



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 26 March 2025**, commencing at **5:30pm**.

MEETING AGENDA ATTACHED

Yours faithfully

A handwritten signature in black ink that reads "Mark Dacombe".

Mark Dacombe

Interim Chief Executive Officer

21/03/2025

DISCLAIMER

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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

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

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 Camilo Blanco
Cr Lorraine Butson
Cr Adrian McRae
Cr Ambika Rebello

Scheduled for Attendance:

Mark Dacombe (Interim Chief Executive Officer)
Stephen Leeson (Director Corporate Services)
Alison Banks (Director Community Services)
Kylie Davies (Director Regulatory Services)
Lee Furness (Director Infrastructure Services)
Tom Kettle (Manager Governance)
Rhiannon Smith (Governance Support Officer)
Belinda Yull (Governance Support Officer)

3.2 Attendance by Telephone / Instantaneous Communications

Nil

3.3 Apologies

Nil

3.4 Approved Leave of Absence

Nil

3.5 Disclosures of Interest

Name	Item No	Interest	Nature

4 Applications for Leave of Absence

Nil

5 Response to Previous Questions

5.1 Response to Questions taken on notice from Elected Member at the Council Meeting held on 5 March 2025

5.1.1	Cr Butson
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- Could I please have details of the enquiry submitted by Councillor Blanco at the meeting on the OCM on the 27th and the OCM in February? As the requirement under section 5.2(1) of the Local Government Act, per the requirements of the original request.*

Governance Note: Clarification sought at AFS - relates to the meetings attended at Regional Capital Cities Alliance in the Mayor's calendar of meetings. Response to be provided to the council.

5.1.2	Cr McRae
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- I attended the State Administrative Tribunal. The SAT, the Open court hearing between the Town of Port Hedland and Councillor Blanco on the 21st of Feb and I saw the Town's engaged the law firm McLeods to represent the staff involved in this matter without Council approval now. Councillor Blanco*

requested legal representation in October and November OCM's last year for this matter and it was refused because he was advised that he needed to fill in some documentation and seek Council approval. First question is, why hasn't the town requested authority from the Council to get legal representation the same as you require from Council Blanco?

The Manager Governance provided the following response:

The CEO was required to report the failure of Councillor Blanco to comply with an order of the DLGSC Standards Panel under to the SAT under section 5.118(1) of the Act. The CEO is able to procure professional services subject to budget availability. Town Policy 1/009 Legal Representation for Council Members and Employees requires a written application. Councillor Blanco was advised of this in October and November 2024 and no written application has been received at this time.

2. Why did the Town's legal team demand that Councillor Blanco pay for the administration's flights from Port Hedland to Perth when the judge had already issued orders that all parties could attend the hearing online?

The Manager Governance provided the following response:

A Town Officer was required to be present to support and instruct the Town's legal representative. The Town's Interim CEO was in Perth on Town business and attended in the public gallery. The SAT reserved consideration of costs.

3. *As a new Council Member I kind of need to understand why is there an apparent discrimination towards council members that ratepayers funds can be spent on defending the actions of the administration without Council approval, yet elected members defending and supporting the rights of the Hedland people are required to use their own funds to defend the people's position.*

The Manager Governance provided the following response:

The Town is not defending any actions in this matter. The CEO was required to report this matter to the SAT. Town Policy 1/009 Legal Representation for Council Members and Employees provides a framework for individual Councillors or Employees to apply for legal representation. Councillor Blanco was advised of this in October and November 2024 and no written application has been received at this time.

5.1.3	Cr Blanco
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1. *I'd like to request that the Town engage with Degrey Station, the State and Federal Government in relation to the direct hit and damage created by Cyclone Zelia. To see if they are eligible to receive cyclone relief funding from the State and Federal government towards the station and more importantly the access road from the highway to the station. Also, the fencing damage adjoining the*

property to #1 Highway. This is obviously a safety issue That affects all users of that road. Can I also get a understanding into our works program that does or does not exist for our pastoralists, access roads and works to their access road to their homestead. Also, whether we can help them with any federal funding that may be out there, relief funding. It was a severe category cyclone, so I think we are eligible to get funding to help them out in that area.

The Director Infrastructure Services provided the following response:

All roads on Pastoralist leases are not the responsibility of the Town and under the individual pastoral lease agreements, maintenance of access roads, fire breaks and fencing are the responsibility of the lease holder. The Town is happy to provide maintenance on a fee for service basis. The Town has on occasion undertaken emergency works to open roads and assist with fire response and other emergency situations.

The Director Regulatory Services provided the following response:

The following support has been provided by our Emergency Management team:

- Scrap Bin Collection: we have coordinated with the waste management company to arrange the collection and delivery of new bins to assist with post-cyclone cleanup. This has now been completed.
- Fencing Along the Great Northern Highway: Ensuring livestock containment remains a priority. We have been in contact with BlazeAid, a volunteer-based organisation that supports rural communities with fencing after natural disasters, to assess its suitability for Degrey Station.

Additionally, we are exploring alternative solutions to expedite this process. In the meantime, we are working with Main Roads to raise public awareness about stray livestock along the Great Northern Highway while fencing arrangements are being finalised.

- 2. I also want to ask if we have received any response from the Prime Minister's Office, the Premier's office, the Health Department, on Councils approved motion about the COVID-19 vaccine. Have we had any interaction with any government agencies in respect to that?*

The CEO provided the following response:

No response has been received from a State or Federal Government Office.

- 3. I've asked a few times about the Port Hedland flood pumps. Now I've got some answers, they said that we have sent out the tender and it would take some time to get that sorted. But we were also told that the flood pumps were operating, and they are checked. Now in Cyclone Zelia on the 14th of February, Channel 7 and did a story about a car stuck on a corner and the street was*

flooded. Now McKay Street, which is where that car was shown to WA on the 7News, is the catchment area for the flood pumps. So, can I get an explanation as to what went wrong and why the flood pumps weren't working considering? You know that area was underwater again.

The Director Infrastructure Services provided the following response:

The Town was not aware of large-scale flooding in the West End. The Town activated the Pumps as well as putting a generator on site to ensure they operated throughout the event. A staff member was allocated to monitor the pumps during the cyclone event. I can make no comment on the Seven News report, but cars underwater were not reported to the Town. Two pumps were working at all times during the event.

- 4. Can I get an understanding as to whether the three pumps are working or whether we were only operating on one?*

The Director Infrastructure Services provided the following response:

Three pumps were operating at the start of the event. One pump was deemed to not be working as it should and was shut down. Two pumps were working at all times during the event. The system is designed to have one pump as a backup pump.

