



MINUTES

Ordinary Council Meeting Wednesday, 27 July 2022

Date: Wednesday, 27 July 2022

Time: 5:30pm

Location: Civic Centre
McGregor St
Port Hedland

Distribution Date: Tuesday, 9 August 2022

A handwritten signature in black ink, appearing to be the name of the Mayor, written over a horizontal line.

Mayor

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Item 1 Opening of Meeting

The Presiding Member declared the meeting open at 5:32 pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The Presiding Member acknowledged the Kariyarra people as the Traditional Custodians of the land that we met on and recognised their strength and resilience and he paid his respects to elders past, present and emerging.

Item 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

Present: Mayor Peter Carter
Cr Jan Gillingham
Cr Ash Christensen
Cr David Eckhart
Cr Jason Keller

In Attendance: Carl Askew (Chief Executive Officer)
Cheye Hill (Acting Director Community Services)
Craig Watts (Director Regulatory Services)
Lee Furness (Director Infrastructure Services)
Joyce Routledge (Senior Governance Advisor)
Stephanie Sikaloski (Risk and Insurance Advisor)
Christine Fairbrother (Acting Governance Officer/Minute Taker)
Harrison Quenault (Communications Officer/ Live Stream)

Public Registered: 6

3.2 Attendance by Telephone / Instantaneous Communications

Cr Flo Bennett

3.3 Apologies

Deputy Mayor Tim Turner
 Cr Elmar Zielke
 Karren MacClure (Director Corporate Services)

3.4 Approved Leave of Absence

Cr Renae Coles 25 July 2022 to 29 July 2022

3.5 Disclosure of Interests

| Name | Item no. | Interest | Nature |
|--------------------|----------|--------------|---------------------------------|
| Cr Ash Christensen | 12.3.1 | Impartiality | Shareholder and employee of BHP |

Item 4 Applications for Leave of Absence

CM202223/001 COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR ECKHART

That Council approve the application for leave of absence from Cr Flo Bennett for the period 25 July 2022 to 29 July 2022, noting that Cr Flo Bennett is joining the meeting online.

CARRIED BY SIMPLE MAJORITY (6/0)

Item 5 Response to Previous Questions

Nil.

Item 6 Public Time

Important note:

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

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

6.1 Public Question Time

The Presiding Member declared Public Question Time open at 5:36pm.

6.1.1 MR JOHN ASHENDEN

Regarding mandates being dropped, seems Carl (Chief Executive Officer) had no problem discriminating against me and sacking me, now that mandates have been dropped I haven't had a call to offer me my job back.

The Chief Executive Officer provided the following response:

It is a staffing matter, I won't be making further comment about staffing matters in a public forum as it is not appropriate.

What are you going to do, why am I not getting my job back?

The Mayor provided the following response:

You have been informed already.

6.1.2 MS GAIL VICTOR

Can you pls inform me where the dust boundary ends in the west end?

The Chief Executive Officer provided the following response:

It is my understanding that it is Taplin Street at this point in time.

Confirmed by the Director Regulatory Services.

The Presiding Member declared Public question Time closed at 5:39pm.

6.2 Public Statement Time

The Presiding Member declared Public Statement Time open at 5:39pm.

6.2.1 MR JOHN ASHENDEN

This meeting tonight is to do with revoking a motion that was passed at the last OCM.

The Mayor interjected with the following response:

That revocation motion has been deferred until the Ordinary Council Meeting to be held on 7 September 2022.

Ok I will leave it till then.

The Presiding Member declared Public Statement Time closed at 5:40pm.

6.3 Petitions/Deputations/Presentations/Submissions

Nil.

Item 7 Questions from Members without Notice

Cr Jan Gillingham asked the following question:

I have been contacted by many people including OHS personnel at the Hospital, who are very concerned about the placement of the large rocks around South Hedland, and their question is why has there not been any public consultation? Can we find out if there will there be a public consultation and who has made all these decisions about the rocks, is there something I have missed at Council that I haven't been informed about?

The Director of Infrastructure provided the following response:

The placement of rocks is to stop vehicles in those sensitive areas, it has been a long standing policy of the Council. We were approached by the Police to say that they had issues in town with speeding cars through South Hedland and that they wanted safe structures on the sides of the roads so they could deploy spike strips to stop speeding cars through the area. This was raised at the recent Council Briefing. I also put something out via email to the Council to say I believed that we should be assisting police, and that we had been inundated with complaints, also on social media, with regard to safety. The police identified 11 locations where they wanted the rocks placed and the Town were able to assist. No general consultation is planned or proposed at this time, however the police can be asked to present if required.

Cr Jan Gillingham asked the following question:

Has there been a public consultation, have the police come to the Council to do a presentation, as in all other aspects of policing work that I've ever known in Port Hedland is that police have always come and done a presentation to Council to let us know exactly what is happening

between Council, staff, admin and police? if there has been no public consultation then when will this happen, and if not who gave the go ahead without this going to consultation? Happy to take this question on notice.

The Mayor provided the following response:

Thank you, we will find that out for you.

Cr Jan Gillingham asked the following question:

The 80th anniversary of the bombing of Port Hedland is on the 30th of July, I'd like to know what arrangements the Council has made to acknowledge this day, are we having a fly over or something which we have had before to recognise this?

The Mayor provided the following response:

Not that I am aware of.

The Acting Director of Community Services provided the following response:

To my knowledge, there was an event that was going to be held in partnership with the RSL and the Cougars Rugby League Club this weekend, to which we have been notified only this afternoon that this event has been postponed, so we will be looking in to what other options are available and will communicate this with Council as soon as possible.

Cr David Eckhart made the following statement:

I contacted the Councillors and the Chief Executive Officer a month ago wanting to bring this to the June OCM if possible, we are now in July, as a member of the community may I say as a Council we did nothing about the 125th last year, handballed it over to a group that does nothing as far as event planning in the Historical Society and now we are 3 days away from the 80th anniversary of a very significant event to this Town, and again have done nothing.

Item 8 Announcements by Presiding Member without Discussion

The Mayor's meetings for the month of June:

| DATE | MEETING | MEETING DETAILS |
|------------|---|--------------------|
| 1/06/2022 | Special Council meeting | Attended |
| 2/06/2022 | North West Defence Alliance Meeting | Attended via Teams |
| 2/06/2022 | Radio Chat with Ecky | Radio interview |
| 8/06/2022 | Meeting with City of Kalgoorlie-Boulder | Attended |
| 8/06/2022 | Site Tour of Osprey Village with City of Kalgoorlie-Boulder | Attended |
| 8/06/2022 | Elected Member Catch-up Meeting | Attended |
| 9/06/2022 | Radio Chat with Ecky | Radio interview |
| 9/06/2022 | Media Interview - WA Local News | Radio interview |
| 9/06/2022 | Consolidated Minerals (Woodie Woodie) meeting | Attended |
| 10/06/2022 | Hedland Community Safety Advisory Forum Agenda Review Meeting | Attended |
| 13/06/2022 | Hedland Community Safety Advisory Forum Meeting | Attended |
| 13/06/2022 | Water Corporate Meeting | Attended |
| 15/06/2022 | Special Council Meeting | Attended |
| 16/06/2022 | Radio Chat with Ecky | Radio interview |
| 16/06/2022 | Agenda Feedback Session | Attended via Teams |
| 18/06/2022 | Fly to Canberra for NGA Conference | Fly to Canberra |
| 19/06/2022 | Regional Forum for NGA Delegate, Canberra | Attended |
| 19/06/2022 | NGA Canberra - Welcome Reception & Exhibition Opening | Attended |
| 20/06/2022 | Australian Local Government Women's Association Breakfast | Attended |
| 20/06/2022 | NGA Conference - Canberra | Attended |
| 20/06/2022 | NGA Conference - Networking Dinner | Attended |
| 21/06/2022 | Breakfast with Federal Members of Parliament | Attended |
| 21/06/2022 | NGA Conference - Canberra | Attended |
| 21/06/2022 | Meeting with Phoebe Drake - Snr Advisor for Regional Development & Local Government, Parliament House, Canberra | Attended |
| 21/06/2022 | NGA Conference - General Assembly Dinner | Attended |
| 22/06/2022 | Return flight from NGA Conference - Canberra to Perth | Fly to Perth |
| 23/06/2022 | Radio Chat with Ecky | Radio interview |
| 23/06/2022 | Pilbara Country Zone Meeting | Attended via Teams |
| 30/06/2022 | Radio Chat with Ecky | Radio interview |
| 30/06/2022 | Ordinary Council meeting | Attended |

