



Confirmed
MINUTES
Ordinary Council Meeting
Wednesday, 27 November 2024

Date: Wednesday 27 November 2024
Time: 5:30pm
**Location: 13 McGregor Street, PORT HEDLAND WA
6721**
Distribution Date: 07/01/2025

A handwritten signature in black ink, appearing to be "P. B.", written over a horizontal line.

Mayor

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1 Opening of Meeting

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

2 Acknowledgement of Traditional Owners and Dignitaries

The Presiding Member acknowledged the Kariyarra people as the Traditional Custodians of the land that we are meeting on and recognised their strength and resilience and paid 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 Ambika Rebello
Cr Adrian McRae (via Teams)

Scheduled for Attendance:

Mark Dacombe (A/Chief Executive Officer)
Steve Leeson (Director Corporate Services)
Alison Banks (Director Community Services)
Kylie Davies (Director Regulatory Services)
Lee Furness (Director Infrastructure Services)
Tom Kettle (Manager Governance)

Minutes

Karen Krollig (Governance Officer)
Rhiannon Smith (Governance Support Officer)

Livestream

Belinda Yull (Governance Support Officer)

3.2 Attendance by Telephone / Instantaneous Communications

Cr Adrian McRae

3.3 Apologies

Cr Tim Turner

3.4 Approved Leave of Absence

Cr Sven Arentz

3.5 Disclosures of Interest

Nil

4 Applications for Leave of Absence

CM202425/190 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen SECONDED: Cr Camilo Blanco

That Council approve the application of leave of absence for Cr Ambika Rebello for the period 11 December 2025 Ordinary Council Meeting.

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

5 Response to Previous Questions

5.1 Response to Questions taken on notice from Elected Member at the Council Meeting held on 30 October 2024

7.1.1	Cr Blanco
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The Town has an insurance policy for legal representation at its cost, and I’m asking for that. If not, I will pay out-of-pocket and claim it back from the Town, as I’ve done before. Can this be addressed through the Town’s process? When will I get an answer?

The Mayor provided with following response:

I'll take that on notice and provide an answer by Tuesday, in three working days.

Note: Response email sent on 7 November 2024 to all Elected Members.

Gary Adshead from 6PR stated that the doctor we consulted was a vet. Why didn't you correct him, given you should have read the report? Were you aware of the doctor's qualifications?

The Mayor provided with following Further response:

I was focused on answering the questions put to me.

The Premier said the Town should "stick to its knitting." Why did the government legislate COVID-19 provisions in the Local Government Act if they didn't want Local Governments involved in public health? Can we get an explanation from the Premier?

The Mayor provided with following further response:

Any person can write to the Premier, I recommend you do so as a concerned member of the public.

The Premier also said the council went "completely off the rails." Given the Local Government Act allows councils to make resolutions on COVID-19, why did the Premier make that comment?

The Mayor provided with following further response:

Any person can write to the Premier, I recommend you do so as a concerned member of the public.

You said you were "very concerned" about the State Government potentially intervening and dissolving the council. Given that I've just explained the COVID-19 pandemic details are in the actual Local Government Act, what's your response to that Mr Mayor?

The Mayor provided with following further response:

My concerns are focused on what is best for the people of Hedland and ensuring local democracy remains strong with good governance.

Are you suggesting that the council has no authority to discuss COVID-19 issues, despite the State Government's provisions in the Local Government Act?

The Mayor provided the following further response:

No.

You stated on 6PR that some councillors have "lost the plot" and they're a "box of fruit loops". Can I get a response from the administration as to whether these comments while you have been representing the Town in answering questions on the Council's decision, whether you have in breach or if you're going to be breached or whether there is a plan to breach you on the breaches of the Code of Conduct Mr Mayor?

The Mayor provided the following further response:

Any Elected Member can follow due process and lodge a breach of the Code of Conduct should they wish to.

Why hasn't the Mayor been breached for breaching the Code of Conduct in his comments as Mayor? Can the CEO explain?

The Chief Executive Officer provided the following further response:

See above.

The CEO's letter to health practitioners mentions the TGA's confirmation of the safety of COVID-19 vaccines. However, the TGA's statements on October 18 seem unsupported by scientific research. Can we get the scientific papers backing the TGA's claims, and an explanation from the CEO as to why these comments were included, as they were not approved by council?

The Mayor provided with following further response:

You will need to seek any supporting material from the TGA directly. As the TGA raised a response to the Town's resolution the CEO considered it reasonable to include in our communications.

7.1.2	Cr Butson
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Concerning response to previous questions on the 25 September 2024, I noticed that two questions were submitted and notified for a subsequent answer, can I please have a reason why they are not confirmed and answered in the minutes?

The CEO provided the following response:

I will assume those were answered on the night, but we will investigate this and provide you with an answer.

Governance has provided the following further response:

The following were Cr Lorraine Butson's questions asked at the Ordinary Council Meeting of 25 September 2024 and the responses given on the night are listed below:

- 1. Has the Town sent condolences to the Gear family on the recent passing of Arthur Gear, who was a deputy Mayor and Councillor at Port Hedland?*

Mayor’s response on 25 September 2024:

I’m not sure, but we can send condolences to the family.

2. *Your diary dated 14 August 2024 in Canberra notes that you were in attendance at the Regions Rising Conference 2024 in Canberra. Subsequently, it was noticed that you were not in attendance at this conference, and I understand the cost incurred by the Town of Port Hedland is approximately \$1400 for registration. I request a refund of this amount to be returned to the Town as no significant benefit was derived from this unattended presentation.*

Mayor’s response at the meeting:

I attended the Regions Rising Summit – I had meetings to attend that day as well, but I was there.

5.2 Response to Questions taken on notice from Public at the Council Meeting held on 30 October 2024

5.2.1	Georgie Rose
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At the OCM 25th September 2024, which was the last one I spoke at, it was stated that we would be receiving a 75% reduction on this year’s hire. When can we expect to be notified of this in writing?

The Manager Events, Arts and Culture provided the following further response:

The fire warden matter was instigated in August 2023, due to a request received from Hedland School of Dance to use a haze machine as part of their 2023 performance. This request triggered the Town to undertake a WHS investigation into the use of haze and to ensure it would not cause a risk to public safety at the event. As a result, it was determined that the existing smoke security detector system is not sufficient for the use of haze to ensure public safety at the event, which is a top priority, so the request was not supported.

As part of the WHS investigation into use of haze, it was also evident that although the building does meet all building code requirements and regulations, to ensure best practice, updated safety measurements were adopted to the Emergency Evacuation Procedures, which included the use of fire wardens.

Since, the Town has also strongly advocated to the Department of Finance (management authority for capital works upgrades the Hedland Senior High School) to update the building with a new fire safety system, which includes new fire detectors and a new fire safety panel, to ensure best practice fire safety can be achieved. The Town has also offered to pay 50% of costs relating to the new fire safety system, to further advocate for a best practice solution. It is noted that due to the building being owned by State Government, and leased to the Town, the Town does not own and cannot upgrade or maintain any permanent capital works infrastructure without the support and consent of the Department of Finance.

At the OCM 25th September 2024, which was the last one I spoke at, it was stated that we would be receiving a 75% reduction on this year’s hire. When can we expect to be notified of this in writing?

The Manager Events, Arts and Culture provided the following further response:

An updated quote and written notification of the 25 October OCM resolution has been sent to the Hedland School of Dance on 15 November 2024.

5.2.2	Roger Higgins
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My question was why were you not aware of that provision within the Local Government Act that you have the right to make rules, regulations that affect the health of the people?

The Chief Executive Officer provided with following further response:

As far as I am aware the Town’s responsibilities are primarily related to Environmental Health. Health matters related to Covid-19 are primarily the responsibility of the State and Federal Government.

5.2.3	Doris Koehler-Teufel
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My question is about the marine environment. I’m glad to see the Town is engaging with the Flatback Turtle program. I support the permanent closure of driving on the dog walking beach at Simpson Street. There’s no need to drive there with a driveway available, and vehicles—whether 4WD or quad bikes—damage the environment. Not only are Flatback turtles endangered, but vehicles harm marine invertebrates, like the endangered Golden Ghost Crab, and land hermit crabs that burrow in the sand. Driving also disrupts the intertidal reef by disturbing sediments, which affects the reef when the tide comes in. A driving ban would help protect both the reef and local wildlife.

My question is: When will the Town of Port Hedland begin protecting the intertidal reef? The Flatback turtle is classified as endangered in WA, and there are at least seven species of hard corals on the reef listed as vulnerable or near-threatened globally. It would be great to see more fisheries controls on species like crabs, shellfish, and octopus, and to collaborate with the WA Museum or universities for research. With the new marina opening and tourism on the rise, protecting the reef is essential for sustaining future fish populations. I invite you to join me on reef walks to see the condition firsthand details are available at the visitor centre. If we want tourism to succeed in the long term, we must care for the reef now, before it’s too late.

The Manager Environmental Services provided the following further response:

The Town of Port Hedland understands the diversity of the marine environment and that the proposed controls to protect nesting habitats for the Flatback turtle is only one part of a much greater picture.

Officially, jurisdiction of, and responsibility for, the intertidal reef is shared between the Pilbara Ports Authority, Department of Biodiversity, Conservation and Attractions, and the Department of Water Environment and Regulation, with the Towns authority ceasing at the high tide line. This though does not prevent the Town for actively pursuing conservation and environmental protection actions that can benefit these areas. This willingness to pursue protective actions for areas of natural significance is demonstrated by the endorsement of the Towns Environmental Sustainability Strategy 2022-2027 which includes numerous conservation-based outcomes.

The Towns Environment and Sustainability teams would welcome an opportunity to meet with you to discuss ways that they can support the protection of marine environments and would greatly appreciate the chance to work with respected experts in the marine science field.

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 Mayor opened public question time open at 5:35pm.

6.1.1	Roger Higgins
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The arrangement of the flags is different tonight. Why is it that the National flag is not in the centre?

The Mayor provided the following response:

We will have it changed by the next Council meeting, thank you.

Relating to payments that were made to the Royal Life Saving (RLS) Association. How many lifeguards does the Town of Port Hedland employ and what is the quantum of payment made to those lifeguards during the course of the 19 month period that my previous questions related to. We've established previously that RLS do not employ lifeguards, so I assume it must be the Town of Port Hedland?

The Mayor provided the following response:

Taken on notice.

6.1.2	John Ashenden
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To Cr Blanco – Over the past 12 months, you have asked the Mayor questions regarding his business dealings with Hoah Binh. Have you had any responses to these questions?

Cr Blanco provided the following response:

I haven't received any answers to those questions.

To the Mayor, given that these questions haven't been answered could you clarify?

The Mayor provided the following response:

The questions have been asked and the information will be coming.

The Mayor closed public question time at 5:40pm.

6.2 Public Statement Time

The Mayor opened public statement time at 5:40pm.

Nil statements from public.

The Mayor closed public statement time at 5:40pm.

6.3 Petitions / Deputations / Presentations / Submissions

Nil

7 Questions from Members without Notice

7.1.1	Cr Camilo Blanco
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Have we had any response to the Covid-19 vaccine letters that were sent to the PM's office or any acknowledgement that they've received the documents?

The Mayor provided the following response:

Not that I'm aware of, no.

On Tuesday 21st 2024 May at the Regional Capital Australia meeting, you presented a housing proposal in relation to repurposing 40-foot sea containers. Can we get all the information that you presented? And if so, when?

The Mayor provided the following response:

Yes, certainly I can get that for you. I can get that to you by next Council meeting.

Also, can we find out where those container housings are being built in Vietnam?

The Mayor provided the following response:

I can get that information for you, yes.

At the JDAP meeting last week you rejected the proposal for the FIFO camp. Can I get an explanation as to why? I was at that meeting and you didn't say anything.

The Mayor provided the following response:

I think if you go back and listen to that meeting, you will hear what I said.

At the JDAP meeting, I seconded the motion and spoke in length on that motion. You agreed with me on what I said, and you didn't say anything about opposing it. Can I get an explanation why?

The Mayor provided the following response:

If you'll listen to the meeting, you hear exactly what I said about why I opposed it.

In the last Ordinary Council Meeting (30 October 2024) I asked that my questions regarding the Councillor McRae motion brought forth and approved at the Special Council Meeting held on 11 October. You responded that I could ask those questions to the Premier in my own private capacity. This was asked by myself as a council member representing the public. Can I have those questions answered again and directed to the people that I asked them to be directed to?

The Mayor provided the following response:

We'll take that on notice for you.

I've asked for the Town's response to the Department of Local Government on the compliance notice that was issued to the Town admin. I haven't seen any response or documents in my emails. Has anyone received that?

The Mayor provided the following response:

I haven't received anything from them.

Can I have the response that was sent to the department in relation to the notice that was sent to the Town? I'm sure that the department would have come back to the Town with a response to the improvement plan.

The Mayor provided the following response:

We'll get a you a copy of that.

I sent an email to you Mayor, in relation to Acting CEO appointment. You haven't answered that email. Am I going to get an answer?

The Mayor provided the following response:

No, you're not.

On the 25th of Sept OCM I asked about the ongoing cost of Decmil. I noticed in the payments for September, there's an extra \$93,000 that's been paid to Decmil. We've been told this is all settled and clearly it is not. Now we are receiving personalised correspondence from Decmil to meet because of the dispute that is apparently over. I need all the additional legal advice or correspondence from the administration to Decmil so we can determine if we need to make decisions on this.

The Director Infrastructure provided the following response:

We haven't had any further advice. You've had the advice that we received. The \$93,000 is a contract payment that has to do with the contract that was entered into, but we'll get you the details of that contract and what it entailed.

I need further clarification on why we are receiving this correspondence ourselves as council members? I'm requesting that we get our own legal advice on the letters being sent to council members.

The Director Infrastructure provided the following response:

We did respond to that and let Decmil know that it was inappropriate for them to contact Council members directly. We told them that no council member will be responding and that they should go through the Town's legal representatives and that advice has been sent directly to Council members. There is nothing more we can do to stop them contacting you directly.

If we have legal advice correspondence, can I get a copy of that so I can have a look at it?

The Director Infrastructure provided the following response:

That has already been sent to councillors, Cr Blanco.

So, we haven't had any more since the council meeting?

The Director Infrastructure provided the following response:

Yes, that is correct.

I've asked for the reports for the Canberra trip and the breakdown of the cost of \$92,500 associated with that travel.

The Mayor provided the following response:

I believe that has already been sent you councillor, I know I received a copy as well and it was broken down into the two trips, everyone received a copy, did you not receive a copy?

I have not seen a copy of that. The reports were in there as well?

The Mayor provided the following response:

Yes, everything is in the report. I'll send it to you.

7.1.2	Cr Lorraine Butson
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Relating to the OCM in September, I requested that the Town send condolences to the Gear family?

The Mayor provided the following response:

Yes, they have been sent.

I refer to my original request for the Mayor to return funds allocated to the Horizon Conference but not used for that purpose. I'm again requesting confirmation of repayment for all?

The Mayor provided the following response:

As you know I did go to the Horizon Conference, but I was actually called away to meetings at Parliament House, so I was there on council business, thank you.

Council was notified of your visitation to Canberra on Wednesday 19th November. Can you please confirm this actually took place and if so, can you

please advise the purpose of this visit, was it personal or Town of Port Hedland Business?

The Mayor provided the following response:

Last week. That was the ARC, I actual met with about five minsters on that day.

It's noted on the Town of Port Hedland website, that the meeting of the Youth advisory took place in the Chambers according to the information provided, can I be advised the method of the notification to elected members date and time please.

The Mayor provided the following response:

I think that all got sent out by email, I'll take that on notice. I'm pretty sure every councillor got notified of that.

No, we didn't, we didn't receive a notice. I was quite amazed to know that the CEO terminated his employment with the Town of Port Hedland prior to his scheduled date. I understand this was sanctioned by the Mayor and no notification to the elected members.

The Mayor provided the following response:

I didn't need to, thank you. I gave his two weeks of annual leave, that's correct, thank you.

Do you know when we were going to get the report back from the Chamber of Commerce with the partnership, we have with them?

The Mayor provided the following response:

I believe that still going on and not too far away I believe.

The Director Regulatory Services provided the following response:

There are no current agreements in place between the Chambers and the Town. We are working on settling the terms with that at the moment and following the recent appointment of the new CEO this week, we hope to include those definitely.

Cr Blanco added:

Mayor the Council resolved to give three hundred thousand dollars to the Chamber of Commerce, this was months and months ago. Has that not implemented?

The Mayor provided the following response:

As far as I'm aware of not at the moment, correct. As far I'm aware of.

The Director Regulatory Services provided the following response:

I'm not aware of a months and months ago agreement but the only thing that's been resolved in the last 12 weeks since I've been here is that we have agreed to support a one-off event which was their economic forum a couple weeks ago and until that new term has been settled, from my understanding no further payment has been made. I'll take that on notice and come back to you with the terms.

Cr Blanco responded:

We have resolved to give them hundreds of thousands of dollars.

The Mayor provided the following response:

And to my knowledge, that hasn't been paid yet.

Cr Blanco responded:

Can we get a clarification on that?

7.1.3	Mayor Peter Carter
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Councillor Butson, your event you're organising this Friday, that has now been cancelled. Do you know when the refunds will be given to those people for the tickets purchased?

Cr Butson provided the following response:

I think you need to ask the organisers.

You didn't organise it at all?

Cr Butson provided the following response:

No

You didn't have any bookings under you name?

Cr Butson provided the following response:

No

There was no hall booking under your name?

Cr Butson provided the following response:

No

Nothing at all?

Cr Butson provided the following response:

No

Okay, thank you.

8 Announcements by Presiding Member without Discussion

The Mayor’s meetings for the month of October 2024:

DATE	MEETING DETAIL	ATTENDANCE
8-10 October 2024	WALGA LG Convention 2024	
09.10.2024	NWDA Annual General Meeting	NWDA members
17-18 October 2024	RCAWA Meeting – Bunbury 2024	RCAWA members
23.10.2024	BP Chamber of Commerce	
24.10.2024	DeGrey Mining	Shane Boladeras
30.10.2024	RCA	Rachael Sweeney & Patrick Buchan

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

<p>CM202425/191 COUNCIL DECISION</p> <p>MOVED: Deputy Mayor Ash Christensen SECONDED: Cr Ambika Rebello</p> <p>That Council confirm that the Minutes of the Ordinary Council Meeting held on 30 October 2024 are a true and correct record.</p> <p style="text-align: right;"><i>CARRIED BY SIMPLE MAJORITY (6/0)</i></p> <p><i>For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Camilo Blanco, Cr Lorraine Butson, Cr Adrian McRae and Cr Ambika Rebello</i></p> <p><i>Against: Nil</i></p>
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Disclaimer

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

11 Reports of Committees

11.1 Audit, Risk and Compliance Committee

Nil

CM202425/192 EN BLOC MOTION**MOVED: Cr Camilo Blanco****SECONDED: Cr Ambika Rebello****That Council move the following items en bloc:****Items 12.1.1, 12.1.3, 12.1.4, 12.1.5, 12.1.6, 12.1.7, 12.2.1, 12.2.2, 12.2.5, 12.3.1 and 12.4.2.*****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*

12 Reports of Officers

12.1 Corporate Services

12.1.1	2025 Council and Committee Meeting Schedule
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Author: Governance Manager

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.

