TOWN OF PORT HEDLAND

ORDINARY MEETING OF COUNCIL MINUTES

WEDNESDAY 22 NOVEMBER 2017 AT 5:30PM

COUNCIL CHAMBERS, MCGREGOR STREET, PORT HEDLAND

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David Pentz
Chief Executive Officer

Distribution Date: 1 December 2017

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Item 1 Opening of Meeting

The Mayor declared the meeting open at 5:31pm.

Item 2 Acknowledgement of Traditional Owners

The Mayor acknowledges 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 acknowledges Mr Alfred Barker, an Elder and Traditional owner of Port Hedland who was present at this meeting.

Item 3 Recording of Attendance

3.1 Attendance

Mayor Camilo Blanco
Deputy Mayor Louise Newbery
Councillor Julie Arif
Councillor Richard Whitwell – via telephone at 5:37pm
Councillor Peter Carter
Councillor George Daccache
Councillor Warren McDonogh
Councillor Telona Pitt

David Pentz	Chief Executive Officer
Gerard Sherlock	Director Infrastructure and Town Services
Robert Leeds	Director Development, Sustainability and Lifestyle
Louise O'Donnell	Governance Officer / Minute Taker

Public	23
Media	1
Officers	12

3.2 Apologies

Nil

3.3 Approved Leave of Absence

Councillor Tricia Hebbard

3.4 Disclosure of Interests

Name	Item no.	Interest	Nature
Councillor Arif	12.1.2	Financial	Councillor Arif has BHP shares
Cr Daccache	12.1.2	Financial	Councillor Daccache has BHP shares

Cr McDonogh	12.3.1	Financial	Councillor McDonogh declared his employer as closely related party in relation to the tender

Item 4 Response to Previous Questions

4.1 Response to Questions taken on notice from Public at the Ordinary Council Meeting held on Wednesday 1 November 2017

4.1.1 Mr John Peters

In regards to attachment 2 for item 12.1.5, the monthly financial statements show a municipal surplus of $4.5M and the actual expenditure shows $3.393M. Could you please explain what $1.07M expenditure was incurred or spent on?

The Manager Financial Services advises that the municipal surplus in the budget column of $4.5M was an estimated surplus position used to develop the budget based on information known at that time due to the Annual Financial Statements not being complete at that time. The Manager Financial Services also advises that the YTD actuals have been updated based on the interim closing position as at 30 June 2017 known at the time of the monthly statement preparation. A final closing positon will be presented following the audited Financial Statements and an adjustment to the budget will occur accordingly.

In regards to attachment 2 for item 12.1.5, it shows that the 2017/18 actual net current assets has a surplus of $23.822M. Is this a clerical error or a factual position?

The Manager Financial Services advises that this is a factual position as at the end of September 2017. The Net Current Asset position is high due to rates being raised in August. The position will decrease throughout the financial year.

In regards to attachment 6 for item 12.1.5, the credit card of Jessica Dodd shows a balance of $10,232. How many days are interest free on this credit card? 44 or 55 days?

The Manager Financial Services advises that the interest free period is 55 days.

4.2 Response to Questions taken on notice from Elected Members at the Ordinary Council Meeting held on Wednesday 1 November 2017

4.2.1 Deputy Mayor Louise Newbery

Will the Town be taking care of the late Mervyn Stanton's garden?

The Director Infrastructure and Town Services advises that the Town has agreed to take over the maintenance and renewal of Merv's Lookout and that the maintenance will be undertaken once the Town's reticulation suppliers supply the materials. The Director Infrastructure and Town Services advises that the maintenance will be added to the Town's schedules and the costs will be covered under the Town's existing Operational Budget.

Item 5 Applications for Leave of Absence

AUDIT, RISK AND GOVERNANCE COMMITTEE RECOMMENDATION

That Council approve the following applications for leave of absence:

- Councillor Arif from 23 to 27 November 2017
- Councillor McDonogh from 1 to 8 December 2017
- Councillor Carter from 29 November to 5 December 2017

SIMPLE MAJORITY VOTE REQUIRED

CM201718/081 COUNCIL DECISION

MOVED: CR ARIF **SECONDED: CR CARTER**

That Council approve the following applications for leave of absence:

- **Councillor Arif from 23 to 27 November 2017**
- **Councillor McDonogh from 1 to 8 December 2017**
- **Councillor Carter from 29 November to 5 December 2017**
- **Councillor Daccache from 14 to 19 December 2017**

CARRIED 7/0

Item 6 Attendance by Telephone/Instantaneous Communications

CM201718/082 AUDIT, RISK AND GOVERNANCE COMMITTEE RECOMMENDATION/ COUNCIL DECISION

MOVED: CR ARIF **SECONDED: CR PITT**

That Council approve Councillor Whitwell's request to attend the 22 November 2017 Ordinary Council Meeting via telephone whilst he is in Perth, Western Australia.

CARRIED 7/0

Item 7 Public Time

Important note:

'This meeting is being recorded on audio tape 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 presiding member to do so.

Members of the public are also reminded that in accordance with section 6.17(4) of the Town of Port Hedland 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.

7.1 Public Question Time

7.1.1 Mr Jim Henneberry

At last month's Council Meeting, the President of the Port Hedland Community Progress Association; Jan Ford asked if this Council would place the following item on its agenda for this meeting: would the Town of Port Hedland support the World Health Organisation and Australia Air NEPM Standards of 50mg per cubic meter being applied to the Town of Port Hedland. Is this on tonight's agenda, and if not when will it be listed for discussion and decision?

The Mayor advised that when these questions are researched and answered by the Town's staff, they will be listed in the agenda. This has not been done currently so it will be in the next agenda.

7.1.2 Ms Julie Walker

What is the Council's positon in relation to the cashless card?

The Mayor advised that the Council position on the cashless card is up for discussion at this meeting.

The Mayor asked if Ms Walker would like to make a public statement.

There has been a whole list of commentary from the Council historical and otherwise in relation to the cashless card. Aboriginal people are quite concerned about lack of informed consent, it is a democratic society and the people that are going to be affected by it have not been involved or encouraged to have any discussion about it.

We know there are some serious consequences that have been rolled out in other regions and we are also aware that there has been no substantive research or evidence presented to the aboriginal community. The cashless card is directed specifically at Aboriginal people and as research indicates we are more likely to be involved in the welfare system than any other group. Our concern is that a decision will be made without proper informed consent and the people that this has an adverse effect on do not have a voice or voting rights and have never been involved in the election of the Council.

If you think that your vision statement to be a national significant friendly city is accurate, I think that you need an Indigenous engagement plan to treat aboriginal people fairly as we need to be involved in a proper manner.

7.1.3 Mr John Peters

Last month I asked the question as to what measures is the Council taking to enforce the provisions of the Dog Act 1976 regarding fencing requirements to confine dogs? In this summer heat, do Council Rangers monitor welfare of dogs, cats and birds?

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

In relation to item 12.2.1, attachment 2 – point 5, did the Mayor meet with the Chief Executive Officer of the RSPCA on 1 August 2017?

The Mayor advised in the affirmative.

Did he assure you that an RSPCA inspector would be based in the Town of Port Hedland?

The Mayor advised that his plan is to have an inspector in Port Hedland, Karratha and possibly East Pilbara.

This is a questions given to me from a ratepayer; is there any help for injured animals that get hit on the side of the road? Is the Council considering issuing an armed licence for drivers to euthanise their animals that are injured?

The Mayor advised that the Council is not considering issuing an armed licence for this purpose and that a member of public can report this to the Town's Rangers who would visit site and euthanise the animal if required.

In relation to item 12.2.1, attachment 2 – point 5, I rang RSPCA in Perth yesterday, and the call was answered in Brisbane. There is no one in Western Australia to take calls and attend to any animal emergency. Can the Council look into this?

The Mayor advised that the RSPCA item has been presented to Council to request $20,000 to be issued to the RSPCA as part of their costs to employ an inspector based in Port Hedland.

7.1.4 Mr Alfred Barker

I am a Kariyarra Elder. Firstly I would like introduce the Port Hedland Elected Members to the Hedland Aboriginal Strong Leaders. Hedland Aboriginal Strong Leaders group was started by Raylene Button, a Kariyarra woman and a community leader.

We had our first community meeting forum in April 2017 and have since become a respected driven community leadership group. The Town of Port Hedland has been an important supporter and we thank the CEO David Pentz and his team for their support. The Hedland Aboriginal Community group has pledged to work with government and funders and state organisation to ensure strong responsive services to Aboriginal people and to work with all stakeholders to ensure collaboration toward these positive outcomes.

Since April our working group has been formed which has brought together Elders from a number of language groups who are dedicated to work together to support and inform the community in a culturally powerful and meaningful way. Hedland Aboriginal Strong Leaders group has been formally recognised at the most recent Yule river bush meeting and we will provide leadership to the Hedland area. We will be providing the pathway to consultation and will be the authority on Aboriginal leadership. We look forward to working with Elected Members and the Town of Port Hedland.

Secondly, I would like to discuss the cashless debit card item on the agenda, we have submitted a letter stating our position which has been signed by six Elders and is the supported position of the Hedland Aboriginal Strong Leaders.

We urge you not to go forward with supporting the cashless debit card. We think it would be best to allow the community and yourselves to first gain the appropriate information. The working group has highlighted the cashless debit card as one of its first priorities with extensive community consultation to be undertaken by ourselves and government. Only then the community will inform the Elected Members on any positives, negatives or opportunities of this initiatives for our people. Thank you for your time and trust that you will respect our position. To have a strong community who need strong leaders.

7.1.5 Ms Kayleen Arnold

What funding is available through the Council to support and facilitate for Australian research to be undertaken on the cashless welfare card as some of the research should be done by Indigenous people as it is affecting us?

The Mayor advised that currently there is no position to apply for funding for any part of the cashless welfare card as it is funded by the Federal Government and it possibly could be funded through the State through social services.

Is there any other Indigenous funding that is put into the Town from other sources and if so will this become a public document when it is finalised?

The Mayor advised that he has been told by different government agencies that there is aboriginal funding available from different areas of the government. We have been discussing this for the last eight or nine months and nothing has become available. If the Council votes on an official position, it will be made public.

The Mayor closed Public Question Time at 5:56pm.

The Mayor opened Public Statement Time at 5:56pm.

7.2 Public Statement Time

7.2.1 Mr John Peters

In relation to item 14.1 – Cashless Debit Card, I do not support the introduction of cashless debit card. Is it necessary or is it just another way of dehumanising the native people of this land. The cashless card has many pitfalls. The cashless card has been trialled before with a $4.10M program which could not find any substantive evidence of this program having significant changes. If the government is this interested then they should also introduce cashless cards in town plazas where there are people with millions of dollars.

Australians are fortunate in many ways and the majority of people live safely, have a home to live in, access to education and employment.

However the minority of people who are not as fortunate is now facing a further racial attack on their independence. Most fortunate Australians have no real need for cash these days, most people use debit or credit card to pay for living expenses and basic necessities. Most bills can be paid by direct debit or electronic transfer apart from the odd parking meter where cash is required.

It is not the concept of the cashless card that is the issue, rather the motivation behind the cashless card and the assumption of the irresponsibility of the holder that makes it so sinister. The intention of the cashless card is that eventually it will apply irrespective of their social, economic or geographic status of who happens to be on welfare. It has been promoted as a way to stop alcohol fuelled violence and abuse of woman and children. It is an absurd assumption that this violence is solely the domain of welfare recipients. Ceduna appears to be perfect place to trial this welfare card. There is no doubt whatsoever that Ceduna has problems with alcohol use and abuse. ABC from August highlighted significant issues with Indigenous people drinking themselves to death.

The cashless welfare card is nothing but restrictive, pessimistic sledgehammer responsible for dealing with a problem that does not stem from alcohol or drug abuse. It is a bandage solution to deal with a failed society. The cashless card does not address the lack of hope and opportunity and the lack of privacy. It does nothing to empower the most vulnerable marginalised people to make their own informed decision. The majority of people on welfare are not drug users, alcoholics or gambling addicts. They are vulnerable and disadvantaged and are facing outright hostility. The cashless welfare card is to shame and demonise welfare recipients. Those who are in favour of cashless card should visit Wurralong community where 100 people live in very poor houses with no swimming pool.

7.2.2 Ms Kelly Summers

I am the principal of Hedland High School. I am here tonight to share some exciting news from the high school. I would like to acknowledge the Mayor and the CEO; David Pentz, Elected Councillors and the Traditional owners and Elders and P&C members and board members for being here tonight.

Hedland Senior High school has gone through a rapid change over the last 12 months. Students have increased from last year where we had 809 students last year up to 835 this year. In 2016 and 2017 year 11 and 12 retention rates have increased from 58% in 2015 to 74% this year. This is an exceptional amount of kids that have returned to our school. The overall retention rates have increased from 2015 from 49% from year 8 to year 12 to 60% this year. We have worked really hard over the last two years to increase our staffing. We have gone from 55 teaching staff in 2015 to 68 teaching staff in 2017. That has had a major impact on the class sizes decrease from 32 to 26 in most classes except for the practical area where we have been really proud to maintain 16 students per class.

Highlights this year includes one of our year 11 students being gold medallist and has been selected to participate in the Sydney competition in a small team from WA. It is outstanding that this young man has been able to represent not only Port Hedland and our Trade Training Centre but WA and will hopefully go on to Dubai as a successful participant.

We have had 80 local community industries and companies supporting our students offering work place learning and we have just established a new partnership with ESS, where some of our kids are given local and residential employment opportunities at Port Haven and Gateway. Our leap program has rapidly grew and is successful in its process this year. Leap is our academic extension program which we have had over 110 applicants for next year. We are very excited about the calibre and capacity of the students in our school.

One of the most exciting things that everyone would have hopefully seen in our local paper is our rail line.

We are the only high school in the Southern Hemisphere that has a rail program which means that our kids can go through the Trade Trading Centre and get local jobs in the region and support not only themselves but their families to achieve greatness in the industry areas of their choice.

We have a lot to celebrate in our high school, we have got exceptional partnerships with BHP, FMG, Roy Hill, and our Stem Program which has put forward a team to go to Sydney next year, we have put a hold but we are communicating with the University of Melbourne and the University of Sydney so that our kids can start learning coding and robotics. We are in discussions with Hitachi to look at offering our kids opportunity to explore the automated preferences that they may have.

It's been really great and I wanted to share some of the good news from Hedland High School. We really appreciate the fact that the Town has got behind us and has been very supportive for all the work we have been doing and we are looking forward to having full capacity next year. We just have a few positions that are going through the employment process at the moment. Thank you.

7.2.3 Mr George Pitt

Firstly I want to disclose in view of any conflicts of interest that Telona Pitt is my daughter.
In relation to the item 14.1 in relation to the attachment regarding the alcohol management survey, it stated that 70% of people surveyed support the welfare card. Is this 70% of the population of Port Hedland?

The Mayor advised that it was 70% of the people surveyed.

How many people were surveyed?

The Mayor advised that there was approximately 300 people surveyed, the exact number surveyed is stated in the report.

Why is the Local Government getting involved in a federal matter?

The Mayor advised that the Town has $50,000 in the budget for strong leaders.

The Mayor read the following letters out during Public Statement Time:

16/11/2017

Hedland Aboriginal Strong Leaders Working Group Statement

Re: The Cashless Debit Card Initiative

The Hedland Aboriginal Strong Leaders Working Group has yet to form an official position on the Cashless Debit Card. On November 6, 2017 Hedland Aboriginal Strong Leaders decided that we would undertake consultation with the community and the Commonwealth Government to gain information and clarification on a number of questions and concerns raised by our members and the community. The Hedland Aboriginal Strong Leaders are committed to being proactive in working with Federal, State and Local Government to ensure the Hedland Aboriginal people are supported and their culture and wellbeing are respected and prioritised.

The Hedland Aboriginal Strong Leaders asks the Port Hedland Council refrain from taking a position for or against the Cashless Debit Card initiative. We will share the information and outcomes with the Council and believe that this will assist them in making an informed and appropriate decision on this matter, whether that be for, against, or that a position from Local Government is not required.

Respectfully,

The Hedland Aboriginal Strong Leaders Working Group

(Diana Robinson-Brown)

(Jeffery Brown)

(Linda Dridi)

(Albert Pianta)

16/11/2017

Hedland Aboriginal Strong Leaders Working Group Statement

Re: The Cashless Debit Card Initiative

The Hedland Aboriginal Strong Leaders Working Group has yet to form an official position on the Cashless Debit Card. On November 6, 2017 Hedland Aboriginal Strong Leaders decided that we would undertake consultation with the community and the Commonwealth Government to gain information and clarification on a number of questions and concerns raised by our members and the community. The Hedland Aboriginal Strong Leaders are committed to being proactive in working with Federal, State and Local Government to ensure the Hedland Aboriginal people are supported and their culture and wellbeing are respected and prioritised.

The Hedland Aboriginal Strong Leaders asks the Port Hedland Council refrain from taking a position for or against the Cashless Debit Card initiative. We will share the information and outcomes with the Council and believe that this will assist them in making an informed and appropriate decision on this matter, whether that be for, against, or that a position from Local Government is not required.

Respectfully, DAVID STOCK
The Hedland Aboriginal Strong Leaders Working Group

[redacted]

From: Maureen Kelly [redacted]
Sent: Wednesday, 22 November 2017 7:27 AM
To: [redacted]
Subject: Hedland Aboriginal Strong leaders Group

Importance: High

RE: Port Hedland Elected Members

As a member and Elder of the Hedland Aboriginal Strong Leaders working group, I support and endorse the letter being presented to the Port Hedland Elected members.

Sincerely,

Maureen (MK) Kelly. OAM.JP.
Principal Consultant

A: 41 Etrema Loop, South
Hedland WA 6722
M: [redacted]
E: [redacted]

ABN: 72 851 172 043

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

7.3 Petitions/Deputations/Presentations/Submissions

Nil

Item 8 Questions from Members without Notice

8.1 Councillor Louise Newbery

Last month I asked a question about St John's Ambulance and I haven't received a report back on it yet?

The Chief Executive Officer advised that the Town has received official communication from St John's and the Town is investigating the matters that they have raised. Once this has been finalised, the Town will report back.

I would like to provide a notice of motion for 1/007 Travel and Accommodation Policy to be renewed in line with a similar policy that I have obtained from the City of Greater Geraldton and also that it consists with a breakup of Elected Members and staff. I wish for it to be chaired at the next Ordinary Council Meeting.

8.2 Councillor George Daccache

In relation to the front page of the agenda, I question the reference of Port Hedland being a city. This is a lie. We are not a city, we are a town. We are lying to ourselves every time we take a vote. I have no problem with the statement other than we are not a city.

The Mayor advised that through the Strategic Community Plan, every Councillor has the opportunity to change any wording that may be presented in any Town documents.

The Director of Development, Sustainability and Lifestyle advised that in the Strategic Community Plan process, the Town have had a number of community members give the same feedback. He stated that the Town would like an opportunity to present this and all of the communities' ideas to the Council through that process to come up with a new and improved vision statement.

The Chief Executive Officer advised that this vision statement is in the existing Strategic Community Plan which was endorsed by Council. On review of the Strategic Community Plan, the Town can change this statement.

Why are the author names not specified on each report on the agenda?

The Mayor advised that the Town specifies the author's position rather than the author's name.

When it comes to the expenditure of Council housing, I understand that the Chief Executive Officer is able to spend around $300,000 on maintenance and upkeep of the houses but has the Mayor got a right to spend approximately $100,000 on new swimming pools for employee housing?

The Mayor advised that he does not have the authority to spend any of the Council's money. The Council determines where the money is spent by absolute majority through the budget process and that is exactly what happens.

Last week you said that you specifically authorised $100,000 on two new swimming pools for the Directors' houses?

The Mayor advised that he did not authorise this personally, he further clarified that if there are any issues with the Town spending money on pools to go into the Town's assets to upgrade housing for the Town's executive, then the abuse can be directed to him. When the budget is presented to Council again, Council can choose not to spend money on the Town's assets such as housing by removing it from the budget. Currently the Town is authorised to spend $360,000 on upgrading our housing stock in Port Hedland. Over the past 10 years we have not done this and our assets are in very poor state.

Prior to myself coming on Council again, has there been trips around Australia or overseas by the Mayor, Chief Executive Officer and others taken without approval by the majority of Councillors.

The Mayor advised that his understanding was that prior to the Mayor being elected onto Council, the Council was spending over $250,000 on flights and accommodation. The Mayor stated that he did not know why there was so much money spent in this area as he could not see the benefit. Travel and accommodation has now been reduced to approximately $50,000. The Town has saved $200,000 from what has been allocated previously in the budget.

The Mayor clarified that does not have a passport to travel overseas but confirmed that he has travelled to Canberra and spoken to the Prime Minister and travelled to Perth and has spoken to the Premier and engaged with high level government officials to ensure that the future of Hedland is bright.

Can I have a copy of all the trips that the Mayor and others have taken without Council approval and the total cost for all of these trips?

The Mayor asked the Chief Executive Officer if there is a policy in place that states that Council is required to approve every trip that is taken by himself and others within Australia.

The Chief Executive Officer advised in the negative.

The Mayor advised Councillor Daccache that if he would like to change travel arrangements and request for Council to decide on every flight that is purchased by the Town, he has the option to put forward a policy for Council consideration.

8.3 Councillor Telona Pitt

How influential is the Town in the Hedland Aboriginal Strong Leaders group considering Trina Stoddart who is staff of the Town facilitates that group and why is Indigenous funding being given to the Hedland Aboriginal Strong Leaders in this town?

The Chief Executive advised that funding has not gone to only one particular group, there was a need recognised from within the Aboriginal community that there needed to be a voice, and the Town have enabled this. There is funding to support this program going forward but not all of this funding is for that one particular group. The Town will need to identify the number of meetings and costs of those meeting.

There are people who are present here that are from different organisations, can they consult with the Town to request funding?

The Chief Executive Officer advised in the affirmative. He stated that there are a number of opportunities that can be sought through the Town's community grants.

Nana MK (Maureen Kelly) is a paid facilitator for the Aboriginal forums, is there a conflict of interest with the Aboriginal Strong Leaders Group and her position with the Town?

The Chief Executive Officer advised that she is employed as a contractor for the Town to undertake consultation and coordination. That relationship was not strong before, the Town have tried to build on that and create the opportunity which is why we have used her services. Since creation, the Hedland Aboriginal Strong Leaders group has become stronger which the Town supports.

