



# MINUTES

## Ordinary Council Meeting Wednesday, 7 February 2024

**Date:** Wednesday, 7 February 2024

**Time:** 5:30pm

**Location:** Civic Centre  
McGregor St  
Port Hedland

**Distribution Date:** 21/02/2024

A handwritten signature in black ink, appearing to be the name of the Mayor.

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Mayor

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## 1 Opening of Meeting

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

## 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 Sven Arentz  
Cr Camilo Blanco  
Cr Lorraine Butson  
Cr Ambika Rebello  
Cr Tim Turner

*Scheduled for Attendance:*

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

### **3.2 Attendance by Telephone / Instantaneous Communications**

Nil

### **3.3 Apologies**

Lee Furness, Director Infrastructure Services

### **3.4 Approved Leave of Absence**

Nil

### **3.5 Disclosures of Interest**

Nil

## **4 Applications for Leave of Absence**

#### **CM202324/203 COUNCIL DECISION**

**MOVED: Cr Tim Turner**

**SECONDED: Cr Sven Arentz**

**That Council approve the application of leave of absence for:**

- 1. Cr Flo Bennett for the period 31 January 2024 until 16 February 2024; and**
- 2. Cr Lorraine Butson for Wednesday, 14 February 2024.**

***CARRIED BY SIMPLE MAJORITY (7/0)***

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*  
*Against: Nil*

**5 Response to Previous Questions**

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

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

The Director Corporate Services provided the following response;

The report has been sought as requested.

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

The Director Infrastructure Service provides the following response;

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

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

The Director Infrastructure Service provides the following response;

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

foot traffic areas however demand for litter removal is far greater than operational capacity. Any changes to level of service will require additional resources and budget at Q2.

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

The Director Regulatory Service provides the following response;

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

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

The Director Corporate Services provides the following response;

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

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

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

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



The Mayor provides the following response;

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

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

The Mayor provided the following response:

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

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

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

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

The Mayor provided the following response:

All the information is public. Thank you.

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

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

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

The Chief Executive Officer provided the following response;

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

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

The Chief Executive Officer provided the following response:

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

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

The Director Corporate Services provided the following response;

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

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

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

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

The Mayor took this question on notice.

The Director Regulatory Services provided the following formal response;

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

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

5.2.1

Gloria Jacob

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

The Mayor took this question on notice.

The Director Regulatory Services provides the following formal response:

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

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

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

The CEO provided the following response:

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

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

The October 2023 election quote (invoice yet to be received) was \$63,900.

The quote since received for the by-election in 2024 is \$57,900.

Both exclude internal associated costs estimated at \$15,000.

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

The Director Infrastructure Services provides the following response:

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

The Mayor took this question on notice.

The Director Infrastructure Services provides the following formal response:

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

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

The Director Regulatory Services took this question on notice.

The Director Corporate Services provides the following formal response:

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

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

The Director Infrastructure Services provided the following response:

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

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

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

## 6 Public Time

*Important note:*

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

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

*In accordance with Part 2(11)(e) Minutes, content of (Act s. 5.25(l)(f)) of the Local Government (Administration) Regulations 1996, the content of minutes of a meeting of council or a committee is to include - a summary of each question raised by members of the public at the meeting and a summary of the response to the question.*

### 6.1 Public Question Time

**The Presiding Member declared Public Question Time open at 5:33pm.**

6.1.1	Mr Evan Young
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*I am director of White Knight Industries, servicing the Pilbara region for 23 years. The Town of Port Hedland (ToPH) awarded us a panel contract for locksmith services on 4 January 2021, for that year. The contract clearly stated the need to be a licensed locksmith to carry out works for ToPH.*

*ToPH staff regularly frequented our shop and purchased locks / asked advice on how to install them - it was clear they were not licensed to install locks. I emailed ToPH and questioned why staff were installing locks when the need for licensing was clearly stated. A ToPH employee responded that the Town*

*employs a licensed security installer so there was not an issue. I responded and advised that people purchasing and installing the locks were not licensed and that for the Town to employ a licensed security installer would require the Town to be a Licensed Security Agent - which they are not. The Town advised me that there are other locksmiths on the panel contract. I then withdrew from their panel contract - and advised them this was a form of bullying and considered it a threat. I brought this action to Mayor Carter and CEO Carl Askew and heard nothing back.*

*In October 2023, ToPH emailed us a draft copy of their Vendor Panel document for locksmith services for 2023 and onward. A copy of ToPH's Code of Conduct was attached. The Draft document had no start date, contract term or contract completion date, so I emailed back, declining to submit a submission based on concerns I raised on the previous vendor panel that were never addressed and I also noted a conflict of interest being that my opposition's wife is an employee of the ToPH working in the Finance Department and would be privy to information as to upcoming works and budgets.*

*Please note my opposition is a sole trader with his wife working on their administration pricing, invoicing, etc. after hours.*

*The Town chose to ignore my email and not respond. However, the ToPH maintenance staff were instructed not to use White Knight Industries and to only use my opposition. In my opinion this only confirms my claim of Conflict of Interest and is in breach of the ToPH's Code of Conduct.*

- 1. Who was that person who instructed the maintenance staff not to use my business?*
- 2. Is this response how the Town conducts its business when a genuine concern is raised?*
- 3. What steps will be taken to resolve this issue to an amicable resolution?*

The Mayor provided the following response:

Thank you for coming to us. This is an operational matter. I've sought advice from the Chief Executive Officer, and I've been advised that a review is underway. It's a matter that continues to be dealt with through the appropriate channels and complaints process. Furthermore, the Town is looking after small businesses wherever it can. I can assure you we will do everything in our power to overcome the problem you've raised tonight.

6.1.2	Ms Sue Smith
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*Can you please advise what is happening with the Port Hedland to Bali flights? Firstly, they are on the Town of Port Hedland site as commencing in November*

*- December and then you've had conversations with the community saying they will start in January. You have even advised people in our community to put off buying their tickets and it has cost them more by waiting and stalling. There was the mention of no customs and since we are the busiest port in the world and have customs here, it has been stated by a customs worker that they would be able to handle weekly flights to Bali.*

The Mayor provided the following response:

These Bali flights are on their way, there's a few issues, not just with customs, there's also the aircraft as well. I believe that aircraft is a Chinese aircraft and they are waiting to get that approved to land in Australian waters. They keep putting it back and it was supposed to happen before Christmas, which would have been great - it's a long and hard process, but as soon as it's up and running the whole community will enjoy it.

*It is confirmed that the Queensland flights are discontinuing at the end of March? And if so, is the Council still going to proceed to the \$66,000 to Qantas out of rate payer's money? And if that is the case, why can't we use the \$66,000 to fly a customs officer up here if there is a shortage of them to be able to conduct the correct custom procedures up from Perth?*

The Mayor provided the following response:

I'm unaware of the cancellation of those flights to Queensland. I cannot respond to that at all.