Item 9 Declarations of All Members to Have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting

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

Mayor Peter Carter
Cr Jan Gillingham
Cr Ash Christensen
Cr David Eckhart
Cr Flo Bennett
Cr Jason Keller

Item 10 Confirmation of Minutes of Previous Meeting

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.

CM202223/002 COUNCIL DECISION**MOVED: CR CHRISTENSEN****SECONDED: CR KELLER**

That Council confirm that the Minutes of the Ordinary Council Meeting held on Thursday 30 June 2022 are a true and correct record.

CARRIED BY SIMPLE MAJORITY (6/0)

Item 11 Reports of Committees

Nil.

Item 12 Reports of Officers

12.1 Corporate Services**12.1.1 POLICY REVIEW 2/020 CORPORATE CREDIT CARD**

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

CM202223/003 COUNCIL DECISION**MOVED: CR CHRISTENSEN****SECONDED: CR ECKHART**

That Council adopt the amended Policy 2/020 Corporate Credit Card, as per Attachment 1.

CARRIED BY ABSOLUTE MAJORITY (6/0)

PURPOSE

The purpose of this report is for Council to adopt the amended policy 2/020 Corporate Credit Card, this policy is reviewed every two years.

DETAIL

Town of Port Hedland (Town) policies are systematically reviewed, updated, and adopted by Council, they establish guidelines, providing direction for the Town activities and actions. Policies are defined as the principles and intent behind the programs that a local government implements. A policy can also be a general plan or approach to a specific need, problem, or issue.

The amendments made to the Town's current Corporate Credit Card Policy are to better reflect the current business practice and to ensure the aligns with the requirements of the *Local Government Act 1995*.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because there is a compliance risk associated with fraud and misusing a Corporate Credit Card. Fraud and misuse of the Corporate Credit Card can cause financial and reputational loss for the Town.

CONSULTATION

Internal

Director Corporate Services
Senior Governance Advisor

External Agencies

External Auditor - RSM

Community

Nil.

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995 Section 2.8 the Town Mayor has no administrative authority and as such no authority to approve the Chief Executive Officer's (CEO) credit card statement.

Local Government (Financial Management) Regulations 1996

2/007 Procurement Policy

2021/22 Interim external audit findings "We recommend Administration review 2/020 Corporate Credit Cards to ensure that it reflect current practice and is not inconsistent with legislative and regulatory requirements of the Local Government Act 1995"

FINANCIAL AND RESOURCES IMPLICATIONS

The Corporate Credit Card can only be used for the Town's business expenditure, within the limit assigned for the use of that card and within the approved budget. The Town currently has 15 authorised credit cards with a total limit of \$125,000 as per the delegations register.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 is applicable in the consideration of this item:

- 4.b.1 Sound long-term financial planning is implemented
- 4.b.2 Transparent and regular financial reporting and communication to the community is undertaken
- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken

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

Corporate Business Plan

The following action of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 4.b.1.1 – Develop, implement and review the Town's Long-Term Financial Plan.

RISK MANAGEMENT CONSIDERATIONS

There is a financial risk associated with this item that is mitigated by this policy and other financial controls. The risk rating is considered to be low (1), which is determined by a likelihood of unlikely (2) 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

It is recommended that Council adopt 2/020 Corporate Credit Card to ensure it reflects the current practice and is consistent with legislative and regulatory requirements of the Local Government Act.

ATTACHMENTS

1. 2/020 Corporate Credit Card Policy Review (under separate cover)
2. 2/020 Corporate Credit Card Policy Review with Mark Up (under separate cover)

12.1.2 POLICY REVIEW - 4/008 ELECTED MEMBER ALLOWANCES, FACILITIES AND EXPENSES

Author: Senior Governance Advisor

Authorising Officer: Director Corporate Services

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

CM202223/004 COUNCIL DECISION

MOVED: CR ECKHART

SECONDED: CR KELLER

That Council adopt the amended Policy 4/008 Elected Member Allowances, Facilities and Expenses, as per Attachment 1.

CARRIED BY ABSOLUTE MAJORITY (6/0)

PURPOSE

The purpose of this report is for Council to adopt the amended policy 4/008 Elected Member Allowances, Facilities and Expenses, reviewed every 2 years.

DETAIL

Town of Port Hedland policies are systematically reviewed, updated and adopted by Council, they establish guidelines, providing direction for the Town activities and actions. Policies are defined as the principles and intent behind the programs that a local government implements. A policy can also be a general plan or approach to a specific need, problem, or issue.

Systematically reviewing and amending policies ensures the policies remain current. This policy makes reference to the *Local Government (Rules of Conduct) Regulations 2007* which has been superseded by the *Local Government (Model Code of Conduct) Regulations 2021*, updating the policy will ensure the policy remains current.

This policy sets out the fees and allowances payable and permitted expenses that may be reimbursed to elected members to provide them with the appropriate facilities, equipment, material and information to support them in performing their duties of office including costs that may be incurred where elected members are required to travel on official business.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, as it does not meet any of the criteria listed in the policy which deems it significant.

CONSULTATION

Internal

- Director of Corporate Services.
- Governance Officer.

External Agencies

- Department of Local Government, Sport and Cultural Industries.

Community

- Nil.

LEGISLATION AND POLICY CONSIDERATIONS

Section 2.7(2)(b) of the Act provides that a council is to determine the local government's policies and Part 5, Division 8 of the *Local Government Act 1995* defines payments to elected members.

Section 5.99 of the *Local Government Act 1995* Allowances for council members in lieu of fees for attending meetings requires an absolute majority.

FINANCIAL AND RESOURCES IMPLICATIONS

There are allocations made in each annual budget to meet the costs associated with fees, allowances, travel, and training for Council members.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following section of the Town's Strategic Community Plan 2018-2028 is applicable in the consideration of this item:

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

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

Disability Access and Inclusion Plan

The following outcome of the Town's Disability Access and Inclusion Plan 2017-2022 apply in relation to this item:

- Outcome 3 – Information.

Corporate Business Plan

The following action of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 2.b.3.1 – Regularly review policies and local laws to minimise red tape within statutory frameworks.

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item, as it may be perceived that the Town's policies are outdated, do not meet community expectations and do not reflect the requirements of the Act. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2).

Adoption of the reviewed policies will eliminate this risk.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

It is recommended that Council adopt 4/008 Elected Member Allowances, Facilities and Expenses as part of the systematic review of the Town’s policies.

ATTACHMENTS

1. 4/008 Elected Members Allowances, Facilities and Expenses (under separate cover)

12.1.3 POLICY REVIEW - 1/009 LEGAL REPRESENTATION FOR COUNCIL MEMBERS AND EMPLOYEES

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

CM202223/005 COUNCIL DECISION

MOVED: CR CHRISTENSEN

SECONDED: CR KELLER

That Council adopt the amended Policy 1/009 Legal Representation for Council Members and Employees, as per Attachment 1.

