



## **TOWN OF PORT HEDLAND**

### **ORDINARY MEETING OF COUNCIL MINUTES**

**WEDNESDAY 25 JULY 2018 AT 5:30PM**

**COUNCIL CHAMBERS, MCGREGOR STREET,  
PORT HEDLAND**

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#### **Our Vision:**

**“To be Australia’s leading Port Town embracing community, culture and environment”**

*David Pentz  
Chief Executive Officer*

*Distribution Date: 2 August 2018*

<b>Item 1</b>	<b>Opening of Meeting.....</b>	<b>4</b>
<b>Item 2</b>	<b>Acknowledgement of Traditional Owners and Dignitaries .....</b>	<b>4</b>
<b>Item 3</b>	<b>Recording of Attendance.....</b>	<b>4</b>
	3.1 Attendance.....	4
	3.2 Attendance by Telephone / Instantaneous Communications .....	4
	3.3 Apologies .....	4
	3.4 Approved Leave of Absence.....	5
	3.5 Disclosure of Interests .....	5
<b>Item 4</b>	<b>Applications for Leave of Absence.....</b>	<b>5</b>
<b>Item 5</b>	<b>Response to Previous Questions .....</b>	<b>5</b>
	5.1 Response to Questions taken on notice from Public at the Ordinary Council Meeting held on Wednesday, 27 June 2018.....	5
	<b>5.1.1 Ms Julie Walker .....</b>	<b>5</b>
	<b>5.1.2 Mr Dean Davis .....</b>	<b>6</b>
	5.2 Response to Questions taken on notice from Elected Members at the Ordinary Council Meeting held on Wednesday, 27 June 2018 .....	6
	<b>5.2.1 Councillor George Daccache .....</b>	<b>6</b>
<b>Item 6</b>	<b>Public Time .....</b>	<b>8</b>
	6.1 Public Question Time.....	8
	6.1.1 Mr Jim Henneberry.....	8
	6.1.2 Ms Jan Gillingham.....	8
	6.1.2 Mr Dean Davis .....	9
	6.1.3 Mr John Petersen.....	10
	6.2 Public Statement Time.....	12
	6.2.1 Ms Jan Gillingham.....	12
	6.2.2 Mr John Petersen.....	13
	6.3 Petitions/Deputations/Presentations/Submissions.....	13
<b>Item 7</b>	<b>Questions from Members without Notice .....</b>	<b>14</b>
	7.1 Deputy Mayor Louise Newbery .....	14
	7.2 Councillor George Daccache .....	14
	7.2 Councillor Tricia Hebbard.....	14
<b>Item 8</b>	<b>Announcements by Presiding Member without Discussion .....</b>	<b>15</b>
<b>Item 9</b>	<b>Declarations of All Members to Have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting.....</b>	<b>17</b>
<b>Item 10</b>	<b>Confirmation of Minutes of Previous Meeting .....</b>	<b>18</b>
	10.1 Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday, 27 June 2018 .....	18

10.2	Confirmation of Minutes of the Special Council Meeting held on Thursday, 28 June 2018 .....	18
10.3	Confirmation of Minutes of the Special Council Meeting held on Thursday, 5 July 2018 .....	18
<b>Item 11</b>	<b>Reports of Officers.....</b>	<b>20</b>
11.1	Corporate and Performance .....	20
11.1.1	Amendment of Policy – 4/010 ‘Elected Member Travel and Training’ ( <i>File No. 04/03/0001</i> ).....	20
11.1.2	Statement of Financial Activity for the Period Ended 31 May 2018 ( <i>File No. 12/14/0003</i> ) .....	31
11.2	Development, Sustainability and Lifestyle.....	44
11.2.1	Consideration of Submissions on Scheme Amendment 83 and Request to Adopt for Final Approval ( <i>File No. 18/09/0098</i> ).....	44
11.2.2	Rescinding of Policy 2/021 ‘Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups’ ( <i>File No. 26/03/0003</i> ) .....	54
<b>Item 12</b>	<b>Reports of Committees.....</b>	<b>63</b>
<b>Item 13</b>	<b>Motions of Which Previous Notice Has Been Given .....</b>	<b>63</b>
<b>Item 14</b>	<b>New Business of an Urgent Nature.....</b>	<b>63</b>
14.1	Proposed Town of Port Hedland Waste Local Law 2018 .....	63
<b>Item 15</b>	<b>Matters for Which Meeting May Be Closed (Confidential Matters) .....</b>	<b>63</b>
<b>Item 16</b>	<b>Closure.....</b>	<b>63</b>
16.1	Date of Next Meeting .....	63
16.2	Closure .....	63

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**Item 1 Opening of Meeting**


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The Mayor declared the meeting open at 5:30pm.

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**Item 2 Acknowledgement of Traditional Owners and Dignitaries**


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The Mayor acknowledged the traditional custodians, the Kariyarra people, and recognises the contribution of Kariyarra Elders past, present and future, in working together for the future of Port Hedland.

The Mayor also acknowledged and welcomed Ron Yuryevich, a long standing Councillor and Mayor of Kalgoorlie.

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**Item 3 Recording of Attendance**


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**3.1 Attendance**

Mayor Camilo Blanco  
 Deputy Mayor Louise Newbery  
 Councillor Richard Whitwell – via telephone at 5:33pm  
 Councillor Peter Carter  
 Councillor George Daccache  
 Councillor Tricia Hebbard  
 Councillor Warren McDonogh  
 Councillor Telona Pitt

David Pentz	Chief Executive Officer
Anthea Bird	Director Corporate and Performance
Robert Leeds	Director Development, Sustainability and Lifestyle
Gerard Sherlock	Director Infrastructure and Town Services
Rebecca Somerford	Acting Manager Governance
Louise O'Donnell	Governance Officer/ Minute Taker

Public	6
Media	1
Officers	7

**3.2 Attendance by Telephone / Instantaneous Communications**
**CM201819/002 OFFICER RECOMMENDATION/ COUNCIL DECISION**
**MOVED: DEPUTY MAYOR NEWBERY**
**SECONDED: CR MCDONOGH**

**That Council approve the attendance of Councillor Richard Whitwell via telephone at the Ordinary Council Meeting to be held on Wednesday, 25 July 2018 whilst he is in Geraldton, Western Australia.**

***CARRIED BY ABSOLUTE MAJORITY 7/0***

**3.3 Apologies**

Nil

### 3.4 Approved Leave of Absence

Councillor Julie Arif

### 3.5 Disclosure of Interests

Councillor Whitwell stated that he may have an interest in relation to item 11.1.1 Amendment of Policy – 4/010 'Elected Member Travel and Training' but concluded that he did not have an interest.

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## Item 4 Applications for Leave of Absence

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### CM201819/003 COUNCIL DECISION

**MOVED: CR CARTER**

**SECONDED: CR PITT**

**That Council approve the following applications for leave of absence:**

- **Councillor Daccache from 30 July to 20 August 2018; and**
- **Councillor McDonogh from 1 to 4 August 2018.**

**CARRIED 8/0**

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## Item 5 Response to Previous Questions

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### 5.1 Response to Questions taken on notice from Public at the Ordinary Council Meeting held on Wednesday, 27 June 2018

#### 5.1.1 Ms Julie Walker

*I have been asked to raise this question on behalf of concerned community members and in doing so, I make reference to the ORIC (Office of the Application for Registration), the Julyardi Rule Book and to email correspondence from Trina Stoddard who is the CEO of Julyardi Aboriginal Corporation and the Coordinator of the Hedland Aboriginal Strong Leaders Group (HASLG).*

*What are the terms of the contract of the CEO and has he made a declaration that he is a Director of the Julyardi Aboriginal Corporation? I consider that there is a profound conflict of interest as the corporation only permits five directors, which includes the CEO and Trina Stoddard. The other three Directors of the corporation are all Indigenous Directors of the HASLG.*

*Given that there is no financial record of where the \$50,000 from the Town for the HASLG went, can Council confirm who the payment was made to, and if the payment actually went to the Julyardi Corporation given that there is a requirement that Government funds can only be paid into an incorporated body?*

*Can Council confirm if there is a requirement for the CEO to declare an interest for being a Director of the corporation and because two Directors of the corporation are being paid as private consultants by the Town?*

*In the Julyardi Rule Book it states that the corporation shall maintain the 'Julyardi Corporation Gift Fund'. It could be perceived that the CEO could channel funds into a corporation in which he has an exclusive membership to.*

*No other community member can join the corporation as there is a restricted and exclusive membership. No one can ask questions or raise issues in regard to how funds are managed. If the public and Government funds for the HASLG is being channelled into this corporation, then I would ask Council to enquire and ask the CEO to declare a material interest for all dealings with Julyardi Aboriginal Corporation and the HASLG and request that there be a transparent process as to how the HASLG was given the \$50,000 grant and what it was spent on.*

The administration are currently gathering information regarding this question, and a formal response will be provided in the agenda of the 22 August 2018 Ordinary Council Meeting.

### **5.1.2 Mr Dean Davis**

*What is the status of the requested agenda item in regards to Town lobbying for inclusion in the Social Services Amendment Bill 2018?*

The Manager of Environmental Health and Community Safety advises that while the Town supports Social Services reform and will voice support for outcomes that positively impact Port Hedland, a report requesting Port Hedland's inclusion in the Social Services Amendment Bill will not be presented to Council, this was reiterated by the CEO at the Ordinary Council Meeting held on 27 June 2018.

## **5.2 Response to Questions taken on notice from Elected Members at the Ordinary Council Meeting held on Wednesday, 27 June 2018**

### **5.2.1 Councillor George Daccache**

*On page 9 and 10 of the minutes of the 23 May 2018 OCM, it states that you discussed the Wealth Fund with Premier Mark McGowan. Is the Wealth Fund the airport reserves, or is it a secret fund that we don't know about?*

The Mayor advised that he has spoken about the Wealth Fund on many occasions in the public arena and with Council and that it is about trying to develop a fund that will increase the Town's \$200M in the bank to \$500M which will then give the Town the opportunity to reduce the ongoing costs associated with rates. The Mayor also advised that the fund will allow the opportunity to undertake capital works and maintenance without lifting rates considerably every year and that if it is achieved, it will be the biggest deal created by any Local Government across Australia.

*Where do we [Councillors] fit in this? Where are you going to get the extra \$300M? What are we going to sell?*

Any decisions around creating and managing a wealth fund will be determined by Council. Seeking up front contributions from industry is currently the only method of building the Town's

reserves into a wealth fund that is under consideration. Sale of assets is not currently being considered as a method of building a wealth fund.

*In what respect did you speak with Premier Mark McGowan about fly in-fly out (FIFO)?*

The Mayor advises that discussion with the Premier centred on regional towns benefiting from nearby industries by creating jobs and commerce.

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**Item 6 Public Time**

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*Important note:*

*'This meeting is being recorded on audio tape and streamed live online as an additional record of the meeting and to assist with minute-taking purposes which may be released upon request to third parties. If you do not give permission for recording your participation please indicate this at the meeting. The public is reminded that in accordance with Section 6.16 of the Town of Port Hedland Local Law on Standing Orders nobody shall 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 chairperson to do so. Members of the public are also reminded that in accordance with section 6.17(4) of the Town of Port Hedland Local Law on Standing Orders mobile telephones must be switched off and not used during the meeting.'*

*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.*

The Mayor opened Public Question Time at 5:39pm.

**6.1 Public Question Time****6.1.1 Mr Jim Henneberry**

*I am here on behalf of the Port Hedland Community Progress Association. Who represents the Town of Port Hedland on the Dust Task Force?*

The Mayor advised that the question would be taken on notice.

*This question relates to the recommendations from the Dust Task Force; item five suggests that the special control area is going to be expanded down to McGregor Street. Would Council place this item on their next agenda to reconfirm or withdraw from supporting item five's recommendation of the Dust Task Force to expand the Special Control Area to McGregor Street?*

The Mayor advised that the question would be taken on notice.

**6.1.2 Ms Jan Gillingham**

The Mayor acknowledged Ms Gillingham as a long standing member on Council.

*Will Gratwick Memorial Hall be returned to the community for public use? Or will the Hall remain as office space for staff until a new civic building is designed and built to incorporate an events hall for public use?*

The Mayor advised that the Town is in the process of opening Gratwick Hall for community use and that there are some issues with relocating staff whom are currently using it. The Mayor also advised that the Information Technology equipment is also located in Gratwick Hall and that once these matters have been organised, the Hall will be reopened for public use shortly.



*Can Richardson Hall [Council Chambers] be made available on weekends for hire to make use of the baby grand piano for pianists and musicians in our town?*

The Mayor advised that Richardson Hall is available for public use but requested the Chief Executive Officer to confirm.

The Chief Executive Officer advised that the Hall is currently not available to the public and that the option will be investigated, but would require a duty officer to be onsite if the facility was to be used.

*Residents in need of rehabilitation require the use of pool therapy for approximately 15 minutes each day. Could Council arrange with YMCA to consider a reduction in the pool entry fee for such residents to \$1 per visit? Presently for seniors needing therapy, the visit to the pool costs over \$35 per week out of their \$444 weekly pension.*

The Mayor advised that the question would be taken on notice.

### 6.1.2 Mr Dean Davis

*I am requesting an update on the Needle Exchange Program with a goal of a return rate of 80% with boots on the ground by the end of the calendar year 2018 for the Town of Port Hedland not specifically the greater geographical context of the Pilbara.*

The Mayor advised that this question has been answered previously and that the Needle Exchange Program is a State-led initiative and that all the Council is doing is advocating for it. The Mayor asked the Chief Executive Officer to provide further comment on this matter.

The Chief Executive Officer advised that through the Safety Committee Forum, the Town will report back as required on various programs and that he did not want to commit to providing updates on these matters directly to Mr Davis but would rather provide feedback to the forum as the matters arise. The Chief Executive Officer advised that the Council have answered Mr Davis's questions previously and will continue to lobby as the State Government roll out the Needle Exchange Program.

*I have been in correspondence with Mr Alistair Pinto, Acting Director of Population Health Pilbara and he has stated that there has been no contact regarding the Needle Syringe Program from Council or the Local Government. Has the Council taken any opportunities in this respect since this has been taken on?*

The Chief Executive Officer advised that no contact has been made to date and that Elected Members will be in Perth next week attending WALGA conferences and that they will be meeting with Ministers and Senior Advisors. The Chief Executive Officer advised that this will be the first opportunity that the Council has to raise this issue.