Is there a process to who the Town choose in relation to aboriginal groups and consultants?

The Chief Executive Officer advised that the Town have sought quotes for this service and the question regarding how people are brought onto the group was taken on notice.

8.4 Councillor Richard Whitwell

Has the Town received a copy of the signed final financial report for 2016/17, and is the report financially unqualified?

The Director of Development, Sustainability and Lifestyle advised that the signed final financial report for 2016/17 was received immediately before this meeting and he confirmed that on the financial side it is unqualified. In the management report we have a qualified opinion in relation to a statutory compliance.

While at the Audit, Risk and Governance Committee Meeting last night, I had a report stating that it was unqualified?

The Mayor advised in the affirmative.

The Manager Financial Services advised that the report contained both the qualified and unqualified positions on the paper and the paper has not changed since they were presented in draft form.

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

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

- Mayor Camilo Blanco
- Deputy Mayor Louise Newbery
- Councillor Julie Arif
- Councillor Richard Whitwell
- Councillor Peter Carter
- Councillor George Daccache

- Councillor Warren McDonogh
- Councillor Telona Pitt

Item 10 Confirmation of Minutes of Previous Meeting

10.1 Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday 1 November 2017

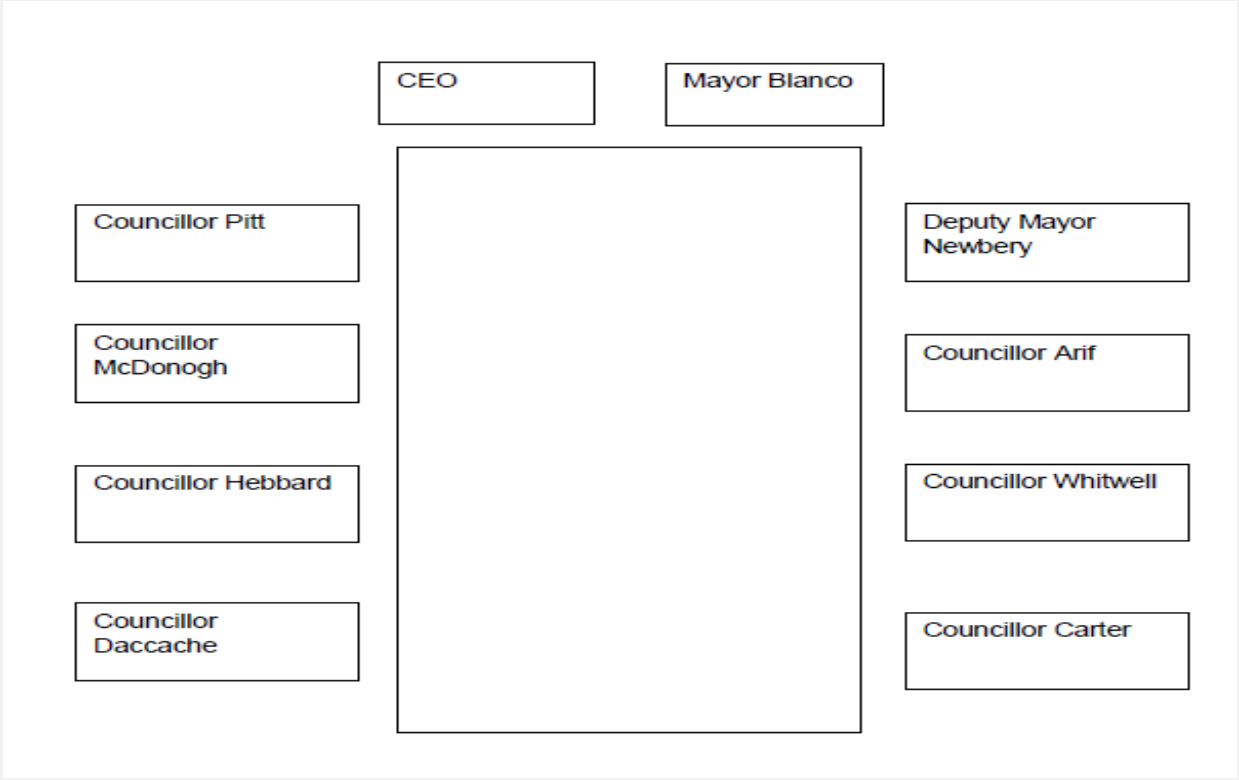
CM201718/083 OFFICER RECOMMENDATION/ COUNCIL DECISION

MOVED: CR CARTER **SECONDED:CR ARIF**

That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday 1 November 2017 are a true and correct record with the following amendments:

1. **On page 32 of the Minutes, decision number CM201718/066 of item 12.1.3 'Audit, Risk and Governance Committee Membership and Terms of Reference, change the date noted under point 1 from Tuesday 5 December 2017 to Thursday 7 December 2017.**

2. **Include the Elected Member seating plan as per the below diagram on page 6 of the Minutes in accordance with section 9.1 of the Town of Port Hedland Standing Orders Local Law.**



CARRIED 8/0

Item 11 Announcements by Presiding Member without Discussion

The Mayor acknowledged Merv Stanton who was the last Pilbara World War II veteran to be buried at the Town's old cemetery on Saturday. He will be missed.

Mayors Monthly Meetings – 1 October to 31 October 2017

Date	Meeting
3/10/2017	Spirit Chat Radio
4/10/2017	Special Council Meeting
6/10/2017	FMG Vtec Event
9/10/2017	BOM 2017 Cyclone Presentation
10/10/2017	Spirit Chat Radio
11/10/2017	Agenda Feedback Session
16/10/2017	Meeting with Dept. of Education
17/10/2017	Spirit Chat Radio
18/10/2017	Horizon Power Cocktail Function
20/10/2017	Hedland High School – Year 12 Awards Presentation
23/10/2017	Swearing in Ceremony
24/10/2017	Meeting with BHP
25/10/2017	Agenda Feedback Session
27/10/2017	Meeting with South Hedland Detectives
31/10/2017	Meeting with BHP
31/10/2017	PRC Ordinary Council Meeting

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

Item 12 Reports of Officers

CM201718/084 COUNCIL DECISION

MOVED: CR ARIF **SECONDED: CR DACCACHE**

That Council bring item 14.1 'Notice of Motion – Cashless Debit Card' forward for consideration.

CARRIED 8/0

14.1 Notice of Motion – Cashless Debit Card *(File No. 13/01/0021)*

Author Community Safety Advisor
Authorising Officer Chief Executive Officer
Disclosure of Interest The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

MOTION

MOVED: MAYOR BLANCO SECONDED: CR MCDONOGH

That Council suspend sections 9.4, 9.5 and 9.9 of the Town of Port Hedland Standing Orders Local Law 2014 in accordance with section 18.2 'Suspension for Standing Orders' to discuss the resolution of item 14.1 'Notice of Motion – Cashless Debit Card'.

MOTION LOST 3/5

For: Mayor Blanco, Councillor McDonogh and Councillor Carter
Against: Councillor Arif, Councillor Daccache, Councillor Newbery, Councillor Pitt and Councillor Whitwell

CM201718/085 COUNCILLOR ARIF NOTICE OF MOTION/ COUNCIL DECISION

MOVED: CR ARIF **SECONDED: CR DACCACHE**

That with respect to the Cashless Debit Card, Council:

1. **Adopts a position of not supporting the introduction of the Cashless Debit Card in our town.**

2. **Ensure to all delegations, media releases, and meetings that this position is made clear to all.**

CARRIED 5/3

For: Councillor Arif, Councillor Daccache, Councillor Newbery, Councillor Whitwell and Councillor Pitt
Against: Mayor Blanco, Councillor McDonogh and Councillor Carter

PURPOSE

**Disclaimer – this item is being presented as a result of a Notice of Motion by an Elected Member. Officers do not have a position for or against this matter. Some information was provided by the requesting Elected Member and the remainder was obtained from current available information.*

On November 1, 2017 Town of Port Hedland received a Notice of Motion from Councillor Arif regarding the Cashless Debit Card.

The Community Safety Advisor has researched information relevant to the Cashless Debit Card (CDC) to inform Elected Members on the relevance and its possible impact on the Port Hedland area.

DETAIL

The Cashless Debit Card was developed by the Commonwealth Government to support people, families and communities in locations where high levels of welfare dependence co-exist with high levels of social harm underpinned by alcohol, drug use and gambling. The Commonwealth Government believes that the CDC might help disadvantaged communities decrease the level of consumption of drugs, alcohol and gambling with impacts on the health and wellbeing of communities, families and children.

The Cashless Debit Card is a welfare reform program where recipients of Centrelink Newstart, Disability Support Pension, Parenting Payment and Carers Payments have 20% of their payment paid into their regular bank account and 80% paid into a card that cannot be used to buy alcohol, gambling products or withdraw cash. These percentages can be changed by a local community panel to a maximum 50% paid into their regular bank account and 50% paid into the CDC. It is to be noted that only those who are of working age and receive income support payments would be affected by the CDC. Wage earners, Age Pensioners and Veteran's Affairs Pensioners are not included in a trail unless they volunteer for the CDC.

The first two trial sites identified were in Ceduna, South Australia (March 15, 2016) and Kununurra and Wyndham (East Kimberly), Western Australian (April 26, 2016). These trial sites had 2,141 participants with a large majority being Aboriginal or Torres Strait Islander people.

Two further current Welfare Reform initiatives currently in place have also been identified, the Northern Territory Intervention (officially named Northern Territory Emergency Response) and Queensland, Cape York Partnership (CYP). Both initiatives address welfare dependency (in particular a Cashless Debit Card initiative) and the wider social impacts it has on the community. The CYP is an Indigenous organisation that leads a comprehensive reform agenda on government interventions and policy affecting Aboriginal and Torres Strait Islanders.

The Cape York Welfare Reform (CYWR) aims to reverse the deterioration of social and economic conditions in Cape York Indigenous communities over recent decades. It is founded on the premise that this deterioration has been brought about by passive welfare dependence and the erosion of individual responsibility as the unintended effects of well-meaning but misguided government welfare policies and service delivery. *(Cape York Welfare Reform Evaluation 2012)*

Evidence of significant outputs to date: Compulsory quarantining of a portion of a person's welfare payments for use on essentials like food, clothing, rent, electricity and child rearing expenses, were implemented. By December 2011, 25% of the population aged 17 and over had been placed on income management in the four communities at some point in the preceding 3½ years, for an average duration of 16.8 months. 93% were compulsory and 7% were voluntary orders. In each trial site, breaches of behavioural obligations fell by 10 percent in the quarter following being placed on income management. The challenge will be to consolidate the gains to date by providing genuine economic opportunities for individuals and families to continue the journey from welfare dependence to prosperous and fulfilling lifestyles. *(Cape York Welfare Reform Evaluation 2012)*

The Northern Territory Intervention was initiated by the Howard government in June 2007. It was a response to child sexual abuse, but aimed to do more than deal with direct or immediate causes. The intervention measures were initiated in "prescribed areas" over 70% of Aboriginal people in the Northern Territory live in prescribed areas. There were a wide range of measures including welfare reform in relations to income management, i.e., quarantining part of welfare payments to specific purposes. *(Northern Territory Emergency Response: One Year On, 2008)*

In October 2011 there were 16 393 people in the Northern Territory who were subject to income management. The majority were on Compulsory Income Management (11,960), whilst a substantial number were on Voluntary Income Management (4,190). Overall, 91 per cent of those subject to income management are Indigenous. The equivalent figure for the Northern Territory non- Indigenous population is 18 per cent. The evaluation report found over one quarter of participants reported alcohol, gambling and drugs as a mild issue with one third of participants reporting one or more of these being an issue. For people on compulsory measures, 6 per cent of the non-Indigenous population and 32 per cent of the Indigenous population reported that they had at least one of these problems in their families. *(Evaluating New Income Management in Northern Territory: First Evaluation Report, Australian National University, 2012)*

A submission by the Human Rights Commission (HRC) on the 29 September 2017 to the Senate Standing Committees on Community Affairs provided feedback on the Senate inquiry into Social Services Legislation Amendment (Cashless Debit Card) Bill 2017. The bill proposes to extend the trial site by enabling the expansion of the cashless debit card to further locations.

The submission outlined concerns on human rights specifically around right to social security, the right to a private life and the right to equality and non-discrimination. The Commission is concerned about the effects of these income management measures in relation to Aboriginal and Torres Strait Islander peoples, whom have previously identified to be a group that are disproportionately impacted by such measures. The Commission concluded that income management measures which are imposed and not community-driven lack efficacy. The Commission recommended a less intrusive measure aimed at changing behaviour rather than limiting access to and use of income will be more effective. Furthermore endorsing investment of support services in these communities with effective engagement with such services. (Human Rights Commission, 2017)

Department of Social Services could not confirm Port Hedland's ranking in the trial site list but confirmed that our region has been voiced to the Minister. The Department of Social Services has outlined that a decision to appoint a trial site is made by the Minister if a strong collective response is received by the community, either by an elected member or member of public. Furthermore the criteria for an approved trial site provides the Department with a strong evidential base, outlining data from local service providers on the impacts social issues have on local resources and community safety with community support and advocacy. This can

result in the Minister approving an in depth community consultation with individual and groups directly affected by the Cashless Debit Card initiative, facilitated by the Commonwealth government with support from Local Government and community.

As the concept of income management and cashless debit cards is new in the public policy sphere, there is limited evidence strongly for or against its implementation, let alone relevant to the Town of Port Hedland. The following locally relevant argumenta have been collated by officers to assist in decision making on this motion.

Arguments in support of the notice of motion

As this program has not been adopted or trialled in the Pilbara, all evaluation data presented is in relation to the current trial sites or Ceduna and the East Kimberly. Port Hedland differs from these regions and it is important to note that the information available has been collected over a short period of time for small population. It is unknown if these findings can be extrapolated to the Port Hedland community. The evaluation report also does not include crime statistics.

Many trial participants experienced complications and limitation using the CDC but the evaluation report claims that these have lessened over time. The full 303 page independent evaluation document can be found on the Department of Social Services website. The executive summary is attached.

A significant amount of conjecture has been raised around whether the improved performance indicators in the evaluation are in response to the CDC or the significant investments in wrap around services that have been delivered in support of its implementation. The establishment of both the Northern Territory Intervention and Cape York Partnership provided a platform for increased funding for support services to engage in intervention and therapeutic work primarily focusing on welfare reform services for a collective outcome.

Human rights concerns as previously outlined would be relevant to any roll out of the Cashless Debit Card in Port Hedland.

Furthermore the following Hedland community groups who have released a statement against the Cashless Debit Card:

The Yule River on-country bush meeting (20-21 September 2017)
Resolved that “The Yule River strongly oppose the cashless welfare card”. This statement can be found through the following link https://youtu.be/34u2_u0t6B8**.**

Yamatji Marlpa Aboriginal Corporation (YMAC)
Released a statement that the YMAC Boards of Directors do not support the expansion of the CDC on 17 August 2017 (attached).

Bloodwood Tree Association Inc.
The Bloodwood Tree Boards position is that they do not support the Federal Government Welfare Card (white card) introduction. An email from Bloodwood Trees CEO Kelly Howlett is attached.

These opinions above are external to the Town of Port Hedland and we do not have information on how they were undertaken and any background to the information.

Arguments in support of the CDC

The most recent independent evaluation of the CDC in the trial sites have shown improvements in reducing alcohol consumption, illegal drug use, gambling and the ability to save more money. These improvements have increased over the evaluation period.

The evaluation report also showed that the CDC made 4% of participants experience shame or negative stigma and that 32% of CDC participants felt the CDC made their lives worse. These percentages have decreased over the evaluation period.

The Town of Port Hedland developed the Alcohol Management Survey in 2017 this survey was distributed online and in limited hard copy. The detailed report on this survey are attached. In summary the survey was completed by 327 people and asked questions regarding a number of alcohol management strategies, including the CDC. The survey showed that;

- 327 of 346 respondents agrees or strongly agrees that the Port Hedland community needs to look at ways to alcohol-related violence, criminal activity and anti-social behaviour in the town.
- 306 of 346 agreed or strongly agreed that they would support the introduction of a cashless healthy welfare card system.
- 322 of 346 did not currently receive social security payments other that the aged pension or veterans affairs entitlements.

However, there was not clear representation of people who would be affected by the CDC.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, as the town of Port Hedland is not the ultimate decision maker on this issue.

CONSULTATION

Internal

Internal consultation has been undertaken with the Executive Leadership Team.

External Agencies

Mayor Camilo Blanco- *Acting in his role as Mayor (and not representing the Town of Port Hedland Council) has met with representatives of Federal Government, Minderoo and media promoting the implementation of the CDC in Port Hedland.*

The author verbally spoke with WA State Manager-Department of Social Services on 15 and 16 November 2017.

Community

Nil. The position statements of a number of local groups have been collated for Elected Members' information.

LEGISLATION AND POLICY CONSIDERATIONS

Nil

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

There is no correlation between this motion and any section of the Councils Strategic Community Plan 2014-2024.

Social

As current evaluations from the current trial sites have indicated that the CDC would have a positive impact on the welfare of individuals and the community it may be seen that not providing support for the CDC would exclude a tool that could have positive social benefits to those in the community receiving specific welfare benefits.

RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be Medium (9). This is due to a possible reputational risk.

OPTIONS

Option 1 - Adopt Motion

Option 2 – Reject Motion

That with respect to the Cashless Debit Card, Council:

1. Adopts an official position in support and lobbies the Federal Government for its implementation in the Town of Port Hedland.

2. Consults with the community about how best to advocate for the Town to become a trial site.

Option 3

That with respect to the Cashless Debit Card, Council:

1. Does not adopt an official position.

2. Ceases to make public statements for or against the Cashless Debit Card issue.

3. Continues to monitor trial sites and current research and engages with the community prior to taking an official position.

CONCLUSION

While there is some qualitative and quantitative information from current trial sites there is been no Town of Port Hedland community consultation and engagement to be able to give a complete informed determination of whether declining to support the CDC program would provide a positive or negative social impact on the Port Hedland community.

ATTACHMENTS

1. The Town of Port Hedland Alcohol Management Survey 2017
2. Executive Summary: Cashless Debit Card Trial Evaluation 2017
3. Yamatji Marlpa Aboriginal Corporation (YMAC) Statement
4. Bloodwood Tree Association Inc. email
5. Notice of Motion from Councillor Arif

ATTACHMENT 1 TO ITEM 14.1

Project Report

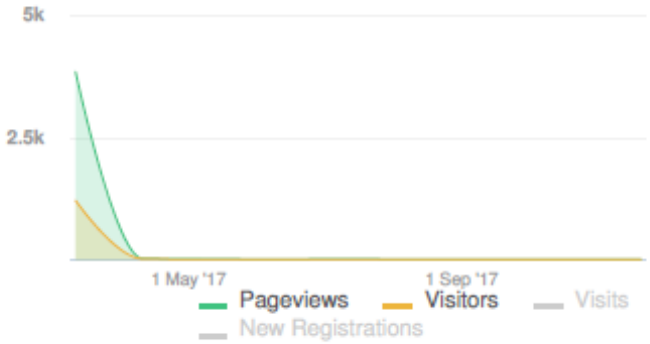
25 November 2015 - 12 November 2017

Your Say Port Hedland

Alcohol Management Survey

engagement hq
by Bang the Table

Visitors Summary



Highlights

TOTAL VISITS	MAX VISITORS PER DAY
1.3 k	548

NEW REGISTRATIONS
303

ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
335	932	1.2 k

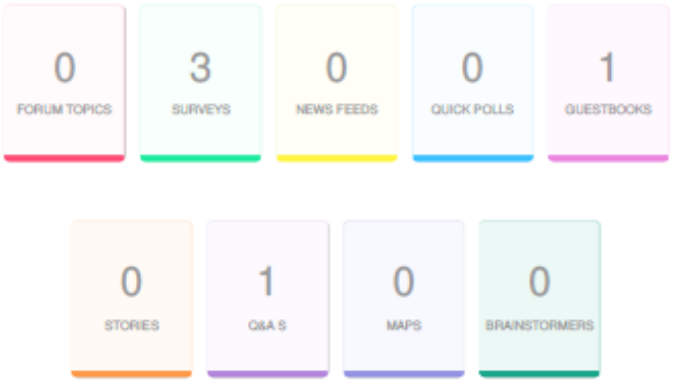
Aware Participants	1,168
Aware Actions Performed	Participants
Visited a Project or Tool Page	1,168

Informed Participants	932
Informed Actions Performed	Participants
Viewed a video	0
Viewed a photo	0
Downloaded a document	0
Visited the Key Dates page	0
Visited an FAQ list Page	0
Visited Instagram Page	0
Visited Multiple Project Pages	613
Contributed to a tool (engaged)	335

Engaged	335		
Engaged Actions Performed	Registered	Unverified	Anonymous
Contributed on Forums	0	0	0
Participated in Surveys	335	0	0
Contributed to Newsfeeds	0	0	0
Participated in Quick Polls	0	0	0
Posted on Guestbooks	0	0	0
Contributed to Stories	0	0	0
Asked Questions	0	0	0
Placed Pins on Maps	0	0	0
Contributed to Brainstormers	0	0	0

Your Say Port Hedland: Summary Report for 25 November 2015 to 12 November 2017

ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Qanda	Q&A	Draft	0	0	0	0
Survey Tool	Alcohol Management Survey	Archived	919	327	0	0
Survey Tool	DRAFT = Liquor Restrictions Survey-(DRAFT)	Archived	49	8	0	0
Survey Tool	Liquor Restrictions Survey	Draft	0	0	0	0