CARRIED BY ABSOLUTE MAJORITY (6/0)

PURPOSE

The purpose of this report is for Council to adopt the amended Policy 1/009 Legal Representation for Council Members and Employees, reviewed every 3 years.

DETAIL

Town of Port Hedland (Town) policies are systematically reviewed, updated and adopted by Council, they establish guidelines, providing direction for the Town activities and actions. Policies are defined as the principles and intent behind the programs that a local government implements. A policy can also be a general plan or approach to a specific need, problem, or issue.

Systematically reviewing and amending policies ensures the policies remain current. This policy requires minor amendments, in particular correcting a reference to the *Legal Professions Act 2008* and adding a reference to s9.57A of the *Local Government Act 1995*.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because it does not meet any of the criteria in the policy that deems it significant.

CONSULTATION

Internal

Senior Legal Counsel

External Agencies

DGLSC

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Section 2.7(2)(b) of the *Local Government Act 1995* provides that a council is to determine the local government's policies.

Section 5.42 of the *Local Government Act 1995* requires that any delegation of powers to the CEO must be made by an absolute majority.

FINANCIAL AND RESOURCES IMPLICATIONS

There are allocations made in each annual budget to meet the costs associated with fees, allowances, travel, and training for Council members.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following section of the Town's Strategic Community Plan 2018-2028 is applicable in the consideration of this item:

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

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

Disability Access and Inclusion Plan

The following outcome of the Town's Disability Access and Inclusion Plan 2017-2022 apply in relation to this item:

- Outcome 3 – Information

Corporate Business Plan

The following action of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 2.b.3.1 – Regularly review policies and local laws to minimise red tape within statutory frameworks.

RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item because as it may be perceived that the Town's policies are outdated, do not meet community expectations and do not reflect the requirements of the Act. The risk rating is considered to be medium (9), which is determined by a likelihood of possible (3) and a consequence of moderate (3).

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

It is recommended that Council adopt 4/008 Elected Member Allowances, Facilities and Expenses Policy 1/009 Legal Representation for Council Members and Employees as part of the systematic review of the Town's policies.

ATTACHMENTS

1. 1/009 Legal Representation for Council Members and Employees (under separate cover)

12.1.4 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 JUNE 2022

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

CM202223/006 COUNCIL DECISION**MOVED: CR CHRISTENSEN****SECONDED: CR KELLER**

That Council, pursuant to section 6.4 of the Local Government Act 1995:

1. Receive the Statement of Financial Activity for the period ended 30 June 2022 (see Attachment 1);
2. Receive the Material Variance Report (see Attachment 2);
3. Note the Accounts paid under delegated authority for the period ended 30 June 2022 (see Attachment 3); and
4. Receive the Credit Card Statements for the period ended 30 June 2022 (see Attachment 4).

CARRIED BY SIMPLE MAJORITY (6/0)

PURPOSE

The purpose of this report is to present to Council the Statement of Financial Activity for the period ended 30 June 2022. Supplementary information is also presented to Council to provide further information regarding the Town of Port Hedland (Town's) activities. Please note that this is not the final audited report for the financial year ended 30 June 2022. The Town anticipates the final audited statements for the 2021/22 financial year will be presented at the December 2022.

DETAIL

The information provided in this report is for the period ended 30 June 2022, with financial results included in Attachment 1. Statement of Financial Activity inclusive of Notes 1-16 prepared by the Town.

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 2021/22 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 deficit of (\$3.374M) presented in YTD Actual on the Statement of Financial Activity is as per the closing deficit of the audited June 2021 financial statements.

The net current funding position (surplus/(deficit) from the Statement of Financial Activity as at 30 June 2022 is a surplus of \$5.01M.

The breakdown of the cash position is displayed below:

| | 2021/22 Actuals |
|--|-----------------|
| Current Assets: Cash and Investments | \$214.78M |
| Restricted Cash – Reserves | \$201.08M |
| Unrestricted Cash Position as at 30 June 2022 | \$13.70M |

Previous Decisions

The Statements of Financial Activity are presented to Council each month for noting.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because this report is presented to Council for information purposes only.

CONSULTATION

Internal

- All consultation and engagement is conducted internally.

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 RESOURCES 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 AND SUSTAINABILITY IMPLICATIONS

The following section of the Town's Strategic Community Plan 2018-2028 is applicable in the consideration of this item:

- 4.b.1 Sound long-term financial planning is implemented
- 4.b.2 Transparent and regular financial reporting and communication to the community is undertaken
- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken

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

RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in Policy 1/022 'Risk Management', the level of risk is considered to be Medium (6) .

There is a financial risk associated with this item because as a reduction in income or increase in expense throughout the 2021/22 financial year, is likely to have an impact on the Town's ability to meet service levels or asset renewal funding requirements. 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

Note the Statement of Financial Activity and reports for the period ended 30 June 2022 in accordance with regulation 34(1) of the Local Government (Financial Management) Regulations 1996.

Option 2 – Amend officer's recommendation

That Council receive the Statement of Financial Activity for the period ended 30 June 2022 and request further information or clarification.

Option 3 – Do not adopt officer's recommendation

That Council do not note or receive the Statement of Financial Activity for the period ended 30 June 2022.

CONCLUSION

The opening funding deficit of (\$3.37M) presented in YTD Actual on the Statement of Financial Activity, is as per the closing deficit presented in the audited financial statements from June 2021. The net current funding position is \$5.01M.

ATTACHMENTS

1. Monthly Financial Report June 2022 (under separate cover)
2. Material Variance Report June 2022 (under separate cover)
3. Payments Made Under Authority - June 2022 (under separate cover)
4. Credit Card Statements - June 2022 (under separate cover)

12.1.5 AMENDMENT OF 2022-23 FEES AND CHARGES

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

CM202223/007 COUNCIL DECISION**MOVED: CR CHRISTENSEN****SECONDED: CR ECKHART**

That Council:

1. In accordance with the Local Government Act 1995 section 6.16, adopt the following amendments to the 2022/23 Schedule of Fees and Charges as per Attachment 1.
2. Notes the Town of Port Hedland will give public notice of the above proposed amended fees in accordance with section 6.19 of the Local Government Act 1995 and the above amendments will take effect 14 days after notice is published.

*CARRIED BY ABSOLUTE MAJORITY (6/0)***PURPOSE**

The purpose of this report is for Council to adopt the attached amendments to the 2022-23 Fees and Charges Schedule.

DETAIL

Subsequent to Council's approval of the 2022-23 Fees and Charges, business areas conducted a further review of the published Fees and Charges. The Leisure Management Team identified a number of lines that required further change relating to aligning charges at Gratwick and South Hedland Aquatic Centres and rationalisation of membership and stadium fees at Wanangkura Stadium to meet the current community needs.

The amended fees and charges and reasons for change are contained in Attachment 1.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because setting appropriate fees and charges impacts the community to conduct its business and activities.

CONSULTATION*Internal*

- Leisure Facilities
- Aquatic Operations
- Stadium Operations

External Agencies

Comparisons to other similar Local Governments have been used as part of the review and application of comparable fees and charges.

Community

Limited consultation was completed with community groups and the fees and charges amendments have been based on that consultation.

The amended fees and charges will be locally advertised for 14 days prior to taking effect.

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

Section 6.16 Imposition of Fees and Charges, Council by an absolute majority decision, Fees and Charges may be amended from time to time during a financial year.

FINANCIAL AND RESOURCES IMPLICATIONS

Fees and charges constitute approximately 20% of the operating funds required to undertake the activities of the Town.