*I would like to inform the Local Government that the high school bus route has been approved for alteration from a drop off at corner of Forrest and Tonkin Street (opposite the Centrelink building) to Throssell Road (direct opposite South Hedland Shopping Centre) to reduce exposure and harm to children from high risk drug activity on Centrelink's grounds. Can I request for this location to be monitored and request that a marked crossing be painted [on the road] if required?*

The Mayor advised that there may be some regulatory issues with this proposal.

*I have spoken to WA Transport and they informed me that this change will take place next week.*

The Director of Infrastructure and Town Services advised that there is currently CCTV monitoring in this new location and further stated that the Town may submit a proposal to Main Roads for the Town to carry out these works and that the costs may be covered within the 2018/19 budget for line markings.

*Last month I was speechless when the Chief Executive Officer stated that child safety and ways to address it was a “waste of resources”. Stakeholders are not being contacted and organisations are withholding non-sensitive serialised data or simply do not have it. The transparency of Local Government has gone by the wayside with reports being reduced to give lower numbers, which gives a false impression that the problem is less than it is. Mr Alistair Pinto, Acting Director of Population Health Pilbara revealed that no contact from the Town has been made regarding the Needle Syringe Exchange Program. As there is no movement, I am standing in front of you again to request that statistical data be collected at the landfill as no government department are able to produce or make available any credible data.*

The Mayor advised that the question would be taken on notice.

*I am asking the Councillors again to do what is right by creating an agenda item about safety and best practices of general waste and recycling containing needle syringe program waste, and making changes to the [draft] Town of Port Hedland Waste Local Law 2018 by including needle syringe waste in the meaning of ‘non-collectable waste’.*

The Mayor advised that the question would be taken on notice.

### **6.1.3 Mr John Petersen**

*Can the Mayor please provide the public with a copy of his report for his recent visit to Canberra?*

The Mayor advised that once this report is presented to Councillors, he is happy for this report to go into the minutes of the meeting.

*What are you doing with the pile of dirt on Bell Street and when will the dirt be removed?*

The Mayor advised that the question would be taken on notice.

*An amount of \$45,000 was allocated for an RSPCA inspector, what are the key performance indicators of that position as there are still animals suffering?*

The Mayor advised that there is currently no movement on this proposal from the RSPCA and that the Town is waiting for them to apply these resources to our area.

*As the president of the Ratepayers Association, I have further questions.*

*I refer to the Deputy Mayor’s question from the Ordinary Council Meeting held on 27 June 2018, and she mentioned the discussion held with Ms Melissa Price in regards to Mr Edgar Basto, the president of Iron Ore WA BHP Billiton. Ms Price stated that he was ‘bold and confident in saying the West End is gone’. Do you have any knowledge of these discussions and do you consider such statements as detrimental to Port Hedland?*

The Mayor advised that Mr Edgar Basto has never stated that to him or been mentioned in any meeting that he has attended.

*What is your stance about West End?*

The Mayor advised that the Council's position on the West End is contained in a strategic document called 'Port City Growth Plan' and also in the 'Strategic Community Plan' which references what the plan is for that area. The Mayor advised that the Port City Growth Plan outlines a population reduction and buffer zones and that there was a submission by the Town in response to the Port Hedland Dust Management Taskforce's 2016 Report which states the same.

*Currently we see BHP Billiton in breach of their agreement. The people of this town, especially those that live in West End, Cooke Point and to some extent Pretty Pool are all exposed to the hazardous substance. When we visit places like Tom Price and Newman, there are signs which read "Danger, Blue Asbestos Risk, Cancer and Lung Disease Hazard, protective clothing are required in this area", these are all in the Pilbara region. What is the Council doing to save the lives of people in Hedland, especially those in Cooke Point, West End and Pretty Pool?*

The Mayor advised that this question is best directed to the Department of Water and Environment Regulation and Department of Health who have the regulatory responsibility to ensure that any operations that are conducted within the Town's vicinity are done so within the government's regulations. The Mayor further advised that the local Member and the State Government may like to hear about Mr Petersen's concerns, however it is not something that the Mayor would be able to comment on.

*I refer to the North West Telegraph newspaper released on 11 July 2018, on page 8; the Mayor said that we have to take "Port First Approach", can residents and ratepayers have your clarification on what this means, and does it mean that the Council is going to close down West End?*

The Mayor advised that Port First Approach is an approach to ensure that industry grows, jobs are created to allow the local kids that come out of school to be able to find local employment so that they can stay in a town they grew up in. The Mayor further advised that considering technology advances, automation and the reducing job stock in the town, we need to ensure that we attract and retain any industry that advances job creation and population stabilisation. The Mayor advised that this will then result in population increases, otherwise the Town is not going to be able to create the income needed to maintain and renew the Town's facilities.

*When the production from BHP Billiton was 199 million tonnes, the population of this town was 15,000, now, the production has gone up to over 400 million tonnes and the population has almost gone down to 11,000. What do you think about that? All these excuses are coming out that the increase in production is for jobs but that is not what is happening. More jobs are going and more fly in fly out are coming. What is your stance? What is the Council doing about all the vacant houses in this town?*

The Mayor advised that the information provided by Mr Petersen was incorrect and that he had canvassed the real estate agents in Port Hedland a few weeks ago and currently the vacancy rate on the residential housing stock is between 3-4%. The Mayor advised that as industry picks up and with the announcements of all the major miners, Port Hedland is looking at a shortfall in accommodation in the next couple of years.

*My next question is from members of Ratepayers Association who want to know if Council can extend the cycle pathway to Port Hedland, which presently is only in South Hedland and comes as far as Redbank?*

The Mayor advised that the question would be taken on notice.

*At the 2018 Economic and Resources Forum, the Mayor criticised the Federal and State Government and went a step further to say that this Council is the most dysfunctional one. If you do not have the support of Federal and State Government and your own Councillors, will you be honest to stick to your word which was published in Northwest Telegraph on 2 May 2018, in which the Mayor stated; "I am willing to step down as Mayor". Will you please do the right thing and save ratepayers from paying money to 'fixers'?*

The Mayor thanked Mr Petersen for his questions.

The Mayor closed Public Question Time at 6:04pm.

The Mayor opened Public Statement Time at 6:04pm.

## **6.2 Public Statement Time**

### **6.2.1 Ms Jan Gillingham**

I would like to first congratulate the Town of Port Hedland and the Council for the Economic Forum. Whilst I was in Perth recently, there was a bit of a buzz down there as they are realising that there is going to be a mini boom in Port Hedland. I realise that Port Hedland does need to be ready and I think this is a great step forward and progress for our town. I also would like to say that the town is looking great, in particular, Wallwork Road as it is very neat and tidy, especially for all the visitors coming into town.

I have been involved in organising Pilbara Music Festival this festival since approximately 1985. For 42 years, Port Hedland has hosted one of the longest running music festivals in the state. It started humbly and worked its way to running for an entire week, every year and invited musical talents from across the Pilbara and outer regions. It was a huge event, seeing packed halls and a large committee that ran all non-for-profit, with all its funding coming from our local businesses.

This year the festival can no longer run as it used to. A strong change in attitude towards the running of events and lack of cultural support has made the event a continuing struggle to run, with very little support and drive from community members. Our local venue operators would welcome our festival, but now are unable to donate the way they used to. Times have been tough for many organisations and businesses in town and it seems to be noticeable mostly by our own people and not by the wider state and country.

The exorbitant fees charged to us for our event last year has left the festival's accounts empty and our efforts this year are instead focused to trying to run a community one day event with the school's support which would entail of a choir festival for our school kids. We were even charged for the use of our baby grand piano, which was purchased through joint funding between the Town of Port Hedland, BHP Billiton and the Pilbara Music Festival.

This event is something we believe the town should not live without, as it brings a huge positive influence and wealth of experience to our arts and musical population and has always been an event our performers have eagerly entered year after year. We liken it to the passion and drive that others have for their weekly or seasonal sports matches, equestrian events, bmx events, etcetera, it really is no different. The festival has managed to survive all these years without signed or formal support agreements, or regular donation of services like that of our sports clubs. Whether its sports, markets, North West festivals and so on, the Pilbara Music Festival should also be on this list. Many festivals similar to the Pilbara Music Festival are run across the country, with the support and organisation of local Council events committees, in order to bolster and encourage the events to continue; for the betterment of our community. After all, this is what we all strived for all those years ago, to give our growing population the chance to experience what the city normally has.

I would therefore like to request that the Town now consider supporting and taking on this historical event and nurture it moving forward; as my health and career are now slowly but surely pushing me to move on, I wish very strongly for the Festival to continue in the right hands.

For 2018, I would also like to request to meet with and discuss with the Town to support the festival to run in its diminished form; as we currently are without the funds to operate, but due to popular demand have been requested to at least run this one day choir festival for the schools. The committee would like to ask for any support the Town can offer in order for us to hire venues/equipment and have helping hands. This festival is for the people, by the people and this time, we are asking for your help. This statement was signed by Brian & Colleen Digby, Jana Buvari, Janet Gillingham, Christopher Gillingham, Merlene Smith and Claire Engleke.

### **6.2.2 Mr John Petersen**

I am reading a statement that was sent to me by one of the Ratepayers Association members.

In relation to the initiation of the Mayor forming the Julyardi Corporation, how many Elders were consulted and why was it formed so secretly? Why was rate payer's money of \$50,000 planned to be secretly transferred into that account? It raises many questions.

The Mayor advised Mr Petersen that this information was incorrect and asked Mr Petersen to stick to the facts.

Mr Petersen continued to ask the same question and the Mayor advised Mr Petersen that he would not allow him to continue to give incorrect information. The Mayor advised Mr Petersen that he may lodge a complaint at any stage with the Town or the Department of Local Government about any issues he has regarding the conduct of any Elected Member or staff and concluded with thanking him for his statement.

The Mayor closed Public Statement Time at 6:12pm.

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

Nil

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**Item 7 Questions from Members without Notice**

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**7.1 Deputy Mayor Louise Newbery**

*Can I request an update through a briefing of what was published in the paper today about the green power and a total cost of the legal fees that were incurred?*

The Chief Executive Officer advised that an update on the status of this project would be provided.

**7.2 Councillor George Daccache**

*In relation to meeting the Mayor had with Regional Development Manager of WA Football Commission, the details of the meeting stated "Follow on from meeting with WAFC CEO on 17/05/2018 re review of football and regional governance review", what does this mean?*

The Mayor advised that the question would be taken on notice.

*In relation to the meeting the Mayor had with Port Hedland International Airport and Senator Reynolds, was the Vietnam Airlines opportunity discussed?*

The Mayor advised that this this topic was not discussed at this meeting with the Senator.

*In relation to the National General Assembly, can I have a copy of the conference program?*

The Mayor advised in the affirmative.

*In relation to the meeting the Mayor had with Minister Dutton's office regarding the Dempster Street Beachfront site, what was the outcome of this meeting?*

The Mayor advised that Council will be presented with the outcome of this meeting in the near future.

*In relation to the meeting the Mayor had with RUOK ambassadors, can you explain who RUOK are?*

The Mayor advised that the question would be taken on notice.

**7.2 Councillor Tricia Hebbard**

*Can I have an update as to whether consultation has commenced with sporting groups for the South Hedland Sport Precinct Master Plan?*

The Director of Development, Sustainability and Lifestyle advised that the Town has engaged with Sandover Pinder and that they have started consulting with some of the current users but that there will be a more forthcoming program provided for users.

*Will there be regular updates for each stage or will it progress over months?*

The Director of Development, Sustainability and Lifestyle advised that they [Sandover Pinder] have undertaken surveys and that in-person consultation will commence further on in the process.

*Does Council have a purchasing policy which indicates a preferred quota for local suppliers first?*

The Chief Executive Officer advised that the Town does have a local purchasing policy but this policy does not have a quota.

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**Item 8 Announcements by Presiding Member without Discussion**

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The Mayor made the following statement:

“I would just like to commend the Town’s Works and Services staff on their good work around town which has improved immensely over the last 15 months. Thank you to the Executive Team and management for making this happen.

I have been constantly talking about the huge potential of Port Hedland and how it is significant to the State and national interest and our ultimate goal as Council is to create social infrastructure for the community and remove the roadblocks for small businesses and industry growth ambitions. This direction creates jobs and increases our population. This will allow us to generate the finance needed to develop a town that people want to work, stay and live in. We must ensure that our youth finish school and have real job opportunities so that they are able to stay living in the town that they grew up in. As a result, this will strengthen the family and community structure.

To achieve that vision, we must lay the foundations of that plan and lobby industry and government for outcomes that benefit Hedland’s economic diversification and growth ambitions. We have geared up in the last 18 months in relation to the Town’s administration; the Town has employed qualified people to deliver for Hedland. We are achieving much more with far less people and money. We are working on significant changes to Hedland’s income structure and we are in the midst of developing a sustainable financial future for Port Hedland’s people, with the aim of handing over the towns business to future Councils in a much better position than what we received it in. All this good work is evolving from our dedicated administration team and the work our Council is doing. We have submitted multiple requests on the marina development, dust issues in the West End and the Boodarie industrial estate infrastructure requirement.

I am hoping that we get some answers at the next Country Cabinet Meeting which will be held in Port Hedland very soon. I hope all the people in Hedland get behind us and start lobbying their State representatives to ensure that we get some answers to some long term questions that have been out in the public area. We really need to ensure that these questions are answered and we start creating some real benefit for Port Hedland into the future”.