*We believe that there were two airlines that were ready to take up the offer of flights from Port Hedland to Bali once a week.*

The Mayor provided the following response:

I can't respond to that question at all, sorry.

6.1.3	Mrs Julie Arif
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*Does the Town of Port Hedland have a policy regarding landowners to maintain their property in a safe state, that is to be cyclone ready, so as not to damage other properties in the vicinity?*

The Director Regulatory Services provided the following response:

The Ranger team undertakes inspections of building sites and places of that nature to make sure prior to the Town going on yellow alert. While we can and do contact property owners/occupiers during the year requesting they undertake works to secure their property, the cyclone provisions within the Town's Animals, Environment and Nuisance Local Law can only be brought into play once we're on cyclone watch or blue alert. In relation to housing or residences or buildings - if there are certain places that

you have concerns about, we're more than happy to take those from you and do an inspection is required, and take as per the Town's Animals, Environment and Nuisance Local Law.

*Has the Town of Port Hedland issued any notices to landowners with unsafe properties to make them safe for the current cyclone season?*

The Director Regulatory Services provided the following response:

We've haven't issued any notices in relation to the cyclone action against properties. Again, the limitation that we have in terms of undertaking works and things, we need to pretty much be on cyclone watch in order to undertake that. There have been informal correspondence and emails sent out to certain property owners and one building proprietor who has been advised of our expectations if we go to cyclone watch and they will be taking action to secure their site.

*There are several buildings in Port Hedland that **are** in an unsafe condition ie the Volunteer Rescue building and the Lock Hospital Buildings (multiple buildings). Will the Town of Port Hedland be enforcing the landowners to rectify the problem? Not before blue alert, because obviously they require a bit more work than that?*

The Director Regulatory Services provided the following response:

We have been in discussion with Department of Communities in relation to the Lock Hospital previously and in terms of the volunteer rescue the have been discussion with the Department of Planning, Lands and Heritage (DPLH) in relation to that property and again with that one because of the item that went to council in relation to the VMR, there is a little bit of limbo there.

The information that I have from DPLH is that they are not ready to take any action on that property until there is a change in heritage status or something else comes to light. As it stands at the moment, the property is secure, it has mesh fencing around it and in terms of further security for that property, there's nothing planned as far as I'm aware at this point in time.

*What happens if we have a cyclone and the buildings start to fly around and damage other buildings? Whose fault is it?*

In terms of "fault" as you put it, it would be the landowners, because they are again, supposed to secure their property before cyclonic events. In terms of clean-up, again it would be the property owners who are responsible.



6.1.4	Ms Rachel Burford
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*In relation to the previous question time questions - can I address the question of abandoned and derelict buildings and what the Town is doing around those properties, specifically the neighbouring property to us in Redbank?*

The Director Regulatory Services provided the following response:

If you could send us an email of the property address, I will have the rangers and health team have a look at that property, depending on the state of the property, we can then take action under our Local Laws, potentially.

*The works and services team have done a great job on pathways. I have a question in regard to the future budget and capital plans in regard to the facilities and services for accessibility to that pathway. So many people use the pathway between Port and South, with multiple entry points. I've noted that there's no car parks or safe, secure places to park a motor vehicle to join the access places. South Hedland is building on that with Dreamer's Corner, but there are no other places that have dedicated parking and other facilities, be it rubbish bins, water and toilet facilities. What's the future plan for toilets, water and accessibility facilities for these pathways in our community?*

The Mayor provided the following response:

Taken on notice.

*You'll appreciate that I am a tenant in the South Hedland Shopping Centre for over ten years -my question is in regard to the bus service - we have community members using this service from 9am until 2 to 3am in the morning. How does the Town allow that facility to be in a zone where there's no toilet facilities, no cameras, no security, no space for children, no air conditioning – it is inhumane and Charter Hall keep referencing back to the point that it's a Town problem?*

The Mayor provided the following response:

Taken on notice.

6.1.5	Mrs Jan Gillingham
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*Declared candidacy for 8 March Extraordinary Election*

*Mayor Carter, in your diary back last year when I was still on council I did ask a few questions regarding the Vietnamese company called Hoa Binh which you answered several times saying you were waiting for them to come and do a presentation regarding their association wanting to be a part of Port Hedland council for their business. Nothing has come in my time as a councillor last year and I don't believe anything else has come in the meantime that I've been able*

*to see on the screens. I was wondering if you could shed some light on is what is happening with this company 'Hoa Binh' which you seem to be spending a lot of time in visiting overseas?*

The Mayor provided the following response:

Nothing as yet, still looking at other options, looking at Port Hedland and other parts of Australia, they are still looking.

*You did mention in one of the last meetings prior to December that you had actually funded all your fares yourself to go visit Hoa Binh.*

The Mayor provided the following response:

That is correct.

*To do with your diary this time on 8 December 2023, which is now in this agenda: regarding the meeting with a meet and greet with VietJet Vice President Commercial and PHIA, could I ask is this for future Bali flights or something to do with organising, you got this information in December but nothing has come through - blurb or public announcement, and with that are you associated in any way with the VietJet company?*

The Mayor provided the following response:

No, I'm not, I believe they came here to look at air services as they're flying from Ho Chi Minh down to Perth now and want to talk to the airport about emergency landing and that type of thing. That's all it was.

*Can I add to that? Is that something Port Hedland can look forward to?*

The Mayor provided the following response:

That is the airport not the council, thank you.

*To do with the Red Gum Music Festival, I see on tonight's meeting, Item 12.2.1 the events sponsorship program and asking for Town of Port Hedland (ToPH) donations of, one is \$150k and the other \$125k and there's another \$100k. So, I ask are the amounts mentioned for ToPH only or to help substitute for costs towards the shows to be located either in Newman and Karratha? Sadly, the day of the Scribblers which was impacted by Odyssea which is running at the same time, however communities outside Hedland schools benefited from this. Will this happen to them again? Great community interaction events however, double booking just leads to lower numbers of participants and we do know what the participation rate was for Odyssea; how is this going to be vice versa impacting the Odyssea?*

The Mayor provided the following response:

I will ask the Director Community Services answer that?

The Director Community Services provided the following response:

Through the chair, in terms of your first question, it's Red Country Music Festival not Red Gum festival, and in terms of the proposal that's been put forward to council this evening, this is a proposal associated with Town of Porth Hedland funds for an event to take place in Hedland this year - then the year after if the council agrees to do so. The event organisers are proposing to also hold the event in Newman and Karratha also and they have sought sponsorship from the local governments in those areas. For Hedland in particular there is also funding coming from an Aboriginal organisation that's been listed on page 29 of the agenda for this evening. As for the Scribblers festival we will also endeavour to make sure the events don't clash. Last year the events did take place on the same date, but one was a day event and the other was evening event. But I do understand your point. We try put on different dates as much as we can. As you know in the winter season, we have a full calendar of events and we are trying to lock everything in now so we can discuss dates for different events with the organisers.