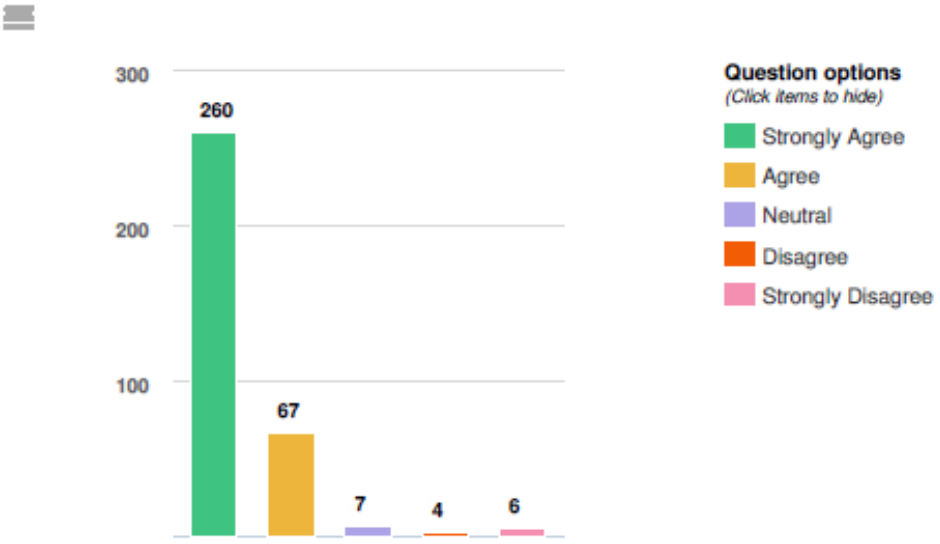
ENGAGEMENT TOOL: SURVEY TOOL

Alcohol Management Survey

VISITORS 919	CONTRIBUTORS 327	CONTRIBUTIONS 346

The Port Hedland Community needs to look at ways to address the problem of alcohol-related violence, criminal activity and anti-social behaviour in our town

(346 responses | 0 skipped)



I am in favour of the restriction on the sale of alcohol as outlined above

(346 responses | 0 skipped)

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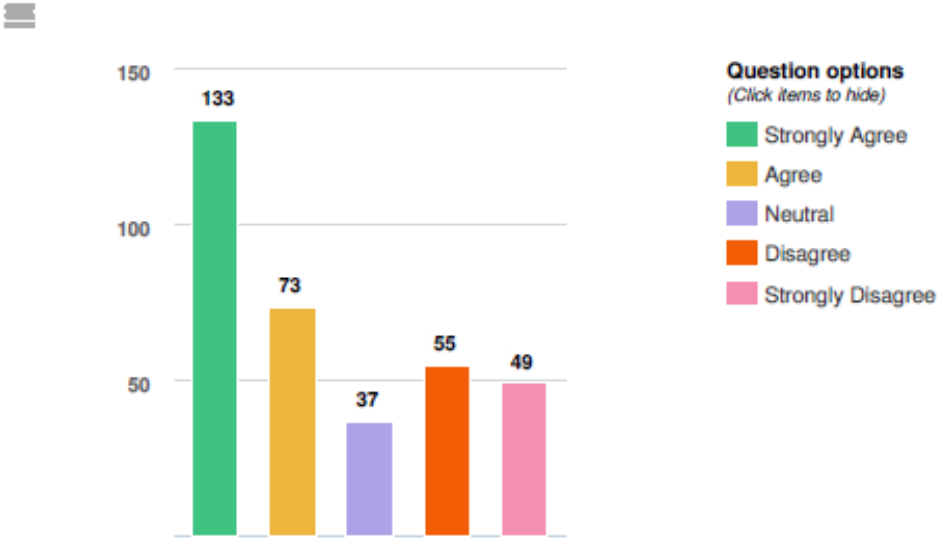
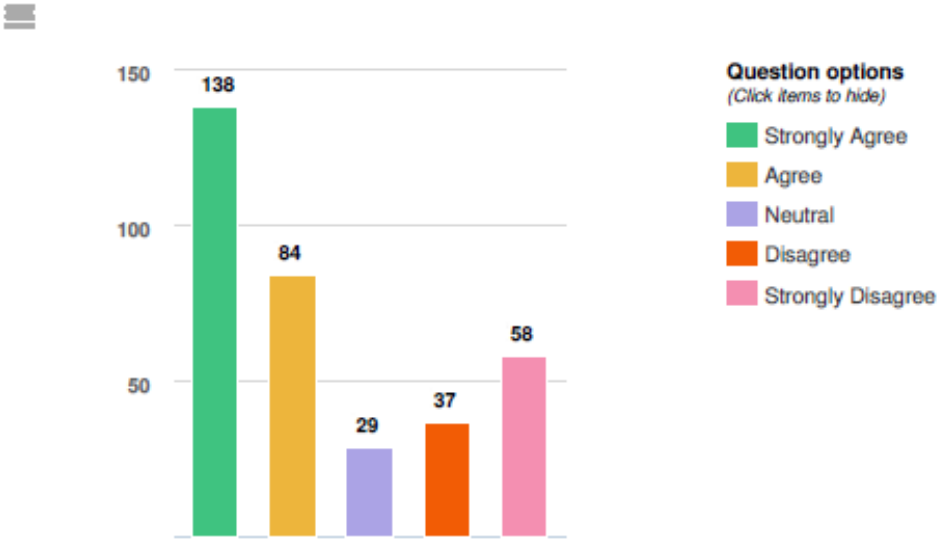
I believe the proposed restrictions on the sale of alcohol as outlined above will excessively limit my ability to purchase alcohol

(346 responses | 0 skipped)



I would support the introduction of a take-away alcohol management system as outlined above in Port Hedland

(346 responses | 0 skipped)



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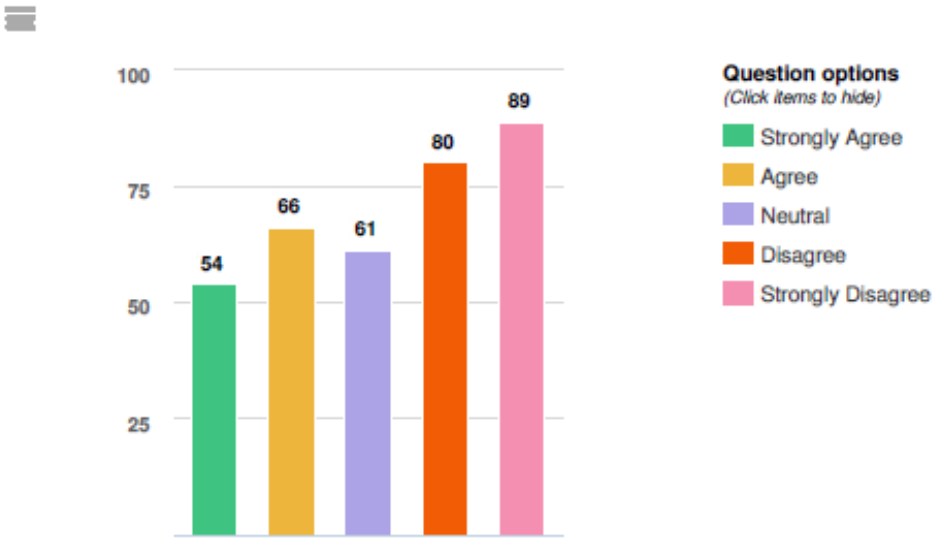
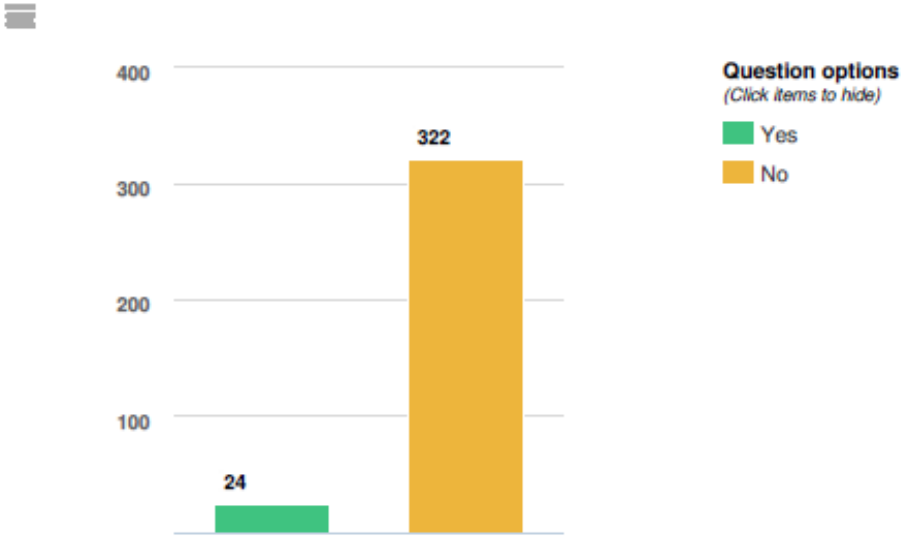
I believe a takeaway alcohol management system will excessively limit my ability to purchase alcohol

(346 responses | 0 skipped)



Do you currently receive social security payments other than the aged pension or veterans affairs entitlements?

(346 responses | 0 skipped)



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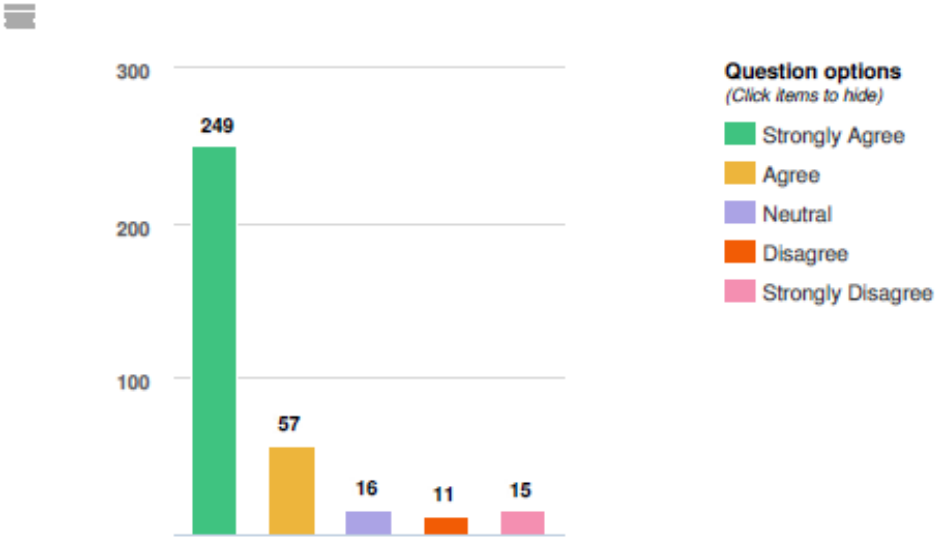
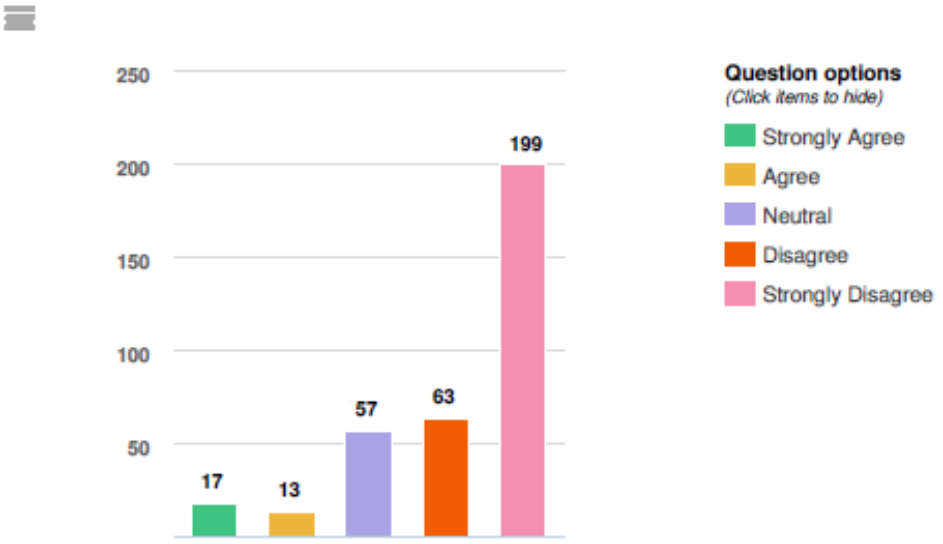
I would support the introduction of a cashless healthy welfare card system as outlined above in Port Hedland as part of a broader approach to reducing alcohol-related harm.

(346 responses | 0 skipped)



I believe a healthy welfare card will excessively limit my ability to purchase alcohol

(346 responses | 0 skipped)



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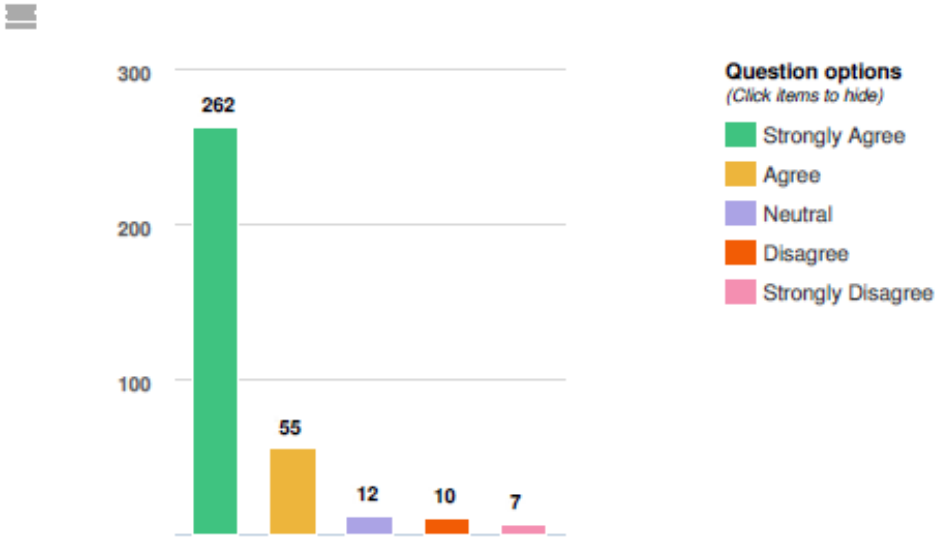
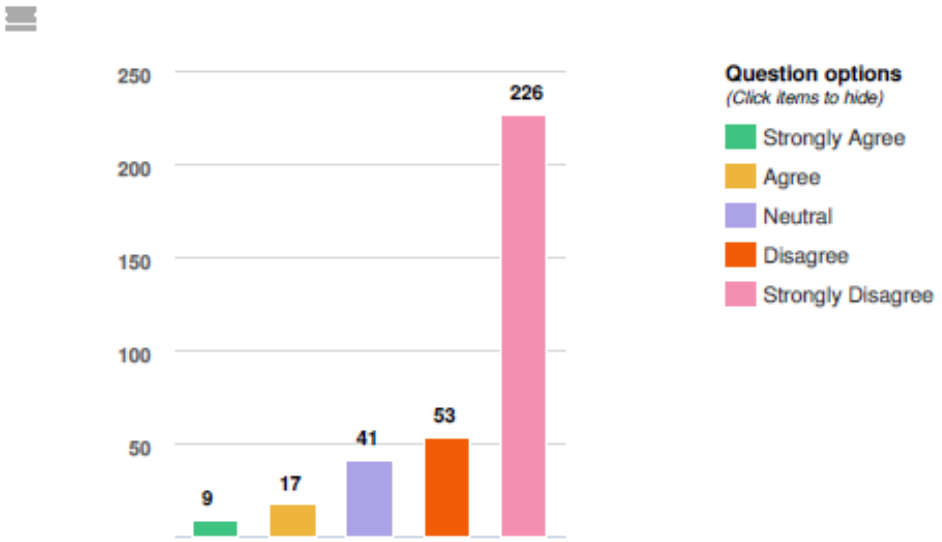
I would support the introduction of court managed alcohol restrictions as outlined above in Port Hedland

(346 responses | 0 skipped)



I believe a court-managed alcohol restrictions will excessively limit my ability to purchase alcohol

(346 responses | 0 skipped)



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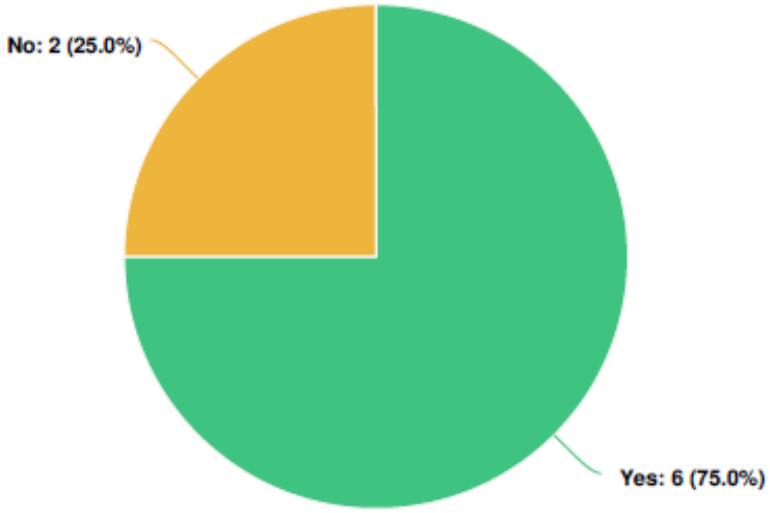
ENGAGEMENT TOOL: SURVEY TOOL

DRAFT = Liquor Restrictions Survey-(DRAFT)

VISITORS 49	CONTRIBUTORS 8	CONTRIBUTIONS 8

In the past 12 months, have you witnessed violence or anti-social behaviour linked to excessive alcohol consumption or drunken behaviour.

Optional question (8 responses / 0 skipped)



In the past 12 months have you been personally impacted by violence, criminal activity or anti-social behaviour related to excessive alcohol consumption or drunkenness?

Optional question (8 responses / 0 skipped)

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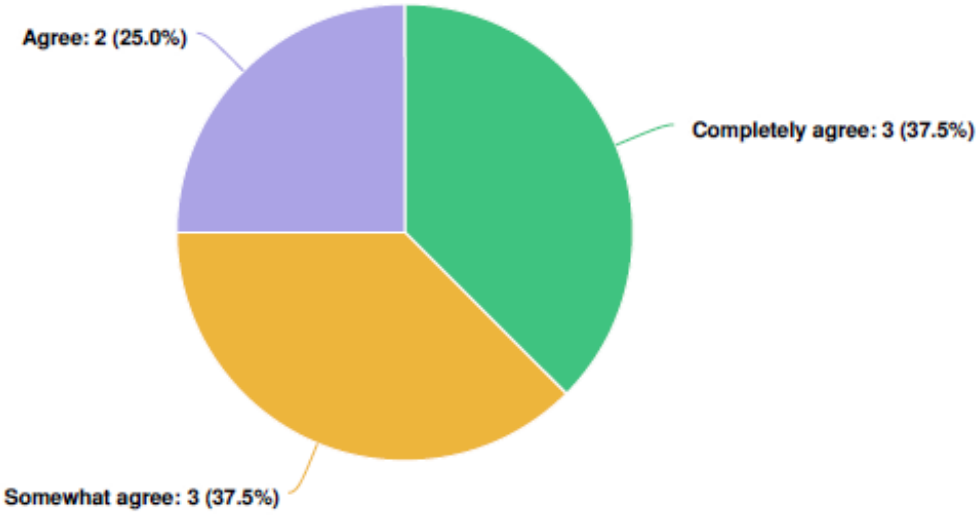
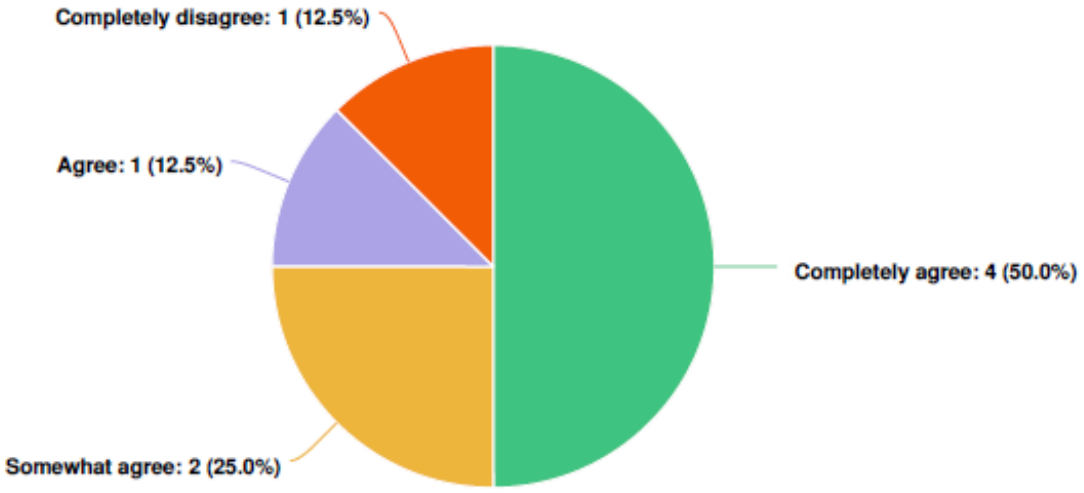
Please provide your response to the following statements: The Port Hedland Community needs to look at ways to address the problem of violence, criminal activity and anti-social behaviour linked to ex...

Optional question (8 responses | 0 skipped)



Please respond below to the following statement: I would support the introduction of a take-away alcohol management system as outlined above in Port Hedland:

Optional question (8 responses | 0 skipped)



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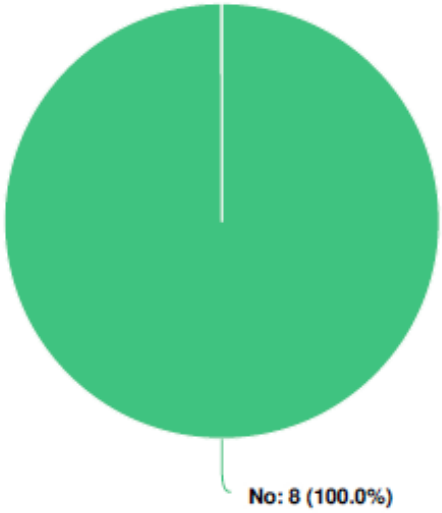
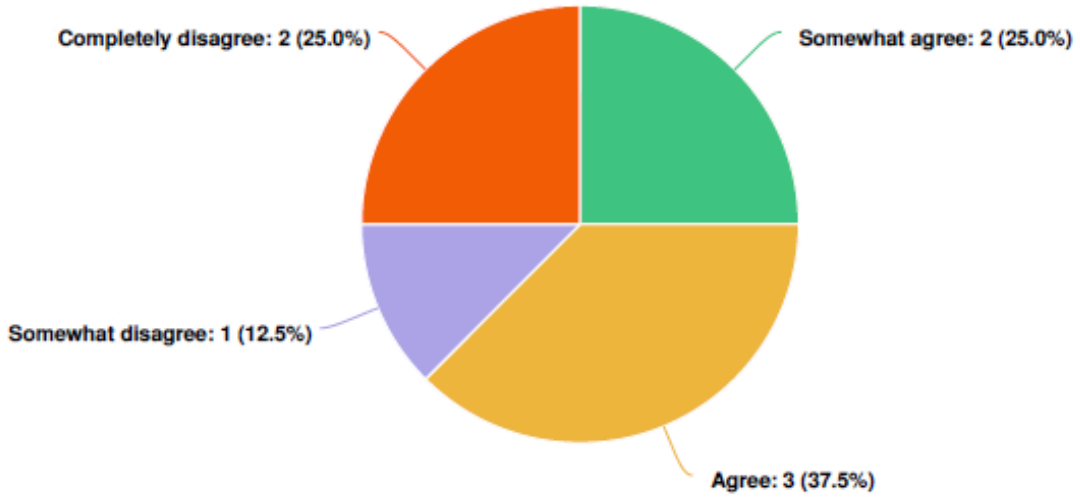
Are you someone who is currently dependent on social security payments other than the aged pension or veterans affairs entitlements?