CM202425/192 EN BLOC COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council, pursuant to regulation 12 of the *Local Government (Administration) Regulations 1996*:

- 1. Approve the following Ordinary Council Meeting schedule for the 2025 calendar year;**

Date	Time	Location
Wednesday, 5 February 2025	5:30pm	Civic Centre, Port Hedland
Wednesday, 26 February 2025	5:30pm	Civic Centre, Port Hedland
Wednesday, 26 March 2025	5:30pm	Civic Centre, Port Hedland
Wednesday, 30 April 2025	5:30pm	Civic Centre, Port Hedland
Wednesday, 28 May 2025	5:30pm	Civic Centre, Port Hedland
Wednesday, 25 June 2025	5:30pm	Civic Centre, Port Hedland
Wednesday, 30 July 2025	5:30pm	Civic Centre, Port Hedland
Wednesday, 27 August 2025	5:30pm	Civic Centre, Port Hedland
Wednesday, 24 September 2025	5:30pm	Civic Centre, Port Hedland
Saturday, 18 October 2025		Election
Monday, 20 October 2025		Swearing in Ceremony

Wednesday, 29 October 2025	5:30pm	Civic Centre, Port Hedland
Wednesday, 26 November 2025	5:30pm	Civic Centre, Port Hedland
Wednesday, 10 December 2025	5:30pm	Civic Centre, Port Hedland

2. Approve the following Audit, Risk and Compliance Committee meeting schedule for the 2024 calendar year;

Date	Time	Location
Tuesday, 11 March 2025	5:30pm	Civic Centre, Port Hedland
Tuesday, 13 May 2025	5:30pm	Civic Centre, Port Hedland
Tuesday, 12 August 2025	5:30pm	Civic Centre, Port Hedland
Tuesday, 25 November 2025	5:30pm	Civic Centre, Port Hedland

3. Request the Chief Executive Officer, or his authorised officer, to advertise the approved dates by way of public notice and on the Town of Port Hedland’s official website.

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

PURPOSE

The purpose of this report is for Council to consider the approval of the proposed meeting schedules for the 2025 calendar year, to be advertised in accordance with legislative requirements.

DETAIL

Council is required to set the schedule of Ordinary Council Meetings and Committee Meetings for the succeeding year and advertise the adopted dates, times and locations in line with the requirements of the *Local Government (Administration) Regulations 1996*.

2025 Ordinary Council Meeting Schedule

At the Ordinary Council Meeting held on 1 November 2023, Council determined its meeting dates for 2024 and will now need to consider meeting dates for the next calendar year in accordance with legislation.

It is proposed that Council continue holding Ordinary Council Meetings on the last Wednesday of each month at 5:30pm in Council Chambers for the 2025 calendar year, with amendments to the schedule as follows:

- There is no Council Meeting in January 2025 due to the Christmas break and school holidays, therefore two Council Meetings are proposed in February 2025;
- Hold the December Council Meeting on 10 December 2025, due to the Christmas break and school holidays;

The live streaming of all Council meetings will continue throughout 2025, to allow the public that are unable to attend the meetings in person the opportunity to view the meeting in real time. School holidays and public holidays have also been considered in the preparation of the proposed 2025 schedule.

Council currently holds a 2-hour agenda feedback session one week prior to each Council Meeting. It is proposed that this practice continue in 2025 as this provides an opportunity for Elected Members to seek clarification on reports in the agenda and ask any questions, they may have relating to matters contained in the agenda.

2025 Election Date and Swearing In Ceremony

Saturday, 18 October 2025 is the date for the Town of Port Hedland local government election and has been included in this schedule. On Monday, 20 October 2025, the Town will hold the swearing in ceremony for newly elected members of Council.

2025 Audit, Risk and Compliance Committee Meeting Schedule

The proposed schedule for 2025 remains on a quarterly basis, with the first meeting of the year to be held on 11 March 2025.

The ARC Committee currently holds a 1-hour agenda feedback session one week prior to each ARC Committee Meeting. It is proposed that this practice continue in 2025 as this provides an opportunity for Committee members to seek clarification on reports in the agenda or ask any questions they may have relating to matters of audit, risk, compliance or finance.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

- Executive Leadership Team
- Senior Leadership Team
- Audit, Risk & Compliance Team
- Governance Team

External Agencies

Nil

Community

Upon approval of the meeting schedules, the community will be notified via public notice in the local newspaper, at the local libraries and via the Town's website.

LEGISLATION AND POLICY CONSIDERATIONS

Sections 5.3 to 5.5 of the *Local Government Act 1995* apply in relation to holding, convening and calling Council meetings.

Regulation 12(1) of the *Local Government (Administration) Regulations 1996* outlines the requirements for local public notice for Ordinary Council meetings and Committee meetings.

Regulation 12(1) of the *Local Government (Administration) Regulations 1996* outlines that the Local Government is to give local public notice of any change to the date, time or place of a meeting.

Ordinary Council meetings will be live streamed in accordance with policy 1/015 'Recording of Council and Committee Meetings'.

Section 6.6 of the Audit, Risk and Compliance Committee Terms of Reference states that a meeting schedule is to be developed that includes the dates and location for the forthcoming year.

FINANCIAL AND RESOURCE IMPLICATIONS

There will be an approximate cost of \$115 associated with local public notice of the 2025 meeting schedule.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Community:

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

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

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

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.

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 1 – Events and Services
- Outcome 3 – Accessible Information
- Outcome 5 – Opportunities for Feedback

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.

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	Council do not adopt proposed meeting schedule and risk not meeting deadlines for public notice, as well as best practice of governance
Effect (Consequence)	Inadequate information relating to schedule of 2025 meeting framework to public, elected members and staff, affecting the administration of meetings, personal commitments and lack transparency.
Risk Treatment	Council adopts the 2025 Council and Committee Meeting Schedules
<p>There is an Operational, risk associated with this item caused by lack of sufficient notice to members of the public, elected members and the administration, resulting in a loss of trust and transparency of the council's intent to meet to deliberate on important matters effecting the community and Town's operations.</p> <p>The risk rating is considered Low (3) determined by a likelihood of Rare (1) and a result 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

Council and committee meetings for the succeeding calendar year must be set by the Council and advertised according to legislation. Advertising via local public notice and on the Town’s official website of the approved dates, times and locations of the proposed 2025 meeting schedules, will ensure that the community are aware and given the opportunity to prepare for and participate in council meetings. The meeting schedules will also ensure that the Town adheres to auditing and compliance deadlines.

ATTACHMENTS

Nil

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

CM202425/193 COUNCIL DECISION

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

OFFICER’S RECOMMENDATION 1

That Council adopt the revised 2/020 Credit and Purchase Card Policy.

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

CM202425/194 COUNCIL DECISION

MOVED: Cr Camilo Blanco **SECONDED:** Cr Ambika Rebello

OFFICER’S RECOMMENDATION 2

That Council adopt the revised 9/010 Asset Management Policy.

CARRIED BY SIMPLE MAJORITY (6/1)

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

CM202425/195 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen SECONDED: Cr Ambika Rebello

OFFICER’S RECOMMENDATION 3

That Council rescind 1/016 Workplace Health and Safety Policy.

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

CM202425/196 COUNCIL DECISION

MOVED: Deputy Mayor Ash Christensen SECONDED: Cr Ambika Rebello

OFFICER’S RECOMMENDATION 4

That Council rescind 3/024 Volunteering Policy for Town of Port Hedland Employees.

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

CM202425/197 COUNCIL DECISION

MOVED: Cr Ambika Rebello SECONDED: Cr Camilo Blanco

OFFICER’S RECOMMENDATION 5

That Council adopt the revised 2/007 Procurement Policy.

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

PURPOSE

The purpose of this report is for Council to consider and adopt the Town of Port Hedland (the Town) policies as part of the review program:

- 2/020 Credit and Purchase Card Policy
- 9/010 Asset Management Policy
- 1/016 Workplace Health and Safety Policy
- 3/024 Volunteering Policy for Town of Port Hedland Employees, and
- 2/007 Procurement Policy

DETAIL

At the 25 September 2024 Ordinary Council Meeting, report 12.1.2 Council Policy – Policy Framework was adopted. Included as an attachment was a register of Town policies outlining their status for their proposed review, development and adoption.

The Town has more than 50 policies, along with requirements for some additional policies to meet new legislative requirements. Adopted policies require periodic review. Some of these existing policies have become outdated and lack relevance to contemporary times, while others appear more operational in nature and would serve the organisation more effectively as procedures.

A risk-based approach to the review cycle is being undertaken to ensure that policies that relate to higher risk matters are reviewed more regularly, to those which carry lower risks. A risk rating will be applied to Council policies as they are reported to the Council for review.

2/020 Credit and Purchase Card Policy

Previously known as the Corporate Credit Card Policy, this policy was last reviewed and adopted by Council on 27 July 2022 (CM202223/003).

Revisions have been made to the policy to ensure alignment with the Financial Management Regulations 1996, and both the Department of Local Government Sports and Culture (DLGSC) and Office of Auditor General (OAG) better practice guidelines. The policy scope has been expanded to include other related purchase cards (i.e. fuel cards), applying the same objectives, responsibilities and guiding principles for consistent and compliant application. The revised Policy now excludes administrative processes, transferred to the Town's internal operating procedures (IOP's) to strictly guide credit and purchase card use. The proposed policy rewrite changes were outlined to Council at a workshop held on 14 October 2024.

The current policy is included as attachment 1.

The proposed policy is included as attachment 2.

9/010 Asset Management Policy

This policy was last reviewed and adopted by Council on 23 October 2019 (CM201920/070).

The proposed policy revision is based upon the Institute of Public Works Engineering Australasia (IPWEA) guidance in asset management of public works. This ensures the Town's practices are consistent with industry standards and can be readily adopted by existing and new staff. This protects against risks in staff turnover and resource capability.

The scope of the policy is focused on infrastructure asset management. Other asset classes such as fleet, information technology, land and financial assets, are managed differently to infrastructure assets, though shall have consistent asset management planning applied as applicable. Objectives of the policy, include:

- Whole of life cycle perspective - to ensure that for any asset whether existing, planned or under construction, there is consideration of the ongoing costs and resources needed to keep the asset functioning correctly until the asset is disposed or replaced.
- Levels of service - being asset management terminology that identifies what the services are that an asset provides, addressing safety and capacity.
- Financial aspects - includes ensuring that asset management planning is integrated with Long Term Financial Plan (LTFP), so the financial projections are aligned with renewal plans, condition inspections and asset revaluations.
- Workforce capability - is an internal facing objective in ensuring that staff roles involved in asset management are correctly identified and resources are available.
- Legislation and standards - including accounting standards for asset valuations and meeting operating standards like playground condition audits.
- Risk management – as per the Town's risk management framework considerations, addressing whether some assets are more critical than others and storm events possibilities.

The proposed policy rewrite changes were outlined to Council at a workshop held on 14 October 2024.

The current policy is included as attachment 3.

The proposed policy is included as attachment 4.

1/016 Workplace Health and Safety Policy

This policy was last reviewed and adopted by Council on 26 July 2023 (OCM202324/109).

This policy is recommended to be rescinded by Council as the Local Government Act 1995 (the Act) prescribes the CEO as responsible for the employment of staff. Also, due to new legislative prescriptions of the Work Health and Safety Act 2020 (WHS Act) and Work Health and Safety Regulations 2022, the CEO has overall responsibility for the Town's safety program driven by the Safety Management System. This includes Council, visitors and volunteers.

The current policy is included as attachment 5.

3/024 Volunteering Policy for Town of Port Hedland Employees

This policy was last reviewed and adopted by Council on 25 August 2021 (OCM202122/040).

This policy is recommended to be rescinded by Council as the Local Government Act 1995 (the Act) prescribes the CEO as responsible for employment of staff. It is an existing leave entitlement with supporting conditions for employees who chose to volunteer within the community. The Town's Industrial Agreement, employment legislation and the Emergency Management Act all provide guidance on this matter.

The current policy is included as attachment 6.

2/007 Procurement

This policy was last reviewed and adopted by Council on 28 July 2021 (CM202122/005).

Council has since adopted revised Delegation Register amendments to:

1.2.18 tenders for goods and services; change from \$750,000 to \$500,000.

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

These amendments have been incorporated within a revision to the Town's Procurement Policy. No other changes are proposed.

The current policy is included as attachment 7, highlighting the amendments.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance. Fraud is an emerging issue across all levels of government and should be considered in decision-making and risk assessment processes.

CONSULTATION

Internal

- Executive Leadership Team
- Senior Leadership Team

External Agencies

- Doug Bartlett, Principal Professional Asset Performance, NTTRO
- Katherine Kempin, LGIS Senior WHS Consultant

Community

- NIL

LEGISLATION AND POLICY CONSIDERATIONS

- Local Government Act 1995
- Local Government (Financial Management) Regulations 1996
- Local Government (Audit) Regulations 1996
- Work Health and Safety Act 2020 (WHS Act)
- Work Health and Safety Regulations 2022
- Fair Work Act 2009
- Town of Port Hedland Terms of Reference – Workplace Health and Safety Policy
- Town of Port Hedland Work Health and Safety Management Plan

FINANCIAL AND RESOURCE IMPLICATIONS

Asset management planning undertaken as per policy and its integration within the LTFP and annual budget process will establish financial forecasting implications.

STRATEGIC SUSTAINABILITY IMPLICATIONS**Strategic Community Plan**

The following section of the Town's Strategic Community Plan 2018-2028 is applicable in the consideration of this item: Ordinary Council Meeting Minutes 25 September 2024 11.1.2 39 of 110.

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.

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

Access and Inclusion

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

Nil.

Corporate Business Plan

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

Our Corporate Services:

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

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	Out of date or non-compliant policies and or gaps in policy framework.
Effect (Consequence)	Non-compliant decision making or not in line with best practice. Duplicitous and / or inconsistent policy positions.
Risk Treatment	Continuous review of policies following a risk-based approach.
<p>There is an Operational risk associated with this item caused by not maintaining an effective policy framework which may lead to compliance concerns.</p> <p>The risk rating is considered to be Medium (9) which is determined by a likelihood of (3) and a consequence of Moderate (3).</p> <p>This risk is considered acceptable due to the following controls in place:</p> <ul style="list-style-type: none"> • An existing policy is currently in effect. • The risk falls within the Town’s acceptable tolerance range. 	

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

The policy revisions have been considered to align with legislation, departmental guidance and best practice.

ATTACHMENTS

1. 2020- Corporate- Credit- Card [12.1.2.1 - 5 pages]
2. 2-020 Corporate Credit and Purchase Card Review [12.1.2.2 - 4 pages]
3. 9010- Asset- Management [12.1.2.3 - 3 pages]
4. To PH Asset Management Policy final [12.1.2.4 - 3 pages]
5. 1016- Workplace- Health-and- Safety [12.1.2.5 - 3 pages]

6. 3024- Volunteering- Policy-for- Town-of- Port- Hedland- Employees [**12.1.2.6** - 4 pages]
7. 2 007 Procurement Policy Amended November 2024 [**12.1.2.7** - 7 pages]

12.1.3	Review of Local Laws under s3.16 of the Local Government Act 1995
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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.

CM202425/192 EN BLOC COUNCIL 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

PURPOSE

Section 3.16 of the Local Government Act 1995 (the Act) requires local governments to review local laws at least once every eight years. The Town is to call for comments from the public, consider any received and then may amend or update local laws if required.

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 Govt Property 2016
- Waste 2020

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

- Any suggested changes or amendments to local laws by staff will be compiled while the community consultation process is underway.

External Agencies

- Nil

Community

- As noted below, s3.16 of the Local Government Act 1995 (the Act) requires the Town to call for submissions from the public as part of the review and consider any received.
- Any changes then required are to be made using the process required by s3.12 of the Act.

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

There are costs associated with advertising the review, considering any submissions that may be made.

Should the council decide to then amend the local laws, the process under s3.12 must be used. The cost to make any amendments is unknown at this stage and will depend on the extent of any changes required.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Community:

1.2.3 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 outcome 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	<p>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.</p> <p>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>
<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

The Towns local laws are functional and reasonably up to date. While some are 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 and savings in advertising and reports costs can be realised.

In addition, the State is undertaking a review of the Local Government Act 1995. With regard to local laws, it is not known what effect this might have but (for example) 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.

This may become clearer while the public consultation process required by s3.16 of the Act is underway.

ATTACHMENTS

Nil

12.1.4	Statement of Financial Activity - October 2024
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Author: Senior Financial Accountant

Authorising Officer: Director Corporate Services

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

CM202425/192 EN BLOC COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council:

- 1. Receive the Monthly Financial Report for the period ended 31 October 2024 as shown in attachment 1;**
- 2. Note the Accounts paid under delegated authority for the period ended 31 October 2024 as shown in attachment 2;**
- 3. Receive the Purchasing Card statements for the period ended 31 October 2024, as shown in attachment 3;**
- 4. Receive the Investment Summary Report for the period ended 31 October 2024, as shown in attachment 4;**
- 5. Receive the YTD Budget v Actual Report by Directorate, as shown in attachment 5;**
- 6. Receive the Capital Listing report for the period ending 31 October 2024, as shown in attachment 6.**

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

PURPOSE

The purpose of this report is for Council to receive the Statement of Financial Activity for the period ended 31 October 2024. 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 31 October 2024, 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 \$8.44M presented in Year to Date Actual on the Statement of Financial Activity is an estimate of the closing balance for 2023-2024 and is subject to change as finalisation of 30 June transactions occurs and financial end year audit is in progress.

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 2023/2024 financial year.
Effect (Consequence)	Could impact on the Town’s ability to meet service levels or asset renewal funding requirements.
Risk Treatment	The Town’s financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.
The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).	

OPTIONS

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

CONCLUSION

The opening funding surplus of \$8.44M presented in the YTD Actual on the Statement of Financial Activity, is as per the closing deficit presented in the unaudited financial statements from June 2024. The net current funding position is \$74.53M due to the practice of raising rate revenue of \$76M in August.

ATTACHMENTS

1. Monthly Financial Report - October 2024 [**12.1.4.1** - 8 pages]
2. Payments made under Delegated Authority - October 2024 [**12.1.4.2** - 71 pages]
3. Purchasing card statements - October 2024 [**12.1.4.3** - 31 pages]
4. Investment Summary Report - October 2024 [**12.1.4.4** - 10 pages]
5. YTD Budget v Actual Report by Directorate - October 2024 [**12.1.4.5** - 1 page]
6. Capital Listing report - October 2024 [**12.1.4.6** - 6 pages]

12.1.5 Information Management Policies

Author: Senior Records Officer

Authorising Officer: Manager Digital Services

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

CM202425/192 EN BLOC COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council:

- 1. Adopts the Information Management Policy as per attachment 1, and**
- 2. Adopts the Information Classification Policy as per attachment 2.**

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

PURPOSE

The purpose of this report is for Council to consider the adoption of newly developed Information Management Policy and Information Classification Policy as part of the Town of Port Hedland’s (the Town) Records and Information Management Framework.