5.2 Response to Questions taken on notice from Public at the Council Meeting held on 5 March 2025

5.2.1	John Ashenden
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- 1. I asked a number of questions at the last meeting regarding rates and stuff and I received replies. I have three more questions regarding it tonight. Your response to one of the questions states that rates are calculated based on GRV and that the emergency service levy is collected for the DFES. However, you have not provided a clear itemised breakdown of where general ratepayer funds go. Can the Council provide a detailed financial breakdown showing how much is spent on administration, infrastructure and services? A proper invoice should clearly state what the charges cover. Why should a ratepayer have to dig through a complex budget when this information should be clearly itemised on the rates notice itself. Like any legitimate invoice. My question is, can the Council provide the detailed financial breakdown?*

The Director Corporate Services provided the following response:

The Town of Port Hedland's 2024-2025 annual budget is available online:

<https://www.porthedland.wa.gov.au/documents/4411/town-of-port-hedland-annual-budget-2024-25>

The Statement of Financial Activity on page 14 best describes by prescribed category, all operating and capital revenue / expenditures and other source funding.

Notes notices do not publish in the manner suggested, unlike tax notices. I am available to meet with Mr Ashenden to address his queries personally.

2. *On the on the legality of rates and the lack of a contract, your response states that the Council collects rates under the Local Government Act 1995. However, as local government is not recognized in the Commonwealth Constitution. Does the Council acknowledge that it derives its power solely from state legislation and operates under the assumption of implied consent, rather than a legally binding contract? If not, can you provide evidence of a legally binding agreement between the rate payer and the Council?*

The Director Corporate Services provided the following response:

An answer has already been provided. We have differing opinions.

3. *Challenging the GRV valuations and Council responsibility, since the GRV is determined by Landgate and plays a major role in calculating rates, what does the Council have in place to verify that Landgate valuations are fair and accurate? Additionally, if a ratepayer challenges their GRV and wins, does the Council automatically adjust the rates charged? Or is there a delay in applying this correction?*

The Director Corporate Services provided the following response:

Landgate are responsible for the legitimacy of their valuations.

Yes, any adjustments made by Landgate in GRV amounts are backdated by the Town and revised rates notices issued.

5.2.2	Roger Higgins
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1. *Mr. Mayor, I have been to quite a number of meetings, as you're well aware I asked a number of questions over a period of time. I think we've just had another example of how you answer questions, you take them on notice. Now as the head of of this elected body here, you as Mayor should be across the detail of all sorts of things. But you are incapable of giving sensible answers at these meetings. We have to wait a period of time before we get any notices. Can you explain why it is that you do this all the time?*

Governance provided the following response:

The Town of Port Hedland Standing Orders Local Law 2014 - Part 6 - Public Participation 6.7(7) If, in the opinion of the Presiding member, a question requires further research or cannot be answered satisfactorily at the meeting-

- (a) the Presiding member may determine that the question is to be treated as correspondence or is to be taken on notice;

2. *Let me bring you back to some other questions last year that I asked, this concerned the former Deputy Mayor. In his role as the Director of Royal Life Saving up here, members who come here on a regular basis, as well as Council members will remember I asked why it was that there was at time it appeared \$231000 was dished out by the Council to Royal Life Saving. The first answer that I got when I asked a question back in May was that some \$231000 was dispensed and the reason that I was given at the time was for labour hire, purchased equipment, wrist bands and lifeguard training. Re-asked asked the question and then on July 17th 2024 got a reply which said that the amount wasn't \$231000 It was actually \$241660 and it was paid to Royal Life Saving between September 2022 to 31st of May 2024. Of that \$209,941 rounded up to \$210000 to make it easier to remember we paid for labor hire of lifeguards. I then asked the then former Deputy Mayor how many lifeguards Royal Life Saver saving actually employed and the answer was 0. Why has the administration delegated that amount of money to RLS?*

The Manager Governance provided the following response:

Royal Life Saving WA is a not-for-profit organisation and a key provider of water safety materials and equipment, programs, training and qualifications. Royal Life Saving WA has a labour hire function that operates out of their Perth office. The Town has procured a variety of these goods and services over the time period stated in line with Town Policy and delegation. The Town would request further information from Mr Higgins should he have concerns about a particular purchase.

5.2.3	Jillian Fisher
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1. *Page 69 of 236 pages also in the list of payments for environmental industries. There's two payments of the same amount, with the same title which is public open spaces maintenance for December 2024 to Environmental Industries Proprietary Ltd. Now I understand that they have a nearly \$500,000 contract per year for three years. But I'm just wanting to know why they've been paid twice. Is that administration issue?*

The Director Corporate Services provided the following response:

Each invoice is for a fortnight ending period in December 2024.

- INV34978 is fortnight ending 14/12/2024
- INV35042 is fortnight ending 28/12/2024

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 February 2025:

DATE	MEETING DETAIL	ATTENDANCE
04.02.2025	BHP/ToPH Catch-up	Mayor Peter Carter Mark Dacombe Patrik Melberg Rachel Donkin
12.02.2025	RCA Canberra – Feb 2025	Mayor Carter Senator Perin Davey
12.02.2025	RCA Canberra – Feb 2025	Mayor Carter Hon Matt Thistlethwaite MP
12.02.2025	RCA Canberra – Feb 2025	Mayor Carter Hon Catherine King MP
12.02.2025	RCA Canberra – Feb 2025	Mayor Carter Hon Dan Tehan MP
12.02.2025	RCA Canberra – Feb 2025	Mayor Carter Office of the Minister for Housing and Homelessness - Julie Ligetti – Chief of Staff - Jacob Kahane – Deputy Chief of Staff
12.02.2025	RCA Canberra – Feb 2025	Mayor Carter Hon Darren Chester MP
12.02.2025	RCA Canberra – Feb 2025	Mayor Carter Joanna Vaughan on behalf of Minister Bourke
18.02.2025	ToPH & BHP	Mayor Peter Carter Mark Dacombe Patrik Melberg Rachel Donkin Tim Day
20.02.2025	Pilbara Country Zone – Feb 2025	Mayor Carter Deputy Mayor Christensen Mark Dacombe Mayor Daniel Scott Cr Brenton Johannsen Ms Lee Reddell President Anthony Middleton Cr Wendy McWhirter-Brooks Mr Steven Harding President Audra Smith Cr Alana Sullivan Dr Gary Hunt PSM President Cr Karen Chappel Tony Brown

		Sam McLeod Chantelle O'Brien
28.02.2025	RCA Chair catch up	Mayor Carter Caryl Price Edwina Blackburn Rachael Sweeney

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 5 February 2025 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 5 March 2025 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

11.1.1	Minutes of the Audit, Risk & Compliance Committee Meeting held on 11 March 2025
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Author: Senior Audit, Risk & Insurance Advisor
Authorising Officer: Manager Governance
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER’S RECOMMENDATION
That Council receives the unconfirmed minutes of the Audit, Risk and Compliance Committee Meeting held on 11 March 2025.
SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to present the Unconfirmed Minutes of the Audit, Risk, and Compliance Committee (ARC Committee) meeting held on 11 March 2025, for Council's consideration.

DETAIL

Background

The Town's ARC Committee is a statutory body established under section 7.1A of the Local Government Act 1995. Its primary function is to assist the Council in fulfilling its governance and oversight obligations, specifically in the areas of financial reporting, internal controls, risk management, legislative compliance, ethical accountability, and internal audits.

11 March 2025 Meeting Overview

At its meeting held on 11 March 2025, the following items were considered:

11.1 Quarterly Internal Audit Log Review

The ARC Committee received an update on the progress of audit items, including those from the 2020-23 and 2023-26 Strategic Internal Audit Plans, with risk ratings assigned to facilitate task prioritisation.