6.1.6	Mrs Renae Coles
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*Allegedly prior to the closure of the South Hedland Bowls Tennis Club, an elected member was seen by staff to be escorting what appeared to be businessmen through the site. This allegedly happened during the day. Conversation was allegedly around business proposals for the site. Not long after this alleged walk-through, the site was closed. If this did take place, was this the event that took their club away from this community? One must wonder if all councillors were aware of this, and all remain silent? I wonder if all councillors accept this behaviour? This walkthrough would be technically, operational, not something elected members should be doing. Can any member now approach any business of their own choice and do walkthroughs and discuss upcoming proposals? Does an elected member have full authority to take business prospects through any site of their choice to discuss opportunities with them without or in the presence of the CEO, Elected team or employees of the Town of Port Hedland?*

The Mayor provided the following response:

An email advice was sent to all Councillors in relation to that matter, thank you.

*Reads from news article: 'A New City North of Perth'.  
I have taken the opportunity to go through previous council minutes for when there was a council meeting where overseas conferences were put to a vote.*

*How many elected members were aware of the Mayor's overseas trips? How many elected members can clearly explain the PowerPoints and handouts provided? How much time was taken away from official duties and who covered them? How much was this cost to rate payers, will reimbursements take place? My question is who was looking after the community all of these times? It appears that no leave of absence was put in and I was under the assumption it would have been best practice for the elected members to do this. I'm all in favour of visa people coming over here, but they need to be provided with the correct information. We are not a newly formed city north of Perth and how many councillors have been kept on this whole entire journey?*

The Mayor provided the following response:

As you can see in item 8, I have had meetings with various people, and they are meetings without discussion, but I will also send some information back—I'll also take it on notice for you and I'll reply to you.

*Can the Town of Port Hedland confirm that the turf rolls that have been sitting there for some time, will be used? And they will be maintained to ensure they are not dug up again, relaid and more money has been spent. We are understanding that there's going to be more money spent on that oval, impacting those kids who play soccer. How much money has been spent and how much more will be spent?*

The Acting Director Infrastructure provided the following response:

We recognise that the issues with the non-binding of the turf and the leveling of the initial works didn't result in the outcome that we wanted. This second round has in fact, seen a far superior result. The turf now is in its recovery stage and will be monitored and fertilised over the next few weeks and in the midst of that, the lighting will be erected around the field. What you can expect by the end of the month and into next month, is a lush looking surface that's going to be tended to during the soccer season as well, after use and certainly a lighting system that's effective to that site.

6.1.7	Ms Gloria Jacob
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*Declared candidacy for 8 March Extraordinary Election*

*My question is based around the maintenance program for Town facilities. It's been highly noted that there are certain key facilities - the pool, the fields - have been worked on or maintained to standard whereby the users and the community have had no access to those facilities for elongated periods. Is there actually a consolidated plan whereby we look at the users and look at the impact and mitigate for risks which invariably occurs in the region such as ours?*

*Is there a program of works? I'm wondering if small maintenance could stop the big maintenance?*

The Acting Director Infrastructure Services provided the following response:

I'll address the swimming pool first - the lighting situation. The lighting is one that we are required by the Department of Health to maintain a consistent level of lighting lux over the water surface. In the midst of waiting for permits and getting exemptions from permits, the lighting has been ordered and within three weeks we expect the installations will occur.

*Is that an in-house or contractor? If we were talking about planning maintenance on that then they would consider as part of project management that there was going to be licensing requirements and time frames? As a contractor - I think the Town should understand they should be building that into their time frames. I think they need to be communicated effectively to the community.*

The Acting Director Infrastructure Services provided the following response:

It's an external contractor. The permitting itself we're doing internally for that very reason. The plans are developed by an external contractor that shows the illumination and then we proceed ordering for the process. The playing fields, yes, they are part of the planned preventative maintenance - we are desperately short of staff at this time. We do have an external contractor augmenting our work in smaller parts, so that our focus can return to the larger parts. We do an annual turf renewal as you know. We had some unfortunate events throughout last year, so we've had a lot of juggling in the midst of this. The inconvenience that it did cause with relocating soccer and we're hopeful that this will be an uneventful year.

*To support Julie's questions about old and derelict buildings, there are pensioners and disability people living within our community. There are rangers who go out to infringe notices for their properties not being clean. Is there any capacity within the town's gardening, engineering volunteering days - they could actually look at pensioners and people with disabilities and could go and clean up their yard and take things to the tip?*

The Mayor provided the following response:

Taken on notice.

*If the seminar that you attended that we are now being asked tonight to use ratepayers' money to pay for, known or endorsed by...*

The Mayor provided the following response:

No one else paid for those things. I paid for those all myself...there was no ratepayers' money used.

*Were you invited to do the seminar?*

The Mayor provided the following response:

I was invited to do a presentation, yes. I used a lot of my own photographs in that presentation. I was asked to present while I was already over there.

6.1.8	Ms Jillian Fisher
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*Declared candidacy for 8 March Extraordinary Election*

*There was a Town of Port Hedland Facebook post on the 15th December, stating that the full annual report would be on the Town's website early in the year. What's stopping the release of this report?*

The CEO provided the following response:

The Annual report needs the financial statements to go with it. We need sign off from the Office of Auditor General and we're still waiting on that.

*We also haven't had an Annual General Meeting (AGM) Elector's meeting, is that an issue to do with that?*

The CEO provided the following response:

Once we put the Annual Report to Council, we'll set a date for the Annual General Meeting.

*The recent news of a lawsuit by Decmil came as a bit of a shock. Obviously, these things don't happen overnight, were councillors actually aware?*

The CEO provided the following response:

Councillors were informed informally, and a briefing paper prepared with advice from our lawyers. Given the matter is now before courts, I am limited in what I can say.

*In your meetings diary in the agenda for tonight's meeting, on 8 December you had a meet and greet with Vietjet and the Port Hedland International Airport. You're actually on the board for PHIA, is that correct?*

The Mayor provided the following response:

No, I am not.