Mayors Meetings for the month of 1 June 2018 to 30 June 2018

Date:	Meeting:	Details of Meeting
2/06/2018	SES Event	
2/06/2018	National Reconciliation Week Concert	Mayor opened event
5/06/2018	Meeting with Regional Development Manager of WA Football Commission	Follow on from meeting with WAFC CEO on 17/05/2018 re review of football and regional governance review
11/06/2018	Hedland Community Safety Advisory Forum	As per agenda
11/06/2018	Special Citizenship Ceremony	Special citizenship ceremony on request
12/06/2018	Elected Member Training: Effective Community Leadership	WALGA Training
12/06/2018	ToPH hosted PHCCI Business Afterhours event	Mayor opened event with the topic of Procurement
13/06/2018	Elected Member Training: Integrated and Strategic Planning – The Essentials	WALGA Training
13/06/2018	Meeting with PHIA & Senator Reynolds	Discussion around: Foreign trade opportunities Freight Airport development The Vietnam Airlines opportunity Military and defence opportunities Interests in Border Protection
14/06/2018	Regional Capitals Australia WA Meeting	As per agenda
15/06/2018	Meeting with Minister Ellery, Minister for Education and Training as part of Hedland High School Board visit	Progress of the HSHS
15/06/2018	Meeting with Senator Smith	Discussion around local issues and same topics as meeting with Senator Reynolds on 13/06/2018
15/06/2018	St John Sub-Centre Opening	Attend opening event as guest
18/06/2018	National General Assembly – Day 1	As per conference program
19/06/2018	National General Assembly – Day 2	As per conference program
19/06/2018	Meeting with Minister Wyatt's office (Minister for Aged Care and Indigenous Health)	National Aboriginal and Torres Strait Islander Flexible Aged Care Program
19/06/2018	Meeting with Minister Ciobo's office (Minister for Trade, Tourism & Investment)	Tourism restrictions and constraints
19/06/2018	Meeting with Deputy Prime Minister's office (Deputy PM & Minister for Infrastructure & Transport)	Northern Australia Infrastructure Fund
20/06/2018	National General Assembly – Day 3	As per conference program
20/06/2018	Meeting with Minister Canavan's office (Minister for Resources and Northern Australia)	Northern Australia Infrastructure Fund



20/06/2018	Meeting with Assistant Minister Price (Assistant Minister for the Environment)	Chemical Contamination at the Port Hedland International Airport
20/06/2018	Meeting with Minister Scullion's office (Minister for Indigenous Affairs)	Support to and effectiveness of wrap around social services
20/06/2018	Meeting with Senator Reynolds	Follow on from meeting on 13/06/2018 & Lithium downstream processing
20/06/2018	Meeting with Minister McVeigh's office (Minister for Regional Development, Territories Local Government)	Building Better Regions Fund
20/06/2018	Meeting with Minister Dutton's office	Dempster Street Beachfront site (old Detention Centre)
23/06/2018	Rates Budget Workshop with Elected Members	2018/19 Rates & Budget
25/06/2018	PRC Ordinary Council Meeting in Perth	As per agenda
25/06/2018	Regional Road Group Meeting	As per Agenda
26/06/2018	Meeting with John Peters & Kerry Robinson	Build the Pilbara March
27/06/2018	ToPH & PHCCI Business Breakfast	Speaker at Event
27/06/2018	Co-Design Workshop under the North West Aboriginal Housing Fund	Housing design, support services and other opportunities under the Fund
27/06/2018	Meeting with RUOK ambassadors	Overview of RUOK and promotional material
28/06/2018	Meeting with Superintendent, Paul Coombes	Hedland policing issues
28/06/2018	Meeting with A/Director General, Dept. of Education as part of the Hedland High School Board	Clontarf Programs

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

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

- Mayor Camilo Blanco
- Deputy Mayor Louise Newbery
- Councillor Richard Whitwell
- Councillor Peter Carter
- Councillor George Daccache
- Councillor Tricia Hebbard
- Councillor Warren McDonogh
- Councillor Telona Pitt

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**Item 10 Confirmation of Minutes of Previous Meeting**

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**10.1 Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday, 27 June 2018****OFFICER RECOMMENDATION**

That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday, 27 June 2018 are a true and correct record.

**CM201819/004 COUNCIL DECISION****MOVED: CR DACCACHE****SECONDED: DEPUTY MAYOR NEWBERY**

That Council lay on the table item '10.1 Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday, 27 June 2018'.

***CARRIED 8/0*****10.2 Confirmation of Minutes of the Special Council Meeting held on Thursday, 28 June 2018****CM201819/005 OFFICER RECOMMENDATION/COUNCIL DECISION****MOVED: DEPUTY MAYOR NEWBERY****SECONDED: CR PITT**

That Council confirm that the Minutes of the Special Council Meeting held on Thursday, 28 June 2018 are a true and correct record.

***CARRIED 8/0*****10.3 Confirmation of Minutes of the Special Council Meeting held on Thursday, 5 July 2018****CM201819/006 OFFICER RECOMMENDATION/COUNCIL DECISION****MOVED: DEPUTY MAYOR NEWBERY****SECONDED: CR HEBBARD**

That Council confirm that the Minutes of the Special Council Meeting held on Thursday, 5 July 2018 are a true and correct record.

***CARRIED 8/0***

*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.*

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**Item 11 Reports of Officers**

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**11.1 Corporate and Performance****11.1.1 Amendment of Policy – 4/010 ‘Elected Member Travel and Training’  
(File No. 04/03/0001)**

<b>Author</b>	Governance Officer
<b>Authorising Officer</b>	Director Corporate and Performance
<b>Disclosure of Interest</b>	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

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**CM201819/007 OFFICER’S RECOMMENDATION/COUNCIL DECISION****MOVED: DEPUTY MAYOR NEWBERY****SECONDED: CR MCDONOGH****That Council adopt amended policy 4/010 ‘Elected Member Travel and Training’ as per attachment 1.*****CARRIED 8/0***

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**PURPOSE**

The purpose of this report is for Council to consider the adoption of amended policy 4/010 ‘Elected Member Travel and Training’. The proposed amendment will eliminate the financial cost to the Town associated with paying for spouses or partners accompanying Elected Members on travel whilst they are on official Town business.

**DETAIL**

Under the current policy 4/010 ‘Elected Members Travel and Training’ (the policy), Elected Members are entitled to attend training and development programs to enhance the skills necessary to perform their role and function as an Elected Member. The policy also sets out the parameters associated with the booking of travel and accommodation arrangements for both Elected Members and their partners.

Initially, provision for travel and training for Elected Members was covered under a policy which was first adopted by Council in June 2014 as policy 4/008 ‘Elected Member’s Entitlements’. Prior to its initial adoption, the content was workshopped on two occasions with the Elected Members of the time and the feedback that was gained from these workshops was utilised to compile the policy. This feedback included the provision that the Town would pay the travel costs for the partner of an Elected Member whilst they were on official business of the Town.

In December 2017, a notice of motion was put forward by the Deputy Mayor to align our policy to that of the City of Greater Geraldton, which lead to the creation of the current policy 4/010 ‘Elected Member’s Travel and Training’.

The current policy still includes the initially adopted provision under section 3.4 that *“The Town will pay for reasonable expenses for an immediate family member, partner or spouse of an*

*Elected Member when they accompany an Elected Member on Town of Port Hedland business as approved in advance by the Chief Executive Officer”.*

As stated above, the current policy does not provide restrictions on the location or limit of expenditure for an Elected Member's partner, only that the Town will pay for 'reasonable' expenses. The proposed amendment to the policy will remove the option for the Town to pay for an Elected Member's partner to accompany them on official business, and that if partners wish to accompany Elected Members on travel it must be at their own expense.

#### *Costs*

In the 2017/18 financial year, the Elected Members travel and accommodation budget was set at \$37,000, however \$50,556.21 has been spent for the financial year due to the numerous opportunities which have arisen, especially for newly Elected Members, to develop their skills and network with key stakeholders. During the 2017/18 financial year, the costs incurred for spouses of Elected Members attending to business of the Town totalled \$3,009.53.

Whilst it is not frequent or common practice for Elected Member's partners to accompany them on official business outside of Port Hedland, the proposed amendment to the policy will assist in the effort to reduce any additional unbudgeted costs to the Town.

The 2016/17 financial year's postings do not indicate any costs to the Town for Elected Member's partners travel.

#### *Review of other Local Government's policies*

Expenses for Elected Member's partners to accompany the Elected Member during official business may be reimbursed in accordance with legislation, however, it is not often adopted or endorsed by a Local Government as policy.

The Shire of Broome, City of Greater Geraldton and the City of Karratha's policies on Elected Member travel state that all costs for an accompanying person must be paid for by the Elected Member or accompanying person.

The Shire of Wyndham East Kimberley's policy also states that any associated costs are to be incurred by the accompanying person, but to assist with bookings these can be made by the Shire on a cost recovery basis.

Copies of the above reviewed policies can be found by clicking on the links below:

- [Shire of Broome](#)
- [City of Greater Geraldton](#)
- [Shire of Wyndham East Kimberley](#)
- [City of Karratha](#)

The Shires of Ashburton, East Pilbara, and Cities of Bunbury and Busselton's policies were also reviewed, but did not include any provisions relating to accompanying persons.

## LEVEL OF SIGNIFICANCE

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

## CONSULTATION

### *Internal*

- Governance Team
- Executive Team
- Executive Assistant to the CEO

### *External*

The following Local Government's policies were reviewed in preparation of this item:

- City of Karratha
- Shire of Broome
- Shire of Wyndham East Kimberley
- City of Greater Geraldton
- Shire of Ashburton
- Shire of East Pilbara
- City of Bunbury
- City of Busselton

## LEGISLATION AND POLICY CONSIDERATIONS

Section 5.98(2)(b) and section 5.98(3) of the *Local Government Act 1995* are applicable for this item.

The *Salaries and Allowances Act 1975* is also applicable.

Regulation 32(1) (b) of the *Local Government (Administration) Regulations 1996* states that an expense incurred by a council member that is performing a function under the express authority of the Local Government may be reimbursed if the local government considers it appropriate.

## FINANCIAL AND RESOURCES IMPLICATIONS

There are likely to be positive financial implications if the policy is amended, as the amendment to the policy will assist in the effort to reduce any additional unbudgeted costs to the Town.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

### **Our Leadership**

*We are united in our actions to connect, listen, support and advocate thereby leveraging the potential of our people, places and resources.*

#### **4.b Transparent and accountable governance and financial sustainability**

4.b.1 Sound long-term financial planning is implemented

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

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

## RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be low (3), associated with the financial risk of incurring unbudgeted expenditure. The risk action plan, should the policy not be amended, would be to include a provision in the 2018/19 budget, and all budgets moving forward, to allow for spousal travel.

## OPTIONS

*Option 1 - Adopt Officers Recommendation*

*Option 2 - Amend Officers Recommendation – Amend the policy so that costs for an accompanying person may be paid for by the Town, but only for travel inside the state of WA.*

*Option 3 – Do not adopt Officers Recommendation*

## CONCLUSION

It is recommended that Council consider the adoption of the amended policy to bring the policy in line with many other Local Governments in the Pilbara. The amended policy directly aligns with section 4.b.1 of the Town's newly adopted Strategic Community Plan, ensuring that the Town is promoting financial sustainability and sound financial planning by assisting in the effort to reduce unbudgeted costs.

## ATTACHMENTS

1. Proposed amended policy 4/010 'Elected Member Travel and Training'

## ATTACHMENT 1 TO ITEM 11.1.1

Town of  
Port Hedland**DRAFT AMENDED POLICY  
4/010 ELECTED MEMBERS TRAVEL  
AND TRAINING****4/010 ELECTED MEMBERS TRAVEL AND TRAINING****Policy Objective**

The purpose of this policy is to provide clear guidelines to Elected Members in relation to training and development programs they may access that will enhance and improve the skills necessary to perform their role and function as an Elected Member. The policy also sets out parameters associated with the booking of travel and accommodation arrangements.

**Policy Content****1. Professional Development****1.1 Commitment to professional development**

Elected Members play an integral leadership role in the development, communication and representation of the Town's Strategic Plan, policies, and programs. Professional development for Elected Members contributes towards a positive presentation of Council for the betterment of the organisation and the community.

**1.2 Personal development**

Elected Members are encouraged to identify individual and group personal development needs to enhance their effectiveness. As the needs of individual members may vary, each member is encouraged to seek the assistance of the Chief Executive Officer (CEO) in analysing his or her particular requirements and in identifying appropriate courses, seminars and training to meet those needs.

**1.3 Conferences, seminars, forums or delegations**

An Elected Member who is funded by Council to attend a conference, seminar, forum, delegation or similar event, shall participate as a representative of Council, not as an individual.

Elected Members may participate in conferences, seminars, forums, delegations or similar events where it can be demonstrated that attendance will:







- Provide information on a contemporary issue, so that Council can contribute to discussion or debate;
- Put forward Council's viewpoint during formation of a collaborative policy, or stance on an issue;
- Meet community expectations that Council representation is necessary for the benefit of the community;
- Provide development to the Elected Member in his/her role; or
- Provide improvements to the built, social, economic and natural well-being of the community.

#### *1.4 Funding*

Council makes an annual allocation in the Town's budget to provide the opportunity for Elected Members to participate in appropriate training, conferences and events. Elected Members are permitted to attend these in accordance with this policy up to an amount not exceeding the annual budget allocation per Elected Member without further approval from Council.

The following training/conferences are identified as examples relevant to Elected Members' role and responsibilities:

- a) WALGA or Australian Institute of Management (AIMWA) or Australian Institute of Company Directors
- b) WALGA's Annual Local Government Week Conference and associated courses
- c) Pilbara Kimberley Joint Forum
- d) Team building exercises
- e) Any training session, conference or event considered by the CEO and the Mayor to be directly relevant to the performance for the Town of its functions including leadership, planning, financial management, corporate governance and social infrastructure.

To maximise the effectiveness of allocated resources, Council will only meet the cost of professional development outlined in this policy, subject to approval of the Mayor or Deputy Mayor.

If a request for professional development cannot be accommodated within the budget allocation the Mayor, in conjunction with the CEO, will determine if additional funding may be available from another area of the budget.





## DRAFT AMENDED POLICY 4/010 ELECTED MEMBERS TRAVEL AND TRAINING

Applications to attend any interstate and overseas conferences, seminars, forums, delegations or similar events under this Policy must be discussed with the Mayor or Deputy Mayor prior to arrangements being made.

### *1.5 Training Caretaker period and after Local Government Elections*

During the caretaker period training and conferences will not be booked for those Elected Members seeking re-election.

Upon commencement of office an Elected Member will be provided with the opportunity to attend WALGA introductory training sessions. This will also be offered to all other Elected Members as refresher training should the training be held in Port Hedland.

### *1.6 Reporting Requirements*

Members are to submit a report to the CEO covering key messages on the benefits of their training/conference/event the month after it has taken place to be included in the information bulletin and published on the Town of Port Hedland website.

