



AGENDA

Dear Mayor and Councillors,

I respectfully advise that an **ORDINARY COUNCIL MEETING** be held in the **Civic Centre Chambers 13 McGregor Street, PORT HEDLAND WA 6721**, on **Wednesday 7 February 2024**, commencing at **5:30pm**.

MEETING AGENDA ATTACHED

Yours faithfully

A handwritten signature in black ink, appearing to read "Carl Askew".

Carl Askew
Chief Executive Officer

2 February 2024

DISCLAIMER

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

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

DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

*Local Government Act 1995 – Section 5.65, 5.70 and 5.71
Local Government (Model Code of Conduct) Regulations 2021*

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Model Code of Conduct) Regulations 2021</i>			
Name			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____ **Date:** _____

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

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

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

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1 Opening of Meeting

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

2 Acknowledgement of Traditional Owners and Dignitaries

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

3 Recording of Attendance

Important note:

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

3.1 Attendance

Scheduled Present:

Mayor Peter Carter
Deputy Mayor Ash Christensen
Cr Sven Arentz
Cr Camilo Blanco
Cr Lorraine Butson
Cr Ambika Rebello
Cr Tim Turner

Scheduled for Attendance:

Carl Askew (Chief Executive Officer)
Steve Leeson (Director Corporate Services)
Josephine Bianchi (Director Community Services)
Craig Watts (Director Regulatory Services)
Bruce Wright (A/Director Infrastructure Services)
Tom Kettle (Manager Governance)
Karen Krollig (Governance Officer)
Rhiannon Smith (Governance Support Officer)
Sophie Marlow (Governance Services Trainee)

3.2 Attendance by Telephone / Instantaneous Communications

Nil

3.3 Apologies

Lee Furness – Director Infrastructure Services

3.4 Approved Leave of Absence

Cr Flo Bennett - 31 January - 16 February 2024

3.5 Disclosures of Interest

Name	Item No	Interest	Nature

4 Applications for Leave of Absence

OFFICER’S RECOMMENDATION

That Council approve the application of leave of absence for Cr Flo Bennett for the period 31 January 2024 until 16 February 2024.

SIMPLE MAJORITY VOTE REQUIRED

OFFICER’S RECOMMENDATION

That Council approve the application of leave of absence for Cr Lorraine Butson for Wednesday, 14 February 2024.

SIMPLE MAJORITY VOTE REQUIRED

5 Response to Previous Questions

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

5.1.1	Cr Camilo Blanco
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I requested the report that was commissioned by the state government into the suspension and dissolving of the Town of Port Hedland in 2019, and now I received a response from the administration and that was a letter from Ron Yuryevich. This not the proper document. I'm after the written report that authorises the Minister to exercise section 8.15(c) of the Local Government Act 1995.

The Director Corporate Services provided the following response;

The report has been sought as requested.

In relation to questions asked on the 21st of November meeting about Horizon Power, the answer received was that no minutes are taken in those meetings. So, my question related to the notes, so I'm assuming there's no notes taken in any meetings that the Town does with Horizon Power? There was an agreement with Horizon Power in 2019 to audit the lights and poles twice a year and rectify any issues. Can we request the resumption of the audit on our streetlights?

The Director Infrastructure Service provides the following response;

I can confirm that Horizon Power still conducts two streetlight patrols over the year. Horizon Power have recently conducted a streetlight patrol and the luminaires are scheduled to be replaced in January 2024. There were 141 luminaires reported to be replaced. We still highly recommend that customers report non-working streetlights. If a customer reports a streetlight not working, the luminaire is replaced within 5 business working days, unless traffic management is required. If there are any specific streetlight/poles that you are questioning, please let us know locations as not all the streetlights across the Town are managed by Horizon Power.

The question asked and answer provided about the South Hedland Shopping Centre entrance didn't provide me with any outcome. What I want to know is why have we changed the program? We were doing it because it's our area, how can we get that reimplemented?

The Director Infrastructure Service provides the following response;

The shopping centre is owned by Charter Hall and it is understood that they retain a "facilities services" provider to maintain cleanliness at access points to the mall - footpath side and the carpark. The Wastes & Services team conduct daily sweeping of the roads, footpaths in the area (0515hrs-0630hrs Monday to Friday). Litter picking is undertaken on a daily basis including weekends and resources are prioritised to high foot traffic areas however demand for litter removal is far greater that operational

capacity. Any changes to level of service will require additional resources and budget at Q2.

In relation to Port Hedland Community Centre, we had an occupancy permit, which was restricted between the 19/05/2023 and 31/08/2023. The main occupancy permit was issued on the 27/10/2023, five days before I asked the question. Can you tell me whether we were using that building without the appropriate permits and was the building covered by insurance? I would like to get all the signed certificates that are required under section 54 of the Building Act that authorised the occupancy permit to be issued.

The Director Regulatory Service provides the following response;

The Temporary Occupancy Permit was issued to coincide with the 2023 racing season, enabling the Turf Club to utilise the bottom floor of the facility. The PHICH was not hired out to any user without the appropriate permits in place. The building was covered by the Builders insurance at this time as it had not reached Practical Completion. Since Practical Completion and handover of the facility, the building has been covered by the Town's insurance.

I asked at the last meeting about the \$10 million contribution towards the Port Hedland Community Hub and the answer provided didn't show me the date of the payments and I couldn't reference the money and receipt numbers that the document did provide. Can I get the dates and the page number in the monthly payments of the grant funding that came from the state government towards the Port Hedland Community Hub?

The Director Corporate Services provides the following response;

In addition to the minutes of 1 November 2023 OCM, I can confirm the following;

- Execution of agreement December 2021, payment received of \$1,500,000 (receipt 306292) *Date received 03/05/2022*
- Awarding of Construction Project January 2022, payment received of \$5,000,000 (receipt 306292) *Date received 03/05/2022*
- Evidence of 50 % completion November 2022, payment received of \$3,000,000 (receipt 313631) *Date received 14/03/2023*
- Evidence of practical completion March 2023, Instalment of \$500,000 (Not yet invoiced as practical completion was reached in October 2023)

The Town's monthly report on payments made to creditors in accordance with the Financial Management Regulations does not include by its nature, the above receipts of grant funding received from the State Government for the Port Hedland Community Hub.

The Hoa Binh Group, how did we actually come into contact with that company?

The Chief Executive Officer provides the following response;

Hoa Binh Group were introduced to the Mayor by representatives of State Government.

RDA has confirmed no meetings have been held with Hoa Binh Group. Can you explain why the public record shows that the Mayor, Hoa Binh and RDA met on the 06/07/2023 and 01/08/2023. The minutes are true and correct, cause the Council has agreed to them. So now we have a problem with RDA rejecting the fact that there were meetings held with Hoa Binh.

The Mayor provided the following response:

Point of clarification, RDA did not meet with Hoa Binh, thank you.

The Chief Executive Officer provides the following **further** response;

This was an administration error stating meetings were jointly held. These meetings were in fact held separately on both occasions.

Can you tell me why the Mayor has engaged with Hoa Binh Group and issued them with so much of the Town's proposed and potential development information, when the Council has not been privy to those presentations and has not approved any such information supply or presentation to Hoa Binh that I'm aware of.

The Mayor provided the following response:

All the information is public. Thank you.

The Chief Executive Officer provides the following **further** response;

Hoa Binh Group are a prospective investor in Port Hedland and as such it is appropriate to discuss development opportunities. The presentation provided will be circulated under a separate cover by the Mayor.

*In relation to again November 1st OCM I was requesting the notes from the CEO and the Mayors Meetings and the answer was that there is no notes taken or they're not minuted. So, can you explain a few things?
Why there are no notes taken, when standing order states in 20.12(c) that there that the Council conducts briefings, workshops and other informal meetings with the CEO is to have meeting notes kept?*

The Chief Executive Officer provided the following response;

These are not meetings with Council, they are informal meetings between the Mayor and CEO.

OK. My next question has the CEO requested regular meetings with the mayor? Why has that not happened?