**The Presiding Member declared Public Question Time closed at 6:23pm.**

## 6.2 Public Statement Time

### The Presiding Member declared Public Statement Time open at 6.23

6.2.1	Ms Julie Arif
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Ms Arif spoke to:

- *Saving of the old Volunteer Rescue Services building – with possibility of becoming safety hazard to other properties during potential cyclone.*
- *Requesting restoration for the old Lock Hospital site buildings.*
- *Request of budget to be set for Town of Port Hedland 130 years celebration in 2026, so that community can anticipate and celebrate history.*

6.2.2	Ms Renae Coles
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Ms Coles spoke to:

- *1 November 2023 Northwest Telegraph article and implications of said article to former councillor.*
- *Bowls Club*

6.2.3	Mrs Jan Gillingham
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Mrs Gillingham spoke to:

- *Brisbane and Bali flights commentary on Facebook – request that public read agendas and minutes before drawing conclusions.*
- *Support for Port Hedland State School to be upgraded instead of downgraded to grade C with the result being demolition of more history of Port Hedland.*
- *Suggestion of meeting about heritage be held in March and urging Council to find better ways to preserve historical sites.*

6.2.4	Ms Gloria Jacob
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Ms Jacob spoke to:

- *The budget and upcoming elections in 2025 and her hope that the Council is ready to start thinking about the State Election and planning for it.*
- *The Council working together to make Port Hedland better.*
- *Families and friends leaving Port Hedland because they can't afford housing or have schooling options for their children, no aged care for seniors and no hostels.*

**The Presiding Member declared Public Statement Time closed at 6:41pm**

**6.3 Petitions / Deputations / Presentations / Submissions**

Nil

**The Presiding Member adjourned the meeting for recess at 6:42pm**

**The Presiding Member reconvened the meeting at 6:51pm**



## 7 Questions from Members without Notice

7.1.1	Cr Camilo Blanco
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*Can you explain what meetings without discussion are? What section of the act where that comes in?*

The Mayor provided the following response:

Taken on notice.

*The answer that I got from the last meeting on Hoa Binh, it was said you were introduced to Hoa Binh by a state government representative. Can we know who that is?*

The Mayor provided the following response:

That's confidential, thank you.

*I have an email from the EA to the board of Hoa Binh that states that you are the only one who has engaged with Hoa Binh as Mayor of Port Hedland. Are you the only contact or is there a state government representative?*

The Mayor provided the following response:

I'm unsure that any other government departments have been in contact with them.

*Hoa Binh has actually agreed to present to the Council, can we ask the CEO to organise that meeting? I have spoken to them through email and they have agreed to present to Port Hedland Council, so can you make a request to invite them? I have spoken to Hoa Binh and they have said they are happy to present to the Town of Port Hedland Council, so can you make a request?*

The Mayor provided the following response:

When Hoa Binh have decided to come to Australia, they will do a presentation.

*The CEO has stated that it's appropriate for you as Mayor, to engage with construction companies in foreign countries. I have studied the local government act extensively, so considering that the mayor is allowed to do it, then the rest of the council should be allowed and authorised to engage with interested investors in Port Hedland on behalf of the town?*

The Mayor provided the following response:

We can take it on notice.

*I have asked questions previously about Hoa Binh and the presentation. When will we see that presentation?*

The Mayor provided the following response:

I said, when they are ready.

*You have also presented to Construction Corporation 1 (CC1)– that's another Vietnamese construction company. They've also stated that they are happy to present to the Town. Can you also supply us with that presentation to CC1? You were there on behalf of the Town as Mayor? Could we also get a copy of that presentation?*

The Mayor provided the following response:

I can get that to you, yes.

*Can we also get all the presentations on immigration into Port Hedland that you did as Mayor with ICANFIELD in Vietnam?*

The Mayor provided the following response:

I'll take that on notice for you.

*Can we also get the presentation that you did with SI Group, another Vietnamese Immigration Company that you represented to as the Town of Port Hedland Mayor.*

The Mayor provided the following response:

Certainly.

*Now all of these companies have also agreed to present to the Council. Can the administration make contact with these companies so we can have a presentation? I'm happy to supply the CEO's and Executive Assistant's email addresses to them.*

The Mayor provided the following response:

I think you'll also find that the immigration company will be coming to Hedland to do a presentation as well.

*We haven't been informed of that.*

The Mayor provided the following response:

That's not with Council, it's to the Chamber of Commerce.

*Can I also get the presentation you did for Chairman Son of Hoi An city, Quang Nam province, as the Mayor of Port Hedland? Can I get the names of the delegation of people from Port Hedland that you led?*

The Mayor provided the following response:

I can get that for you.

*Can I get the information related to the problems with the half-built houses on Catamore and McKenna Way? The issues with the house pads and footings that are all half done?*

The Director Regulatory Services provided the following response:

We will have to look into that further. I believe there has been a confidential briefing note to Council previously, but I can get back to you on this.

*Can I get some info on the houses built on Osprey Drive, Raven Street, Eagle Ave – these have all been fenced off and they have new temporary fencing around them. I want to know if we've paid for that fencing and the ones on Osprey have steel frames stacked on the property and we're in cyclone season and I want to know what we are going to do if we have a cyclone, because it's going to be flying around everywhere.*

The Mayor provided the following response:

We'll get that for you.

*I did send an email to the CEO requesting a bit of financial information, can I get an understanding how long that is going to take to get back to me. You answered me on that email that you were going to provide it.*

The CEO provided the following response:

There was a lot of information requested. As it becomes available, I will provide it to all councillors.

7.1.2	Cr Lorraine Butson
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*Can the mayor discuss council business to overseas organisations and if so, is he required to submit a report to Council on the contents of the discussion that were council oriented?*

The Mayor provided the following response:

I'll take that on notice.

*Discussion of lease and inspection of property without any knowledge or permission as per email sent to Elected Members on Friday 2 February 2024 at 12:04pm.*

The Mayor provided the following response:

In relation to?

*In regard to the email that you sent us all.*

The Mayor provided the following response:

There was no discussion of leasing at all, there was no discussion at all thank you.

*Regarding 12.4.1 - it is noted that you have recommended the purchase of pumping equipment for the Gilbert Street flood pumps. Could you please advise of maintenance cost of this service since installation of these pumps and could I please have a financial summary on the expenditure for the time period since the last replacement of these pumps?*

The A/Director Infrastructure Services provided the following response:

Through the chair I will have to take that on notice.

*I would like to move a motion on Item 14.1 to bring forward this item to the start of tonight's agenda before Item 12.*

**CM202324/204 COUNCIL DECISION**

**MOVED: Cr Lorraine Butson**

**SECONDED: Cr Camilo Blanco**

**That Council move to hear Item 14.1 before the beginning of Item 12 - Reports of Officers.**

***CARRIED BY SIMPLE MAJORITY (7/0)***

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*

*Against: Nil*

**PLEASE NOTE:** Item 14.1 Notice of Motion – Cr Butson: was discussed and voted on before Item 12. The Council Decision number is **CM202324/207** and this can be found in these minutes at Item 14 – page 80.