Optional question (8 responses | 0 skipped)



Please respond below to the following statement: I would support the introduction of a cashless debit card system as outlined above in Port Hedland as part of a broader approach to reducing alcohol-re...

Optional question (8 responses | 0 skipped)



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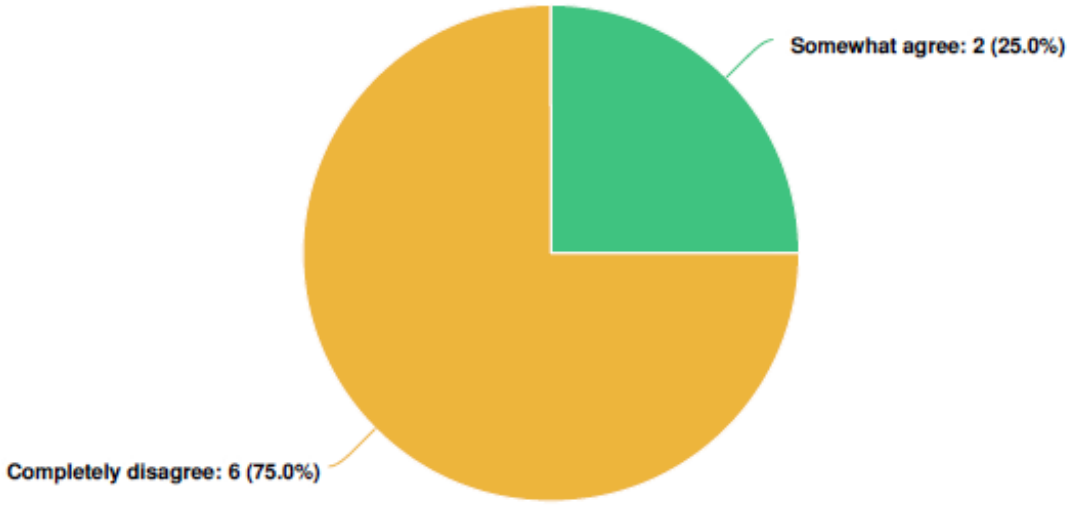
Based on the information provide above, please respond to the following statement: I am in favour of the restriction on the sale of alcohol as outlined above:

Optional question (8 responses / 0 skipped)



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I. Executive Summary

Background

With support from the Department of the Prime Minister and Cabinet (PM&C) and the Department of Human Services (DHS), and developed in close consultation with local community leaders, local and state government agencies and other Australian Government agencies, the Department of Social Services (DSS) is conducting a Trial of a Cashless Debit Card (CDC) for income support payments (ISPs) in two remote communities.

The **Cashless Debit Card Trial (CDCT) aims to reduce the levels of harm underpinned by alcohol consumption, illicit drug use and gambling by limiting Trial participants' access to cash and by preventing the purchase of alcohol or gambling products** (other than lottery tickets). Eighty per cent of CDCT participants' ISPs, as well as other supplementary payments, are directed to a restricted bank account, accessed by the debit card, with the remainder of these payments accessible through a normal (unrestricted) bank account. The percentage of funds accessible in an unrestricted manner (e.g. as cash) may be varied by local community panels, up to a maximum of 50%. Participation in the Trial is mandatory for all working age ISP recipients in the selected Trial sites. Wage earners, Age Pensioners and Veterans' Affairs Pensioners who live in the Trial sites, and people outside of the Trial sites (subject to approval by DSS) can volunteer for the CDCT [1].

The Trial commenced in Ceduna and Surrounds (South Australia, SA) on 15 March 2016; and in the East Kimberley (EK) region (Western Australia, WA) on 26 April 2016. As at 2 June 2017, there was a total of 2,141 CDCT participants (794 in Ceduna and Surrounds and 1,347 in EK). A large majority of CDCT participants in each Trial site identified as being Indigenous Australians.

ORIMA Research was commissioned by DSS to independently evaluate the Trial in both locations. This report presents the final findings of the evaluation.

Responses to Key Evaluation Questions

What have been the effects of the CDCT on program participants, their families and the broader community?

Have there been reductions in the consumption of alcohol, illegal drug use, or gambling?

Wave 1 quantitative survey data and qualitative research findings indicated that the first 6 months of the CDCT was associated with a reduction in all three target behaviours among CDCT participants – alcohol consumption, illegal drug use and gambling. Wave 2 data from these sources (collected around 9 months after Wave 1) indicated that these reductions had been sustained and broadened, with a larger proportion of CDCT participants reporting reduced levels of each behaviour (compared to before being on the Trial). In addition, CDCT participant survey results indicated that the reductions in alcohol consumption and gambling were deepened among CDCT participants, with the average reported frequency of alcohol consumption and gambling declining significantly between Wave 1 and Wave 2. On average across the two Trial sites:

1 As at 26 May 2017, nn6 Trial participants were recorded as having been voluntary CDCT participants

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- Among CDCT participants who had been consuming alcohol before being in the Trial, the proportion who reported drinking alcohol less frequently than they did before participating increased significantly from 25% (n=345) at Wave 1 to 41% (n=231) at Wave 2.
- At Wave 2, when asked about having six or more drinks on one occasion, 37% (n=237) of participants who engaged in such drinking before being in the Trial said they were doing this less often than they did before participating, also demonstrating a significant positive change from the Wave 1 result (25%, n=302).
- At Wave 2, 38% of participants who reported drinking alcohol stated that they drank alcohol about weekly or more often (n=229) - a substantial reduction from 63% at Wave 1 (n=327).
- Among CDCT participants who had used illegal drugs before being in the Trial, the proportion reporting that they were doing so less frequently than they did before participating increased significantly from 24% (n=84) at Wave 1 to 48% (n=62) at Wave 2.[2]
- When asked about whether their gambling behaviour had changed since becoming Trial participants, at Wave 2, 48% of those who gambled before the Trial reported doing this less often (n=109), up from 32% at Wave 1 (n=140).[3]
- In addition, there was a significant increase between Wave 1 (27%, n=85) and Wave 2 (54%, n=86) in the proportion of participants who reported less frequently spending more than $50 a day gambling than they did before becoming CDCT participants.

The limited available administrative data was consistent with these findings. In particular, in the 12 months following the introduction of the CDCT (April 2016 to March 2017), electronic gaming (poker) machine revenue in the Ceduna and surrounding Local Government Areas (Streaky Bay, Le Hunte, Elliston, and Lower Eyre Peninsula) was 12% lower than in the previous 12 months (April 2015 to March 2016).

Has there been a reduction in crime, violence and harm related to these behaviours?

At the time of the Wave 1 data collection, there was only limited evidence to suggest that there was a reduction in crime, violence and harm related to alcohol consumption, illegal drug use and gambling since the Trial commenced. Overall, in Wave 2 there was some additional evidence of positive impacts in these domains. However, it is important to note that, with the exception of drug driving offences and apprehensions under the Public Intoxication Act (PIA) in Ceduna, crime statistics showed no improvement since the commencement of the Trial.

Administrative data other than crime statistics provided some evidence of a reduction in harm in the Trial sites.

- In Ceduna, lower levels of harm related to alcohol consumption were indicated by decreases in alcohol-related hospital presentations, alcohol-related outpatient counselling by Drug and Alcohol Services South Australia (DASSA) and the number of apprehensions under the Public Intoxication Act.

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2 It should be noted that self-reports of illegal drug use in a survey context are subject to a high risk of social desirability bias and should be interpreted with caution.

3 The change between Wave 1 and 2 was not statistically significant at the 95% level of confidence (but it was at the 94% level).

- In Kununurra, lower levels of alcohol-related harm were indicated by decreases in alcohol-related pick-ups by the Miriwoong Community Patrol Service and referrals from this service to the Moongoong Sober Up Shelter.
- In Wyndham, lower levels of alcohol-related harm were indicated by decreases in pick-ups by the community patrol service.

The qualitative research found considerable observable evidence being cited by many community leaders and stakeholders of a reduction in crime, violence and harmful behaviours over the duration of the CDCT across both Trial sites. Indirect evidence of this impact of the CDCT was also reported by the police and some service providers who noted that the police had a greater capacity to conduct positive community engagement/preventative programs since the CDCT, due to the decreased need to perform reactive policing.

- Community leaders', stakeholders' and merchants' ratings to a short questionnaire in the qualitative research indicated that, overall, they perceived the problem of violence and crime to have diminished in Ceduna between Wave 1 and Wave 2, from 6.2 to 5.0 out of 10 (7.0 pre-Trial), and to have remained relatively stable in EK, from 6.3 to 6.4 out of 10 (8.0 pre-Trial), based on average ratings on a scale of 0 (not at all) to 10 (extremely severe).

Has there been an increase in perceptions of safety in the Trial locations?

There was no statistically significant change between Wave 1 data collection (a few months post CDCT implementation) and Wave 2 (9 months later) in CDCT participant and non-participant perceptions of safety (as measured in the quantitative survey).

In the qualitative research, community leaders', stakeholders' and merchants' feedback indicated that, overall, they perceived that community safety had increased in their local community during the CDCT period and between Wave 1 and Wave 2.

- Community leaders', stakeholders' and merchants' ratings of their community's performance in terms of community safety increased between Wave 1 and Wave 2 – in Ceduna from 5.0 to 6.3 out of 10 (4.6 pre-Trial) and in EK from 5.2 to 5.7 out of 10 (4.2 pre-Trial), based on average ratings on a scale of 0 (very poor) to 10 (very well).
- At Wave 2, many stakeholders reported that there had been greater use of public facilities (e.g. families having picnics, playing ball, etc.) than pre-CDCT. They also cited noticeable increases in the numbers of families and tourists accessing and using public areas (e.g. parks). Furthermore, merchants and stakeholders reported that returning tourists/visitors had commented on feeling safe and had provided positive feedback on the changes in the community.

Have there been any other positive impacts?

There was considerable evidence from the quantitative surveys and qualitative research to suggest that there were benefits from the CDCT other than those discussed above at an individual and community level in both Trial sites. Many of these benefits can be grouped under a long-term (by 2 years or more after implementation) planned outcome of the Trial that was included in the Program Logic: **increased community, personal and children's wellbeing.**

For example, the quantitative survey results provided indicative evidence of positive **financial impacts** for participants at an overall level, as a result of the Trial. Since being on the CDCT, just under half (45%) of participants on average across the two sites at Wave 2 reported that they had

been able to save more money than before (n=461). This represents a significant improvement on the Wave 1 result of 31% (n=542). This positive trend was reported in both Ceduna and EK.

The quantitative survey also found some indicative evidence of positive impacts on **parenting** as a result of the Trial. At Wave 2, on average across the Trial sites:

- 40% of participants who had caring responsibilities (n=198) reported that they had been better able to care for their children since being in the CDCT Trial; and
- 39% of such participants (n=197) stated that that they had become more involved with their children's homework and school since before being in the CDCT Trial.

Despite these positive improvements, when asked about the impact of the Trial on their child/children's lives overall, participants on average across the two sites reported mixed perceptions. At Wave 2, 17% of participants who had children reported that they felt their lives were better as a result of the Trial (n=198, consistent with 18% at Wave 1 (n=250)), whilst 24% felt their child/children's lives were worse (consistent with 20% at Wave 1). There was no material difference in results across Trial sites.

- Among participants who said that the Trial had made their child/children's lives worse, the most prevalent reasons were related to not being able to give children cash (n=20) and not being able to buy goods for their children with cash (n=16).
- Reasons provided for why the Trial had improved the lives of children were mostly related to being able to meet basic needs better (such as food, clothes, etc. n=26).

Subjective wellbeing was also assessed in the quantitative survey by asking participants about the impact of the Trial on their lives. On average across the two sites, at Wave 2 participants were more likely to indicate that it had made their lives worse than better. However, negative perceptions were less prevalent than at Wave 1. At Wave 2, 32% of participants on average reported that the Trial had made their lives worse (n=462), significantly down from 49% at Wave 1 (n=547). The proportion reporting that the Trial had made their lives better, however, remained consistent - 23% at Wave 2 (n=462) and 22% at Wave 1 (n=547).

- Ceduna participants (28%, n=228) were significantly more likely than those in EK (18%, n=234) to report a positive impact on their wellbeing.
- Indigenous CDCT participants were significantly more likely than non-Indigenous participants to indicate that their lives were better under the CDCT: 26% (n=405), compared with 15% among non-Indigenous participants (n=56).

Have there been any circumvention behaviours that have undermined the effectiveness of the CDCT?

Community leaders, stakeholders and merchants interviewed at Wave 1 indicated that they had heard of various CDCT circumventions having occurred. However, they were unable to comment on how widespread such practices were, and it was not possible to quantify the extent of these reported circumventions. It was expected that neither successful circumventions nor the existence of some sources of income outside of the Trial (such as royalties or emergency assistance payments) could have replaced more than a small proportion of the total value of ISPs quarantined by the CDCT.

Overall, the evaluation found that the range of circumventions reported to be occurring at Wave 1 had somewhat reduced at Wave 2, as measures had been put in place to address some of the

circumventions. In addition, further exploration of some of the perceived circumventions conducted at Wave 2 found little evidence to support that they were occurring to a material extent.

Have there been any other unintended adverse consequences?

Consistent with Wave 1, a few stakeholders in the Wave 2 qualitative research reported that some Trial participants who spent their money appropriately felt as though they were being "penalised" and/or "discriminated" against by being forced to participate. These CDCT participants reportedly felt that there was a stigma and sense of shame associated with having a CDC. However, in the quantitative survey, only 4% of all participants on average across the two sites explicitly raised 'stigma' or 'shame' associated with the card as an issue at Wave 2 (6% did so at Wave 1). At Wave 2, 6% of participants also mentioned lack of freedom and/or concerns about their rights.

Beyond that, adverse consequences for Trial participants predominantly related to complications/limitations experienced by some when using CDCs, such as being unable to transfer money to children that are away at boarding schools and being unable to make small transactions at fundamentally cash-based settings (e.g. fairs, swimming pools and canteens). At Wave 2, the quantitative survey found that 33% of CDCT participants (on average across the Trial sites, n=458) had experienced such issues. This was a significant decrease from the 46% who reported difficulties at Wave 1 (n=538). It should be noted that, by Wave 2, many of the issues had been rectified for most Trial participants through education and assistance with setting up card processes. In addition, measures had been and/or were in the process of being put in place to enable CDCs to be used in traditionally cash-based settings (e.g. EFTPOS facilities introduced at cash-based fairs).

What lessons can be learnt to improve delivery and to inform future policy?

Where has the Trial worked most and least successfully?

The evaluation findings indicate that the Trial has had a considerable positive impact in both Trial sites. The evidence suggests that the Trial was a little more successful in Ceduna than in East Kimberley, largely due to more effective implementation. That said, at both sites, there was a large degree of support from stakeholders and community leaders for the CDC to be extended across the country because of the positive changes that had been observed as a result of the Trial, which were considered to be applicable on a broader scale.

To what extent can any changes be attributed to the Trial as opposed to external factors such as alcohol restrictions?

Apart from alcohol restrictions, the CDCT (including the CDC, the additional funding for services provided under the Trial) and State service reform initiatives, qualitative research with community leaders, local merchants and stakeholders did not identify any other potentially substantial influences on alcohol consumption, illicit drug use or gambling in the Trial sites during the CDCT. An analysis of the relative impact on these behaviours of the CDC compared with that of local drug and alcohol support services, as well as financial and family support services (summarised in the next section) indicated that the impact of State service reforms on these behaviours is likely to have been small. The potential impact of alcohol restrictions is discussed below.

The primary evidence for a reduction in alcohol consumption being a direct result of the CDCT presented in this report flows from quantitative survey self-reports by CDCT participants. There is a strong case that these self-reports were not materially influenced/biased by any behavioural

changes associated with alcohol restrictions. The alcohol restrictions in each site had been in place for a considerable period of time before survey respondents commenced in the CDCT[4] and hence the recalled (pre-participation) level of consumption would have reflected a level of consumption that had been fully adapted to the alcohol restrictions (with the exception of CDCT participants who had moved into the Trial area during or shortly before its commencement).

In this context, it is also important to note that the takeaway alcohol restrictions in each Trial site were not highly restrictive (with the exception of bans on sale to residents of certain Aboriginal communities near Ceduna). For example, throughout the Trial, an individual in the EK has been able to purchase (each day apart from Sunday) 22.5 litres of full-strength beer, 4.5 litres of wine and 1 litre of spirits/fortified wine. Therefore, such restrictions are unlikely to have been a binding constraint on consumption for most CDCT participants.

Can the contribution of the debit card be distinguished from that of the additional services in the Trial locations provided via the CDCT support package?

The CDCT support package included investment in additional drug and alcohol support services, as well as financial and family support services. The quantitative survey of CDCT participants indicated that 19% had used a service from either category during the period of the CDCT. Comparative analysis of the self-reported behavioural changes of surveyed CDCT participants who had used these services, and those who had not, indicated that the CDC had a significant positive effect on targeted behaviour (and associated benefits) that was independent of the effect of the services. It should be noted that the analysis tested the effect of all such services (whether part of the additional funding package or not – including services subject to State service reform initiatives). The analysis was suggestive of an additive positive effect (above that of the CDC) of the services on the small proportion of the CDCT population who had used them. However, this was only a relatively small effect for a small proportion of the total participant population.

Methodology

Based on information about Trial inputs, outputs and intended outcomes provided by DSS, ORIMA Research developed a formal evaluation framework which specified the scope of the evaluation and the key performance indicators (KPIs) that would lead its assessment of the effectiveness of the CDCT.

Five sources of data were used in the evaluation of the CDCT:

1. Two quantitative, face-to-face surveys of CDCT participants (Wave 1: August-September 2016, with 552 participants) (Wave 2: May-June 2017 with 479 participants).
2. A quantitative, face-to-face survey of family members of CDCT participants (August-September 2016, with 78 family members).
3. Two quantitative, face-to-face surveys of other community members - i.e. not CDCT participants and not family members of participants (Wave 1: August-September 2016, with 110 people) (Wave 2: May-June 2017 with 141 people).
4. Qualitative research interviews and focus groups with community leaders, stakeholders and merchants (April-May 2016, with 37 people) (August-October 2016, with 73 people) (May-June 2017, with 86 people).

4 In EK, the alcohol restrictions applying during the course of the CDCT had been put into place in 2011 (with strengthened compliance via the Takeaway Alcohol Management System introduced in December 2015). In Ceduna, the alcohol restrictions applying during the course of the CDCT had been put into place in 2012.

5. Administrative data sourced from the CDC provider (Indue Limited), DHS, state government agencies and local service providers.

The quantitative surveys were the primary data sources, with one or more of these surveys specified as a data source/s for all of the outcome KPIs in the evaluation framework. This is reflected in the relative prominence of these data sources in the findings presented in this report.

The surveys at both Wave 1 and 2 were based on a systematic intercept sampling methodology. There was also a longitudinal survey component - 134 CDCT participants who were interviewed in the Wave 1 survey were also interviewed in the Wave 2 survey. All surveys were conducted by ORIMA's Indigenous Fieldforce, consisting of trained Indigenous interviewers supported by other experienced researcher interviewers and some local Indigenous people in support roles. This helped ensure that data collection was conducted in a culturally appropriate and sensitive manner.

Each of the data sources used has its limitations. In particular, the following limitations should be considered in interpreting the findings of the surveys and the qualitative research:

- As most of the research fieldwork was conducted 6-12 months after the commencement of the CDCT, recall error is likely to be present in the reports of conditions prior to the commencement of the CDCT.
- When reporting on their own behaviours, survey respondents may be prone to social desirability effects and hence respond in a socially acceptable way. In order to minimise this source of error, interviewers were trained to remain impartial and free from judgement when conducting interviews and respondents were also provided with full confidentiality of responses.

The analysis of administrative data was subject to the following limitations:

- imperfect alignment between the CDCT evaluation KPIs and the available administrative data
- unavailability of adequate time series data to perform robust pre-Trial and post-Trial comparisons
- low numbers of cases (as a result of small population numbers in the Trial sites) which led to considerable volatility over time in the measures and made it difficult to detect trends
- comparison site data were only available for a limited number of measures
- recording and collection issues with administrative data sets which reduced their reliability.

Conclusions

1. The evaluation findings indicate that the CDCT has been effective in reducing alcohol consumption and gambling in both Trial sites and are also suggestive of a reduction in the use of illegal drugs.
2. The evaluation findings show some evidence that there has been a consequential reduction in violence and harm related to alcohol consumption, illegal drug use and gambling.
3. The evaluation findings provide limited evidence of an improvement in perceptions of safety in the Trial locations.
4. The evaluation findings indicate that the Trial has had widespread positive spill-over benefits.
5. The evaluation findings indicate that many Trial participants initially had negative perceptions of the Trial, but that acceptance has increased over time.

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6. The evaluation findings indicate that many Trial participants have experienced complications and limitations when using CDCs, but that these issues have been ameliorated over time as a result of greater familiarity, as well as education and assistance provided by DSS, Indue Limited and its Local Partners.