BACKGROUND

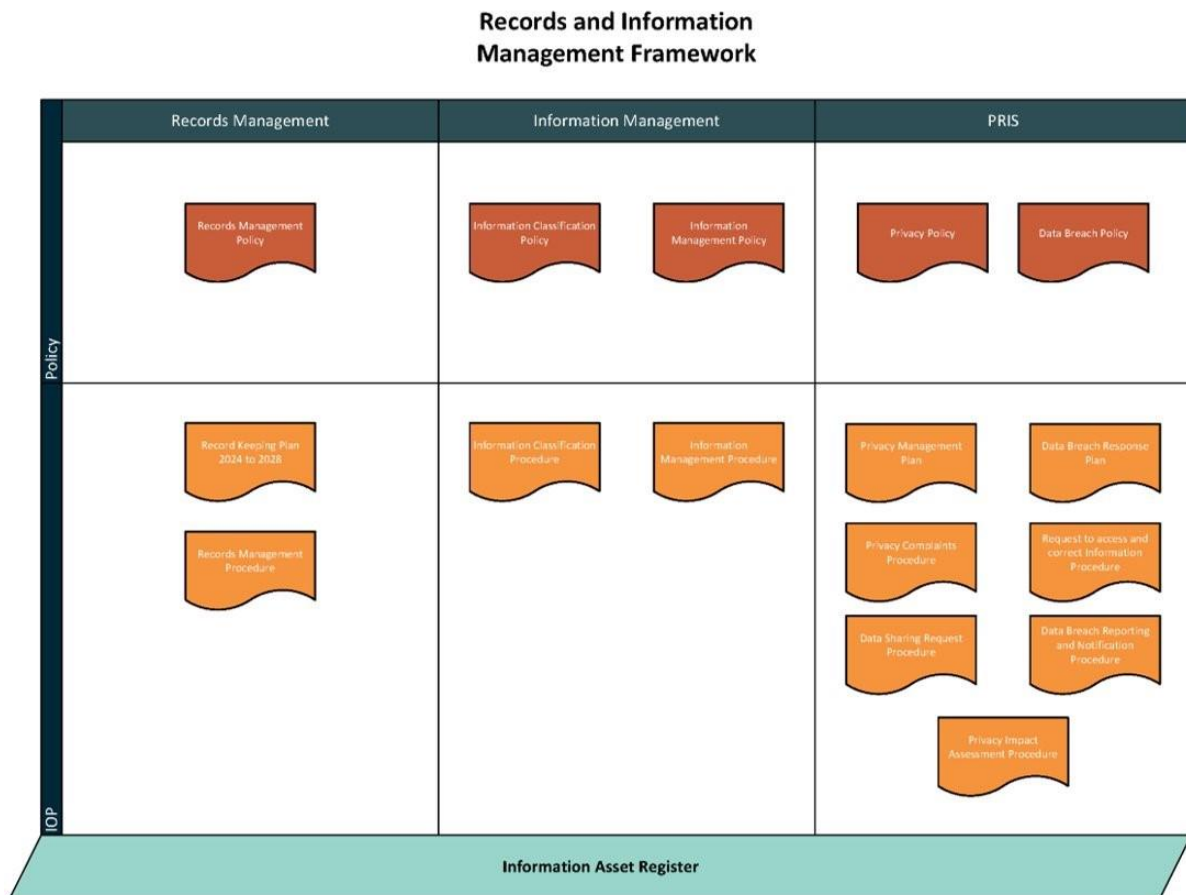
The Privacy and Responsible Information Sharing Bill 2024 requires agencies to establish a comprehensive privacy framework. It introduces 11 Information Privacy Principles (IPPs):

- Collection
- Use and Disclosure
- Data Quality
- Data Security
- Openness
- Access and Correction
- Identifiers
- Anonymity
- Transborder Data Flows
- Sensitive Information

- Compliance with Privacy Codes

It also mandates breach notification and privacy impact assessments.

The Town has established a 3 tier Records and Information Management Framework, depicted below.



These two new policies;

- Information Management Policy, and
- Information Classification Policy

underpin the Information Management tier of the framework.

DETAIL

1. Information Management Policy

- **Introduction**
- This policy provides guidelines for managing information to ensure security and compliance within the Town of Port Hedland.
- **Objectives and Scope**

- The policy aims to protect sensitive information, comply with legal requirements, and enable efficient access to information. It applies to all employees, contractors, and third parties handling information.
- **Key Principles**
- Confidentiality, integrity, and availability are fundamental principles. Information should only be accessed by authorized individuals, must be accurate, and should be available when needed.
- **Implementation**
- Information Management Officers will oversee the policy. Employees will receive training, and a classification framework will categorize information into levels such as Public, Internal, Confidential, and Restricted.
- **Compliance**
- Regular audits will ensure adherence to this policy. Violations may result in disciplinary action.
- **Review**
- The policy will be reviewed annually and updated as necessary. Feedback will be encouraged for continuous improvement.

2. Information Classification Policy

- **Introduction**
- This policy outlines how to classify information within the Town of Port Hedland to protect sensitive data.
- **Objectives and Scope**
- The policy aims to categorize information based on sensitivity, guiding access and handling. It applies to all types of information managed by employees and contractors.
- **Key Principles**
- The principles include confidentiality, ensuring only authorized access; integrity, maintaining accurate information; and availability, ensuring access when needed.
- **Implementation**
- Information will be classified into Public, Internal, Confidential, and Restricted levels, with guidelines for handling each category. Employees will be trained in classification responsibilities.
- **Compliance**
- Regular reviews will ensure compliance with this policy. Breaches may lead to disciplinary action.
- **Review**
- The policy will be reviewed annually and updated as needed, with feedback collected for improvement.

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

- Elected Members as per Agenda Feedback Session 20/11/2024
- Executive Leadership Team (ELT)
- Manager Digital Services
- Senior Records Officer

External Agencies

- Grace Records Management (Australia)

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

- State Records Act 2000
- Local Government Act 1995
- Freedom of Information Act 1992
- Evidence Act 1906

FINANCIAL AND RESOURCE IMPLICATIONS

There are no significant financial and resources implications associated with the proposed policy review.

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:

Nil.

Environmental

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Corporate Services:

Records Management - Records managed effectively in accordance with the State Records Act.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational Risk
Risk Category	Information Security and Compliance
Cause	Not following legislation requirements or failing to classify data correctly.
Effect (Consequence)	<ul style="list-style-type: none"> • Breach of legal compliance. • Unauthorised access to sensitive data. • Possible fines, penalties, and reputational damage.
Risk Treatment	Accept
<p>There is an Operational risk caused by inadequate compliance with information classification standards under PRIS legislation in Western Australia, leading to potential unauthorised access, compliance breaches, and financial penalties.</p> <p>The risk rating is Low (1), with a likelihood of Possible (3) and a consequence of Minor (2).</p> <p>This risk will be accepted by the financial management team.</p>	

OPTIONS

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

CONCLUSION

These policies establish the basis for strong records management that aligns with the Town’s strategic goals, improves decision-making capacities, and meets regulatory standards. Its effective implementation will greatly enhance the Town’s governance and operational efficiency, protecting valuable information assets for now and later.

ATTACHMENTS

1. Information Management Policy [**12.1.5.1** - 4 pages]
2. Information Classification Policy [**12.1.5.2** - 5 pages]

12.1.6	Privacy and Responsible Information Sharing (PRIS) Policies
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Author: Senior Records Officer

Authorising Officer: Manager Digital Services

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

CM202425/192 CEN BLOC COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council:

- 1. Adopts the Privacy Policy as per attachment 1, and**
- 2. Adopts the Information Breach Policy as per attachment 2.**

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

PURPOSE

The purpose of this report is for Council to consider the adoption of newly developed Privacy Policy and Information Breach Policy as part of the Town of Port Hedland’s (the Town) Records and Information Management Framework.

BACKGROUND

The Government of Western Australia are implementing reforms on information management. The Department of of Premier and Cabinet, Office of Digital Government, released the Privacy and Responsible Information Sharing (PRIS) Readiness Assessment Tool to enable agencies, including local government, to assess their current capability against the minimum requirements listed in the PRIS Readiness Checklist and submit a Baseline Readiness Report to the PRIS Implementation Steering Committee.

The Town of Port Hedland (the Town) has undertaken the questionnaire that is aligned to the eighteen key action items of the PRIS Readiness Checklist, including:

- Policies, and procedures
- Information classification
- Cyber security
- Records management

- Freedom of Information, and
- Open data.

It enables agencies to identify elements that are already in place and establish action plans to address gaps. The Town requires new policies on:

- Information Management, and
- Information Classification

DETAIL

1. Privacy Policy

- **Introduction to the Policy**

This Privacy Policy explains how the Town of Port Hedland protects personal information for our clients, employees, and stakeholders. It covers how we collect, use, share, and secure personal data.

- **Objectives and Scope**

The main goal of this policy is to be clear about how we handle personal information, protect individual privacy rights, and set rules for managing personal data. It applies to all employees, contractors, and third-party service providers who work with personal information for the Town of Port Hedland.

- **Key Principles**

We follow important principles when managing personal data. We only collect the information we need. We use personal data only for the reasons we collected it. We take steps to keep personal data safe. We assign clear responsibilities for data protection. Finally, we communicate openly about how we collect and use data.

- **Policy Implementation**

To put this policy into action, we provide regular training for employees on privacy and data security. We set clear rules for how to collect, store, process, and delete data. We also have a plan to respond to data breaches, which includes steps for identifying, containing, and notifying affected parties.

- **Compliance and Enforcement**

The Town of Port Hedland follows all relevant data protection laws. We regularly check to ensure we are complying with this policy. If someone breaks the rules, there will be consequences, which could include disciplinary action.

- **Policy Review and Continuous Improvement**

We will review this policy every year and update it as needed to keep up with changes in laws and practices. We will also consider feedback from stakeholders to improve our data protection efforts.

2. Information Breach Policy

- **Introduction to the Policy**

This Information Breach Policy explains what to do when there is a data breach affecting the Town of Port Hedland. It aims to protect the organisation and its stakeholders from the impacts of these breaches.

- **Objectives and Scope**

The goal of this policy is to provide clear steps for identifying, managing, and reporting data breaches. It applies to all employees, contractors, and third parties who handle data for the Town of Port Hedland.

- **Key Principles**

The main principles of this policy include quickly identifying breaches, effectively containing them, and informing affected people in a timely manner. We also stress the importance of keeping detailed records during the response process.

- **Policy Implementation**

To implement this policy, we will develop a response plan that outlines who is responsible for what during a breach. We will train all staff in their roles and regularly test the plan to ensure everyone is prepared.

- **Compliance and Enforcement**

Everyone in the Town of Port Hedland must follow this policy. We will conduct regular audits to ensure compliance, and any violations will result in disciplinary actions as per our overall compliance guidelines.

- **Policy Review and Continuous Improvement**

We will review this policy each year or as needed to reflect changes in laws or organizational practices. We aim to improve our procedures based on feedback and lessons learned from any breaches.

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

- Executive Leadership Team (ELT)
- Manager Digital Services
- Senior Records Officer

External Agencies

- Grace Records Management (Australia)

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

- State Records Act 2000
- Local Government Act 1995
- Freedom of Information Act 1992
- Evidence Act 1906
- Privacy and Responsible Information Sharing Act 2024

FINANCIAL AND RESOURCE IMPLICATIONS

- Nil

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Nil

Environmental

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

Access and Inclusion

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

Nil

Corporate Business Plan

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

Our Corporate Services:

Records Management - Records managed effectively in accordance with the State Records Act.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational Risk
Risk Category	Compliance and Information Security
Cause	Inadequate data protection measures, employee negligence, unauthorised access, or failure to comply with privacy regulations

Effect (Consequence)	Potential data breaches, legal penalties, loss of customer trust, reputational damage, and financial loss.
Risk Treatment	Accept
<p>There is an Operational risk associated with this item caused by inadequate training of staff on data privacy protocols, leading to potential data mismanagement.</p> <p>The risk rating is considered to be Low (1), which is determined by a likelihood of Likely (4) and a consequence of Minor (2).</p> <p>This risk will be accepted by the management team after evaluating the current controls in place and recognizing that the potential impact is manageable within the organization's risk appetite.</p>	

OPTIONS

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

CONCLUSION

These policies establish the basis for strong information management that aligns with the Town’s strategic goals, improves decision-making capacities, and meets regulatory standards. Its effective implementation will greatly enhance the Town’s governance and operational efficiency, protecting valuable information assets for now and later.

ATTACHMENTS

1. Privacy Policy [**12.1.6.1** - 6 pages]
2. Information Breach Policy [**12.1.6.2** - 5 pages]

12.1.7 Council Vacancy - Office of Councillor

Author: Manager Governance

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.

CM202425/192 EN BLOC COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council:

- 1. Note the resignation of Ms. Flo Bennett from her position as Councillor with the Town of Port Hedland with effect from 14 November 2024;**
- 2. Acknowledge and thank Ms. Flo Bennett for her service and contribution to the Town of Port Hedland community; and**
- 3. Endorse the office to remain vacant until the October 2025 Ordinary Election under section 4.17 Local Government Act 1995 and request the CEO write to the West Australian Electoral Commissioner to request approval.**

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

PURPOSE

The purpose of this report is to consider the circumstances of filling a vacant Council position and to resolve that a request be made to the West Australian Electoral Commissioner (the Commissioner) to hold an unfilled Council vacancy until the next ordinary election in October 2025.

DETAIL

On 31 October 2024, the Town of Port Hedland (the Town) Chief Executive Officer received formal resignation from Councillor Flo Bennett with effect from the 14 November 2024. The Town thanks Ms. Bennett for her commitment and service to the role in the past three years including, contribution to developing the Town’s Strategic Community Plan and Corporate Business Plan, participation on the Audit, Risk and Compliance Committee and as the Town representative on the South Hedland Highschool board. Ms. Bennett’s resignation has created a vacant office on the Council, with 9 months remaining on the term from the commencement of Ms. Bennett’s service in October 2021.

The Town received notice from the Commissioner via email on 20 September 2024 outlining the WAEC's resource availability to support Local Government extraordinary elections in 2024/2025 due to the State Government Election scheduled for 8 March 2025. This advice outlines the unavailability of the WAEC from December 2024 to May 2025.

The Town sent a letter to the Commissioner dated 11 November 2024 (attachment 1) requesting further advice on the electoral options available to the Town. The Town received a response from the Commissioner dated 14 November 2024 (attachment 2) outlining the options available to the Town. This advice confirms the WAEC is unavailable to support the Town to hold an extraordinary election until 29 May 2025 and that the Town is eligible to apply for the vacancy to remain unfilled until the October 2025 ordinary election.

Options when an office becomes vacant

The *Local Government Act 1995* (the Act) provides several options to local governments when an office becomes vacant, but it is important to note that the legislative requirements of each limit the Town in the current circumstances.

1. Request to hold vacant office

The Local Government Act 1995 section 4.17 provides for a vacant office to remain unfilled in certain circumstances, including:

- When the office becomes vacant after the third Saturday in July of an election year in which the term of office would have ended, or
- After the third Saturday in October in the year before the election year in which the term of office would have ended but before the third Saturday in July in that election year with the approval of the Electoral Commissioner.

This legislation applies in this instance, with Cr Bennett's resignation received within one year from the October 2025 ordinary election.

There are considerations for the Council in operating with a vacancy, including;

- Ensuring availability of Councillors for meeting quorum (5), and
- Upholding responsibilities under the Local Government Act, including representing the interests and facilitating communication with the community.

2. Filling vacancy without extraordinary election

Schedule 4.1A - Filling extraordinary vacancy without an extraordinary election, was inserted into the Act by the *Local Government Amendment Act 2023*. The schedule provides for the vacancy to be filled by the next unsuccessful candidate(s) in the case a sitting member resigns. However, this may only be used where the office becomes vacant within 12 months of the former member's term beginning (sch 4.1A, Div 2, s

2(1)(c)). Ms. Bennett was elected in October 2021 and would have needed to have resigned in October 2022 for this section to apply.

The *Local Government (Elections) Regulations 1997* include transitional provisions for the *Local Government Amendment Act 2023*. The provisions limit the use of the new amendments, including filling a vacancy without an extraordinary election, to elections held from October 2023 onwards.

These two reasons prevent the use of this method for filling the current vacancy.

3. Extraordinary Election

Extraordinary elections are required under section 4.8 of the Act if an office becomes vacant. The CEO of the Local Government must be the election returning officer, unless the Electoral Commissioner is appointed by the Council under section 4.20(4) Local Government Act 1995.

The Town has previously engaged the WAEC to conduct elections in 2011, 2013, 2015, 2016, 2017, 2020, 2021, 2023 and the most recent extraordinary election in 2024.

The 2024 extraordinary election WAEC cost was \$54,000 inc GST plus \$2,750 for priority mail. An additional sum of \$15,000 was budgeted for administrative costs including Returning Officer travel and accommodation.

The returning officer's functions are set out in section 4.23 *Local Government 1995* including:

- Conducting the election,
- Ensuring processes are carried out in a fair and impartial manner,
- Appointing staff and ensuring they are trained in their duties,
- Ensuring security of electoral rolls, ballot papers and ballot boxes,
- Ensuring preparations are complete and timely,
- Providing materials and equipment to ensure smooth running of the election,
- Being the primary contact for enquiries about electoral processes,
- Managing and resolving complaints, and
- Maintaining records.

The Department of Local Government Sport and Cultural Industries (DLGSC) provides a Returning Officer Manual (the Manual) for each election. The 2021 Manual (available on DLGSC website) outlines the election processes and procedures that are required to be followed and some resources to assist a CEO to undertake the role. The DLGSC Director General, Lanie Chopping outlines in the forward of the 2021 Manual,

'To maintain public confidence in the democratic process, elections must be run to the highest standards of fairness and propriety. It is the returning officer's responsibility to ensure those standards are achieved.'

Conducting the election internally through the CEO requires consideration of the resources required to undertake the role, including staff time, electoral materials (such as ballot boxes to vote counting software systems) and postage and whether the technical skills and experience are available within the local government.

The WAEC was appointed to run 124 of 137 WA Local Government's elections in the recent 2023 cycle.

Quantifying the cost for the Administration to conduct the election (with accuracy) is not straight forward but it is unlikely to represent a significant saving to the Town. There are substantial issues that require consideration in relation to the Administration conducting the election, including;

- Availability of employee electoral skills, experience and time,
- The resignation of the CEO effective 29 November 2024 and the CEO recruitment process,
- The requirement for the Council to complete an improvement plan by the Department of Local Government, Sport and Cultural Industries, and
- The value of an external competent (independent) for independence and probity of the electoral process.

The Commissioner has advised in writing that the WAEC does not have capacity to support Local Government extraordinary elections until May 2025. If an election was held to fill the vacancy in May 2025, the successful candidate would hold the office for 5 months.

Discussion

There are two options available to the Council;

1. Apply to the Commissioner to request the Town hold a vacant office until the October 2025 ordinary election, or
2. Hold an extraordinary election in early 2025.

