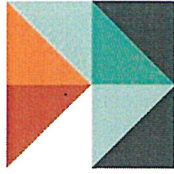


Town of
Port Hedland



Confirmed
MINUTES

Ordinary Council Meeting
Wednesday, 25 June 2024

Date: Wednesday 24 April 2024

Time: 5:30pm

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

Distribution Date: 01/08/2024

Mayor

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1 Opening of Meeting

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

2 Acknowledgement of Traditional Owners and Dignitaries

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

3 Recording of Attendance

Important note:

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

3.1 Attendance

Scheduled Present:

Mayor Peter Carter
Deputy Mayor Ash Christensen
Cr Sven Arentz
Cr Camilo Blanco
Cr Lorraine Butson
Cr Adrian McRae
Cr Ambika Rebello
Cr Flo Bennett

Scheduled for Attendance:

Steve Leeson (A/Chief Executive Officer)
Tom Kettle (A/Director Corporate Services)
Mark Dacombe (Interim Director Community Services)
Chaz Roberts (A/Director Regulatory Services)
Grant Voss (A/Director Infrastructure Services)
Nancy Kiliswa (A/Manager Governance)
Karen Krollig (Governance Officer)
Rhiannon Smith (Governance Support Officer)
Belinda Yull (Governance Support Officer)
Sophie Marlow (Governance Services Trainee)

3.2 Attendance by Telephone / Instantaneous Communications

Nil

3.3 Apologies

Cr Tim Turner

3.4 Approved Leave of Absence

Nil

3.5 Disclosures of Interest

4 Applications for Leave of Absence

Nil

5 Response to Previous Questions

5.1 Response to Questions taken on notice from Elected Member at the Council Meeting held on 29 May 2023

There were no questions taken on notice from Elected Members

5.2 Response to Questions taken on notice from Public at the Council Meeting held on 29 May 2024

5.3.1	Jan Gillingham
-------	----------------

My question is Mayor, when will you and Council investigate reincluding to also acknowledge our monarch King Charles III, as our Queen was on the wall before and to include our Federal Governor of Australia and our State Governor of Western Australia, please?

The Mayor provided the following response:

I'll take that on notice for you, thank you.

The Director Corporate Services provided the following further response:

The portrait of the reigning monarch is currently on display in the council chambers.

Could our Council please look into those trees that are dying because of a lack of water? Could we have an update please?

The Mayor provided the following response:

Taken on notice for you, thank you.

The Acting Chief Executive Officer provided the following further response:

We have an extensive irrigation system throughout the Town providing water to trees and other areas. We would be happy to work with Mrs Gillingham if she has particular concerns about specific areas. It's worth noting that sometimes individual trees fail to flourish and die for no particular reason.

On behalf of the families and children of the home-schooled children, thank you for allowing them to have a venue at the JD Hardie Centre. My question is that on the 12th of June they have been told that the centre will be closed for an annual general meeting and to keep the momentum of their activities., I'm presenting tonight to ask if we could look for an alternate venue for them to use on that particular day, so they can continue the activities which they do undercover, in air conditioning?

The Mayor provided the following response:

Taken on notice for you, thank you.

The Acting Chief Executive Officer provided the following further response:

The home-schooled children have been provided with an alternative venue for that date.

5.3.2	Renae Coles
-------	-------------

My question is actually in regard to the footpath between Port and South. It's come to attention from many people that there's three to four spots requiring attention to these footpaths as a recent footpath strategy has just been put in, there are three or four spots that actively have good slip/trip hazards in that area and could potentially cause serious injury to somebody. If that can be looked at, that'll be awesome please.

The Mayor provided the following response:

Thank you. I'll take that on notice.

The Acting Chief Executive Officer provided the following further response:

That part of the footpath belongs to Main Roads and we have passed on the complaint.

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 5:33pm.

6.1.1	Roger Higgins
-------	---------------

The Council meeting on the 24th of April, I asked the following question, why do we continue to pay homage at the start of the Council meeting to a group of people who've no authority whatsoever? I got a reply, which was dated on the 13th of June. Which said the following - There are no statutory requirements relating to the acknowledgment of any authority for Council meetings. So, my question is, when then will this meaningless protocol be abandoned?

Mayor provided the following response:

It's a work in progress, Thank you, Roger.

My second question on the meeting of the 15th of May, I ask for an explanation on how and why some \$231,000 was paid to the Royal Life Saving Association in the 22/23 financial year. I got the following reply from the acting CEO - These payments include labour hire, purchase of equipment such as wristbands, mats and Lifeguard training. So, I'm asking the question again, but this time I'm expecting a full and complete comprehensive answer and I'll be making my statement about this matter in public statement time shortly.

The Mayor provided the following response:

I'll take that on notice.

My third question is we're led to believe Mayor, that your address has changed from Robert Street. My question is, have you updated the Town's register with respect to the new address?

The Mayor provided the following response:

Yes, I have.

6.1.2	Renae Coles
-------	-------------

First question goes to the Deputy Mayor. In the last six months, how many Councillor only catch-ups have taken place for the full amount of elected members present? And just recently, when did you get the handover when the Mayor went overseas?

The Deputy Mayor provided the following response:

In the last six months, to my knowledge we've had just the one which took place the other night, in relation to handovers. There we received an email that the Mayor would be away. There was no official handover that I am aware that's ever taken place in my time being in the seat.

My next question is, as we obviously got rates on the sector tonight in the last 12 months, how many funding submissions have been put into various funding proposals to cut back on raising our rates to pay for projects that have been accepted or rejected please?

The Mayor provided the following response:

I'll take that on notice, thank you.

What has the Town of Port Hedland done differently in the last six days since the Special Electors Meeting that has enabled this meeting to be live streamed tonight?

The Mayor provided the following response:

That was an administration matter. Thank you.

6.1.3	Jillian Fisher
-------	----------------

TEC services from the 3rd of May to the 30th of May received \$1,030,623.25 from the Town of Port Hedland. That's just a very substantial amount of money. There's a couple of payments. Here one is for \$419,629.81. Another one for a \$163,000, another one for \$86,000 and the last major one \$192,000 and another one for \$73,000. Does this come under a tender? Was this tender advertised? Can you elaborate on this question?

Mayor provided the following response:

I'll take that on notice, and we'll get those details for you.

I'd like to also go into something similar on page 38 of the attachments of 567 pages. If we look at this, the creditor is McLeod's Barristers and Solicitors. And on the 23rd of May, there is \$684,000 that has gone, a total of the whole month of May is \$720,455.62. Can you speak to that?

Mayor provided the following response

I'll get that on notice for you, I'll get the details for you.

Can the Town of Port Hedland, please clarify for residents why the lane next to the Bowling Club and Hamilton Road has been graded and its way out of the scope of the foot path, which we can see, but the whole thing has been levelled and graded and developed for some reason.

Mayor Provided the following response:

It's actually to make way for a new development in Hamilton Road.

Is that a council development?

Mayor provided the following response:

Not a council development no, but the roads and footpaths are.

So, it's the Council contribution to that development?

Acting Chief executive Officer provided the following response:

Yes, that is correct. Mr Mayor to supplement that, it's enabling the works for the roundabouts that are required on Hamilton Road for the development application on the opposite side as well as the continued work at the South Hedland Integrated Sports Hub.

I'm talking about the area back on the other side, between the Bowling Club and Hamilton Road and the Spinifex Gallery on that corner.

Mayor provided the following response:

I think it's the whole street actually.

So, the roundabout is going to take up the whole street?

Mayor provided the following response:

No, the roundabout is part of the whole street, there are a number of roundabouts to go in there shortly.

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

6.2 Public Statement Time

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

6.2.1	Roger Higgins
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Mr Higgins spoke to:

- His previous questions on the sum of \$231,000 over 12 months, which went to Royal Lifesaving Club, and his disappointment in the response that was given by the Town.
- His thoughts on the population of the Town falling.
- His thoughts on tender avoidance within the Town.

6.2.2	Renae Coles
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Ms Coles read a letter from an ex-resident on their disappointment that the Town did not live-stream the Special Electors Meeting (SEM).

Ms Coles spoke to:

- Correspondence received by herself because of the SEM not being live-streamed.
- Her confusion regarding who owns the footpath from the Shell Service station to the bridge - is it the Town or Main Roads
- Absenteeism when Councillors are overseas.
- Small local business who are needing their council to improve answers for them.

6.2.3	John Ashenden
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Mr Ashenden spoke to:

- Motions at the Special Electors Meeting that were unanimously supported by others attending.
- Requesting that another Special Council Meeting be held within the next fortnight to put motions into action.
- His thoughts on the CEO.
- His views on the current budget.
- His views on paying respect at the beginning of every meeting.

6.2.4	Jillian Fisher
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Ms Fisher spoke to:

- Wanting eye contact from Councillors when public is speaking and clear speaking into microphones.
- Her views on the Mayor taking questions on notice.
- Councillor conferences and having reports on these conferences from the attendees available at Ordinary Council Meetings.

The Presiding Member declared Public Statement Time closed at 6:06pm

6.3 Petitions / Deputations / Presentations / Submissions

Nil

7 Questions from Members without Notice

7.1.1	Cr Blanco
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I'd like an explanation into the email on the 24th of May to all Councillors outlining serious issues concerning conduct, work and health obligations, code of conduct obligations and I also received a personalised letter stating the same thing. I would like to know if all members received a personalised letter or just me? I would want to get some sort of outline or a report into what evidence that the administration has to send such a letter to council and myself?

Mayor provided the following response:

I'll take that on notice.

In relation to the Special Electors Meeting on 19 June 2024, I'd like an explanation on the advertised issues through the Town of Port Hedland to the public, outlining specific problems that have led to staff feeling threatened, developing mental health issues and being afraid to attend council meetings. I want to know the number of official complaints that have been lodged internally or externally. I want to know what measure have been taken to mitigate these issues and I want to know if it his relates specifically to Council Members or Council meetings.

Mayor provided the following response:

I'll take that on notice.

To touch on what Mrs Coles said in public question time, I was also under the impression that the footpath was owned by the Town of Port Hedland. Can we get clarification as to who owns the footpath? My understanding is that we paid for it and maintain it through ratepayer's monies. If that's not the case, can we find out who does own it and who pays for the maintenance in regard to the

footpath between Port and South and I think specifically from a service station to the bridge. Obviously, the overpass is included in that area.

Acting Director provided the following response:

Yes, that path is ours, the cycleway. The Redbank bridge is not, that is owned by Main Roads.

I ask for the Town to get a response from the Local Government at the 24 April OCM in relation to the reasons why the suspension at the Shire of Perenjori in 2019 triggered an official report and the suspension of the Town of Port Hedland did not trigger any report. Can I get the request that's been sent to the department requesting that information? And can I get an update on that information?

Mayor provided the following response:

I'll take that on notice.

7.1.2	Cr Butson
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Can the Council receive your reports regarding the meetings you had in May?

Mayor provided the following response:

They are in the agenda.