Fees and charges are required to be formally adopted by Council.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 4.b.2 Transparent and regular financial reporting and communication to the community is undertaken
- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken
- 4.b.4 Constructive forums are provided for discussion and the representation of the diversity of 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.

Disability Access and Inclusion Plan

The following outcome of the Town's Disability Access and Inclusion Plan 2017-2022 apply in relation to this item:

- Outcome 4 – Quality of Service

Corporate Business Plan

The following action of the Town's Corporate Business Plan 2018-2022 apply in relation to this item:

- 4.b.2.1 – Ensure the Town's finances are managed efficiently and effectively in line with legislated requirements.

RISK MANAGEMENT CONSIDERATIONS

In accordance with the Risk Matrix set out in the Town's Risk Management Policy (1/022), The risk rating is considered to be low (3), which is determined by a likelihood of rare (1) and a consequence of moderate (3).

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

These changes to the Fees and Charges Schedule align charges at Gratwick and South Hedland Aquatic Centres and rationalise membership and stadium fees at Wanangkura Stadium to meet current community needs.

ATTACHMENTS

1. July Amendments to the 2022-23 Schedule of Fees and Charges (under separate cover)

12.2 Community Services

12.2.1 REPAIRS TO SHAC LEISURE POOL LINER & 50M POOL STRUCTURAL TILES

Author: Acting Coordinator Aquatic Operations
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.

CM202223/008 COUNCIL DECISION

MOVED: CR CHRISTENSEN

SECONDED: CR ECKHART

That Council endorse the full closure of the South Hedland Aquatic Centre from 23rd April 2023 for an estimated period of nine weeks to undertake critical repair work.

CARRIED BY SIMPLE MAJORITY (6/0)

CM202223/009 COUNCIL DECISION

MOVED: CR KELLER

SECONDED: CR ECKHART

That Council adjust the Asset Management allocation in the Capital Works budget at Q2 review to allow for a reallocation of \$505,000 ex GST to the South Hedland Aquatic Centre critical repair works.

CARRIED BY ABSOLUTE MAJORITY (6/0)

PURPOSE

The purpose of this report is for Council to consider and endorse a budget and schedule for undertaking proposed works to the South Hedland Aquatic Centre Leisure Pool liner and 50m Pool Structural Tiles.

DETAIL

During the 2021/2022 Summer School Holidays, between the 17th of December and 30th of January two elements of aquatic infrastructure were severely impacted and suffered critical failures, namely the 50m pool gutter tiling and the leisure pool vinyl liner.

50m POOL

The 50m pool gutter tiles wrap around the inner edge of the pool shell, slightly below the water line. The age of these assets is estimated to be more than 10 years old, and Town officers believe that the previous contracted facility operators undertook maintenance and repairs on an ad-hoc basis themselves. If this is the case, this repair work would have been completed by untrained and unlicensed personnel, undermining the long-term integrity of these assets. Between the 17th and 31st of December 2021, the adhesive that held these structural tiles in place began to fail. Temporary repairs were enacted by Town officers, involving the cleaning of dislodged tiles, reapplying an underwater adhesive product, and reattaching them to the pool shell. Commercial Aquatics Australia (CAA) were asked to investigate and provide estimated costings for a long-term solution. Before the investigation and costings were finalised by CAA,

Town officers discovered significant failures to multiple sections of structural tiles, where they had been found to have collapsed into the pool the morning after an overnight break-in.

A review of CCTV footage determined that overnight trespassers had been significantly active in the affected sections, and Town officers believe their actions were a major factor in the critical failure of this asset. This has created a situation where individual temporary repairs are no longer viable, and Town officers recommend remedial renovation works be undertaken on all structural pool tiles to prevent future failures.

The proposed Scope of Works required to remediate the 50m pool gutter structural tiles, including:

- Draining of the 50m pool and storage of the water via a portable bladder system
- Removal and storage of pool grating for reuse
- Removal of existing structural tiles inside pool face tile
- Repair of any damaged areas of PVC panel membrane that may have been damaged
- Clean up removed tiling, including silicone and adhesives, to allow for reuse
- Relay of existing structural ceramic gutter tiles using products and methodology as specified by pool manufacturer
- Reinstall pool gutter grating
- Refilling and recommissioning of the pool
- All flights, meals, and accommodation.

The above works are estimated to require approximately four weeks, plus an additional three weeks required to drain and store the pool water then refill and recommission the pool after successful completion of works. Another important aspect of the works is the requirement to reuse the structural ceramic tiles, as there is currently a minimum nine month wait for the purchase and supply of new tiles.

Town officers have also identified an opportunity to improve 50m pool while the structural tile remediation works are being undertaken. With the pool drained, additional lane rope anchors can be installed within the deep section of the pool. This will increase the safe operation of the facility by removing the need to use anchor points external to the pool wall, which create trip hazards when used.

LEISURE POOL

The Leisure pool vinyl liner wraps around the interior walls and floor of the shell structure, preventing water leaks and protecting against physical damage, mould, and algae growth. Standard commercial pool liners have a useful life of 10-15 years, which the current liner at the South Hedland Aquatic Centre is estimated to have exceeded.

Between the 17th and 31st of December 2021, Town officers noted a significant split had developed near a section of the vinyl liner where the shell wall and floor meet, approximately 5m to 7m in length. Although this damage was discovered during a significant period of overnight break-ins and vandalism of the facility, Town officers were unable to determine a cause for the split beyond wear and tear and the age of the asset.

The affected area was immediately barricaded off from public access and reviewed by the WHS team, as it increased the drowning risk due to the potential of patrons getting their feet

or hands stuck between the vinyl liner and pool shell. Advice received from Commercial Aquatics Australia is that a repair is untenable, and a full replacement of the vinyl liner will be required.

The proposed Scope of Works required to replace the Leisure pool vinyl liner includes:

- Draining of the Leisure pool and storage of the water via a portable bladder system
- Cut out, removal and disposal of existing pool liner
- Supply and installation of a new pool liner using products and methodology as specified by pool manufacturer
- Refilling and recommissioning of the pool
- All flights, meals, and accommodation.

The above works are estimated to require approximately five weeks, plus an additional three weeks required to drain and store the pool water then refill and recommission the pool after successful completion of works.

The opportunity exists to perform both Leisure pool and 50m remediation works concurrently. This will require the closure of the South Hedland Aquatic Centre to members of the public, with the potential to extend the GAC season to allow for the continued provision of aquatic service to the Port Hedland community. The advantage of this approach will be a significantly reduced timeframe, and reduction in the associated cost of the works.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the decision may have a significant impact on community access to a Town service.