Holding an extraordinary election may be undertaken on the advice of the WAEC Electoral Commissioner, however it is unlikely the WAEC will be available until May 2025 per attachment 1. The holding of an extraordinary election by the CEO carries substantial risks for a community the size of Port Hedland, which are compounded by the current processes underway for recruitment of a new CEO and conflicting events, such as Christmas and the State Election. The primary consideration for the Council is the expenditure of approximately \$70,000 to run an extraordinary election for an office that will be filled for less than one year. This is not deemed a prudent use of Town resources. The Council may resolve to await further advice from the WAEC Electoral Commissioner on a suitable date to allow for electoral requirements to be filled.

The preferred option is to apply to the Commissioner to request a vacant office until the October 2025 ordinary election to mitigate the risks discussed in this report.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

- Agenda Feedback Session with the Council 20 November 2024
- Executive Leadership Team
- Manager Governance

External Agencies

- Western Australian Electoral Commission

Community

No community consultation is required for this decision of Council.

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

4.9. Election day for extraordinary election

(3) If at the end of one month after the vacancy occurs an election day has not been fixed, the CEO is to notify the Electoral Commissioner and the Electoral Commissioner is to —

- (a) fix a day for the holding of the poll that allows enough time for the electoral requirements to be complied with; and
- (b) advise the CEO of the day fixed.

4.20 CEO to be returning officer unless other arrangements made.

(4) a local government may declare* the Electoral Commissioner to be responsible for the conduct of an election,

** absolute majority required.*

4.17 Cases in which vacant offices can remain unfilled

Local Government (Elections) Regulations 1997

Part 16A- Transitional Provisions for *Local Government Amendment Act and Local Government Regulations Amendment Regulations (NO.2) 2023*

FINANCIAL AND RESOURCE IMPLICATIONS

There is currently no provision in the 2024/2025 budget for an extraordinary election.

The cost for the WAEC to run the March 2024 extraordinary election was \$54,000, with \$2,750 for priority post and \$15,000 budgeted for additional administrative costs.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Leadership:

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

Social

Elections are a core element of democracy and underpin social sustainability.

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

Access and Inclusion

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

- Outcome 3 – Accessible Information
- Outcome 4 – Quality of Service

Corporate Business Plan

The following service 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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Financial
Cause	Holding an extraordinary election in 2025
Effect (Consequence)	Expenditure of approximately \$70,000 currently unbudgeted in 2024/2025
Risk Treatment	Adopt Officer’s Recommendation.

There is an Operational risk associated with this item caused by holding an extraordinary election in 2025 to appoint a councillor to an office for a term less than one year, leading to expenditure of approximately \$70,000 that is currently unbudgeted.

The risk rating is considered to be High (10) which is determined by a likelihood of Almost Certain (5) and a consequence of Minor (2).

This risk will be eliminated by adopting the Officer's Recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Alternate officer's recommendation

That Council:

1. Note the resignation of Ms. Flo Bennett from her position as Councillor with the Town of Port Hedland with effect from 14 November 2024;
2. Acknowledge and thank Ms. Flo Bennett for her service and contribution to the Town of Port Hedland community; and
3. Request the CEO write to the West Australian Electoral Commissioner to set a day for the holding of an extraordinary election that allows time for the electoral requirements to be complied with under section 4.9(3) Local Government Act 1995.
4. Request the CEO provide a report to the Council to consider the advice of the West Australian Electoral Commissioner subject to point 3.

Option 3 – Do not adopt officer's recommendation

CONCLUSION

It is recommended that Council request the WAEC Commissioner approve the holding of a vacancy until October 2025 ordinary election.

ATTACHMENTS

1. Letter to Electoral Commissioner - To PH November 2024 [**12.1.7.1** - 2 pages]
2. Letter to CEO Regarding Holding Over Vacancy [**12.1.7.2** - 1 page]

12.2 Community Services

12.2.1	Town of Port Hedland FY2023-2024 Community Development Action Plan Progress Report
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Author: **Senior Community Development Officer**
Authorising Officer: **Interim Director Community Services**
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

<p>CM202425/192 EN BLOC COUNCIL DECISION</p> <p>MOVED: Cr Camilo Blanco SECONDED: Cr Ambika Rebello</p> <p>That Council notes the FY2023-2024 progress on achieving set initiatives in the Town of Port Hedland’s <i>Community Development Plan 2022-2027.</i></p> <p style="text-align: center;"><i>CARRIED BY SIMPLE MAJORITY (6/0)</i></p> <p><i>For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Camilo Blanco, Cr Lorraine Butson, Cr Adrian McRae and Cr Ambika Rebello</i> <i>Against: Nil</i></p>

PURPOSE

The purpose of this report is for Council to note the progress achieved for FY2023-2024 on the Town of Port Hedland’s *Community Development Plan 2022-2027.*

DETAIL

This report outlines the progress made in the FY2023-2024 reporting period since the endorsement of the Town of Port Hedland Community Development Plan 2022-2027. In 2021, the Town of Port Hedland (ToPH) commissioned Bank of I.D.E.A.S to assist with the development of the ToPH Community Development Plan (The Plan) as an expression of our commitment to the development of a vibrant, caring, connected and inclusive community.

The ToPH Community Development Plan encompasses the period 2022-2027 and provides the vision, framework and practical directions needed for positive community development.

Specifically, The Plan seeks to:

- Summarise the current socio-economic status of the Hedland community including existing realities, assets and challenges.
- Express the aspirations of community members, businesses, organisations and groups.

- Provide a framework for guiding community-led development activity in Hedland and how we can strengthen and support the community.
- Specify a set of recommended priorities and actions for the next five years.
- Identify specific community outcomes and performance.

The FY2023-2024 Community Development Plan Action Plan reports on actions and outcomes achieved in the FY2023-2024 financial year against five key focus areas and strategic responses detailed in The Plan including:

- Focus Area 1: Livability and Sustainability
- Focus Area 2: Inclusion, Social Connection and Accessibility
- Focus Area 3: Leadership, Capacity Building and Partnerships
- Focus Area 4: Recognition and Celebration of Cultural Diversity and Strengths
- Focus Area 5: Healthy Environments, Sustainability and Connection to Country

Major achievements for the FY2023-2024 financial year include:

Focus Area 1: Livability and Sustainability

- Celebration of the 2023 NAIDOC Week with the Town collaboratively working with local community groups, businesses, and organisations to support the week of planned activities in Hedland.
- Concept design for new Performance Arts Centre is currently being developed with community consultation.
- A variety of events delivered to community including Always Good Nights series, Spinifex Spree, Odyssey Festival and Matt Dann Theatre has attracted a range of touring and cultural experiences including, Tina Turner, Sugar Star Burlesque, My Greatest Period Ever, Barracking for the Umpire and the Melbourne Comedy Roadshow.
- Newly adopted Community Safety Plan, to inform the Town on how to improve community safety and crime prevention within our community.
- Continuation of the Nights Light Program funded by the DLGSCI.
- Restricted Tender and scope of works released for Service Worker Housing development.

Focus Area 2: Inclusion, Social Connection and Accessibility

- The Youth Advisory Council has completed its first sitting term with 13 members. Members helped develop all governance documents including terms of reference and code of conduct and completed 2 training courses, 7 internal consultations on key projects and 7 external consultations.
- Construction of Wilson St shared path completed.
- Installation of traffic calming devices and black spot improvements near Hedland High School.
- Continuation of the Town's Senior Adults Living Triumphantly program.

Focus Area 3: Leadership, Capacity Building and Partnerships

- 2024 ToPH Community Grants Program Review completed.

- Establishment and delivery of the ToPH Youth Advisory Council (YAC) with the aim of creating a mutually respectful partnership with young people in Hedland.
- Partnerships agreements – working with businesses like BHP, BP, Fortescue, etc for funding applications and supporting local major projects and events, involving and benefiting community.
- Government Relations – working with State and Federal Govt. including the development of the Government Advocacy Statement 2024 with 5 priorities: Housing, Community Safety, Health Services, Childcare and Education.

Focus Area 4: Recognition and Celebration of Cultural Diversity and Strengths

- Collaboration with community groups on the implementation of National Reconciliation Week.
- In collaboration with the Multicultural Network, Pilbara Community Legal Services, the Town supported Multicultural Harmony Week events.
- Aboriginal and Torres Strait Islander engagement completed as part of the Public Open Space and Street Tree Strategy to include Aboriginal stories and history in public open spaces.
- Draft Wayfinding Style Guide developed to include dual naming on directional signage and interpretive signage types for history and storytelling.
- The Town of Port Hedland Libraries deliver Under the Yarning Tree every month at the South Hedland Library which regularly included Aboriginal and Torres Strait Islander presenters, stories in language, songs in language and Aboriginal and Torres Strait Islander literature.

Focus Area 5: Healthy Environments, Sustainability and Connection to Country

- Support of local environmental partnerships with Care for Hedland, delivering the Turtle Monitoring, Garden Club, Waste Management, Adopt a Spot and Containers for Change.
- Developing and implementing a 5-year Public Open Space and Street Tree Strategy.
- Implementation of the 2024 Youth Week calendar of events including an On-Country cultural experience with Hedland youth and Elders.
- Draft Signage Strategy and Wayfinding Style Guide.
- Construction of Kingsmill Street Coastal Pathway.
- Dune rehabilitation projects undertaken.

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 the ToPH Strategic Community Plan, Youth Development Plan, and the Access and Inclusion Plan. The Plan required community consultation and engagement.

CONSULTATION

Internal

The Community Development Team has worked with the organisation to provide outcome updates to report to Council on the achievements against each focus area and strategic responses to formulate a FY2023-2024 Community Development Action Plan Progress Report.

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

FINANCE AND RESOURCE IMPLICATIONS

All costs associated with the delivery of this plan have been covered in the FY2023-2024 budget. Costs associated with outcomes for the FY2024-2025 period are also covered in the adopted budget for this financial period.

STRATEGIC SUSTAINABILITY IMPLICATIONS

All sections of the Town's *Strategic Community Plan 2022-2032* are applicable in the consideration of this item.

Environmental

Hedland is respected as a community which enhances and protects our beautiful natural environment and diverse and prolific fauna and flora.

Economic

Hedland is viewed as a safe community where all residents feel connected to people, place and home. Hedland is recognised as a community that appreciates, supports and promotes active community participation, volunteerism, local leadership and strong partnerships.

Social

Hedland becomes a community where all members experience community connection, inclusion, and a sense of pride in our history, diversity, uniqueness, achievements, structures and future.

Hedland is known as a community that respects our Indigenous and Non-Indigenous diversity, heritage, cultures and contributions.

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

Our Community Services:

Recreation Leisure Facilities and Programs - Provide and promote, with key stakeholders recreation and sporting activities for healthy lifestyles.

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational Strategic Project
Risk Category	Reputational
Cause	There are Operational, Strategic and Project related risks associated with this item due to community sentiment regarding the delivery of strategic items and potential conflict in priorities.
Effect (Consequence)	Could impact on the Town’s reputation and existing stakeholder relationships.
Risk Treatment	Noting of the outcomes achieved within associated timeframes and communicating these effectively to the community.
<p>There is a reputational risk associated with this item because The Plan represents an expression of our commitment to the development of a vibrant, caring, connected and inclusive community. The Community Development Plan 2022-2027 provides the vision, framework and practical directions needed for positive community development. The risk rating is considered medium (9), which is determined by a likelihood of possible (3) and a consequence of moderate (3).</p>	

OPTIONS

Option 1 – Adopt officer’s recommendation

CONCLUSION

The ToPH Community Development Plan 2022-2027 is a strategic planning document providing a framework for guiding community development activities within the local government area. This report highlights achievements that have been delivered to the community in the 2023-2024 reporting period. The continuation of this Plan is at the centre of Council’s business and priorities and is a roadmap for all place-based groups, service provider organisations, and businesses for strengthening our community.

ATTACHMENTS

1. CDP Reporting F Y 2324 (Updated Version) [**12.2.1.1** - 11 pages]

12.2.2	Town of Port Hedland Youth Development Plan Progress Report FY2023-2024
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Author: Senior Youth Officer

Authorising Officer: Interim Director Community Services

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

CM202425/192 EN BLOC COUNCIL DECISION

MOVED: Cr Camilo Blanco

SECONDED: Cr Ambika Rebello

That Council receive and note the FY2023-2024 progress on achieving set initiatives in the Town of Port Hedland Youth Development Plan 2022-2025 as per attachment 1.

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

PURPOSE

The purpose of this report is for Council to note the progress achieved for 2023-2024 on the Town of Port Hedland's Youth Development Plan 2022-2025.

DETAIL

This report outlines the progress that has been made since the endorsement of the Town of Port Hedland's Youth Development Plan 2022-2025 on 27 April 2022.

The Plan provides the recommended vision, guiding principles and practical directions and success outcomes required for the community of Hedland, including its local government, to best support young people to 'feel included, supported, empowered and inspired'.

Specifically, the plan seeks to:

- Summarise the current realities for young people in Hedland including their demographics, issues, challenges, opportunities and supports.
- Express the aspirations and ideas of Hedland young people and workers with youth in terms of meaningful outcomes.
- Provide a framework for guiding youth development activity in the Hedland community.

- Specify a set of recommended priority strategic objectives and key initiatives for the next three years.
- Identify specific community outcomes and impact measures.

The Youth Development Plan 2022-2025 is not designed to be prescriptive – it is designed to be responsive to a dynamic and changing environment that characterises Hedland.

The attached Youth Development Action Plan reports on actions and outcomes achieved against the five priority themes as identified below:

- Priority Theme 1: Connecting and Engaging
- Priority Theme 2: Learning and Earning
- Priority Theme 3: Activating Places and Spaces
- Priority Theme 4: Leading and Creating
- Priority Theme 5: Collaborating and Networking

Major achievements for 2023-2024 include:

- Increase of approximately 186% in community members visits to the JD Hardie Youth and Community Hub since the implementation of the Youth Development Plan.
- Successful expansion of the collaboratively delivered, term and school holiday programming.
- Significant increase in effectiveness of collaborative evening youth diversionary recreational programs, providing safe spaces for young people to engage, reducing youth crime and positively contribute to community life in Hedland.
- Increased awareness and access to Mental Health Services through youth events including the Hedland Youth Stakeholder's "Skate of Mind" event held at South Hedland Skate Park.
- Increased partnerships with key stakeholders including North Regional TAFE and Jobs and Skills to support training and development opportunities that support employment pathways.
- Increased collaboration with Aboriginal and Torres Strait Islander organisations and community when developing implementing and evaluating youth programs including NAIDOC Week celebrations.
- Expanded opportunities for young people to engage in leadership development opportunities including Youth Leadership Academy Australia having partnered with the Youth Development Team and Hedland Senior High School to deliver a leadership conference and a two-day leadership development initiative.
- Expanded collaboration with Hedland Senior High School providing mentorship and collaborative youth support through the "Rise Up" program which included the delivery of the Hedland component of the Commissioner for Children and Young People's Pilbara Listening Tour.

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 Youth Development Team has worked with other relevant business units to provide progress reporting to the Council on the achievements against the Youth Development Action Plan Progress Report 2023-2024.

External Agencies

The Youth Development Team has provided opportunities for youth services to provide input to the Youth Development Action Plan Progress Report 2023-2024 a focus on this will continue for the final reporting term to support increased opportunity and ensure collective efforts are captured.

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

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

This Youth Development 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 youth development 2024-25 budget.

STRATEGIC SUSTAINABILITY IMPLICATIONS**Strategic Community Plan**

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

Our Community:

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

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

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

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

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

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

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

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

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

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

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

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

1.4.4 Community services and facilities are well promoted.

Our Economy:

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

2.2.4 Promote and support broader education and training options.

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

Our Leadership:

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

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

4.3.1 High-quality and responsive customer service is provided.

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 1 – Events and Services
- Outcome 4 – Quality of Service
- Outcome 8 – Advocate for an Increase in Inclusion

Corporate Business Plan

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

Our Community Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
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 and potential conflict in priorities.
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 a potential of conflict of priorities within the community. The Youth Development Plan provides the vision, framework and practical directions needed for positive outcomes for the Youth Sector and young people within our community.</p> <p>The risk rating is considered to be Medium (5) which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3)</p>	

This risk will be accepted by the Noting of the outcomes achieved within associated timeframes and communicating these effectively to the community.

OPTIONS

Option 1 – Adopt officer’s recommendation

CONCLUSION

The Town of Port Hedland Youth Development Plan 2022-2025 is a strategic framework designed to offer a vision, foundational principles, and actionable steps for success. It aims to equip the Hedland community and local authorities with the necessary guidance to ensure that young people 'feel included, supported, empowered and inspired'.

ATTACHMENTS

1. Youth Development Plan Progress Report 2023 2024 OCM Submission
[**12.2.2.1** - 9 pages]

12.2.3	First Lights Major Winter Event 2025
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Author: **Manager Events, Arts & Culture**
Authorising Officer: **Director Community Services**
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

CM202425/198 COUNCIL DECISION

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

OFFICER'S RECOMMENDATION 1

That Council:

- 1. Do not continue with the Odyssey Music & Arts Journey in 2025 and instead research an updated 2026 festival concept and business case, with initial updates to Council anticipated in May 2025.**
- 2. Pursuant to section 6.8 (1)(b) of the Local Government Act 1995, authorise the Town of Port Hedland to make provision in the 2025-2026 Annual Budget for the:**
 - a) Expenditure of \$30,000 for 2026 Odyssey festival concept research and business case.**

CARRIED BY ABSOLUTE 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

CM202425/199 COUNCIL DECISION

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

OFFICER'S RECOMMENDATION 2

That Council:

- 1. Endorse First Lights Drone Show as the Winter Major Event in 2025.**
- 2. Pursuant to section 6.8 (1)(b) of the Local Government Act 1995, authorise the Town of Port Hedland to make provision in the 2025-2026 Annual Budget for the:**
 - a) Utilisation of \$150,000 funding from BHP and Town of Port Hedland Events Partnership 2023-2025 to support the First Lights Drone Show event to provide a new high-quality cultural experience**

b) Transfer \$150,000 of Public Art Funding to support the First Lights Drone Show.***LOST ABSOLUTE MAJORITY NOT MET (4/2)***

For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Adrian McRae and Cr Ambika Rebello

Against: Cr Camilo Blanco and Cr Lorraine Butson

PURPOSE

The purpose of this report is for Council to consider the First Lights Drone Show as the Winter Major Event for 2025, which has financial implications for the 2025-2026FY Annual Budget. It is noted that this item was presented at the 30 October 2024 Ordinary Council Meeting and lapsed. Additional information is provided in this report to support a Council resolution.

DETAIL

The Town of Port Hedland strives to create a thriving, resilient and inclusive future for our diverse community. To achieve this, we place a firm focus on improving livability through an annual calendar of high-quality events, arts and culture programs, including a Winter Major Event each year.

Over the last decade, the Town has implemented various major event concepts over the winter period. This has included North West Festival, Hedland Food Festival and most recently Odyssea Hedland Music and Arts Journey.

Odyssea Hedland Music and Arts Journey

The concept for Odyssea was originally developed and supported at the 14 December 2022 OCM, which include the following objectives:

- Major headline entertainment
- Increased community participation
- Multi-cultural food and arts, especially Aboriginal culture
- A variety of family-friendly entertainment.

Since, the Town has organised the major event over the past two years, and evaluation findings and officer insights from the most recent 2024 event has identified that it is unclear if the above objectives have been achieved and if there is a clear identity and brand awareness of Odyssea moving forward.