The Chief Executive Officer provided the following response:

The Mayor and CEO meet regularly and on an as needed basis. Internal meetings are not reported in the Mayor's monthly meetings to Council.

I requested information on the yearly payment totals for creditors in the 22/23 financials. I requested that the totals be for each individual creditor. And they've been split in two for some reason. Is there a reason for that on the 22/23 financial totals? And why were they split in two in the report that I received?

The Director Corporate Services provided the following response;

Through the chair. Just let me go and have another look at that and I'll get back to you with an answer on that tomorrow. My understanding was they were put together in accordance with the financial years. I will get back to you.

The Director Corporate Services provided the following **further** response;

The 2022-23 creditor payments are within 2 reports due to the transition of systems. One report from Synergy Soft (July-October 2022) and TechOne (November-June 2023). Payments not related to creditors, such as employee costs and councillor remuneration, were excluded from the report.

5.1.2	Cr Lorraine Butson
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Can we please follow up with the Port Hedland International Airport regarding the progress of the Bali flights please?

The Mayor took this question on notice.

The Director Regulatory Services provided the following formal response;

The Port Hedland International Airport are still actively negotiating with airlines to recommence flights to Bali. While the financial incentive package provided by the Town is a great help, there are other factors including the provisions of Borderforce officers and services which must still be addressed for this to proceed. The Town is hopeful of this before recommencing in 2024.

5.2 Response to Questions taken on notice from Public at the Council Meeting held on 29 November 2023

5.2.1

Gloria Jacob

In 2013, the Town of Port Hedland, along with other key stakeholders including the WA Department of Planning and Land Corp, who are now known as Development WA, convene monthly meetings of the Coastal Foreshore Management Working Group. One of the group's key focus areas was remote coastal access. and identifying funding for the same to stimulate tourism and also for the local community to enjoy, among other reasons. Can the Town please confirm if it has identified these locations to formalize coastal access in its master planning? And if so, what is the progress on this?

The Mayor took this question on notice.

The Director Regulatory Services provides the following formal response:

The Town's records indicate that there was a Coastal Foreshore Management Working Group which was formed in 2012 to undertake a review of coastal access and develop a foreshore masterplan focusing on a study area from Pretty Pool to Marapikurrinya Park. The minutes indicate that the foreshore outside the study area was to be considered separately, and subject to funding being sourced - no records indicate funding being sourced. Furthermore, a costing developed for the Titchella Beach Access Road, commissioned by the Town, was received suggesting a construction cost of \$1.7M (2013).

A further regional group proposed by the Pilbara Regional Council in late 2013 to identify suitable access points to the coast, however it is understood that this did not eventuate due to the PRC being wound up. No further works on coastal access outside of the townsite of Port Hedland have been undertaken or are planned to be undertaken.

Is Council able to Confirm what the cost of the election just recently held last month was to ratepayers and if that cost is in excess of \$70,000 to hold an election?

The CEO provided the following response:

There was an estimate originally provided, but then it's generally followed up with a confirmation of cost, it was certainly in that order, but happy to respond to you once we've been able to verify that with the Electoral Commission.

The Director Corporate Services provides the following formal response:

The October 2023 election quote (invoice yet to be received) was \$63,900.
 The quote since received for the by-election in 2024 is \$57,900.
 Both exclude internal associated costs estimated at \$15,000.

5.2.2	Jan Gillingham
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Could we please look into more CCTV cameras in these areas (Port Primary School) where there are a lot of people playing after hours, and you know it's right next to the school.

The Director Infrastructure Services provides the following response:

The team will be undertaking a review of the CCTV system in the new year. We generally do not have CCTV cameras in the schools because the Education Department is not happy with that, But I'm pretty sure that we have some cameras in the area.

The Mayor took this question on notice.

The Director Infrastructure Services provides the following *further* response:

I can confirm the Town does not have CCTV at the Colin Matheson facilities due to the low level of anti-social behaviour in the area.

My question has not been answered as per the last OCM meeting regarding 5 Jibson Close. When will it be answered correctly that when I was a previous councillor, and other councillors up to the 21st of October stated truthfully on the night of this meeting that I did not receive all information with regard to this item which is coming tonight and I'm still waiting to receive the correct answer?

The Director Regulatory Services took this question on notice.

The Director Corporate Services provides the following formal response:

Councillors were provided all pertinent information at the time of the August briefing and Ordinary Council Meeting (OCM), which included that there was potential for sexual services based on feedback from community consultation. Although the Town Planning Service had received screenshots of a website purporting to offer services of a sexualised nature, this had no confirmed or direct linkage through to the Jibson Home Business therefore was not relevant to the application. SMS messages and advertising which has been provided during question time and statement time, were provided after the August OCM.

5.2.3	Jillian Fisher
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With the recent spate of break-ins within Wedgefield that we've had lately, I've done a bit of sticky-beaking into surveillance cameras in the area. My question is tonight, can you tell me how are the locations of the surveillance cameras actually decided? They seem to be very concentrated in certain areas.

The Director Infrastructure Services provided the following response:

Generally, the cameras are there for protection of Town assets, they're not a general surveillance for other peoples' assets in the Town. We do have some in the Town Centre around the public area, we also have them in some parks; we have them in some of our facilities and work closely with the police also to identify areas where they believe it would be useful for them to have a camera, and that's generally in public areas.

The Director Corporate Services provides the following *further* response:

Further camera installations have been noted (via map provided by Ms Fisher) for inclusion within the drafting of the 2024-25 annual budget and will be reported back to Council after discussions with WAPOL.

6 Public Time

Important note:

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

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

6.1 Public Question Time

6.2 Public Statement Time

6.3 Petitions / Deputations / Presentations / Submissions

Nil

7 Questions from Members without Notice

Nil

8 Announcements by Presiding Member without Discussion

The Mayor's meetings for the month of December 2023:

DATE	MEETING DETAIL
1/12/2023	BHP Flexible Working Centre Opening
4/12/2023	Citizenship Ceremony
6/12/2023	Baler Primary End of Year School Awards
6/12/2023	Triple M Radio segment
6/12/2023	BHP SEG Meeting and Wind Fence Tour
7/12/2023	Hedland Disability, Access and Inclusion Morning Tea event
8/12/2023	Meet and Greet with VietJet Vice President Commercial and PHIA
12/12/2023	Meeting with PDC Board
13/12/2023	December Ordinary Council Meeting
13/12/2023	Triple M Radio Segment
19/12/2023	SI Group Conference, Vietnam - Mayor spoke about Port Hedland being a great place to live and raise a family.
20/12/2023	Triple M Radio Segment

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

10 Confirmation of Minutes of Previous Meeting

OFFICER'S RECOMMENDATION

That Council confirm that the Minutes of the Ordinary Council Meeting held on 29 November 2023 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

OFFICER'S RECOMMENDATION

That Council confirm that the Minutes of the Ordinary Council Meeting held on 13 December 2023 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

Disclaimer

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

11 Reports of Committees

11.1 Audit, Risk and Compliance Committee

Nil

12 Reports of Officers

12.1 Corporate Services

12.1.1	Statement of Financial Activity - December 2023
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Author: Senior Financial Accountant

Authorising Officer: Director Corporate Services

Disclosure of Interest: The Author and Town Executive declare their financial interest as the report contains details of payments they receive under terms of employment.

Caretaker Statement

a. "The recommended decision is not a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections - Caretaker Policy'."

OFFICER'S RECOMMENDATION

That Council:

- 1. Receive the statement of Financial Activity for the period ended 31 December 2023, as shown in attachment 1;**
- 2. Receive the Material Variance Report Activity for the period ended 31 December 2023, as shown in attachment 2;**
- 3. Note the Accounts paid under delegated authority for the period ended 31 December 2023, as shown in attachment 3;**
- 4. Receive the Purchasing Card statements for the period ended 31 December 2023, as shown in attachments 4 and 5.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the Statement of Financial Activity for the period ended 31 December 2023. 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 December 2023, with financial results included in Attachment 1. Statement of Financial Activity inclusive of supporting Notes 1-4 prepared by the Town of Port Hedland (the "Town").