8 Announcements by Presiding Member without Discussion

The Mayor's meetings for the month of May 2024:

DATE	MEETING DETAIL
1-3 May 2024	International Public Works Conference, Melbourne
08/05/2024	Hedland Say's no to Family Violence March
08/05/2024	Meeting with Mental Health Commission
09/05/2024	Social Impact Assessment of Fortescue's Pilbara Decarbonisation Program
09/05/2024	Port Hedland Local Emergency Management Committee Meeting
09/05/2024	PHCCI VIP Corporate Sponsor Night
10/05/2024	LIWA Northwest Aquatics Conference Opening
10/05/2024	PHCCI Budget Luncheon
10/05/2024	Welcome to Hedland Event
14/05/2024	Meeting with Charter Hall & Police
14/05/2024	Meeting with BHP
15/05/2024	2024 Annual General Meeting of Electors
16/05/2024	Consul General of Indonesia visit
17/05/2024	Hedland Hotel Function & Events Launch
18/05/2024	Jury Art Prize Exhibition Opening
21/05/2024	RCA Board Meeting
27/05/2024	Port Hedland Primary School Meet with Student Leaders
27/05/2024	Meeting with De Grey Mining
29/05/2024	Ministerial Announcement for Marina Playground
29/05/2024	Hedland Housing Steering Committee meeting
29/05/2024	May Ordinary Council Meeting
31/05/2024	Triple M Interview post May OCM
31/05/2024	Walk for Reconciliation Event

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

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

Mayor Peter Carter

Deputy Mayor Ash Christensen

Cr Sven Arentz

Cr Flo Bennett

Cr Camilo Blanco

Cr Lorraine Butson

Cr Ambika Rebello

Cr Adrian McRae

10 Confirmation of Minutes of Previous Meeting

CM202324/286 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Camilo Blanco

That Council confirm that the Minutes of the Special Council Meeting held on 22 April are a true and correct record.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello and Adrian McRae
Against: Nil

CM202324/287 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Sven Arentz

That Council confirm that the Minutes of the Ordinary Council Meeting held on 24 April 2024 are a true and correct record.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello and Cr Adrian McRae
Against: Nil

CM202324/288 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Ambika Rebello

That Council confirm that the Minutes of the Ordinary Council Meeting held on 29 May 2024 are a true and correct record.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello and Cr Adrian McRae
Against: Nil

11 Reports of Committees

11.1 Audit, Risk and Compliance Committee

Nil

12 Reports of Officers

The term 'en bloc' is used to describe the practice of adopting multiple recommendations of officers by the use of only one resolution, without a separate resolution for each recommendation. Used when council members have no reason to disagree with recommendation.

CM202324/289 EN BLOC MOTION

MOVED: Deputy Mayor Ash Christensen SECONDED: Cr Sven Arentz

That Council move the below Item numbers, en bloc:

12.2.2	Courthouse Gallery
12.3.1	Scheme Amendment No. 4 to LPS
12.3.2	Scheme Amendment No. 5 to LPS

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello and Cr Adrian McRae

Against: Nil

12.1 Corporate Services

12.1.1	Statement of Financial Activity - May 2024
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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.

CM202324/290 COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Deputy Mayor Ash Christensen

That Council:

- 1. Receive the Statement of Financial Activity and Variance Report for the period ended 31 May 2024 as shown in attachment 1;**
- 2. Note the Accounts paid under delegated authority for the period ended 31 May 2024 as shown in attachment 3;**
- 3. Receive the Purchasing Card statements for the period ended 31 May 2024, as shown in attachments 4 and 5;**
- 4. Receive the Investment Summary Report for the period ended 31 May 2024, as shown in attachment 6;**
- 5. Receive the Capital Project Listing for the period ended 31 May 2024, as shown in attachment 7; and**
- 6. Receive the YTD Budget v Actual Report by Directorate.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello and Cr Adrian McRae

Against: Nil

PURPOSE

The purpose of this report is for Council to consider the Statement of Financial Activity for the period ended 31 May 2024. Supplementary information is also presented to Council to provide further information regarding the Town's activities.

DETAIL

The information provided in this report is for the period ended 31 May 2024, with financial results included in Attachment 1. The preparation of the reports has been reviewed towards maintaining compliance with the *Local Government Act 1995 and Financial Management Regulations* that has resulted in a reduction of some information not necessarily required to be prepared on a monthly basis. The Financial Report for 2022/23 has been audited and confirmed in April 2024, this report relies upon the 2022/23 comparative financial year results.

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 2023/2024 original budget, Council adopted the following thresholds as levels of material variances for financial reporting:

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

The opening funding surplus of \$4.4M presented in Year to Date Actual on the Statement of Financial Activity is as per the closing surplus of the audited June 2023 financial statements.

The net current funding position (surplus/(deficit) from the Statement of Financial Activity as at 31 May 2024 is a surplus of \$18.94M. This is due to the practice of raising rates and charges for the full financial year when the rates notices are generated. The YTD surplus variance is \$13.85M favourable compared to budget due to a reduced YTD spend on employee costs and underspend on plant & equipment and infrastructure payments.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- *Nil*

External Agencies

- *Nil*

Community

- *Nil*

LEGISLATION AND POLICY CONSIDERATIONS

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

FINANCIAL AND RESOURCE IMPLICATIONS

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

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

Reserves:

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

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Leadership:

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Corporate Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial
Cause	There is an Operational, risk associated with this item due to a reduction in income or increase in expense throughout the 2023/2024 financial year.

Effect (Consequence)	Could impact on the Town’s ability to meet service levels or asset renewal funding requirements.
Risk Treatment	The Town’s financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.
The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).	

OPTIONS

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

CONCLUSION

The opening funding surplus of \$ 4.4M presented in YTD Actual on the Statement of Financial Activity, is as per the closing surplus presented in the audited financial statements from June 2023. The net current funding position is \$18.94M.

ATTACHMENTS

1. Monthly Financial Report - May 2024 [**12.1.1.1** - 7 pages]
2. Payments made under Delegated Authority - May 2024 [**12.1.1.2** - 67 pages]
3. Credit Card Statements - May 2024 without names [**12.1.1.3** - 21 pages]
4. Fuel Card Statements - May 2024 [**12.1.1.4** - 5 pages]
5. Investment Summary Report for the period ended 31 May 2024 [**12.1.1.5** - 11 pages]
6. Capital Project Listing report - May 2024 [**12.1.1.6** - 12 pages]
7. YTD Budget V Actual by Summary Directorate - May 2024 [**12.1.1.7** - 1 page]

12.1.2	Policy Framework
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Author: Senior Governance Advisor
Authorising Officer: Manager Governance
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER RECOMMENDATION

That Council:

1. Adopts the Policy Framework as a Council Policy

LAPSED FOR WANT OF MOVER

PURPOSE

The purpose of this report is for the Council to consider the proposed Policy Framework.

DETAIL

An organisation’s Policy Framework is a vital component of the decision making and management principle of good governance. The primary objective of the Policy Framework is to engage Councillors with the process of policy development and review, to deliver policies that are a clear and concise reflection of Council commitments to community expectations.

The Town has more than 50 policies. Under the current system, this requires 50 reports to the Council over a two-year period. Some of these existing policies have become outdated and lack relevance to contemporary times, while others appear more operational in nature and would serve the organisation more effectively as procedures. This would give more flexibility in meeting requirements through changing circumstances.

The proposed Policy Framework:

1. Identifies the hierarchy of governing documents,
2. Sets out the requirements for developing policies and procedures, and
3. Provides the roles and responsibilities for policy development, approval, publication, and review.

The establishment of a hierarchy ensures that the Council is developing and reviewing policies that reflect the strategic focus established through public consultation.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- Executive Leadership Team
- Senior Leadership Team

External Agencies

- Nil

Community

- N/A

LEGISLATION AND POLICY CONSIDERATIONS

The Local Government Act 1995 section 2.7(2)(b) states the Council is to determine the local government's policies.

The development of a policy document is required to establish the Council's objective on an issue or to provide further guidance on a legislative requirement.

The policy requirement may result from:

- A new legislative requirement
- A new or changing industry standards
- To meet the Council's strategic objective
- To respond to a community, need or expectation, or
- A result of a Council resolution.

The policy document should result in:

- Clarity and consistency in decision making
- Improved efficiency and effectiveness, or
- Improved customer and community outcomes.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

The following section of the Town’s Strategic Community Plan 2022-2032 is applicable in considering this item.

Our Leadership:

4.b.3 Transparent and regular governance reporting and communication to the community is undertaken.

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

Access and Inclusion

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

Nil.

Corporate Business Plan

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

Our Corporate Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	There is an operational risk associated with this item. If there are new legislative requirements or changing industry standards, not having a Policy Framework to address them could result in non-compliance.
Effect (Consequence)	This could result in legal consequences, fines, or other penalties jeopardising the Council’s reputation and financial stability.
Risk Treatment	Implementing a comprehensive Policy Framework that is regularly reviewed and updated.

The risk rating is Medium (9), determined by a likelihood of Possible (3) and a result of Moderate (3).

OPTIONS

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

CONCLUSION

The adoption of the Policy Framework will provide a modern process for the development, approval, publication and review of the Town’s policies. The Policy Framework will provide administrative efficiencies allowing the Council to develop and consult on strategically important policies, while supporting the executive management team in developing operational procedures that can adapt to the day-to-day management of the Town. This provides for greater clarity of the roles and responsibilities, while maintaining the Council’s oversight of Town policy.

ATTACHMENTS

1. Town of Port Hedland Policy Framework [**12.1.2.1** - 4 pages]

12.1.3 Policies Review

Author: Director Corporate Services

Authorising Officer: Director Corporate Services

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

OFFICER RECOMMENDATION:

That Council:

- 1. Adopts revised policy 2/004 Rating**
- 2. Adopts revised policy 2/018 Borrowings**
- 3. Adopts revised policy 2/019 Reserves**

SIMPLE MAJORITY VOTE REQUIRED

CM202324/291 AMENDMENT MOTION and COUNCIL DECISION

MOVED: Cr Ambika Rebello

SECONDED: Cr Camilo Blanco

- 1. Adopts revised policy 2/004 Rating with amendment:**

Interim valuations shall be applied where additional levies of at least \$100 in the year in which the new valuation takes effect. Where additional levies of less than \$100 would apply, interim valuation is to be applied from 1 July in the new year.

- 2. Adopts revised policy 2/018 Borrowings**
- 3. Adopts revised policy 2/019 Reserves**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello, and Cr Adrian McRae

Against: Nil

PURPOSE

The purpose of this report is for Council to consider its policies regarding rates, borrowings and reserves, reviewed as part of drafting the Town of Port Hedland 2024-2025 annual budget.

DETAIL

Policies outline Council's position on matters of significance, either as prescribed under the Local Government Act and regulations or considered of importance to the district. Ideally, policies are reviewed routinely to ensure current and clear direction is provided to the Town for administrative operations.

The objective of Council Policy 2/004 Rating is to provide an administrative framework to outline the principles and methodology used in respect to rates raised and waived under the Local Government Act 1995. In setting rates, Council considers the long-term vision for the Town, financial sustainability and the likely impacts on the community. A rating strategy 2025-2030 has been drafted towards the future direction of Town rating. This policy outlines more the procedural application of levying rates and their collection. This policy was last revised February 2021 (version 03) CM202021/112 and is included as attachment 1.