The 2024 event was intended to be a community-led program featuring collaborations with community members and/or businesses to pitch their ideas or register their interest as creative, performer, sculptor, dancer, musician, or venue to be a part of the project. As a result, eight Odyssea events showcasing music, activation, and art activities were implemented over a two-week period highlighting various locations within the Port and South Hedland.

A total of 2,449 participants attended the ticketed and non-ticketed events. Overall, the events were well-received, with 75% of survey respondents rating their overall experience as 'Excellent' or 'Good'. However, despite receiving positive community feedback, the event evaluation resulted in below average community responses compared to the other events within the 2024 Winter Season, as outlined in *2024 Winter Season Event Report*, received by Council at the 30 October 2024 OCM and included in *Attachment 1*.

To ensure Odyssea has the capability to align with and deliver on the Town's strategic goals and intended objectives, it is recommended that Odyssea does not proceed in 2025. Instead, it is recommended to undertake further research to enhance Odyssea in 2026, ensuring the major event meets the identified community needs and objectives. Further engagement and an event concept report and business plan will be prepared and presented to Council for future consideration.

First Lights Drone Show

To ensure the Hedland community continues to have access to high-quality Arts and Culture events, it is recommended to support First Lights Drone Show as the major winter event in 2025. 'First Lights' is a new immersive, public art project, led by Traditional Owners and artists from each region and is a place-responsive drone show, which tells a local First Nations story. The event will also include traditional dancing, high-quality live music, food trucks and family-friendly activities inclusive of the wider community.

An event proposal has been submitted to the Town for a total cost of \$225,637, which is included in *Attachment 2*. The proposal excludes event management and additional entertainment, so it is recommended to budget a total amount of \$300,000 expenditure to include all infrastructure hire costs, traffic management, additional entertainment during the event and other associated costs. It is also recommended to utilise \$150,000 BHP major event sponsorship revenue for this event and \$150,000 of Public Art Funding to support the First Lights Public Art program.

The First Lights Drone Show is expected to have a strong alignment across all strategic goals within the Town's Arts and Culture Plan 2023-2027:

- Arts and Culture is for Everyone – Community will have a range of opportunities to engage, connect and participate in the Arts via the project as storytellers, artists, in addition to the free event for the wider community to experience.
- Sharing Culture – As a place-responsive show, the project will celebrate local arts, storytelling, and history, enabling community to connect to Hedland's culture.
- Enabling Creative Pathways – The project will create extensive engagement and paid opportunities to support participation with local Elders and artists, alongside workshops for young people to learn about drone technology.
- (Re)Ignite Live Performances – As an ephemeral visual arts event, it will provide access to activities the community would not otherwise have.

- Activating our Infrastructure – First Lights Drone Show will celebrate and promote the use of Pirra Pirra (Spoilbank Marina) open space.

The Officer Recommendation is to approve the 'First Lights' Public Arts program as a one-year addition to the 2025 Events calendar and ensure the community has continued access to high-quality arts and cultural events, whilst the Town undertakes forward planning for Odyssea in 2026.

LEVEL OF SIGNIFICANCE

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

- Significant - The extent to which the decision flows logically and consequently from a significant decision already made or from a decision in the strategic or annual corporate plans.
- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland.

CONSULTATION

Internal

- Executive Leadership Team
- Events Team
- Arts & Culture Team
- Landscape & Irrigation Team
- Parks & Reserves Team
- Environmental Services Team
- Youth & Community Development Team
- Recreation & Leisure Facilities Team
- Public Affairs Team
 - Comments received: The Odyssea brand was developed in 2022 to launch the multi-day music and arts journey. It's important to clarify and clearly define the brand proposition for the Odyssea event into future years to ensure positive recognition and brand value. Applying the Odyssea brand to the First Lights events without a strategic approach may risk the value of the brand being eroded and confused.

External Agencies

- PPP Events
- BHP
 - Comment received: It is noted that support has been provided from the BHP Communities Team for the \$150,000 major event sponsorship revenue to be used for the First Lights Drone
- Fremantle Biennale
- Local Aboriginal Organisations

Community

- Qualitative and quantitative data via Culture Counts post event surveys.

A Confidential Briefing was held with Elected Members on 4 November 2024. This briefing discussed the opportunity to feature the First Lights Drone Show as part of the 2025 annual calendar of events.

LEGISLATION AND POLICY CONSIDERATIONS

Local Planning Policy 04 – Percent for Public Art

Calls for public art which celebrates the values of Port Hedland through its unique character and First Nations history. Projects may include any combination of media including sound, video projection, lighting ephemeral. The Policy objectives include increasing the social and cultural values of the Town, acknowledge and celebrate First Nations culture and heritage, develop, and promote community identity and increasing public awareness of the value of art, design and culture.

As First Nations artwork will be incorporated into the design of the Public Art, evidence of consultation with the Kariyarra, Ngarla and/or Nyamal people shall be required for the project. The Town has received strong preliminary support from traditional elders to participate in the First Lights cultural consultation and event.

FINANCIAL AND RESOURCE IMPLICATIONS

The table below outlines the adopted 2024-25FY Events Budgets compared to the proposed 2025-26FY Events Budgets:

Event	Expenditure		Revenue		Notes
	24-25FY	25-26FY	24-25FY	25-26FY	
Australia Day	\$110,000	\$110,000	\$0	\$0	NA
Community Sports Awards	\$32,300	\$32,300	\$24,000	\$24,000	NA
Festive Lights	\$5,850	\$5,850	\$2,500	\$2,500	NA
Spoilbank Marina	\$50,000	\$0	\$50,000	\$0	Removed from 25-26 Events Calendar

Opening Event					
Spinifex Spree (Loco Lounge removed)	\$485,000	\$290,387	\$171,000	\$90,000	Loco Lounge Performances & Workshops not approved - reduce budget by 2024 contract \$293,200 Revenue reassessed in line with updated event offering This budget is being considered as the Officer's Recommendation at the 27 November 2024 OCM
Sunset Food Markets	\$100,000	\$110,000	\$50,000	\$50,000	Incorporates \$10,000 Volunteer Week Function Event expenses
Volunteer Week Function	\$10,000	\$0	\$0	\$0	Incorporate expenditure to Sunset Food Markets
Welcome to Hedland	\$26,200	\$36,200	\$10,000	\$10,000	Additional \$10,000 cleaning expenditure if event continues to be located at Town Square
ToPH Sponsored Events	\$300,000	\$165,000	\$0	\$0	\$40,000 - Scribblers on the Road \$100,000 - Red Country Music Festival

					\$25,000 - NAIDOC Opening Event
NAIDOC Opening Event	\$24,000	\$0	\$0	\$0	Reallocated to ToPH Sponsored Events
Odyssea	\$256,260	\$30,000	\$175,000	\$0	Event is removed from 2025 Events Calendar Updated expenditure to research future festival concept This budget is being considered as the Officer's Recommendation at the 27 November 2024 OCM
First Lights Major Event	\$0	\$300,000	\$0	\$300,000	Utilising \$150,000 revenue from BHP Major Events Sponsorship (previously used for Odyssea) for First Lights Transfer \$150,000 from Public Art Funding to event revenue This budget is being considered as the Officer's Recommendation at the 27 November 2024 OCM

Total	\$1,399,610	\$1,079,737	\$482,500	\$476,500	
Difference between 24/25FY and 25/26FY		-\$319,873		-\$6,000	Proposed decrease of \$319,873 Expenditure in 25-26FY. Proposed decrease of \$6,000 Revenue in 25-26FY.

As illustrated above, the proposed 2025-2026FY Events Budget results in a proposed decrease of \$313,873 in total Event costs from the 2024-2025FY.

In summary, the Officer’s Recommendation proposes:

- \$30,000 Expenditure for Odyssea festival concept research and business case in the 2025-2026FY Annual Budget
- Utilisation of \$150,000 Revenue from BHP Major Event Sponsorship for First Lights Drone Show in the 2025-2026FY Annual Budget
- Transfer of \$150,000 of Public Art Funding in the 2025-2026FY Annual Budget

It is noted that the First Lights Drone Show is 100% funded through sponsorship and percent for art contributions and does not require any ‘ratepayer’ expenditure.

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.

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

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

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

Our Economy:

2.4.2 Market and promote Hedland for tourism.

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

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

Environmental

Nil

Economic

The First Lights Drone Show provides paid opportunities for local artists and traditional owners. The drone technology youth workshops and extensive engagement also provides opportunities and education for future career pathways in the arts and culture sector.

Social

There are significant social benefits from having high-quality performing and visual arts experiences available to the community throughout the year. The recommended Winter Major Event put forward intends to meet the community expectations to access arts and culture experiences, thus contributing to the liveability of Hedland.

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 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	Request not to host Odyssey in 2025
Effect (Consequence)	Perception that the Town has not provided a high-quality annual calendar of events, arts, and culture programs
Risk Treatment	Undertaking research and engaging with our community to understand their needs to engage, connect and participate with future Odyssey event concepts

There is an Operational and Strategic risk associated with this item caused by the request not to host Odyssea in 2025, leading to the perception that the Town has not provided a high-quality annual calendar of events, arts, and culture programs. The risk rating is considered to be Medium (6) which is determined by a likelihood of Possible (3) and a consequence of Minor (2).

This risk will be treated by undertaking research and engaging with our community to ensure their needs to engage, connect and participate in arts and culture are reflected in future Odyssea event concepts.

Risk Type	Operational Strategic
Risk Category	Reputational Financial
Cause	Not approving budget for 'First Lights' Drone Show as the Winter Major Event in 2025
Effect (Consequence)	Non delivery of a Winter Major Event in 2025 resulting in missed project deliverables with industry sponsors, with the potential for sponsorship funds to be withdrawn and impact on key stakeholder trust
Risk Treatment	Work in partnership with our key stakeholders to maintain support for Arts & Culture in Hedland

There is an Operational and Strategic risk associated with this item caused by not approving budget for the 'First Lights' Drone Show, with non-delivery of a Major Winter Event in 2025 having potential effects on industry sponsorship funds and stakeholder trust.

The risk rating is considered to be Medium (9) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).

This risk will be reduced by working in partnership with our key stakeholders to maintain support for Arts & Culture initiatives in Hedland.

OPTIONS

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation

That Council:

1. *Confirm the First Lights Drone Show as the headline event for Odyssea Music & Arts Journey in 2025.*

2. *Supports research for an improved Odyssea festival concept and business case, with initial updates to Council anticipated in May 2025.*
3. *Pursuant to section 6.8 (1)(b) of the Local Government Act 1995, authorise the Town of Port Hedland to make provision in the 2025-2026 Annual Budget for the:*
 - a) *Expenditure of \$30,000 for Odyssea festival concept research and business case.*
 - b) *Utilisation of \$150,000 funding from BHP and Town of Port Hedland Events Partnership 2023-2025 to support the First Lights Drone Show event to provide a new high-quality cultural experience*
 - c) *Transfer \$150,000 of Public Art Funding to support the First Lights Drone Show.*

ABSOLUTE MAJORITY VOTE REQUIRED

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

This report is provided to inform Council on proposed Winter Major Event concepts for the 2025 annual events calendar. It details recommendations to present a Winter Major Event to deliver on community expectations for provision of high-quality arts and culture events in Hedland.

ATTACHMENTS

1. Attachment 1 WINTER SEASON EVENTS REPORT 2024 FINAL [**12.2.3.1** - 111 pages]
2. CONFIDENTIAL - Attachment 2 First Lights Proposal [**12.2.3.2** - 8 pages]

12.2.4	Spinifex Spree Carnival 2025
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Author: Senior Events 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.

CM202425/200 COUNCIL DECISION

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

That Council pursuant to section 6.8 (1)(b) of the Local Government Act 1995, authorise the Town of Port Hedland to make provision in the 2025-2026 Annual Budget for the following event expenditure:

\$230,387 for the 2025 Spinifex Spree Carnival baseline requirements to ensure a safe event across 1.5 days.

CARRIED BY ABSOLUTE 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

CM202425/201 AMENDMENT MOTION

MOVED: Cr Ambika Rebello **SECONDED:** Mayor Peter Carter

That council move recommendation 2 with the amendment to the additional budget amount of:

- **An additional \$94,000 to ensure the 2025 Spinifex Spree Carnival event provides high-quality Headline Entertainment and Family Activation in accordance with community expectations and 'Entertainment Option 3' of the officer report.**

LOST BY ABSOLUTE MAJORITY (2/4)

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

CM202425/202 ORIGINAL MOTION**MOVED: Cr Ambika Rebello****SECONDED: Mayor Peter Carter****OFFICER'S RECOMMENDATION 2**

That Council pursuant to section 6.8 (1)(b) of the Local Government Act 1995, authorise the Town of Port Hedland to make provision in the 2025-2026 Annual Budget for the following event expenditure:

- **An additional \$60,000 to ensure the 2025 Spinifex Spree Carnival event provides high-quality Headline Entertainment and Family Activation in accordance with community expectations and 'Entertainment Option 2' of the officer report.**

LOST BY ABSOLUTE MAJORITY (2/4)

For: Mayor Peter Carter, Cr Sven Arentz and Cr Ambika Rebello

Against: Deputy Mayor Ash Christensen, Cr Camilo Blanco, Cr Lorraine Butson and Cr Adrian McRae

CM202425/203 FORESHADOWED MOTION & COUNCIL DECISION**MOVED: Deputy Mayor Ash Christensen SECONDED: Cr Camilo Blanco****OFFICER'S RECOMMENDATION 2****That Council pursuant to section 6.8 (1)(b) of the Local Government Act 1995, authorise the Town of Port Hedland to make provision in the 2025-2026 Annual Budget for the following event expenditure:**

- An additional \$10,000 to ensure the 2025 Spinifex Spree Carnival event provides high-quality Headline Entertainment and Family Activation in accordance with community expectations and 'Entertainment Option 1' of the officer report.**

CARRIED BY ABSOLUTE 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

PURPOSE

The purpose of this report is for Council to consider options for the provision of music, arts, and culture programming at the Spinifex Spree Carnival in 2025 in alignment with community expectations and the Town's strategic goals, which has financial implications for the 2025-2026FY Annual Budget. It is noted that this item was presented at the 30 October 2024 Ordinary Council Meeting and lapsed. Additional information is provided in this report to support a Council resolution.

DETAIL

The Town of Port Hedland strives to create a thriving, resilient and inclusive future for our diverse community. To achieve this, the Town places a firm focus on improving livability through an annual calendar of high-quality events, arts and culture programs.

With a long-standing history and connection to local families, Spinifex Spree Carnival is the Town's largest community event and a key component of the annual calendar. Continued high attendance rates and positive attendee experiences reinforce Spinifex Spree Carnival as a much loved and anticipated annual event.

At the Ordinary Council Meeting on 30 October 2024, the Events team provided an opportunity for Council to consider options to determine an events budget for the 2025-2026 FY and commence planning of the 2025 Spinifex Spree Carnival event.

Results of the meeting are outlined below.

Outcomes of the Ordinary Council Meeting on 30 October 2024

Item 12.2.1 2025 Major & Sponsored Events Program, it was recommended to continue the delivery of Loco Lounge Shows & Workshops at the 2025 Spinifex Spree Carnival and the provision of additional funds to support high quality cultural experiences. The following motion was lost:

OFFICER'S RECOMMENDATION 2

That Council:

1. Pursuant to section 6.8 (1)(b) of the Local Government Act 1995, authorise the Town of Port Hedland to make provision in the 2025- 2026 Annual Budget for the following event expenditure:

a) Year 2 of the contract with Lunar Circus for Spinifex Spree – Spiegeltent Addition and Cultural Programming – Separable Portion 1 for the delivery of event management services for the Loco Lounge shows in 2025 for \$267,200 plus CPI (ABS-WA Index) indexation

b) Year 2 of the contract with Lunar Circus for Spinifex Spree – Spiegeltent Addition and Cultural Programming – Separable Portion 2 for the delivery of event management services for the Loco Lounge workshops in 2025 for \$31,333.

In addition, the following motion lapsed:

OFFICER'S RECOMMENDATION 3

That Council:

1. Do not continue with the Odyssey Music & Arts Journey in 2025 and instead research an improved festival concept and business case

2. Pursuant to section 6.8 (1)(b) of the Local Government Act 1995, authorise the Town of Port Hedland to make provision in the 2025- 2026 Annual Budget for the:

a) Reallocation of \$70,000 of events expenditure from Odyssey Music & Arts Journey to Spinifex Spree Carnival event budget to support high quality cultural experiences

3. Utilisation of \$150,000 funding from BHP & Town of Port Hedland Events Partnership 2023-2025 to support the First Lights Drone Show event to provide a new high-quality cultural experience

4. Utilisation of \$150,000 of Public Art Funding to support the First Lights Drone Show.

The above outcomes resulted in the removal of Loco Lounge Shows & Workshops from Spinifex Spree Carnival and no determination on support for a 2025 event budget and associated high-quality cultural experiences at the event. Event expenditure for Spinifex Spree Carnival (excluding Loco Lounge Shows & Workshops) has remained consistent since the 2022-2023 FY. Unfortunately, increasing infrastructure and entertainment costs have led to reductions in expenditure for free entertainment provided at the event.

The result of removing Loco Lounge from the event and a reduction in free entertainment expenditure does have adverse impacts and operational risks associated with the quality of opportunities for the community to engage, connect and participate at the event. To mitigate the above risks and ensure a high-quality event

is achieved, the Events team has utilised community feedback from the 2024 event to inform future options and recommendations.

2024 Winter Season Post-Event Evaluation Summary and Considerations for 2025 Spinifex Spree Carnival

Moving forward from the October 2024 OCM, and to ensure community expectations continue to be achieved in alignment with the Town's strategic objectives, community feedback is encouraged and received to evaluate all Town events. As a result, a total of 240 responses were received directly relating to the Spinifex Spree Carnival and 976 post-event responses relating to the overall 2024 Winter Season Events program. A summary of the positive and constructive feedback relevant to planning for the 2025 Spinifex Spree Carnival program include:

- A future focus on creating new experiences through free high-quality entertainment and cultural opportunities, not otherwise already provided in Hedland
- Post-event responses from the Loco Lounge resulted in an overwhelmingly positive response relating to activities that promote participation and capacity building opportunities in the arts and culture sector
- Economic and creative opportunities for local businesses and artists
- Large-scale entertainment options that are equivalent to a 'city-standard'
- Variety of entertainment options, including a high-profile live performance
- Consideration of an 18+ licensed area 'pop-up' bar.

Lastly, in accordance with the Town's Corporate Business Plan, the strategic evaluation and recommendations need to ensure service provisions of Spinifex Spree Carnival are 'maintained' each year. The following section of this report provides options for Council to consider which maintain the current service level provision of Spinifex Spree Carnival since 2022 and ensure alignment with community expectations and the Town's strategic goals, as defined within the Arts & Culture Plan 2023-27.

High-Quality Entertainment Options and Capacity Building Opportunities for the 2025 Spinifex Spree Carnival Event

The 2022 Spinifex Spree Carnival was the last event organised without the Loco Lounge performances and workshops, and the service levels provided at this event are used to determine the baseline expenditure and service level requirements for the 2025 event. The 2022 event included market stalls, carnival rides and sideshow alley, food trucks, fireworks, and family activations with headline entertainment of a full touring band.