## **2. TRAVEL**

### *2.1 Travel within Western Australia*

Elected Members may attend events within Western Australia during their term of office upon the following conditions:

- The travel falls within the definitions for conference, professional development or delegation;
- Prior approval has been granted by the Mayor or Deputy Mayor as applicable;
- In deciding whether approval is to be granted the Mayor or Deputy Mayor should take into consideration the Elected Members remaining term of office; and
- There is sufficient budget allocation for the Elected Members travel.





### *2.2 Travel outside of Western Australia*

Elected Members may attend Town Representation events held outside WA and overseas during their term of office upon the following conditions:

- The travel falls within the definitions for conference, professional development or delegation;
- An item has been presented to Council specifying:
  - the benefit to the Town of the attendance at the conference, professional development or delegation;
  - whether, if applicable, there is a necessity to send more than one Elected Member; and
  - whether the information to be discussed at the conference or professional development can be sourced from within Western Australia.
- Approval has been granted by Council resolution;
- There is sufficient budget allocation for the Elected Members travel.

### **3. General conditions of travel**

#### *3.1 Bookings*

All bookings associated with Elected Members' travel will be arranged by a Town's officer nominated by the CEO and will include:

- Registration fees;
- Travel to and from conference, study, seminars, conventions, etc.;
- Accommodation;
- Meals and incidentals where required.

The Town will endeavour to seek any discount possible to minimise the cost to the Town, whilst ensuring that an appropriate standard is obtained. All travel will be booked at economy rates, and any upgrade will be made at the Member's expense.

All travel while away from Port Hedland will be by taxi, through the use of cab charges provided prior to departure from Port Hedland.

Accommodation is to be arranged at an appropriate standard in reasonable proximity to where the majority of the purpose for the visit is to occur (i.e. hotel where conference is being presented). Should an Elected Member choose not to stay at the relevant hotel, a daily allowance of \$100 will be paid in lieu of accommodation.







In the eventuality that meals are not provided at the accommodation, training session or conference, Elected Members will be given an allowance as prescribed by the Australian Taxation Office in Taxation Determinations as amended from time to time.

### *3.2 Bookings changes and cancellations*

Any amendments or cancellations to bookings resulting from a change in Elected Members' personal circumstances should be undertaken by Elected Members at their own cost. Elected Members should inform the CEO prior to the changes taking place. Any other change or cancellation resulting from the Town's operations will be communicated to Elected Members, undertaken by relevant Town officers and paid for by the Town.

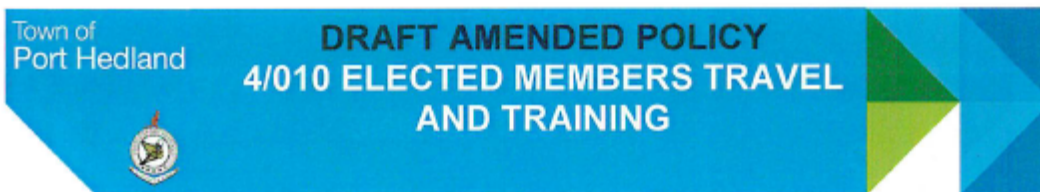
### *3.3 Rewards Program*

Elected Members must not benefit from corporate bookings for travel undertaken in their role as Elected Member that is paid for by the Town of Port Hedland. This includes frequent flyer programs and accommodation loyalty schemes. In accordance with the *Local Government (Rules of Conduct) Regulations 2007* and the *Corruption, Crime and Misconduct Act 2003* Elected Members must not have any personal gain from acting in their role as a representative of the Town of Port Hedland.

### *3.4 Partners accompanying Elected Members on civic duties*

Any costs associated with partners or spouses accompanying Elected Members whilst they are on official Town business will not be covered by the Town. Payment for such persons will be at the cost of the Elected Member or accompanying person.

~~The Town will pay for reasonable expenses for an immediate family member, partner or spouse of an Elected Member when they accompany an Elected Member on Town of Port Hedland business as approved in advance by the CEO. Immediate family members, partners and spouses may accompany Elected Members at other times at their own expense.~~



#### **4. Dispute Resolution**

Any disputes in regard to this policy will be referred to the CEO in the first instance. In the event that the Elected Member and the CEO cannot reach an agreement, the matter will be reported to the Council for a decision.

#### **5. Reimbursements**

##### **5.1 Travel**

Elected Members are entitled to be reimbursed for travel costs incurred whilst using their own private vehicle to attend a Council or Committee meeting within the Town of Port Hedland district as per regulation 31 of the *Local Government (Administration) Regulations 1996* within the parameters stipulated by the SAT and section 30.6 of the Local Government Officers' (Western Australia) Interim Award 2011. The reimbursement for the fuel being on a cents per kilometre basis.

Where Elected Members are representing the Town of Port Hedland Council at meetings outside the Town's district they are required to utilise a Town vehicle and its fuel card where available. Where a Town of Port Hedland vehicle is not available and the Elected Member has to utilise his/her personal vehicle, he/she will be entitled to be reimbursed on a cents per km basis in accordance with the Public Service Award 1992. Where a Town of Port Hedland vehicle is available and he/she chooses to use their own vehicle, then costs will be reimbursed on actual fuel costs supported by appropriate tax invoices.

##### **5.2 Claims Procedure and Time Limit**

Elected Members electing to receive reimbursement of expenses in accordance with the provisions of this policy must submit their receipts and other supporting documents verifying the amount incurred and the period being claimed for prior to any reimbursement being made.

Claims for reimbursement must be submitted no later than 30 days after the end of the month in which the expenses were incurred.

Under no circumstances is any reimbursement to be made in connection with costs incurred for re-election to office.



### Definitions

**"Allowance"** – as defined in the Local Government Act 1995

**"Reimbursement"** - as defined in the Local Government Act 1995

**"Committee Meeting"** – as defined under section 5.98A(7) of the Local Government Act 1995

Council Adoption Date and Resolution No.	13 December 2017 OCM CM201718/110
Date of adoption of amendment and Resolution Number <b>Do not delete previous dates</b>	<a href="#">25 July 2018 OCM</a>
Relevant Legislation	<a href="#">Local Government Act 1995</a> <a href="#">Local Government (Administration) Regulations 1996</a> <a href="#">Salaries and Allowances Act 1975</a> <a href="#">Town of Port Hedland Code of Conduct</a>
Delegated Authority	N/A
Business Unit	Governance
Directorate	Corporate and Performance
Review Frequency	Annual

**11.1.2 Statement of Financial Activity for the Period Ended 31 May 2018  
(File No. 12/14/0003)**

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

**CM201819/008 OFFICER RECOMMENDATION/ COUNCIL DECISION****MOVED: CR MCDONOGH****SECONDED: CR WHITWELL**

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

- 1. Receive the Monthly Financial Health Check for the period ended 31 May 2018;**
- 2. Receive the Statement of Financial Activity for the period ended 31 May 2018;**
- 3. Receive the Material Variance Report;**
- 4. Note the Accounts paid under delegated authority for period ended 31 May 2018; and**
- 5. Receive the Credit Card Statements for period ended 31 May 2018.**

**CARRIED 8/0****PURPOSE**

The purpose of this report is to present to Council the Statement of Financial Activity for the period ended 31 May 2018. 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 May 2018, with financial results included in *Attachment 2. Statement of Financial Activity Notes 1-12* prepared by Moore Stephens on behalf of the Town of Port Hedland.

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

As part of the (adopted) 2017/18 budget, Council adopted the following thresholds as levels of material variances for financial reporting.

1. With regards to expenditure classified as operating, a variance of 10% or \$10,000, whichever is the greater, of the year to date current budget, with Program as the level that requires explanation;

2. With regards to expenditure classified as capital, a variance of 10% or \$10,000, whichever is the greater, of the 12 month current budget, with individual project as the level that requires explanation;
3. With regards to income, a variance of 10% or \$100,000, whichever is the greater, of the year to date current budget, with Nature and Type as the level that requires explanation;
4. With regards to all other items not specifically identified above, a variance of 10% or \$100,000, whichever is the greater, of the 12 month current budget, with Nature and Type as the level that requires explanation.

Commentary is provided on variances as details above as per *Attachment 3 NOTE 13. Explanation of Material Variances.*

The net current asset position as at 31 May 2018 was \$5.7M. The net Municipal balance (after matured investments and restricted reserves taken into account) as at 31 May 2018 was (\$1.1M).

	2017/18 Actuals
Current Assets: Cash and Investments	\$234.0M
Restricted Cash – Reserves	\$235.1M
Unrestricted Cash Position as at 31 May 2018	(\$1.1M)

Unrestricted cash was showing an overdrawn position due to reserve transfers outstanding to unrestrict funds for expenditure incurred. This will be updated in June 2018.

#### *Previous Decisions*

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

#### **LEVEL OF SIGNIFICANCE**

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

#### **CONSULTATION**

##### *Internal*

All consultation and engagement is conducted internally.

##### *External Agencies*

The Town has consulted with Moore Stephens for the preparation of the financial statements.

##### *Community*

N/A



## LEGISLATION AND POLICY CONSIDERATIONS

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

## FINANCIAL AND RESOURCES IMPLICATIONS

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

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

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

### **Our Leadership**

*We are united in our actions to connect, listen, support and advocate thereby leveraging the potential of our people, places and resources.*

#### **4.b Transparent and accountable governance and financial sustainability**

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

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

## RISK MANAGEMENT CONSIDERATIONS

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

There is a risk rating of medium (6) assigned in 2017/18 budget to the risk that a reduction in income or increase in expense throughout the 2017/18 financial year is likely to have an impact on the Town's ability to meet service levels or asset renewal funding requirements. The risk action plan is to manage by building reserve balance to required level to mitigate financial loss.

## OPTIONS

### *Option 1 - Adopt Officers Recommendation*

Note the Statement of Financial Activity and reports for the period ended 31 May 2018 in accordance with *regulation 34(1) of the Local Government (Financial Management) Regulations 1996*.

*Option 2 - Amend Officers Recommendation*

That Council receive the Statement of Financial Activity for the period ended 31 May 2018 and request further information or clarification.

*Option 3 – Do not adopt Officers Recommendation*

That Council do not note or receive the Statement of Financial Activity for the period ended 31 May 2018.

**CONCLUSION**

The opening funding surplus of \$4.1M presented in YTD Actual on the Statement of Financial Activity is as per the Audited Annual Financial Report 2016/17. As at 31 May 2018, the net current asset position was \$5.7M compared to the current budgeted closing position for 30 June 2018 of \$584.8K.

Variances in operating revenue and expenditure are addressed in detail in *Attachment 3 NOTE 13. Explanation of Material Variances*. The net current asset position will decrease as operating and capital budgets are expended throughout the year.

**ATTACHMENTS**

1. Monthly Financial Health Check
2. Statement of Financial Activity Notes 1-12 (Under Separate Cover)
3. Note 13 Material Variance Report
4. Accounts paid under delegated authority listing (Under Separate Cover)
5. Credit Card Statements for period ended 31 May 2018 (Under Separate Cover)

## ATTACHMENT 1 OF ITEM 11.1.2

# MONTHLY FINANCIAL HEALTH CHECK



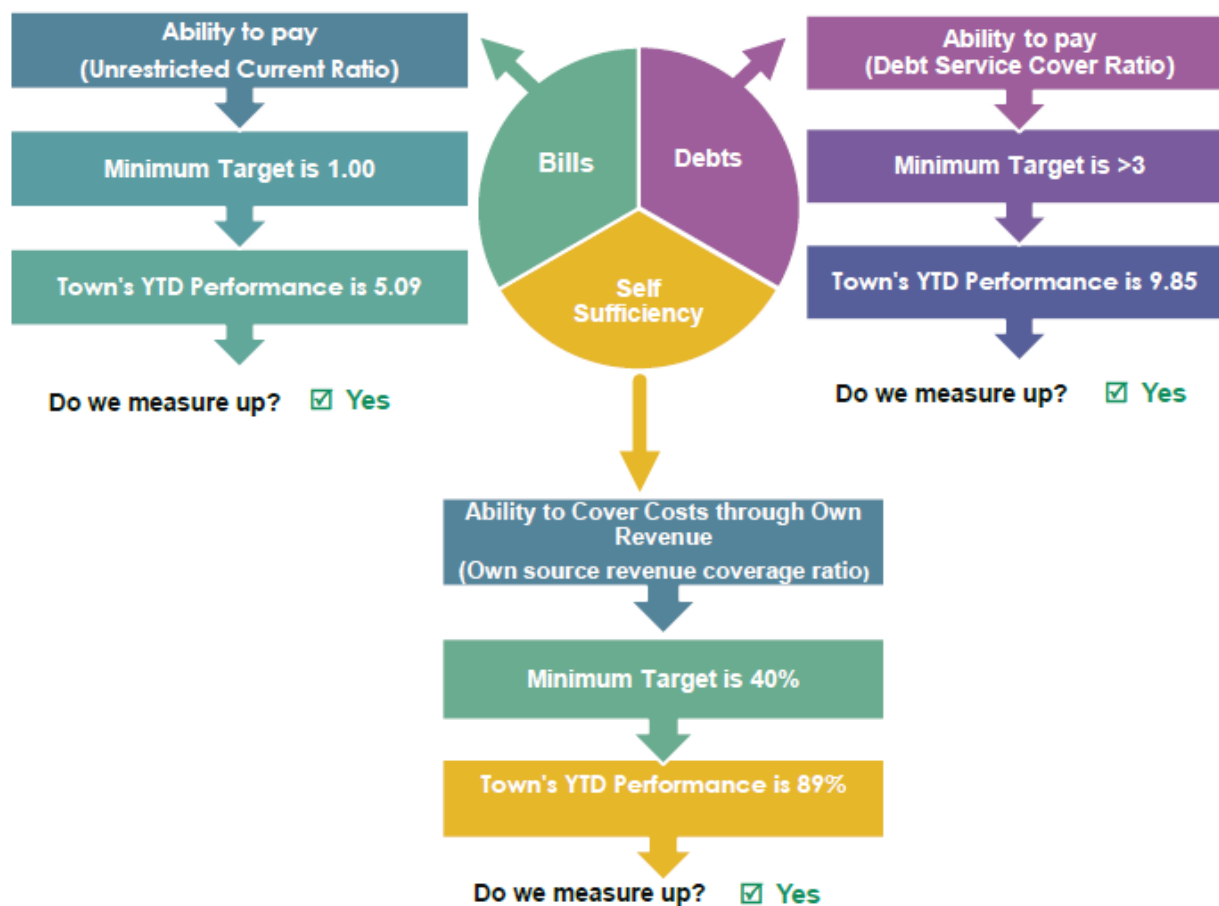
As at 31 May 2018

Highlighting how the Town of Port Hedland is tracking  
against financial ratios



Financial Snapshot (Year to Date)	Actual (000's)
Operating Revenue	\$42,483
Operating Expenditure (Including Non-Cash Items)	(\$43,501)
Non-Cash Items	\$9,268
Capital Revenue	\$2,983
Capital Expenditure	(\$12,973)
Loan Repayments	(\$972)
Transfers to/from Reserves	\$4,332
Updated Surplus Brought Forward 1 July 2017	\$4,125
Current Municipal Surplus Position at 30 April 2018	\$5,746
Current Budget Municipal Surplus Position at 30 June 2018	\$1,068

## Financial health indicators



## Cash in the bank



## ► How are we tracking against our budgeted targets?

### Adjusted Operating Surplus

A measure of the Town's ability to cover its operational costs including depreciation and have funds left over to cover capital expenditure (including principal loan repayments) without relying on debt or reserves.