The review recommends:

- Introducing the notion of "forecast budget deficit" with Council determining the amount of rates to cover this shortfall, to meet the Town's financial, operational and statutory responsibilities for the coming financial year.
- Dot pointing concession application requirements for clarity
- Replacing the DLGSC guidelines reference with requirement to be registered with the Australian Charities and Not for Profit Commission.

The recommended revised is included as attachment 4/5.

The objective of Council Policy 2/018 Borrowings is to provide a framework for Town of Port Hedland Council borrowings, so that there is a controlled and disciplined approach to the borrowing of funds for the purpose of:

- Funding new infrastructure.
- Renewal or upgrading of existing infrastructure.

The policy aims to ensure that all transactions are in accordance with legislative requirements, whilst minimising the cost of debt. The policy also aims to safeguard the Town's ability to meet its liabilities and budgetary obligations, and also increase awareness of issues concerning debt management. This policy was last revised December 2020 (version 02) CM202021/102 and is included as attachment 3.

The review recommends reducing the maximum term of loans from 20 to 10 years with thresholds.

The recommended revised is included as attachment 6/7.

The objective of Council Policy 2/019 Financial Reserves is to provide an administrative framework for the establishment and ongoing management of financial reserves. This policy was last revised December 2020 (version 02) CM202021/102 and is included as attachment 3.

The review recommends nominating funding sources and reserve target balances, along with some minor amendments to reserve purposes. The recommended revised is included as attachment 8/9.

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

- Finance staff

External Agencies

- DLGSC guidelines

Community

- N/A

LEGISLATION AND POLICY CONSIDERATIONS

Sections 6.11 / 20 / 26 / 27 of the Local Government Act 1995

Local Government (Financial Management) Regulations 1996

2/005 Financial Hardship policy

Proposed Rating Strategy

FINANCIAL AND RESOURCE IMPLICATIONS

The Town levied \$68M in rates for the 20203-2024 financial year.

The Town has established Reserves backed by a portfolio of investments.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Leadership:

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

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

Environmental

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Corporate Services:

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

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	There is an Operational, risk associated with this item due to the requirement to maintain current and effective policies.
Effect (Consequence)	Could impact on the Town’s annual external and routine internal audit findings.
Risk Treatment	Maintain policy positions.
<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 routine review of Council policies.</p>	

Risk Type	Operational
Risk Category	Financial
Cause	There is an Operational, risk associated with this item due to the relevance to Town income and savings.
Effect (Consequence)	Could impact on the Town’s ability to meet service levels or asset renewal funding requirements.
Risk Treatment	The Town’s financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.

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

This risk will be accepted by the routine review of Council policies.

OPTIONS

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

CONCLUSION

The proposed review of policies seeks to ensure current and clear direction is provided to the Town for administrative operations.

ATTACHMENTS

1. 2 004- Rating V03 Adopted 3 Feb 2021 [**12.1.3.1** - 6 pages]
2. 2 018 Borrowings_-_ V 02_-_ Adopted 16 December 2020 [**12.1.3.2** - 5 pages]
3. 2 019 Financial Reserves_-_ V 02_-_ Adopted 22 April 2020 [**12.1.3.3** - 11 pages]
4. 2 004 Rating - Tracked Changes [**12.1.3.4** - 6 pages]
5. 2 004 Rating - Final view [**12.1.3.5** - 6 pages]
6. 2 018 Borrowings - Tracked Changes [**12.1.3.6** - 5 pages]
7. 2 018 Borrowings - Final view [**12.1.3.7** - 5 pages]
8. 2 019 Financial Reserves_-_ V 02_-_ Adopted 22 April 2020 Review final SL [**12.1.3.8** - 10 pages]
9. 2 019 Financial Reserves_-_ V 02_-_ Adopted 22 April 2020 Tracked changes SL [**12.1.3.9** - 10 pages]

12.1.4	2024/2025 Delegation Review Register
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Author: A/Governance Advisor

Authorising Officer: Director Corporate Services

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

OFFICERS RECOMMENDATION:

That Council adopt the 2024/2025 Town of Port Hedland Delegation Register as per Attachment 1.

ABSOLUTE MAJORITY VOTE REQUIRED

CM202324/292 AMENDMENT MOTION and COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen

SECONDED: Cr Camilo Blanco

That Council adopt the 2024/2025 Town of Port Hedland Delegation Register as per Attachment 1, with amendments to Items:

- 1. 1.2.18 tenders for goods and services; change from \$750,000 to \$500,000.**
- 2. 1.2.19 panels of pre-qualified suppliers for goods and services; change from \$1,000,000 to \$500,000.**

CARRIED BY ABSOLUTE MAJORITY (7/2)

For: Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson and Cr Adrian McRae

Against: Mayor Peter Carter and Cr Ambika Rebello

PURPOSE

This report's purpose is for the Council to adopt the 2024/2025 annual review of the Town of Port Hedland (the Town) Delegation Register. The Town of Port Hedland has delegations in place from the Council to the Chief Executive Officer (CEO), other officers and the Audit Committee.

DETAIL

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

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

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

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

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

DELEGATION	CHANGE PROPOSED	REASON FOR CHANGE
Local Government Act 1995		
1.2.19 Panels of Pre-Qualified Suppliers for Goods and Services	Amendment to Condition A (reductions from \$1M to \$750,000)	A reduction to reflect a Council decision at the 2023 delegation review.
1.2.23 Defer, Grant Discounts, Waive or Write Off Debts	Change to wording associated with Manager Financial Services powers. Addition of Managers to waive fees up to \$500 (ex GST).	Slight change to wording for Manager Financial Services from ‘per financial year’ to ‘within a financial year’ to keep consistent. Addition of Managers power to waive fees to relieve CEO workflow for minor waive of fees related to venue hires and the like.
1.3.7 Financial Management Systems and Procedures	Remove Senior Accountant – Financial Operations.	Position no longer exists in organisation’s structure.
1.3.8 Infringement Notices	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
Emergency Management Act 2005		

DELEGATION	CHANGE PROPOSED	REASON FOR CHANGE
2.1.1 Power of Local Government to Destroy Dangerous Vegetation or Premises in Cyclone Area	Addition of Infrastructure Operations Coordinators and Senior Project Officer.	Operational requirements.
Bush Fires Act 1954		
6.2.1 Make Request to FES Commissioner – Control of Fire	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
6.2.3 Prohibited Burning Times – Control Activities	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
6.2.4 Restricted Burning Times – Vary and Control Activities	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
6.2.5 Control of Operations Likely to Create Bush Fire Danger	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
6.2.6 Burning Garden Refuse/ Open Air Fires	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
6.2.7 Firebreaks	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
6.2.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
6.2.9 Control and Extinguishment of Bush Fires	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
6.2.12 Prosecution of Offences	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.

DELEGATION	CHANGE PROPOSED	REASON FOR CHANGE
Animal Welfare Act 2002		
9.1.1 General Inspector	Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Position retitled and reclassified to no longer have Ranger related delegations.
Food Act 2008		
10.1.2 Food Business Registrations	Remove Graduate Environmental Health Officer.	To comply with the Department of Health WA requirements.
10.1.4 Authorised Persons	Remove Graduate Environmental Health Officer.	To comply with the Department of Health WA requirements.
10.1.5 Designated Officers and Infringement Notices	Remove Graduate Environmental Health Officer.	To comply with the Department of Health WA requirements.
Fines, Penalties, and Infringement Notices Enforcement Act 1994		
12.1.1 Register and Withdraw Infringement Notices	Addition of Senior Urban Planner. Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Operational requirements.
Litter Act 1979		
13.1.1 Authorised Officers	Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Position retitled and reclassified.
Control of Vehicles (Off road Areas) Act 1978		
14.1.1 Authorised Officers	Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Position retitled and reclassified.
Health (Miscellaneous Provisions) Act 1911		
17.1.1 Functions of Authorised Persons	Remove Graduate Environmental Health Officer.	To comply with the Department of Health WA requirements.
Caravan and Camping Groups Act 1995		
18.1.3 Infringement Notices	Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Position retitled and reclassified.

DELEGATION	CHANGE PROPOSED	REASON FOR CHANGE
Planning and Development Act 2005		
19.2.1 Development Applications	Addition of Functions 3 and 4	Amendments required to comply with reforms related to decision making on development of single houses.
19.2.3 Authorised Persons – Infringement Notices and Enforcement	Change of delegation title to Authorised Persons – Entry and Inspection Powers	Improved naming concept in line with the powers of the delegation.
Town of Port Hedland Local Laws		
21.1.3 Vehicle on Thoroughfare to Be Moved	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
21.1.4 Authorised Person May Mark Tyres	Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Position retitled and reclassified.
21.1.5 Driving and Parking on Reserves	Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Position retitled and reclassified.
21.1.7 Infringements for Prescribed Offences as Per Schedule 2	Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Position retitled and reclassified.
21.3.4 Authorised Officers	Adding Level 6 and above positions and customer-facing positions (Functions 1 and 2).	Operational requirements.
21.4.2 Authorised Officers	Addition of Manager Waste & Services	Operational requirements.
21.4.3 Prescribed Offences	Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Position retitled and reclassified.
21.5.2 Authorised Officers	Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Position retitled and reclassified.

DELEGATION	CHANGE PROPOSED	REASON FOR CHANGE
21.7.2 Authorised Officers	Replace Ranger & Emergency Services Advisor with Emergency Management Advisor.	Position retitled and reclassified.
21.8.1 Authorised Officers	Remove Ranger & Emergency Services Advisor/ Emergency Management Advisor	Position retitled and reclassified.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- Executive Leadership Team
- Senior Leadership Team
- Senior Governance Advisor
- Governance Advisor

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

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

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

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

- *Emergency Management Act 2005*
- *Building Act 2011*
- *Bush Fires Act 1954*

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

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

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

The following policies are reflected within the delegation register:

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

FINANCE AND RESOURCE IMPLICATIONS

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

STRATEGIC SUSTAINABILITY IMPLICATIONS

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

Our Leadership:

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

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

Access and Inclusion

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

- Outcome 3 – Accessible Information

Corporate Business Plan

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

Our Corporate Services:

Governance and Procurement - Provide high standards of governance and leadership

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	If the Delegation Register is not adopted there is a compliance risk associated with the review not being conducted within the statutory timeframe
Effect (Consequence)	Non-compliance with statutory timeframes and potential negative impact on the Town’s reputation
Risk Treatment	Council adopts the Delegation Register
There is an Operational risk associated with this item caused by the Delegation Register not being adopted leading to non-compliance with statutory timeframes and the potential for employees to be unable to continue operating in an effective and efficient manner.	

The risk rating is considered Medium (5) determined by a likelihood of Possible (3) and a result of Minor (2).

This risk will be eliminated by the adoption of the officer's recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The proposed adoption of the 2024/2025 Town of Port Hedland Delegation Register following the review of the 2023/2024 Town of Port Hedland Delegation Register seeks to maintain efficient decision-making and implementation process. Delegations of authority are required to streamline local government review procedures, whilst adhering to legislative requirements.

