategic Reserve	400,000	3,900,000	4,300,000
TOTAL	4,400,000	4,300,000	8,700,000

The external funding as shown in the above table is made up of

- Community Sporting and Recreation Facilities Fund (CSRFF) \$2,000,000 and;
- Lotterywest \$2,297,000

The Lotterywest funding will be acquitted progressively upon achieving two (2) milestones of \$1,148,500 each throughout construction and CSRFF will be paid in increments of 25%, 50% with the final 25% at the completion of the project.

Proposed Forecast Expenditure

Expenditure incurred to date and outstanding commitments for this project include internal project management activities, site investigations, and specialist consultancy services.

The construction contingency has been established in accordance with the Quantity Surveyor's recommendations to ensure sufficient provision for potential variations during project delivery.

To facilitate the award of the tender, this Council decision incorporates a budget amendment to bring forward the allocation identified within the Council Plan. This

adjustment will be reconciled at project completion once external funding has been fully acquitted.

Based on current forecasting, the project is expected to deliver a surplus. Ongoing financial performance will be closely monitored, with detailed reporting provided monthly through the project performance report to maintain transparency and accountability.

Lifecycle Costs

A lifecycle cost analysis has been completed to assess the long-term financial implications of the Adventure Park over its 20-year economic life. The analysis incorporates capital costs, operating costs, and replacement costs, adjusted for inflation. Key Findings:

- Capital Costs: Initial construction and major replacements total approximately \$9.27 million, including allowances for future refurbishments and site remediation in year 20.
- Operating Costs: Ongoing maintenance, cleaning, and administrative overheads are projected at \$4.87 million over the lifecycle, averaging around \$240,000 annually.
- The asset depreciation is estimated to be approximately \$128,500 per year based on a 20-year asset life of the BMX track, Parkour equipment and structures.

This analysis confirms that the design and operational strategy provide a sustainable approach to asset management, balancing upfront investment with predictable maintenance and renewal costs. Regular monitoring and scheduled maintenance through the asset management plan will minimise risk and extend the facility's useful life.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A

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

Our Community:

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

1.4.2 Facilities and community infrastructure are revitalised across the town.

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

Our Economy:

2.5.3 Invest and develop key community and recreation infrastructure.

2.5.5 Support tourism infrastructure development.

Our Built and Natural Environment:

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

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

Access and Inclusion

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

- Outcome 2 – Buildings and Facilities

Council Plan: Part B

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

Our Built and Natural Environment:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Reputational & Financial
Cause	Tender for JD Hardie Stage 3 construction works is not awarded
Effect (Consequence)	Damaged reputation with external funding bodies such as Lotterywest and CSRFF, potentially impacting current and future funding opportunities.
Risk Treatment	Adopt the officer's recommendation
<p>Failure to progress the project as planned may lead to a perception of poor delivery capability, reducing confidence from key funding partners. This could impact existing grant agreements and limit the Town's ability to secure future funding for community infrastructure projects.</p> <p>Risk Rating: High (12) – Likelihood: Possible (3), Consequence: Major (4)</p> <p>This risk will be eliminated by awarding the contract as recommended.</p>	
Risk Type	Project
Risk Category	Reputational

Cause	Tender for JD Hardie Stage 3 construction works is not awarded
Effect (Consequence)	Community perception of project delays and lack of progress may damage the Town's reputation and confidence in delivering strategic infrastructure projects
Risk Treatment	Adopt the officer's recommendation
<p>Failure to award the contract could lead to negative community sentiment, as the JD Hardie Youth & Community Hub is a highly visible facility. Extended delays may undermine trust in the Town's ability to deliver on its commitments, impacting future engagement and project support.</p> <p>Risk Rating: High (12) – Likelihood: Possible (3), Consequence: Major (4)</p> <p>This risk will be eliminated by awarding the contract as recommended.</p>	

Risk Type	Project
Risk Category	Reputational
Cause	Tender for JD Hardie Stage 3 construction works is not awarded
Effect (Consequence)	The Town fails to deliver on the adopted JD Hardie Youth & Community Hub masterplan, despite previous stages being successfully completed
Risk Treatment	Adopt the officer's recommendation
<p>Non-award of the contract would result in incomplete delivery of the masterplan, undermining the Town's long-term vision for the precinct. This could erode stakeholder confidence and diminish the perceived value of prior investments in earlier stages.</p> <p>Risk Rating: High (12) – Likelihood: Possible (3), Consequence: Major (4)</p> <p>This risk will be eliminated by awarding the contract as recommended.</p>	

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

It is recommended the Council support the officer's recommendation to award RFT2526-10 JD Hardie Youth & Community Hub – Stage 3 – Adventure Park Construction to the preferred tenderer indicated in the tender evaluation. The preferred tenderer has demonstrated the capability, experience, and resources

necessary to successfully deliver the full scope of work to the required standards and within the agreed timeframe.