A baseline budget expenditure has been established utilising 2022 expenditure, with Local Government Cost Index (LGCI) increases per year (2023-2024FY – 3.9%, 2024-2025FY – 3.1% and 2025-2026FY – 4%*) and a 10% contingency in place (see financial implications section of the report for further baseline expenditure event breakdown). This results in a total baseline budget expenditure of \$230,387. However,

the updated 2025 baseline event cost results in a reduced family activation and headline entertainment service level offering compared to the 2022 event, because the costs of entertainment services have increased above the indexation.

As such, optional extras are put forward for Council to consider increasing the quality and variety of the baseline event offerings in alignment with community expectations, and maintenance or increase of service levels in line with the 2022 Spinifex Spree Carnival:

Option	Headline Entertainment and Family Activation	Service Level Comparable to 2022 Event	Required Expenditure Additional to Baseline (Ex GST)	Strategic Alignment
<i>Baseline</i>	Local & Regional Acts	Reduced	\$0	<ul style="list-style-type: none"> •Focus on developing homegrown talent to (Re)Ignite Live Performances
<i>Option 1</i>	Touring Solo or Duo Act	Reduced	\$10,000	<ul style="list-style-type: none"> •(Re)Ignite Live Performances through increased provision of high-quality touring musicians
<i>Option 2 (recommended)</i>	Touring Solo or Duo Act and 'The Whale' Activation	Maintained	\$60,000	<ul style="list-style-type: none"> •(Re)Ignite Live Performances through increased provision of high-quality touring musicians •Feature Arts & Culture experiences of a type, scale and quality not currently on offer in Hedland •Workshop and puppeteering

				opportunities promote participation in the Arts and creative pathways
Option 3	Full Touring Band and 'The Whale' Activation	Increase	\$94,000	<ul style="list-style-type: none"> •Provision of high-quality touring musicians, not currently provided in Hedland, (Re)Ignite's Live performances •Feature Arts & Culture experiences of a type, scale and quality not currently on offer in Hedland •Workshop and puppeteering opportunities promote participation in the Arts and creative pathways •Meets community's expectations for high quality cultural entertainment

To ensure the 2025 Spinifex Spree Carnival event provides high-quality cultural entertainment, meets community expectations in alignment with the Town's strategic goals, provides opportunities for event participation and capacity building workshops, and fills the gap of not having the Loco Lounge, it is recommended that Council support the baseline expenditure requirement of \$230,387 and additional headline entertainment and family activations included within 'Option 2', which requires an additional \$60,000 expenditure.

In summary, it is recommended for Council to support a total Spinifex Spree Carnival event expenditure of \$290,387 in the 2025-26 FY Annual Budget.

LEVEL OF SIGNIFICANCE

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

- Significant - The extent to which the decision flows logically and consequently from a significant decision already made or from a decision in the strategic or annual corporate plans.
- Significant - The matter will have implications for the present and future social, economic, environmental, and cultural well-being of Port Hedland.

CONSULTATION

Internal

- Director Community Services
- Events Team
- Arts & Culture Team

External Agencies

- Spare Parts Puppet Theatre

Community

- Qualitative and quantitative data via Culture Counts post event surveys.

A Confidential Briefing was held with Elected Members on 4 November 2024. This briefing discussed family activation and headline entertainment options.

LEGISLATION AND POLICY CONSIDERATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

The table below shows the 2022 actual expenditure, compared to the LGCI increased cost of each annual event leading to the proposed expenditure of the 2025 Spinifex Spree Carnival plus 10% contingency.

Event FY	2022/23	2023/24	2024/25	2025/26
LGCI % Increase		3.9	3.1	4 *
Total Expenditure	\$188,000 (actual)	\$195,332	\$201,387	\$209,443
10% Contingency				\$20,944
Proposed 2025 Spinifex Spree Baseline Event Cost				\$230,387

**The 2025-22026FY LGCI forecast is 2.8% and the Town is consistently applying a 1.2% premium for the Pilbara, to align with future wages growth.*

It is also noted that there has been a significant cost increase above LGCI in ‘family activations and headline entertainment’ comparable to 2022, which has contributed to a reduced quality of entertainment offering over the past two years, and inability to maintain the past service level.

The table below outlines the adopted 2024-2025FY Events Budget compared to the proposed 2025-2026FY Events Budget:

Event	Expenditure		Revenue		Notes
	24-25FY	25-26FY	24-25FY	25-26FY	
Australia Day	\$110,000	\$110,000	\$0	\$0	NA
Community Sports Awards	\$32,300	\$32,300	\$24,000	\$24,000	NA
Festive Lights	\$5,850	\$5,850	\$2,500	\$2,500	NA
Spoilbank Marina Opening Event	\$50,000	\$0	\$50,000	\$0	Removed from 25-26 Events Calendar

Spinifex Spree (Loco Lounge removed)	\$485,000	\$290,387	\$171,000	\$90,000	Loco Lounge Performances & Workshops not approved - reduce budget by 2024 contract \$293,200 Revenue reassessed in line with updated event offering This budget is being considered as the Officer's Recommendation at the 27 November 2024 OCM
Sunset Food Markets	\$100,000	\$110,000	\$50,000	\$50,000	Incorporates \$10,000 Volunteer Week Function Event expenses
Volunteer Week Function	\$10,000	\$0	\$0	\$0	Incorporate expenditure to Sunset Food Markets
Welcome to Hedland	\$26,200	\$36,200	\$10,000	\$10,000	Additional \$10,000 cleaning expenditure if event continues to be located at Town Square
ToPH Sponsored Events	\$300,000	\$165,000	\$0	\$0	\$40,000 - Scribblers on the Road \$100,000 - Red Country Music Festival \$25,000 - NAIDOC Opening Event

					Update Placemaking Grants to incorporate small sponsored Arts and Cultural Events
NAIDOC Opening Event	\$24,000	\$0	\$0	\$0	Reallocated to ToPH Sponsored Events
Odyssea	\$256,260	\$30,000	\$175,000	\$0	Event is removed from 2025 Events Calendar Updated expenditure to research future festival concept This budget is being considered as the Officer's Recommendation at the 27 November 2024 OCM
First Lights Major Event	\$0	\$300,000	\$0	\$300,000	Utilising \$150,000 revenue from BHP Major Events Sponsorship (previously used for Odyssea) for First Lights Transfer \$150,000 from Public Art Funding to event revenue This budget is being considered as the Officer's Recommendation at the 27

					November 2024 OCM
Total	\$1,399,610	\$1,079,737	\$482,500	\$476,500	
Difference between 24/25FY and 25/26FY		-\$319,873		-\$6,000	Proposed decrease of \$319,873 Expenditure in 25-26FY. Proposed decrease of \$6,000 Revenue in 25-26FY.

As illustrated above, the proposed 2025-2026FY Events Budget results in a proposed decrease of \$313,873 in total Event costs compared to the 2024-2025FY.

If Council resolves to support the amended officer recommendation and determine to 'increase' the service level by supporting 'entertainment option 3' (to replace 'entertainment option 2') for Spinifex Spree Carnival, the total Event expenditure will increase by \$34,000, which still results in a decreased total event cost of \$279,873, compared to the 2024-2025FY Annual Budget.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Community:

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

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

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

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

Our Economy:

2.4.2 Market and promote Hedland for tourism.

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

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

Environmental

Nil

Economic

Nil

Social

There are significant social benefits from having high-quality live music, arts and culture experiences available to the Hedland community. The recommended headline entertainment and family activation options put forward intend to meet the community expectation to access free arts and culture experiences, thus contributing to the livability of Hedland.

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:

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 approving the 2025 Spinifex Spree Carnival Event Budget
Effect (Consequence)	Decreased service provision at 2025 Spinifex Spree Carnival, compromising opportunities for the community to engage, connect and participate in the Arts
Risk Treatment	Working collaboratively with our community to better understand the needs and desire for activations for future Spinifex Spree Carnival annual events

There is an Operational and Strategic risk associated with this item caused by not approving a 2025 Spinifex Spree Carnival event budget, leading to decreased service level provision.

The risk rating is considered to be High (10) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).

This risk will be reduced by working more closely with our community to better understand future needs for activations at community events.

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation 2

That Council:

Pursuant to section 6.8 (1)(b) of the Local Government Act 1995, authorise the Town of Port Hedland to make provision in the 2025-2026 Annual Budget for the following event expenditure:

- *An additional \$94,000 to ensure the 2025 Spinifex Spree Carnival event provides high-quality Headline Entertainment and Family Activation in accordance with 'Option 4' of the officer report*

ABSOLUTE MAJORITY VOTE REQUIRED

The amended officer recommendation replaces the 'entertainment option 2' with 'entertainment option 3' as included within the details of the officer report and increases the event service level offering and event expenditure by \$34,000.

OR

That Council:

Pursuant to section 6.8 (1)(b) of the Local Government Act 1995, authorise the Town of Port Hedland to make provision in the 2025-2026 Annual Budget for the following event expenditure:

- *An additional \$10,000 for Headline Entertainment and Family Activation in accordance with 'Option 1' of the officer report*

ABSOLUTE MAJORITY VOTE REQUIRED

The amended officer recommendation replaces the 'entertainment Option 2' with 'entertainment Option 1' as included within the details of the officer report and reduces the event service level offering and event expenditure by \$50,000.

Option 3 – Do not adopt officer’s recommendation

CONCLUSION

This report is provided for Council to consider options for the provision of headline entertainment and family activations at the Spinifex Spree Carnival in 2025. It notes recommendations which ensure the event provides high-quality cultural entertainment, meets community expectations, provides capacity building workshops and opportunities for event participation.

ATTACHMENTS

Nil

12.2.5 Courthouse Gallery Quarterly Report - July to Sept 2024 Q1

Author: **Manager Events, Arts & Culture**
Authorising Officer: **Director Community Services**
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

CM202425/192 EN BLOC COUNCIL DECISION

MOVED: Cr Camilo Blanco **SECONDED: Cr Ambika Rebello**

That Council receives The Junction Co. July – September 2024 Quarterly Report for the management of the Courthouse Gallery + Studios, as per Attachment 1.

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

PURPOSE

The purpose of this report is for Council to consider the financial and general operational report of the Courthouse Gallery + Studios (CG+S), managed by The Junction Co., for the first quarter from July – September 2024. More specifically, the report addresses the reporting requirements outlined in clause 46.2 in the Management Agreement between the Junction Co. and the Town of Port Hedland (Town). It is noted that Council recently resolved to renew The Junction Co.’s contract for management services of the Courthouse Gallery + Studios for a period from 1 July 2024 to 30 June 2027.

DETAIL

The CG+S is considered a vital cultural asset to the Town of Port Hedland, supporting the Arts & Culture Plan 2023-27 vision to create a more livable and loveable Hedland. The recently adopted contract for management services of the CG+S was agreed upon between the Town and The Junction Co. for the period between 1 July 2024 to 30 June 2027 and adopted by Council at the Ordinary Council Meeting held on 29 May 2024. The renewed contract includes a clear and updated vision, strategic goals and reporting deliverables. The updated strategic vision and goals include:

Vision:

The Courthouse Gallery strives to become a cultural beacon of Port Hedland and the broader region by nurturing and showcasing the rich tapestry of local stories, culture and creativity.

The gallery aims to empower artists, inspire creativity, engage diverse communities and enrich the cultural landscape of Port Hedland, by providing a welcoming destination for creative expression and cultural change.

Goals:

- *Genuine Engagement: Commitment to fostering strong relationships with the local community, ensuring their voices and stories are central to the programming and exhibition focus.*
- *Inclusivity: Prioritising community's' needs and aspirations, ensuring that the gallery serves as a welcoming space for everyone to explore, learn, and connect.*
- *Celebrate Diversity: Honouring and showcasing the rich cultural diversity of Port Hedland and the Pilbara, ensuring that programming reflects the multitude of voices and stories within our region.*
- *Creative Excellence: Pursuing innovative approaches to exhibition curation and programming, striving for excellence in all aspects of operations and offerings.*
- *Support for Local: Providing robust support for local artists and creatives, offering platforms for exhibition and professional development that highlight the unique talents within our community.*
- *Collaboration: Working collaboratively with artists, cultural organisations, partners, and the broader community to enhance the gallery's impact and reach.*
- *Integrity and Transparency: Operating with the highest standards of integrity and transparency, building trust within the Town, the community, industry partners and sponsors.*
- *Quality Management: Committing to professional and efficient management practices, ensuring staff are appropriately qualified and trained to effectively serve the needs of our community and stakeholders over time.*

The annual contract deliverables of the management services agreement with The Junction Co for each quarter and items completed in Q1, are as follows:

Annual Deliverable	Strategic Alignment	Reported this Quarter (Q1)
4 x Exhibitions	Creative Excellence	1. Spinifex Hill Studios NUGGRA WANGA – 25/07/24 2. Indian Ocean Triennial Australia (IOTA) - Listening Geographies – 12/09/24

4 x Creative Development Program	Creative Excellence Celebrate Diversity Support for Local	1. Weekly Artist Mentorship Program 2. IOTA Public Program – 18/08/24 - 12/09/24
1 x Art Award	Creative Excellence	
8 x Community Engagement Programs / Events	Creative Excellence Inclusivity Genuine Engagement	1. Monthly Wunderkammer Events 2. IOTA Public Program 18/08/24 to 12/09/24 3. Ceramics Studio Workshops
Artwork Sales	Creative Excellence Celebrate Diversity Support for Local	Ongoing – Reported Quarterly
Partnerships	Collaboration	Spinifex Hill Studios Well Womens Centre
Activation	Inclusivity Genuine Engagement	1. IOTA Public Program 18/08/24 to 12/09/24 2. Youth Exhibition Public Program 04/09/24 - 31/10/24
Accessibility	Integrity & Transparency Quality Management	Gallery open Tues - Sun
Financials	Integrity & Transparency Quality Management	Ongoing – Reported Quarterly – Attachment 1

In addition, Clause 46.4 requires The Junction Co to provide the following plans to the satisfaction of the Town, no later than 20 December 2024:

1. Five-Year Courthouse Gallery + Studios Strategic Plan
2. Spatial Use and Efficiency Study
3. Program and Exhibition Framework
4. Retail Strategy
5. Sponsorship Plan and Financial Management
6. Team Structure and Staff Development Plan
7. Audience and Community Engagement Plan
8. Marketing and Branding Plan.

A summary of the key activities for the July – September 2024 Quarter (Q1) is noted below.

Event Name	Ngurra Wanga – Place of Belonging – Spinifex Hill Studios female artists
Deliverable	Exhibition
Opening Date	25 July 2024
Attendees	80
Description of Works & Strategic Alignment	The exhibition celebrated the works of Spinifex Hill Studios female artists and demonstrated strong strategic alignment with the CG+S, particularly the collaboration with Spinifex Hill Studios, and the artist works representing inclusion, celebrating diversity and creative excellence of local artists.

Event Name	Listening Geographies – A Portrait of Mirage Country (part of the Indian Ocean Triennial Australia (IOTA))
Deliverable	Exhibition & Creative Development
Opening Date	12 September 2024
Attendees	80
Description of Works & Strategic Alignment	<p>The IOTA Exhibition included artists in residences; Andrea Vinkovic, Amelia Blanco and Kare Mullen. The exhibition included community participation and 23 free workshops with schools, community organisations and the general public. The exhibition works created an immersive, cross-disciplinary installation celebrating the land and waterways of Marapikurrinya Yintha.</p> <p>The strategic alignment included genuine engagement and collaboration between artists and community members participating in the development of the works. The workshops also embraced diversity and inclusivity with three disability artists involved in the CG+S mentorship program.</p>

Event Name	IOTA Public Program Monthly Wunderkammer Program Create with Clay Workshop Spinifex Spree Carnival Stall Paper Mache Workshops
Deliverable	Community Engagement
Opening Date	Throughout Q1

Description of Works & Strategic Alignment	The community engagement program provides opportunities for genuine engagement, outreach, inclusivity and accessibility for creative expression and emerging artists.
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Event Name	Exhibition works, stockroom and retail store
Deliverable	Artwork Sales
Opening Date	Throughout Q1
Sales	Spinifex Hill Exhibition – 2 artworks sold, and \$5,517 revenue received Stockroom – \$6,284 total revenue received Retail Store - \$21,228 total revenue received The total revenue received during Q1 exceeded the budget target by \$3,029.
Description of Works & Strategic Alignment	Artwork and retail sales support creative excellence, support for local and collaboration with artists both local and state-wide.

Attachment 1 includes full details of the CG+S quarterly report and deliverables completed in Q1 and a schedule of future deliverables to be completed for the remaining first year of the contract. The Junction Co. is also currently drafting the strategic plans as required in Clause 46.4 of the executed contract, and will be sent to Council for information once completed.

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Internal

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

External Agencies

- The Junction Co.
- Spinifex Hill Studios
- Well Womens Centre
- Local Primary Schools
- Hedland Senior High School
- Youth Involvement Council
- OWLS
- Karlarra House
- HARTZ

LEGISLATION AND POLICY CONSIDERATIONS

There are no legislative or policy considerations for this report.

FINANCIAL AND RESOURCE IMPLICATIONS

The Q1 management fee is included in the Town’s 2024-25 Annual Budget.

A breakdown of the adopted annual contract management fee is included below:

Financial Year	Management Fee
1 – July 2024 to June 2025	\$600,000
2 – July 2025 to June 2026	\$600,000
3 – July 2026 – June 2027	\$600,000
4 - July 2026 – June 2027 (optional extension at the sole discretion of the Town)	\$600,000 plus CPI index
5 – July 2028 – June 2029 (optional extension at the sole discretion of the Town)	\$600,000 plus CPI index

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.

1.3.2 Events and activities to celebrate the Town’s cultural heritage, arts and Pilbara

lifestyle are consistently programmed and delivered.

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

1.4.4 Community services and facilities are well promoted.

Our Economy:

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

Economic

Management of the Courthouse Gallery includes opportunities for local employment and capacity building in the arts and culture industry, including local artwork and retail sales.

Social

There are social benefits from having high-quality gallery management, programming, and activation experiences available to the community. The CG+S is recognised as the Pilbara’s Regional Art Gallery facility and includes gallery exhibitions, workshops and activations in the Courthouse Gallery gardens and surrounds.

There is no significant environmental impact relating to this item.

Access and Inclusion

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

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

Corporate Business Plan

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

Our Community Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational Strategic
Risk Category	Financial Reputational
Cause	Not delivering on contractual services of Courthouse Gallery Management and agreed deliverables.
Effect (Consequence)	Inability to deliver sufficient gallery services and arts and culture programming.

Risk Treatment	Work collaboratively with The Junction Co. To identify any barriers and reasons for not meeting the contract services, and provide support where necessary.
<p>here is an operational and strategic risk associated with this item caused by not delivering the contractual services, leading to inability to deliver sufficient gallery services as well as arts and culture programming. The risk rating is considered to be Low (1) which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3).</p> <p>This risk will be accept by working collaboratively to support The Junction Co. to identify any barriers and reasons for not meeting the contract deliverables.</p>	

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Not recommended as this is a retrospective report on the CG+S contract management services.

Option 3 – Do not adopt officer’s recommendation

Not recommended as this is a retrospective report on the CG+S contract management services.