A thorough review has been conducted, involving input from managers and the Executive Leadership Team. The Council's approval of these changes as recommended under attachment 1, enables the CEO and delegated officers to fulfill their duties effectively.

ATTACHMENTS

1. Statutory Delegation Register Review 2024 [**12.1.4.1** - 198 pages]

12.1.5 Proposed Rating Strategy 2025 - 2030

Author: Administration Officer - Corporate 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.

CM202324/293 COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council adopts the proposed Rating Strategy 2025/2030 included as attachment 1.

CARRIED BY SIMPLE MAJORITY (9/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello and Cr Adrian McRae

Against: Nil

PURPOSE

The purpose of this report is for Council to adopt the proposed Rating Strategy 2025 - 2030.

DETAIL

At the 27 March 2024 Ordinary Council Meeting, item 12.1.4 Proposed Rating Strategy 2025 – 2030 was endorsed for local public advertising, seeking ratepayer and community stakeholder feedback.

Online feedback was published on Wednesday 10 June 2024 with promotion, along with contacting major ratepayers of the Town. The Port Hedland Chamber of Commerce and Industry (PHCCI) facilitated a non-residential engagement session for business owners on Wednesday 24th April 2024. After several attempts, a residential engagement session was arranged on 16 May 2024 for Rate Payer Association Members. Unfortunately, no one attended.

A summary of submissions received by 16 May June 2024 and activity is below:

10 June 2024	Proposed Rating Strategy published
16 April 2024	Major ratepayers emailed requesting feedback
24 April 2024	PHCCI non-residential feedback session held
6 May 2024	Submission closing extended
16 May 2024	Ratepayer Association feedback session scheduled
	Online submissions closed. Fifteen received. Main feedback themes:

	<p>Rate Structure and Financial Management:</p> <ul style="list-style-type: none"> • Questions on rate differences among property types and utilization of the \$60 million airport reserve fund. • Annual \$68 million rate collection prompts inquiries about growth and interest utilization. <p>Council Expenditure and Comparison:</p> <ul style="list-style-type: none"> • Discussion on expenditure evaluation compared to other councils and benchmarking against Pilbara councils. <p>Future Developments and Projects:</p> <ul style="list-style-type: none"> • Overview of upcoming projects including SHISH and Civic precinct relocation. • Consideration of capital works' impact on rates and community burden. <p>Rate Fairness and Property Boundaries:</p> <ul style="list-style-type: none"> • Inquiry into property boundaries and competition between residential and commercial properties. • Discussion on minimum rates' fairness and impact on different property types. <p>Community Engagement and Feedback:</p> <ul style="list-style-type: none"> • Request for more engagement opportunities and alternative insurance strategies. <p>Comparative Analysis and Financial Strategies:</p> <ul style="list-style-type: none"> • Inquiry into Karratha's expenditure and potential revenue changes. • Discussion on alternative revenue streams and assistance for small organizations. <p>Recognition of Achievements:</p> <ul style="list-style-type: none"> • Acknowledgment of significant projects such as airport redevelopment and marina improvements.
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The financial and resource implications proposed as part of the new rating strategy, detailed below, do not appear to have been objected to.

Whilst no changes were proposed for the Town's existing differential rating categories within the advertised draft strategy, due to the small number of properties within the 2023-2024 UV Other category, being mostly telecommunication infrastructure, these have since been merged with pastoral into a single differential rating category.

The proposed Rating Strategy 2025 – 2030 is included as Appendix 1.

LEVEL OF SIGNIFICANCE

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

- Significant - A decision that will significantly affect the capacity of the Council to carry out any activity identified in the strategic plan.
- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland

CONSULTATION

Internal

- Council, ELT and Finance Business Unit

External Agencies

- DLGSC Rating Policy

Community

- Local public notice of the proposed rating strategy provided.
- Major ratepayers contacted directly seeking their feedback.
- Online feedback for the community.
- In person information and feedback workshop for local ratepayers.

LEGISLATION AND POLICY CONSIDERATIONS

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 6.36 of the Act requires local public notice of the intention to levy differential rating.

Department of Local Government, Sport and Cultural Industries Rating Policy: Differential Rates recommends if there are fewer than thirty ratepayers who will be subject to the differential general rate, each affected ratepayer has been informed in writing by the local government.

2/005 Financial Hardship Policy

FINANCIAL AND RESOURCE IMPLICATIONS

The strategic outcomes being considered are:

1. The current approach to rating becomes the base model for apportioning the Towns annual rating requirements
2. That new developments which become rateable and grow the Town's capacity to raise rates revenue, within the:
 - *Boodarie Strategic Industrial Area*
 - *Lumsden Point*
 - *Both new developments in Wedgefield (Hedland Junction) and Kingsford Smith Business Park, and*
 - *New major UV mining*

Their rating revenues be directed towards funding the Towns forward new capital works program requirements via the Strategic Reserve.

3. The Town's waste services operations and capital requirements is self-funded through a separately applied charge

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Leadership:

4.2.1 Sound long-term financial planning is implemented.

Environmental

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

Economic

There are no significant identifiable economic impacts relating to this item.

Social

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Corporate Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Financial
Cause	Revenue requirements to support operations and fund new and renewal capital works
Effect (Consequence)	Financial Sustainability
Risk Treatment	Establish strategic position
<p>There is a Strategic 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.</p> <p>The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>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.</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 rating strategy (attachment 1) for ratepayer and community stakeholder feedback is proposed to in turn inform the drafting of the Town’s revised long-term financial plan and in turn the 2024-2025 annual budget. It seeks to establish a dedicated approach towards partially funding the Town’s forward new capital works program.

Feedback sought through online engagement, in-person workshops and direct communications to major ratepayers was undertaken according to regulatory requirements for local public notice of the intention to levy differential rating.

ATTACHMENTS

1. TOPH Town of Port Hedland – Rating Strategy 2025 to 2030 [**12.1.5.1** - 16 pages]

12.1.6 Adoption of Schedule of Fees and Charges for 2024-2025

Author: **Manager Financial Services**

Authorising Officer: **Director Corporate Services**

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

OFFICER’S RECOMMENDATION

That Council adopt the approved Town of Port Hedland 2023-2024 Fees and Charges as the 2024-2025 Fees and Charges, effective 1 July 2024.

ABSOLUTE MAJORITY VOTE REQUIRED

CM202324/294 ALTERNATE MOTION and COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Lorraine Butson

That Council:

1. Adopt the approved Town of Port Hedland 2023-2024 Fees and Charges as the 2024-2025 Fees and Charges and applies minimum statutory increases where required, effective 1 July 2024.

2. Council reserves the right to waive fees to any Port Hedland based not-for-profits, sporting groups and performing arts groups when applied for, before or after the event, on application from the community group, on a case by case basis.

CARRIED BY ABSOLUTE MAJORITY (5/3)

For: Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson and Cr Adrian McRae

Against: Mayor Peter Carter, Deputy Mayor Ash Christensen and Cr Ambika Rebello

PURPOSE

The purpose of this report is for Council to endorse the Fees and Charges as detailed in Attachment 1 - Draft "Schedule of Fees and Charges 2024-2025", effective 1 July 2024.

DETAIL

In accordance with Regulation 5(2) of the Local Government (Financial Management) Regulations 1996, a local government is to undertake a review of its fees and charges regularly, and not less than once in every financial year. This report provides the Council with a recommended Schedule of Fees and Charges to apply for the next financial year commencing on 1 July 2024.

BACKGROUND

At the 29 May 2024 Ordinary Council meeting, item 12.1.4 Adoption of Schedule of Fees and Charges for 2024-2025 was endorsed for public advertising, seeking community and customer feedback.

Online feedback was published on Tuesday 4 June 2024 with promotion, along with contacting major customers of the Town’s landfill operations directly.

A summary of submissions received by* 20 June 2024 and activity is below:

4 June 2024	Proposed 2024-2025 Fees and Charges published
24 June 2024	Online submissions closed. 2* received. Main feedback themes: <ul style="list-style-type: none"> • Concern for increased seasonal hire for junior sports players. • Cost of living for non-mining families.

The following edits and additions were made following advertising:

- Error on proposed Seasonal hire junior players corrected, remains at \$2.50
- New charges for Spoilbank Marina hardstand, standpipe and lighting included.

Description	Regulatory	Unit	GST Exempt	24/25 Fee (\$)	GST (\$)	24/25 Total Fee (\$)
SPOILBANK MARINA						
Hire of Spoilbank Marina Hardstand Work Area 1 x bay (max 3 months)		Per week	NO	454.55	45.45	500.00
Spoilbank Marina Hardstand Work Area (Refundable Deposit / Bond per bay)		Each	NO	227.27	22.73	250.00
New / Replacement Standpipe, Lighting, Spoilbank Marna Hardstand Key or Swipe card		Each	NO	45.45	4.55	50.00

The following provides an overview of noteworthy changes to the 2024-2025 draft fees and charges:

Waste

Fees relating to the Classic Bin Assessment at properties are proposed to increase by \$15 per assessment, this is a 4.6% increase which is reflective of an increase in the cost to provide this service.

Residential Waste gate fees remain free.

Landfill gate fees for Industrial and Construction waste are proposed to increase in line with increase costs to provide the service.

Community Ovals and Parks

Fees relating to sport ground charges have mostly remained consistent with 2023-2024, with some community hall hire increasing slightly to recover cost increases in utilities.

Pools

The adult pool entry fee is due to increase by \$1.00, to \$7.00 in 2024-2025.

Stadium

There is a realignment of Wanangkura Health Club fees so that concession rates are 50% of non-concession rates.

The creche fees have increased by \$0.50 per child to \$7.50.

The Group Fitness Room per hour fees have increased by \$30 to \$150.

JD Hardie Centre

There is a realignment of Kids Club fees and an increase in birthday parties to \$200.

The stadium and court hire fees have also increased slightly.

Art Centre and Events

There is no change to movie ticket prices and other fees at Matt Dann Theatre and cinema.

Environmental Health

While the Environmental Health fees have remained consistent with the 2023-2024 fee schedule, where an hourly rate for staff inspection or research is required, these have increased by 19% to reflect an increase in associated officer costs.

Building approvals have increased by \$10 per request.

Ranger Services

Fees relating to Ranger services have mostly remained consistent with 2023-2024, except seizure and impounding of a dog which have increased slightly to recover associated costs.

The costs to surrender a dog or cat has reduced to nil to encourage compliance.

Towing charges have increased to reflect price escalation for this service.

LEVEL OF SIGNIFICANCE

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

- Town service areas.

External Agencies

- Comparison to other local government discretionary fees and charges.
- Relevant information received and reviewed.

Community

- Submissions will be sought from ratepayers via state-wide and local public notices.

LEGISLATION AND POLICY CONSIDERATIONS

Sections 6.16 to 6.19 of the Local Government Act 1995 (the Act) refer to the imposition, setting the level of, and associated administrative matters pertaining to fees and charges. The requirement to review fees and charges on an annual basis is detailed within Regulation 5 of the Local Government (Financial Management) Regulations 1996.