JD Hardie Stage 3 construction works is critical to delivering on the Town's adopted masterplan and maintaining momentum following the successful completion of previous stages. Failure to award the contract would present significant strategic, financial, and reputational risks.

This project has received significant support provided by Lotterywest and the Community Sporting and Recreation Facilities Fund (CSRFF). These contributions have been instrumental in enabling this project and reflect a shared commitment to creating vibrant, inclusive spaces for our community.

ATTACHMENTS

1. CONFIDENTIAL - JD Hardie Youth & Community Hub Masterplan – Stage 3 - Tender Evaluation & Authorisation Report [**8.4.1.1** - 49 pages]
2. CONFIDENTIAL - JD Hardie Youth & Community Hub Masterplan - Stage 3 - Draft Operational Management Plan [**8.4.1.2** - 26 pages]
3. CONFIDENTIAL - JD Hardie Youth & Community Hub Masterplan - Stage 3 - Lifecycle Cost [**8.4.1.3** - 1 page]

8.5 Executive Services

8.5.1	Acceptance of the Annual Report 2024-2025 and Setting the Date of the Annual General Meeting of Electors
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Author: **Manager Public Affairs**

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.

SCM202526/151 COUNCIL DECISION

MOVED: CMM Deputy Chair Martin Aldridge **SECONDED:** CMM Ronald Yuryevich

That Council:

- 1. That Council accepts the Annual Report 2024-2025 as per Attachment 1 in accordance with section 5.53 and 5.54 of the *Local Government Act 1995*.**
- 2. Delegates the Temporary Chief Executive Officer to finalise the Annual Report 2024-2025, including design and creative treatment.**
- 3. That Council convenes the Annual General Meeting of Electors commencing at 5:30pm on 10 February 2026 in Council Chambers at the Civic Centre.**
- 4. That Council advertises the Annual General Meeting of Electors, giving at least 14 days local public notice in accordance with section 5.29 of the *Local Government Act 1995*.**
- 5. That Council advertises the availability of the Annual Report 2024-2025 in accordance with section 5.55 of the *Local Government Act 1995*.**

CARRIED BY ABSOLUTE MAJORITY (3/0)

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

Against: Nil

PURPOSE

This report's purpose is for the Council to consider the acceptance of the Annual Report 2024-2025 and confirm the date of the Annual General Meeting of Electors.

DETAIL

The *Local Government Act 1995* (the Act) requires local governments to prepare an Annual Report for each financial year.

The Act, section 5.54, states that the annual report for the financial year is to be accepted, by absolute majority, by the local government no later than 31 December after that financial year, unless the auditor's report is not available in time. In which case, the annual report is to be accepted by the local government no later than two months after the auditor's report.

The Town must host the Annual General Meeting of Electors within 56 days (8 weeks) of the Annual Report being adopted by Council, so the Annual Electors Meeting must be held on or before 10 February 2026. The suggested date for the Annual Electors Meeting is 10 February 2026.

The process for adopting the Annual Report and holding the Annual General Meeting of Electors is as follows:

1. On Tuesday 9 December 2025 the Audit, Risk and Compliance Committee members held an audit exit meeting with auditors RSM and the Office of the Auditor General.
2. On Wednesday 10 December 2025 a Special Audit, Risk and Compliance (SARC) Committee meeting considered and accepted the audited Annual Financial Report, Auditor's Closing Report and Management Letter for the year 2024-2025.
3. The Council then decides to accept the Annual Report 2024-2025, alongside with accepting the 2024-2025 Annual Financial Statements as part of endorsing the SARC minutes.
4. The Annual Report, including the financial statements, forms the main item of business to be discussed at the Annual General Meeting of Electors.

The Town of Port Hedland Annual Report 2024-2025 has been developed in alignment with reporting requirements set out in the Act, with further comprehensive reporting on the Town's performance against the Strategic Community Plan 2022-2032.