11.2 Risk Register Review

The ARC Committee received the Quarterly Operational Risk Report. The report highlighted high and extreme residual risks and their status, which are to be reported to the ARC Committee in line with the reporting requirements defined in the Town’s Risk Management Framework.

11.3 2024 Compliance Audit Return

The ARC Committee noted the outcome of the 2024 Compliance Audit Return and recommends Council adopt and authorise the Mayor and Chief Executive Officer to sign and submit the Town's Compliance Audit Return to the Department of Local Government, Sport and Cultural Industries by 31 March 2025.

11.4 Asset Management Framework Progress Report

The ARC Committee received the progress report on the Asset Management Framework.

11.5 2024-2025 Quarter 2 Procurement Report on Panels Usage

The ARC Committee noted nil identified non-compliance with Policy 2/022 Panels of Pre-Qualified Suppliers for Quarter 2 Financial Year 2024-25.

11.6 Enterprise Resource Planning Implementation Progress Report

The ARC Committee received the progress report on the Enterprise Resource Planning Implementation Project.

14.1 Confidential Item – Town Debtors

The Committee recommended Council receive the report on Town Debt and write off \$15,163.74 in Rates debtors.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is of medium significance, due to the deliberation on financial and governance matters during the meeting. These discussions bear significance on the Town's ability to meet its compliance obligations and manage its finances.

CONSULTATION

Internal

- ARC Committee
- Chief Executive Officer
- Director Corporate Services
- Manager Governance
- Manager Financial Services
- Senior Audit, Risk and Insurance Advisor
- Manager ERP Project

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

The ARC Committee's functions, powers, and membership are governed by its Terms of Reference.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Leadership:

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

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

Environmental

Nil

Economic

Nil

Social

Nil

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Corporate Services:

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

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

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	Not reporting to Council
Effect (Consequence)	Non-compliance with best practice principles
Risk Treatment	Council receives the minutes from the 26 November ARC Committee Meeting.
<p>There is an operational risk associated with this item caused by not reporting the activities of the ARC Committee to Council which could lead to non-compliance with best practice principles and to an extent Standing Orders Local Law 2014.</p> <p>The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).</p> <p>This risk will be eliminated by reporting the minutes of the ARC Committee to the Council for their consideration.</p>	

OPTIONS

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

CONCLUSION

This report presents the Unconfirmed Minutes of the Audit, Risk, and Compliance Committee meeting held on March 11, 2025, for Council’s review. The ARC Committee, established under section 7.1A of the Local Government Act 1995, assists Council with governance, oversight, and compliance matters.

Key discussions from the meeting included the Audit, Risk and Compliance Committee – Quarterly Internal Audit Log Review, Risk Register Review, 2024 Compliance audit Return, Asset management Framework Progress Report, 2024-2025 Quarter 2 Procurement Report on Panels Usage, Enterprise Resource Planning Implementation Progress Report and Confidential Item – Town Debtors.

ATTACHMENTS

1. Unconfirmed Minutes for the Audit, Risk & Compliance Committee meeting held 11 March 2025 [**11.1.1.1** - 55 pages]

11.1.2	2024 Compliance Audit Return
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Author: Senior Audit, Risk & Insurance Advisor

Authorising Officer: Manager Governance

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

COMMITTEE RECOMMENDATION

That Council:

- 1. Notes the outcome of the 2024 Compliance Audit Return;**
- 2. Notes the actions the Town will undertake to ensure future compliance;**
- 3. Adopt the 2024 Compliance Audit Return; and**
- 4. Authorise the Mayor and Chief Executive Officer to sign and submit the Town's Compliance Audit Return 2024 to the Department of Local Government, Sport and Cultural Industries by 31 March 2025.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for the Council to consider the Town's 2024 Compliance Audit Return (CAR) and the Audit Risk and Compliance Committee (ARC Committee) recommendation from the 11 March 2025 ARC Committee meeting.

DETAIL

Annually, every Local Government Authority in Western Australia is required to perform a compliance audit for the preceding calendar year and submit the results to the Department of Local Government, Sport, and Cultural Industries (DLGSC) by March 31. The Compliance Audit Return (CAR) is a self-assessment tool that assesses the local government's compliance with the *Local Government Act 1995* and its subsidiary regulations.

The ARC Committee is required to review the CAR, present its findings to Council for adoption, and recommend the Council authorise the Mayor and Chief Executive Officer sign and submit the CAR to the DLGSC by the statutory deadline of 31 March 2025.

The CAR serves as a tool used by the DLGSC to assess the operational compliance of local governments during the previous calendar year. Areas of identified non-compliance offer valuable insights, guiding officers in reviewing processes to enhance compliance standards.

Evidence based approach

The Town used an evidence-based methodology to complete the 2024 CAR. Management were assigned the responsibility of addressing questions pertaining to their specific business units. Following the receipt of their responses, the Audit, Risk, and Insurance business unit requested sample evidence to verify the accuracy of the provided information. The sample evidence was cited and validated to ensure the accuracy of the responses.

Where a question inquired if a document had been uploaded to the website as mandated by statutory requirements, the Audit, Risk, and Insurance business unit confirmed and validated that the Town had indeed fulfilled this obligation.

Analysis of compliance

For the 2024 calendar year, the Town of Port Hedland attained a compliance rate of 97%, inclusive of all 'Yes' and 'N/A' responses.

A summary of the 2024 CAR results are as follows:

Category	Yes	N/A	No	Total	Compliance
Commercial Enterprises by Local Governments	4	1		5	100%
Delegation of Power/Duty	13			13	100%
Disclosure of Interest	13	5	3	21	86%
Disposal of Property	2			2	100%
Elections		3		3	100%
Finance	6	1		7	100%
Integrated Planning and Reporting	3			3	100%
Local Government Employees	2	3		5	100%
Official Conduct	4			4	100%
Optional Questions	9			9	100%
Tenders for Providing Goods and Services	20	2		22	100%
Total	76	15	3	94	97%

Analysis of non-compliance

There were 3 instances of non-compliance for the 2024 calendar year.

The Town intends to address non-compliances over the 2025 calendar year. The CAR will be integrated into the compliance management system and responsible officers will be expected to provide routine updates.

Category	Reference	Question	Comments
Disclosure of Interest	S5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	There were a total of 14 Primary returns for new employees submitted late from dates 01/09/2023 - 31/08/2024. Weekly reminders are sent from Attain and followed up by Governance support staff. All forms were eventually lodged, however not within the 3 month date. Ongoing education via the governance staff is in place to educate staff on the need to complete their forms on time.
Disclosure of Interest	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2024?	There were 11 Annual Returns completed after 31 August 2024. All other employee returns were completed on time. Of the 11, 1 was completed in October 2024. All others were completed in September 2024 with the majority being in the first week of September. Employees are sent weekly reminders as well as being followed-up on by Governance Staff. Ongoing education into this process is being conducted, however with high staff turnover, there is still confusion regarding the need and regulations for annual returns.
Disclosure of Interest	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the <i>Local Government Act 1995</i> , did the CEO remove from the register all returns relating to that person?	This will be completed. This process is now in progress of being conducted - during the beginning of the year however, there was a lapse in the process. This has been rectified with all persons who have ceased employment now being removed from the register.