Section 6.16 of the Act states that a local government may impose and recover a fee or charge for any goods or services it provides or proposes to provide, other than a service for which a service charge is imposed.

Section 6.17 of the Act further states that in determining the amount of a fee or charge for goods and services, a local government is to take into consideration the following factors:

- a) The cost to the local government of providing the service or goods;
- b) The importance of the service or goods to the community; and
- c) The price at which the service or goods could be provided by an alternative provider.

Section 6.18 of the Act clarifies that, if the amount of any fee or charge is determined under another written law, then a local government may not charge a fee that is inconsistent with that law.

FINANCIAL AND RESOURCE IMPLICATIONS

It is important that, where possible, controllable fees and charges are appropriately indexed and benchmarked, to assist in offsetting the increasing costs of providing associated services and to ensure we continue to price or services appropriately.

This may include increases beyond normal indexation in particular cases, in line with section 6.17 of the Act. The Draft Schedule of Fees and Charges 2024-2025 has been generally guided by a benchmarking process and a review of associated service costs.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

There are no relevant plans or policies to consider in relation to this matter, other than the long-term financial plan.

Our Leadership:

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

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Corporate Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial
Cause	Revenue requirements to support operations and fund new and renewal capital works

Effect (Consequence)	Financial Sustainability
Risk Treatment	Review annually
<p>There is a Strategic 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.</p> <p>The risk rating is considered Medium (6) determined by a likelihood of Possible (3) and a result of Moderate (3).</p> <p>This risk will be mitigated by reviewing annually service cost provisions, legislated and local factors, and revising fees and charges accordingly.</p>	

OPTIONS

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

CONCLUSION

Adopting the fees and charges effective 1 July shall provide clarity to our community and customers as to the date from which any change applies. Annual budget adoption dates vary each year, dependent upon Council endorsement and available meeting dates. This change in process aims to achieve a better outcome for the community, customers and administration.

ATTACHMENTS

1. TOPH Draft Fees and Charges 2024.25 19062024 [**12.1.6.1** - 30 pages]

12.2 Community Services

12.2.1	Ngalikuru Kuma-Marri Plan - Hedland Aboriginal And Torres Strait Islander Partnership Plan 2024-2028
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Author: **Manager of Youth & Community Development**

Authorising Officer: **Director Community Services**

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

CM202324/295 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Ambika Rebello

That Council:

- 1. Adopts the Ngalikuru Kuma Marri Plan (Hedland Aboriginal and Torres Strait Islander Partnership Plan (2024-2028)).**

LOST BY SIMPLE MAJORITY (3/5)

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen and Cr Ambika Rebello
Against: Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson and Cr Adrian McRae*

PURPOSE

The purpose of this report is for Council to adopt the Ngalikuru Kuma-Marri Plan (Hedland Aboriginal and Torres Strait Islander Partnership Plan 2024-2028).

DETAIL

The Hedland Aboriginal Torres Strait Islander Partnership Plan 2024-2028 (HATSIPP) represents an agreement between the Town of Port Hedland, Aboriginal and Torres Strait Islander peoples and communities of Hedland, as to how we will work together towards our common aspirations, with mutual collaboration and cooperation. As a strategic framework document, it guides the Town of Port Hedland’s operations, activities and engagement with Aboriginal and Torres Strait Islander peoples and provides the over-arching plan for reconciliation and action within the Hedland township and its remote communities.

The Ngalikuru Kuma Marri Plan was presented to Council for endorsement at the 26 April 2023 Ordinary Council Meeting. After considering community representations to Council during the Public Statement time, Council agreed to postpone this item for further consultation with the community.

At the Ordinary Council Meeting in March 2024, the Council endorsed a 21-day public comment period for the Ngalikuru Kuma Marri Plan. This public comment period has now concluded and based on feedback received and consultation with Elected Members, the following changes have been made to the Plan:

- 1.1.2 - Identify opportunities for all Town buildings and infrastructure to acknowledge and reflect the local Aboriginal heritage and traditional ownership.
- 1.1.6 - Invitation to Kariyarra, Nyamal and Ngarla Elders to formally welcome Mayor and Elected Members into their new roles.
- 1.2.2 - Investigate an Aboriginal and Torres Strait Islander Working Group
- 2.1.2 - Implement a naming and storytelling approach at key locations and facilities of cultural significance.
- Inclusion of an additional outcome to Outcome 5

Outcome - Improved strategic approach to strengthening Town of Port Hedland to a culturally responsive organisation.

Strategic Response - Investigate strategies to guide reconciliation and cultural responsive outcomes.

Progress Measures - Develop an internal working group to investigate the opportunities that exist in the organisation. Development of an updated Reconciliation Action Plan

- Correction - Peter Coppin Loreman
- Plan date to reflect 2024-2028
- Appendix 1 of the Plan amended to reflect updated information on Hedland Aboriginal and Torres Strait Islander Organisations, Corporations and Networks.
- Adoption date and two-year review cycle noted in the plan.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- Internal meetings and information briefing sessions were held with Elected Members, Executive Leadership Team and the Senior Leadership Team (this includes all ToPH Managers).

External Agencies

- In developing the Ngalikuru Kuma Marri Plan (the Plan), the Town launched an extensive community engagement process from January 2021 to February 2023 to ensure community feedback and insights were incorporated and reflected in the Plan. Targeted conversations and workshops were hosted with key organisations and individuals between 2021 and 2023.

Community

- The overall community engagement activities engaged 1045 community members through 185 structured one on one group conversations which generated 6470 ideas and opinions.

LEGISLATION AND POLICY CONSIDERATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

All costs associated with the development of the Plan have been included in the FY2023/2024 Operational Budget.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Community:

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

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

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

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

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

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

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

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

1.3.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered.

1.3.3 Partnerships with industry and government to support events and activities are enhanced.

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.

Our Economy:

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

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

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

2.2.5 Continue to expand Council participation in initiatives that expand local training and employment opportunities, especially for young people and Indigenous residents.

2.4.3 Grow and promote existing and new local events that champion local culture and community.

Our Built and Natural Environment:

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

Our Leadership:

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

Social

We honour our people and our cultural heritage ensuring wellbeing, diversity, creativity and a strong civic dialogue. This plan aims to support this statement in strengthening the relationship between the Aboriginal and Torres Strait Islander community and the Town.

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

Access and Inclusion

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

- Outcome 3 – Accessible Information
- Outcome 4 – Quality of Service
- Outcome 5 – Opportunities for Feedback
- Outcome 6 – Public Consultation
- Outcome 7 – Employment Opportunities
- Outcome 8 – Advocate for an Increase in Inclusion

Corporate Business Plan

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

Our Community Services:

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

Events, Arts and Culture - Cultivate an arts and cultural scene that celebrates the rich and culturally significant history of our region, as well as embracing the future

Our Corporate Services:

Customer Service - High quality and responsive customer service is provided

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Reputational
Cause	Extensive time and consultation efforts have been undertaken in the development of this plan.
Effect (Consequence)	To continue to delay adoption will impact community outcomes and development of partnerships with the Aboriginal and Torres Strait islander community.
Risk Treatment	Follow the Officer’s recommendation.
<p>There is a Operational, risk associated with this item caused by extensive time spent during consultation and feedback within community during the continuum of this project. Consultation methodologies have intended to remain as non-prohibitive and inclusive as possible, however there is still potential for negative sentiment within a minor portion of the community, leading to potential negative perception on the organisation.</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p>	

This risk will be accepted by the council by endorsing and supporting this document.

OPTIONS

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

CONCLUSION

The Ngalikuru Kuma-Marri Plan (Hedland Aboriginal and Torres Strait Islander Partnership Plan 2024-2028 (the Plan) outlines the commitment to collaborate meaningfully and cooperatively with the Aboriginal and Torres Strait Islander communities in Hedland. This strategic framework guides the Council's operations, activities, and engagement with these communities, providing a comprehensive plan for reconciliation and action within Hedland's townships and remote areas. It is recommended that the Council receive and adopt this plan.

ATTACHMENTS

1. CONFIDENTIAL - Letter - HASL Julyardi - Response to Public Comment Period [12.2.1.1 - 3 pages]
2. TP H 14004 Ngalikuru Kuma Marri Plan - Simplified Draft [12.2.1.2 - 20 pages]
3. TP H 14963 Ngalikuru Kuma Marri Plan - Final Draft [12.2.1.3 - 36 pages]

12.2.2	Courthouse Gallery Quarterly Report – Quarter 3 January to March 2023
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Author: Senior Arts & Culture Officer

Authorising Officer: Interim Director Community Services

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

CM202324/289 COUNCIL DECISION EN BLOC

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Sven Arentz

That Council receives the quarterly report from The Junction Co. For the management of the Courthouse Gallery and activation of South Hedland for the third quarter, January – March 2024 as per Attachment 1.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello and Cr Adrian McRae

Against: Nil

PURPOSE

The purpose of this report is for Council to consider the financial and general operational report of the Courthouse Gallery and additional services to program and activate South Hedland, managed by The Junction Co. for the third quarter from January – March 2024. More specifically, this report addresses the reporting requirements outlined in clause 24.2 in the current Management Agreement between The Junction Co. and the Town of Port Hedland (The Town).

DETAIL

The contract for the management of the Courthouse Gallery was agreed upon between the Town and The Junction Co. from 1 July 2022 to 30 June 2024. A variation, commencing on 1 July 2022, was also approved to include activation in South Hedland and additional partner locations outside The Courthouse Gallery+Studio. KPIs agreed for the existing contract include the following:

- One additional exhibition is shown during the year in a South Hedland location
- Bi-monthly creative development workshops in various partner locations
- Weekly youth programs in various partner locations
- Weekly disability programs in various partner locations
- An additional community event (in a location other than the Courthouse Gallery+Studio)

Under clause 24.2 of the agreement, The Junction Co. is to provide the Town with a quarterly report, including the following:

- Income and expenditure;
- Patronage of programs and activities;
- Marketing and communication activities undertaken; and
- Maintenance and capital expenditure.

Desired outcomes of the agreement with The Junction Co. are as follows:

- Exhibitions and sales of local art;
- High-quality programming, including presentations and workshops;
- Partnerships with local organisations and community groups;
- High-quality customer service to visitors of the Gallery;
- A focus on continuous improvement and service growth at the facility;
- A safe, clean and hygienic environment for staff, customers, and other visitors;
- Strong and accountable financial management; and
- Clear, concise and accurate quarterly reporting on the operations of the facility.

A summary of the key activities for the January – March 2024 quarter is noted below.

Radius 5.0 | 23.02.2024 - 03.05.2024

Featuring Amelia Blanco, Sarah Green, and Paulette Jadzinski, Radius 5.0 presented a group of dynamic artists who showcased a diverse range of artistic expressions.

The exhibition served as a testament to the success of the Radius program, highlighting the growth and innovation fostered in the Pilbara region.