Key highlights and achievements, as noted in the Annual Report 2024-2025 include:

- Strong financial position with cash and investments totalling slightly over \$197 million against total liabilities of \$94 million
- 1,594 community program and activities delivered
- 48,965 people attended community events
- 90,000 visits to aquatics facilities
- 5,605 swim school enrolments
- 35,430 visits to Hedland libraries
- A 13% increase in website traffic
- 15 Council meetings
- Two elections for Town of Port Hedland councillors
- 584 tonnes co-mingled dry recycling diverted from landfill

- Seven building permits, on average, approved every week
- \$33 million value of development applications
- \$112 million value of building approvals
- \$2 million invested in road and carpark reseals
- Almost \$35 million funding from State and Federal Government confirmed to fund Council infrastructure and facilities
- The Records Digitisation Project completed, digitising approximately 80,000 property records
- Opened the Cooke Point footpath
- Continued the greening program with 70 new trees planted in South Hedland, and Cyclone Zelia damaged trees replaced throughout the community
- The Town was awarded a range of accolades:
 - o Parks and Leisure Australia Commendation for Yikarra Park
 - o Local Government Team of the Year – Band 1 by the Planning Institute of Australia
 - o South and Port Hedland recognised at the 2024 Tidy Town awards as the overall State Title Winner
 - o A Platinum Certificate of Achievement from WorkSafe, which is the highest level of recognition
 - o A commendation at the State Library of Western Australia’s 2024 Library Board Awards for innovation and collaboration.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 ‘Significant Decision Making’, this matter is of medium significance, because it is a statutory document which outlines the Town’s activities and highlights for the 2024-2025 financial year.

CONSULTATION

Internal

- All Directors, Managers, and relevant Officers were consulted during the development of the Annual Report 2024-2025.

LEGISLATION AND POLICY CONSIDERATIONS

Section 5.27 of the *Local Government Act 1995* sets out the requirements for an elector’s general meeting to be held once every financial year and this meeting must be held within 56 days of the Annual Report being accepted by Council.

Regulation 15 of the *Local Government (Administration) Regulations 1996* details the matters for discussion at the Annual General Meeting of Electors. They include the

contents of the Annual Report for the previous financial year and then any other general business.

Section 5.29 of the *Local Government Act 1995* requires for a local public notice to be given stating details of the Annual General Meeting of Electors.

Section 5.53 of the *Local Government Act 1995* provides for the Annual Reports to contain certain provisions, which have been included in the Town's Annual Report 2024-2025.

Section 5.54 of the *Local Government Act 1995* sets out the process for accepting Annual Reports.

Section 5.55 of the *Local Government Act 1995* states that the Chief Executive Officer is to give local public notice of the availability of the Annual Report as soon as practicable after the report has been accepted by the local government. There are no Town policies to consider in relation to this item.

Section 6.4 of the *Local Government Act 1995* sets out the obligations of local governments with regards to their annual financial reporting.

FINANCIAL AND RESOURCE IMPLICATIONS

The Annual Report 2024-2025 will be available in digital format on the Town's website. The costs associated with producing the annual report have been accounted for in the 2024-2025 budget.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A

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

Our Leadership:

4.2.1 Sound long-term financial planning is implemented.

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

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

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

Access and Inclusion

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

- Outcome 3 – Accessible Information

Council Plan: Part B

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

Our Corporate Services:

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

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

Public Affairs and Communication - Enhancing and protecting the Town's reputation, providing advice and support to the Council, Executive Leadership Team and business units.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	Not preparing and making available an Annual Report as per the Local Government Act 1995.
Effect (Consequence)	Non-compliance, impact on stakeholder trust and confidence in the Town.
Risk Treatment	Adoption of the Annual Report
<p>There is an Operational risk associated with this item caused by not adopting the Annual Report 2024-2025, leading to non-compliance.</p> <p>The risk rating is considered Low (4) determined by a likelihood of Possible (3) and a result of Insignificant (1).</p> <p>This risk will be avoided by adopting the Annual Report 2024-2025.</p>	

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Do not adopt officer's recommendation

CONCLUSION

The Town of Port Hedland Annual Report 2024-2025 has been developed in line with the Local Government Act 1995. It provides an overview of key achievements throughout the financial year, alongside financial performance.

The Annual Report must be accepted by the Town of Port Hedland Council before 31 December, with the Annual General Meeting of Electors held within 56 days of the Annual Report being accepted by Council.

ATTACHMENTS

1. To PH AR 2425 final draft 1 Dec 25 [**8.5.1.1** - 45 pages]

8.5.2	Appointment of Presiding/Deputy Presiding Member of the CEO Recruitment Committee
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Author: Manager Governance

Authorising Officer: Temporary Chief Executive Officer

Disclosure of Interest: The Author and/or Authorising officer declare that they have a financial interest in relation to this item.