ATTACHMENT 3 TO ITEM 14.1

Yamatji Marlpa
ABORIGINAL CORPORATION

Geraldton | Hedland | Perth
www.ymac.org.au

YMAC Board Does Not Support Cashless Welfare Card

MEDIA RELEASE: 17 August 2017

Yamatji Marlpa Aboriginal Corporation (YMAC) is the Native Title Representative Body for the Traditional Owners of the Pilbara, Midwest, Murchison, and Gascoyne regions of Western Australia (WA). YMAC represents 24 native title claim groups and supports a further eight native title prescribed body corporate (PBC) organisations; and provides legal services to other related entities. In total, YMAC's remit represents one-third of WA's total land mass and includes regional towns from Geraldton to Port Hedland and into the desert.

The YMAC Board of Directors are representatives of Aboriginal native title claim groups, PBCs, corporations and communities across WA. The YMAC Board **does not support** the cashless welfare card being promoted by Andrew Forrest because it unfairly discriminates against Aboriginal people. The Minderoo Foundation video displaying footage of Aboriginal violence is presented out of context; and suggests that this is the expectation that the wider Australian community should have of Aboriginal people. It is an attempt to dismantle Aboriginal culture. The negative imagery is not in any way a fair representation of the way Aboriginal people conduct themselves. The video targets vulnerable people and unfairly exploits them. It perpetuates a racist stereotype that is held within the non-Aboriginal community that these people cannot be trusted to manage their own affairs. This propaganda is damaging to the good work that many are doing to build positive relationships between Aboriginal and non-Aboriginal people. The Minderoo Foundation video demeans people in a shallow attempt at promoting a solution that is known to be ineffective and promotes a wider divide between our citizens. The type of dictatorial approach in addressing Aboriginal issues is an archaic way of dealing with the relationship. In support of Senator Dodson's comments, *regional WA towns are not 'war zones' and the people who live there should be treated with respect. We need community buy-in to develop strategies to deal with the factors that make communities fail. The goal has to be to make them flourish with incentives rather than condemn them and reduce them to dependence and constant surveillance.*

Does Andrew Forrest have the authority of elders to advocate the cashless welfare card? As the peak representative body for over one million square kilometres of Country in the affected regions discussed, YMAC has yet to be consulted, and as Board members who live on Country, with an ear to the ground we have not heard of any widespread consultation taking place.

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Yamatji Marlpa
ABORIGINAL CORPORATION

Geraldton | Hedland | Perth
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Taking into account the trials that have been conducted, there has been no definitive evidence that the cashless card will solve the issues it was intended to on a wider audience. In fact, evidence was presented this week at the inquest into Aboriginal youth suicide in North West WA that the cashless welfare card contributed to the problems of violence and mental health. The YMAC Board welcomes the opportunity for consultation and collaboration with Andrew Forrest, The Minderoo Foundation and the Australian government. Together we can design and implement solutions that are consistent with Aboriginal people's need for self-determination and the right to pursue self-developed solutions.

YMAC CEO Simon Hawkins states "... YMAC and the Australian public needs to see the data from the trial of the program to determine the merits of the cashless card, not just selective evidence from a few individuals. Broader consultation with the Aboriginal communities likely to be impacted by the program is needed to empower Aboriginal people to make informed choices on these matters."

Ms Natalie Parker
Co-Chair (Pilbara)

Mr Peter Windie
Co-Chair (Yamatji)

Yamatji Marlpa Aboriginal Corporation (YMAC) is the native title representative body for native title claims in the Pilbara, Murchison and Gascoyne areas of Western Australia. The organisation has a representative area of almost one million square kilometres and represents over 20 native title claims, all with their own language, culture and traditions.

YMAC is a not-for-profit organisation run by an Aboriginal Board. It provides a range of services to its members including claim and future-act representation, heritage protection services, community and economic development, and natural resource management.

For interviews please contact **Melissa Lucioli** on 0458 010 483 or at mlucioli@ymac.org.au

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[redacted]

From: Kelly Howlett <ceo@bloodwoodtree.org.au>
Sent: Thursday, 16 November 2017 3:04 PM
To: [redacted]
Subject: Bloodwood Tree Board View: Federal Government welfare card

Importance: High

Dear Trina,

Good afternoon and thank you for your phone call. Please find below the formal Bloodwood Tree Board position on the welfare card.

Just for your information, when the vote was taken on this position it was 4/1 (with Alfred Barker being the only Board member against this view). So the motion still carried and is the formal view of the entire Board.

Federal Government Welfare Card (white card)

Bloodwood Tree Board Position – does not support the Federal Government Welfare Card (white card) introduction

1. Bloodwood Tree Association feels it should not be a "one approach" for all. There should be an amount of choice (ability for people to choose to go onto it and alternatively not go onto it).
2. Bloodwood Tree Association feels welfare recipients need more educational opportunities around budgeting, financial obligations, availability of resources such as financial counsellors
3. Bloodwood Tree feels strongly that there should be more support and assistance provided for the wrap around support services to welfare recipients and options such as fortnightly financial planning workshops and services for those that need it, financial counselling and support programs for recipients experiencing extreme financial hardship.

Background

The trial commenced in the Kimberley in April 2016. Most people who receive welfare payments and live in Kununurra and Wyndham are taking part in the trial. That is, people who receive payments from Centrelink like Newstart, Disability Support Pension, Parenting Payment and Carers Payment.

- 80 per cent of your fortnightly payment is paid onto the card
- 20 per cent is paid into your regular bank account.

- The cashless debit card looks and operates like any other bank card
- It can be used in stores that have an EFTPOS machine
- The card cannot be used to buy alcohol, gambling products or withdraw cash
- It works online, for shopping and paying bills
- People can still use Centrepay and the Rent Deduction Scheme from Centrelink.

Anything further please do not hesitate to let me know.

Kind Regards,

Kelly Howlett

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Kelly Howlett
Chief Executive Officer
Bloodwood Tree Association Inc
Ph 08 9138 3010 mob 0439941431

BLOODWOOD TREE ASSOCIATION Inc.

I acknowledge and respect the traditional Indigenous owners of the land on which I work, the first people of this country. I pay my respects to them, their culture, and their Elders past, present and future.

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ATTACHMENT 5 TO ITEM 14.1

I, Cr Julie Arif wish to present this Motion on Notice

Motion

That with respect to the Cashless Welfare Card, Council

(a) has a position of not supporting the introduction of the Cashless Welfare card in our Town.

(b) Ensure to all delegations, media releases, meetings , this position is made clear to all.

Signed

Date 1 Nov 2017

12.1 Executive Services

12.1.1 South Hedland Taxi Rank Report *(File No. 30/10/0004)*

Author	Community Safety Advisor
Authorising Officer	Chief Executive Officer
Disclosure of Interest	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

CM201718/086 OFFICER RECOMMENDATION/ COUNCIL DECISION

MOVED: CR NEWBERY **SECONDED: CR ARIF**

That with respect to the permanent relocation of the South Hedland Square taxi rank, Council:

1. **Approve the permanent relocation of the taxi rank at Wise Terrace, south of McLarty Boulevard, South Hedland as the permanent taxi rank; and**

2. **Consider shade options for the taxi rank in the 2018/19 financial year budget.**

CARRIED 8/0

PURPOSE

As a strategy to address antisocial behaviour at the South Hedland Square, the Town of Port Hedland held individual consultations with relevant stakeholders, as per resolution at the Ordinary Council Meeting on 26 April 2017; Item12.1.2.The purpose of the review was to identify the impact the three month trial site at Wise Terrace South of McLarty Boulevard had on the Hedland community and businesses to advise Council on the permanency of this current trial location.

DETAIL

At the Ordinary Council Meeting on 26 April 2017 (Item 12.1.2) Council approved the relocation of the South Hedland taxi rank to Wise terrace South of McLarty Boulevard for a three month trial. The purpose of this decision was to address anti-social behaviour occurring in in the South Hedland Square Park and the entrance of Coles at the shopping Centre. These behaviours were supported by police statistics, CCTV footage, challenges facing local businesses and negative community feedback on safety provision at this central location. Council requested the Chief Executive Officer submit a report evaluating the trial within 2 months of the trial ending in conjunction with the Taxi companies.

There are many individuals, organizations, and agencies working in Hedland to address antisocial behaviour and harm from the misuse of alcohol and drugs. It is widely understood that this issue is complex and there is not an easy, or single, solution.

Though substance abuse is the wider issue, antisocial behaviour occurring at the taxi rank area could be improved through reducing the number of people congregating in the vicinity. As a result of this thinking, a trial relocation of taxi rank was conducted.

At the completion of the trial the Town's Community Safety Advisor conducted face to face consultation with all relevant stakeholders. These consultations identified that all stakeholders were in agreeance that the new taxi rank location was suitable to become a permanent site, after the three month trial period. It was noted by all stakeholders that an improvement in behaviour in the area was evident during the trial.

While in full support for the relocation of the taxi bay to become permanent, taxi companies identified several secondary issues relating to services at the taxi rank and traffic management. These issues are as follows:

- An additional bin at the front of the taxi rank.
    - There is currently a bin at the opposite end of the rank. The Town of Port Hedland is in the process of installing.
- A designated drop off zone for disabled and elderly clients.
    - The Taxi companies reported the current drop of zones are being illegally used by community members for extended periods of time. This is currently being patrolled by the Towns Ranger Services.
- Installation of shade for the drivers.
    - There is only shade provided for customers.
- Extension of the taxi rank parking line on either side to increase it to nine car bays instead of six.
    - This would require the bus stop at the end of the taxi rank to be moved.
    - This would need to be reviewed against the Towns Parking Local Laws and WA Road Traffic Code
- Improved lighting of the taxi rank at night.
    - This suggestion was endorsed by South Hedland Police Station and the Town of Port Hedland is applying for funding to upgrade the lights in this area.
- Reviewing the taxi rank width to ensure it meets road safety standards.
    - Drivers have reported when they open their doors, it is opening onto the main road.

The Towns Community Safety Advisor confirmed with relevant stakeholders that these issues identified would be reviewed after the Council meeting by internal Town of Port Hedland directorates once approved by Council. Additionally South Hedland Police Station have reported a significant change in patrons utilizing the taxi rank due to the reduction of crowding in the often densely populated Town Square, reduction in negative social media responses and a reduction in reported crime. During the time of consultation South Hedland Police Station were unable to provide factual numbers of the decrease of police call out jobs in this specific area but verbally confirmed there was a reduction since the relocation in April 2017. Additionally the Town Square of South Hedland Shopping Centre is being utilized more frequently by community services within the allocated green space, further demonstrating that the relocation has had a pro-social impact of community participation in this public space.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because of the social impact of personal safety in a public space.

Additionally the historical context of the South Hedland taxi rank, has been relocated on numerous occasions due to the same issues around anti-social behaviour. The relevant stakeholders were engaged due to the political nature of the relocation site and the impacts of taxi companies and local businesses affected by the anti-social behaviour.

CONSULTATION

A mixture of face to face and telephone consultation occurred in October 2017 by the Towns Community Safety Advisor. The consultation was to identify if a consensus could be reached on whether the trial site should be made permanent. The following stakeholders were contacted:

Internal

- Chief Executive Officer
- Director of Development Sustainability and Lifestyle.
- Manager of Environmental Health and Community Safety
- Manager of Technology
- Manager of Engineering Operations
- Coordinator of Parks and Gardens
- Coordinator Technical Services

External Agencies

- Bozana Ivkovic- Hedland Taxi
- Ivan Spoljaric- Carlindie Cabs
- Erica Hills- South Hedland Taxis
- Andrew Ramsden- South Hedland Police Station
- Garth Armstrong- Department of Transport
- Angela Johnstone- Charter Hall

Community

- Gloria Jacobs- South Hedland Small Business Association

Consultation with Elected Members will occur through the agenda settlement process.

LEGISLATION AND POLICY CONSIDERATIONS

Local law allows for the Port Hedland Council to accept the officer's recommendation to endorse the trial taxi site after the three month period.

There are no significant identifiable policy impacts arising from adoption of the officer's recommendation.

FINANCIAL AND RESOURCES IMPLICATIONS

The officers recommended option of approving the trial site will incur an estimated $500 cost. Installation and labour of waste management receptacles at the front of the taxi rank. The cost can be met through the Towns Operational Budget.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The adoption of the permanent trial site has seen a reduction in antisocial behaviour at the South Hedland Square, resulting in an increased safety perception further promoting an inclusive and safer public space as outlined in Council's *Strategic Community Plan 2014-2024*:

1.1 A unified community across our townships	• Provide safe and accessible community facilities, services, events and open spaces that connect people and neighbors.
1.2 A vibrant community rich in diverse cultures	• Work with key agencies and our community to reduce antisocial behaviors and improve community safety.
3.3 Safe, attractive and accessible environment	• Partner with residents and local businesses to deliver high standard of visual amenity and cleanliness
4.2 Engage our community and stakeholders	• Facilitate community engagement and civic participation

Environmental

There are no significant identifiable environmental impacts arising from adoption of the officer's recommendation. However Town of Port Hedland will provide an additional rubbish bin at the trial location once adopted as a permanent site.

Economic

The Town consulted, and will continue to engage with taxi companies, policing and local services impacted by the permanent relocation site.

Social

There is a social impact if the Council adopts the officer's recommendation. As outlined in the report, the increase in pro-social activities in this South Hedland Town Square has decreased emergency services resources calls and provided a public space in which community members and organizations feel safe to utilize.

RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be Low (4) if Council adopts the officer's recommendations to approve the current trial site as a permanent taxi location.

OPTIONS

Option 1

That Council adopts Officers Recommendation.

Option 2

That with respect to the current trial site of the South Hedland taxi rank, Council:

1. Extend the trial period for a further three months.

2. Request the Chief Executive Office to submit a report re-evaluating the trial within 2 months of the trial ending.

Option 3

That with respect to the current trial site of the South Hedland taxi rank, Council:

1. Request the Chief Executive officer (or his delegate) to further consult community and stakeholders on the current trial site.
2. Request the Chief Executive Officer to submit a report evaluating the feedback from the consultation for the January 2018 Council meeting.

Option 4

That Council not approve the permanency of the current South Hedland taxi rank trial site.

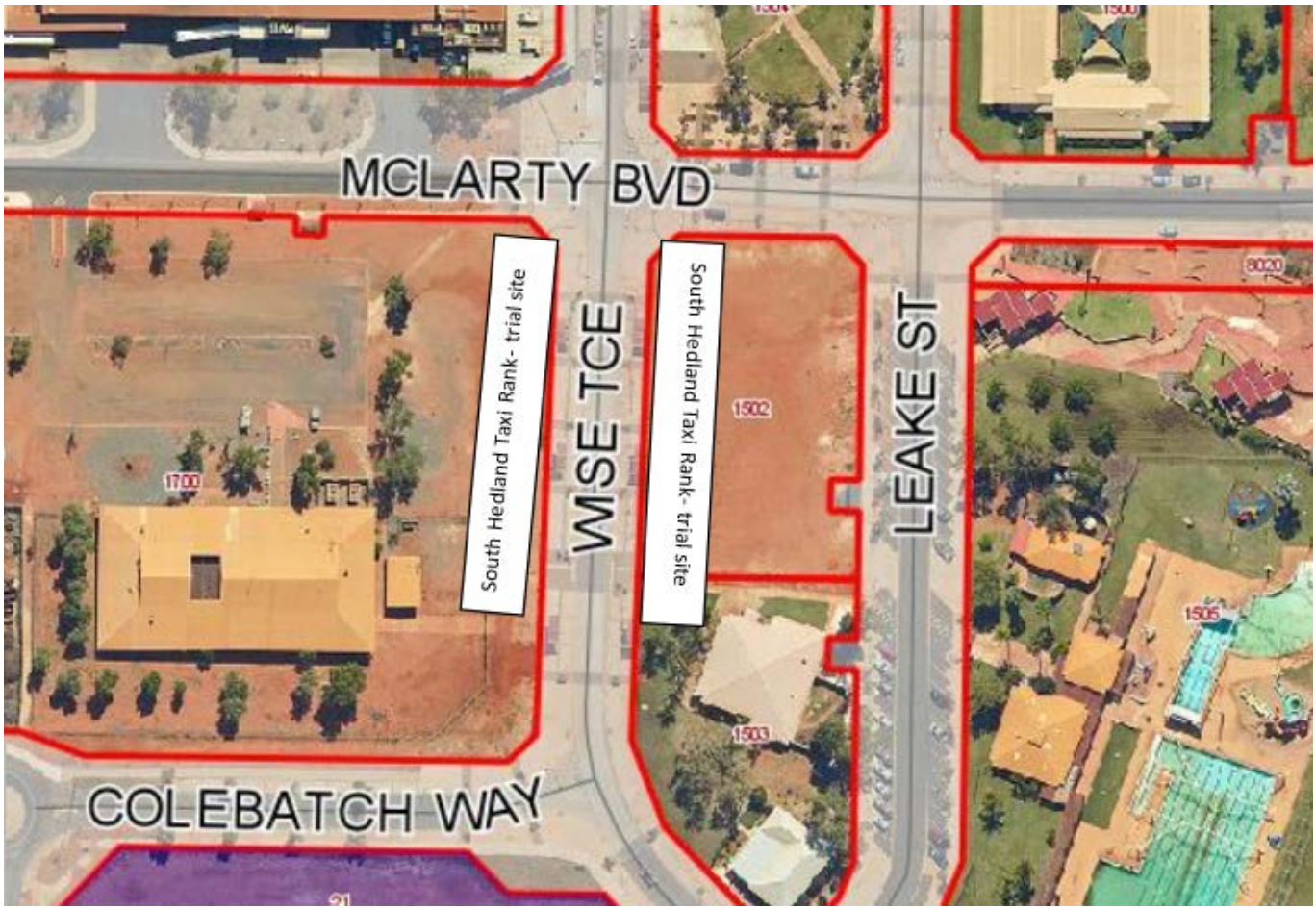
CONCLUSION

Following the Council decision in April 2017, Town officers reviewed the outcome of the trial site and consulted with all key affected stakeholders. It was agreed by all stakeholders involved that the current trial site should be a permanent location due to the reduction in policing resources on job call outs and the increase in community & organization participation in the Town Square of the South Hedland Shopping Centre.

ATTACHMENTS

1. South Hedland Taxi Rank Relocation Map

ATTACHMENT 1 TO ITEM 12.1.1



7:09pm Councillor Arif declared a financial interest in item 12.1.2 'Community Safety Advisory Forum Terms of Reference' as she has BHP shares.

7:09pm Councillor Daccache declared a financial interest in item 12.1.2 'Community Safety Advisory Forum Terms of Reference' as he has BHP shares.

12.1.2 Community Safety Advisory Forum Terms of Reference *(File No. 13/05/0001)*

Author	Community Safety Advisor
Authorising Officer	Chief Executive Officer
Disclosure of Interest	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER RECOMMENDATION

That Council, with respect to the Community Safety and Crime Prevention Plan:

1. Consider the approval of the Terms of Reference for the Hedland Community Safety Advisory Forum as per attachment 2.

SIMPLE MAJORITY VOTE REQUIRED

CM201718/087 COUNCIL DECISION

MOVED: CR NEWBERY **SECONDED: CR WHITWELL**

That Council, with respect to the Community Safety and Crime Prevention Plan:

1. **Consider the approval of the Terms of Reference for the Hedland Community Safety Advisory Forum as per attachment 2.**
2. **To engage with our local MP Kevin Michel and include himself as a member on the Hedland Community Safety Advisory Committee.**
3. **To increase the membership by 1 to a total of 16 Persons.**

CARRIED 6/0

7:15pm Councillor Arif and Councillor Daccache re-entered the room and resumed their chairs. The Mayor advised Councillor Arif and Councillor Daccache of the decision made in their absence.

PURPOSE

The Community Safety and Crime Prevention Plan (CSCPP) is responsible for addressing community safety and crime prevention issues impacting the Hedland community. An advisory forum is a strategic community leadership body that will assist in identifying, and offering advice

on current and emerging community safety and crime prevention concerns from a strategic funding level guided by evidence based research.

The proposed Hedland Community Safety Advisory Forum (HCSAF) is guided by a Terms of Reference to ensure all members identified understand their role and responsibilities for the collective purpose of addressing issues and initiatives as outlined in the Community Safety and Crime Prevention Plan.

DETAIL

In 2003 the Town of Port Hedland entered into a Community Safety & Crime Prevention partnership with the Office of Crime Prevention as part of a new State Government initiative for reducing crime and improving community safety. The primary purpose of this partnership was to:

- Establish effective partnerships with key stakeholders engaged in improving the safety and wellbeing of individuals in the Hedland region.
- Prioritise safety issues for the Town of Port Hedland and;
- Oversee the implementation of crime prevention projects in response to local safety issues.

The first step in this partnership was the development of a Community Safety and Crime Prevention Plan which would provide the Hedland community with a documented framework to ensure that crime and safety issues were addressed in a coordinated manner involving key stakeholders in the community. This was undertaken in 2003, and the results was the development of the Town of Port Hedland Safer Community and Crime Prevention Plan 2003-2005. The most recent Plan is the 2010-2013 Community Safety and Crime Prevention Plan which is in the process of been updated. The previous Community Safety and Crime Prevention plan had a dedicated committee who would meet up on a quarterly basis to discuss current initiative and community safety concerns. Unfortunately this committee was disbanded at the Ordinary Council Meeting held on the 24 July 2013, for multiple reasons including:

- Lack of stakeholder attendance and engagement with limited delegation authority for funding initiatives,
- The committee resulted in a networking session with limited outcomes achieved resulting in unclear strategic direction on the group's purpose and sustainability.

The Town's Community Safety Advisor has reviewed the previous committee establishment and consulted with funding partners BHP Billiton Iron Ore to understand the strategic direction for the advisory forum of the Community Safety and Crime Prevention Plan. The governance structure is outlined in attachment 1 of this report. The governance structure is proposing to work from a Collective Impact framework whereby three working groups have been identified into their decision making delegations and will collectively collaborate to achieve a common agenda. The working groups are:

1. Hedland Community Safety Advisory Forum
2. Hedland Community Safety Action Group
3. Town of Port Hedland Community Safety Group

The Hedland Community Safety Advisory Forum will be established in the first instance and be guided by a Terms of Reference as outlined in Attachment 2 of this report. The objectives of the Terms of Reference is to define the purpose and structures of the Hedland Community

Safety Advisory Forum to provide a framework on which the forum can make influential decisions.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because of the perceived impact community safety and crime has on the Hedland region. Additionally the political nature of community safety in the Hedland region and its media coverage on a national scale has significant impact on the decision making grounds in which this terms of reference is proposed, to provide structure and evidence based practice of addressing community needs for a safer Hedland.