Radius 5.0.1 Spirit of the Pen | 23.02.2024 - 20.03.2024

The exhibition was set to be a celebration of unrestricted creativity. An invitation was for everyone to join the exhibition at the Courthouse Gallery+Studio, where Howard fearlessly explored the unexplored artistic territories, pushing the boundaries of conventional expression. With a particular emphasis on Western Australian art and a commitment to showcasing the brilliance of Aboriginal and Torres Strait Islander art, the entire collection also stands out for its robust representation of twentieth-century Australian and British paintings and sculpture.

Wunderkammer: Cabinet of curiosity | 14 March 2024

Held the second Thursday of each month at the Courthouse Gallery+Studio, facilitator Nicole showed participants how to experiment through cross-medium art and craft to indulge in a mighty self-expression through art.

AGWA State Art Collection | 22 March – 3 May 2024

The Courthouse Gallery+Studio showcased a captivating series of jewellery pieces from the Art Gallery of Western Australia's remarkable art collection. With a particular emphasis on Western Australian art and a commitment to showcasing the brilliance of Aboriginal and Torres Strait Islander art, the entire collection stood out for its robust representation of twentieth-century Australian and British paintings and sculpture.

The Exhibitions received overall positive feedback (please see The Junction Co. Report attached) with more than 90% agreeing that the Courthouse Gallery+Studio had an impact on the cultural contribution of the Town of Port Hedland.

Arts Antics | Every Wednesday from 9 am to 10 am

Art Antics is a popular art class designed for children five years and under; however, older siblings and visitors are always welcome to join.

Hobbies & High Tea | Saturday 2 March

Watercolour for Beginners

Stellar Moon + The Dark Nights | Thursday 8 February 2024

The Courthouse Gallery + Studio Gardens hosted a music event featuring Stellar Moon + the Dark Knights.

The South Hedland Activations included:

- **Wonder Lab Creations at the JD Hardie | Every Thursday during school term**
- Wonder Lab shares with the Hedland Youth art techniques, skills and projects at the JD Hardie. The program encourages creative expression and experimentation to foster social inclusion and collective growth in Hedland's youth community.
- **Arting Around – Seniors Art Workshop (ongoing)**
- Disability and Inclusion workshop for seniors is a weekly arts and crafts activity to engage and connect in creativity

Note that a new contract comes into effect on 1 July 2024 and future quarterly reports for periods after that date will be based on the new contract KPIs.

LEVEL OF SIGNIFICANCE

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

medium significance, because:

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

CONSULTATION*Internal*

- Manager Events, Arts & Culture
- Senior Arts & Culture Officer
- Youth Services
- Library Services

External Agencies

- The Junction Co
- Aboriginal Corporations

- Gateway Village
- Positive Port Hedland
- Primary schools
- Hedland Senior High School
- Well Women's Centre
- Youth Involvement Council
- Pilbara Development Commission
- Care for Hedland

Community

- Nil in the creation of this report

LEGISLATION AND POLICY CONSIDERATIONS

There are no legislative or policy considerations for this report.

FINANCIAL AND RESOURCE IMPLICATIONS

The management fee is included in the Town's 2023-2024 Annual Budget.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Community:

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

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

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

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

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

1.3.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered.

1.3.3 Partnerships with industry and government to support events and activities are enhanced.

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

1.4.4 Community services and facilities are well promoted.

Our Economy:

2.2.5 Continue to expand Council participation in initiatives that expand local training and employment opportunities, especially for young people and Indigenous residents.

2.4.2 Market and promote Hedland for tourism.

2.4.3 Grow and promote existing and new local events that champion local culture and community.

2.4.4 Market and promote the local lifestyle of the Hedland community.

Our Built and Natural Environment:

3.3.3 The South Hedland Place Plan is implemented including the transformation of Wise Terrace.

3.3.4 Town Teams are created and supported in both Port and South Hedland that actively engage residents in place making and urban renewal.

3.3.6 A Cultural Wayfinding and Public Art Implementation Plan is developed and implemented.

Our Leadership:

4.1.2 Hedland is positively marketed and promoted locally, state-wide, nationally and internationally to tourists, investors and new residents.

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

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.

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

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

Economic – The services and programming provided by The Junction Co aim to showcase, empower, and grow local creatives through skills development, exhibitions and local events

Social – The Courthouse Gallery and additional cultural programming provided by The Junction Co assist with the wellbeing and connection to place within the Hedland community. The Courthouse Gallery fulfils an integral role in activating the Town's West End, as an artistic, historical, and cultural precinct.

There are no significant identifiable environmental impacts relating to this item

Access and Inclusion

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

- Outcome 1 – Events and Services
- Outcome 2 – Buildings and Facilities
- Outcome 4 – Quality of Service

Corporate Business Plan

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

Our Community Services:

Events, Arts and Culture - Cultivate an arts and cultural scene that celebrates the rich and culturally significant history of our region, as well as embracing the future.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Compliance
Cause	Not delivering on contractual services of Courthouse Gallery Management and agreed KPI’s.
Effect (Consequence)	Inability to deliver gallery services and arts and culture programming.
Risk Treatment	Working collaboratively with Arts organisations to better understand the reasons for not meeting the services and provide support where necessary.
<p>There is a Project, risk associated with this item caused by not delivering the contractual services, leading to inability to deliver gallery services as well as arts and culture programming.</p> <p>The risk rating is considered to be Low (1) which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3).</p> <p>This risk will be eliminated by the The Junction Co. and local arts organisations to improve the delivery of agreed contractual services.</p>	

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Not recommended as this is a retrospective report on the Gallery’s management.

Option 3 – Do not adopt officer’s recommendation

Not recommended as this is a retrospective report on the Gallery’s management.

CONCLUSION

This report is provided to inform Council of the financial and operational progress made by The Junction Co. from January to March 2024, in its role as the manager of the Courthouse Gallery and recent variation to program and activate South Hedland with new arts and culture opportunities.

ATTACHMENTS

1. Courthouse Gallery Quarterly Report - Quarter 3 Jan to March 2024 [**12.2.2.1** - 8 pages]

12.3 Regulatory Services

12.3.1	Scheme Amendment No. 4 to Local Planning Scheme No. 7 - Final Adoption
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Author: Senior Urban Planner
Authorising Officer: Manager Planning & Economic Development
 Director Regulatory Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

CM202324/289 COUNCIL DECISION EN BLOC

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Sven Arentz

That Council:

- 1. Adopts for final approval Scheme Amendment 4 to the Town of Port Hedland Local Planning Scheme No.7 pursuant to section 75 of the Planning and Development Act 2005 and Regulation 50 of the Planning and Development (Local Planning Schemes) Regulations 2015, as detailed in Attachment 1, without modification.**
- 2. Notes the submissions received on Scheme Amendment 4 to Town of Port Hedland Local Planning Scheme No. 7, included as Attachment 2 and 3.**
- 3. Authorises the Chief Executive Officer and Mayor to execute documents pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015 and provide the Western Australian Planning Commission a copy of Scheme Amendment 4 and relevant documents for final approval by the Minister for Planning.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello and Cr Adrian McRae
Against: Nil

PURPOSE

The purpose of this report is for Council to note the submissions received during public advertising and consider supporting the proposed Scheme Amendment No. 4 to Local Planning Scheme No. 7 (LPS 7).

DETAIL

The applicant, Planning Solutions, lodged an application to Amend Local Planning Scheme 7 (LPS7) on 13 July 2023.

Scheme Amendment No. 4 relates to Lot 5781 (No. 18) Schillaman Street Wedgefield, being the whole of land contained within Certificate of Title, Volume 1902 and Folio 12 on Deposited Plan 188923.

The Amendment No.4, seeks to remove the Additional Use 'A1' – Caretaker's Dwelling provisions applicable to the subject site only, and consists of:

- Deleting the wording "Lot 5781 (18)" only, under LPS7 - Table 5 – Specified additional uses for zoned land in scheme area; and
- Modifying LPS7 Map No. 8 by removing the annotation of 'Additional Use' overlaid for the subject lot

Refer to **Attachment 1 – Amendment Report and Mapping** for more detail.

At its Ordinary Council Meeting (OCM) held on 30 August 2023, the Council resolved (CM202324/127), to initiate Scheme Amendment No. 4 of the Town's LPS7, as follows:

1. *"Adopt Amendment No. 4 proposing changes to Local Planning Scheme No. 7 for the purpose of advertising, pursuant to section 75 of the Planning and Development Act 2005 (PD Act) and Part 5 regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).*
2. *Determine that Amendment No. 4 is a standard amendment pursuant to regulation 35(2) of the Regulations for the following reasons:*
 - a) *Amendment No. 4 is consistent with the objectives of the Town of Port Hedland Local Planning Strategy; and*
 - b) *Amendment No. 4 will have minimal impact on land in the scheme area, and it will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.*
3. *Authorise the Chief Executive Officer to arrange for Amendment No. 4 to be referred to the Environmental Protection Authority (EPA), pursuant to section 81 of the PD Act.*
4. *Authorise the Chief Executive Officer to arrange for Amendment No. 4 to be advertised for public inspection, pursuant to sections 81 and 82 of the PD Act and in accordance with the procedure set out in Part 5, Regulation 47 of the Regulations."*

Statutory Implications

Planning and Development Act 2005

Clause 75 - Amending scheme

- A local government may amend a local planning scheme by an amendment –
 - a) Prepared by the local government, approved by the Minister and published in the Gazette; or

- b) Proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.

Clause 81 - Referral of proposed scheme or amendment to EPA:

- As soon as practicable after preparing, or resolving to adopt, a proposed local planning scheme or a proposed amendment to a local planning scheme, a local government must refer the proposed scheme amendment to the EPA.

Clause 83A - Proposed scheme or amendment to be submitted to Minister for approval to advertise.

- A local government must submit the proposed scheme or amendment to the Minister. The Minister may approve the proposed scheme or amendment for advertising under Clause 84 - Advertising proposed scheme or amendment.

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

Under the LPS Regulations, LPS7 Scheme Amendment 4 is a standard amendment. To progress the amendment, the Council must resolve to prepare an amendment to the local planning scheme, obtain approval to advertise from the Minister, refer the amendment to the EPA, and then undertake advertising to the public in accordance with the LPS regulations.

The Town of Port Hedland Local Planning Scheme No. 7

LPS7 Scheme Amendment 4 proposes changes to the Scheme Text and Scheme Maps, aiming in all cases to ensure that the Scheme Text and Scheme Maps are appropriately updated to align with land use management decisions, current on-ground land use, the adopted strategic planning framework and the Planning and Development (Local Planning Schemes) Regulations 2015.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the proposed amendment is consistent with the principles of orderly and proper planning and is aligned with the broader vision for the Wedgefield Industrial Estate set under the strategic framework.

CONSULTATION

Clause 83A approval to advertise was received from the Department of Planning, Lands and Heritage on 4 April 2024.