CONSULTATION

Internal

Elected Members
Director Community Services
Director Infrastructure Services
Manager Leisure Facilities
Manager Infrastructure
Manager Infrastructure Projects & Assets
Coordinator Aquatic Operations
Coordinator Stadium Operations
Coordinator Leisure Business
Senior Projects Officer
Swim School Team Leader
Aquatic Duty Managers

External Agencies

Commercial Aquatics Australia

Community

Hedland Water Polo Association
Hedland Amateur Swimming Club

Future Consultation

Communication to the public and affected organisations will occur prior to any closures

LEGISLATION AND POLICY CONSIDERATIONS

- Department of Health Code of Practice for the Design, Operation, Management and Maintenance of Aquatic Facilities
- Royal Life Saving Society Guidelines for safe Pool Operations (GSPO)
- 1/016 Workplace Health and Safety
- 1/022 Risk Management

FINANCIAL AND RESOURCES IMPLICATIONS

- To ensure a balanced budget in 2022/23 we propose to reallocate \$505k within the Asset Management projects (\$21.4m) to the South Hedland Aquatic Centre
- Cost estimates for the 50m pool structural gutter tile is \$125,000 + GST, plus \$35,000 +GST for additional lane rope anchors.
- Cost estimates for the Leisure pool vinyl liner replacement is \$310,000 + GST
- Cost Estimates for the draining, water storage, refilling and recommissioning of pools is \$35,000 + GST
- Additional staffing costs (incl on-costs) of \$9,240 per week for GAC operation (1 Customer Service Officer, One Duty Manager, One Lifeguard during hours of operation)
- If SHAC is closed to the public for concurrent repair works the financial impact of keeping the Gratwick Aquatic Centre open beyond the standard April closure date will be largely offset by the temporary closure of the South Hedland Aquatic Centre if Alternate Recommendation 2 is endorsed. This will be due to the reassignment of staff and resources from South Hedland Aquatic Centre to Gratwick Aquatic Centre.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town's Strategic Community Plan 2018-2028 are applicable in the consideration of this item:

- 1.a.3 Youth services and facilities are implemented with regular input from youth and providers
- 1.a.4 Partnerships with stakeholders to deliver sport and recreation are enhanced
- 1.a.6 Town-wide health, safety, recreation and sporting activities and services
- 1.d.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.d.2 Facilities and community infrastructure are revitalised across the Town
- 1.d.3 Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
- 3.b.3 Sustainable energy, waste and water management practices are provided and promoted

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

RISK MANAGEMENT CONSIDERATIONS

Although temporary mitigations are currently in place to ensure the pool is as safe as possible, which includes the cordoning off of around the area of the damaged pool liner and damaged tiles, this is by no means a permanent solution and permanent repair works are required to be completed within the next 24 months due to the long term likelihood of:

- Significant water loss due to water leaking through the damaged liner. The risk rating is medium (5), which is determined by a likelihood of almost certain (5) and a consequence of Insignificant (1).
- Injury to staff or patrons given the tiles and liner pose risks of bruising, cutting, trips and potential drowning. The risk rating is medium (8), which is determined by a likelihood of likely (4) and a consequence of minor (2).
- Decreasing the aesthetic appeal of the centre as caution tapes and witches' hats look unsightly and decrease the patron enjoyment factor. The risk rating is medium (8), which is determined by a likelihood of likely (4) and a consequence of minor (2).
- Water leakage damaging the structural pool shell. The risk rating is high (12), which is determined by a likelihood of possible (3) and a consequence of major (4).

The above risks will be eliminated by the adoption of the officer's recommendation. Given the time needed to complete an RFT process and necessary due diligence being undertaken it would be anticipated that the earliest this work could commence would be October or November which clashes with peak summer months and the closure of a significant town asset at a period in which it is widely used would lead to significant reputational damage and an inability to run key intervention based programming during school holidays.

To ensure the town's reputation is maintained the recommendation is to perform the work in April 2023 as facility usage decreases at the commencement of this period.

OPTIONS

Officers recommendation 1

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

Officers recommendation 2

Option 1 – Adopt officer's recommendation 2

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

The Town of Port Hedland's Aquatic assets are of an advanced age, and two elements of the infrastructure have suffered critical failures, that being the 50m pool gutter tiling and the leisure pool vinyl liner. Recommendations are based upon consultation and advice sought from Town Officers and the Towns Aquatics Servicing & Maintenance contractor.

ATTACHMENTS

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12.2.2 TOWN OF PORT HEDLAND STRATEGIC COMMUNITY PLAN 2022-2032

Author: Senior Engagement Officer, Community & Place
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.

CM202223/010 COUNCIL DECISION**MOVED: CR CHRISTENSEN****SECONDED: CR KELLER**

That Council with respect to the Town of Port Hedland Strategic Community Plan

- 1) Adopt the 2022 -2032 Strategic Community Plan as per Attachment 1 giving local public notice detailing where and when the document can be inspected: and
- 2) Give discretion to the Chief Executive Officer to make minor editorial changes to the Strategic Community Plan that do not affect the intent of its content.

CARRIED BY ABSOLUTE MAJORITY (6/0)**PURPOSE**

The purpose of this report is for Council to consider supporting the Town of Port Hedland *Strategic Community Plan 2022-2032*.

DETAIL

The Town of Port Hedland's (ToPH) *Strategic Community Plan (SCP)* outlines the future direction of the ToPH. It focuses on building generational prosperity, economic and environmental sustainability and community through partnership, civic leadership and collective action over a ten-year period. It reflects the trends and local context, outlines our community aspirations and details the activities required to achieve the Town's goals by 2032. The development of the Plan undertook extensive community consultation between the period July 2021 to March 2022 in line with legislation, resulting in the development of a new *Strategic Community Plan 2022-2032*, superseding the current *Strategic Community Plan 2018-2028*.

In October 2021, ToPH commissioned an external community engagement consultant, Bank of I.D.E.A.S to draft the Plan, resulting in the development of a new *SCP 2022-2032*. The project required reviewing and amending the current *SCP 2018-2028* within the context of the extensive community consultation undertaken in 2021/22 to develop the *ToPH Community Development Plan 2022-2027*, *ToPH Youth Development Plan 2022-2025*, *ToPH Aboriginal Partnership Plan 2022-2025*, *ToPH Economic Development and Tourism Strategy 2022*, and the *ToPH South Hedland Place Plan 2021*. The project also required review of data gathered through the *ToPH 2021 Community Perception Survey*.

The new ToPH *SCP 2022-2032* will be supported by a raft of strategic plans, including the Long-Term Financial Plan, the Asset Management Plan and the Workforce Plan. It will be

supported by the Town's financial plans and annual budgets, as well as resources from our partners and stakeholders.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of HIGH significance, because there are considerable long-term implications of the decisions including an impact on all ToPH strategic documents.

CONSULTATION

Internal

The development of the new *Strategic Community Plan 2022-2032* took place from March 2022 to June 2022. The new document is both driven and inspired by feedback, opinions, priorities and ideas derived from extensive internal and external community input undertaken between July 2021 and March 2022. Community feedback indicates a strong direction for the Town to continue building a safe, family-friendly, vibrant and cohesive community.

Formulation of The Plan was undertaken by the ToPH Community Development Team along with the input and support of Facilitators Bank of I.D.E.A.S.

Internal workshops and information briefing sessions were conducted with ToPH Elected Members, Executive Leadership Team and the Senior Leadership Team with the feedback garnered throughout this process used to inform the creation of the new SCP.

Other key ToPH planning documents were essential foundation resources for the preparation of The Plan as outlined above.

External Agencies

The community engagement stage utilised a wide range of integrated activities (formal and informal) and included 85+ external agencies, community members and stakeholders. It involved the following elements:

- Desktop research
- Under the banner, 'Hedland Huddle', hosting and facilitating a range of community sessions engaging community members, businesses, and organisations
- Use of a variety of 'My Big Ideas' cards to elicit ideas and opinions and how community members could contribute to make it happen
- Administration of the 2021 ToPH Community Perception Survey

Community

community engagement stage utilised a wide range of integrated activities (formal and informal) in which 1,045 community members and stakeholders exchanged ideas, opinions, information, knowledge and wisdom; sought common ground and weighed options through meaningful interactive conversations, including:

- 180+structured one-on-one and group conversations
- 6,470 contributed ideas and opinions
- 1,055 Community Perception Survey responses.

LEGISLATION AND POLICY CONSIDERATIONS

Under S5.56 (1) of the Local Government Act 1995 and subsequent regulations, all local governments in Western Australia are required to plan for the future by producing a ten-year Strategic Community Plan and a four-year Corporate Business Plan. These are the minimum requirements and the State Government has issued the “Integrated Planning and Reporting-Framework and Guidelines” 2010 (IPRF) to describe and advise on minimum requirements and desired good practice, with the emphasis on the need for local governments to integrate all their plans in a hierarchy of integrated planning.