CONSULTATION

Telephone and face to face consultations occurred between October and November 2017 by the Towns Community Safety Advisor. The consultation was to identify the key stakeholders, industry and community groups working in the scope of community safety and crime prevention.

Internal

- David Pentz, Chief Executive Officer
- Robert Leeds, Director of Development Sustainability and Lifestyle
- Michael Cuvalo, Manager of Environmental Health and Community Safety
- Trina Stoddart, Community Engagement Officer

Consultation with Elected Members will occur through the agenda settlement process.

External Agencies

- Chris Cottier, BHP Billiton Iron Ore
- Adrian Brahim, BHP Billiton Iron Ore
- Jeanette Haselby, Roy Hill Mining
- Catriona Dowding, Fortescue Metal Group Limited
- Andrew Ramsden, South Hedland Police Station
- Jayd Marowski, Port Hedland Police Station
- Nick Preece, I.B.N Group Ltd Pty
- Chad Stewart, Regional Services Reform Unit
- Tim Turner, Regional Services Reform Unit
- Ben Gasior, Department of Child Safety and Family Support
- Carly Jakutavicius, Department of Housing
- Kelly Summers, Hedland Senior High School
- David Bryant, Hedland Senior High School
- Lyell Morrison, Pilbara Youth Justice Services
- June Councillor, Wirrika Maya Health Services
- Kelly Howlett, Bloodwood Tree Association Inc
- Yvonne Denham, Port Hedland Primary School
- Daryl Mansfield, South Hedland Primary School
- Karen Burges, Baler Primary School
- Peter Allen, St Cecilia's Catholic School

- Amanda Hitchins, Hedland's Women Refuge
- Vicky-Tree Stevens, Youth Involvement Council
- Jo Burnett, Mental Health Commission
- Neil Darby, Department of Education and Training
- Jade Lindley, University of Western Australia
- Brian Wilson, WA Country Health Services
- Stephanie Holmes, Mission Australia

Community

Strong Leaders- consultation to be organized after Strong Leaders forum

LEGISLATION AND POLICY CONSIDERATIONS

Local law allows for the Port Hedland Council to accept the officer's recommendation to endorse the Terms of Reference for the Hedland Community Safety Advisory Forum.

There are no significant identifiable policy impacts arising from adoption of the officer's recommendation.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial implications associated with adopting the officer's recommendation.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The adoption of the Terms of Reference will showcase Council's support for the forum and formalize the framework in which the forum and sub working groups will collaborate to achieve a common goal. The following sections of the Council's *Strategic Community Plan 2014-2024* are applicable in the consideration of this item:

1.2 A vibrant community rich in diverse cultures	• Work with key agencies and our community to reduce antisocial behaviours and improve community safety
4.2 Engage our community and stakeholders	• Represent our community and provide transparent and accountable civic leadership • Facilitate community engagement and civic participation • Be a powerful voice and influential partner with Federal and State Governments and major industries for the development of Port Hedland

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 (2) if Council adopts the officers recommendations to approve the Terms of Reference for the Hedland Community Safety Advisory Forum.

OPTIONS

Option 1 - Adopt Officer's recommendation.

Option 2 - That with respect to the proposed Hedland Community Safety Advisory Forum, Council:

1. Request the Chief Executive Officer (or his delegate) to further consult community and stakeholders on the Terms of Reference.
2. Request the Chief Executive Officer re-submit an amended Terms of Reference for the December 2017 Council meeting.

CONCLUSION

As part of the review of the Community Safety and Crime Prevention Plan, an advisory forum is required to provide strategic support and evidence based practice leadership on current and emerging community safety and crime prevention concerns. A Terms of Reference will guide the advisory forum on expectations and responsibilities to ensure effective collaboration and leadership is nurtured to achieve a safer and inclusive Hedland community.

ATTACHMENTS

1. Governance Structure
2. Terms of Reference

ATTACHMENT 1 TO ITEM 12.1.2

The Community Safety Advisory Forum (CSAF): is a community leadership body that will assist in identifying, and offering advice on current and emerging community safety and crime prevention concerns from a strategic funding level, guided by evidence based practice.

Community Safety Action Group (CSAG): will provide advice to the Community Safety Advisory Forum from a front line services scope and implement initiatives identified by the Community Safety and Crime Prevention Plan.

Town of Port Hedland Community Safety Group: communicate to both working groups on town initiatives and actions identified in the Community Safety and Crime Prevention Plan.

ATTACHMENT 2 TO ITEM 12.1.2

HEDLAND COMMUNITY SAFETY ADVISORY COMMITTEE (HCSAC)

TERMS OF REFERENCE 2017-2018

GLOSSARY OF TERMS

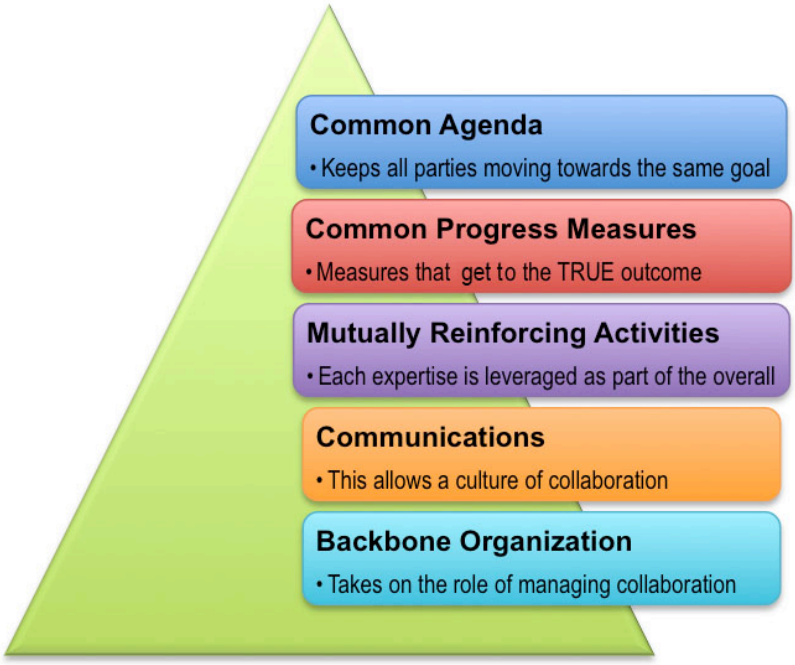
ACRONYMS	DEFINITION
HCSAF	Hedland Community Safety Advisory Forum
HCSAG	Hedland Community Safety Action Group
CSCPP	Community Safety and Crime Prevention Plan

1. NAME

The name of the committee shall be the Hedland Community Safety Advisory Forum (HCSAC).

2. PURPOSE

The Hedland Community Safety Advisory Forum is a peak body of executive leaders selected to advise Council on current and emerging community safety and crime prevention issues through collective impact approach.



*Collective Impact Approach (Collaboration for Impact, 2017)

3. SCOPE AND OBJECTIVES

The Hedland Community Safety Advisory Forum will identify and advise Council on current and emerging community safety and crime prevention issues within the Hedland community. The HCSAF has an interest in collaboration and partnerships, promoting community safety and creating a voice for the Hedland community on a State and Federal spectrum. The aims and objectives of the committee are:

3.1. To monitor and review the implementation of the Hedland Community Safety and Crime Prevention Plan.

3.2. To report on the Forum's activities annually, for inclusion in the Town of Port Hedland's Annual Report.

3.3. To consider matters relating to community safety and crime prevention, raised by Council and Hedland Community Safety Action Group (HCSAG).

3.4. To support, when applicable, programmes and activities related to community safety and crime prevention within the Hedland region.

3.5. To promote and enhance awareness of community safety and crime prevention issues and new projects in the Town through media such as newspaper articles, internet and other appropriate means.

3.6. Support and strengthen the link between community safety and crime prevention groups/organisations and Town of Port Hedland.

3.7. Provide a process for input and feedback regarding the planning and provision of services, facilities and programs relating to community safety and crime prevention;

3.8. Inform Council on matters of community safety and crime prevention concerns which may require Council support or Council response;

3.9. To determine a unified and co-ordinated approach to specific issues in the achievement of a safer community;

3.10. Promote the awareness of community safety in the community through the support and monitoring of the development of a culture of community safety and crime prevention.

4. AUTHORITY AND DELEGATION

4.1. It is recognised that the Committee is an advisory body to Council operating for the benefit of the community within these Terms of References. In the context of these Terms of Reference, the Committee shall be free to plan and promote the aforementioned aims and objectives as best as it sees fit.

5. ROLES AND RESPONSIBILTY

The responsibilities of the Hedland Community Safety Advisory Forum are to:

- Through identified key representatives, serve as an advisory forum on best practice in regards to community safety planning and policy by providing a communication link between community members/groups, businesses, private sectors, Government agencies and Town of Port Hedland.
- Work together to identify, raise awareness and determine approaches that will strengthen the community and/or Councils ability to address community safety.
- Develop projects or programs to assist in resolving and/or promoting community safety and crime prevention.
- To promote the community benefits of community safety through actions and information sharing.
- Advocate for Hedland Community Safety issues on a State and Federal level, in conjunction with the resource sector.

The Role of the Community Safety Advisory Forum is to:

- Provide comment and information regarding the planning, funding and provision of community services.
- Advocate for identified needs of the Hedland community at Local, State and Commonwealth levels.
- Provide advice to Council with regards to current and emerging community safety needs/ opportunities and policy matters.
- Identify, and where possible enable, community led action to address current and emerging community safety needs/ opportunism.

The role of the Community Safety Advisor:

- Be the key contact for the HCSAC and HCSAG members.
- Work with the Chairperson to ensure outcomes and actions from HCSAC and HCSAG are completed and reported back to Council.
- Support the Chairperson in the delivery of the HCSAC and meeting protocols.
- Update and monitor the HCSAC action register.
- Support the Meeting Facilitator in responding to and actioning identified items form the HCSAC action register.

The role of Council is to:

- Utilise the HCSAF as a community engagement body.
- Advocate and promote the HCSAF and Community Safety and Crime Prevention Plan.

6. MEMBERSHIP

The maximum voting membership of the HCSAC will be fifteen (15) persons.

Membership of the HCSAC is voluntary.

Membership include one (1) elected member being the Chairperson with fourteen (14) executive leaders, as identified by the Town of Port Hedland and funding partners.

The Community Safety Advisor is not considered a member of the committee and only supports the meeting in a non-voting capacity.

Town of Port Hedland elected members can observe and participate in a HCSAC meeting in a non-voting capacity. Participation will need to be arranged in advance in accordance with the HCSAC procedure.

With endorsement of the HCSAC Chairperson and Community Safety Advisor, invitations can be made to include non-HCSAC (either organisation, groups and/or individuals) to actively participate in HCSAC discussions as a subject matter expert.

The HCSAC will select relevant stakeholders for the sub working group Hedland Community Safety Action Group, led by the Chief Executive Officer of the Town of Port Hedland. These memberships will be reviewed and assessed by the Community Safety Advisor.

7. APPOINTMENT OF CHAIRPERSON

The Chairperson of the Forum shall be the Mayor as spokesperson for the Town of Port Hedland.

8. ROLE OF CHAIRPERSON

The Chairperson becomes the spokesperson on behalf of Council in discussing matters relating to the HCSAF; provides leadership at HCSAF meetings; and represents HCSAF at state and federal forums.

The Chairperson will preside at meetings and conduct the meetings as they see fit. If there is a dispute about meeting procedures reference will be made to the Town of Port Hedland's Standing Orders.

9. ROLE OF FORUM MEMBERS

The forum will apply a collective actions approach. It will advocate and consider ways to strengthen and address community needs/opportunities through information collection and dissemination between Council and the community, and where appropriate act deemed as enablers for community led leadership and action.

10. TERMS OF MEMBERSHIP

a) Representation

Membership of the HCSAC will consist of representatives in executive positions responsible for the funding of community organisations and initiatives within the Hedland community who can provide strategic leadership on cost effective initiatives and best practice advice on Community Safety and Crime Prevention needs for a safer Hedland community.

Consideration can be given to additional representation from key organisations/groups or individuals within the community, with approval.

b) Appointment of members

The Council will endeavour to constitute the HCSAF with members who have skills or a knowledge base relevant to the roles, aims and responsibilities of the committee.

The process of selection of Forum members will be undertaken by a panel consisting of the Chairperson of the HCSAF and Community Safety Advisor.

Invitations will be sent to key stakeholders from a variety of organisations/groups or individuals whose core purpose is in line with the intended focus areas of HCSAF; and promoted through various media options as considered appropriate by the HCSAF Chairperson, Town of Port Hedland Chief Executive Officer and Community Safety Advisor.

c) Term of Membership

Members of the HCSAF will be appointed for twelve (12) months, after implementation of the selection process.

There is no maximum number of terms to be served on the Forum. However, the assessment and selection process will take the number of terms served into consideration, and areas of knowledge/connection required to support the current term of HCSAF and Council.

Membership will be discontinued if a member organisation, or their delegate, fails to attend three (3) consecutive meetings without notification.

Members of the Forum can apply to the Forum Chairperson in writing for a leave of absence of up to one month from the Forum and request that an alternative delegate attend on their behalf. Notice must be received in writing prior to the relevant meeting to the Community Safety Advisor.

d) Replacing Vacating Members

If a member of the Advisory Forum wishes to relinquish their position on the Forum, the Member should notify the Chairperson of the Forum in writing. The HCSAF Chairperson and Community Safety Advisor will determine replacement of the vacating member in accordance with the 'appointment of members' process.

A member who relinquishes their membership on the Forum may nominate a replacement representative who has skills similar to their own in writing to the HCSAF Chairperson and Community Safety Advisor for consideration.

11. MEETINGS

11.1. QUORUM

A quorum must be half the numbers of the members of the Forum plus one.

Decision making of the HCSAF will be by majority vote.

The HCSAF Chairperson has a casting vote.

11.2. FREQUENCY AND LOCATION

Meetings of the forum will be held bi-monthly unless otherwise advised, at a location to be confirmed.

Meetings will be held during the following months, unless otherwise advised- February, April, June, August, October, and December.

The meeting will be chaired by the appointed Councillor, if the Mayor is unavailable; role of Chairperson is delegated to the next appropriate Councillor nominated by the Chairperson.

Additional/ Extraordinary meetings of the HCSAF may be called, at the discretion of the HCSAF Chairperson, as required and arranged through the Community Safety Advisor.

11.3. MEETING AGENDA

Agenda topics will be open to HCSAF members as well as the elected members and the sub working group HSCAG.

Agenda items are to be submitted to the Community Safety Advisor at **kbooth@porthedland.wa.gov.au** no later than twenty-one (21) days prior to the next forum.

11.4. CONDUCT

If there is a dispute regarding the conduct of an individual the Chairperson must refer to the Town of Port Hedland Code of Conduct.

12. REPORTING GUIDELINES

The HCSAF will report to Council on a quarterly basis.

13. REVIEW AND PERFORMANCE EVALUATION

13.1. TERMS OF REFERENCE

The Committee shall review these Terms of References at the first HCSAC Meeting of each calendar year and will provide the recommended changes to Council for determination.

13.2. PERFORMANCE EVALUATION

At the first HCSAF Meeting of each calendar year the Forum shall undergo a self-assessment process to ensure all the functions and business of the forum is being dealt with in an efficient and effective manner.

The assessment process shall include but not be restricted to time of meetings, length of meetings, attendance at meetings (members and public), location of meetings (suitability), content of meetings, results of recommendations on matters discussed, achievements, satisfaction rating of members and meeting management.

14. TOWN STAFF

The HCSAF will be resourced by officers of the Directorate of Development, Sustainability & Lifestyle.

Attendance by relevant staff from other Divisions of the Town may be requested by the forum through the HCSAF Chairperson and appropriate internal channels.

Town of Port Hedland officers (as required and approved) will also attend meetings in an observation/ non-voting capacity to provide and/or seek information from the forum.

RELATED POLICIES/DOCUMENTS

Strategic Community Plan 2014-2024
Community Engagement Plan
Community Safety and Crime Prevention Plan
Code of Conduct

12.2 Corporate Performance

12.2.1 RSPCA Funding Approval and Contribution (*File No. 19/01/0001*)

Author	Governance 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.

CM201718/088 OFFICER RECOMMENDATION 1/ COUNCIL DECISION

MOVED: CR ARIF **SECONDED: CR MCDONOGH**

That Council:

1. **Provide in principle support for funding $20,000 to be considered for inclusion at the next budget review for the proposed RSPCA WA Pilbara based Animal Welfare Improvement project.**

2. **Authorise the Chief Executive Officer to enter into a Memorandum of Understanding with RSPCA WA in relation to the Pilbara based Animal Welfare Improvement project.**

CARRIED 8/0

CM201718/089 OFFICER RECOMMENDATION 2/ COUNCIL DECISION

MOVED: CR ARIF **SECONDED: CR NEWBERY**

For Council to contribute $5,000 to the RSPCA WA Community Action day in lieu of the Town of Port Hedland holding the RSPCA Million Paws Walk.

CARRIED BY ABSOLUTE MAJORITY 8/0

PURPOSE

The purpose of this report is to inform Council of correspondence received including a proposal from RSPCA WA for the introduction of a Pilbara based Animal Welfare Improvement project.

DETAIL

Over the past six years, Town of Port Hedland ranger statistics report an average of 141 logged animal welfare jobs per year. The highest was 174 in one calendar year. These jobs include referrals from the RSPCA WA and jobs reported directly to ranger services.

The current Town of Port Hedland ranger unit is comprised of four rangers. At present there is no designated locally based animal welfare officer or body to pursue cases of animal cruelty. Therefore there is a necessity for the compliance and enforcement of animal cruelty in Port Hedland.

Rangers advise they regularly report identified welfare issues to the RSPCA WA and have concerns about a lack of local welfare authority to take action in genuine extreme instances of animal welfare concerns.
As stated in the correspondence received from RSPCA WA, through the Pilbara based Animal Welfare Improvement project, An RSPCA WA Inspector would relieve Town of Port Hedland rangers from animal welfare issues, thus allowing resources to be reallocated.

Under the RSPCA WA proposal, the Town of Port Hedland would contribute $20,000 per financial year of 2017/18 and 2018/19 to the Pilbara based Animal Welfare Improvement project. The project would deliver community education programs and information, with a compliance and enforcement element through an RSPCA WA Inspector based in either Karratha or Port Hedland. Such powers of prosecution are lacking in the Pilbara at present.

There is an additional optional request of $5,000 from RSPCA WA, which would contribute to the delivery of an RSPCA WA Community Action Day. The Town of Port Hedland has previously held events to encourage responsible pet ownership and registration and microchipping of animals as well as promoting local pet services. Held for eight consecutive years, these events were well received by the community. They had approximately 100 registrations each year in addition to raising over $18,000 for SAFE Hedland Inc. A financial allocation exists for $5,000, which could be transferred to the Community Action Day in lieu of the Town of Port Hedland holding a pet related event.

The proposed arrangement is currently in existence in the Kalgoorlie-Boulder area.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 ‘Significant Decision Making’, this matter is considered to be of medium significance, due to the reputation of the RSCPA WA, current (and potential) public interest and community support. The Council need contrast the financial cost to Council and operational requirements of the RSCPA WA against the services provided and community interest.

CONSULTATION

No consultation has taken place with the community. The following consultations have occurred:

- The Manager for Environmental Health and Community Safety met with David Van Ooran, CEO of RSPCA WA on 19th June 2017. At the time there was no ability to budget for the RSPCA proposal as the budget had been finalized and it was advised to apply through the Town’s community grant program.
- Consultation has taken place with the Ranger unit.
- The RSPCA WA met with the Chief Executive Officer on 19 June 2017
- The RSPCA WA met with the Chief Executive Officer and Mayor Blanco on 1 August 2017

LEGISLATION AND POLICY CONSIDERATIONS

The Town of Port Hedland rangers operate under the *Dog Act* and *Cat Act*. There are no provisions in either legislation to empower rangers with animal welfare compliance and enforcement authority.

If a complaint is logged by a member of public with RSPCA WA in Perth, the job is referred to the rangers at the Town of Port Hedland for initial investigation. To conduct an investigation, rangers are not able to enter the premises and require police attendance to do so (which requires more resources).
At present, rangers are only able to look into a yard to examine the complaint. If a ranger deems an animal's situation is dire and must be seized, this can only be done in the presence of an attending police officer.

If a complaint is made direct to the Town of Port Hedland by a member of the public, the rangers will attend the premises to determine the legitimacy of the complaint and report their findings to RSPCA WA.

An instance of poor animal welfare is only deemed an offence when proven by the RSPCA WA. Up until that juncture, the matter remains a concern.

Out of the four rangers employed by the Town of Port Hedland, only one ranger has completed additional accreditation with the Department of Agriculture and is a certified General Inspector. This allows the ranger to act under the *Animal Welfare Act* and enter premises for the purposes of conducting investigations and seize animals. When acting under this power, the ranger does not act in their primary role and is doing so as a private citizen. This places a further stress on ranger resources and potential for liability.