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. This Financial Report relies upon unaudited unconfirmed financial results for the 2022/23 financial year.

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 \$4.40M presented in Year to Date Actual on the Statement of Financial Activity is as per the closing surplus of the unaudited financial statements.

The net current funding position (surplus/(deficit) from the Statement of Financial Activity as at 31 December 2023 is a surplus of \$46.89M. This is subject to further year-end adjustments and review, ahead of external audit and confirmation. The majority of surplus represents rates revenue since levied in full.

The breakdown of the cash position is displayed below:

2023/24 Actuals

Current Assets: Cash and Investments	\$ 205.13M
Restricted Cash – Reserves	\$ 172.04M
Unrestricted Cash Position as at 31 December 2023	\$ 33.09M

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

- *All consultation and engagement are conducted internally.*

External Agencies

- *Department of Fire and Emergency Services*

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.

Regulation 13A of the Local Government (Financial Management) Regulations 1996.

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 is applicable in the consideration of 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:

Nil

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 \$4.40M presented in YTD Actual on the Statement of Financial Activity, is as per the closing surplus presented in the unaudited financial statements from 2023. The net current funding position is \$46.89M.

ATTACHMENTS

1. Dec 2023 MFS [**12.1.1.1** - 10 pages]
2. Payments Made Under Delegated Authority - December 2023 [**12.1.1.2** - 52 pages]
3. Material Variances - Dec 2023 [**12.1.1.3** - 2 pages]
4. Credit card Statements - December 2023 [**12.1.1.4** - 16 pages]
5. Fuel card Statements - December 2023 [**12.1.1.5** - 5 pages]

12.1.2	RFT2324-06 Data Migration Services
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Author: **Manager ERP Project**
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.

Caretaker Statement

a. "The recommended decision is not a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections - Caretaker Policy'."

OFFICER'S RECOMMENDATION

That Council:

- 1. Acknowledges and endorses the tender process undertaken in respect of RFT 2324-06 Data Migration**
- 2. Acknowledges and endorses the selection of XXXXX to provide the Data Migration services in support of the Technology One OneCouncil implementation at the Town of Port Hedland at an aggregated value of \$950,000 over a fully optioned contract period of two and a half (2.5) years.**
- 3. Authorises the Chief Executive Officer to negotiate, vary and execute the administrative and legal instruments to enter into a contract between the Town of Port Hedland and XXXXX (commencing as soon as practicable), for the provision of Data Migration services for an initial period of two (2) years and a discretionary option period of a further six (6) months.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to endorse the award of RFT 2324-06 for the provision of Data Migration services to the awarded tenderer as per the officer's recommendation for an initial contract period of two (2) years with an extension option of six (6) months at the discretion of the Town of Port Hedland.

BACKGROUND

This report was presented to the 13 December Ordinary Council Meeting at which it was carried over following clarification sought by Councilor Blanco. Included as attachments are the subsequent advice forwarded to all Councillors regarding:

- Application of section 3.59 of the Local Government Act (Attachment 1), and
- Project forecasts and budget (Attachment 2)

DETAIL

The Town of Port Hedland (Town) is implementing a new Enterprise Resource Planning (ERP) solution from Technology One called OneCouncil. The Town commenced this contract in July 2021 and has implemented the first phase of the project.

In support of the implementation and migration from the legacy system SynergySoft to OneCouncil the Town is required to migrate the transaction data. This migration activity is not a single point in time migration but is required to support the ongoing activities implemented in the initial phase and built upon during the subsequent phase. The dependency on this service will complete once the legacy platform, SynergySoft and the Towns operations have been fully transitioned to OneCouncil.

Phase one (1) of the OneCouncil Data Migration was supported by a dedicated remote staff member. This staff member resigned from the position effective 18 August 2023. Having a single dedicated staff member supporting data migration includes a considerable risk of staff turnover during the remaining project and the loss of knowledge would result in a significant delay to the project. As a risk mitigation strategy, it is intended to outsource this ongoing function for phase two (2) and support the existing active daily migration activities, to a vendor who will maintain continuity of service through shared resourcing. This shared resource can also be redeployed when full-time engagement is not required and thus save costs with the Town. It will also allow the Town to scale up, with additional data migration resources in times of high demand.

One 19 July 2023, RFT 2223-22 for Data Migration services was released on VendorPanel with a closing date of 9 August 2023 and subsequently extended to 21 August 2023. The responses received did not adequately respond to the requirements of the RFT and all responses were rejected. RFT was rewritten to enhance vendor responses in line with requirements.

On 27 September 2023, RFT 2324-06 for Data Migration services was released on VendorPanel with a closing date of 27 October 2023. The request summary report is attached for reference. The tender was based on supporting the Town in the two key components:

1. Continued support for the migration services implemented during Phase one of the project.
2. Development and support of the migration services required to support Phase two and remaining modules of OneCouncil.

Ten (10) compliant responses were received and assessed. Additional information was requested of the two highest rated tender submissions to clarify pricing details and schedule alignment.

The recommended tenderer was selected by an evaluation panel of four (4) Town employees whose main objectives were:

1. Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;
2. Ensure adherence to Local Government policies and legislation;
3. Ensure that the requirements specific in the request are evaluated in a way that can be measured and documented; and
4. Make a recommendation to the Council.

The multi-party evaluation report is a *confidential attachment*.

The recommended tenderer holds the required licenses and experience to provide data migration services to the Town. The recommended tenderer is not locally based, however has committed to travel at times as required to deliver data migration services. They are currently providing module application consultancy services that support the OneCouncil implementation and are actively working with other WA Local governments in similar capacities. The evaluation of their submission included an assessment of capacity for service delivery, which was considered as satisfactory.

LEVEL OF SIGNIFICANCE

- In accordance with Policy 4/009 ‘Significant Decision Making’, this matter is considered to be of medium significance.

CONSULTATION

Internal

- Director Corporate Services
- Director of Infrastructure Services
- Manager ERP Project
- Manager IT & Customer Experience

LEGISLATION AND POLICY CONSIDERATIONS

Local Government (Functions and General) Regulations 1996
Tenders for providing goods or services (s. 3.57)

FINANCIAL AND RESOURCE IMPLICATIONS

The ERP Project is a multi-year contract with Technology One. The initial budget for the Enterprise Resource Planning (ERP) Software SaaS was approved at the OCM dated 30 June 2021. The budget approved was (amounts are in \$’000s):

	20/21	21/22	22/23	23/24	24/25	Total
Operating	174	450	306	312	-	1,242
Capital	500	2,000	1,464	997	180	5,141
Total	674	2,450	1,770	1,309	180	6,383

The table below is a high-level financial status on the delivery of the OneConnect (ERP) Project. This includes the funding required to support the Data Migration activities over FY23/24 - FY25/26 of \$950,000.

Amounts below are in \$'000s.

Total Project Financial Actual / Forecast

	FY20/21 Actual	FY21/22 Actual	FY22/23 Actual	FY23/24 Forecast	FY24/25 Forecast	FY25/26 Forecast	Total (Actual + Forecast)
Operating	39	4	363	430	452	-	1,287
Capital		883	887	2,099	2,132	842	6,843
Total	39	886	1,250	2,529	2,583	842	8,130

Note

- *SaaS Software Licenses are operational costs and subjected to CPI. FY25/26 has been removed as a comparison against the original budget.*
- *The increase in FY23/24 forecast is to account for the additional capacity to commence the project's second phase, currently in planning, and to support existing operational services.*
- *FY23/24 Q2 capital forecast review will partially transfer current budget forecast into subsequent years.*
- *Vendor consultancy costs are time and materials and subjected to annual CPI.*
- *The current budget forecast compared to initial has increased due to necessity to rely upon external consultancies at a higher rate in lieu of engaging staff directly due to scarcity of skills and availability, along with the initial burn rate of the project.*

Tracking and forecast costs will be reviewed operationally monthly and during the Q2 budget review.