The draft version of the CAR was discussed at an ARC Committee agenda feedback session on 4 March 2025 with further discussion at the ARC Committee held on 11 March 2025. The item was passed 3/0 ARC Decision 202425/033.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, due to the potential consequences resulting from non-compliance, the potential impact on the Town's service delivery capabilities, the potential effect on the Town's reputation, and the general interest shown by the community in the compliance of the Town's business operations.

CONSULTATION

Internal

- ARC Committee
- Executive Leadership Team
- Strategic Leadership Team
- Director Corporate Services
- Senior Governance Advisor
- Principal Economic Development
- Audit, Risk & Insurance Support Officer
- Contracts Advisor
- Senior Corporate Performance Advisor

External Agencies

- Department of Local Government, Sport and Cultural Industries (DLGSC)

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

Regulation 14 of the Local Government (Audit) Regulations 1996 (Audit Regulations) requires that a CAR be completed and submitted to the Department by 31 March 2025.

14. Compliance audits by local governments

(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.

(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.

(3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.

(3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —

- (a) presented to the council at a meeting of the council; and*
- (b) adopted by the council; and*

(c) recorded in the minutes of the meeting at which it is adopted.

Regulation 15 of the Audit Regulations requires a joint certification to be completed by the Mayor and Chief Executive Officer. The document is to be forwarded to the Department via its online portal.

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

(1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with

(a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and

(b) any additional information explaining or qualifying the compliance audit,

is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.

(2) In this regulation — certified in relation to a compliance audit return means signed by —

(a) the mayor or president; and

(b) the CEO.

FINANCE AND RESOURCE IMPLICATIONS

There are no financial implications related to this item.

STRATEGIC SUSTAINABILITY IMPLICATIONS

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

Nil

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Corporate Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	ARC Committee failing to reach a resolution to recommend Council’s adoption of the 2024 CAR.
Effect	Non-compliance with Regulation 15 of the Local Government (Audit) Regulations 1996, which requires the Town to submit its CAR to the DLGSC by March 31.
Risk Treatment	<ul style="list-style-type: none"> • An analysis of non-compliance has been conducted, and strategies for improvement will be discussed with the Executive Leadership Team and individual business units to enhance compliance in the 2025 Calendar Year. • The ARC Committee has received detailed commentary on each non-compliance to provide context. • To mitigate the risk, it is essential for the ARC Committee to reach a resolution recommending the Council's adoption.
<p>There is a compliance risk associated with this item if the ARC Committee fails to reach a resolution to recommend Council’s adoption of the 2024 CAR. Such an outcome could result in non-compliance with Regulation 15 of the Local Government (Audit) Regulations 1996, which requires the Town to submit its CAR to the DLGSC by March 31.</p> <p>The risk rating is considered Medium (6) determined by a likelihood of Possible (3) and a result of Minor (2).</p> <p>This risk will be mitigated by the ARC Committee resolving to recommend Council’s adoption of the 2024 CAR.</p>	

OPTIONS

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

CONCLUSION

The CAR is an obligatory requirement imposed on all local governments for statutory compliance. It serves as a tool for the Town to assess its procedures, ascertain compliance, and relay the review outcomes to the DLGSC. The ARC Committee is advised to recommend that Council adopt the 2024 CAR.

ATTACHMENTS

1. 2024 Compliance Audit Return Questions [**11.1.2.1** - 12 pages]

12 Reports of Officers

12.1 Corporate Services

12.1.1	Statement of Financial Activity - February 2025
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Author: Revenue & Treasury Officer

Authorising Officer: Director Corporate Services

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

OFFICER'S RECOMMENDATION

That Council:

- 1. Receive the Monthly Financial Report for the period ended 28 February 2025;**
- 2. Note the Accounts paid under delegated authority for the period ended 28 February 2025 as shown in attachment 2;**
- 3. Receive the Purchasing Card statements for the period ended 28 February 2025, as shown in attachment 3;**
- 4. Receive the Investment Summary Report for the period ended 28 February 2025, as shown in attachment 4;**
- 5. Receive the YTD Budget v Actual Report by Directorate, as shown in attachment 5; and**
- 6. Receive the Capital Listing report for the period ending 28 February 2025, as shown in attachment 6.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to receive the Statement of Financial Activity for the period ended 28 February 2025. Supplementary information is also presented to provide further information regarding the Town's activities.

DETAIL

The information provided in this report is for the period ended 28 February 2025, with financial results included in Attachment 1. The preparation of the reports has been made in compliance with the *Local Government Act 1995 and* Financial Management Regulations.

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 2024-2025 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 \$8.37M presented in Year to Date Actual on the Statement of Financial Activity is as per the closing surplus of the audited June 2024 Financial Statements.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- *Nil*

External Agencies

- *Nil*

Community

- *Nil*

LEGISLATION AND POLICY CONSIDERATIONS

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

FINANCIAL AND RESOURCE IMPLICATIONS

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

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

Reserves:

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

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Leadership:

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Corporate Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial
Cause	There is an Operational, risk associated with this item due to a reduction in income or increase in expense throughout the 2024-2025 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 \$8.37M presented in the YTD Actual on the Statement of Financial Activity, is as per the closing deficit presented in the audited financial statements from June 2024. The net current funding position is \$61.81M due to the practice of raising rate revenue of \$76M in August.

ATTACHMENTS

1. Monthly Financial Report - Feb 2025 [**12.1.1.1** - 8 pages]
2. Accounts paid under delegated authority - Feb 2025 [**12.1.1.2** - 54 pages]
3. Purchasing Card statements without names - Feb 2025 [**12.1.1.3** - 31 pages]
4. Investment Summary Report - Feb 2025 [**12.1.1.4** - 10 pages]
5. YTD Budget v Actual Report by Directorate - Feb 2025 [**12.1.1.5** - 1 page]
6. Capital Listing report - Feb 2025 [**12.1.1.6** - 9 pages]

12.1.2 Section 3.16 Local Laws Review Public Consultation

Author: Senior Governance Advisor

Authorising Officer: Manager Governance

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

OFFICER'S RECOMMENDATION

That Council:

- 1. Notes the outcomes of the consultation of the Town's local laws under s3.16 of the Local Government Act 1995; and**
- 2. Notes proposals to amend local laws under s3.12 of the Act will be presented to the Council for consideration in due course.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for the Council to receive the outcome of public consultation on the Town's local laws as required by Section 3.16 of the Local Government Act 1995 (the Act).

DETAIL

The Town has 8 local laws in place:

- Animals, Environment and Nuisances Local Law 2016
- Bush Fire Brigades 2017
- Cemeteries 2015
- Dogs 2021
- Health 2016
- Parking 2015
- Public Places and Local Government Property 2016
- Waste 2020

At its meeting held on 27 November 2024 Council resolved to initiate the process required by s3.16 which entailed giving local public notice of the review and calling for comment from the public (CM202425/192).