FINANCIAL AND RESOURCES IMPLICATIONS

Should Council provide in principal support at this juncture, funds cannot be determined until the completion of the mid-year budget review, which will be presented at the December 2017 Ordinary Council Meeting. The RSPCA are seeking financial commitment of $20,000 per annum for two years, with a view to future ongoing financial support.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

This following section/s of the Council's *Strategic Community Plan 2014-2024* are applicable in the consideration of this item:

1.1 A unified community across our townships	• Ensure all members of the community can access our services and facilities • Provide safe and accessible community facilities, services, events and open spaces that connect people and neighbours • Facilitate the provision of high-quality health services and facilities equal to those found in metropolitan areas
1.2 A vibrant community rich in diverse cultures	• Deliver and support programs, events, facilities and services which attract and retain residents to increase our permanent population • Celebrate our multiculturalism, indigenous culture, arts and history • Work with key agencies and our community to reduce antisocial behaviours and improve community safety

3.1 Sustainable services and infrastructure	• Support the development of education, research and strategic investment opportunities for 'clean technology' industrial development and energy production • Develop and maintain our infrastructure to ensure the long-term sustainability of our built and natural environment • Provide and promote sustainable waste management practices, including recycling initiatives • Facilitate the delivery of high quality and enduring built and natural environment
3.2 Protect our natural environment	• Manage, preserve, protect and maintain our natural environment and advocate for natural resources to be used sustainably • Support sustainable development so that it does not compromise our unique environmental assets
3.3 Safe, attractive and accessible environment	• Partner with key agencies and the community to prepare for, respond to and recover from emergencies such as cyclones and storm surges • Facilitate public health initiatives across our community • Partner with residents and local businesses to deliver high standard of visual amenity and cleanliness
4.1 Strategic and best practice local government administration	• Deliver high quality corporate governance accountability and compliance. • Maintain a strong and sustainable financial position • Be efficient and effective in use of resources, infrastructure, assets and technology • Attract, develop and retain an effective workforce to deliver organisational outcomes
4.2 Engage our community and stakeholders	• Lead a community-oriented organisation that delivers responsive and helpful services to our customers • Represent our community and provide transparent and accountable civic leadership • Facilitate community engagement and civic participation • Be a powerful voice and influential partner with Federal and State Governments and major industries for the development of Port Hedland • Ensure community members know how to access our services and facilities • Promote a positive representation of our community and Town's services

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

However according to the RSPCA WA proposal, a number of social benefits arise from the implementation of the Pilbara based Animal Welfare Improvement project:

- A 24/7 animal cruelty call center for the community
- RSPCA WA Inspector and welfare officer
- Reallocation of Town of Port Hedland ranger resources (away from animal welfare issues)
- Safeguarding Town of Port Hedland rangers from compliance activity
- A community presence of focusing on animal welfare

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) . This level of risk has been determined by considering a minor consequence should Council not approve the proposal and maintain the status quo including continued expenditure to ranger resources, poor public image of the Town of Port Hedland and endangering the lives of at risk animals. The likelihood of risk to the Town of Port Hedland is assessed as possible.

OPTIONS

Option 1 - Adopt Officers Recommendations

Option 2 – Do not adopt Officers Recommendations

CONCLUSION

Animal welfare is a concern to the Port Hedland community, which has a potential for significant consequences as evidenced from ranger statistics and information provided by the RSPCA WA. The absence of RSPCA WA in the Pilbara region places substantial pressure on the Town of Port Hedland to continue providing resources and fulfil animal welfare investigations, however does not adequately deal with the issue or address compliance and enforcement obligations.

ATTACHMENTS

1. RSPCA correspondence from SAFE
2. RSPCA correspondence to ToPH
3. RSPCA proposal (Under separate cover)

ATTACHMENT 1 TO ITEM 12.2.1

20 October 2017

SAVINGANIMALS
FROM EUTHANASIA INC.

Mr David Pentz
Chief Executive Officer
Town of Port Hedland
PO Box 41
Port Hedland
WA 6721

Dear David,

I write on behalf of SAFE Inc to express support for an RSPCA Inspector in the north-west region.

SAFE branches in Karratha, Newman, Broome and Hedland have been undertaking animal rescue and rehoming functions in the region since 2003. Over that time, SAFE volunteer coordinators and foster carers have witnessed hundreds of cases of extreme animal cruelty and neglect.

As a result, SAFE has advocated for animal welfare inspectors in the north-west for over fourteen years, recognising a need that goes well beyond the capacity of SAFE and shire councils. Areas such as community education, evidence collection in relation to cruelty offences, enforcement of animal welfare legislation, seizure of mistreated animals and prosecutions are the domain of the RSPCA, whose wide remit includes domestic, farmed and wild animals.

With the exception of community education, these are services SAFE branches are not equipped or empowered by law to carry out. SAFE's operations focus on the rehoming of homeless cats and dogs from council pounds or unwanted pets surrendered by the public. Volunteer foster carers provide a temporary home for animals until permanent homes are found. All dogs and cats rehomed by SAFE are de-sexed, microchipped and vaccinated.

SAFE and RSPCA functions complement each other and would combine well to improve outcomes for more animals, along with a more streamlined and cost-effective approach to animal welfare. By relieving RSPCA of the need to house and rehome domestic animals, SAFE enables the RSPCA to focus on animal cruelty issues. In turn, this would relieve SAFE from the impacts of 'picking up the pieces' in animal cruelty cases. The impacts are high on animals and SAFE personnel. SAFE's work relieves RSPCA of the need to house animals in costly-to-run shelter facilities. Instead, funds could be channelled to SAFE to assist manage animals coming into their care.

SAFE strongly supports the provision of funding to install RSPCA inspectors to address animal cruelty and enable timely action in relation to animal neglect and suffering.

Yours sincerely

Sue Hedley

Sue Hedley
Founder and President
SAFE Inc.

Saving Animals From Euthanasia Inc.
PO Box 1390, Karratha WA 6714 | safehq@safe.asn.au | Tel 0448 843 033 | www.safe.asn.au

FOSTERING • ADOPTIONS • ANIMAL WELFARE

awla
SAFE is a proud member

ATTACHMENT 2 TO ITEM 12.2.1

RSPCA
for all creatures great & small

4 August 2017

David Pentz
Chief Executive Officer
Town of Port Hedland
Civic Centre, McGregor Street
PORT HEDLAND WA 6721

By email: ea@porthedland.wa.gov.au

Dear Mr Pentz

RSPCA WA proposal for animal welfare services

Thank you very much for your time on Tuesday in Perth. It was good to meet you and Mayor Camilo Blanco to discuss the proposal to improve animal welfare in the Town of Port Hedland (the Town).

Based on our discussions at the meeting, I submit further information to you on the following topics.

1. RSPCA WA and agriculture

RSPCA WA is committed to supporting animal welfare in Western Australian food and fibre industries. We collaborate with Governments, peak farming bodies, regional groups and individual farmers to provide feedback and advice on animal welfare matters. Our objective is to ensure animals in agriculture are treated humanely from birth to slaughter. Indeed, this aim is shared by most farmers and peak farming bodies.

RSPCA WA typically receives more than 4,000 complaints per annum regarding livestock welfare from the public, including many from farmers and families based in the regions. Approximately 2,000 of these reports are followed up directly by RSPCA WA Animal Welfare Officers (Inspectors). The overwhelming majority of reports are dealt with via education, guidance and advice to the persons in charge of the animals.

In 2015/16 RSPCA WA successfully prosecuted two cases relating to livestock. These cases were strongly supported by the agricultural sector and assist in maintaining the public's confidence in the cattle industry (social licence to operate) i.e. it is well regulated from an animal welfare perspective.

RSPCA WA assists cattle farmers and the industry more broadly by:

- Fielding hundreds of calls from the public and farmers, in relation to cattle welfare
- Delivering education programs to schools and community groups
- Assisting the WA Police in the coordination of animals during natural disasters (fire, floods) and road traffic accidents involving livestock

The Royal Society
for the Prevention of
Cruelty to Animals
Western Australia Inc.

ABN 77 620 418 137

108 Malaga Drive
(Cnr Reid Highway)
Malaga WA 6090

P 08 9209 9300
F 08 9248 3144
E rspca@rspcawa.asn.au
W rspcawa.asn.au

PO Box 3147
Malaga WA 6945

- Working with ag industry stakeholders (e.g. Cattle Council of Australia, Meat and Livestock Australia), research institutions, development organisations, industry groups and Government on tools and initiatives that include, but are not limited to:
  - "Is it fit to load" guidelines
  - Caring for bobby calves
  - A guide to best practice husbandry in beef cattle
  - A producer's guide to sheep husbandry practices
  - A model for assessing the relative humaneness of pest animal control methods
  - National wild dog action plan

RSPCA WA has established a good relationship with the Kimberley Pilbara Cattlemen's Association. Perhaps the Town may wish to confirm this by contacting the Chief Executive Officer, Catherine Marriott (mobile: 0400 129 279 or email: catherine@kpca.online).

Alternatively, the RSPCA WA Animal Welfare Officer currently responsible for the Pilbara (Maureen Rogers) has extensive personal experience in working in the pastoral industry in the Pilbara prior to joining the RSPCA.

The RSPCA's policy on the live export of animals is well known and long-standing. In summary, the RSPCA prefers for animals to be slaughtered as close to the point of production as possible. However, whilst the live export trade exists, the RSPCA is committed to working with Government, industry and producers on ways in which to improve the welfare of the animals being exported. The RSPCA is of the view that domestic processing delivers higher standards of welfare, increases jobs in regional WA, and will better protect farmers from the shocks that the live export industry experiences when animal welfare or political issues invariably arise.

Note: If for some reason the issue of livestock and the RSPCA is problematic for the Town, an option for the Town to only fund RSPCA WA's companion animal work could be considered. In this case, RSPCA WA would cover the costs for livestock related work. This is certainly not the preferred option, but it is possible.

2. Rumour of 'overzealous' approach

There is no evidence to support rumours that RSPCA WA Animal Welfare Officers are overzealous. In fact, a recent Parliamentary Inquiry Select Committee (lobbied for and chaired by Shooters and Fishers MP, Hon. Rick Mazza MLC) could find no evidence that RSPCA WA Animal Welfare Officers abused their powers or treated the public unfairly. In fact, they were highly praised by members of the Select Committee for their integrity and professionalism.

RSPCA WA Animal Welfare Officers are also regularly praised by Magistrates, the Government and the public alike.

The facts are clear. RSPCA WA receives more than 15,000 complaints to its 24/7 call centre, investigates 6,300 cases and, last year, prosecuted 17 people. Over the last five years, RSPCA WA has had a 98% success rate with its prosecutions.

However, similar to any regulatory body (including the WA Police, Fisheries WA and in fact Local Government Rangers) those people who contravene laws are usually aggrieved with the regulator and rumours and unsubstantiated allegations are promulgated.

The decision by an RSPCA WA Animal Welfare Officer to enter a property or prosecute (in the cases where cruelty or neglect is serious, deliberately blatant, or we've exhausted every avenue of trying to help suffering animals) is always taken very seriously. There are substantial policies, procedures and legislation to ensure impartiality and high standards of conduct. Model litigant standards must also be adhered to, as well as legal profession conduct rules.

3. RSPCA WA and rescue groups

In the case of the Town, like other regional locations, RSPCA WA would be fully responsible for the care and treatment of animals that come into our care e.g. abandoned, surrendered by the public or, in some cases, potentially seized.

It would be our intention to form a *Friends of the RSPCA* volunteer group to assist with animal care (including foster care and rehoming) as well as utilise the support of any rescue group such as Save Animals From Euthanasia (SAFE) should the group re-establish a presence in Port Hedland. The volunteer group would also be involved in staging an annual *Million Paws Walk* event and also get involved in other community education and fundraising activities.

4. RSPCA WA Patrons

The current patrons of RSPCA WA are:

- Patron in Chief - Her Excellency the Hon. Kerry Sanderson AC, Governor of Western Australia
- Patron - Hon. Mark McGowan MLA, Premier of Western Australia
- Patron - Hon. Chief Justice Wayne Martin AC

5. Anticipated community benefits

- A dedicated officer for the 24/7 animal cruelty call centre for the community
- Fully 'serviced' and trained dedicated Animal Welfare Officer coverage
- Education program delivery to schools and communities
- Compliance and enforcement services for ratepayers under the *Animal Welfare Act 2002* (the Act)
- Relieving rangers from animal welfare issues, which will then enable resources to be focused more on other priorities
- Safeguarding Town rangers in terms of compliance with the Act
- Improved community attitudes to animals
- Detailed six-monthly activity reports provided
- Two articles per year for the Town's e-news or newsletter publications to residents
- A clear demonstration to the community that the Town highly values animal welfare

As stated during our meeting, engagement by residents of the Town is relatively low at present, due to our lack of presence. Based on statistics from other regional locations where RSPCA WA does have a permanent presence, and based on feedback from local stakeholders in the Town (vets, Police, public) we expect that an RSPCA WA Animal Welfare Officer operating in the Town will receive approximately 200-300 contacts from the public per annum and undertake a similar level of revisits to owners of animals.

The Animal Welfare Officer will also deliver programs to schools and communities, designed to build empathy and compassion for animals, improve animal health and the number of animals desexed - for further details please refer to the original partnership proposal document.

6. Current RSPCA WA support in the Town

Our donor database indicates that at present there are 41 people who have made a financial contribution to RSPCA WA in recent times. It would be my expectation that this would increase significantly if the organisation was to have a stronger, more visible presence in the Town.

In closing, please let me know if there is any further information you require to assist you with your decision making. I can be contacted directly on my mobile phone (0434 308 940).

Yours sincerely

David van Ooran
Chief Executive Officer

12.2.2 Proposed Policy 1/028 'Related Party Disclosures' *(File No. 04/03/0001)*

Author	Governance 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.

CM201718/090 OFFICER RECOMMENDATION/ COUNCIL DECISION

MOVED: CR NEWBERY **SECONDED: CR MCDONOGH**

That Council adopt Policy 1/028 'Related Party Disclosures' as per attachment 1.

CARRIED 8/0

PURPOSE

The purpose of this report is to inform Council of new statutory obligations following the extended implementation of the Australian Accounting Standard Board 124 ('AASB 124') Related Party Disclosures to include local government structures.

DETAIL

This policy aims to supplement statutory information, clarify obligations and define:

- Who are key management personnel (KMPs) required to complete the disclosure form
- The relevant related parties of the KMP and nature of transactions to be disclosed
- Purpose of the disclosure form
- How often the disclosure form is to be completed
- Who will assess the disclosure form and determine materiality

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, due to potential implications to the Town of Port Hedland, affected parties and public interest.

CONSULTATION

There has been no consultation with internal or external parties in the preparation of this policy.

LEGISLATION AND POLICY CONSIDERATIONS

There are no current policy or procedures in place.

- The related party disclosure is mandated under Australian Accounting Standard Board (AASB).

FINANCIAL AND RESOURCES IMPLICATIONS

Although there are no financial implications from the adoption of this policy, the intent of the policy is for greater transparency, risk identification/minimisation and safeguarding of Town of Port Hedland finances and resources.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

This following section/s of the Council's *Strategic Community Plan 2014-2024* are applicable in the consideration of this item:

2.1 A thriving, resilient and diverse economy	• Facilitate commercial, industry and town growth • Facilitate provision of affordable housing • Work closely with businesses, government and industry groups to drive local employment and investment, encourage entrepreneurship and achieve sustainable economic growth • Facilitate strong links between education, training and employment to support economic growth and innovation and promote excellence • Work with the State Government, agencies and local partners to ensure serviced land availability for future residential, commercial and industrial development • Maintain and extend the visual and physical access to the coast and thoroughfares
3.1 Sustainable services and infrastructure	• Support the development of education, research and strategic investment opportunities for 'clean technology' industrial development and energy production • Develop and maintain our infrastructure to ensure the long-term sustainability of our built and natural environment • Provide and promote sustainable waste management practices, including recycling initiatives • Facilitate the delivery of high quality and enduring built and natural environment
4.1 Strategic and best practice local government administration	• Deliver high quality corporate governance accountability and compliance. • Maintain a strong and sustainable financial position • Be efficient and effective in use of resources, infrastructure, assets and technology • Attract, develop and retain an effective workforce to deliver organisational outcomes

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 – Do not adopt Officers Recommendation

CONCLUSION

The obligation imposed on the Town of Port Hedland for key management personnel to disclose transactions in which related parties may actually, potentially or be perceived to be involved in is mandatory. The implementation of a policy ensures a clear and concise framework for the completion, assessment and decision making in the application of AASB 124 in local government, whilst support good decision making, transparency and accountability.

ATTACHMENTS

1. Draft Policy 1/028 ‘Related Party Disclosures’
2. Related Party Disclosure Form
3. Moore Stephens Guidance Note 31 (Under Separate Cover)

ATTACHMENT 1 TO ITEM 12.2.2

Town of Port Hedland

1/028 Related Party Disclosures

1/028 RELATED PARTY DISCLOSURES

Policy Objective

The scope of Australian Accounting Standard Board 124 ('AASB 124') *Related Party Disclosures* was extended in July 2015 for application to not-for-profit entities, including local governments. The operative date for Local Government is 1 July 2016, with the first disclosures to be made in the Financial Statements for the financial year ending 30 June 2017. Disclosures to be recorded in its Annual Financial reports, related party relationships, transactions and outstanding balances. This procedure outlines required mechanisms to meet the disclosure requirements of AASB 124.

Policy Content

1. BACKGROUND

The objective of the standard is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility its financial position and profit or loss may have been affected by the existence of related parties and transactions.

Related party disclosure differs from a conflict of interest in that a conflict need not exist for a related party relationship to be present. That is, the presence of the relationship alone warrants its disclosure and is regardless of whether a transaction has occurred or not. This is to foster transparency and accountability.

For each financial year, the Town must make an informed judgement to identify who it considers to be key management personnel. It is these personnel who are then required to complete the disclosure of related parties and transactions.

The purpose of this procedure is to identify key management personnel, related parties and transactions in the assessment process of AASB 124.

2. IDENTIFICATION OF KEY MANAGEMENT PERSONNEL

The Western Australian Department of Local Government and Communities define Key Management Personnel ('KMP') as personnel who have the authority and responsibility to plan, direct, control and influence the activities of Council, either directly or indirectly. The KMP need not necessarily be a member of the executive team of Council.

The Town of Port Hedland has identified the following persons as meeting the definition of a KMP:

- An elected member of Council or a Committee
- Persons employed under section 5.36 of the *Local Government Act 1995* in the capacity of the Chief Executive Officer or a Director of the Town of Port Hedland

All local government entities are required to capture the related party disclosure of all identifiable KMPs for the previous financial year reporting period. This is irrespective if the personnel are no longer a current employee or elected member.

Town of Port Hedland

1/028 Related Party Disclosures

3. IDENTIFICATION OF RELATED PARTIES

The KMP must identify related parties with whom their relationship may have an element of significant influence that may impact the reporting entity (Council), a KMP, or a close friend or family member of the KMP. The impact may be real, perceived or potential. The extent of the influence must be significant and not minor.

The Town of Port Hedland has identified the following parties as meeting the definition of a related party:

- Close members of family include the person's child, spouse or domestic partner and the children or dependents of a spouse or domestic partner.
- Entities that are controlled or jointly controlled by an elected member of a Committee or Council, KMP or their close family members, such as companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

Any declarations involving these related parties will have any associated transactions assessed.

4. IDENTIFICATION OF TRANSACTIONS

Related Party Transactions

A related party transaction is a transfer of resources, services or obligations between the Town of Port Hedland (reporting entity) and the related party, regardless of whether a price is charged.

For the purposes of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

- Paying rates
- Fines
- Use of Town owned facilities such as [Recreation Centre, Civic Centre, library, parks, ovals and other public open spaces (whether charged a fee or not)]
- Attending council functions that are open to the public
- Employee compensation whether it is for KMP or close family members of KMP
- Application fees paid to the Town for licences, approvals or permits
- Lease agreements for housing rental (whether for a Town owned property or property sub-leased by the Town through a Real Estate Agent)
- Lease agreements for commercial properties
- Monetary and non-monetary transactions between the Town and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Town (trading arrangement)
- Sale or purchase of any property owned by the Town, to a person identified above.
- Sale or purchase of any property owned by a person identified above, to the Town
- Loan Arrangements
- Contracts and agreements for construction, consultancy or services

DRAFT

Town of Port Hedland

1/028 Related Party Disclosures

Some of the transactions listed above, occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with council and are referred to as an Ordinary Citizen Transaction (OCT). Where the Town can determine that an OCT was provided at arm's length, and in similar terms and conditions to other members of the public and, that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

Ordinary Citizen Transactions (OCTs)

Transactions with related parties of Council which are of a nature that any ordinary citizen would undertake will not be captured and reported. These transactions are not material transactions because of their nature. However, if the OCT occurs on terms and conditions that are different to those offered to the general public the transaction may become material and subsequently disclosed.

Ordinary Citizen Transactions shall include:

- Paying rates
- Fines
- Use of Town owned facilities such as Recreation Centre, Civic Centre, library, parks, ovals and other public open spaces (whether charged a fee or not)
- Attending council functions that are open to the public

Where these services were not provided at arm's length and under the same terms and conditions applying to the general public, Elected Members and KMP will be required to make a declaration in the *Related Party Disclosures - Declaration* form about the nature of any discount or special terms received.

5. DISCLOSURE REQUIREMENTS

KMPs are required to complete the 'AASB Related Party Disclosures Declaration form' at the end of each financial year, commencing for the 2016/2017 financial year. KMPs may additionally be required to complete the declaration form at other intervals, such as elections coinciding with a change in elected members and the employment cessation of senior management.

The form will be assessed by the financial services business unit of the Town of Port Hedland.

OCT transactions involving a related party and all non-OCT transactions must be specified on the declaration form.

Confidentiality

All information contained in a disclosure form will be treated in confidence. All data stated in the annual financial reports will be described in an aggregate, non-identifiable manner. Management has discretion to request additional information from a KMP in regards to the disclosure of a transaction to determine materiality.

DRAFT

Town of Port Hedland

1/028 Related Party Disclosures

Management has discretion to request additional information from a KMP in regards to the disclosure of a transaction to determine materiality.

6. MATERIALITY

The financial services business unit of the Town of Port Hedland will determine the materiality of disclosed transactions. Consideration will be given to both the size and nature of the transaction, individually and collectively. Assessing materiality of transactions as OCT are to be completed in consultation with the Audit, Risk and Governance Committee.

Council adoption date and resolution no.	OCM 22/11/2017
Date of adoption of amendment and resolution number **do not delete the previous dates**	
Relevant legislation	Australian Accounting Standard Board 124 (AASB 124)
Delegated authority	
Business unit	Financial Services
Directorate	Corporate & Performance
Review frequency	Every financial year

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.

DRAFT

ATTACHMENT 2 TO ITEM 12.2.2

Town of Port Hedland

AASB 124 'RELATED PARTY DISCLOSURES' DECLARATION FORM

As per requirements of AASB 124 Related Party Disclosures, and Business Operating Procedure – Related Party Disclosures. For additional information to assist you in making a declaration, please refer to the Appendices to this form.

The following declaration must be completed by all Council members, the CEO and Directors of the Town of Port Hedland who were elected or employed at any time during the financial year.

Disclosure Period (Quarter Ended):	
Person Making Disclosure:	
Position held by person: (e.g. Councillor, Director)	

1. CLOSE MEMBERS OF THE FAMILY	
Name of Family Member	Relationship to you
If there has been no change since your last declaration, please complete "No Change"	

Town of Port Hedland

AASB 124 'RELATED PARTY DISCLOSURES' DECLARATION FORM

2. ENTITIES THAT I, OR A CLOSE FAMILY MEMBER CONTROLS OR JOINTLY CONTROLS

Name of Entity	Name of person who has control/nature of control
If there has been no change since your last declaration, please complete "No Change"	

3. ORDINARY CITIZEN TRANSACTIONS – NOT PROVIDED AT ARMS LENGTH

Did you or any member of your close family use facilities provided at Recreation Centre, attend any event at the Civic Centre, or use any other council provided facility AND you received a discount or special terms that would not otherwise be offered to any other member of the public?