## 8 Announcements by Presiding Member without Discussion

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

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

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

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

**10 Confirmation of Minutes of Previous Meeting**

**CM202324/205 COUNCIL DECISION**

**MOVED: Cr Lorraine Butson**

**SECONDED: Cr Sven Arentz**

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

***CARRIED BY SIMPLE MAJORITY (6/1)***

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*

*Against: Cr Camilo Blanco*

**CM202324/206 COUNCIL DECISION**

**MOVED: Deputy Mayor Ash Christensen**

**SECONDED: Cr Sven Arentz**

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

***CARRIED BY SIMPLE MAJORITY (6/1)***

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*

*Against: Cr Camilo Blanco*

*Disclaimer*

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

## **11 Reports of Committees**

### **11.1 Audit, Risk and Compliance Committee**

Nil

**12 Reports of Officers**

**12.1 Corporate Services**

<b>12.1.1</b>	<b>Statement of Financial Activity - December 2023</b>
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**Author:** Senior Financial Accountant  
**Authorising Officer:** Director Corporate Services  
**Disclosure of Interest:** The Author and Town Executive declare their financial interest as the report contains details of payments they receive under terms of employment.

*Caretaker Statement*

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

**CM202324/208 COUNCIL DECISION**

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

**That Council:**

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

***CARRIED BY SIMPLE MAJORITY (6/1)***

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*

*Against: Cr Camilo Blanco*

**PURPOSE**

The purpose of this report is for Council to consider the Statement of Financial Activity for the period ended 31 December 2023. Supplementary information is also presented to Council to provide further information regarding the Town’s activities.



## DETAIL

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

The preparation of the reports has been reviewed towards maintaining compliance with the *Local Government Act 1995* and Financial Management Regulations that has resulted in a reduction of some information not necessarily required to be prepared on a monthly basis. This Financial Report relies upon unaudited unconfirmed financial results for the 2022/23 financial year.

The Town's financial activity reports use a materiality threshold to measure, monitor and report on financial performance and position of the Town.

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

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

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

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

The breakdown of the cash position is displayed below:

### 2023/24 Actuals

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

## LEVEL OF SIGNIFICANCE

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

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

## CONSULTATION

### *Internal*

- *All consultation and engagement are conducted internally.*

### *External Agencies*

- *Department of Fire and Emergency Services*

#### *Community*

- *Nil*

### **LEGISLATION AND POLICY CONSIDERATIONS**

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

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

### **FINANCIAL AND RESOURCE IMPLICATIONS**

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

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

Reserves:

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

### **STRATEGIC SUSTAINABILITY IMPLICATIONS**

#### **Strategic Community Plan**

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

##### Our Leadership:

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

#### **Access and Inclusion**

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

Nil

#### **Corporate Business Plan**

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

Nil

**RISK MANAGEMENT CONSIDERATIONS**

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

**OPTIONS**

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

**CONCLUSION**

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

**ATTACHMENTS**

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

<b>12.1.2</b>	<b>RFT2324-06 Data Migration Services</b>
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**Author:** **Manager ERP Project**  
**Authorising Officer:** **Director Corporate Services**  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

*Caretaker Statement*

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

**CM202324/209 COUNCIL DECISION**

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

**That Council:**

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

***CARRIED BY SIMPLE MAJORITY (6/1)***

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*  
*Against: Cr Camilo Blanco*

**PURPOSE**

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

## **BACKGROUND**

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

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

## **DETAIL**

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

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

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

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

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

1. Continued support for the migration services implemented during Phase one of the project.

2. Development and support of the migration services required to support Phase two and remaining modules of OneCouncil.

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

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

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

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

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

### **LEVEL OF SIGNIFICANCE**

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

### **CONSULTATION**

#### *Internal*

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

### **LEGISLATION AND POLICY CONSIDERATIONS**

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

### **FINANCIAL AND RESOURCE IMPLICATIONS**

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

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

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

Amounts below are in \$'000s.

**Total Project Financial Actual / Forecast**

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

*Note*

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

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

**STRATEGIC SUSTAINABILITY IMPLICATIONS**

**Strategic Community Plan**

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

Our Economy:

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

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

**Access and Inclusion**

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

Nil

**Corporate Business Plan**

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

Our Corporate Services:

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

**RISK MANAGEMENT CONSIDERATIONS**

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

**OPTIONS**

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



**CONCLUSION**

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

**ATTACHMENTS**

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

**The Presiding Member adjourned the meeting for recess at 8:14pm**

**The Presiding Member reconvened the meeting at 8:18pm.**

**The Director Corporate Services and Acting Director Infrastructure Services returned to meeting at 8:19pm following adjournment.**

**12.2 Community Services**

<b>12.2.1</b>	<b>2024 Events Sponsorship Program</b>
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**Author:** **Manager Events, Arts & Culture**  
**Authorising Officer:** **Director Community Services**  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

*Caretaker Statement*

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

**CM202324/210 COUNCIL DECISION**

**MOVED: Cr Sven Arentz**

**SECONDED: Cr Lorraine Butson**

**That Council:**

- 1. sponsors Red Country Music Festival to Red Country Management Pty Ltd for the delivery of event management services to the amount of \$150,000 for 2024; and**
- 2. includes options for annual extensions at the discretion of the Town for:**
  - a. \$125,000 in 2025; and**
  - b. \$100,000 in 2026.**

***CARRIED BY SIMPLE MAJORITY (6/1)***

*For: Mayor Peter Carter, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*

*Against: Deputy Mayor Ash Christensen*

Deputy Mayor Ash Christensen originally moved recommendation 2 below, however Deputy Mayor Christensen was also against the motion. Therefore, he withdrew his original motion to move and Cr Butson then moved the motion with Cr Turner seconding.

**CM202324/212 COUNCIL DECISION**

**MOVED: Cr Lorraine Butson**

**SECONDED: Cr Tim Turner**

**That Council:**

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

***CARRIED BY SIMPLE MAJORITY (5/2)***

*For: Mayor Peter Carter, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson and Cr Tim Turner*

*Against: Deputy Mayor Ash Christensen and Cr Sven Arentz*

Cr Blanco moved that the item now be put.

**PROCEDURAL MOTION  
CM202324/211 COUNCIL DECISION**

**MOVED: Cr Camilo Blanco**

**SECONDED: Cr Lorraine Butson**

**That the motion be now put.**

***CARRIED BY SIMPLE MAJORITY (5/2)***

*For: Mayor Peter Carter, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson and Cr Tim Turner*

*Against: Deputy Mayor Ash Christensen and Cr Sven Arentz*

**PURPOSE**

The purpose of this report is for Council to consider the sponsorship of major events and performances throughout 2024. This includes the three-year sponsorship of the Red Country Musical Festival (Attachment 1) for \$150,000 in 2024, \$125,000 in 2025 and \$100,000 in 2026 plus GST. The report also includes additional sponsorship opportunities to the value of \$235,000 in 2024 as highlighted below.