CM202425/192 EN BLOC OUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council:

- 1. Gives local public notice stating that the Town proposes to review its local laws under s3.16 of the Local Government Act 1995;**
- 2. Notes that a copy of the local laws may be inspected or obtained at the Town offices or from its website;**
- 3. Advises that submissions about the local laws may be made to the Town before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and**
- 4. Notes that the results of the above advertising are to be presented to Council for consideration of any submissions received.**

CARRIED BY SIMPLE MAJORITY (6/0)

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

Notice was duly given for a 6 week period closing on 31 January 2025.

One submission was received in relation to several of the Town’s local laws and which is summarised as follows:

Local law	Summary of submission	Comment
Animals, Environment and Nuisances Local Law 2016	Current requirements in relation to how far chicken coops must be kept from house entry points need review. It is too difficult for residents on reduced block sizes to comply.	
	Small scale bee keeping should be encouraged.	Clauses 2.15 to 2.18 of the local law relate to the keeping of bees; the overall effect is that bees may be kept as long as they do not become a nuisance. These restrictions are not considered unreasonable.
	In relation to cats, the Town should: Support a cats de-sexing program;	The Town does not have a standalone cats local law in place. The current <i>Animals, Environment and Nuisances Local Law</i> has a relatively simple provision in it that deals with the

	<p>Undertake a widescale, heavily resourced and dedicated feral cat reduction program; and</p> <p>Require all cats to be contained/ confined</p>	<p>number of cats that may be kept by an owner or occupier of property without having to obtain a permit, being a maximum of:</p> <ul style="list-style-type: none"> • Three cats over the age of six months; or • Up to nine cats if the person is a member of a 'cat organisation' as defined in the <i>Cat Regulations 2012</i>. <p>The <i>Cat Act 2011</i> and its associated raft of accompanying regulations deal with de-sexing of cats. In particular, s18 of that Act requires cats that are over the age of six months must be sterilized unless an exemption applies.</p> <p>A widescale feral cat reduction program is considered beyond the Town's resources but could be considered in future budgets.</p> <p>Other local governments have tried unsuccessfully to introduce cat confinement local laws. Local laws are subject to review by Local laws are review by the WA Joint Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) who in the past have formed a view that local laws that seek to impose blanket cat confinement restrictions in applied across an entire district are beyond the head of power provided in the Cat Act.</p> <p>Instead, the JSCDL have advised that it may be possible to introduce local laws that restrict cats within a defined distance of a designated high value conservation area.</p> <p>That aside, if such a local law were to be made, enforcement the resources required to police such a restriction are considerable and beyond the Towns resources.</p>
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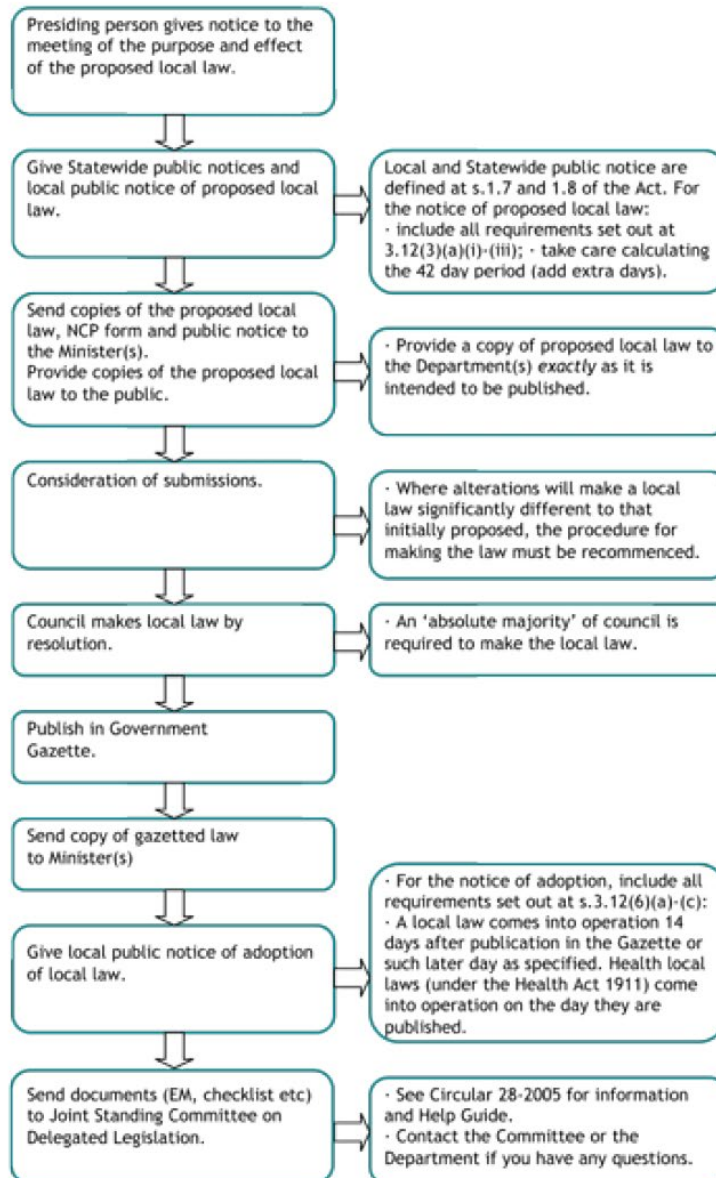
	<p>Mosquito fogging in residential areas should be discontinued and measures to educate the community about ways to better control mosquito breeding introduced instead.</p>	<p>The local law does not regulate mosquito control measures.</p>
	<p>The fines for driving motor vehicles on turtle nesting areas should be increased.</p>	<p>Part Four of the Town's <i>Public Places and Local Government Property Local Law 2016</i> deals with behavior on local government property. In particular clause 4.3 creates an offence for a person who takes or injures any fauna on property under the Town's care, control and management. Modified penalties (ie an on the spot fine) of between \$100 to \$300 are already provided for in that local law.</p> <p>Part 13 provides for a fine of up \$5,000 and a daily penalty of \$500 for offences of a continuing nature.</p> <p>Fines are considered adequate.</p>
<p>Dogs Local Law 2021</p>	<p>The Town should undertake a significant and broadscale program to encourage desexing of dogs.</p>	<p>An education program to encourage dog sterilisation could be considered as a separate exercise to the review of local laws.</p> <p>Section 51 of the Dog Act 1976 sets out what local governments may deal with in local laws - most issues relating to dogs and their control are though dealt with under State legislation, including registration fees which already include a discount for registration of a spayed (sterilised) dog.</p>
	<p>The fines for dogs roaming off lead and/or being in turtle nesting areas need to be substantially increased.</p> <p>Dogs should be required to be kept on</p>	<p>Areas where dogs are prohibited from being absolutely and areas where dogs may be exercised off leash are established by council resolution and giving local public notice under S31(3a) of the <i>Dog Act 1976</i> .</p>

	leashes in turtle nesting season (September – March) on both Cemetery Beach and Pretty Pool beach, existing signage improved, and patrols undertaken by the Town to enforce restrictions.	
Health Local Law 2016	<p>The use of 'Round Up' and other harmful chemicals on public spaces and reserves should be banned.</p> <p>Residents should be able to request that pesticides not be applied to verge areas adjoining their property.</p> <p>Sale of alcohol in glass containers should be banned.</p>	<p>Pesticides and their use are regulated by State and/or Federal laws not the local law.</p> <p>Containers for alcohol and other products are not regulated by the local law.</p>
Waste Local law 2020	There should be a significant increase in fines for littering.	Issues relating to litter (including penalties for offences) are dealt with by the State <i>Litter Act 1979</i> not by local laws.