External Agencies

- Department of Biodiversity, Conservation and Attractions;
- Department of Fire and Emergency Services;
- Department of Jobs, Tourism, Science and Innovation;
- Department of Mines, Industry Regulation and Safety;
- Department of Primary Industries and Regional Development;

- Department of Health;
- Department of Planning, Lands and Heritage;
- Department of Water and Environmental Regulation;
- Pilbara Development Commission;
- Port Hedland Chamber of Commerce;
- Pilbara Ports;
- Mainroads WA;
- Horizon Power;
- Telstra; and
- Water Corporation

Six (6) responses were received from the below public authorities:

- Department of Planning, Lands and Heritage;
- Department of Fire and Emergency Services;
- Department of Primary Industries and Regional Development;
- Department of Water and Environmental Regulation;
- Water Corporation; and
- Pilbara Ports

Details of the submissions and responses are included in **Attachment 2 - Schedule of Submissions** and **Attachment 3** contains the submissions in full.

EPA Referral

Pursuant to Clause 81 of the *Planning and Development Act 2005*, the amendment was referred to the Environmental Protection Authority (EPA). A response was received from the Chair of the EPA advising that:

The Environmental Protection Authority (EPA) has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

Community

In line with the LPS Regulations, community engagement included:

- Publication of a public notice in a newspaper circulating in the scheme area (the North West Telegraph).
- Display of a copy of the public notices section of the Town's website.
- Availability of copies of the amendment documentation for public inspection at the Town administration front desk and website.
- Letters posted to affected landowners and occupants.

The amendment was advertised for public consultation from 17 April to the 3 June, for a total of 47 days.

No responses were received.

LEGISLATION AND POLICY CONSIDERATIONS

- *Planning and Development Act 2005.*
- *Planning and Development (Local Planning Schemes) Regulations 2015.*

- *Environmental Protection Act 1986.*
- Town of Port Hedland Local Planning Scheme No. 7.
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7).
- State Planning Policy 4.1 – Industrial Interface (SPP 4.1)
- State Planning Policy 7.0 - Design of the Built Environment (SPP 7.0).

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Economy:

2.3.2 Minimise red tape for business through regular review and reform of relevant policies and by-laws.

Our Built and Natural Environment:

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

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

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

Access and Inclusion

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

Nil.

Corporate Business Plan

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

Our Regulatory Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Compliance
Cause	Not proceeding with Scheme Amendment No. 4

Effect (Consequence)	Local Planning Scheme No. 7 not being consistent with the current planning framework.
Risk Treatment	Progressing Scheme Amendment No. 4
<p>There is a Strategic risk associated with this item because not proceeding with the amendment which potentially could result in Local Planning Scheme No. 7 not being consistent with the current planning framework. The risk rating is considered to be Medium (9) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>This risk will be mitigated by progressing Scheme Amendment No. 4 and endorsing the Officer Recommendation.</p>	

OPTIONS

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

CONCLUSION

The subject site has been used for industrial purposes in the past and maintained a caretaker’s dwelling. The current landowners and applicant’s client, a waste collection company obtained development approval from the Town to use the site as Resource Recovery and Change of Non-conforming Use (General Industry) to ‘Transport Depot’ and ‘Waste Storage Facility’. The scheme amendment is subject to removal of the sensitive use (dwelling) to mitigate conflict with the approved industrial uses. Removing the ‘Additional Use – Caretaker’s Dwelling’ provision for the lot will better align the planning framework with the approved land uses and recognised non-conforming use.

The proposed amendment is considered to be a ‘standard amendment’ under the LPS Regulations as it is consistent with the Local Planning Strategy. It is not considered that it will have significant adverse environmental, social or economic impacts.

In light of the above, it is recommended that Council resolve to support Scheme Amendment No. 4 to LPS7 without modification and provide a copy of Scheme Amendment No. 4 and relevant documents to the Western Australian Planning Commission for final approval by the Minister for Planning.

ATTACHMENTS

1. Amendment 4 Report and mapping [**12.3.1.1** - 10 pages]
2. Schedule of Submissions [**12.3.1.2** - 3 pages]
3. Submissions in Full [**12.3.1.3** - 8 pages]

12.3.2	Scheme Amendment No. 5 to Local Planning Scheme No. 7 - Final Adoption
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Author: Project Officer - Strategic Planner
Authorising Officer: Manager Planning & Economic Development
 Director Regulatory Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

CM202324/289 COUNCIL DECISION EN BLOC

MOVED: Deputy Mayor Ash Christensen **SECONDED:** Cr Sven Arentz

That Council:

- 1. Adopts for final approval Scheme Amendment 5 to the Town of Port Hedland Local Planning Scheme No.7 pursuant to section 75 of the Planning and Development Act 2005 and Regulation 50 of the Planning and Development (Local Planning Schemes) Regulations 2015, as detailed in Attachment 1, without modification.**
- 2. Notes the submissions received on Scheme Amendment 5 to Town of Port Hedland Local Planning Scheme No. 7, included as Attachment 2 and 3.**
- 3. Authorises the Chief Executive Officer and Mayor to execute documents pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015 and provide the Western Australian Planning Commission a copy of Scheme Amendment 5 and relevant documents for final approval by the Minister for Planning.**

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello and Cr Adrian McRae
Against: Nil

PURPOSE

The purpose of this report is for Council to note the submissions received during public advertising and consider supporting the proposed Scheme Amendment No. 5 to Local Planning Scheme No. 7 (LPS 7).

DETAIL

Amendment No. 5 proposes the reclassification of a number of sites in the north-west of South Hedland (the subject land). It is intended to be undertaken in conjunction with the rationalisation of lot boundaries and road and drainage reserves within the

subject area. The amendment is part of a program to facilitate land tenure resolution for the South Hedland Integrated Sports Hub (SHISH) masterplan site and adjacent sites to accommodate the future expansion of the South Hedland. See the SHISH masterplan at Attachment 4.

To manage development in the area, Scheme Amendment No. 5 proposes to guide and manage future development applications and their assessment within the subject land through modifications to *Table 7 – Additional Requirements that apply to land in Scheme area*.

Refer to **Attachment 1 – Amendment 5 Report and Mapping** for more detail.

At its Ordinary Council Meeting (OCM) held on 7 February 2024, Council carried resolution CM202324/216, to initiate Scheme Amendment No. 5 of the Town's LPS7:

1. *Adopt proposed Scheme Amendment No. 5 (Amendment No. 5) to the Town of Port Hedland Local Planning Scheme No. 7 (LPS7) without modification, pursuant to section 75 of the Planning and Development Act 2005 (PD Act) and Part 5 regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).*
2. *Determine that Amendment No. 5 is a standard amendment pursuant to regulation 35(2) of the Regulations for the following reason:*
 - a. *Amendment No. 5 is consistent with the objectives of the Town of Port Hedland Local Planning Strategy; and*
 - b. *Amendment No. 5 will have minimal impact on land in the scheme area that is not subject to the amendment; and*
 - c. *It will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.*
3. *Authorises the Chief Executive Officer to arrange for Amendment No. 5 to be referred to the Environmental Protection Authority (EPA) pursuant to section 81 of the PD Act, to enable the EPA to comply with section 48A of the Environmental Protection Act 1986.*
4. *Authorises the Chief Executive Officer to arrange for Amendment No. 5 to be advertised for public inspection pursuant to section 81 and 82 of the PD Act and in accordance with the procedure set out in regulation 47 of the Regulations.*

Statutory Implications

Planning and Development Act 2005

Clause 75 - Amending scheme

- A local government may amend a local planning scheme by an amendment –
 - a) Prepared by the local government, approved by the Minister and published in the Gazette; or
 - b) Proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.

Clause 81 - Referral of proposed scheme or amendment to EPA:

- As soon as practicable after preparing, or resolving to adopt, a proposed local planning scheme or a proposed amendment to a local planning scheme, a local government must refer the proposed scheme amendment to the EPA.

Clause 83A - Proposed scheme or amendment to be submitted to Minister for approval to advertise.

- A local government must submit the proposed scheme or amendment to the Minister. The Minister may approve the proposed scheme or amendment for advertising under Clause 84 - Advertising proposed scheme or amendment.

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

Under the LPS Regulations, LPS7 Scheme Amendment 5 is a standard amendment. To progress the amendment, the Council must resolve to prepare an amendment to the local planning scheme, obtain approval to advertise from the Minister, refer the amendment to the EPA, and then undertake advertising to the public in accordance with the LPS regulations.

The Town of Port Hedland Local Planning Scheme No. 7

LPS7 Scheme Amendment 5 proposes changes to the Scheme Text and Scheme Maps, aiming in all cases to ensure that the Scheme Text and Scheme Maps are appropriately updated to align with land use management decisions, current on-ground land use, the adopted strategic planning framework.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the proposed amendment is consistent with the principles of orderly and proper planning and is generally aligned with the broader vision for the South Hedland area as set under the strategic planning framework.

CONSULTATION

Clause 83A approval to advertise was received from the Department of Planning, Lands and Heritage on 4 April 2024.

External Agencies

- Department of Biodiversity, Conservation and Attractions;
- Department of Fire and Emergency Services;
- Department of Jobs, Tourism, Science and Innovation;
- Department of Energy, Mines, Industry Regulation and Safety;
- Department of Primary Industries and Regional Development;
- Department of Health;
- Department of Education;
- Department of Planning, Lands and Heritage;
- Department of Water and Environmental Regulation;
- Pilbara Development Commission;
- Port Hedland Chamber of Commerce;
- Development WA;

- Pilbara Ports;
- Mainroads WA;
- Horizon Power;
- Telstra; and
- Water Corporation

Six (6) responses were received from the below public authorities:

- Department of Energy, Mines, Industry Regulation and Safety;
- Department of Fire and Emergency Services;
- Department of Primary Industries and Regional Development;
- Department of Planning, Lands and Heritage;
- Department of Water and Environmental Regulation; and
- Water Corporation.

Details of the submissions and responses are included in **Attachment 2 - Schedule of Submissions** and **Attachment 3** contains the submissions in full.

EPA Referral

Pursuant to Clause 81 of the *Planning and Development Act 2005*, the amendment was referred to the Environmental Protection Authority (EPA). A response was received from the Chair of the EPA advising that:

The Environmental Protection Authority (EPA) has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

Community

In line with the LPS Regulations, community engagement included:

- Publication of a public notice in a newspaper circulating in the scheme area (the North West Telegraph).
- Display of a copy of the public notices section of the Town's website.
- Availability of copies of the amendment documentation for public inspection at the Town administration front desk and website.
- Letters posted to affected landowners and occupants.

The amendment was advertised for public consultation from 17 April to the 3 June, for a total of 47 days.

No responses were received.

LEGISLATION AND POLICY CONSIDERATIONS

- *Planning and Development Act 2005.*
- *Planning and Development (Local Planning Schemes) Regulations 2015.*
- *Environmental Protection Act 1986.*
- Town of Port Hedland Local Planning Scheme No. 7.

- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7).
- State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0).

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our 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.

Our Built and Natural Environment:

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

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

Environmental

The amended Local Planning Scheme will not adversely impact the environment as there is only a minor portion of the current 'environmental conservation reserve' that is proposed to be rezoned to 'rural'. The realignment of the future road connections and rezoning of a minor portion of the existing 'environmental conservation reserve' to 'drainage/ waterway reserve' will provide better protection for the existing waterways.

Economic

The amended Local Planning Scheme will contribute towards having a more streamlined development approval process and encourage investment and economic growth.