ORIGINAL OFFICER'S RECOMMENDATION

That Council:

- 1. Appoint Commissioner _____ to the position of Presiding Member of the CEO Recruitment and Selection Committee under section 5.12(1) *Local Government Act 1995*.**
- 2. Appoint Commissioner _____ to the position of Deputy Presiding Member of the CEO Recruitment and Selection Committee under section 5.12(2) *Local Government Act 1995*.**
- 3. Endorse the CEO Recruitment and Selection Committee Terms of Reference with amended clauses 5.1 and 5.3 to be appointed by absolute majority decision of the Council and remove clause 5.2, as per attachment 1.**

ABSOLUTE MAJORITY VOTE REQUIRED

SCM202526/152 AMENDMENT MOTION

MOVED:
CMM Deputy Chair Martin Aldridge

SECONDED:
CMM Ronald Yuryevich

That Council move Item 8.5.2 with the insertion of Jessica Shaw as Committee Chair and Martin Aldridge as Committee Deputy Chair.

CARRIED BY SIMPLE MAJORITY (3/0)

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

Reasoning: The amendment to the officer's recommendation is made to include the names of members appointed.

SCM202526/153 SUBSTANTIVE COUNCIL DECISION**MOVED:****CMM Deputy Chair Martin Aldridge****SECONDED:****CMM Ronald Yuryevich****That Council:**

- 1. Appoint Commissioner Jessica Shaw to the position of Presiding Member of the CEO Recruitment and Selection Committee under section 5.12(1) *Local Government Act 1995*.**
- 2. Appoint Commissioner Martin Aldridge to the position of Deputy Presiding Member of the CEO Recruitment and Selection Committee under section 5.12(2) *Local Government Act 1995*.**
- 3. Endorse the CEO Recruitment and Selection Committee Terms of Reference with amended clauses 5.1 and 5.3 to be appointed by absolute majority decision of the Council and remove clause 5.2, as per attachment 1.**

CARRIED BY ABSOLUTE MAJORITY (3/0)

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

Against: Nil

PURPOSE

The purpose of this report is for Council to consider appointing Commissioners to be the Presiding Member and Deputy Presiding Member of the CEO Recruitment and Selection Committee (the Committee), and to ensure the Committee operates in compliance with legislative requirements by aligning its Terms of Reference with the *Local Government Act 1995* and incorporating the amendments introduced under the *Local Government Amendment Act 2024*.

DETAIL

On Monday 9 September 2024, Mr Carl Askew resigned from the position of Chief Executive Officer (CEO) of the Town of Port Hedland with his last day of employment, which was Friday 29 November 2024.

The Council subsequently approved the process for the recruitment of the CEO including the establishment of the CEO Recruitment and Selection Committee with formal Terms of Reference (ToR).

The ToR states that the appointment of a Presiding Member and Deputy Presiding Member is to be undertaken by the Committee at its first meeting. In the time since the ToR were adopted the *Local Government Amendment Act 2024* has been promulgated, requiring the appointment of Presiding Members and Deputy Presiding Members to be made by absolute majority decision of the Council. (Attachment 1)

These appointments will provide compliance so as a formal meeting of the CEO Recruitment and Selection Committee in the new year can finalise a recommendation for Council consideration.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

Commissioners
Temporary CEO
Manager Governance
A/Executive Manager Human Resources

External Agencies

Nil

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

5.12 Presiding members and deputies

1. The local government must appoint* a member of a committee to be the presiding member of the committee.
2. The local government may appoint* a member of a committee to be the deputy presiding member of the committee.

* Absolute majority required.

Local Government (Administration) Regulations 1996

Schedule 2 — Model standards for CEO recruitment, performance and termination

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan: Part A

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

Nil

Council Plan: Part B

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

Our Leadership:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	Not appointing a Presiding Member and Deputy Presiding Member of the CEO Recruitment Committee by absolute majority.
Effect (Consequence)	Non-compliance with the <i>Local Government Act 1995</i>
Risk Treatment	Adopt the Officer's Recommendation
<p>There is an Operational risk associated with this item caused by not appointing a Presiding Member and Deputy Presiding Member to the CEO Recruitment and Selection Committee by absolute majority, leading to non-compliance with the <i>Local Government Act 1995</i> and an inability for the Committee to meet.</p> <p>The risk rating is considered to be High (12) which is determined by a likelihood of Likely (4) and a consequence of Moderate (3).</p> <p>This risk will be treated by the 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

Appointment of a Presiding Member and Deputy Presiding Member of the CEO Recruitment and Selection Committee is essential to allow for a formal meeting of the Committee in the new year to continue and finalise the CEO Recruitment process.