Following on from this consultation the review process will now be continued by working with the Town’s subject matter experts. Any drafted amendments will then be presented to Council for consideration in due course.

Set out below is a flow chart of the Local Law Process as required by s3.12 of the Act and set out by the Department of Local Government and Communities.

Local Law Process – Flow Chart



LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

- Town staff have requested several amendments to local laws which are in the process of being assessed, and which will be presented to the council for consideration in due course.

External Agencies

- Nil.

Community

- One response was received from the Community as per the attachment.

LEGISLATION AND POLICY CONSIDERATIONS

Section 3.16 of the Local Government Act 1995 provides that:

3.16.Periodic review of local laws

(1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.

(2) The local government is to give local public notice stating that —

(a) the local government proposes to review the local law; and

(b) a copy of the local law may be inspected or obtained at any place specified in the notice; and

(c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.

(3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.

(4) When its council has considered the report, the local government may determine whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required.*

FINANCIAL AND RESOURCE IMPLICATIONS

Any suggested amendments to local laws may now be made using the process under s3.12 of the Act. This entails an initial council resolution, calling for public comment,

and a final decision by the council as to whether or not to proceed, followed by publication in the Government Gazette and local public notice.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Community:

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

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

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

Our Leadership:

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

4.2.4 Constructive forums are facilitated for discussion and the representation of the diversity of community views and needs that impact on the town's developments, programs and policies. There are no significant identifiable environmental, social or economic impacts relating to this item.

Access and Inclusion

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

Outcome 6 – Public Consultation

Corporate Business Plan

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

Our Corporate Services:

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

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	If the Town does not conduct the mandated periodic review of its local laws in accordance with Section 3.16 of the Local Government Act 1995, there is a risk of non-compliance and failure to meet statutory obligations.
Effect (Consequence)	Failure to conduct and complete the review process could result in outdated local laws that do not reflect the current needs or standards of the community, leading to potential legal issues, reduced public trust, and diminished governance effectiveness. Additionally, without public input, the Town risks missing important community perspectives, affecting transparency and accountability
Risk Treatment	The Town will initiate a public consultation process and review of local laws as outlined under Section 3.16 of the Local Government Act 1995. This will involve calling for public submissions, compiling input and presenting a final report to the Council for consideration. This operational risk is mitigated by adhering to statutory requirements for local law reviews, ensuring the community has input and maintaining compliance with governance best practices.
<p>The risk rating is considered Low (3), determined by a likelihood of Unlikely (2) and a consequence of Moderate (3).</p> <p>This risk will be mitigated by the adoption of the officer's recommendation</p>	

OPTIONS

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

CONCLUSION

As advised to council on 27 November 2024, the Towns local laws are functional and reasonably up to date. While some were not yet due for the review required by s3.16, doing all of them at once will save costs in the longer term as they then will all fall due at the same point in future and savings in advertising and reports costs can be realised.

In addition, the State is undertaking a review of the Local Government Act 1995. Regarding local laws:

- S3.16 has been amended to the effect that local laws are now to be reviewed at least every 15 years instead of eight;

- The WA Department of Local Government has signaled that meeting procedure type local laws (also known as 'standing orders' local laws) may be replaced with Regulations. If this does occur, then there is little point amending any potentially affected local law; and
- Any other changes will be monitored as matters unfold.

As such, amendments to local laws requested by staff and or changes arising from other legislation will be assessed and presented to the council for consideration in due course.

ATTACHMENTS

1. Feedback TOPH Local Laws Review Care For Hedland 31 Jan 25 [**12.1.2.1** - 4 pages]

12.2 Community Services

12.2.1	Community Safety Plan 2024 Progress Report
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Author: Community Safety Advisor

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.

OFFICER'S RECOMMENDATION

That Council receives and notes the 2024 progress on achieving set initiatives in the Town of Port Hedland Community Safety Plan 2023-2026 as per attachment 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for the Council to note the progress achieved in the first year of the Town of Port Hedland's Community Safety Plan 2023-2026.

DETAIL

This report outlines the progress made in the first year of the Town of Port Hedland's Community Safety Plan 2023-2026.

In 2023, the Town engaged the University of WA ('UWA') to undertake an independent evaluation of the Town's Community Safety Plan 2019-2022. The recommendations from UWA's evaluation were used to develop a new plan, with proposed actions aligned to evidence-based approaches to achieving a safer community. In December 2023, Council endorsed the Community Safety Plan 2023-2026.

The Plan provides the vision, framework and practical direction for the Town to play its role in preventing crime, addressing anti-social behaviour and supporting our community to be and feel safe.

Specifically, the Plan seeks to:

- Define the role of the Town in crime prevention and community safety, within the broader structure of responsibility of other government and non-government stakeholders.
- Provide insight on the realities of crime and criminality and contextualise data relating to the rates of crime in Hedland.
- Specify a set of recommended priorities and actions for a three-year period, including a framework for the undertaking of two projects using the Problem Oriented Policing ('POP') approach.

- Identify specific community outcomes and impact measures.

The attached Community Safety Plan Progress Report reports on actions and outcomes achieved in the first 12 months of the plan, across the four key priority areas of:

- Priority 1: Safer places and spaces
- Priority 2: Community education and capacity building
- Priority 3: Meaningful partnership and participation
- Priority 4: Innovative response framework

Major achievements in 2024 include:

Priority 1: Safer places and spaces

- 86 successful applications were processed and \$33,940 was reimbursed directly to residents to subsidise the cost of security products for their homes, through the Home Safety and Security Rebate scheme.
- 81 applicants for the Home Safety and Security Rebate registered to Cam-Map WA, the police database for security cameras in the community which assists police with investigations.
- 44 staff trained in needle and syringe safety with the support of WA Country Health Service.
- Continuous enhancements of the Town's CCTV coverage, maintenance and accessibility.

Priority 2: Community education and capacity building

- Extensive community engagement activations, focusing on raising awareness and educating on a variety of safety topics, including at Sports & Rec Expo, Youth Week, Welcome to Hedland, World Elder Abuse Awareness Day, Spinifex Spree, NAIDOC Week, Rural Road Safety Month, WA Bike Month, JD Hardie Youth Programs, JD Hardie Kids Club programs and the South Hedland Square and Port Hedland Boulevard shopping centres.
- 255 Community Safety Packs distributed to the community. Developed as a compilation of key safety resources, the free packs include information on the Town's approach to Community Safety, crime prevention, home security, Neighborhood Watch, Eyes on the Street, Snap Send Solve, driving on regional roads, general road safety, bike and e-scooter safety, Bikelinc, cyclones and emergency preparedness.
- 1,700 children were given the opportunity to experience a Constable Care theatre-in-education performance through a sponsored tour of the Constable

Care primary school program, reaching all Port and South primary schools and the Wanangkura Stadium creche.