## **DETAIL**

### Background

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

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

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

### Red Country Music Festival

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

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

### Additional Sponsorship Opportunities

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

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

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

*Table 1: 2024 Events Sponsorship Opportunities*

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

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

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

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

**LEVEL OF SIGNIFICANCE**

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

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

## **CONSULTATION**

### *Internal*

- Manager Events, Arts & Culture
- Executive Leadership Team

### *External Agencies*

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

### *Community*

- Local Hospitality Businesses (to host performances)

## **LEGISLATION AND POLICY CONSIDERATIONS**

N/A

## **FINANCE AND RESOURCE IMPLICATIONS**

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

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

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

### Our Community:

- 1.3.1 The community, industry, arts and cultural organisations are engaged in identifying, planning and coordinating events and activities.
- 1.3.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered.
- 1.3.3 Partnerships with industry and government to support events and activities are enhanced.
- 1.3.4 The Town's program of events and activities is promoted locally, regionally and nationally.

### Our Economy:

- 2.4.2 Market and promote Hedland for tourism.
- 2.4.3 Grow and promote existing and new local events that champion local culture and community.
- 2.4.4 Market and promote the local lifestyle of the Hedland community

Social – There are significant social benefits from having high-quality live music and performing arts experiences available to the community throughout the year. The sponsorship opportunities put forward is intended to meet the community expectations in regard to securing a diverse mix of free and ticketed high-quality entertainment options throughout the Pilbara winter season. The direction to include new opportunities for the community and businesses to be involved is expected to increase the social outcomes.

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

**Access and Inclusion**

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

- Outcome 1 – Events and Services

**Corporate Business Plan**

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

Our Community Services:

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

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational Strategic
<b>Risk Category</b>	Reputational
<b>Cause</b>	Not delivering high-quality entertainment options
<b>Effect (Consequence)</b>	Retraction of high-quality music and arts opportunities
<b>Risk Treatment</b>	Working with live music and performing arts touring agencies to attract a mix of high-quality entertainment opportunities and building the capacity of local artists and entertainers
<p>There is an Operational and Strategic risk associated with this item caused by not supporting sponsorship opportunities to deliver festival management services, leading to a reputational risk in the community.</p> <p>The risk rating is considered to be Low (2) which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3).</p> <p>This risk will be mitigated by working collaboratively with arts and culture touring agencies and our community to deliver a diverse mix of high-quality live music and performing arts opportunities.</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 proposed sponsorship details and recommendations for supporting a schedule of touring live music and performing arts touring events across the Pilbara winter season.

**ATTACHMENTS**

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

**12.2.2 Courthouse Gallery Review**

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

*Caretaker Statement*

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

**CM202324/213 COUNCIL DECISION**

**MOVED: Cr Camilo Blanco**

**SECONDED: Cr Lorraine Butson**

**That Council endorses:**

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

***CARRIED BY SIMPLE MAJORITY (7/0)***

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*  
*Against: Nil*

**PURPOSE**

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

**DETAIL**

Background

Since 1 July 2019, The Junction Co. has been contracted by the Town to manage and operate the Courthouse Gallery. The management contract is worth an average of

\$578,000 per year (total \$2,890,000.00 over the five-year life of the contract). This contract was recently extended to 30 June 2024.

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

#### Courthouse Gallery Review:

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

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

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

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

7. Separate South Hedland Activation and Programming KPI's: The Courthouse Gallery contract should focus on a vision for the gallery space and surrounding area only. The South Hedland activation has strong community value but should be separated as an independent contract.

In summary, the review highlights a need to reset a clear vision, goals and KPI's in accordance with the above recommendations and Arts & Culture Plan 2023-27 and update the reporting requirements to provide stronger clarity and purpose for the contract management services.

### **LEVEL OF SIGNIFICANCE**

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

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

### **CONSULTATION**

#### *Internal*

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

#### *External Agencies*

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

#### *Community*

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

### **LEGISLATION AND POLICY CONSIDERATIONS**

N/A

## **FINANCE AND RESOURCE IMPLICATIONS**

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

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

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

### Our Community:

- 1.3.1 The community, industry, arts and cultural organisations are engaged in identifying, planning and coordinating events and activities.
- 1.3.2 Events and activities to celebrate the Town's cultural heritage, arts and Pilbara lifestyle are consistently programmed and delivered.
- 1.3.4 The Town's program of events and activities is promoted locally, regionally and nationally.
- 1.4.1 The present and future facilities and requirements of the town are planned for and developed in-line with relevant facility standards and community needs.
- 1.4.2 Facilities and community infrastructure are revitalised across the town
- 1.4.3 Facilities and community infrastructure are well maintained, managed and fit-for-purpose to provide a range of lifestyle opportunities.
- 1.4.4 Community services and facilities are well promoted

### Our Economy:

- 2.4.3 Grow and promote existing and new local events that champion local culture and community.
- 2.4.4 Market and promote the local lifestyle of the Hedland community

### Our Built and Natural Environment:

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

### Our Leadership:

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

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

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

**Access and Inclusion**

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

- Outcome 1 – Events and Services
- Outcome 2 – Buildings and Facilities

**Corporate Business Plan**

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

Our Community Services:

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

Our Corporate Services:

Governance and Procurement - Provide high standards of governance and leadership

**RISK MANAGEMENT CONSIDERATIONS**

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

**OPTIONS**

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

**CONCLUSION**

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

This item recommends Council receive and note the Courthouse Gallery Review and confirm a management model to ensure the Town can continue to provide high-quality arts and culture services that meet the expectations and needs of the Hedland Community.

### **ATTACHMENTS**

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

### 12.3 Regulatory Services

<b>12.3.1</b>	<b>Economic Development and Tourism Strategy - Annual Progress Report</b>
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**Author:** Senior Economic Development Officer

**Authorising Officer:** Director Regulatory Services

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

*Caretaker Statement*

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

<b>CM202324/214 COUNCIL DECISION</b>	
<b>MOVED: Cr Camilo Blanco</b>	<b>SECONDED: Cr Lorraine Butson</b>
<b>That Council receive and note the FY22/23 Town of Port Hedland Economic Development and Tourism Strategy Annual Progress Report as per Attachment 1.</b>	
<b><i>CARRIED BY SIMPLE MAJORITY (7/0)</i></b>	
<i>For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner</i>	
<i>Against: Nil</i>	

**PURPOSE**

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

**DETAIL**

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

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

Specifically, the plan seeks to:

- Provide a framework for the Town to lead and integrated and collaborative approach to achieve the community's vision
- Guide the Town in supporting future economic development and tourism growth within the district



- Help relevant units within Town implement this strategy in partnership with the State Government, Federal Government, regional development bodies, and other strategic partners.