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 Economy:

2.3.4 Ensure business approval processes are transparent, and pathways streamlined.

There are no other 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/s of the Town’s Corporate Business Plan 2023-2027 apply in relation to this item:

Our Corporate Services:

Information Communications Technology - To provide a reliable and cost-effective Information Communications Technology (ICT) solution that meets users’ needs.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Service Interruption
Cause	Critical failure to existing daily data migration service In ability to migrate remaining data into new system
Effect (Consequence)	Reduced capability to reconcile Town revenue. Increase in manual processing and potential for error in processing. Inability to complete the OneCouncil implementation resulting in continued maintenance for legacy systems and procedures.
Risk Treatment	Engage vendor for data migration activities in support of the project and the Town
<p>There is an Operational, risk associated with this item caused by the requirement to engage a vendor at short noticed without knowledge of our system leading to extended outage of core financial systems and in ability to complete a transformation project.</p> <p>The risk rating is considered to be High (15) which is determined by a likelihood of Almost certain (5) and a consequence of Moderate (3).</p> <p>This risk will be mitigated by the adoption of the officer’s recommendations.</p>	

OPTIONS

- Option 1 – Adopt officer’s recommendation
- Option 2 – Move and adopt an alternative motion(s)
- Option 3 – Do not adopt officer’s recommendation

CONCLUSION

The Town of Port Hedland is halfway through a transformational change that will improve the tools utilized by staff and technical interactions with the Towns citizens. Continuing to provide data migration services is critical to completing the migration from the legacy SynergySoft application.

ATTACHMENTS

1. Email advice including DLGSC response regarding s3.59 of the LGA [**12.1.2.1** - 3 pages]
2. Email advice regarding the project forecast and adopted budgets to date [**12.1.2.2** - 2 pages]
3. CONFIDENTIAL REDACTED - Confidential multi-party evaluation report [**12.1.2.3** - 14 pages]
4. CONFIDENTIAL REDACTED - Request Summary Report [**12.1.2.4** - 3 pages]

12.2 Community Services

12.2.1	2024 Events Sponsorship Program
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Author: **Manager Events, Arts & Culture**

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.

Caretaker Statement

b. "The recommended decision is a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections – Caretaker Policy', however an exemption is recommended because the subject matter is urgent under 3.1(b), to provide for the planning and execution of the 2024 event season".

OFFICER'S RECOMMENDATION 1

That Council sponsors Red Country Music Festival to Red Country Management Pty Ltd for the delivery of event management services to the amount of \$150,000 for 2024 including options for annual extensions at the discretion of the Town for \$125,000 in 2025 and \$100,000 in 2026.

SIMPLE MAJORITY VOTE REQUIRED

OFFICER'S RECOMMENDATION 2

That Council:

- 1. Notes all other event sponsorship proposals and approves a one-year funding contribution of \$235,000 plus GST.**
- 2. Notes that funding for all 2024 event sponsorship proposals is included in the Events section of the 2023/24 Annual Budget.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the sponsorship of major events and performances throughout 2024. This includes the three-year sponsorship of the Red Country Musical Festival (Attachment 1) for \$150,000 in 2024, \$125,000 in 2025

and \$100,000 in 2026 plus GST. The report also includes additional sponsorship opportunities to the value of \$235,000 in 2024 as highlighted below.

DETAIL

Background

As a resolution of the 2023 December OCM meeting, Council determined the following:

1. *Award RFT2324-11 major music and arts festival for the delivery of the community led capacity building program (separable portion 1) to PPP Events in the amount of \$156,000 for 2024 including options for annual extensions at the discretion of the Town for a maximum period of an additional two (2) years with CPI increase percentage;*
2. *Reject all submissions for RFT2324-11 the Main Event (Separable portions 2, 3 and 4);*
3. *Reaffirms its commitment established in the Arts & Culture Plan 2023-27 to bring more live music and performing arts to Hedland; and*
4. *Commits to explore and support opportunities for sponsorship agreements in accordance with the Arts & Culture Plan 2023-27 to invest in delivering a diverse mix of live music and arts opportunities in Hedland throughout 2024.*

Since, the Events team have drafted a 2024 sponsorship plan to offer a diverse mixture of free and ticketed events to be scheduled throughout the 2024 Pilbara Winter season in accordance with resolution '3' and '4' above. Additional information regarding the sponsorship program is provided below.

Red Country Music Festival

In 2014, the inaugural Red Country Music Festival commenced in Hedland, and has since become an established festival on the Pilbara's annual events calendar. The festival has included national award-winning artists such as Kasey Chambers, The Black Sorrows, Brad Cox, Troy-Cassar Daley, and emerging local artists. Unfortunately, since 2019, the event has not been hosted in Hedland, and instead has recently relocated to Karratha.

The festival has continued to grow and subject to Council sponsorship is scheduled to tour across Newman, Karratha and Hedland in June 2024. The event will include headline country music artists, kids activities, art and market stalls and food trucks. The event also includes matched sponsorship from the Nyiyiparli Advisory Group and TourismWA. Additional information regarding the Red Country Music Festival is included in Attachment 1.

Additional Sponsorship Opportunities

The events team have also explored additional live music and performing arts touring acts, which will contribute to creating a more lively and liveable Hedland. Table 1 below includes additional information regarding each sponsorship opportunity.

Item	Detail	Date	Cost
Eskimo Joe and Dan Sultan	<ul style="list-style-type: none"> • Touring WA in August and opportunity to be the 'main event' of Odyssey programming • Includes additional DLGSC funding and cost savings through touring • ticketed event 	Aug 2024	\$60k (inc production costs)
Rocky Horror Picture Show Immersive Experience	<ul style="list-style-type: none"> • Artrage (WA arts organisation) is touring a local production of Rocky Horror Picture Show in August • Includes state funding and cost savings from touring • To be hosted as part of Odyssey programming • Ticketed event 	Aug 2024	\$10k
Scribblers on the Road Festival	<ul style="list-style-type: none"> • Free creative literacy and arts Festival targeted at young people and families • Town sponsored the first Scribblers on the Road festival at South Hedland Town Square in 2023 • Received positive feedback and good community participation • Includes one-day event and one-week of community activation at schools and remote communities 	June 2024	\$40k - school engagement during the week and one-day event in South Hedland
Live Music / Major Event Strategy	<ul style="list-style-type: none"> • Evaluate all live music and arts programming and events throughout winter and use for opportunity to create a long-term strategy for live music and arts • Live Music Office (Federal Government) has funding and resources to undertake works - completed successfully for multiple LG's on East Coast 	Completed in September 2024	\$60k
WA Music Industry (WAM) Regional Roundtable Conference	<ul style="list-style-type: none"> • Opportunity to bring together regional LG's, touring operators and musicians for a one-day conference to address current barriers for regional live music touring and create an action plan to work together and open new opportunities 	June-July 2024	\$40k

	<ul style="list-style-type: none"> Organised by WAM and include a free community concert of WA Regional Musicians in June Includes sponsorship from other Pilbara LG's 		
NAIDOC Week - Emma Donavon	<ul style="list-style-type: none"> Include ARIA award-winning indigenous artist, Emma Donavon, to perform at a NAIDOC event Free event 	June 2024	\$25k
Summary	<ul style="list-style-type: none"> Mixture of ticketed and free events over winter Demonstrates good value for money and leveraging additional sponsorship and touring cost savings Provides quality mix of entertainment that is suitable for our diverse community Provides strong evaluation and next steps for major arts and culture programming 		Total cost - \$385k

Table 1: 2024 Events Sponsorship Opportunities

The Town will condition approval of all sponsorship opportunities to ensure:

- The Town of Port Hedland is recognised as the major event sponsor with appropriate brand recognition
- A high level of community engagement, participation and local business support outcomes are achieved and reported back to the Town

The officer recommendation is to support the above sponsorship opportunities in accordance with the Arts & Culture Plan 2023-27, which promotes live music and performing arts touring opportunities with the aim of creating an even more liveable and loveable Hedland.