Social

The amended Local Planning Scheme will assist with the planning for and provision of future community facilities, including the SHISH masterplan.

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

Corporate Business Plan

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

Our Regulatory Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Compliance
Cause	Not proceeding with amendment No. 5
Effect (Consequence)	<ul style="list-style-type: none"> • The Town’s Local Planning Scheme No. 7 not being consistent with the current planning framework, including the zoning not reflecting the proposed realignment of lot boundaries supported at the 29 November 2023 Ordinary Council Meeting. • Impacts on the SHISH masterplan project. • Impede any future development within the area.
Risk Treatment	Endorsing the Officer Recommendation
<p>There is a Strategic, risk associated with this item caused by not proceeding with the amendment, leading to the Town’s Local Planning Scheme No. 7 not being consistent with the current planning framework and impacts on the SHISH masterplan project.</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 eliminated by the endorsing the Officer Recommendation.</p>	

OPTIONS

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

CONCLUSION

LPS Amendment 5 complements measures previously supported by Council for the rationalisation of various lot boundaries and road reserves within the north-west of South Hedland. It will facilitate land tenure resolution for the SHISH project and land use planning within this area to accommodate the future development of South Hedland.

The proposed amendment is considered to be a 'standard amendment' under the LPS Regulations as it is consistent with the Local Planning Strategy. It is not considered that it will have significant adverse environmental, social or economic impacts.

In light of the above, it is recommended that Council resolve to support Scheme Amendment No. 5 to LPS7 without modification and provide a copy of Scheme Amendment 5 and relevant documents to the Western Australian Planning Commission for final approval by the Minister for Planning.

ATTACHMENTS

1. Amendment 5 Report and Mapping [**12.3.2.1** - 19 pages]
2. Schedule of Submissions [**12.3.2.2** - 5 pages]
3. Submissions in Full [**12.3.2.3** - 17 pages]

12.4 Infrastructure Services

Nil

12.5 Executive Services**12.5.1 Attendance at Conferences**

Author: Executive Assistant to the CEO & Mayor

Authorising Officer: 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.

CM202324/296 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen

SECONDED: Cr Camilo Blanco

That Council:

1. Nominate and approve the following Elected Members to attend the Regions Rising Summit in Canberra on 14 -15 August 2024:

- a) Cr Butson;
- b) Cr Christensen and
- c) Cr Arentz
- d) Mayor Carter

Nominate and approve the following Elected Members to attend the Developing Northern Australia Conference in Karratha on 26-28 August 2024:

- a) Cr Rebello
- b) Cr Bennett; and
- c) Cr McRae
- d) Mayor Carter

2. Notes that CEO may appoint Officers to attend the Regions Rising Summit and the Developing Northern Australia Conference on behalf of the Town of Port Hedland;

3. Notes that Officers are seeking meetings with Government Representatives in Canberra during the same week as the Regions Rising Summit; and

4. Notes that a report will be submitted by the Elected Members nominated above on their attendance to the Chief Executive Officer prior to 27 September 2024.

CARRIED BY SIMPLE MAJORITY (8/0)

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Sven Arentz, Cr Flo Bennett, Cr Camilo Blanco, Cr Lorraine Butson, Cr Ambika Rebello and Cr Adrian McRae

Against: Nil

PURPOSE

The purpose of this report is for Council to consider the attendance of the Mayor and relevant Elected Members at the following conferences:

- Regions Rising Summit in Canberra on 14-15 August 2024; and
- Developing Northern Australia Conference in Karratha on 26-28 August 2024

DETAIL

REGIONS RISING SUMMIT, 14-15 AUGUST, CANBERRA

- The RAI National Summit Regions Rising – The New Frontier, will be held on Wednesday 14 and Thursday 15 August 2024.
- In 2024, the National Summit is growing and will be moving to the National Convention Centre in Canberra.
- Regions Rising – The New Frontier is a solutions-focused, nation building event bringing together thought leaders across all sectors of government, industry, academia and most importantly regional communities.
- Regional Australia is on the cusp of large-scale investment - from mining, the renewable energy sector, and agriculture. The appeal of regional living is here to stay for thousands of metro movers, requiring new thinking and action on how the services, housing and skills landscape will develop to meet this ongoing demand across the country. As we transition to Net Zero by 2050, regional Australia will be at the frontline of this change. The new frontier for regional Australia is ready to explore.
- In 2024, for the first time, Regions Rising – The New Frontier will welcome a range of exhibitors in the new expanded layout, a transformed program with breakout sessions hosted by valued partners, and an unrivalled lineup of speakers focused on solutions to support the growth, the growing pains and the opportunities of regional Australia.

DEVELOPING NORTHERN AUSTRALIA CONFERENCE, 26-28 AUGUST, KARRATHA

The theme this year is **A Vibrant Northern Australia**. The conference will explore the topics of:

First Nations Self Determination Drives Northern Development

- Indigenous Leadership and Nation Building
- Mobilising Economic Opportunity from Land, Sea and Water Rights
- Genuine and Equity-Based Approaches to Development Partnerships

Knowledge, Skills and Migration for Tomorrow's Success

- Shaping a Dynamic Workforce and Nurturing Education for Northern Success
- Indigenous Pathways to Education and Empowerment

- Shaping Migration Momentum for a Dynamic Future
- Digital Infrastructure, AI Opportunities and Cybersecurity

Net Zero Horizons: Navigating Climate Risk and Decarbonization

- Derisking Investment Pathways for Decarbonised Development
- Climate Compass: Climate and Environmental Challenges in Northern Australia
- Energy Frontiers: Bio-energy, Hydrogen and Other Opportunities for Powering the North

Mining and Beyond

- The Key Role of Mining and Gas in Northern Australia's Future
- Unearthing Critical Mineral Opportunities for Sustainable Development
- Building Strong First Nations Partnerships Through Mining
- Preparing for the Future: Cradle to Grave Approaches in the Resources Sector

North of North: Navigating Challenges and Seizing Opportunities in the Indo-Pacific Era

- From One Way Trade to Two Way Relationships
- A Lead From First Nations Diplomacy
- Shaping the North's Place in the Indo-Pacific
- Geostrategic Issues and Opportunities for the North

Northern Investment Pipelines: Building Our Prosperity Through Strategic Investments

- Refining Northern Australia's Investment Pipeline
- Infrastructure Odyssey: Enabling Infrastructure Foundations for the North
- Small and Medium Business Drives Community Building
- Redefining the Northern Narrative through Trade and Tourism
- Attracting Investment in Research, Development and Innovation

Nature Positive Futures: Nurturing Agriculture, Sustainability and Biosecurity in Northern Australia

- Landscape Guardians: Traditional Owners and Pastoralists as Ecosystem Service Providers
- What Bio-regional Planning, EPBC Reforms and Nature Positive Markets Mean for Northern Australia
- Agriculture's Proud Place in a Contested Northern Landscape
- Innovations in Biosecurity for the National Good

Place-Based Solutions: Crafting Northern-Focused Policies for Lasting Impact

- Empowered Communities and Local Solutions
- Art, Culture & Food: Building Great Places and Northern Lifestyles
- Health and Social Policies: Prioritising Well-being in Northern Australia's Development
- Tailoring Place-Based Strategies to Meet the Unique Needs of Northern Australia
- Inclusive Governance Models: Ensuring Local Representation and Participation Development

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, minimal impact to the community and public interest.

CONSULTATION

Internal

- Consultation with internal or external parties in the preparation of this report has been limited to information gathering

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

Section 2.3 'Travel' in the Town's policy 4/008 'Elected Members Allowances, Facilities and Expenses' is applicable as it sets out parameters associated with the booking of travel registration fees and accommodation arrangements.

Section 2.2 'Reimbursements' in the Town's policy 4/008 'Elected Members Allowances, Facilities and Expenses' is applicable as it sets out parameters associated with meals and incidentals provided.

FINANCIAL AND RESOURCE IMPLICATIONS

Note that the below costs will be deducted from the 2024/2025 FY budget.

The following table outlines the approximate costs for attending the above conference:

REGIONS RISING SUMMIT, 14-15 AUGUST, CANBERRA		
Detail	Approximate Total Cost	Notes
Accommodation Canberra	\$650	3x nights
Flights	\$1,670	
Registration Fee	\$1,400	
Maximum Meals / Incidentals claimable	\$519.15	<u>Based on 3 days away:</u> Breakfast \$32.55 Lunch\$46.00 Dinner \$64.50 Incidentals \$30 Total: \$173.05
Total	\$4,239.15	Total approximate cost per person to attend Regions Rising Summit

DEVELOPING NORTHERN AUSTRALIA CONFERENCE, 26-28 AUGUST, KARRATHA		
Detail	Approximate Total Cost	Notes
Accommodation Karratha	\$500	2 x nights
Fuel	\$250	
Registration Fee	\$1,399	
Maximum Meals / Incidentals claimable	\$346.10	<u>Based on 2 days away:</u> Breakfast \$32.55 Lunch\$46.00 Dinner \$64.50 Incidentals \$30 Total: \$173.05
Total	\$2,495.10	Total approximate cost per person to attend Developing Northern Australia Conference

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Leadership:

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

4.1.2 Hedland is positively marketed and promoted locally, state-wide, nationally and internationally to tourists, investors and new residents.

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Corporate Services:

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

Our Regulatory Services:

Business and Economic Development - Lead an integrated and collaborative approach to achieve the community’s vision of ‘building prosperity for all – enabling sustained economic growth’

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Reputational
Cause	Limitation of key partnerships with stakeholders
Effect (Consequence)	Resulting in reputational Risk
Risk Treatment	Eliminated risk through the approval and attendance at the relevant conferences.

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 do not attend, the Town may miss important opportunities to represent Port Hedland at regional and/or State level. The risk rating is considered to be low (1), 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 officer's recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

Attendance at the above conferences will ensure the implementation and maintenance of relationships with other local governments, influential individuals or Departments and other key stakeholders. These relationships will provide the opportunity of future benefit to our community through networking and increased knowledge and advice. It also allows the Town to gain insight into the unique factors affecting regional local governments, business and community sectors to share information and strategy.

ATTACHMENTS

1. Regions Rising National Summit 2024 [**12.5.1.1** - 2 pages]

13 New Business of an Urgent Nature (Late Items)

Nil

14 Motions of Which Previous Notice has been given

Nil

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

Nil

16 Closure

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday, 31 July 2024 commencing at 5:30 pm.

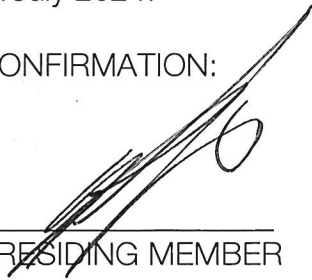
16.2 Closure

There being no further business, the Presiding Member shall declared the meeting closed at 7:42pm.

DECLARATION OF CONFIRMATION OF MINUTES

I certify that these Minutes were confirmed by the Council at its Ordinary Council Meeting on 31 July 2024.

CONFIRMATION:

A handwritten signature in black ink, consisting of several overlapping strokes, positioned above a horizontal line.

PRESIDING MEMBER

31-07-2024
DATED