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

Pillar 1 - Advocacy

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

Pillar 2 - Marketing & Promotion

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

Pillar 3 - Infrastructure

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

Pillar 4 - Facilitating Growth

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

Major Achievements for the FY22/23 include:

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

## **LEVEL OF SIGNIFICANCE**

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

## **CONSULTATION**

### *Internal*

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

### *External Agencies*

- Nil

### *Community*

- Nil

## **LEGISLATION AND POLICY CONSIDERATIONS**

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

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

## **FINANCIAL AND RESOURCE IMPLICATIONS**

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

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Economy:

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

2.1.2 Lobby State Government and industry for policy change.

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

2.1.4 Regularly engage local businesses, government agencies and other relevant stakeholders to: • Identify strategic employment and economic development

opportunities and priorities • Assess and address market failures affecting the cost of living • Assess and address cost of doing business challenges.

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

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

2.2.2 Maintain strong partnerships with the private sector and government to fund projects and pursue job creation.

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

2.2.4 Promote and support broader education and training options.

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

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

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

2.3.3 Prioritise, encourage, and promote local procurement.

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

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

2.4.1 Market and promote Hedland for business investment opportunities.

2.4.2 Market and promote Hedland for tourism.

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

2.4.4 Market and promote the local lifestyle of the Hedland community

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

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

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

2.5.3 Invest and develop key community and recreation infrastructure.

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

2.5.5 Support tourism infrastructure development

2.5.6 Support regional growth initiatives.

## **CONSULTATION**

Environmental

- *Nil*

*Economic*

- As outlined in the Progress Report

*Social*

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

**Access and Inclusion**

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

- Outcome 4 – Quality of Service

**Corporate Business Plan**

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

Our Regulatory Services:

- Business and Economic Development - Lead an integrated and collaborative approach to achieve the community’s vision of ‘building prosperity for all – enabling sustained economic growth’
- Housing - Provide for housing availability to meet the needs of the community and industry
- Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Compliance Reputational
<b>Cause</b>	If the Economic Development and Tourism Strategy is not effectively implemented and reported on, this may result in disengagement from investors, local businesses, and strategic partners.
<b>Effect (Consequence)</b>	Inefficiency in the monitoring and reporting of this strategy will negatively impact the diversification of the local economy and increase the reliance on the resource sector causing a rise in the cost of living which will affect the wider Hedland community.
<b>Risk Treatment</b>	Effective implementation and reporting on the Economic Development and Tourism Strategy.

There is an Operational risk associated with this item caused by not efficiently implementing the strategy, leading to negative effect on the local economy. The risk rating is considered to be Low (4) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).

This risk will be mitigated and reduced by the continued implementation, monitoring and progress reporting on the Town of Port Hedland's Economic Development and Tourism Strategy.

### **OPTIONS**

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

### **CONCLUSION**

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

### **ATTACHMENTS**

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

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

*Caretaker Statement*

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

**CM202324/215 COUNCIL DECISION**

**MOVED:** Cr Camilo Blanco

**SECONDED:** Cr Tim Turner

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

***CARRIED BY SIMPLE MAJORITY (7/0)***

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*  
*Against: Nil*

**PURPOSE**

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

**DETAIL**

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

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

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

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

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

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

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

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

The attached quarterly report outlines the progress made by the Port Hedland Memorial Seafarers' Centre Inc. in the period July – September 2023. The operational

cost of the facility was reported to be within the parameters laid out in the management contract.

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

- Successful continuation of Wedge Street Footpath Markets with 1,800 people estimated to have attended the markets in July.
- For this quarter, the Visitor Centre facilitated a total of 117 Seafarers Harbor Tours with a total of 1,896 participants and 1,220 participants on Twilight Industry (Port) Tour and Salt Industry Tours. Overall, the tours achieved a total attendance of 3,116 participants consisting of 699 adults (22.4%), 2280 seniors (73.2%) and 137 (4.4%) children.
- An impromptu visit from Premier Roger Cook
- Total of 13,034 welcomed to the Centre during the reporting period.

### **LEVEL OF SIGNIFICANCE**

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

### **CONSULTATION**

#### *Internal*

- Director Regulatory Services
- Manager Planning and Economic Development

#### *External Agencies*

Nil

#### *Community*

Nil

### **LEGISLATION AND POLICY CONSIDERATIONS**

There are not legislative or policy considerations for this report.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

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

### **STRATEGIC SUSTAINABILITY IMPLICATIONS**

#### **Strategic Community Plan**

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



Our Community:

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

Our Economy:

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

Our Leadership:

- 4.3.1 High-quality and responsive customer service is provided.
- 4.3.2 Community members, businesses and tourists are engaged to provide feedback about local facilities and services.

*Environmental*

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

*Economic*

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

*Social*

Nil

**Access and Inclusion**

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

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

**Corporate Business Plan**

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

Our Regulatory Services:

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

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Reputational

<b>Cause</b>	Perception that the Town has not performed its commitment to provide visitor services to tourist and the community.
<b>Effect (Consequence)</b>	Dissatisfaction among visitors and stakeholders, service disruptions, and a negative impact on the Town’s reputation and relationship with the community.
<b>Risk Treatment</b>	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 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**

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

**ATTACHMENTS**

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

<b>12.3.3</b>	<b>Initiation of Amendment Number 5 to the Town of Port Hedland Local Planning Scheme No.7 – Reclassification of Land in South Hedland</b>
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**Author:** Project Officer - Strategic Planner  
**Authorising Officer:** Manager Planning & Economic Development  
 Director Regulatory Services  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

*Caretaker Statement*

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

<b>CM202324/216 COUNCIL DECISION</b>	
<b>MOVED: Cr Camilo Blanco</b>	<b>SECONDED: Cr Lorraine Butson</b>
<b>That Council:</b>	
<ol style="list-style-type: none"> <li><b>1. Adopt proposed Scheme Amendment No. 5 (Amendment No. 5) to the Town of Port Hedland Local Planning Scheme No. 7 (LPS7) without modification, pursuant to section 75 of the <i>Planning and Development Act 2005</i> (PD Act) and Part 5 regulation 35 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (the Regulations).</b></li> <li><b>2. Determine that Amendment No. 5 is a standard amendment pursuant to regulation 35(2) of the Regulations for the following reason:</b> <ol style="list-style-type: none"> <li><b>a. Amendment No. 5 is consistent with the objectives of the Town of Port Hedland Local Planning Strategy; and</b></li> <li><b>b. Amendment No. 5 will have minimal impact on land in the scheme area that is not subject to the amendment; and</b></li> <li><b>c. It will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.</b></li> </ol> </li> <li><b>3. Authorises the Chief Executive Officer to arrange for Amendment No. 5 to be referred to the Environmental Protection Authority (EPA) pursuant to section 81 of the PD Act, to enable the EPA to comply with section 48A of the <i>Environmental Protection Act 1986</i>.</b></li> <li><b>4. Authorises the Chief Executive Officer to arrange for Amendment No. 5 to be advertised for public inspection pursuant to section 81 and 82 of the PD Act and in accordance with the procedure set out in regulation 47 of the Regulations.</b></li> </ol>	
<b><i>CARRIED BY SIMPLE MAJORITY (7/0)</i></b>	