Also, as part of the future annual evaluation of the 2024 events season and reporting to Council, the events team will include a recommendation and strategy for either continuing to attract and retain major events through a formal sponsorship approach or put forward an updated concept for a standalone major music and arts event. This strategy will be supported through community feedback and recommendations from industry leaders, WAM (WA Music Industry) and the Live Music Office (Federal Government Initiative).

LEVEL OF SIGNIFICANCE

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

- 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.

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

CONSULTATION

Internal

- Manager Events, Arts & Culture
- Executive Leadership Team

External Agencies

- Live music and performing arts touring agencies
- PPP Events (Odyssey event organiser)

Community

- Local Hospitality Businesses (to host performances)

LEGISLATION AND POLICY CONSIDERATIONS

N/A

FINANCE AND RESOURCE IMPLICATIONS

The total sponsorship amount requested is \$385,000, which is included within the Events section of the 2023/24 FY Annual Budget. No additional budget is requested from Council.

STRATEGIC SUSTAINABILITY IMPLICATIONS

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

Our Community:

- 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.

Our Economy:

- 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

Social – There are significant social benefits from having high-quality live music and performing arts experiences available to the community throughout the year. The sponsorship opportunities put forward is intended to meet the community

expectations in regard to securing a diverse mix of free and ticketed high-quality entertainment options throughout the Pilbara winter season. The direction to include new opportunities for the community and businesses to be involved is expected to increase the social outcomes.

There are no significant identifiable environmental 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 1 – Events and Services

Corporate Business Plan

The following action 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	Operational Strategic
Risk Category	Reputational
Cause	Not delivering high-quality entertainment options
Effect (Consequence)	Retraction of high-quality music and arts opportunities
Risk Treatment	Working with live music and performing arts touring agencies to attract a mix of high-quality entertainment opportunities and building the capacity of local artists and entertainers

There is an Operational and Strategic risk associated with this item caused by not supporting sponsorship opportunities to deliver festival management services, leading to a reputational risk in the community.

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

This risk will be mitigated by working collaboratively with arts and culture touring agencies and our community to deliver a diverse mix of high-quality live music and performing arts opportunities.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

This report is provided to inform Council of the proposed sponsorship details and recommendations for supporting a schedule of touring live music and performing arts touring events across the Pilbara winter season.

ATTACHMENTS

1. Attachment 1 - Red Country Music Festival Sponsorship Proposal [**12.2.1.1** - 6 pages]

12.2.2	Courthouse Gallery Review
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Author: **Manager Events, Arts & Culture**
Authorising Officer: **Acting 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.

Caretaker Statement

a. "The recommended decision is not a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections - Caretaker Policy'."

OFFICER'S RECOMMENDATION

That Council:

- 1. Endorses the Courthouse Gallery Review undertaken by Artify consulting;**
- 2. Endorses the management of the Courthouse Gallery to remain outsourced to a third-party operator;**
- 3. Delegates to the CEO or their delegate to undertake a public tender process to source a suitable operator for the Courthouse Gallery for commencement on cessation of the current contract with The Junction Co.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to note the Courthouse Gallery Review finalised by external consultants Artify in December 2023 and to endorse how the Courthouse Gallery Management Services are provided by the Town of Port Hedland from 1 July 2024.

DETAIL

Background

Since 1 July 2019, The Junction Co. has been contracted by the Town to manage and operate the Courthouse Gallery. The management contract is worth an average of \$578,000 per year (total \$2,890,000.00 over the five-year life of the contract). This contract was recently extended to 30 June 2024.

In the 2022/23 FY, the Courthouse Gallery hosted 5 exhibitions and welcomed approximately 4,000 to view the gallery displays. The Junction Co facilitated approximately 180 events, which engaged with an additional 20,000 people. The gallery is a cultural centrepiece and highly regarded within the Hedland community.

Courthouse Gallery Review:

In September 2023, the Town appointed Artify Consulting to undertake a major review of the Courthouse Gallery contract management services, which included the following key areas:

- Community Engagement & Perception
- Review of the physical facility and use of gallery spaces
- Management structure and operations
- All tender contractual requirements and KPI's
- Marketing and branding
- Programming, workshops and events
- Benchmarking against other WA regional galleries

As a result, the consultant, Artify, has included seven main areas for improvement to be addressed through the future contract. These include:

1. Defining a clear vision and purpose: This clarity will help to align the gallery's programming and exhibition space with its core mission and meeting community expectations.
2. Enhanced focus on local art, storytelling and supporting makers: The community has expressed a strong desire for more local exhibitions, products displayed in the retail space and support for makers / producers. This will support local pride and showcasing the talent of the Pilbara region.
3. Professionalism in the Gallery: The community has expressed the desire for a more organised, professional and welcoming environment in the gallery. The contractor should also clearly define its areas inside the building for exhibitions, maker spaces, and retail to avoid confusion and enhance the visitor experience.
4. Increased community engagement and participation: Focus on more diverse programming and workshops to engage with different parts of the community. Consider establishing an advisory group to enhance community input and evaluation of future programming.
5. Quality over quantity of programming: The community has expressed a desire for more quality exhibitions over the high quantity of programming. The gallery should find a better balance between offering high quality art exhibitions and meaningful, inclusive and engaging programs.
6. Quality reporting and accountability: Ensure reporting clearly addressed the updated vision, goals and agreed KPI's. Stronger collaboration and transparency between the future contractor and the Town is required, which means more regular meetings and updating the reporting requirements in the contract to guarantee accountability and avoid ambiguity between vision and actual outcomes.
7. Separate South Hedland Activation and Programming KPI's: The Courthouse Gallery contract should focus on a vision for the gallery space and surrounding area only. The South Hedland activation has strong community value but should be separated as an independent contract.

In summary, the review highlights a need to reset a clear vision, goals and KPI's in accordance with the above recommendations and Arts & Culture Plan 2023-27 and

update the reporting requirements to provide stronger clarity and purpose for the contract management services.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- Community Services Directorate
- Public Affairs team
- Senior Economic Development Officer

External Agencies

- The Junction Co.
- FORM / Spinifex Hill Studios
- BHP Communities Team
- FMG
- PHCCI
- HARTZ
- HATCH
- Hedland School of Dance
- PHVC
- PH Historical Society
- Horizon Power
- Julyardi Aboriginal Corporation
- Kariyarra Aboriginal Corporation
- Well Women's Centre

Community

- Local artists
- Local Businesses
- General community – through online survey

LEGISLATION AND POLICY CONSIDERATIONS

N/A

FINANCE AND RESOURCE IMPLICATIONS

The review was funded through the Community Services Operating budget. The costs associated with the management of the Courthouse Gallery management contract are subject to the Town's procurement process. There is not expected to be any financial adjustments to contract management services through the future annual budget.

STRATEGIC SUSTAINABILITY IMPLICATIONS

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

Our Community:

- 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.
- 1.3.4 The Town's program of events and activities is promoted locally, regionally and nationally.
- 1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.
- 1.4.2 Facilities and community infrastructure are revitalised across the town
- 1.4.3 Facilities and community infrastructure are well maintained, managed and fit-for-purpose to provide a range of lifestyle opportunities.
- 1.4.4 Community services and facilities are well promoted

Our Economy:

- 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:

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

Our Leadership:

- 4.3.2 Community members, businesses and tourists are engaged to provide feedback about local facilities and services.
- 4.3.4 Efficiency strategies across the town's infrastructure and amenity assets are implemented.

Social - There are social benefits from having high quality arts and culture facilities and experiences available to the community. The Courthouse Gallery fulfils an integral role in activating the Town's West End, as an artistic, historical, and cultural precinct.

Economic - An enhanced Courthouse Gallery service will provide an opportunity for local artists and creatives to showcase and sell their work to residents and visitors.