*Note: Adjusted for one off expenditure related to major works at PHIA classified as operating due to lease of the facility*

Minimum Target is 1%

Town's YTD Performance is -2%

Do we meet the target? ☒ No

However as the year progressed, operating expenditure has drawn on this revenue source reducing to target by 30 June 2018. There is a large amount of interest earnings to be recognised in June 2018 which will impact this ratio position.

It should be noted that the increase in depreciation (following revaluation of assets at fair value over the last three years) has significantly increased the annual depreciation charge and puts pressure on the operating surplus result.

### Asset Sustainability Ratio

Measures if the Town is replacing or renewing existing non-financial assets at the same rate that its overall asset stock is wearing out.

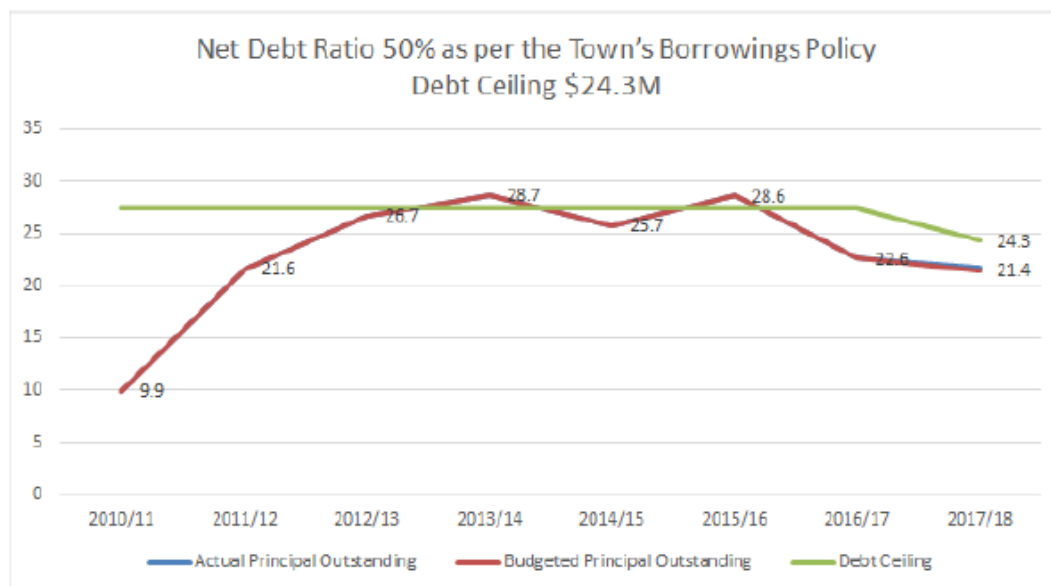
Minimum Target is 90%

Town's YTD Performance is 61%

Do we meet the target? ☒ No

- A reduced Capital Works Program (including renewals) and an increase in the budgeted depreciation as a result of revaluations has had a two-fold effect on the asset sustainability ratio resulting in the ratio coming in below the target.
- With a history of high levels of capital expenditure in the past 4 years, the Town need to ensure expenditure on capital renewal is maintained at the same rate as depreciation moving forwards.

## Debt levels



**Original Budget Principal Outstanding Forecast at 30 June 2018 = \$21.4M**

**Original Budget Operating Revenue = \$48.6M**

**Budgeted Net Debt Ratio = 47%**

**Actual Net Debt Ratio = 51%**

**Total Actual Principal Amount Outstanding 31 May 2018 = \$21.6M**

**Debt Ceiling 50% pursuant to Policy (\$48.6M x 50%) = \$24.3M**

### Intergenerational Loans

Loan Purpose	Principal Amount Outstanding	Remaining Term
1. Marquee Park	\$4.20M	14/15 years
2. JD Hardie Upgrade	\$2.43M	14/16 years
3. Wanangkura Stadium	\$8.37M	15/16 years
4. GP Housing	\$1.24M	16 years

Any feedback on this document is greatly appreciated and can be emailed to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)



## ATTACHMENT 3 TO ITEM 11.1.2

**TOWN OF PORT HEDLAND**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 31 May 2018

**NOTE 13. EXPLANATION OF MATERIAL VARIANCES**

Details and explanations of the material variances reflected on the Statement of Financial Activity are provided below as required by Local Government (Financial Management) Regulation 34(1) (d). ▲ ▼

Operating expenditure 10% or \$10,000 by Reporting Program

Income \$100,000 or 10% by Nature or Type

Capital expenditure \$10,000 or 10% by project

All other items \$10,000 or 10% by Nature or Type

**Reporting Program**

**Variance**      **Variance**      **Var.**      **Explanation of Variance**

**\$**      **%**

**Revenue from operating activities**

Operating grants, subsidies and contributions

(442,826)

-18%

▼

(-\$348) Mia Mia contribution not received, Income for Local road grant and General purpose grant recognised in 16/17 year per auditor instructions.

Interest earnings

(3,493,055)

-59%

▼

Interest recognised upon maturity of investments; Investments have differing maturity dates therefore full amount of interest has not yet been recognised. A large number of PHIA Long Term Lease Reserve investments are maturing in June.

Profit on disposal of assets

1,342,327

948%

▲

Profit on disposal overstated as the written down value for the sale of the land have not yet been processed. This is to be amended at the third quarter budget review and as part of the end of year accounting process.

**Expenditure from operating activities**

General Purpose Funding

323,129

52%

▼

Landgate charges for revaluations not yet received (\$-235K)

396,787

19%

▼

CCTV Maintenance (-\$77K), Fire safety audits - Work completed invoice yet to be received(-\$33K) Depreciation to be calculated at year end (\$65K) Variance due to internal costing allocations and labor overheads to be amended for end of financial year



Reporting Program	Variance	Variance	Var.	Explanation of Variance
Health	180,231	14%	▼	Variance due to internal costing allocations and labor overheads to be amended for end of financial year and Employee costs less than budget due to vacancies
Education and Welfare	332,381	14%	▼	Variance due to internal costing allocations and labor overheads to be amended for end of financial year; Community Donations less than budget; JD Hardie materials and parts less than budget, Employee expenses less due to staff vacancies.
Housing	305,816	36%	▼	Variance due to internal costing allocations and labor overheads to be amended for end of financial year; Employee costs lower than expected
Transport	8,395,799	48%	▼	Airports Project not undertaken due to negotiations with Airport Lessee to proceed and contracts to be finalised
Economic Services	153,909	19%	▼	Variance due to internal costing allocations and labor overheads to be amended for end of financial year; Contract invoice for 4th quarter Visitor centre to come
Other Property and Services	(1,612,642)	291%	▼	Variance due to internal costing allocations and labor overheads to be amended for end of financial year
Investing activities				
Non-operating grants, subsidies and contributions	1,499,220	-43%	▼	Grants typically received at completion of projects. Large roads grants to be received in June.
Proceeds from Disposal of Assets	1,483,908	83%	▲	Profit on disposal overstated as the written down value for the sale of the land have not yet been processed.
Land & Buildings				
New				
Council Records Storage	14,970	30%	▼	Include the relocation of the records team and the changes to their new office space. To be completed by June
Port Hedland Community Facilities (Turf Club)	85,002	93%	▼	RFT closed and currently evaluating. To be awarded late June 2018. Project to commence July 18 and expected to finish June 19.
South Hedland Aquatic Centre: Install Accessibility Toilets And Change Room	50,435	32%	▼	Project Complete
South Hedland Sports Precinct	266,680	89%	▼	Carry forward required to complete project for most likely project scope (pavillion only) which was tendered at \$345,687. Additional budget may be required if Council decide to go with a different project construction scope (pavillion and standalone pool or avillion, stadium extension and aquatic centre).
Upgrade				
Jd Hardie Expansion	108,314	94%	▼	RFT closed and currently evaluating. To be awarded late June 2018. Project to commence July 18 and expected to finish June 19.



Reporting Program	Variance	Variance	Var.	Explanation of Variance
<b>Workshop Upgrades</b>	47,843	96%	▼	Project being carried forward to 2018 - 2019. To be done in conjunction with Depot Washdown Bay project
<b>Renewal</b>				
Commercial and Building Renewal and Upgrade program	82,096	13%	▼	Projected to be \$125,000 under the current budget due to the decision made by ELT to not proceed with the roof works at the soccer club toilets.
Staff Housing Renewal And Upgrade Program	87,518	28%	▼	Projected to spend entire budget. Works will be completed by the end of June
<b>Furniture &amp; Equipment</b>				
<b>New</b>				
Ict Software Landfill	(5,166)	-17%	▲	Project Complete
<b>Upgrade</b>				
Phase 2 Digital - Complete installation of ToPH digital radio system in vehicles and heavy equipment.	20,392	55%	▼	Project to be carried forward to 2018/19 for completion.
<b>Renewal</b>				
ICT Hardware and Renewal	82,856	90%	▼	Reduce budget in line with expected expenditure for 2017/18.
Iphone Replacement	16,110	88%	▼	Reduce budget with no further purchases to be made in 2017/18.
<b>Plant &amp; Equipment</b>				
<b>New</b>				
Portable Lighting Towers	-7495	-21%	▲	Project complete - invoices to be processed in Synergy
<b>Upgrade</b>				
South Hedland Water Treatment Plant	-118.81	-51%	▲	Project Complete
<b>Renewal</b>				
Large Plant and Light Fleet replacement Program	237,482	41%	▼	Last PO has been raised and the full budget committed ; however, it will take approximately 6 months to build the new truck so the value of the PO needs to be carried forward
<b>Infrastructure</b>				
<b>New</b>				
Kingsford Smith Business Park Landscaping	16,665	100%	▼	Project Complete
Port Hedland Standpipe Swipe Card Activation	1,948,512	97%	▼	Project Complete
South Hedland Skate Park CPTED Design Response	12,477	100%	▼	Project deferred to 2018/19

Reporting Program	Variance	Variance	Var.	Explanation of Variance
<b>Upgrade</b>				
Cassia Primary School Footbridge	121,129	97%	▼	Design and costing component has been completed. Project has been put forward as a new request for 2018 - 2019 as the cost of the works are approximately \$250,000. Project being carried forward to 2018 - 2019. Links to C1403802
Depot wash-down bay - Oily Water Separator – workshop and silt drain work	523,073	91%	▼	Final variation for the revised design has been raised. Project will come in \$300,000 under budget due to decision by ELT to incorporate the drainage in to the overall Masterplan for the South hedland Sporting Precinct.
Drainage Construction Wanangkura Stadium & Faye Gladstone Netball Courts	331,759	81%	▼	
Intersection - Lukis & McGregor Streets	21,550	17%	▼	Projected to spend entire budget. Works will be completed by the end of June
Intersection – Murdoch Drive & Brolga Way	170,729	83%	▼	Projected to spend entire budget. Works will be completed by the end of June
Intersection – Murdoch Drive & Masters Way	106,121	77%	▼	Projected to spend entire budget. Works will be completed by the end of June
North Circular Roundabout Landscape And Intersection Upgrades	109,279	55%	▼	Projected to spend entire budget. Works will be completed by the end of June
South Hedland Cemetery Upgrade And Cemetery Masterplan	8,378	24%	▼	Project Complete
<b>Renewal</b>				
Carpark Renewal Program	73,844	33%	▼	Projected to spend entire budget. Works will be completed by the end of June
Drainage Renewal Program	80,799	22%	▼	Scope changed due to overspend in reticulation projects. Project complete at \$300,000.
Footpath Renewal Program	167,641	42%	▼	Projected to spend entire budget. Works will be completed by the end of June
Gratwick Aquatic Centre - Remedial Works	167,041	67%	▼	Works will be ongoing until the end of October; however, all of the budget will be spent and a new budget request included for 2018/19 for additional works.
Irrigation Inground Renewal - Port Hedland Line Marking & Traffic Calming	27,500	73%	▼	Completed
	76,496	92%	▼	Projected to spend entire budget. Works will be completed by the end of June
Marquee Park Pump Replacement	35,238	70%	▼	Project to be included in 2018/19 budget request as the actual costs of the works will be in the region of \$160,000
Mcgregor, Athol, Cooke Point Roundabout Rehabilitation	(1,794)	-13%	▲	Project Complete

Reporting Program	Variance	Variance	Var.	Explanation of Variance
Pinga St Additional Renewal	90,703	97%	▼	Projected to spend entire budget. Works will be completed by the end of June
Pippingarra Road Resheeting	(19,953)	-27%	▲	Project Complete
Playgrounds Renewal Program	114,739	92%	▼	Project Complete
Shade Structures	291,665	100%	▼	Budget has been reduced to \$250,000 as per discussion recently at ELT. All \$250,000 will be spent.
Stage 2 Telecommunications Renewal & Upgrade Project	73,325	88%	▼	Project deferred to 2018/19.
Unsealed Road Resheeting Program	161,805	29%	▼	Projected to spend entire budget. Works will be completed by the end of June
Wandarra Project	147,280	12%	▼	Projected to come in on budget. Works will be completed by the end of June
Yandeyarra Road	37,173	99%	▼	Project Complete
<b>Further Comments</b>				
Note 2 - Net Current Assets				
Note 3 - Capital				
Note 4 - Cash				
Note 5 - Receivables				
Note 6 - Payables				
Note 7 - Reserves				
Note 8 - Rates				
Note 9 - Borrowings				
Note 10 - Grants				
Note 11 - Budget Amendments				
Note 12 - Trust				

## 11.2 Development, Sustainability and Lifestyle

### 11.2.1 Consideration of Submissions on Scheme Amendment 83 and Request to Adopt for Final Approval (*File No. 18/09/0098*)

<b>Author</b>	Graduate Planner
<b>Authorising Officer</b>	Director Development, Sustainability and Lifestyle
<b>Disclosure of Interest</b>	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

#### CM201819/009 OFFICER'S RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR MCDONOGH**

**SECONDED: CR HEBBARD**

That Council, pursuant to Clause 75 of the *Planning and Development Act 2005* resolves to:

1. Adopt for final approval Standard Amendment No. 83 to the Town of Port Hedland's Local Planning Scheme No. 5 to rezone a portion of Lot 1724 Padbury Place, Port Hedland from 'Community' to 'Residential R30' and a portion of Lot 1 Moseley Street and Lot 2 McGregor Street, Port Hedland from 'Local Road Reserve' to 'Residential R30' with no modifications.
2. Authorise the Chief Executive Officer and Mayor to execute three (3) copies of Standard Amendment No. 83 documentation, in accordance with Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015; and
3. Forward to the Western Australian Planning Commission three (3) copies of Standard Amendment No. 83 documentation and a copy of the Schedule of Submissions for the Minister of Planning's consideration.