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*  
*Against: Nil*

## **PURPOSE**

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

## **DETAIL**

Amendment No. 5 proposes the reclassification of a number of sites in the north-west of South Hedland (the subject land). It is intended to be undertaken in conjunction with the rationalisation of lot boundaries and road and drainage reserves within the subject area. The amendment is part of a program to facilitate land tenure resolution for the South Hedland Integrated Sports Hub (SHISH) masterplan site and adjacent sites to accommodate the future expansion of the South Hedland. See the SHISH masterplan at **Attachment 1**.

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

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

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

### Statutory Implications

#### **Planning and Development Act 2005:**

Clause 75 Amending scheme:

*A local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, by an amendment –*

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

Clause 81 Proposed scheme or amendment to be referred to the Environmental Protection Authority (EPA).

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

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

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

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

### **LEVEL OF SIGNIFICANCE**

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

### **CONSULTATION**

#### *Internal*

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

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

#### *External Agencies*

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

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

### *Community*

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

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

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

## **LEGISLATION AND POLICY CONSIDERATIONS**

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

## **FINANCIAL AND RESOURCE IMPLICATIONS**

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

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Community:

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

#### Our Built and Natural Environment:

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

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

*Environmental*

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

*Economic*

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

*Social*

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

**Access and Inclusion**

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

Nil

**Corporate Business Plan**

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

Our Regulatory Services:

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

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Compliance
<b>Cause</b>	Not proceeding with the amendment
<b>Effect (Consequence)</b>	<ul style="list-style-type: none"> <li>• The Town's Local Planning Scheme No. 7 not being consistent with the current planning framework, including the zoning not reflecting the proposed realignment of lot boundaries supported at the 29 November 2023 Ordinary Council Meeting.</li> <li>• Impacts on the SHISH masterplan project.</li> <li>• Impede any future development within the area.</li> </ul>
<b>Risk Treatment</b>	Endorsing the Officer Recommendation

There is a Strategic, risk associated with this item caused by not proceeding with the amendment, leading to the Town's Local Planning Scheme No. 7 not being consistent with the current planning framework and impacts on the SHISH masterplan project.

The risk rating is considered to be High (12) which is determined by a likelihood of Likely (4) and a consequence of Moderate (3).

This risk will be eliminated by the endorsing the Officer Recommendation.

## **OPTIONS**

Option 1 – Adopt officer’s recommendation

Option 2 – Amend officer’s recommendation

Option 3 – Do not adopt officer’s recommendation

## **CONCLUSION**

The Amendment complements measures previously supported by Council for the rationalisation of various lot boundaries and road reserves within the north-west of South Hedland. It will facilitate land tenure resolution for the SHISH project and land use planning within this area to accommodate the future development of South Hedland. The proposed amendment is considered to be a ‘standard amendment’ under the LPS Regulations as it is consistent with the Local Planning Strategy. It is not considered that it will have significant adverse environmental, social or economic impacts. It is recommended that Council resolve to adopt the proposed Scheme Amendment No. 5 for the purpose of public advertising.

## **ATTACHMENTS**

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



**12.4 Infrastructure Services**

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

*Caretaker Statement*

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

**CM202324/217 COUNCIL DECISION**

**MOVED: Cr Camilo Blanco**

**SECONDED: Cr Tim Turner**

**That Council:**

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

***CARRIED BY SIMPLE MAJORITY (7/0)***

*For: Mayor Peter Carter, Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson, Cr Sven Arentz and Cr Tim Turner*

*Against: Nil*

**PURPOSE**

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

**DETAIL**

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

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

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

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

**LEVEL OF SIGNIFICANCE**

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

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

**CONSULTATION***Internal*

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

*External Agencies*

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

## LEGISLATION AND POLICY CONSIDERATIONS

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

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

## FINANCIAL AND RESOURCE IMPLICATIONS

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

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

## STRATEGIC SUSTAINABILITY IMPLICATIONS

### Strategic Community Plan

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

#### Our Community:

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

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

1.4.2 Facilities and community infrastructure are revitalised across the town

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

#### *Environmental*

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

#### *Economic*

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

*Social*

Nil

**Access and Inclusion**

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

- Outcome 2 – Buildings and Facilities

**Corporate Business Plan**

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

Our Infrastructure Services:

Projects and Assets - Effective and efficient project and asset management

Drainage - Drainage systems that provide effective disposal of stormwater to protect community and Town assets

**RISK MANAGEMENT CONSIDERATIONS**

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

**OPTIONS**

Option 1 – Adopt officer’s recommendation

Option 2 – Do not adopt officer’s recommendatio

**CONCLUSION**

The Gilbert Street Flood Pumps and supporting infrastructure requires significant refurbishment to maintain ongoing functionality. If successful, this grant provides the

Town with an opportunity to conduct the necessary works on the pumps and infrastructure with a significant commitment of Federal funding.

**ATTACHMENTS**

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

## **12.5 Executive Services**

Nil

**13 New Business of an Urgent Nature (Late Items)**

Nil

**14 Motions of Which Previous Notice has been given**

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

**CM202324/207 COUNCIL DECISION****MOVED: Cr Lorraine Butson****SECONDED: Cr Camilo Blanco****That Council endorses a vote of no confidence in the Mayor Peter Carter.*****CARRIED BY SIMPLE MAJORITY (5/2)***

*For: Deputy Mayor Ash Christensen, Cr Ambika Rebello, Cr Camilo Blanco, Cr Lorraine Butson and Cr Sven Arentz*

*Against: Mayor Peter Carter and Cr Tim Turner*

**Officer Comment:**

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

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



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

Nil

## **16 Closure**

### **16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 28 February 2024 commencing at 5:30 pm.

### **16.2 Closure**

There being no further business, the Presiding Member declared the meeting closed at 8:47pm

DECLARATION OF CONFIRMATION OF MINUTES

I certify that these Minutes were confirmed by the Council at its Ordinary Council Meeting on 28 February 2024.

CONFIRMATION:



\_\_\_\_\_  
PRESIDING MEMBER

28 February 2024

\_\_\_\_\_  
DATED