FINANCIAL AND RESOURCES IMPLICATIONS

All costs associated with the development of the SCP 2022-2032 have been included in the FY 21/22 Operational Budget. The consultancy part of the SCP 2022-2032 has been budgeted at \$77,000.00 (ex GST).

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following sections of the Town’s *Strategic Community Plan 2018-2028* are applicable in the consideration of this item:

- 1.a.1 Stakeholders are engaged to develop a whole of town approach to increase accessibility to quality health and wellbeing services
- 1.a.2 Community needs and gaps in health provision are identified and delivered
- 1.a.3 Youth services and facilities are implemented with regular input from youth and providers
- 1.a.4 Partnerships with stakeholders to deliver sport and recreation are enhanced
- 1.a.5 Agencies and the community are fully engaged to reduce anti-social behaviours and improve community safety
- 1.a.6 Town-wide health, safety, recreation and sporting activities and services
- 1.b.1 Newcomers to Port Hedland are provided with inductions, information and opportunities to engage and get involved
- 1.b.2 A residential workforce is promoted to industry as the preferred option
- 1.b.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 people are recognised and supported
- 1.b.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.b.5 Opportunities to get involved and results of engagement are regularly promoted
- 1.c.1 The community, industry, arts and cultural organisations are engaged to identify, plan and coordinate events and activities
- 1.c.2 Events and activities to celebrate the Town’s cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered
- 1.c.3 Partnerships with industry and government to support events and activities are enhanced
- 1.c.4 The Town’s program of events and activities is promoted locally, regionally and nationally
- 1.d.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.d.2 Facilities and community infrastructure are revitalised across the Town
- 1.d.3 Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities

- 2.a.1 Local training providers, business, industry, services, agencies, social sector and infrastructure providers are fully engaged and coordinated in the development of training and employment opportunities
- 2.a.2 Partnerships with private enterprises and government to fund projects and create jobs are pursued
- 2.a.3 Innovation is encouraged to enhance the diversity of employment opportunities
- 2.a.4 Broader education and training offerings are encouraged
- 2.b.1 Forums are regularly provided to support industry and businesses, including Aboriginal and disability enterprises, in engaging with the community and stakeholders
- 2.b.2 The Town's economic development strategy is supported through engagement with key economic groups
- 2.b.3 Red tape for business is minimised through review and reform of relevant policies and by-laws
- 2.b.4 Business approval processes are transparent and pathways streamlined
- 2.b.5 Business opportunities and major projects are promoted online and at relevant national and international
- 2.c.1 Business and government agencies and other relevant stakeholders are engaged to:
- 2.c.2 Opportunities for social enterprise, innovators, and small and medium sized businesses are identified, and strategies to attract and support them are implemented
- 2.c.3 Local procurement is prioritised and promoted across industry and agencies
- 2.d.1 Investment in key infrastructure development such as the port and logistics is pursued
- 2.d.2 The development of industry specific value chains are encouraged and supported
- 3.a.1 Traditional owners, key stakeholders, and the community are informed and actively involved in the protection and enhancement of the natural environment
- 3.a.2 Biodiversity is understood by the community and protected
- 3.a.3 Natural resource assets are well-managed and enhanced
- 3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed
- 3.b.2 Emergencies such as cyclones are prepared for, educated about, responded to and recovered from in partnership with key agencies
- 3.b.3 Sustainable energy, waste and water management practices are provided and promoted
- 3.b.4 Innovation and resilience of the built form are encouraged, assessed and implemented
- 3.b.5 The protection and valuing of amenities and urban space is enhanced through community engagement
- 3.c.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry
- 3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
- 3.c.3 Engagement with the community on urban renewal and greening initiatives is enhanced
- 4.a.1 Town of Port Hedland is represented and advocated for in International, Federal, State and regional forums and policy development
- 4.a.2 Town of Port Hedland is marketed and promoted locally, state-wide, nationally and internationally to tourists and investors
- 4.a.3 A positive narrative and unique brand is developed and promoted
- 4.b.1 Sound long-term financial planning is implemented

- 4.b.2 Transparent and regular financial reporting and communication to the community is undertaken
- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken
- 4.b.4 Constructive forums are provided for discussion and the representation of the diversity of views and needs that impact on the Town's developments, programs and policies
- 4.c.1 High quality and responsive customer service is provided
- 4.c.2 Community members, business and tourists are engaged to provide feedback about local facilities and services
- 4.c.3 Innovative marketing to attract amenity usage is implemented
- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

Environmental

We treasure and protect our natural environment and provide sustainable and resilient infrastructure and built form.

Economic

We build prosperity for all enabling sustained economic growth.

Social

We honour our people and our culture heritage ensuring wellbeing, diversity, creativity and a strong civic dialogue.

Disability Access and Inclusion Plan

The following outcomes of the Town's *Disability Access and Inclusion Plan 2017-2022* apply in relation to this item:

- Outcome 1 – Services and Events
- Outcome 2 – Buildings and Facilities
- Outcome 3 – Information
- Outcome 4 – Quality of Service
- Outcome 5 – Complaints
- Outcome 6 - Consultation Process
- Outcome 7 – Employment.

Corporate Business Plan

The following actions of the Town's *Corporate Business Plan 2018-2022* apply in relation to this item:

- 1.a.1.1- Develop, implement and review a community engagement program to interact with stakeholders on a regular basis
- 1.a.2.1 - Coordinate and advocate for improved community health services and facilities
- 1.a.3.1 - Coordinate and provide a range of youth activities in partnership with key stakeholders
- 1.a.4.1 - Support stakeholders to deliver sport and recreation services
- 1.a.5.1 – Develop, implement and review a Community Safety Plan
- 1.a.5.2 – Develop, implement and review strategies and programs to enhance the town's visual amenity and safety

- 1.a.6.1 – Promote awareness of town-wide health, recreation, sporting and safety services and initiatives
- 1.b.1.1 – Support initiatives with stakeholders to welcome newcomers to Town of Port Hedland
- 1.b.2.1 – Engage with key stakeholders to promote a residential first approach for workforce accommodation
- 1.b.3.1 – Provide meaningful opportunities for Aboriginal and Torres Strait Islander people to engage with the Town
- 1.b.3.2 – Provide meaningful opportunities to celebrate and recognise our Culturally and Linguistically Diverse communities
- 1.b.4.1 – Develop, implement and review a community engagement Policy and associated Strategy
- 1.b.5.1 - Develop, implement and review opportunities to share engagement feedback with key stakeholders
- 1.c.1.1 – Develop, implement and review a Cultural and Arts Strategy
- 1.c.2.1 – Provide a year-round events program aligned with the Cultural Arts Strategy
- 1.c.3.1 – Develop, implement and review a sponsorship, partnerships and engagement program for events and activities
- 1.c.4.1 – Develop, implement and review an integrated promotional and communications strategy for community wide events
- 1.d.1.1 – Develop, implement and review a facilities management plan and purpose statement for all community facilities including infrastructure standards, levels of service and management models
- 1.d.2.1 – Develop, implement and review an asset management renewal program to ensure long-term sustainability of the Town’s assets
- 1.d.3.1 – Support the provision of cultural, sporting and recreational facilities which are fit for purpose
- 1.d.4.1 – Develop, implement and review a marketing and promotional plan for community facilities and services
- 2.a.1.1 – Advocate for skills and career pathways within our community
- 2.a.2.1 – Develop Master Plans and business cases for future project implementation, in line with the Town’s strategic direction and needs
- 2.a.3.1 – Explore options for a ‘smart town’ strategy with key stakeholders
- 2.a.4.1 – Increase educational offerings by lobbying for secondary, Tertiary and higher learning facilities and services through facilitation with key stakeholders
- 2.b.1.1 – Provide local procurement forums, support and training
- 2.b.2.1 – Develop, implement and review partnerships with key stakeholders to promote economic growth and diversification
- 2.b.3.1 – Regularly review policies and local laws to minimise red tape within statutory frameworks
- 2.b.4.1 – Develop, implement and review an ICT and IS Strategy
- 2.b.5.1 – Work with stakeholders to enhance the reputation of the town
- 2.c.1.1 – Work with key stakeholders to develop, implement and review strategies to stimulate and diversify the local economy and address business challenges
- 2.c.2.1 – Provide information to the business community to support decision making
- 2.c.3.1 – Promote Town procurement opportunities
- 2.d.1.1 – Lobby State and Federal Government to invest in port infrastructure