CONCLUSION

This report is provided to inform Council of the financial and operational contract deliverables completed by The Junction Co., in its role as the contract manager of the CG+S.

ATTACHMENTS

1. CONFIDENTIAL - Attachment 1 - C G+ S Quarterly Report - July to Sept 2024 - Q 1 [**12.2.5.1** - 16 pages]

Under clause 24.2 of the agreement, Port Hedland Peace Memorial Seafarers' Centre Incorporated is to provide the Town with a quarterly report which is to detail the following:

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

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

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

The annual Key Performance Indicators (KPI) for the facility are as follows:

- 15,000 visitors supported through the Visitor Centre.
- 1,000 people hosted on formal tours operated through the Visitor Centre.
- Gold/A1 Tourism accreditation maintained (or equivalent).

- Development of a web presence and digital strategy to educate and attract visitors to the local area.
- Development and distribution of up-to-date tourism documents promoting Port Hedland and the Pilbara region; and
- Execution of a program to greet and engage Cruise Ship visitors that also engages local businesses and community organisations.
- Adherence to minimum hours of operation.

The Town is currently working with the Seafarers' to review and revise the KPIs under the new contract.

The attached quarterly report outlines the progress made by the Port Hedland Peace Seafarers' Centre Incorporated in the period July – September 2024. The operational cost of the facility was reported to be within the parameters laid out in the management contract.

Notable events for the reporting period are described below:

- An average of 175 people visited the Port Hedland Visitor Centre each day during the quarter. The total visitor account for the reporting period was 15,282. This represents a 17% increase compared to the same quarter the year before. The Port Hedland Visitor Centre noted that this has been the busiest quarter of the year.
- 26,661 active users were reported to have visited visitporthedland.com.au during the reporting period. This represents an 35% increase compared to the same quarter the year before.
- Assisted with 272 telephone enquiries, an increase of 17% from the same quarter the year before.
- For this quarter, the Visitor Centre reported the following booking numbers:
 - Seafarers': Harbour Tour – 1,015 participants
 - Pilbara Tours: Salt Industry Tour – 46 participants
 - Pilbara Tours: Twilight Industry Tour - 527 participants.
- Continuation of the Wedge Street Markets in July which attracted 14 stall holders and approximately 800 attendees.
- Collaboration with Pilbara Party Planners to bring the finale of the Odyssey Festival to the West End. This event attracted 21 stallholders and approximately 1,000 attendees to the August Wedge Street Markets.

- Hosting daily Port Talks to provide information about the Port of Port Hedland to visitors who were unable to secure a spot on the Seafarers' Harbour Tour. The Port Talks attracted 1,552 people during the reporting period.
- Continuation of the Yarning with a Local sessions, attracting speakers from De Grey Mining, Rio Tinto, Main Roads, Pilbara Ports, Doris Teufel and Care for Hedland.
- The Port Hedland Visitor Centre reported that they exceeded minimum operating hours for the reporting period.
- The Visitor Centre reported they are fully staffed during the reporting period.

Additionally, the Port Hedland Visitor Centre expressed concern regarding the availability of accommodation for visitors, noting that the Town's RV Overflow Facility frequently reached capacity throughout the quarter. A report will be prepared for Council in the near future detailing the performance of the RV Overflow Facility and its estimated economic impact for the 2024 season.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because it relates to an existing contract between the Town and a third-party contractor.

CONSULTATION

Internal

- Director Regulatory Services
- Manager Planning and Economic Development

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

There are no legislative or policy considerations for this report.

FINANCIAL AND RESOURCE IMPLICATIONS

The management fee for the Port Hedland Visitor Centre was approved in the Town's Financial Year 2024-2025 budget.

The management fee relating to the contract variation was approved by Council by absolute majority at the 29 November 2023 Ordinary Council Meeting.

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Our Community:

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

1.4.4 Community services and facilities are well promoted.

Our Economy:

2.4.2 Market and promote Hedland for tourism.

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

Our Leadership:

4.3.1 High-quality and responsive customer service is provided.

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

Environmental

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

Economic

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

Social

Nil

Access and Inclusion

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

- Outcome 2 – Buildings and Facilities
- Outcome 3 – Accessible Information
- Outcome 4 – Quality of Service

Corporate Business Plan

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

Our Regulatory Services:

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Reputational
Cause	Perception that the Town has not performed its commitment to provide visitor services to tourist and the community.
Effect (Consequence)	Dissatisfaction among visitors and stakeholders, service disruptions, and a negative impact on the Town’s reputation and relationship with the community.
Risk Treatment	Council supports the officer’s recommendation.
<p>There is an operational risk associated with this item caused by the perception of a lack of commitment to the provision of visitor services, leading to dissatisfaction among visitors and other stakeholders.</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 treated by the adoption of the officer’s recommendation.</p>	

OPTIONS

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

CONCLUSION

This report is provided to inform Council of the operational progress made by Port Hedland Peace Memorials Seafarers’ Centre Incorporated from July – September 2024 in its role as operator of the Port Hedland Visitor Centre.

ATTACHMENTS

1. PHVC Quarterly Report - Jul - Sept [12.3.1.1 - 16 pages]
2. PHVC Quarterly Report - Jul - Sept - Attachments [12.3.1.2 - 14 pages]

12.4 Infrastructure Services

12.4.1	Award of tender RFT2425-10 - Marquee Park Public Open Space - Splashpad Redevelopment
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Author: Project Manager
Authorising Officer: Director Infrastructure Services
Manager Infrastructure Projects & Assets
Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

CM202425/204 COUNCIL DECISION

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

OFFICER’S RECOMMENDATION 1

That Council:

Pursuant to s6.8 of the *Local Government Act 1995*, amend the 2024-2025 annual budget as follows:

Account	Description	Current Budget	Amendment	Amended Budget
Unfinished and Committed Works Reserve	Transfer from Reserve	\$13,449,302	\$651,469	\$14,100,771
7000015	Marquee Park – Public Open Space Redevelopment (Project-10049)	(\$100,000)	(\$651,469)	(\$751,469)

CARRIED BY ABSOLUTE 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

CM202425/205 COUNCIL DECISION**MOVED: Deputy Mayor Ash Christensen SECONDED: Cr Ambika Rebello****OFFICER'S RECOMMENDATION 2****That Council:**

Authorise the Chief Executive Officer to enter into a Contract for the award of Separable Portions One (1) and Three (3) only, for RFT2425-07 Marquee Park Public Open Space Redevelopment to Pilbara Constructions Pty Ltd for the total amount of \$447,320 (excluding GST).

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

PURPOSE

The purpose of this report is for the Council to consider the assessment of submissions received for RFT2425-07 Marquee Park Public Open Space Redevelopment and consider the evaluation panel's recommendation to award the tender to the preferred respondent.

DETAIL*Background*

Since its opening in 2013, Marquee Park's Splash & Play Facility has experienced ongoing service disruptions and operational challenges. These issues have been largely attributed to critical failures in the aquatic infrastructure, which were further exacerbated by regional factors such as high-water hardness, elevated calcium levels, and an inefficient pump design. These factors have resulted in significant maintenance costs and ongoing efforts to ensure water quality standards were met.

At the Ordinary Council Meeting held in February 2022, Council voted unanimously in support of Town Officers seeking alternative uses for the precinct following a series of critical failures and antisocial behaviour resulting in vandalism, and further endorsed the relocation of the water play functions into a managed facility where support, maintenance and observation is increased (Decision number CM202122/143). Following this decision, the aquatic elements of the Splash & Play facility have been incorporated into the Town of Port Hedland Aquatics Masterplan as part of the South Hedland Integrated Sports Hub (SHISH) project.

At the Ordinary Council Meeting held in March 2023, Council endorsed the revised Marquee Park Concept Design (CM202223/024) which included the introduction of an off-leash dog exercise area, a junior agility play space, and the repurposing of the splash pad to a learn to ride for junior 0-5 year olds.

The off-leash dog exercise area was successfully completed in January 2024, whilst the scope of this tender relates to the remaining elements within the adopted March 2023 concept design which includes;

- Junior Learn to Ride
- Junior Agility
- Ablution Refurbishment and;
- Painting of existing shade structures.

Subsequent Project Works

Other works at Marquee Park are scheduled for delivery as part of the annual Playground and Softfall Renewal Programs. The scope for these renewal works includes the replacement of identified playground equipment, removal of river sand and installation of new soft fall and shade sails with construction expected to commence in early 2025 and anticipated for completion before July 2025.

Request for Tender

The Town released RFT2425-07 Marquee Park – Public Open Space Redevelopment on 28 July 2024 on Vendorpanel (the Town's e-tendering portal) and was advertised in the West Australian and the North West Telegraph with a closing date of 4 September 2024. There was one (1) addendum that was released during the tender period relating to scope clarifications. A non-mandatory site briefing was held on 7 August 2024 at 9:30am WST, at Marquee Park.

Tender Assessment

The Town received three (3) responses of which two (2) were deemed non-compliant due to failure to respond to the qualitative criteria and provide a lump sum fixed cost.

The respondents were as follows:

1. CORA BIKE RACK PTY LTD
2. GAYSHA
3. PILBARA CONSTRUCTIONS PTY LTD

Following completion of conflict-of-interest disclosures by all three (3) evaluation panel members, and no conflicts being noted, an evaluation meeting was held on 17 September 2024, facilitated by the Town's procurement representative along with the evaluation panel members whose main objectives were to:

- A) Make a recommendation to the Council;
- B) Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;
- C) Ensure adherence to Local Government Policies and legislation; and
- D) Ensure that the requirements specified in the Request are evaluated in a way that can be measured and documented.

The compliant submission was assessed against the following qualitative criteria:

Qualitative Criteria	(%)
Relevant Experience & Key Personnel	40 %
Capacity to Deliver & Resources	20 %
Demonstrated Understanding & Methodology	40 %
Total	100%

During the evaluation period, clarifications were sought from the compliant respondent regarding scope, pricing, and proposed materials.

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

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

As part of the initial concept development key stakeholders were engaged via Project Control and Working Groups, consisting of the following internal staff members:

- Director Infrastructure Services
- Director Community Services
- Manager Infrastructure Projects and Assets
- Manager Environmental Health
- Manager Infrastructure Operations
- Manager Recreation & Leisure Services
- Manager Youth & Community Engagement
- Senior Project Officer
- Senior Community Engagement Officer

Elected Members were also consulted during the concept endorsement via the agenda feedback session prior to the 29 March 2023 Ordinary Council Meeting.

External Agencies

- NORDA Architects

Community

Targeted community consultation was completed for this site in 2022/23 as part of the concept development. This included sessions with subject matter experts, landscapers, and local indigenous elders and community leaders.

LEGISLATION AND POLICY CONSIDERATIONS

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

- 1/014 Execution of Documents
- 1/022 Risk Management
- 2/007 Procurement
- 2/019 Financial Reserves
- 4/009 Significant Decision Making

The following sections of the *Local Government Act 1995* have been considered in relation to this item:

- 3.57 Tenderer for providing goods or services
- 6.8 Expenditure from municipal fund not included in annual budget
- 9.49A Execution of documents
- 9.49B Contract formalities

Further to the above, "Part 4, Division 2 – Tender for providing goods or services" of the *Local Government (Functions and General) Regulations 1996* also applies in relation to this item.

Successful contractors must abide by the Town's Code of Conduct while carrying out works for the Town.

FINANCIAL AND RESOURCE IMPLICATIONS

Budget Implications

In the 2022/23 Annual Capital Works Budget \$900,000 was allocated for the delivery of this project. Of this, a total of \$84,842 was spent towards design and internal project management costs.

In the 2023/24 an additional \$134,000 was allocated in the project budget with \$273,527 spent towards the development of the off-leash dog exercise areas and design investigation works for the splash pad redevelopment, and \$24,162 towards internal project management costs and overheads.

The remaining unspent budget was earmarked for the delivery of the splash pad redevelopment; however, progression of this component was delayed whilst value engineering was being undertaken which included specification analysis for the materials and suitable location of the elements within the proposed areas. Whilst this value engineering process was undertaken, a portion of the unspent budget of \$565,300 was transferred to the Unfinished and Committed Works Reserve to be reallocated to the project at the time of the construction tender award as part of 2023/24 interim budget review at the 13 March 2024 Special Council Meeting (decision number SCM202324/58). \$86,169 was approved for Carry over from 23/24.

Within the 2024/25 Annual Capital Works Budget, \$100,000 has been allocated for the finalisation of the design and to commence procurement activities. Now that we have reached tender award stage, the \$565,300 is required to be transferred back into the project from the Unfinished and Committed Works Reserve.

2024-2025 Budget Breakdown	Value (\$)
2024-2025 Budget Allocation	100,000
Transfer from Reserve - Unfinished and Committed Works Reserve from 22/23	565,300
Transfer from Reserve - Unfinished and Committed Works Reserve from 23/24	86,169
Total	751,469

Proposed Expenditure

This tender was released in four (4) separable portions (SP) to allow the Town to consider the prioritisation of elements and seek best value for money from the respondents, the below table shows the breakdown for each separable portion.

Separable Portion Breakdown	Value (\$)
RFT2425-07 Contract Award – SP1 Learn to Ride (on existing splashpad site)	337,610
RFT2425-07 Contract Award – SP2 Junior Agility Node	388,740
RFT2425-07 Contract Award – SP3 Ablution Refurbishment	109,710
RFT2425-07 Contract Award – SP4 Painting of Shade Structures	149,730
Total Value	985,790

In consideration of available budget and best value for money, it is the Officers' recommendation that Council support only the award of SP1 being the Learn to Ride (on existing splashpad site) and SP3 being the ablution refurbishment.

In addition to the contract award amount, \$148,580 is forecast to be spent for internal project management costs and standard construction contingency bringing the total anticipated expenditure to \$604,393 for the 2024/25 financial year, as outlined below:

Forecast Expenditure Breakdown	Value (\$)
RFT2425-07 Contract Award – SP1 Learn to Ride (on existing splashpad site)	337,610
RFT2425-07 Contract Award – SP3 Ablution Refurbishment	109,710
Subtotal (Total Contract Award Value)	447,320
24/25 costs to date	8,493

Contingency, latent conditions, internal project management costs and overheads	148,580
Total	604,393

A portion of the remaining unspent budget is proposed to be carried forward into 2025/26 to cover the defect liability period which is 12 months post project completion. Although any costs associated with rectification under the Defect Liability Period (DLP) is a requirement of the Contractor, this does not include any internal Town of Port Hedland project management costs and overheads. Officer’s estimate this at 10% of the Contract Value.

To date, the total capital investment to deliver this concept design in its entirety is as follows:

Forecast total project costs	Value (\$)
2022/23 – Final costs at end of FY	84,842
2023/24 – Final costs at end of FY	299,689
2024/25 – Forecast costs to end of FY	604,393
2025/26 – Forecast costs to end of FY (defect liability period)	45,000
Total	1,033,924

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.
- 1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.
- 1.4.2 Facilities and community infrastructure are revitalised across the town
- 1.4.3 Facilities and community infrastructure are well maintained, managed and fit-for-purpose to provide a range of lifestyle opportunities

Our Economy:

- 2.1.1 Lobby State and Federal Governments and private sector for improved infrastructure investment.
- 2.5.1 Pursue investment in key infrastructure development such as the port, airport, service industry and logistics.
- 2.5.3 Invest and develop key community and recreation infrastructure.
- 2.5.5 Support tourism infrastructure development

Our Built and Natural Environment:

- 3.1.1 Inform and engage Traditional Owners, key stakeholders, and the community in the protection and enhancement of the natural environment.
- 3.3.5 The greening and vegetation of streetscape verges are systematically implemented

Our Leadership:

- 4.2.1 Sound long-term financial planning is implemented.
- 4.2.4 Constructive forums are facilitated for discussion and the representation of the diversity of community views and needs that impact on the town’s developments, programs and policies.
- 4.3.2 Community members, businesses and tourists are engaged to provide feedback about local facilities and services.
- 4.3.4 Efficiency strategies across the town’s infrastructure and amenity assets are implemented

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

Access and Inclusion

As it is intended to be a design and construct contract, the Contractor will be required to consider the Town’s Access and Inclusion Plan 2023-2026.

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.

Our Infrastructure Services:

Projects and Assets - Effective and efficient project and asset management.

Property Management and Maintenance - Ensure facilities are well maintained in line with the Town’s asset management program.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Reputational
Cause	If Council do not support the endorsement of RFT2425-07 to proceed with redevelopment of Marquee Park Public Open Space

Effect (Consequence)	The Town will fail to deliver on its previously communicated commitment to the community for improvised public spaces
Risk Treatment	Adopt the officer’s recommendation
<p>There is a reputational risk associated with this item as failure to award the tender would prevent the Town from commencing works previously endorsed by Council. This may lead to dissatisfaction among the community and stakeholders, negatively impacting the Town’s reputation.</p> <p>The risk rating is considered to be Low (4) which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).</p> <p>This risk will be eliminated by the adoption of the Officers recommendations.</p>	

OPTIONS

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Council may opt to award all Separable Portions of the contract, however, this would require additional budget allocation as outlined in the financial section of this report.

ALTERNATIVE RECOMMENDATION 1

That Council:

Pursuant to s6.8 of the *Local Government Act 1995*, amend the 2024-2025 annual budget as follows:

Account	Description	Current Budget	Amendment	Amended Budget
Unfinished and committed works reserve	Transfer from reserve	13,449,302	651,469	651,469
Strategic Reserve	Transfer from reserve	8,726,907	382,901	9,109,808
7000015	Marquee Park Public Open Space Redevelopment Project 10049	(100,000)	(1,034,370)	(1,134,370)

ABSOLUTE MAJORITY VOTE REQUIRED

ALTERNATIVE RECOMMENDATION 2

That Council Authorise the Chief Executive Officer to enter into a Contract for the award of all Separable Portions of RFT2425-07 Marquee Park Public Open Space Redevelopment to Pilbara Constructions Pty Ltd for the total amount of \$985,330 (excluding GST).

SIMPLE MAJORITY VOTE REQUIRED

Option 3 – Do not adopt officer’s recommendation

Council also has the option to reconsider activation of this site. This would require a new council decision to be made to not progress with the previously Council endorsed design, this would enable the Administration to investigate options to recommission the splash pad or provide alternative design consideration.

If this scenario is preferred by Council the following recommendation would be required:

ALTERNATIVE RECOMMENDATION

That Council:

1. Do not progress the remaining elements within the Marquee Park Public Open Space Project Concept design; and
2. Authorise the Chief Executive Officer to investigate alternative design considerations at the Marquee Park Public Open Space.

SIMPLE MAJORITY VOTE REQUIRED

CONCLUSION

It is recommended that Council award separable portions one (1) & three (3) for the Marquee Park Public Open Space project to the preferred tenderer indicated in the tender evaluation. This will enable the Town to progress construction at this site and reactivate the public open space.