**CARRIED 8/0**

#### PURPOSE

The purpose of this report is for Council to consider submissions received on Scheme Amendment No. 83 to the Town of Port Hedland Local Planning Scheme No. 5 (LPS5) and determine whether to adopt the Scheme Amendment for final approval.

#### DETAIL

At the Ordinary Council Meeting held on 28 March 2018, Council initiated Scheme Amendment No. 83 to Local Planning Scheme No. 5 (Resolution CM201718/175). The amendment proposes to rezone a portion of Lot 1724 (9) Padbury Place, Port Hedland, from 'Community' to 'Residential R30' and to rezone a portion of Lot 1 (8) Moseley Street and Lot 2 (21) McGregor Street, Port Hedland from 'Local Road Reserve' to 'Residential R30'. The purpose of this Scheme Amendment is to update LPS5 to reflect the development which is existing on-site.

In accordance with Section 81 of the *Planning and Development Act 2005*, the amendment was referred to the Environmental Protection Authority (EPA) following Council's decision to initiate the amendment.

The EPA advised that formal assessment was not required under the *Environmental Protection Authority Act 1986*. Upon receiving advice from the EPA, the amendment was publically advertised for 42 days in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. One (1) public submission was received and four (4) submissions were received from public authorities. Of the five (5) total submissions received, no comments resulted in modifications being made to the original amendment. The submissions received are shown in Attachment 4 – Schedule of Submissions.

### LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance in terms of the Council's ability to perform its role.

### CONSULTATION

Scheme Amendment No. 83 was publicly advertised from 23 May 2018 until 4 July 2018 in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* in the following manner:

1. Publication of a notice in the *North West Telegraph* edition of 23 May 2018;
2. Display of notice at the Town of Port Hedland administration office;
3. Publication of a notice on the Council's website providing an electronic link to a copy of the Amendment Document;
4. A letter sent to potentially affected landowners inviting comment;
5. Notification to government agencies seeking submissions.

Four (4) government agencies and one (1) public agency responded to the amendment consultation, with no objections being received (see Attachment 4 – Schedule of Submissions).

### LEGISLATION AND POLICY CONSIDERATIONS

Under Clause 75 of the *Planning and Development Act 2005*, the Local Government is permitted to amend its Local Planning Scheme. The *Planning and Development (Local Planning Schemes) Regulations 2015* details the procedure for preparing and adopting an amendment to the Scheme, beginning by classifying the amendment as either Basic, Standard or complex as defined in the regulations. Scheme Amendment No. 83 is classified as a Standard amendment as it is deemed to have minimal impact on land in the scheme area that is not subject of the amendment, and the amendment will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Following consideration of the submissions lodged, should Council resolve to adopt Scheme Amendment No. 83 (Regulation 50), the amendment documentation will be forwarded to the Western Australian Planning Commission (WAPC) with the schedule of submissions (Regulation 53). The WAPC will present Council's recommendation to the Hon. Minister for Planning who is responsible for final approval or refusal of the Scheme Amendment (Regulation 55).

## FINANCIAL AND RESOURCES IMPLICATIONS

The proposed Scheme Amendment will not result in any financial implications to the Town. The Town has invoiced the applicant (Landwest) a service fee for processing the amendment in accordance with the *Planning and Development Regulations 2009*.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

This following section/s of the Council's *Strategic Community Plan 2018-2028* are applicable in the consideration of this item:

### **Our Community**

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

#### **1.d Well Utilised and Valued Community Facilities and Services**

- 1.d.1 The present and future facilities and requirements of the Town are planned for and developed in-line with relevant facility standards and community needs

### **Our Built and Natural Environment**

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

#### **3.b A safe and fit for-purpose built environment**

- 3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed

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

## RISK MANAGEMENT CONSIDERATIONS

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

## OPTIONS

*Option 1 - Adopt Officers Recommendation*

*Option 2 - Amended Officers Recommendation*

*Option 3 – Do not adopt Officers Recommendation*

That Council, pursuant to Clause 75 of the Planning and Development Act 2005 RESOLVES NOT TO ADOPT Scheme Amendment No. 83 to the Town of Port Hedland's Local Planning Scheme No.5 to rezone a portion of Lot 1724 Padbury Place, Port Hedland from 'Community' to 'Residential R30' and Lot 1 Moseley Street and Lot 2 McGregor Street, Port Hedland from 'Local Road Reserve' to 'Residential R30' for the following reasons:

(a) \_\_\_\_\_

(b) \_\_\_\_\_

**CONCLUSION**

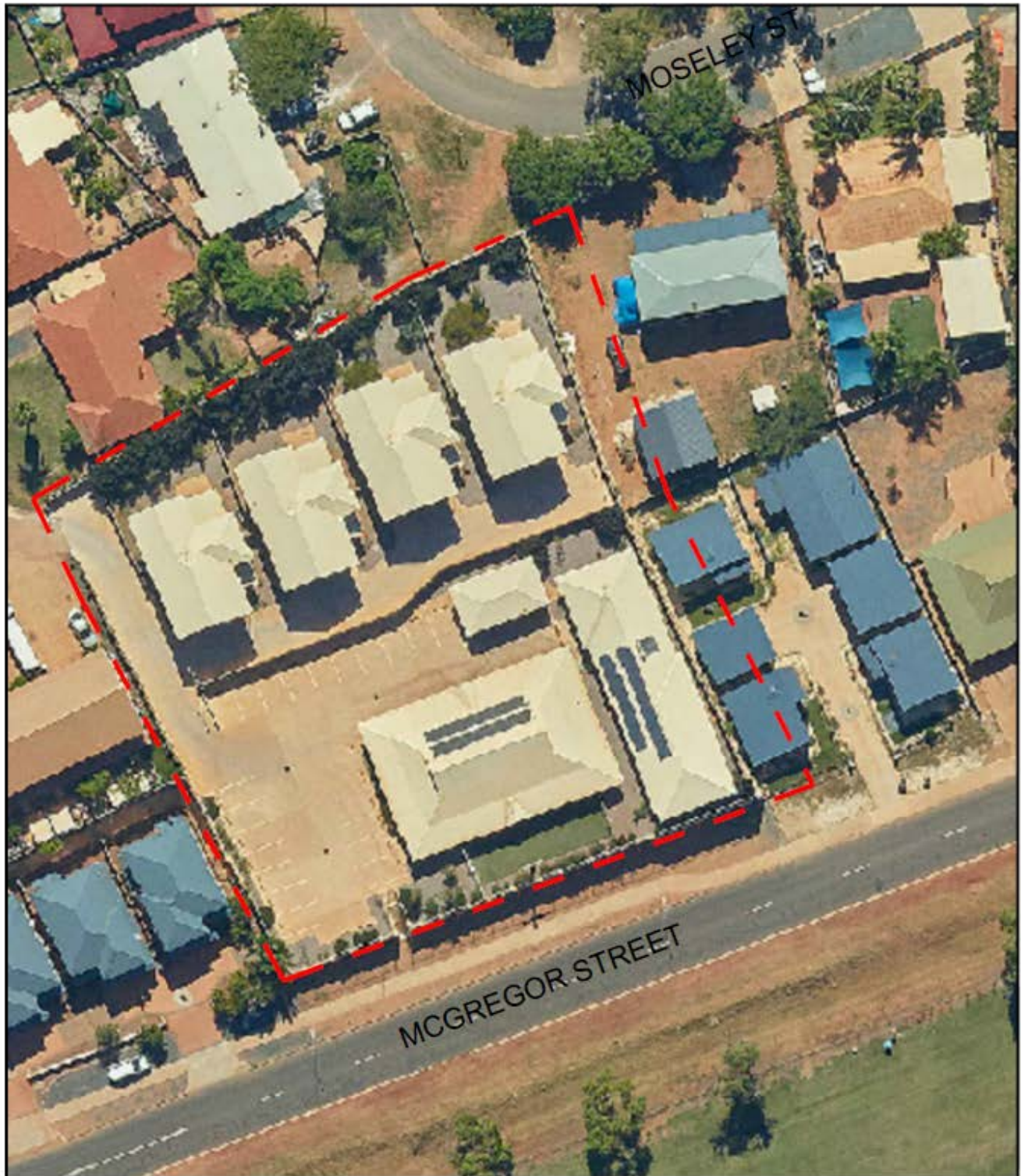
The subject area is currently reserved under the Town of Port Hedland's Local Planning Scheme No .5 as 'Community', 'Local Road Reserve' and 'Residential R30'. Lot 1724 is currently reserved as 'Community', despite the presence of four (4) grouped dwellings which were approved by Council in 2012. Lot 1 Moseley Street and Lot 2 McGregor Street are currently zoned 'Residential R30', but a portion of these Lots is reserved as a 'Local Road Reserve', due to the existence of a pedestrian walkway which was subsequently removed following amalgamation of the Lots. The applicant (Landwest) has proposed the amendment to reflect the current land uses of the subject area, and remove the zoning anomaly from the Town's LPS5. It is recommended that Council adopts the rezoning in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* to reflect the existing development on the subject site.

**ATTACHMENTS**

1. Location Plan
2. Current Zoning Map
3. Proposed Zoning Map
4. Schedule of Submissions





## ATTACHMENT 1 TO ITEM 11.2.1



AERIAL PHOTOGRAPHY SOURCE  
LANDGATE ~ 2017

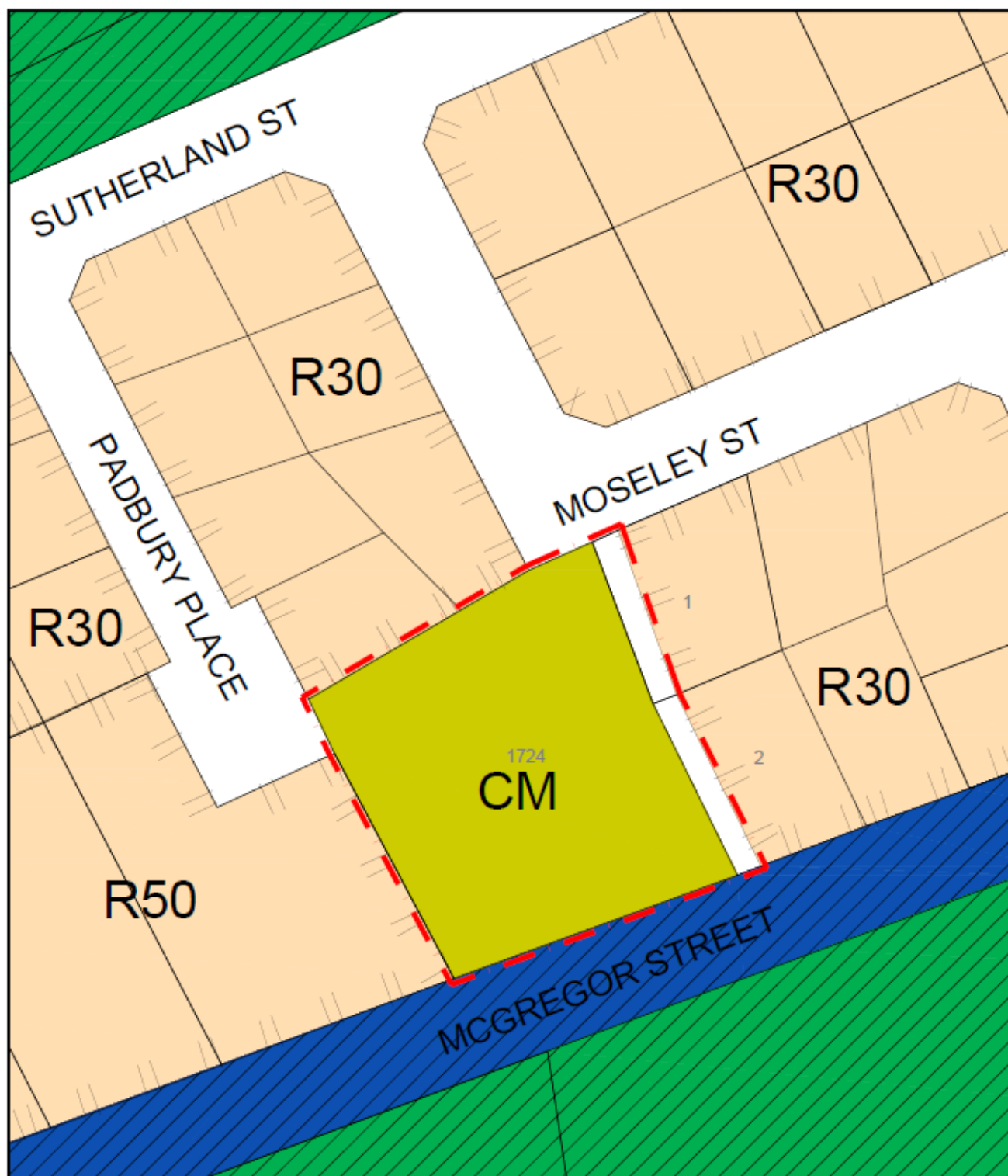
--- · --- SUBJECT LAND

 <p>8 Anzac Terrace Geraldton WA 6530 PO BOX 1597 Geraldton WA 6531 Email : info@landwest.net.au Phone : (08) 9965 0550</p> <p><b>LANDWEST</b> URBAN AND RURAL PLANNING CONSULTANTS</p>	<p>CLIENT: TRUSTESS OF THE DIOCESE OF NORTH WA</p> <p>TITLE: AERIAL PHOTOGRAPHY LOT 1724 ON PLAN 211241 PADBURY PLACE; LOT 1 MOSELEY STREET &amp; LOT 2 MCGREGOR STREET ON PLAN 51776 PORT HEDLAND</p>	REV:	DATE:	DETAILS:	BY:	APP:	
	<p>CERTIFICATE OF TITLE: VARIOUS</p> <p>DATE LAST MODIFIED: 13/12/2017</p> <p>DRAWN: GMB DSH</p> <p>APPROVED: NTS</p> <p>SCALE: @ A4</p>	<p>FIGURE 2</p>					

\* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described. Landwest accepts no responsibility for any losses or damages caused to any persons who may use the information for a purpose for which it was not intended.