- Safe Cycles Bike Lock program launched, rewarding community members for registering their bike or scooter to Bikelinc with a free bike lock, resulting in a 254% increase in registrations in the 6721 and 6722 postcodes.
- Youth Advisory Council engaged to provide feedback on the Town's community safety projects.

Priority 3: Meaningful partnership and participation

- Collaboration through the Hedland Family Violence Action Group to present the Hedland Says No to Family Violence community event and 16 Days in WA campaign, aimed at raising awareness of family violence in our community and the availability of local support services.
- Collaboration under the Hedland Community Road Safety Group and WALGA RoadWise program to champion road safety initiatives.
- Establishing a partnership with the Department of Justice through the Repay WA program, to facilitate local offenders completing Court-ordered community service work by supporting Town activities and facilities, providing a meaningful and productive opportunity to give back to the community.

Priority 4: Innovative response framework

Unlike the first three priorities of the Plan, priority 4 does not prescribe a particular safety topic to be addressed, or specific action to be undertaken. Rather it provides a framework for undertaking two projects, to define and address two specific issues of safety within our community. This framework has been adapted from the 'Problem Oriented Policing' ('POP') methodology, a long-term and highly successful approach typically adopted by police to addressing issues where traditional methods of policing have been unsuccessful.

In 2024, both projects were initiated through kick-off workshops with relevant stakeholders.

In collaboration with stakeholders, it was determined the first project stream would focus on addressing food security of young people in South Hedland. This is in recognition of the role hunger plays in influencing issues such as burglary of food premises, theft of food from supermarkets or service stations, volatile substance use ('sniffing') and aggressive or erratic behaviour.

Ongoing consultation is currently being undertaken to define the discrete issue to be addressed through the second project stream, with a focus on hazards within the South Hedland central area. The University of WA has been engaged to support this process and the undertaking of a detailed analysis for the project stream.

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

The Community Safety Team has worked with other relevant business units to provide progress reporting to the Council on achievements from the first year of the Community Safety Plan 2023-2026.

LEGISLATION AND POLICY CONSIDERATIONS

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

This Community Safety Plan can be considered as an important supporting document to the Town's Strategic Plans.

FINANCIAL AND RESOURCE IMPLICATIONS

All costs associated with the implementation of the Plan were approved in the Community Safety 2023-2024 and 2024-2025 budget.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Community:

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

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

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

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

Our Leadership:

4.1.1 Town of Port Hedland is represented and is an active contributor in

international, national, state and regional forums and policy development.

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

Environmental

By fostering a safe and secure environment, the plan promotes cleaner, greener and more sustainable public spaces, encourages eco-friendly infrastructure, and reduces pollution and vandalism. These environmental benefits support the overall health and sustainability of the Town of Port Hedland. For example, a focus on safety can promote the development of sustainable infrastructure projects, such as pedestrian pathways and cycling lanes, which reduce carbon emissions and encourage eco-friendly transportation.

Economic

By ensuring the Town of Port Hedland is a safe community, the Community Safety Plan 2023-2026 not only enhances social well-being but also drives economic prosperity. The combined efforts of creating a secure environment contribute to the long-term sustainable growth of the town. For example, a safe environment attracts businesses and investors, as they are more likely to establish and expand their operation in a secure and stable area. This leads to job creation and economic development.

Social

There are significant social benefits to Hedland being viewed as a safe community where all community members can live and work without fear of harm. The work conducted under the Community Safety Plan 2023-2026 aims to ensure the Town of Port Hedland plays its role in achieving this goal.

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

Our Community Services:

Community Safety - Initiatives to reduce the incidence of crime and enhance community safety and lifestyle.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Reputational
Cause	There are Operational and Strategic related risks associated with this item due to community sentiment regarding the delivery of strategic items

Effect (Consequence)	Could impact on the Town’s reputation and existing stakeholder relationships.
Risk Treatment	Noting the outcomes achieved within associated timeframes and communicating these effectively to the community.
<p>There is a reputational risk associated with this item caused by community sentiment regarding the delivery of strategic items, and the potential perception that the Town has not delivered strategic items appropriately.</p> <p>The Community Safety Plan provides the vision, framework and practical direction for the Town to play its role in achieving a safer community.</p> <p>The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>This risk will be accepted by the Noting of the outcomes achieved within associated timeframes and communicating these effectively to the community.</p>	

OPTIONS

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

CONCLUSION

The Community Safety Plan 2023-2026 is a strategic planning document providing a vision, framework and practical direction for the Town to play its role in achieving a safer community.

The first year of our community safety initiatives has been marked by significant achievements across our four priority areas, demonstrating our commitment to creating a safer and more connected Port Hedland.

Priority 1: Safer Places and Spaces

- Processed 86 successful applications, reimbursing \$33,940 directly to residents through the Home Safety and Security Rebate scheme.
- Registered 81 applicants to Cam-Map WA, aiding police investigations with community security camera data.
- Trained 44 staff in needle and syringe safety with WA Country Health Service support.
- Continuously enhanced the Town’s CCTV coverage, maintenance, and accessibility.

Priority 2: Community Education and Capacity Building

- Conducted extensive community engagement activities, raising awareness on various safety topics at major events.
- Distributed 255 Community Safety Packs, providing key safety resources to residents.
- Sponsored Constable Care theatre-in-education performances, reaching 1,700 children in local schools and creches.
- Launched the Safe Cycles Bike Lock program, significantly increasing bike and scooter registrations in the 6721 and 6722 postcodes.
- Engaged the Youth Advisory Council to provide feedback on community safety projects.

Priority 3: Meaningful Partnership and Participation

- Collaborated with the Hedland Family Violence Action Group to present the Hedland Says No to Family Violence event and 16 Days in WA campaign.
- Worked with the Hedland Community Road Safety Group and WALGA RoadWise program to promote road safety initiatives.
- Established a partnership with the Department of Justice through the Repay WA program, facilitating community service work by local offenders.

Priority 4: Innovative Response Framework

- Initiated two projects using the Problem Oriented Policing (POP) methodology to address specific community safety issues.
- Focused the first project on addressing food security for young people in South Hedland, recognizing the link between hunger and criminal behavior.
- Continued consultation for the second project, aimed at addressing hazards in the South Hedland central area, with support from the University of WA.

These accomplishments reflect our dedication to enhancing safety, fostering community engagement, and building meaningful partnerships. As we move forward, we remain committed to addressing emerging challenges and seizing opportunities to further improve the well-being of our residents.

Our efforts to create a safer and more inclusive Port Hedland are ongoing, and we look forward to continuing this important work in the years to come. Together, we can build a community that thrives on safety, collaboration, and innovation.

ATTACHMENTS

1. Community Safety Plan 2023-2026 - Progress Report [**12.2.1.1** - 8 pages]

12.2.2	Town of Port Hedland Art Collection Policy
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Author: Senior Arts & Culture Officer
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.