- 2.d.2.1 – Advocate and encourage key stakeholders to have locally based supply chains and service providers
- 3.a.1.1 – Develop, implement monitor and promote strategies to protect and enhance Hedland’s natural environment
- 3.a.2.1 – Provide community education on the importance of biodiversity
- 3.b.1.1 – Develop, implement and review a Parks and Paths strategy
- 3.b.1.2 - Identify and manage coastal hazards and flood risks
- 3.b.1.4 - Assess and rationalise the Town’s infrastructure and assets
- 3.b.1.5 - Lobby to improve public transport services and links between Port and South Hedland
- 3.b.2.1 - Implement, monitor and review the ToPH Local Emergency Management Arrangements to enable the community to both prepare for and recover from emergencies
- 3.b.2.2 - Undertake community cyclone preparation and response
- 3.b.2.3 - Undertake regular reviews of Town facilities to ensure that they are safe for public and staff
- 3.b.3.2 - Promote sustainable initiatives which encourage waste avoidance, reduction, recovery and reuse
- 3.b.4.1 - Develop, implement and review a strategy which creates opportunities for the Town's built infrastructure to incorporate innovation and robust designs for alternative future usages
- 3.b.5.1 - Monitor and report on noise, dust and air quality impacts
- 3.b.5.2 - Appropriate community engagement is undertaken for strategic planning and land use decisions
- 3.c.1.1 - Liaise with industry, developers, business and community to provide advice on planning, building and land matters
- 3.c.2.1 - Continue to maintain roads, footpaths, cycleways, beach access, carparks, verges, shade structures, drains, and signage
- 3.c.3.1 - Develop, implement and review public open space in line with the Parks and Paths Strategy
- 4.a.1.1 - Research and develop a coordinated response to town issues in line with the Strategic Community Plan
- 4.a.2.1 - Develop, implement and review an integrated marketing and branding strategy with key stakeholders to ensure consistent marketing of Port Hedland
- 4.a.3.1 - Work with stakeholders to enhance the reputation of the town in line with our Vision Statement
- 4.b.1.1 - Develop, implement and review the Town’s Long-Term Financial Plan
- 4.b.1.2 - Develop, implement and review strategic partnerships to support funding of key town projects and infrastructure
- 4.b.2.1 - Ensure the Town’s finances are managed efficiently and effectively in line with legislated requirements
- 4.b.3.1 - Ensure governance information provided to the community is in line with legislated requirements
- 4.b.4.1 - Develop, implement and review programs in line with the Community Engagement Policy and Strategy
- 4.c.1.1 - Develop, implement and review a Customer Service Strategy
- 4.c.3.1 - Implement the marketing and promotional plan for the Town’s community facilities and services.

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because this item relates to the provision of adequate services and support for the Hedland community improving town liveability, amenity and safety. In addition, the time spent to consult and communicate internally and externally with the community during the consultation phase of the strategic review was extensive, with community feedback indicating a strong direction for the Town to continue building a safe, family-friendly, vibrant and cohesive community.

The risk rating is considered to be medium (6), which is determined by a likelihood of unlikely (2) and a consequence of moderate (3).

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

The ToPH *Strategic Community Plan 2022-2032 (SCP 2022-2032)* represents a blueprint for the future direction of the Town and the Hedland community and will help guide the Town’s key policies and actions as we seek to meet both current and future aspirations, opportunities and needs of our community.

The new document is both driven and inspired by feedback, opinions, priorities and ideas derived from extensive community input undertaken between July 2021 and March 2022. Community feedback indicates a strong direction for the Town to continue building a safe, family-friendly, vibrant and cohesive community.

The Plan expresses the shared ownership that exists between the Town of Port Hedland and the community regarding the future, leveraging on our solid base of unique assets and investing in services and facilities that benefit our diverse community. Thus, shared responsibility and partnership is needed for ensuring its success. Implementation will require multiple partnerships between Council and the community, local industry and businesses, placed based organisations and service provider agencies. Alongside this, we have acknowledged current trends and reviewed expected shifts in demographics, social and economic issues and potential local, national and global impacts.

ATTACHMENTS

1. TOPH Strategic Community Plan 2022-2032 (under separate cover)

12.3 Regulatory Services

Cr Christensen declared an impartial interest in the following item.

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| 12.3.1 REFERRAL - WA PLANNING COMMISSION - PROPOSED ESPLANADE HOTEL RECLADDING |
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Author: Graduate Planner
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.

CM202223/011 COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR ECKHART

That Council advises the Western Australian Planning Commission (WAPC) that it does not object to the proposed exterior recladding of the Esplanade Hotel, subject to:

- a. The proposed development being referred to the Heritage Council of Western Australia and any recommendations made are reflected in a decision, due to the Esplanade Hotel having a Grade B listing on the Town of Port Hedland's Heritage Inventory 2017, with the objectives being to retain and conserve.
- b. The Western Australian Planning Commission advertising the proposal to the public as per the *Planning and Development (Local Planning Schemes) Regulations 2015*, inviting submissions. Any comments should be considered as part of the development assessment.
- c. The design being revised to include feature extended reveals to window and door openings along the 2013 additions to complement the heritage fabric and enhance the streetscape, as generally shown in render 5 on Attachment 7.
- d. Conditions and advice notes being imposed that address the following, prior to the commencement of works:
 - Public information campaign informing the public of the proposed works;
 - Approval of a construction management plan;
 - A building permit; and
 - A works within the road reserve approval is obtained for any works within the road reserve.

CARRIED BY SIMPLE MAJORITY (6/0)

PURPOSE

The purpose of this report is for Council to consider a referral from the Western Australian Planning Commission (WAPC) for the proposed recladding of the Esplanade Hotel (Attachment 1 – Proposed floor plans, elevations, and 3D renderings) and to provide a response and recommendation.

DETAIL

The original Esplanade Hotel is a significant building in Port Hedland, dating back to 1904. It is significant from a social and heritage perspective as it has continually traded since 1904 and is the last of the three original hotels in the Town. It anchors a primary town centre location on the main street and contributes to the character and streetscape appeal.

History and Heritage

The Esplanade Hotel was constructed in 1904 at a cost of 5,000 pounds, on the corner of the Esplanade and Anderson Street, close to the original harbour and jetty. The building was constructed as a two-storey stone building with timber floors, flat roof and timber verandah with cast iron panel balustrading to the upper floor of the verandah (Attachment 2 – 1904-1920 building). The architectural style it was designed to is federation filigree. It was the largest of a number of hotels in the town and one of the most prominent buildings at the time. A number of outbuildings were constructed on the north and western sides of the building after its construction.

Around 1920, a single storey timber building was added on the Anderson Street boundary. This was later replaced with a brick building with street verandah, separated from the original hotel building by a three-metre breezeway (Attachment 3 – 1920's building). The building was extensively damaged by a cyclone in 1939 with repairs and additions undertaken thereafter.