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

Corporate Business Plan

The following action/actions 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

Our Corporate Services:

Governance and Procurement - Provide high standards of governance and leadership

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational Strategic
Risk Category	Financial Reputational
Cause	Outsourcing operations of the Courthouse Gallery management services
Effect (Consequence)	The Town has reduced control over day-to-day operations of the customer service experience.
Risk Treatment	Development of a contract with a clear vision, KPI’s and reporting structure to ensure the chosen third-party operator’s staff has an appropriate level of local knowledge and clear expectations to manage the applicable services.
<p>There is a reputational and financial risk associated with this item as outsourcing the management and day-to-day operations of the Courthouse Gallery reduces the level of control that Town has over the quality of exhibitions and programming and customer service experience. The risk rating is considered to be Low (3) which is determined by a unlikelihood of Possible (2) and a consequence of Moderate (3). This risk will be reduced by requiring the successful tenderer continuing to work in close partnership with the Town and demonstrating a commitment to the intended vision and reporting requirements.</p>	

OPTIONS

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

CONCLUSION

The Courthouse Gallery Review undertaken by Artify Consulting provides an independent assessment of the current state of the Courthouse Gallery managed by The Junction Co.

This item recommends Council receive and note the Courthouse Gallery Review and confirm a management model to ensure the Town can continue to provide high-quality

arts and culture services that meet the expectations and needs of the Hedland Community.

ATTACHMENTS

1. Attachment 1 CH G+ S Recommendation Report [**12.2.2.1** - 89 pages]

12.3 Regulatory Services

12.3.1	Economic Development and Tourism Strategy - Annual Progress Report
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Author: Senior Economic Development Officer
Authorising Officer: Director Regulatory Services
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

Caretaker Statement

a. "The recommended decision is not a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections - Caretaker Policy'."

OFFICER'S RECOMMENDATION

That Council receive and note the FY22/23 Town of Port Hedland Economic Development and Tourism Strategy Annual Progress Report as per Attachment 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to inform council on the progress of the action items identified in the *Economic Development and Tourism Strategy*.

DETAIL

The report details progress made by the Town regarding initiatives outlined the Economic Development and Tourism Strategy since its endorsement.

Council endorsed the Economic Development and Tourism Strategy at the 23 March 2022 Ordinary Council Meeting. The plan provides a long-term vision, aspiration and priorities and commits to 'building prosperity for all – enabling sustained economic growth.'

Specifically, the plan seeks to:

- Provide a framework for the Town to lead and integrated and collaborative approach to achieve the community's vision
- Guide the Town in supporting future economic development and tourism growth within the district
- Help relevant units within Town implement this strategy in partnership with the State Government, Federal Government, regional development bodies, and other strategic partners.

The Strategy identifies four pillars along with priority actions to meet the aspirational goals of creating 5,000 new jobs and growth on 11,600 residents by 2041. The four pillars and priority areas identified as part of the strategy are outlined below:

Pillar 1 - Advocacy

- Lobby State and Federal Government for Infrastructure
- Encourage and promote local procurement
- Lobby State Government Industry for policy change.

Pillar 2 - Marketing & Promotion

- Market and promote the area for business investment
- Market and promote the area for tourism
- Market and promote the local lifestyle

Pillar 3 - Infrastructure

- Ensure future supply of housing and services land for development
- Invest and develop community infrastructure
- Support tourism infrastructure development

Pillar 4 - Facilitating Growth

- Provide a supportive planning environment and support other local regional growth initiatives.
- Support other local and regional growth initiatives

Major Achievements for the FY22/23 include:

- The DAMA agreement in place has seen 18 applications for endorsement by businesses. 16 endorsed applications have gone to labour agreements with the Department of Home Affairs. 72 nominations (over the 5 years). This does not include any future variations). 45 nominations for year 1 with the most nominated occupations being Childcare Workers, Car Detailers, Retail Supervisors.
- An internal grants register has been created to track grant opportunities and applications across departments.
- The Town supported several events including Beef and Beer, Scribblers Festival, Hedland Carols – C3 Church and A collaborative calendar to represent Reconciliation Week. In 2024, ToPH intends to be involved in the following, Naidoc Concert, Odyssea Community arts Projects, Spinifex Spree Festival with Pavillon focusing on arts and culture. The town intends to engage with local NFPs to create a community based engaging space.
- The Town supported a community led events as part of the South Hedland Activation including Yoga, and the South Hedland Street Art Festival, in collaboration with Spinifex Hill Studios.
- A refreshed Business and Industry Partnership Plan has been developed to help major industry to support community infrastructure and a social Investment framework will be completed in Q3 23-24.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because it addresses action achieved against a plan that involves the Hedland community and promotes economic growth.

CONSULTATION

Internal

- The following business units provided input into the progress report:
 - Town Planning and Development
 - Public Affairs
 - Human Resources
 - Infrastructure/Projects Services

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

All WA local governments are required to plan for future through adoption of strategic documentation under the Integrated Planning and Reporting Framework (IPRF).

The Economic Development and Tourism Strategy can be considered an important supporting document to the Town's Strategic Plans.

FINANCIAL AND RESOURCE IMPLICATIONS

All costs associated with the Economic Development and Tourism Strategy with the implementation of actions within the Economic Development and Tourism Strategy were approved through the relevant directorates' 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 Economy:

2.1.1 Lobby State and Federal Governments and private sector for improved infrastructure investment.

2.1.2 Lobby State Government and industry for policy change.

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.

2.1.5 Encourage and support the development of industry specific value chains.

2.2.1 Engage and coordinate local training providers, business, industry, services, agencies, social sector, and infrastructure providers in the development of training and employment opportunities.

2.2.2 Maintain strong partnerships with the private sector and government to fund

projects and pursue job creation.

2.2.3 Encourage innovation and new business creation to enhance the diversity of employment opportunities.

2.2.4 Promote and support broader education and training options.

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

2.3.1 Provide regular learning opportunities to enhance local business management skills and knowledge to enhance business performance.

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

2.3.3 Prioritise, encourage, and promote local procurement.

2.3.4 Ensure business approval processes are transparent, and pathways streamlined.

2.3.5 Identify opportunities for new social enterprises, innovators, and small and medium-sized businesses and implement strategies to attract and support them.

2.4.1 Market and promote Hedland for business investment opportunities.

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

2.4.5 Promote major economic achievements and contributions to the Hedland economy at local, regional, state, national and international levels.

2.5.1 Pursue investment in key infrastructure development such as the port, airport, service industry and logistics.

2.5.2 Ensure future supply of housing and serviced land for development.

2.5.3 Invest and develop key community and recreation infrastructure.

2.5.4 Improve public transport services and frequencies throughout both residential and industrial estates, especially after hours.

2.5.5 Support tourism infrastructure development

2.5.6 Support regional growth initiatives.

Environmental

- Nil

Economic

- As outlined in the Progress Report

Social

- Implementation of the Economic Development and Tourism Strategy improves the economic operating environment across the Town, providing additional services and amenity to local residents and improving overall liveability.

Access and Inclusion

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

- Outcome 4 – Quality of Service

Corporate Business Plan

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

Our Regulatory Services:

- 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’
- Housing - Provide for housing availability to meet the needs of the community and industry
- Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance Reputational
Cause	If the Economic Development and Tourism Strategy is not effectively implemented and reported on, this may result in disengagement from investors, local businesses, and strategic partners.
Effect (Consequence)	Inefficiency in the monitoring and reporting of this strategy will negatively impact the diversification of the local economy and increase the reliance on the resource sector causing a rise in the cost of living which will affect the wider Hedland community.
Risk Treatment	Effective implementation and reporting on the Economic Development and Tourism Strategy.
<p>There is an Operational risk associated with this item caused by not efficiently implementing the strategy, leading to negative effect on the local economy. The risk rating is considered to be Low (4) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).</p> <p>This risk will be mitigated and reduced by the continued implementation, monitoring and progress reporting on the Town of Port Hedland's Economic Development and Tourism Strategy.</p>	

OPTIONS

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

CONCLUSION

The Town of Port Hedland Economic Development and Tourism Strategy 2022 is a strategic planning document that provides a long-term vision, aspiration and priorities and commits to 'building prosperity for all – enabling sustained economic growth.'

ATTACHMENTS

1. 22-23 Progress Report - E D& T [**12.3.1.1** - 5 pages]

12.3.2	Port Hedland Visitor Centre - Quarterly Review - Quarter 1: July - September 2023
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Author: Senior Economic Development Officer
Authorising Officer: Manager Planning & Economic Development
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

Caretaker Statement

a. "The recommended decision is not a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections - Caretaker Policy'."