OFFICER’S RECOMMENDATION
That Council adopt the Town of Port Hedland Art Collection Policy which rescinds the existing 7/002 Acquisition and Management of Artworks policy.
SIMPLE MAJORITY VOTE REQUIRED

BACKGROUND

The updated Art Collection Policy aligns with the current Town’s Procurement Policy, Asset Management Policy, and the 2024-2027 Arts and Culture Plan. The Policy incorporates best practices and provides a clear framework for the management of the ToPH Art Collection, ensuring its preservation and accessibility for future generations.

Officers request the Council’s support to endorse the new Art Collection Policy and its supporting documents to continue the Town’s commitment to fostering a vibrant and diverse arts community in Port Hedland.

DETAIL

Art Collection Policy

The Art Collection Policy applies to the management of the TOPH Art Collection including its procurement, curation and asset management of (indoor) visual artworks that include paintings, drawings, photographs and sculptures.

The Art Collection Policy rescinds the ‘7/002 Acquisition and Management of Artworks’ (adopted 24 November 2004) which was no longer in accordance with the Town’s Procurement Policy, Asset Management Policy or the 2024-2027 Arts and Culture Plan.

Key Updates in the New Policy:

Role of the Hedland Arts and Culture Advisory Committee:

- The new policy establishes the Hedland Arts and Culture Advisory Committee, which will play a crucial role in advising on the acquisition and management of artworks.

Detailed Acquisition and Deaccession Process:

The policy outlines a comprehensive process for acquiring and deaccessioning artworks to ensure transparent and effective management of the collection.

Revised Catalogue Process:

- The catalogue process has been updated to ensure accurate and efficient documentation of the art collection.

Sustainable Staffing Commitment:

- The policy includes a commitment to sustainable staffing, ensuring the collection is properly managed and maintained for many years to come.

LEVEL OF SIGNIFICANCE

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

- Significant - A decision that will significantly affect the capacity of the Council to carry out any activity identified in the strategic plan.

CONSULTATION

Internal

- *ToPH Events, Art and Culture*
- *ToPH Governance*
- *ToPH Procurement*
- *ToPH Finance*

External Agencies

- **NIL**

Community

- **NIL**

LEGISLATION AND POLICY CONSIDERATIONS

Governance and Accountability

- **Local Government Act 1995:** Ensuring that the policy aligns with local government regulations and promotes transparency and accountability in the management of the arts collection.
- **Public Records Act 2002:** Ensuring proper documentation and record-keeping practices for the acquisition, management, and disposal of artworks.

FINANCIAL AND RESOURCE IMPLICATIONS

The Art Collection Policy has both costs and potential revenue implications. While there will be initial and ongoing expenses related to procurement, staffing, documentation, insurance, security, exhibitions, and deaccession, there are also opportunities for generating revenue through various channels.

A comprehensive budget and financial plan will be essential to ensure the sustainable management of the art collection.

With a better understanding and planning for these financial implications, the Town of Port Hedland can effectively implement the Art Collection Policy while maintaining financial sustainability.

- The procurement of new artworks will require funding. This includes the cost of acquiring paintings, drawings, photographs, and sculptures.
- Updating and maintaining the catalogue of the art collection will require financial resources. This includes software for digital cataloguing, photography of artworks, and administrative support.
- Adequate insurance coverage for the art collection will be necessary to protect against loss, damage, or theft. This represents an ongoing financial commitment.
- Enhancing security measures to protect the artworks, such as alarm systems and surveillance, may incur additional costs.
- Ongoing costs related to the curation, maintenance, and conservation of the art collection will need to be budgeted. This includes restoration work, framing, and specialised storage.

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:

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

Our Built and Natural Environment:

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

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our 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 supporting the new Art Collection Policy poses significant strategic, operational, financial, sustainability, and social risks.
Effect (Consequence)	There is a reputational risk associated with this item caused by community sentiment regarding not protecting assets of value, leading to diminished public trust, decreased community engagement, and potential backlash from stakeholders who feel that the Town is not fulfilling its commitment to preserving cultural and historical assets. This could result in negative perceptions of the Town's priorities and effectiveness, potentially impacting future support for community initiatives and programs.
Risk Treatment	<p>The risk rating is considered to be Low (4) which is determined by a likelihood of Likely (4) and a consequence of Moderate (3).</p> <p>The development and implementation of the Town of Port Hedland Art Collection Policy.</p> <p>The Risk will be avoided by implementing the Policy the Town of Port Hedland can effectively mitigate the reputational risk associated with not protecting significant art assets. These measures ensure that art assets are preserved, valued, and protected, fostering community trust and engagement. The Policy will ensure that the following risks treatments will protect current and new assets.</p> <ul style="list-style-type: none"> • Schedule regular reviews and updates of the Art Collection Policy to ensure it remains current and effective. • Maintain a detailed inventory and documentation of all art assets, including their condition, location, and value.

	<ul style="list-style-type: none"> • Implement a robust conservation and maintenance program to preserve the condition and value of art assets. • Enhance security measures to protect art assets from theft, vandalism, and damage. This includes installing security systems, surveillance cameras, and secure storage facilities. • Involve the community in decisions related to the art collection, such as acquisitions, exhibitions, and conservation efforts. This can be done through public consultations, workshops, and advisory committees. • Allocate sufficient budget for the conservation, maintenance, and security of art assets. Ensure that funding is available for necessary repairs and preservation efforts. • Seek external funding and grants to support the protection and preservation of art assets. Collaborate with cultural organizations and government agencies to secure financial support. • Develop contingency plans for emergencies, such as natural disasters, theft, or damage. Ensure that there are clear protocols in place for responding to and recovering from such incidents. • Provide training and development opportunities for staff to enhance their skills and knowledge in art conservation and management.
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OPTIONS

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

CONCLUSION

The adoption of the new Art Collection Policy is a critical step toward ensuring the responsible management, preservation, and growth of the Town of Port Hedland's art collection. By aligning the policy with current procurement and asset management practices, as well as the 2024-2027 Arts and Culture Plan, we can enhance the cultural reputation of our community, engage residents and visitors, and support the town's strategic goals.

By supporting the new Art Collection Policy, the Town of Port Hedland will demonstrate its commitment to fostering a vibrant, diverse, and sustainable arts community. This

policy will not only preserve our cultural heritage but also enhance the quality of life for residents and attract visitors, contributing to the overall growth and prosperity of Port Hedland.

ATTACHMENTS

1. Art Collection Policy [**12.2.2.1** - 3 pages]

12.3 Regulatory Services

Nil

12.4 Infrastructure Services

Nil

12.5 Executive Services

Nil

13 New Business of an Urgent Nature (Late Items)

Nil

14 Motions of Which Previous Notice has been given

Nil

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

PROCEDURAL MOTION

That Council close the meeting to members of the public as prescribed in section 5.23(2) of the Local Government Act 1995, to consider item 15.1 Town Debtors.

SIMPLE MAJORITY VOTE REQUIRED

15.1	Town Debtors
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Reasons for Confidentiality

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

16 Closure

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 30 April 2025 commencing at 5:30 pm.

16.2 Closure

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