## ATTACHMENT 2 TO ITEM 11.2.1



**ZONING**  
TOWN OF PORT HEDLAND  
TOWN PLANNING SCHEME No. 5  
AMENDMENT No. 83

--- SUBJECT LAND  
RESIDENTIAL  
R CODES

PARKS AND RECREATION  
COMMUNITY  
DISTRICT ROAD



8 Anzac Terrace Geraldton WA 6530  
PO BOX 1597 Geraldton WA 6531  
Email : info@landwest.net.au  
Phone : (08) 9965 0550

CLIENT: TRUSTESS OF THE DIOCESE OF NORTH WA

TITLE: EXISTING ZONING  
LOT 1724 ON PLAN 211241 PADBURY PLACE;  
LOT 1 MOSELEY STREET &  
LOT 2 MCGREGOR STREET ON PLAN 51776  
PORT HEDLAND

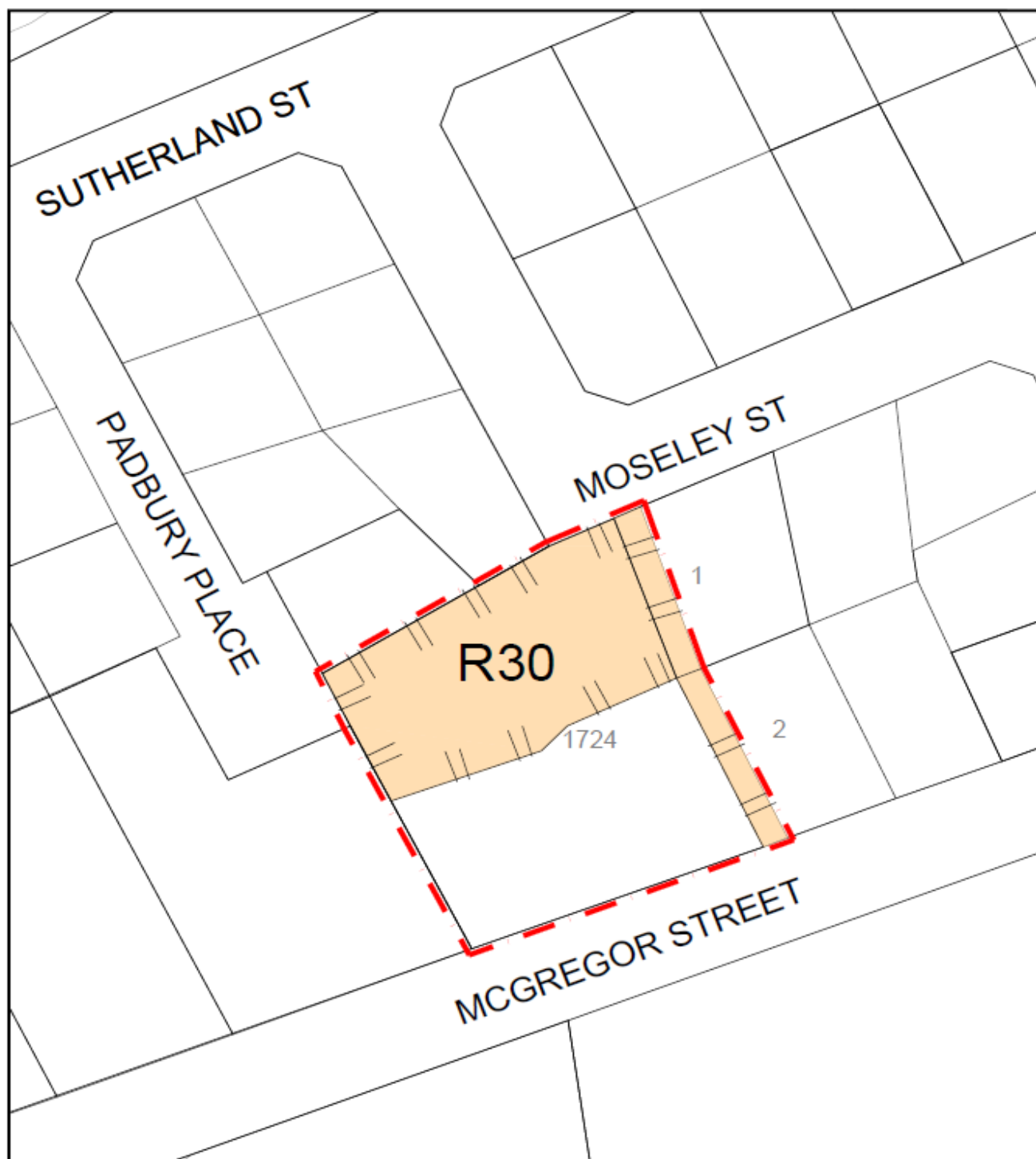
CERTIFICATE OF TITLE: VARIOUS DATE LAST MODIFIED: 13/12/2017 DESIGNED: GMB DRAWN: DSH APPROVED: NTS

REV. DATE DETAILS: BY: APP: SCALE: NTS @ A4 PLAN: 17160-EZ

N

\* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described. Landwest accepts no responsibility for any losses or damages caused to any person/s who may use the information for a purpose for which it was not intended.

## ATTACHMENT 3 TO ITEM 11.2.1





PROPOSED ZONING  
TOWN OF PORT HEDLAND  
TOWN PLANNING SCHEME No. 5  
AMENDMENT No. 83



SUBJECT LAND  
RESIDENTIAL



R CODES

 <p>8 Anzac Terrace Geraldton WA 6530 PO BOX 1597 Geraldton WA 6531 Email : info@landwest.net.au Phone : (08) 9965 0550</p>	<p>CLIENT: TRUSTESS OF THE DIOCESE OF NORTH WA</p>								<p>N</p> 
	<p>TITLE: PROPOSED ZONING LOT 1724 ON PLAN 211241 PADBURY PLACE; LOT 1 MOSELEY STREET &amp; LOT 2 MCGREGOR STREET ON PLAN 51776 PORT HEDLAND</p>								
	<p>CERTIFICATE OF TITLE: VARIOUS</p>		<p>DATE LAST MODIFIED: 13/12/2017</p>		<p>DESIGNED: GMB</p>		<p>DRAWN: DSH</p>		
<p>* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described. Landwest accepts no responsibility for any losses or damages caused to any persons who may use the information for a purpose for which it was not intended.</p>								<p>17160-PZ</p>	

## ATTACHMENT 4 TO ITEM 11.2.1



Scheme Amendment No. 83

## Schedule of Submissions

25 July 2018

No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
1	31/05/2018	Water Corporation	629 Newcastle Street, Leederville WA 6007	<p>Issue/Comment No. 1.1</p> <ul style="list-style-type: none"> <li>Subject Lots of the Amendment are currently served by reticulated water and wastewater services.</li> </ul> <p>Issue/Comment No. 1.2</p> <ul style="list-style-type: none"> <li>Proposed changes to the Scheme do not appear to impact operations or infrastructure of the Water Corporation</li> </ul>	<p>Officer Response No. 1.1</p> <ul style="list-style-type: none"> <li>Noted.</li> </ul>	<p>Officer Recommendation No. 1.1</p> <ul style="list-style-type: none"> <li>No response or modification required.</li> </ul>
2	07/06/2018	Department of Jobs, Tourism, Science and Innovation	Level 6, 1 Adelaide Terrace, East Perth WA 6004	<p>Issue/Comment No. 2.1</p> <ul style="list-style-type: none"> <li>Department has reviewed the proposed amendment and does not have any comment to provide.</li> </ul>	<p>Officer Response No. 2.1</p> <ul style="list-style-type: none"> <li>Noted.</li> </ul>	<p>Officer Recommendation No. 2.1</p> <ul style="list-style-type: none"> <li>No response or modification required.</li> </ul>

No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
3	20/06/2018	Department of Health	189 Royal Street, East Perth WA 6004 PO Box 8172, Perth Business Centre, Perth WA 6849	<p>Issue/Comment No. 3.1</p> <ul style="list-style-type: none"> <li>Future developments are required to connect to scheme water, reticulated sewerage and be in accordance with the draft <i>Country Sewerage Policy</i>.</li> <li>Approval is required for any on-site waste water recycling process with such proposals being in accordance with DOH publications.</li> </ul> <p>Issue/Comment No. 3.2</p> <ul style="list-style-type: none"> <li>DOH has a document on <i>'Evidence supporting the creation of environments that encourage healthy active living'</i> which may assist in planning elements related to the amendment.</li> </ul>	<p>Officer Response No. 3.1</p> <ul style="list-style-type: none"> <li>Future developers of the site to liaise with the Department of Health to ensure water, waste water and reticulated sewerage is installed correctly in line with the Department of Health's Policies and Guidelines.</li> </ul> <p>Officer Response No 3.2</p> <ul style="list-style-type: none"> <li>Noted.</li> </ul>	<p>Officer Recommendation No. 3.1</p> <ul style="list-style-type: none"> <li>No response or modification required.</li> </ul> <p>Officer Recommendation No 3.2</p> <ul style="list-style-type: none"> <li>No response or modification required.</li> </ul>
4	27/06/2018	Department of Water and Environmental Regulation	North West Region 27 Victoria Highway, Kununurra WA 6743	<p>Issue / Comment No. 4.1</p> <ul style="list-style-type: none"> <li>The Department of Water and Environmental Regulation (DWER) has reviewed the proposed Scheme Amendment and has no objection to the proposal.</li> <li>The proposal will have minimal impact on land in the Scheme area and will not result in any significant environment, social, economic or governance impacts on land in the Scheme area.</li> </ul>	<p>Officer Response No. 4.1</p> <ul style="list-style-type: none"> <li>Noted.</li> </ul>	<p>Officer Recommendation No. 4.1</p> <ul style="list-style-type: none"> <li>No response or modification required.</li> </ul>

No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
5	03/07/2018	Planning Solutions (On behalf of BHP)	Level 1, 251 St Georges Terrace, Perth WA  GPO BOX 2709 Cloisters Square PO 6850	Issue / Comment No 5.1 <ul style="list-style-type: none"> <li>Consider the site in its entirety may be affected by noise resulting from major industrial transport routes such as Wilson Street and BHP Billiton's Nelson Point Railway, and that design controls should be introduced over any residential development so residents are not disturbed by noise.</li> </ul>	Officer Response No. 5.1 <ul style="list-style-type: none"> <li>Residential properties were developed prior to the Scheme Amendment and noise design controls are not seen to be necessary at this stage.</li> </ul>	Officer Recommendation 5.1 <ul style="list-style-type: none"> <li>No response or modification required</li> </ul>

**11.2.2 Rescinding of Policy 2/021 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' (File No. 26/03/0003)**

**Author** Community Engagement Officer  
**Authorising Officer** Director, Development, Sustainability and Lifestyle  
**Disclosure of Interest** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

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**CM201819/010 OFFICER'S RECOMMENDATION 1/ COUNCIL DECISION****MOVED: CR MCDONOGH****SECONDED: DEPUTY MAYOR NEWBERY**

**That Council rescind policy 2/021 'Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups'.**

***CARRIED 7/1***

For: Mayor Blanco, Deputy Mayor Newbery, Cr Whitwell, Cr Carter, Cr Hebbard, Cr McDonogh, Cr Pitt.  
Against: Cr Daccache.

6:41pm Cr Daccache declared an impartiality interest in item 11.2.2 'Rescinding of Policy 2/021 Fee Waiver for Not-for-Profit and Non-Government Organisations and Groups' as he is a social member of the Rovers Football Club.

**CM201819/011 OFFICER'S RECOMMENDATION 2/ COUNCIL DECISION****MOVED: CR MCDONOGH****SECONDED: DEPUTY MAYOR NEWBERY**

**That Council amend section 1.3.5 'Waiver of Fees and Charges and Write Off of Debt' of the Town of Port Hedland Delegation Register, to remove condition/ reporting requirement 1, as per attachment 1.**

***CARRIED BY ABSOLUTE MAJORITY 7/1***

For: Mayor Blanco, Deputy Mayor Newbery, Cr Whitwell, Cr Carter, Cr Hebbard, Cr McDonogh, Cr Pitt.  
Against: Cr Daccache.

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**PURPOSE**

The purpose of this report is for Council to consider rescinding policy 2/021 'Fee waiver for not-for-profit and non-government organisations and groups'.

**DETAIL**

At the Ordinary Council Meeting on 23 May 2018, Council endorsed the 2018/19 Schedule of Fees and Charges (effective 1 July 2018) which included the re-implementation of a Community Group Discount through the fees and charges schedule. The discount is 50% of the commercial rate and is consistent with other similar Local Governments, and will apply to all Town facilities with the exception of the Matt Dann venue and equipment hire which is remaining at a 75% discount. The focus on the community facility fees and charges for 2018/19 is to achieve a better balance between affordability for community groups while achieving a reasonable cost recover.

The re-implementation of a Community Group Discount in the fees and charges schedule now contradicts policy 2/021 'Fee waiver for not-for-profit and non-government organisations and groups'. It is recommended that the policy be rescinded and the discounts be addressed in the annual schedule of fees and charges moving forward.