OFFICER'S RECOMMENDATION

That Council receives the quarterly report from the Port Hedland Seafarers' Centre Inc. for the management of the Port Hedland Visitor Centre for the first quarter, July – September 2023.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the financial and general operational report of the Port Hedland Visitor Centre, managed by the Port Hedland Memorial Seafarers' Centre Inc. for the first quarter from July – September 2023. More specifically, this report addresses the reporting requirements outlined in clause 24.2 of the Management Agreement between the Port Hedland Memorial Seafarers' Centre Inc. and the Town of Port Hedland.

DETAIL

The contract for the management of the Port Hedland Visitor Centre was agreed between the Town of Port Hedland and Port Hedland Seafarers' Centre Inc. for the period 1 July 2019 to 30 June 2021 with a further three x 12-month extension options. Council has exercised all three of these extension options. Council at the 29 November 2023 Ordinary Council Meeting agreed to vary the current contract by extending the third further term from 12 months to 16 months. The current management contract will end on 30 October 2024.

Under clause 24.2 of the agreement, Port Hedland Seafarers' Centre Inc. is to provide the Town with a quarterly report, including the following:

- Income and expenditure
- Marketing and communication activities undertaken
- Service Providers; and
- Maintenance and capital expenditure.

Desired outcomes of the agreement with the Port Hedland Memorial Seafarers' Centre Inc. are as follows:

- A friendly and professional face to face welcome to visitors with a consistently high quality, free information service to provide visitors to Port Hedland with insights into the region and distribute information about tourist product available in the region.
- A comprehensive range of local, regional and state-wide brochures, maps and directional information both in hard copy and available electronically.
- Information and booking service for accommodation and tours.
- Information on attraction, events, retail outlets, local services, road conditions and transport options.
- A web presence and digital strategy to educate and attract visitor to the local area.
- High quality customer service to visitors of the Visitor Centre.
- A focus on continuous improvement and service growth at the facility.
- A safe, clean and hygienic environment for staff, customers and other visitors.
- Strong, accountable financial management; and
- Clear concise, accurate quarterly reporting on the operations of the facility.

The annual Key Performance Indicators for the facility will be assessed at the end of the fourth quarter and are as follows:

- 15,000 visitors supported through the Visitor Centre.
- 1,000 people hosted on formal tours operated through the Visitor Centre.
- Gold/A1 Tourism accreditation maintained (or equivalent).
- Development of a web presence and digital strategy to educate and attract visitors to the local area.
- Development and distribution of up to date tourism documents promoting Port Hedland and the Pilbara region; and
-
- Execution of a program to greet and engage Cruise Ship visitors that also engages local businesses and community organisations.

Please note that the Council at the 29 November Ordinary Council Meeting agreed, as part of the variation to the management agreement, to include a key performance indicator relating to hours of operations. Reporting on this Key Performance Indicator will be included in future reports.

The attached quarterly report outlines the progress made by the Port Hedland Memorial Seafarers' Centre Inc. in the period July – September 2023. The operational cost of the facility was reported to be within the parameters laid out in the management contract.

A summary of key achievements for the first quarter are noted below:

- Successful continuation of Wedge Street Footpath Markets with 1,800 people estimated to have attended the markets in July.
- For this quarter, the Visitor Centre facilitated a total of 117 Seafarers Harbor Tours with a total of 1,896 participants and 1,220 participants on Twilight Industry (Port) Tour and Salt Industry Tours. Overall, the tours achieved a total

attendance of 3,116 participants consisting of 699 adults (22.4%), 2280 seniors (73.2%) and 137 (4.4%) children.

- An impromptu visit from Premier Roger Cook
- Total of 13,034 welcomed to the Centre during the reporting period.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

- Director Regulatory Services
- Manager Planning and Economic Development

External Agencies

Nil

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

There are not legislative or policy considerations for this report.

FINANCIAL AND RESOURCE IMPLICATIONS

The management fee for the Port Hedland Visitor Centre was approved in the Town's FY2023/24 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:

- 1.2.1 Newcomers to Port Hedland are provided with inductions, information and opportunities to engage and get involved.
- 1.4.4 Community services and facilities are well promoted

Our Economy:

- 2.4.2 Market and promote Hedland for tourism.
- 2.4.4 Market and promote the local lifestyle of the Hedland community

Our Leadership:

4.3.1 High-quality and responsive customer service is provided.

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

Environmental

The Port Hedland Visitor Centre promotes and engages visitors and locals on the natural and environmental tourism opportunities in and around Port Hedland, such as reef walking tours and turtle observations.

Economic

The economic benefits from having a well-managed Visitor Centre include developing a positive narrative about the town and attracting visitors to the region and increasing length of stay and visitor expenditure in the community.

Social

Nil

Access and Inclusion

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

- Outcome 2 – Buildings and Facilities
- Outcome 3 – Accessible Information
- 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 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	Perception that the Town has not performed its commitment to provide visitor services to tourist and the community.
Effect (Consequence)	Dissatisfaction among visitors and stakeholders, service disruptions, and a negative impact on the Town’s reputation and relationship with the community.
Risk Treatment	Council supports the officer’s recommendation.

There is an operational risk associated with this item caused by the perception of a lack of commitment to the provision of visitor services, leading to dissatisfaction among visitors and other stakeholders.

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 mitigated 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

This report is provided to inform Council of the financial and operation progress made by Port Hedland Memorials Seafarers' Centre Inc. from June – September 2023 in its role as manager of the Port Hedland Visitor Centre.

ATTACHMENTS

1. July - Sept 2023 - To PH Quarterly Report [**12.3.2.1** - 12 pages]
2. Att 1 - July to Sept 2023 Facebook insights [**12.3.2.2** - 6 pages]
3. Att 2 - July to Sept 2023 website analytics [**12.3.2.3** - 5 pages]
4. Att 3 - Visitor Comments July to Sept 2023 [**12.3.2.4** - 7 pages]

12.3.3	Initiation of Amendment Number 5 to the Town of Port Hedland Local Planning Scheme No.7 – Reclassification of Land in South Hedland
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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.

Caretaker Statement

a. "The recommended decision is not a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections - Caretaker Policy'."

OFFICER'S RECOMMENDATION

That Council:

- 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.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider adoption of a proposed Amendment No. 5 to the Local Planning Scheme No. 7 (LPS 7) for the purposes of advertising.

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 1**.

On 29 November 2023, Council supported the initiation of advertising of proposed road dedications and closures, and the creation of Crown land subdivisions within the subject land. The intention is to rationalise the lot boundaries affecting various Crown lots within the north-west portion of South Hedland including land adjacent to the SHISH masterplan area to facilitate and manage future land development within the area.

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

The Amendment Report at **Attachment 2** provides a detailed explanation of the proposed amendment and its justification and **Attachment 3** includes the proposed mapping changes.

Statutory Implications**Planning and Development Act 2005:**

Clause 75 Amending scheme:

A local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, 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 Proposed scheme or amendment to be referred to the Environmental Protection Authority (EPA).

When a local government resolves to prepare or adopt a local planning scheme, or an amendment to a local planning scheme, the local government is to forthwith refer the proposed local planning scheme or amendment to the EPA by giving to the EPA –

- a) Written notice of that resolution; and*
- b) Such written information about the local planning scheme or amendment as is sufficient to enable the EPA to comply with section 48A of the EP Act in relation to the local planning scheme or amendment.*

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

Under the LPS Regulations, the amendment is considered 'standard', and to progress it, the Council must prepare an amendment to the local planning scheme. The amendment must be referred to the EPA and then advertised to the public in accordance with the LPS Regulations.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because LPS 7 provides an overarching framework within which land use related decisions are made and is consistent with the principles of orderly and proper planning and is largely aligned with the general principles and broader vision set under the strategic framework for the area.