Endorsement of the legislative amendment to the CEO Recruitment and Selection Committee Terms of Reference ensures the process aligns with the *Local Government Act 1995* and incorporates the changes introduced by the *Local Government Amendment Act 2024*.

ATTACHMENTS

1. Attachment 1 - FINAL - CEO Recruitment Selection Committee TOR [**8.5.2.1** - 4 pages]
2. Attachment 2 - Original Tracked Changes TOR [**8.5.2.2** - 4 pages]

9 New Business of an Urgent Nature (Late Items)

Nil

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

SCM202526/154 COUNCIL DECISION

MOVED:
CMM Chair Jessica Shaw

SECONDED:
CMM Deputy Chair Martin Aldridge

That Council close the meeting to members of the public as prescribed in section 5.23(2) of the Local Government Act 1995, to consider item 10.1 Key Worker Housing Proposal.

CARRIED BY SIMPLE MAJORITY (3/0)

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

Against: Nil

CMM Ron Yuryevich declared confidentiality.

In accordance with Regulation 14D(6) of the LG Administration Regulations. I declare that I can maintain confidentiality during the meeting. If I am unable to maintain confidentiality, I acknowledge that I must leave the meeting or any closed part of the meeting.

10.1	Key Worker Housing Proposal
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Reasons for Confidentiality

c. a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

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

SCM202526/155 COUNCIL DECISION

MOVED:
CMM Chair Jessica Shaw

SECONDED:
CMM Deputy Chair Martin Aldridge

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

CARRIED BY SIMPLE MAJORITY (3/0)

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

SCM202526/156 COUNCIL DECISION

MOVED:
CMM Chair Jessica Shaw

SECONDED:
CMM Deputy Chair Martin Aldridge

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

CARRIED BY SIMPLE MAJORITY (3/0)

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

SCM202526/157 AMENDED COUNCIL DECISION

MOVED:
CMM Chair Jessica Shaw

SECONDED:
CMM Deputy Chair Martin Aldridge

That Council:

- 1. Confirm its support for the intent and urgency of the Key Worker Housing project.**
- 2. Direct the CEO to contact all tenderers to request a 90-day extension to the tender validity period of RFP2425-01.**
- 3. Direct the CEO to develop a staged and prioritised program of work to include the following matters;**
 - a) operating and management model options**
 - b) allocation methodology and eligibility framework**
 - c) Residential Tenancies Act exposure and risk mitigation**
 - d) funding optimisation and co-investment opportunities**
 - e) housing typology mix**
 - f) time frame for delivering work programmes**
- 4. Request that the existing business case dated December 2025 be updated in light of the matters listed in item 3.**
- 5. Pursuant to section 6.8 of the *Local Government Act 1995*, increase the 2025-2026 Annual Budget to facilitate the purchase of Lot 5996 Cottier Drive, South Hedland:**

Account	Description	Current Budget	Amendment	Amended Budget
Unfinished works reserve (Carryfwd)	Transfer from	\$457,000	0	\$457,000
Strategic Reserve	Transfer from	\$0	\$363,000	\$363,000
10238 - Key Worker Housing Land Acquisition	Capital acquisition	\$(457,000)	\$(363,000)	\$(820,000)

CARRIED BY ABSOLUTE MAJORITY (3/0)

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

Reasoning: The amendment to the officer's recommendation is made as the Commissioners require additional information to make their decision.

SCM202526/158 COUNCIL DECISION

MOVED:

CMM Ronald Yuryevich

SECONDED:

CMM Deputy Chair Martin Aldridge

Council reopen the meeting to members of the public.

CARRIED BY SIMPLE MAJORITY (3/0)

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

Against: Nil

11 Closure

11.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 28 January 2026 commencing at 5:30pm.

11.2 Closure

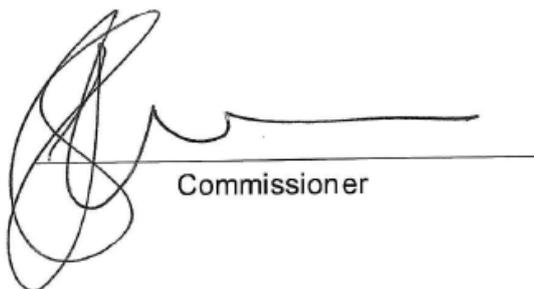
There being no further business, the Presiding Member declared the meeting at 8:28pm.

DECLARATION OF CONFIRMATION OF MINUTES

I certify that these Confidential Attachments form part of the Minutes for the Ordinary Council Meeting held on 28 January 2026.

CONFIRMATION:

PRESIDING MEMBER



Commissioner

DATED

28 January 2026