Rescinding the policy will also require the Delegation Register to be amended. The Delegation Register currently delegates the CEO the authority to waive fees in accordance with the policy. Should the policy be rescinded, the Delegation Register will be amended to remove reference to the policy.

### **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because it may impact on a number of community and sporting groups in Port Hedland, however the impact is minimal.

### **CONSULTATION**

#### *Internal*

The Community Engagement Team have liaised with Finance Services Team, Facilities Team and Customer Service Staff to determine the level of impact on the public.

#### *External Agencies*

Comparisons to other similar Local Governments have been used.

Communication will occur with fee paying community groups, however the rescinding of the policy will not impact their ability to apply to the Town to have their fees waived.

### **LEGISLATION AND POLICY CONSIDERATIONS**

Sections 5.42 and 5.46 of the *Local Government Act 1995* outline the provisions related to delegated authority, and states that an absolute majority is required when Council delegates a power to the CEO.

Section 6.12 of the *Local Government Act 1995* also provides provisions for the power to defer, grant discounts, waive or write off debts.



## FINANCIAL AND RESOURCES IMPLICATIONS

As the ability of community groups to apply for fee waiver will not materially change under the new framework, there are not expected to be any financial implications that currently budgeted.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

### **Our Community**

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

#### **1.a Hardy Healthy and Safe People**

1.a.4 Partnerships with stakeholders to deliver sport and recreation are enhanced

1.a.6 Town-wide health, safety, recreation and sporting activities and services

#### **1.c A Unique, Vibrant and Diverse Community Lifestyle**

1.c.1 The community, industry, arts and cultural organisations are engaged to identify, plan and coordinate events and activities

#### **1.d Well Utilised and Valued Community Facilities and Services**

1.d.1 The present and future facilities and requirements of the Town are planned for and developed in-line with relevant facility standards and community needs

1.d.3 Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities

### **Our Built and Natural Environment**

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

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

### *Economic*

While facility hire charges have increased this year, they are in line with surrounding local governments and the ability for struggling groups to apply for fee waivers will remain. Therefore, there are no significant identifiable environmental or social impacts relating to this item.

## RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be low (3) in regards to reputational risk as some community organisations may pay higher fees for facility hire under the new fees and charges. This risk will be mitigated by increasing awareness of fee waiver options through clear communication between booking staff and organisations.

## OPTIONS

*Option 1 - Adopt Officers Recommendation*

*Option 2 - Amended Officers Recommendation*

*Option 3 – Do not adopt Officers Recommendation*

**CONCLUSION**

The Town's delegation register allows the CEO to waive fees under certain circumstances, making the current fee waiver policy redundant. The rescinding of the policy will not have any impact on the ability of community groups to apply to have fees waived for charitable purposes or if they are facing financial hardship.

**ATTACHMENTS**

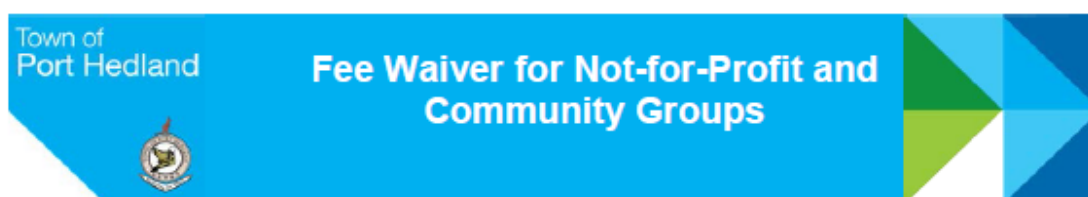
1. Extract of the Delegation Register showing proposed amendments
2. Policy 2/021 'Fee waiver for not-for-profit and non-government organisations and groups'

## ATTACHMENT 1 TO ITEM 11.2.2

## Delegation Register 2018/19

## 1.3.5 WAIVER OF FEES AND CHARGES AND WRITE OFF OF DEBT

Function to be performed	The power to waive fees and charges (other than rates or service charges) as per the schedule of fees and charges and write off bad debt in accordance with Part 6, Division 4 of the <i>Local Government Act 1995</i> and subject to the conditions and reporting requirements below
Legislative power or duty delegated	1. <b>Section 6.12(1)(b) &amp;(c)</b> – Waiver or grant concessions in relation to any amount of money or write off any amount of money
Delegation from	Local Government, pursuant to Section 5.42 of the <i>Local Government Act 1995</i>
Delegation to	Chief Executive Officer
Chief Executive Officer delegates to	Director Corporate and Performance (as per conditions <del>1, 23, 34, 45</del> and <del>56</del> ) Director Development, Sustainability and Lifestyle (as per conditions <del>1, 23, 45</del> and 6) Director Infrastructure and Town Services (as per conditions <del>1, 12, 45</del> and <del>56</del> )
Conditions/ Reporting Requirements	This delegation does not negate the need for community groups or individuals to apply for funding and donation through policy 6/003 'Funding and Donations'. <del>1. For an amount of up to 100% (ex GST) off facility hire fees and charges in accordance with 2/021 'Fee Waiver for Not For Profit and Community Groups' policy (applies per quote or invoice for approved applicants only)</del> <del>12.</del> For an amount of up to \$2,000 (ex GST) for landfill fees in relation to Town of Port Hedland projects (per project) <del>23.</del> For an amount of up to \$200 (ex GST) for promotional purposes (i.e. giving away tickets) <del>34.</del> Write off debts (rates and others) with an invoice balance of \$500 or less <del>45.</del> For an amount of up to \$1,000 (ex GST) for individuals for fundraising or charitable purposes. <del>56.</del> For an amount of up to \$2,000 (ex GST) for Town of Port Hedland organised events. <del>67.</del> Any other amount at the CEO's discretion only

**ATTACHMENT 2 TO ITEM 11.2.2****Policy Objective**

The Town of Port Hedland (Town) is committed to supporting not-for-profit organisations and community groups that service the needs and priorities of Port Hedland. This policy outlines the Town's approach to enable community based groups, not-for-profit and Schools to obtain a waiver of fees for the hire costs of community facilities.

This policy is created to provide the opportunity for social inclusion and engagement for the community of Port Hedland.

Any fee waiver granted under this policy will not count to any cap outlined in Policy 6/003 Funding and Donations.

**Policy Content**

Fees and charges are established for the hire of community facilities and venues as part of the Town's annual budget process. Hire fees are consistent for each classification of community facility based on its size and capacity. Fees and charges are designed to assist the Town to subsidise the costs of operating and maintaining community facilities.

For a fee waiver to be applied to any group, an application must be submitted to the Town and approved under the criteria provided below. Fee waiver application approvals are at the discretion of the CEO.

This policy provides a consistent fee waiver framework for the hire of community facilities and venues and the Town is committed to supporting local initiatives that provide opportunities for the community to access and participate in a wide range of recreation, cultural, community and environmental activities and projects.

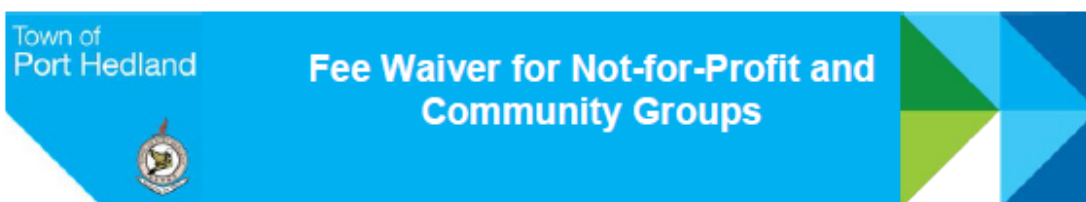
This policy does not apply to commercial properties that are leased from the Town, and for which contractual lease agreements have been established.

All hirers are required to abide by the conditions outlined in the relevant 'Terms and Conditions of Hire' for the facility they are hiring.

**Criteria**

Fee waiver applicants may receive a fee waiver for hiring of Town owned community facilities if the identified groups below meet the guidelines provided. Fee waiver categories and guidelines are outlined in the table shown below and apply per quote or invoice for approved applicants only.

Category	Fee Waiver Percentage	Guidelines
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Not-For-Profit Organisations (registered)	75%	<ul style="list-style-type: none"> <li>• Evidence of registration as not-for-profit organisation</li> <li>• Meets an identified need or demand within the community</li> </ul>
Not-For-Profit Organisations (unregistered)	50-75%	<ul style="list-style-type: none"> <li>• Provide a financial register of income and outgoings of the group and evidence of these financials if required</li> <li>• Meets an identified need or demand within the community</li> </ul>
Educational Institutions /schools within Western Australia	75% for Port Hedland Schools 50% for all other schools in the Pilbara district	<ul style="list-style-type: none"> <li>• Evidence that the facility hire is for the purposes of child development</li> </ul>
Community Group not included in the above	25%-75% pending eligibility to criteria	<ul style="list-style-type: none"> <li>• Evidence that the group exists, are not for a commercial benefit and meets an identified need/demand within the community</li> </ul>
Fundraising	75-100%	<ul style="list-style-type: none"> <li>• Local charity or local cause</li> </ul>
Free event open to public	75-100%	<ul style="list-style-type: none"> <li>• Community benefit</li> </ul>

Additional information may be requested:

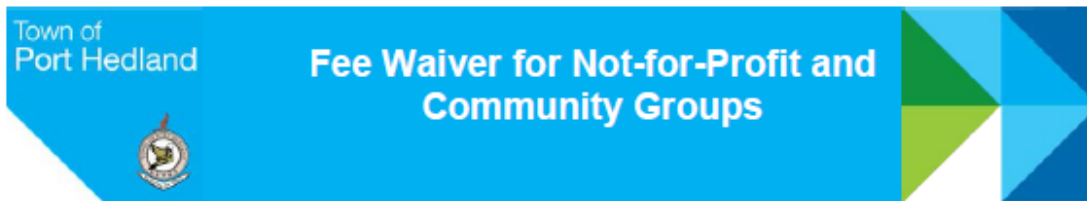
- Declare all income received, or likely to be received, such as ticket sales, and applications for assistance from any government or non-government agency. This may include providing receipts, invoices and evidence of organisational expenditure, along with a report outlining activities that were conducted.
- Provide sufficient evidence that the organisation/ group exists, is for the benefit of the community and also provide the club or groups financials.

#### **Applicable Facilities**

The fee waiver is applicable to the below list only throughout the Fees & charges Schedule:

- Sportsgrounds, ovals, courts, Civic Centre gardens, parks casual hire (excludes lighting and cleaning fees)
- Andrew McLaughlin Community Centre, halls, clubhouses, community centres
- Matt Dann venue and equipment hire (excludes staffing, cleaning, ticketing, marketing, bond payments, catering and kiosk sales)
- JD Hardie Facility hire (excludes staffing, cleaning, ticketing, marketing, bond payments, catering and kiosk sales)
- Community bus, bbq trailer, Town stage (excludes staffing and transport costs)





- South Hedland Town Centre (excluding utilities)

#### **Application Process**

1. Applications are determined every 2 years as part of the facility booking process and will be retained for future bookings.
2. Applications can be received at any time throughout the year.
3. All funding requests will be made in writing through the completion of an application form.
4. Applications must be received within an appropriate timeframe to allow consideration and approval to be obtained prior to the booking requirement.
5. Applicants will generally be given written advice of the outcome of their application within 15 working days of submission of all required documentation.
6. Bookings for the hire of a facility that is for a different purpose from the approved application will require a separate application to be made by the applicant.
7. The Town of Port Hedland reserves the right to withdraw a fee waiver at any time.
8. Successful fee waiver applications will not be applied to retrospective bookings.

#### **Ineligible Applicants:**

Subject to the Town's discretion, the following organisation are not eligible for assistance:

- a) Large Commercial organisations (unless for the purposes of organising a free community event or fundraising)
- b) Clubs or groups with an outstanding debt to the Town
- c) Clubs or groups that have not provided a financial report deemed to be satisfactory by the Town.
- d) Clubs or groups that has declared bankruptcy
- e) Individuals

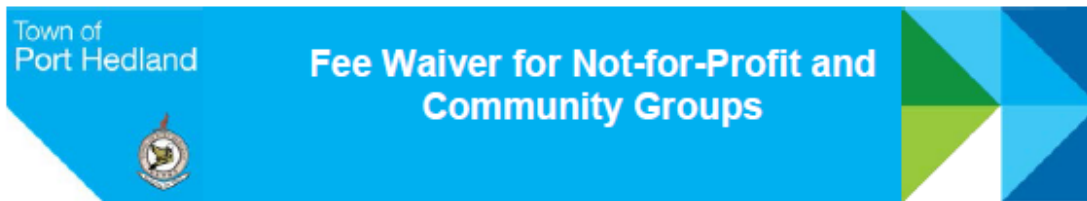
#### **Definitions**

##### **Not-for-profit organisations**

Not-for-profit organisations is an organisation that provides services for the community and is operating for its purpose and not for the profit or gain (either direct or indirect) of its individual members.

A few examples of not-for-profit organisations are sporting clubs, recreational clubs, community service organisations, cultural and social societies and neighbourhood associations.

##### **Community Organisations**



Community Organisation is any organisation engaged in charitable or other community based activity operating under Australian law and not established for the purpose of making a profit.

Council adoption date and resolution no.	28 June 2017 OCM (CM201617/238)
Date of adoption of amendment and resolution number <b>do not delete the previous dates</b>	24 January 2018 OCM CM201718/123
Relevant legislation	<i>Local Government Act 1995</i> section 6.12 (1)(b)
Delegated authority	CEO as per s1.5 of the Delegation Register
Business unit	Finance
Directorate	Corporate and Performance
Review frequency	Annually

**Document Control Statement**

The electronic reference copy of this Policy is maintained by the Governance Department. Any printed copy may not be up to date and you are advised to check the electronic copy at <http://intranet/> to ensure that you have the current version. Alternatively, you may contact the Governance Department.



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**Item 12 Reports of Committees**

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Nil

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**Item 13 Motions of Which Previous Notice Has Been Given**

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Nil

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**Item 14 New Business of an Urgent Nature**

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**14.1 Proposed Town of Port Hedland Waste Local Law 2018**

*This item was removed from the agenda.*

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

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Nil

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**Item 16 Closure**

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**16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday, 22 August 2018, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday, 15 August 2018, commencing at 5:30pm.

**16.2 Closure**

There being no further business, the Mayor declared the meeting closed at 6:42pm.