Further additions to the hotel building occurred after 1945, with a third storey added between 1959 and 1964. This consisted of vertical asbestos cladding. Around this time, a two-storey brick addition was added to the south end of the original building. Additions and extensions also occurred to the building along Anderson Street, which extended as a two-storey building to the laneway on the eastern side of the property by the 1970's (Attachment 4 – 1960's building).

In the 1970's, the hotel was again damaged by a cyclone. The timber verandah of the original hotel and addition were replaced with steel framed awnings on both street frontages which visually unified the buildings (Attachment 5 – 1970's building).

In 2013, a major redevelopment occurred with the construction of a new three storey steel framed extension to the southern end of the original hotel along the southern Esplanade Road frontage. This addition included new steel framed three storey verandahs over the boundary on both street elevations and a similar three storey verandah on the inside of the new building, facing into the courtyard. The new building extensions were externally clad with a prefabricated stone in random ashlar pattern to all faces. The stonework cladding was detailed and included quoining on corners and around window and door openings.

It is understood that in 2007, this stone cladding was first applied to the original 1904 building. In 2013, the same stone cladding was applied to the new additions and the buildings on Anderson Street to unify the new additions with the original hotel building. From investigations to the original buildings, a compressed sheet lining was applied over the original façade with the prefabricated stone added on top (Attachment 6 – 2013 building).

Issue and proposed development

Since the hotel was purchased by BHP in 2018, stone cladding pieces have fallen off from the material which they were attached to. This situation prompted an investigation and identified

the need to remediate the façade. The recommended permanent remediation proposed by BHP includes:

- Remove all existing stone and backing board;
- Replace existing furring channels. Install new construction / movement joints. Install new backing board;
- Install missing thermal insulation and vapour barriers;
- Apply three coat rendering system; and
- Apply stone details to window and door reveals to 1904 – 1920 high significance buildings and pre-finished charcoal grey powder coat linings to all other areas of existing buildings.

The applicant has conveyed that the reasons for the works in this particular manner are as follows:

- The stone veneer detailing to the door and window reveals will highlight the high heritage value of the older parts of the building.
- The differentiation in colours of the different time periods can communicate in a visual manner the historical development of the hotel from 1904 to 2013.
- Adding the vapour barrier and thermal insulation will address current condensation issues within the building.

In October 2021, the Department of Planning Lands and Heritage provided the Town with the application documentation prior to formal lodgement of the application for preliminary review and comment (Attachment 7 – 2021 Pre-Lodgement design). This design featured bold treatment of door and window reveals for aesthetic interest and continuity along the building façade. The articulation of the openings was used to tie the 2013 additions into the original building, while the differing paint colour communicated the historical development of the hotel. Due to the prominent location of the hotel and its high contribution to the character of the area and streetscape appeal, a high level of finish is required for the exterior façade. It is considered that the pre-lodgement design with the extended reveals on the window and door openings in contrasting colours better expressed the features of the design and provided a more visually interesting and higher quality aesthetic to the streetscape. For these reasons, the pre-lodgement design is preferred when compared to the current proposal. As per point 1 (c) of the officer's recommendation, it is recommended that the feature window treatments are re-introduced into the current design.

The pre-lodgement proposal was reviewed by the Heritage Services from the Department of Planning, Lands, and Heritage, who have advised that they were satisfied that the applicant has appropriately investigated and considered several options for the cladding remediation, whilst giving due regards to the local heritage significance of the place, and as such support the pre-lodgement design. The new design submitted for lodgement has yet to be reviewed by Heritage Services from the Department of Planning, Lands, and Heritage.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the Esplanade Hotel has high social value and is set in a prominent location.

CONSULTATION

Internal

The Town's Building Surveyor has advised that the works will require a building permit.

External Agencies

None undertaken by the Town as this is a referral from the WAPC. The Officer's recommendation is that the WAPC refer the proposal to the Heritage Council of Western Australia and that any recommendations are reflected in a decision.

Community

None undertaken by the Town as this is an application being assessed by the WAPC. The Officer's recommendation is that the WAPC undertake advertising to the public in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. This advertising should invite submissions and consider them as part of the assessment process.

LEGISLATION AND POLICY CONSIDERATIONS

Port Hedland West End Improvement Scheme No. 1

- Land to the West of Taplin Street in Port Hedland is subject to the provisions of the West End Improvement Scheme, which is administered by the WAPC.
- Proposed development within this area needs to gain planning approval from the WAPC, not the Town.
- The WAPC refers proposals to the Town, inviting comments, advice and recommendations.

Town of Port Hedland Heritage Inventory 2017

- Place No. 5.
- Level of significance: Grade B – retain and conserve.
- Architectural Style: Federation Filigree (originally).
- Condition: Good.
- Integrity: High, continuous hotel and hospitality.
- Authenticity: Low.

FINANCIAL AND RESOURCES IMPLICATIONS

Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following section of the Town's Strategic Community Plan 2018-2028 is applicable in the consideration of this item:

- 3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item because the heritage integrity could be permanently impacted if works are not designed and undertaken appropriately. The risk rating is considered to be medium (8), which is determined by a likelihood of unlikely (2) and a consequence of major (4). This can be avoided by the WAPC referring the proposal to the Heritage Council of Western Australia for technical advice and feedback.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Should Council resolve to support the current proposed design without the feature window and door reveals, the Town recommends that point c of the officer’s recommendation be removed.

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

The Esplanade Hotel is a significant building in Port Hedland, dating back to 1904. It is significant from a social and heritage perspective as it has continually traded since construction and is the last of the original three hotels in the Town. It anchors a primary town centre location on the main street and contributes to the character and streetscape appeal. It is considered that the proposed recladding, with the inclusion of thermal insulation and vapour barriers, will ensure that the integrity of the building will be improved and support its continued use.

It is recommended that the Officer’s recommendation is adopted by Council and forwarded to the WAPC for consideration and determination.

ATTACHMENTS

1. Attachment 1 – Proposed floor plans, elevations, and 3D renderings (under separate cover)
2. Attachment 2 - 1904-1920 building (under separate cover)
3. Attachment 3 - 1920's building (under separate cover)
4. Attachment 4 - 1960's building (under separate cover)
5. Attachment 5 - 1970's building (under separate cover)
6. Attachment 6 - 2013 building (under separate cover)
7. Attachment 7 - 2021 Pre-lodgement design (under separate cover)

12.4 Infrastructure Services

Nil.

12.5 Executive Services

Nil.

Item 13 Motions of which Previous Notice has Been Given

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| 13.1 REVOCATION OF MOTION ELECTED MEMBERS FEES AND ALLOANCES 2022/23 |
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The Town received a notice of motion from Deputy Mayor Turner to revoke Council Decision CM202122/230, 'Elected Members Fees and Allowances 2022/23', passed by absolute majority at the Ordinary Council Meeting held on 30 June 2022. Due to Deputy Mayor Turner not being present for this evenings meeting, this revocation motion has been removed from tonight's agenda and will be tabled at the Ordinary Council Meeting to be held on 7 September 2022.

Item 14 New Business of an Urgent Nature (Late items)

Nil.

Item 15 Matters for Which Meeting May Be Closed (Confidential Matters)

Nil.

Item 16 Closure

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 7 September 2022 commencing at 5:30pm.

16.2 Closure

There being no further business, the Presiding Member declared the meeting closed at 6:00pm.

DECLARATION OF CONFIRMATION OF MINUTES

I certify that these Minutes were confirmed by the Council at its Ordinary Council Meeting on 7 September 2022.

CONFIRMATION:

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

PRESIDING MEMBER

7/9/2022

DATED