ATTACHMENTS

1. CONFIDENTIAL - RFT2425-07 - Marquee Park POS Redevelopment - Request Summary Report [**12.4.1.1** - 10 pages]
2. CONFIDENTIAL - RFT2425-07 - Marquee Park POS Redevelopment - Multi party evaluation report [**12.4.1.2** - 10 pages]
3. Marquee Park POS Redevelopment - Concept Design [**12.4.1.3** - 1 page]
4. CONFIDENTIAL - Evaluation Memo - RFT2425-07 – Marquee Park POS Redevelopment - SP1 & 3 Only [**12.4.1.4** - 5 pages]

12.4.2	Award of RFT2425-15 Cooke Point shared footpath-Construction
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Author: **Manager Infrastructure Projects & Assets**

Authorising Officer: **Director Infrastructure Services**

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

CM202425/206 COUNCIL DECISION

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

OFFICER’S RECOMMENDATION 1

That Council:

Pursuant to Section 6.8(1)(b) of the *Local Government Act 1995*, amend the 2024-2025 Annual Budget as follows:

Account	Description	Current Budget	Amendment	Amended Budget
780002	Grant Funding (LRCI)	493,000	312,327	805,327
780002	Grant Funding (WABN)	0	425,000	425,000
700021	Cooke Point Shared Path (10137)	(1,160,676)	(775,000)	(1,935,676)
			(37,673)	

CARRIED BY ABSOLUTE 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

CM202425/207 COUNCIL DECISION**MOVED: Deputy Mayor Ash Christensen****SECONDED: Cr Ambika Rebello****OFFICER'S RECOMMENDATION 2**

- 1. Note the proposed delivery of Stage 1 of the previously endorsed concept alignment, covering the Sutherland Street to Dempster Street footpath scope.**
- 2. Authorise the Chief Executive Officer to pursue grant funding for Stage 2 under the West Australian Bicycle Network (WABN) grant funding scheme, or other grant funding schemes in future application rounds.**
- 3. Authorise the Chief Executive Officer to enter into a Contract for the award of RFT to RCG Concreting or the total amount of \$1,620,158 (excluding GST).**

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

PURPOSE

The purpose of this report is for the Council to consider the assessment of submissions received for RFT2425-15 Cooke Point Shared Footpath- Construction and consider the evaluation panel's recommendation to award the tender to the preferred tenderer.

DETAIL***Background***

At the April 2024 Ordinary Council Meeting, the Council officially endorsed the concept alignments for the Cooke Point Shared Footpath. The approved concept outlines two distinct stages aimed at improving connectivity and accessibility for residents and visitors within the area.

Stage 1 - proposes the construction of a footpath link from Sutherland Street to Dempster Street. Prioritised this Financial Year, this initial stage focuses on enhancing pedestrian access and safety along this corridor, supporting the immediate needs of the community.

Stage 2 - proposes a future footpath link from Goode Street to McPherson Street, with delivery planned in subsequent budget years. The realisation of Stage 2 is contingent on securing additional funding through the West Australian Bicycle Network (WABN) grant program or other grant funding source.

This project has been identified as a critical missing link in both the Pilbara Cycling Strategy (2050) and the Town's Active Transport Strategy and aligns with the Port

Hedland Coastal Foreshore Management Plan (2021). The Cooke Point Shared Footpath will address these strategic priorities and provide lasting community benefits by:

- Improving connectivity along Port Hedland's foreshore, creating a seamless pathway experience for pedestrians and cyclists;
- Providing safe, inclusive pedestrian access to coastal areas, ensuring all community members can enjoy these natural assets;
- Encouraging physical activity and activating public spaces, especially along the Sutherland Street and Goode Street foreshore areas, which will foster a more vibrant community environment;
- Enhancing safety for all footpath users, including school children and residents without access to vehicular transport, by providing a dedicated, accessible route;
- Integrating and completing the town's cycling network, closing current gaps and creating a cohesive active transport system that meets the needs of residents and promotes sustainable travel.

The Council's endorsement of these concept alignments, along with the proposed subsequent delivery of Stage 1, reflects a long-term commitment to expanding active transport options for residents and aligns with the broader vision of a well-connected, accessible community pathway network.

Request for Tender

The Town released a Request for Tender (RFT) on 11 September 2024 on Vendorpanel (the Town's e-tendering portal) and was advertised in the West Australian and the North West Telegraph with a closing date of 28 October 2024. The RFT number for this project is RFT2425-15. There were 4 addendums that were released during the tender period relating to scope clarifications.

Tender Assessment

The Town received 5 responses of which 2 were deemed non-compliant due to the relevance and the scope of work within the tender.

The respondents were as follows:

1. Castle Civil
2. RCG Concreting Western Australia
3. Dowsing Group Pty Ltd
4. Line Right Pty Ltd
5. Versatile Steelfixing Pty Ltd

An evaluation meeting was held on Thursday 21st November, facilitated by the Town's procurement representative. The compliant submissions were evaluated by a panel of 6 Town employee's whose main objectives were to:

- A) Make a recommendation to the Council

- B) Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;
- C) Ensure adherence to Local Government Policies and legislation; and
- D) Ensure that the requirements specified in the Request are evaluated in a way that can be measured and documented.

The compliant submissions were assessed against the following qualitative criteria:

Qualitative Criteria	(%)
Relevant Experience	35%
Capacity to Deliver & Resources	15%
Key Personnel & Skills	15%
Demonstrated Understanding & Methodology	35%
Total	100%

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

Delivery Timeline

The successful Contractor's project milestones are noted below:

November 2024 Council Endorsement for award of tender

December 2024 Kick off meeting

January 2025 Letterbox drops/ Dilapidation survey notices to nearby residents

January 2025 Submission of relevant management plans and securing of work permits

January 2025 Mobilization of Plant and Equipment and site work

June 2025 Rehabilitation and handing over

LEVEL OF SIGNIFICANCE

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

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

CONSULTATION

Community

The initial concepts were presented to ratepayers identified as key stakeholders due to their property's proximity to the proposed path and access ways alignments, in an open consultation meeting on 18 December 2023.

Further feedback was received from affected residents via email. Based on feedback from these discussions and other responses gathered it was determined that additional alignment would need to be considered to meet external stakeholder's requirements. The revised alignment was referred back to all key stakeholders, with the majority confirming their support for the revised alignment.

Karriyarra Aboriginal Corporation

In accordance with the Aboriginal Heritage Act guidelines, the Town has completed the heritage survey for Stage 2 of the footpath development.

The Town also worked collaboratively with heritage officers from the Karriyarra Aboriginal Corporation (KAC), as well as local knowledge holders (Epical Family). They have supported the footpath project and provided a letter of support.

Concurrently the Town engaged with the Department of Planning, Lands and Heritage (DPLH) to obtain approval under Regulations 7 and 10.

Internal

- Director Infrastructure Services
- Director Regulatory Services;
- Project Manager;
- Manager Community Development;
- Manager Infrastructure Operations;
- Manager Financial Services;
- Manager Infrastructure Projects and Assets;
- Manager Town Planning and Development.

External Agencies

- JDSI Engineering Consultants;
- Department of Planning, Lands and Heritage;
- Stats Australia;
- Water Corporation WA

LEGISLATION AND POLICY CONSIDERATIONS

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

1/014 Execution of Documents

1/022 Risk Management

2/007 Procurement

2/019 Financial Reserves

4/009 Significant Decision Making

The following sections of the *Local Government Act 1995* have been considered in relation to this item:

3.57 Tenderer for providing goods or services

9.49A Execution of documents

9.49B Contract formalities

Further to the above, “Part 4, Division 2 – Tender for providing goods or services” of the *Local Government (Functions and General) Regulations 1996* also applies in relation to this item.

Successful contractors must abide by the Town’s Code of Conduct while carrying out works for the Town.

FINANCIAL AND RESOURCE IMPLICATIONS

Within the 2024/25 Annual Budget, \$1,785,676 has been allocated to fund this project. This is broken down as follows:

Current Annual Budget Breakdown – Project 10137 Cooke Point Shared Path		
Funding Source	Financial Year	
	23/24	24/25
Grant Funding (WABN)	625,000	-
Asset Management Reserve	625,000	601,818
Unfinished Works Reserve	-	1,183,858
Annual Budget Allocation	1,250,000	1,785,676

It has been identified that current approved grant funding for this project was misstated in the budget. As such, the below table sets out the revised funding sources.

Revised Annual Budget Breakdown – Project 10137 Cooke Point Shared Path		
Funding Source	Financial Year	
	23/24	24/25
Grant Funding (WABN)	625,000	425,000
Grant Funding (LRCI Phase 4)		805,327
Asset Management Reserve	625,000	-
Unfinished Works Reserve	-	705,349
Annual Budget Allocation	1,250,000	1,935,676

Given the increase in recognizing the grant funding sources noted above, this reduces the Town's overall contribution but increases the overall project 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:

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

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

1.4.2 Facilities and community infrastructure are revitalised across the town

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

Our Economy:

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

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

2.5.3 Invest and develop key community and recreation infrastructure.

2.5.5 Support tourism infrastructure development

Our Built and Natural Environment:

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

3.3.5 The greening and vegetation of streetscape verges are systematically implemented

Our Leadership:

4.2.1 Sound long-term financial planning is implemented.

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

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

4.3.4 Efficiency strategies across the town's infrastructure and amenity assets are implemented

Social

The Town is committed to supporting the Active Transport Strategy and managing the foreshore in line with the Foreshore Management Plan.

The construction of these two footpath stages will significantly improve connectivity along Port Hedland’s foreshore, offering safe and inclusive access for pedestrians to explore the coastal areas.

Access and Inclusion

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

- Outcome 2 – Buildings and Facilities
- Outcome 4 – Quality of Service

Corporate Business Plan

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

Our Community Services:

Recreation Leisure Facilities and Programs - Provide and promote, with key stakeholders recreation and sporting activities for healthy lifestyles.

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

Our Infrastructure Services:

Projects and Assets - Effective and efficient project and asset management.

Roads and Footpaths - Provide an effective road network through the construction, maintenance and renewal of sealed and unsealed local roads and associated infrastructure.

Our Regulatory Services:

Building Services - Building advice and approvals.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Project
Risk Category	Reputational & Service Interruption
Cause	If Council do not support the endorsement of RFT2425-15
Effect (Consequence)	Town will fail to deliver on its key strategic objectives within the Active Transport Strategy.
Risk Treatment	Adopt the officer’s recommendation
<p>There is a reputational risk associated with this item.</p> <p>The risk rating is considered to be Medium (6) which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3).</p> <p>This risk will be eliminated by the adoption of the Officers recommendations.</p>	

OPTIONS

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

CONCLUSION

It is recommended that Council support the officer's recommendation to award RFT2425-15 to the preferred tenderer indicated in the tender evaluation. This award supports the implementation of the Active Transport Strategy and managing the foreshore in line with the Foreshore Management Plan.

The construction of these two footpath stages will significantly improve connectivity along Port Hedland’s foreshore, offering safe and inclusive access for pedestrians to explore the Town’s coastal areas.

ATTACHMENTS

1. CONFIDENTIAL - RFT2425-15 Multi Party Evaluation Report [**12.4.2.1** - 12 pages]

Funding is automatically allocated to local governments across the nation, with each then being responsible for nominating eligible projects in order to claim their funding allocation.

In July 2023, under Phase 4 of the LRCI Program, the Town was allocated a total of \$805,327, and was required to complete a nomination form which met the following eligibility criteria:

- The project must be for the construction or maintenance of roads managed by local governments or the construction, maintenance and/ or improvements to council owned assets for the benefit of the community;
- Construction must take place between 1 July 2023 and 30 June 2025; and
- Construction must not have commenced prior to the acceptance of the nomination form by the Department of Infrastructure.

Project Nomination

Given the eligibility criteria and delivery timeframe requirements of the LRCI Phase 4 funding, the road realignment element within the South Hedland Integrated Sports Hub (SHISH) 1C was deemed eligible and a nomination form was submitted and accepted by the Department. This approved nomination is known as a Works Schedule.

Due to delays in its delivery, it is not likely that the roads component of the SHISH 1C project will be completed within the grant's funding conditions (by 30 June 2025) and is now considered prudent to re-allocate the funding to another eligible project which meets both the eligibility criteria and delivery timeframes.

It is recommended that the Cooke Point Shared Path project be nominated, as this project meets all eligibility criteria. The Cooke Point Shared Path is also receiving funding under the WA Bicycle Network (WABN), an initiative under the WA State Government, administered by the Department of Transport.

Other projects considered for allocation included the Rose Nowers carpark and South Hedland Town Centre, however, a risk analysis supports the Cooke Point Shared Path as the preferred recipient. Please refer to the Risk Management Considerations section of this report for further details.

Under phase 3 of the LRCI program, the Town was allocated \$1,021,456, of which \$868,023 was allocated towards the footpath elements within the SHISH 1C project.

Annual Budget

The 2024/25 Annual Capital Works Budget was adopted by Council in July 2024, inclusive of the respective funding sources contained within.

It has become evident that the funding source information was not correctly calculated during budget preparation, and subsequently, both the LRCI Phases 3 and 4, and WABN funding was not correctly allocated toward the SHISH 1C and Cooke Point Shared Path projects respectively.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

- Chief Executive Officer
- Director Corporate Services
- Director Infrastructure Services
- Director Regulatory Services
- Interim Director Community Services
- Manager Infrastructure Projects & Assets
- Manager Financial Services
- Project Manager
- Senior Project Officer Business
- Senior Management Accountant
- Finance Officer Grants

External Agencies

- Department of Infrastructure (Commonwealth)

Community

- Not required

LEGISLATION AND POLICY CONSIDERATIONS

As stipulated under s.6.2(4)(a) of the *Local Government Act 1995* (the Act), the Annual Budget is to incorporate detail regarding estimated expenditure. When the adjustment is made as part of the Mid-Year Budget Review, it will be presented to Council for formal adoption and will require an absolute majority vote. In this instance however, a simple majority vote will suffice as there is no budget adjustment made at this time.

FINANCIAL AND RESOURCE IMPLICATIONS

As stated previously, this reallocation will have implications to the funding sources of both the SHISH 1C and Cooke Point Shared Path projects and will require a decision of Council to amend.

Current Budget

The following tables outline the current funding sources which make up the available budgets for these projects:

Current Annual Budget Breakdown - Project 10130 SHISH 1C				
Funding Source	Financial Year			
	21/22	22/23	23/24	24/25
Grant Funding (Unconfirmed)	500,000	1,321,079		
LRCI Phase 3 (Hamilton Rd Realignment)			1,021,456	122,000
LRCI Phase 4 (Hamilton Rd Realignment)			805,347	
Lotterywest (The Commons)				371,000
Compass Group (Entrance Statement)			950,000	864,000
Strategic Reserve		778,921	1,568,197	3,003,000
Unfinished Works Reserve			2,078,000	6,140,000
Annual Budget Allocation	500,000	2,100,000	6,423,000	10,500,000

Current Annual Budget Breakdown - Project 10137 Cooke Point Shared Path		
Funding Source	Financial Year	
	23/24	24/25
Grant Funding (WABN)	625,000	-
Asset Management Reserve	625,000	601,818
Unfinished Works Reserve	-	1,183,858
Annual Budget Allocation	1,250,000	1,785,676

Anticipated financial impact to projects

For the SHISH 1C project, the LRCI Phase 4 allocation of \$805,327 was not factored within the grant funding sources, nor was the remaining claimable portion of LRCI Phase 3 of \$357,295 as this phase was anticipated to be fully recognised in the previous financial year. For the Cooke Point Shared Path project, \$425,000 remaining claimable of WABN funding was also left out.

These amendments will be formalised as part of the 24/25 Mid-Year Budget review.

Revised Annual Budget Breakdown - Project 10130 SHISH 1C				
Funding Source	Financial Year			
	21/22	22/23	23/24	24/25
Grant Funding (Unconfirmed)	500,000	1,321,079		
LRCI Phase 3 (Hamilton Rd Realignment)			1,021,456	357,295
LRCI Phase 4 (Hamilton Rd Realignment)			805,347	
Lotterywest (The Commons)				371,000
Compass Group (Entrance Statement)			950,000	864,000
Strategic Reserve		778,921	1,568,197	2,767,705
Unfinished Works Reserve			2,078,000	6,140,000
Annual Budget Allocation	500,000	2,100,000	6,423,000	10,500,000

Revised Annual Budget Breakdown - Project 10137 Cooke Point Shared Path		
Funding Source	Financial Year	
	23/24	24/25
Grant Funding (WABN)	625,000	425,000
Grant Funding (LRCI Phase 4)	-	805,327
Asset Management Reserve	625,000	-
Unfinished Works Reserve	-	705,349
Annual Budget Allocation	1,250,000	1,935,676

STRATEGIC SUSTAINABILITY IMPLICATIONS

Strategic Community Plan

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

Nil

Social

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

Access and Inclusion

This item does not impact upon the Town’s *Access and Inclusion Plan 2023-2026*.

Corporate Business Plan

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

Our Infrastructure Services:

Projects and Assets - Effective and efficient project and asset management.

RISK MANAGEMENT CONSIDERATIONS

A risk assessment has been undertaken for each potential eligible project and outlined below.

Risk Type	Project
Risk Category	Financial
Cause	If Council do not support the reallocation of LRCI Phase 4 Funding from SHISH 1C to Cooke Point Shared Path
Effect (Consequence)	The Town will forfeit the grant funding
Risk Treatment	Adopt the officer’s recommendation
<p>There is a Project risk associated with this item that if Council does not support the reallocation of grant funding from SHISH 1C project to the Cooke Point Shared Path project that the funding will be forfeited.</p> <p>The risk rating is considered to be Medium (6) which is determined by a likelihood of unlikely (2) and a consequence of Moderate (3).</p> <p>This risk will be eliminated by 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

The reallocation of the LRCI Phase 4 funding from the South Hedland Integrated Sports Hub Stage 1C to the Cooke Point Shared Path Project is a sensible and necessary adjustment to meet the funding eligibility criteria and project delivery

timelines. Due to the delays in the SHISH 1C project, reallocating the funds ensures that the Town can maximise the use of available grants and meet critical deadlines.

This reallocation effectively utilises the grant funding whilst minimising the Town's reserve contributions, without adversely impacting other planned infrastructure projects. Council's approval of this recommendation will ensure that the Town continues to deliver priority infrastructure that benefits the community.

ATTACHMENTS

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)

CM202425/208 COUNCIL DECISION

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

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.

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

The Presiding Member declared the meeting closed to the public 7:30pm.

15.1	Purchase of Residential Properties
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CM202425/209 DEFER ITEM

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

Confidential Item 15.1 Purchase of Residential Properties to be deferred to 11 December 2025 Ordinary Council Meeting.

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

CM202425/210 COUNCIL DECISION**MOVED: Cr Ambika Rebello****SECONDED: Cr Camilo Blanco****Council reopen the meeting to members of the public.*****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

16 Closure**16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday, 11 December 2024 commencing at 5:30 pm.

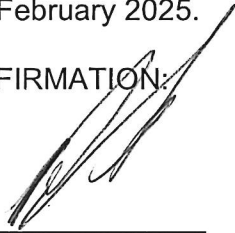
16.2 Closure

There being no further business, the Presiding Member declared the meeting closed at 7:40pm.

DECLARATION OF CONFIRMATION OF MINUTES

I certify that these Minutes were confirmed by the Council at the Ordinary Council Meeting on 5 February 2025.

CONFIRMATION:

A handwritten signature in black ink, consisting of several overlapping, slanted strokes.

PRESIDING MEMBER

5-2-2025
DATED