CONSULTATION

Internal

Should Council resolve to advertise the amendment, internal referrals will take place, with at a minimum:

- Infrastructure Services (Engineering);
- Environmental Health Services; and
- Rates

External Agencies

Prior to advertising, Amendment No. 5 is required to be referred to the EPA under section 81 of the Planning and Development Act 2005, for the EPA for assessment under Section 48A of the Environmental Protection Act to determine whether an environmental review is required. Given the nature of the proposed amendment, an environmental review is unlikely to be required, however, advertising cannot be undertaken until written notification advising this has been received from the EPA to confirm this.

Should Council resolve to advertise the amendment, notice will be provided to any public authority the Town considers will be affected by the amendment.

Community

Should Council resolve to advertise the amendment, engagement will take place as required under the LPS Regulations and will include public advertising for a (minimum) period of 42 days and consisting of:

- Publication of a public notice in a newspaper circulating in the scheme area;
- Display of a copy of the notice in the Town administration offices, at each library and on the Town website;
- Display of a copy of the scheme amendment documentation for public inspection;
- Providing the notice to any public authority the Town considers will be affected by the amendment; and
- Providing the notice to any landowners whose property is considered to be directly affected by the amendment.

Submissions received during the public advertising period will be presented back to Council for its consideration.

LEGISLATION AND POLICY CONSIDERATIONS

- *Planning and Development Act 2005*
- Planning and Development (Local Planning Schemes) Regulations 2015
- Town of Port Hedland Local Planning Scheme No. 7
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7)

FINANCIAL AND RESOURCE IMPLICATIONS

Any costs associated with advertising Scheme Amendment 5 will be funded through the Regulatory Services operating 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:

1.4.1 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:

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 the amendment
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

The Amendment 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. It is recommended that Council resolve to adopt the proposed Scheme Amendment No. 5 for the purpose of public advertising.

ATTACHMENTS

1. SHISH Masterplan [**12.3.3.1** - 1 page]
2. Scheme Amendment No. 5 - Report [**12.3.3.2** - 17 pages]
3. Scheme Amendment No. 5 - Mapping [**12.3.3.3** - 2 pages]

12.4 Infrastructure Services

12.4.1	Port Hedland West End Flood Pumps
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Author: Graduate Engineer
Authorising Officer: Manager Infrastructure Projects & Assets
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

Caretaker Statement

a. "The recommended decision is not a 'Major Policy Decision' within the context of Council Policy 4/006 'Elections - Caretaker Policy'."

OFFICER'S RECOMMENDATION

That Council:

- 1. Acknowledges and endorses an application for grant funding under the Federal Disaster Ready Fund round 2 in support of the proposed project to refurbish/replace the Gilbert Street flood pumps and corresponding infrastructure;**
- 2. Approves the allocation of \$500,000 in the FY 2024-2025 Drainage Renewal Program to fund the proposed flood pump project if the grant application is successful.**
- 3. Authorizes the Chief Executive Officer to provide a supporting letter to the grant submission, detailing the Town's commitment of \$500,000 to the project if the grant is successful.**

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to seek Council acknowledgement and endorsement of an application for grant funding to the Federal Government Disaster Ready Fund – Round 2 in support of a proposed project to refurbish the Gilbert Street flood pumps and infrastructure. The grant application will require a commitment of \$500,000 from the Town's capital works program FY 2024-2025 if successful.

DETAIL

The Disaster Ready Fund (DRF) is an Australian Government initiative to deliver funding to projects that support natural disaster resilience and risk reduction. The DRF is administered by a lead agency in each State and is represented in Western Australia by the Department of Fire and Emergency Services (DFES). Round two funding applications for the DRF opened on 22 January 2024 and will close on 20 March 2024.

During November 2023, the Town submitted an expression of interest to DFES to consider the refurbishment of the Gilbert Street flood pumps and associated infrastructure as a project for inclusion on round two of the DRF funding. DFES has confirmed that the Town's submission meets the criteria for the grant funding and that the Town is now eligible to submit a proposal. A condition of the application is that the Town makes a commitment to match grant funding on a dollar-for-dollar basis.

The Gilbert Street flood pumps and surrounding infrastructure require refurbishment and/or replacement to meet ongoing operational flood contingency. The works have an estimated rough order of magnitude cost of \$1m. Therefore, if the grant application were to be successful, the Town will be required to commit \$500,000 to the project. Notwithstanding the outcome of the grant application, the refurbishment of the Gilbert Street pumps, and infrastructure will be presented to Council for consideration of inclusion in the 2024-2025 capital works program.

This report seeks Council endorsement of the grant application. The report also seeks authority for the Chief Executive Officer to provide a letter of support committing to the funding of \$500,000 if the grant is successful.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- *Director infrastructure Services*
- *Manager of Infrastructure Projects & Assets*
- *Senior Project Engineer*

External Agencies

- *Pilbara Port Authority*
- *Main Roads WA*

LEGISLATION AND POLICY CONSIDERATIONS

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

- 9/010 Asset Management
- 2/019 Financial Reserves
- Local Government Act 1995
- Local Government (functions and Genral) Regulation 1996

FINANCIAL AND RESOURCE IMPLICATIONS

- The National Emergency Management Agency (NEMA) will cover 50% cost by funding this project and Town will cover the remaining 50%.

If the Town is unsuccessful in the grant application, then the Town will fund the entire amount required for the project. The estimated cost of the project is \$1 million, and this will be funded from the Drainage renewal account.

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.

1.1.6 Town-wide health, safety, recreation and sporting activities and services are promoted.

1.4.2 Facilities and community infrastructure are revitalised across the town

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

Environmental

The pumps provide necessary protection for the West End in heavy rainfall events. The project once completed will ensure the protection of properties and assets in the West End.

Economic

Damage to properties and associated assets can have a large economic impact on the Town. This project will ensure an appropriate level of risk management is in place to ameliorate economics effects of a heavy rainfall event.

Social

Nil

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

Our Infrastructure Services:

Projects and Assets - Effective and efficient project and asset management
 Drainage - Drainage systems that provide effective disposal of stormwater to protect community and Town assets

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Financial Environmental
Cause	Natural Disaster
Effect (Consequence)	Failure of all three flood pumps during the recent rainfall event resulted in significant flooding causing substantial damage to the Town’s asset
Risk Treatment	To upgrade the pumps along with the associated structure to safe town from natural disaster in future
<p>There is a Project, risk associated with this item caused by natural disaster, leading to significant flooding and damage the town asset.</p> <p>The risk rating is considered to be Medium (9) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>This risk will be eliminated by the refurbishment/replacing of these pumps and associated infrastructure is paramount to ensuring the safety and resilience of our town against future natural disasters.</p>	

OPTIONS

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

CONCLUSION

The Gilbert Street Flood Pumps and supporting infrastructure requires significant refurbishment to maintain ongoing functionality. If successful, this grant provides the Town with an opportunity to conduct the necessary works on the pumps and infrastructure with a significant commitment of Federal funding.

ATTACHMENTS

1. Application- DRFEO I 24-0038 (004) [**12.4.1.1** - 4 pages]

12.5 Executive Services

Nil

13 New Business of an Urgent Nature (Late Items)

Nil

14 Motions of Which Previous Notice has been given

14. 1 I, Lorraine Butson, hereby submit this notice of motion to the CEO of the Town of Port Hedland, for the 7 February 2024 Ordinary Council Meeting, to consider the following:

MOTION

That Council endorse a vote of NO confidence in the Mayor Peter Carter.

SIMPLE MAJORITY VOTE REQUIRED

Officer Comment:

A Councillor may move a motion of which previous notice has been given under clause 5.4 *Standing Orders Local Law 2014* and the Council may resolve to support the motion. There is no power under the *Local Government Act 1995* (the Act) for the Council to remove the Mayor from office and the Council decision would have no legal effect on the position or role of the Mayor.

The Mayor is appointed by electoral processes under the Act and the role of the Mayor is defined by section 2.8 of the Act. It is not open to the Council to restrict or constrain the Mayor from fulfilling the statutory role as defined by the Act.

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 28 February 2024 commencing at 5:30 pm.

16.2 Closure

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