Name of person using the facility	Service/Facility used	Nature of transaction	Nature of discount or special conditions received.

Note: Recreation Centre membership provided as part of employment has been provided under the same terms as those memberships provided to the public.

Town of Port Hedland

AASB 124 'RELATED PARTY DISCLOSURES'

DECLARATION FORM

4. LEASING AGREEMENTS - DOMESTIC RESIDENTIAL

Did you, a close family member or related entity, enter into a lease agreement with the Town (either as lessee or lessor) for the provision of a domestic rental property (Includes properties owned by the Town and privately owned properties sub-leased through the Town from a real estate agent)? Did you receive or provide a discount or special terms that would not otherwise be offered to any other member of the public?

Name of Person party to the lease	Property Address	Term of Lease & Weekly rent	Detail of any non-arm's length conditions

5. LEASING AGREEMENTS - COMMERCIAL

Did you, a close family member or related entity, enter into a commercial leasing agreement with the Town for the provision of a commercial property? Did you receive a discount or special terms that would not otherwise be offered to any other member of the public?

Name of person party to the lease	Property Address	Term of Lease & Weekly rent	Detail of any non-arm's length conditions

Town of Port Hedland

AASB 124 'RELATED PARTY DISCLOSURES'

DECLARATION FORM

6. TRADING ARRANGEMENTS

Were you or a close family member (as defined above) the owner of any business (or in a position to substantially control the business) that provided goods or services to the Town? Were those goods or services provided on the same terms and conditions as those available to any other customer? If not, please provide details of the specific terms provided to the Town.

Business name	Goods or services provided	Approximate value for the reporting period	Terms & conditions

7. OTHER AGREEMENTS (Construction, Consultancy, Service Contracts)

Did you, a close family member or related entity, enter into any other agreements/arrangements with the Town (whether or not a price was charged)?

This may include (but is not limited to): construction contracts, consultancy services, service contracts (such as cleaning, maintenance, security).

For e.g. a company that a close family member controls, was awarded a contract with the Town for building a new office facility.

Name of person or business/company	Nature of agreement	Value of agreement	Terms & conditions

Town of Port Hedland

AASB 124 'RELATED PARTY DISCLOSURES'

DECLARATION FORM

8. PURCHASE OF PROPERTY

Did you, a close family member or related entity, purchase any property or other assets from the Town? (This may include vehicles or other plant items, land or buildings).

Was the purchase made at arm's length (for e.g. at public auction), and on terms and conditions available to any other member of the public? If not, please provide details of the specific terms provided to you.

Name of person or entity name	Property purchased	Value of the purchase	Terms & conditions

9. SALE OF PROPERTY

Did you, a close family member or related entity, sell any property or other assets to the Town? (This may include vehicles or other plant items, land or buildings).

Was the sale made at arm's length, and on terms and conditions available to any other member of the public? If not, please provide details of the specific terms provided.

Name of person or entity name	Property Sold	Value of the Sale	Terms & conditions

Town of Port Hedland

AASB 124 'RELATED PARTY DISCLOSURES'

DECLARATION FORM

10. FEES & CHARGES FOR APPLICATIONS

Did you, a close family member or related entity, make an application to Council for a trading, building, planning or development application, licence or approval, or any other type of permit or licence?

Name of person or entity name	Application type	Application and/or receipt number

11. SELF SUPPORTING LOANS

Did you, a close family member or related entity, enter into a loan agreement with the Town?
For e.g. a club for which you have control (See Appendix 2 for example)

Name of person or entity name	Loan details	Value of the loan	Terms & conditions

12. OTHER AGREEMENTS

Please list any other agreement or arrangement you believe is a related party transaction and should be declared.

Name of person or business/company	Nature of agreement	Value of agreement	Terms & conditions

Town of Port Hedland

AASB 124 'RELATED PARTY DISCLOSURES'

DECLARATION FORM

I declare that all information and details provided in this form are true and correct to the best of my knowledge and belief and that no known relevant information has been omitted.

I have made this declaration after reading the information supplied by Council which details the meaning of the definitions to which this declaration relates.

SELECT OPTION 1: ☐ Handwritten Signature
Signed: _____ Date: _____/_____/_____
Once signed please provide to the Manager Financial Services.

OR

SELECT OPTION 2: ☐ Electronic Signature
This form can be sent by email to the Manager Financial Services provided the email is sent by the person making the disclosure from their work or personal (e.g. Councillors) email account.

12.3 Infrastructure and Town Services

7:17pm Councillor McDonogh declared a financial interest in item 12.3.1 'Award of Tender 2017-09 Supply of Equipment and Operators for Road Renewal and Maintenance' as he is a closely related party in relation to the tender.

12.3.1 Award of Tender 2017–09 Supply of Plant Equipment and Operators for Road Renewals and Maintenance *(File No. 23/08/0067)*

Author	Project Support Officer
Authorising Officer	Director Infrastructure and Town Services
Disclosure of Interest	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

CM201718/091 OFFICER RECOMMENDATION/ COUNCIL DECISION

MOVED: CR ARIF **SECONDED: CR WHITWELL**

That with respect to Request for Tender (RFT) 2017–09 Supply of Equipment and Operators for Road Renewals and Maintenance, and pursuant to the *Local Government Act (1995)* section 3.57 and the *Local Government (Functions and General) Regulations 1996* part 4 division 2, Council endorse the recommendation of the evaluation panel.

Young's Earthmoving Pty Ltd and Gold Play Civil Pty Ltd are the Evaluation Panel's recommended panel members. The contract is for an initial period of one (1) year with an option to extend the contract for a further two (2) x 12 month periods at the absolute discretion of the Town.

CARRIED 7/0

7:19pm Councillor McDonogh re-entered the room and resumed his chair. The Mayor advised Councillor McDonogh of the decision made in their absence.

PURPOSE

The purpose of this report is to provide a summary of the assessment of submissions received for the Request for Tender (RFT) 2017–09 Supply of Equipment and Operators for Road Renewals and Maintenance and to endorse the evaluation panel's recommendation.

DETAIL

The Town of Port Hedland (ToPH or Town) is seeking to appoint a competent, suitably qualified and experienced plant hire contractor to complete various civil construction projects within the Town's boundaries.

The appointment will be based on a term contractual arrangement with an initial period of one (1) year with an option to extend the contract for a further two (2) x 12 month periods at the absolute discretion of the Town.

This is a non-exclusive tender and the Town reserves the right at its absolute discretion to source civil construction and plant hire services outside of this RFT for projects as appropriate.

Request for Tender

The documentation for RFT 2017–09 Supply of Plant Equipment and Operators for Road Renewals and Maintenance was released on Wednesday 16 August 2017. When the Tender submissions closed on Wednesday 6 September 2017, five (5) submissions were received.

Submissions were received from the companies listed below:

Company name	Registered Address
Coates Hire Operations	18 Wheeler Street, Belmont WA
DeGrey Civil Pty Ltd	7A Yanana Street, Wedgefield 6722
Gold Play Civil Pty Ltd	6 Andover Way, Bulgarra WA 6714
Quadrio Earthmoving Pty Ltd	Lot 320 Urch Road, Nabawa WA 6532
Youngs Earthmoving Pty Ltd	50 Angelo Street, South Perth, WA 6151

Tender Assessment

All compliant tender submissions have been evaluated by a panel of three (3) Town employees whose main objectives were:

(a) Make a recommendation to the CEO, as to the Tenderer that best represents value for money;
(b) Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;
(c) Ensure adherence to Local Government policies and legislation; and
(d) Ensure that the requirements specified in the Request are evaluated in a way that can be measured and documented.

Evaluation Panel consisted of:
- Project Manager, Voting Member
- Project Manager, Voting Member
- Construction Site Supervisor, Voting Member
- Procurement Advisor, Non-Voting Member
- Procurement Officer, Non-Voting Member

Out of the five (5) submissions, four (4) were deemed compliant and assessed against the tender assessment criteria of; quality and completeness of plant and equipment; tenderers resources, personnel skills, experience and capacity to deliver; capacity to complete contract works and provisions for mechanical support; and competitive pricing. The approved weighting for the qualitative criteria is shown in the table below:

Criteria	Weighting
Quality and Completeness of Plant and Equipment	20%
Tenderers Resources, personnel skills, experience & Capacity to Deliver	20%

Capacity to Complete Contract Works and Provisions for Mechanical Support	20%
Competitive Pricing	40%

A summary of the assessment results of submissions received for RFT 2017–09 is included in the confidential attachment.

BASIS FOR PANELS DECISION

Quality

The preferred tenderers are highly competent plant hire contractors, having spent several years working in the Pilbara region. Both companies are highly experienced and have a very diverse and knowledgeable team. They have undertaken both medium and large scale projects and have an excellent track record.
Having local plant hire contractors will provide the reliability and knowledge base required to ensure a quality service is delivered for the Town.

Price

Both preferred tenderers submitted highly competitive rates and have demonstrated clear value for money for the Town.

In summary, the preferred tenderers nominated by the evaluation panel are best suited to meet the request requirements at a competitive price and therefore represents value for money for the Town.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 ‘Significant Decision Making’, this matter is considered to be of medium significance. This decision will allow the Town to work more effectively and efficiently when executing projects to meet the Towns requirements.

CONSULTATION

Internal consultation has taken place with reference to the development of the RFT and in identifying proposed projects to be undertaken by contractors.

Discussions have also taken place with Governance and Risk in relation to compliance and non-compliance related matters.

LEGISLATION AND POLICY CONSIDERATIONS

The Local Government Act and Town of Port Hedland’s Procurement Policy were observed when preparing and awarding this tender.

The *Local Government Act (1995)* section 3.57 and the *Local Government (Functions and General) Regulations 1996* part 4, division 2 provide statutory requirements for the release, assessment, and award of tenders.

RFT 2017–09 was conducted in accordance with the following policies: The Town of Port Hedland’s Procurement Policy 2/007, Tender Policy 2/011, and Regional Price Preference Policy 2/016.

Sections of this report pertaining to price submissions from tenderers have been deemed confidential in accordance with the *Local Government Act (1995)* section 5.23 part 2(e) (iii).

FINANCIAL AND RESOURCES IMPLICATIONS

All costs associated with engaging the plant hire contractors will be capitalised and allocated against each individual project.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

This following section/s of the Council's *Strategic Community Plan 2014-2024* are applicable in the consideration of this item:

3.1 Sustainable services and infrastructure	• Develop and maintain our infrastructure to ensure the long-term sustainability of our built and natural environment • Facilitate the delivery of high quality and enduring built and natural environment

Environmental

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

Economic

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

Social

There are no significant identifiable 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 High (10). There could be compliance and reputation ramifications if the Town do not have access to suitably qualified and experienced plant hire contractors to complete various civil construction projects/works which can be both planned and/or unscheduled.

OPTIONS

Option 1 - Adopt Officers Recommendation

Option 2 - Amended Officers Recommendation

Option 3 – Do not adopt Officers Recommendation

That the Council does not award and endorse the recommendation of the evaluation panel and instead opts to call individual quotations and tenders every time supply of equipment and experienced operators are required. This option is not supported by Officers due to the volume of administrative effort this would require, the delay in project commencement and the potential to have higher costs to engage contractors on an as need basis.

CONCLUSION

Town Officers recommend the awarding of RFT 2017–09 to the preferred tenderers indicated in the Tender Evaluation Report. Both plant hire contractors have met and exceeded all selection criteria requirements and also represent best value for money for the Town of Port Hedland.

ATTACHMENTS

1. Evaluation Report (Confidential – Under Separate Cover)

12.3.2 Award of Tender 2017–11 Supply and Lay of Bituminous Asphalt *(File No. 28/16/0035)*

Author	Project Support Officer
Authorising Officer	Director Infrastructure & Town Services
Disclosure of Interest	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

CM201718/092 OFFICER RECOMMENDATION/ COUNCIL DECISION

MOVED: CR CARTER **SECONDED: CR NEWBERY**

That with respect to Request for Tender (RFT) 2017–11 Supply and Lay of Bituminous Asphalt, and pursuant to the Local Government Act (1995) section 3.57 and the Local Government (Functions and General) Regulations 1996 part 4 division 2, Council endorse the recommendation of the evaluation panel and award the Tender to BGC Asphalt Pty Ltd for a projected contract value of $1,244,480.72 (ex GST) per annum which is equivalent to $3,733,442.16 (ex GST) over the three (3) year duration of the contract – two (2) years with an optional one-year extension.

CARRIED 8/0

PURPOSE

The purpose of this report is to provide a summary of the assessment of submissions received for the Request for Tender (RFT) 2017–11 Supply and Lay of Bituminous Asphalt and to endorse the evaluation panel's recommendation.

DETAIL

The Town of Port Hedland (ToPH or Town) is seeking to appoint a contractor possessing the capabilities and expertise to supply and lay bituminous asphalt and associated services for the Towns capital and renewal programs. The bituminous asphalt is used within the Town as an ongoing service to the general public to maintain and renew the road and footpath network. The appointment will be based on a term contractual arrangement with an initial period of two (2) years with an optional one-year extension.

Supply contracts allows the Town to more accurately budget for its expenditure going forward with 'locked in' schedule of rates. It will also greatly reduce the time required to engage these crucial services.

In the event that the contractor is unable to carry out the work in the time specified in the purchase order, or to comply with any of the conditions of the Contract, the Town has the right to cancel the order without incurring any liability in respect to costs that may be incurred by the contractor. This will be done in writing as per General conditions of contract clause 24.

The Town may then engage others to carry out the works as a substitute for the defaulting contractor for whatever period is deemed appropriate.

Request for Tender

The documentation for RFT 2017–11 Supply and Lay of Bituminous Asphalt was released on Wednesday 9 August 2017. When the Tender submissions closed on Wednesday 13 September 2017, four (4) submissions were received.
A submission was also received via an alternate method and after the deadline. This submission was noted by the Towns Procurement team but deemed non-compliant and no further assessment was conducted.

Submissions were received from the companies listed below:

Company name	Registered Address
AAA Asphalt Surfaces Pty Ltd	Suite 13, 8 Welshpool Road, East Victoria Park WA 6101
BGC Asphalt Pty Ltd	Lot 4 Stirling Crescent, Hazelmere WA 6055
Fulton Hogan Industries Pty Ltd	Lot 988 Peawah Street, Wedgefield WA 6721
Roads2000 Pty Ltd	Suite 8, 88 Walters Drive, Osborne Park WA 6017

Tender Assessment

All compliant tender submissions have been evaluated by a panel of three (3) Town employees whose main objectives were:

(a) Make a recommendation to the CEO, as to the Tenderer that best represents value for money;
(b) Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;
(c) Ensure adherence to Local Government policies and legislation; and
(d) Ensure that the requirements specified in the Request are evaluated in a way that can be measured and documented.

Evaluation Panel consisted of:

- Project Manager, Voting Member
- Project Manager, Voting Member
- Construction Site Supervisor, Voting Member
- Procurement Advisor, Non-Voting Member
- Procurement Officer, Non-Voting Member

All four (4) submissions, were deemed compliant and assessed against the tender assessment criteria of; tenderer's experience in industry and in local area; key resources – staff and machinery; OSHE Management and competitive pricing. The approved weighting for the qualitative criteria is shown in the table below:

Criteria	Weighting
Tenderer's Experience in Industry and in Local Area	20%
Key Resources - Staff and Machinery	20%
OSHE Management	20%
Competitive Pricing	40%

A summary of the assessment results of submissions received for RFT 2017–11 is included in the confidential attachment.

BASIS FOR PANELS DECISION

Quality

The preferred tenderer are highly experienced contractors. Having spent several years working in the Pilbara region, they have a very diverse and knowledgeable team. The preferred tenderer have undertaken both medium and large scale projects with a proven excellent track record.

Price

The preferred tenderer has submitted highly competitive rates and has demonstrated clear value for money for the Town.

In summary, the preferred tenderer nominated by the evaluation panel is best suited to meet the request requirements at a competitive price and therefore represents best value for money for the Town.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance. This decision will allow the Town to work more effectively and efficiently when planning and executing projects to meet road safety compliance and assuring the Towns assets are being maintained, renewed and upgraded to align with Council's Strategic Community Plan 2014–2024.

CONSULTATION

Internal consultation has taken place with reference to the development of the RFT and in identifying proposed projects to be undertaken.

Discussions have also taken place with Governance and Risk in relation to compliance and non-compliance related matters.

LEGISLATION AND POLICY CONSIDERATIONS

The Local Government Act and Town of Port Hedland's Procurement Policy were observed when preparing and awarding this tender.

The *Local Government Act (1995)* section 3.57 and the *Local Government (Functions and General) Regulations 1996* part 4, division 2 provide statutory requirements for the release, assessment, and award of tenders.

RFT 2017–11 was conducted in accordance with the following policies: The Town of Port Hedland's Procurement Policy 2/007, Tender Policy 2/011, and Regional Price Preference Policy 2/016.

Sections of this report pertaining to price submissions from tenderers have been deemed confidential in accordance with the *Local Government Act (1995)* section 5.23 part 2(e) (iii).

FINANCIAL AND RESOURCES IMPLICATIONS

All costs associated with engaging the contractor will be capitalised and allocated against each individual project.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

This following section/s of the Council's *Strategic Community Plan 2014-2024* are applicable in the consideration of this item:

3.1 Sustainable services and infrastructure	• Develop and maintain our infrastructure to ensure the long-term sustainability of our built and natural environment • Facilitate the delivery of high quality and enduring built and natural environment

Environmental

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

Economic

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

Social

There are no significant identifiable 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 High (10). There could be compliance and reputation ramifications if the Town do not effectively forecast budgets associated to maintain the Towns assets.

OPTIONS

Option 1 - Adopt Officers Recommendation

Option 2 - Amended Officers Recommendation

Option 3 – Do not adopt Officers Recommendation

That the Council does not award and endorse the recommendation of the evaluation panel and instead opts to call individual quotations and tenders every time supply and lay of asphalting works are required. This option is not supported by Officers due to the volume of administrative effort this would require, the delay in project commencement and the potential to have higher costs to engage contractors on an as need basis.

CONCLUSION

Town Officers recommend the awarding of RFT 2017–11 to the preferred tenderer indicated in the Tender Evaluation Report. The contractor has met and exceeded all selection criteria requirements and also represent best value for money for the Town of Port Hedland.

ATTACHMENTS

1. Evaluation Report (Confidential – Under Separate Cover)

Item 13 Reports of Committees

This item was removed from the agenda.

Item 14 Motions of Which Previous Notice Has Been Given

14.2 Notice of Motion – Live Streaming of Council Meetings *(File No. 13/01/0031)*

Author	Governance 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.

NOTICE OF MOTION - COUNCILLOR MCDONOGH

I refer to Standing Order 5.4 (2) a member may raise a motion for consideration at a meeting when at least 7 clear working days of notice is achieved.

I would like to submit a motion for Council's consideration at the November Ordinary Council Meeting 2017.

The motion refers to the live streaming of Council meetings and the availability of this footage for the community to view. There has been preliminary discussion around the table regarding this subject of which I have encountered only positive reactions thus far.

Recommendation

That Council resolve to:

1) **Approve the video/audio recording of Council meetings, and**
2) **For these recordings to be made available to view at the Council's offices, libraries and ToPH web-site.**

Please insert any additional information required for the Council's consideration without changing the intent.

The benefits relate to the good governance of the district, (Standing Orders 5.4 (3)) and this proposal falls in line with the 'transparency and accountability' calls from Council members and the public.

By providing an accurate account of Council meetings we will be providing 'real time' information that will assist in reducing negative perceptions of the Town particularly surrounding the decision making process.

There is additional benefit to the administration when reviewing decision making and when questions arise over the 'audio quality' when recording the official minutes.

Live Streaming is being adopted by many Councils and a sign of the changing methods of modern communication. I believe it is in the best interests of the Town to take a contemporary view regarding this issue.

If there is any more information you would like from myself don't hesitate to ask, there is a lot of information available from The City of Joondalup, City of Greater Geraldton, City of Bunbury, on the pros and cons of live streaming.

OFFICER RECOMMENDATION

That Council:

1. Approve live streaming recording of Council meetings; and

2. Pursuant to section 2.7 (2) (b) of the Local Government Act 1995, amend policy 1/015 'Audio Recording of Council and Committee Meetings'.

SIMPLE MAJORITY VOTE REQUIRED

CM201718/093 COUNCIL DECISION

MOVED: CR MCDONOGH **SECONDED: CR ARIF**

That Council:

1. **Approve live streaming recording of Council meetings for a trial period of 6 months; and**

2. **Pursuant to section 2.7 (2) (b) of the Local Government Act 1995, amend policy 1/015 'Audio Recording of Council and Committee Meetings'.**

CARRIED 8/0

PURPOSE

The Town currently audio record each Council meeting which is made available on the Town's website upon release of the Council meeting minutes.

The Chief Executive Officer received a notice of motion to live stream Council meetings from Councillor McDonogh on Wednesday 8 November 2017. The purpose of this report is for Council's consideration as to whether Council meetings should be published live online.

DETAIL

Strict statutory provisions relating to the conduct of Council meetings and the conduct of Council and Council members exist. This includes strict provisions in regard to voting, declarations of financial interest and administrative requirements. Therefore the openness, transparency and accountability of Council already exists. The provision of live online streaming of Council meetings would provide an opportunity for the residents of Port Hedland to watch Council meetings live online where they are unable to attend. The Town is committed to engaging with its community and recognises that providing opportunities to facilitate residents keeping up to date with Council decisions is important and thus the Town support Councillor McDonogh notice of motion.

Live streaming recordings of Council meetings will enable audio and visual recording of meetings to be taken.

Members of the public gallery would be made aware, by a notice at the entrance to the Chamber that the meeting is to be recorded via a live streaming and that if they address the Council, their name and voice would appear on that recording. The Town proposes to only visually capture the live stream image of Elected Members and Town employee's, with the audio recording capturing the voices but not the images of members of the public who ask a question in the chamber. The Town advise however that there may be rare occasions where a member of public will be captured in the event that they come into contact with the camera.

Potential Risks Involved:

McLeods Barristers and Solicitors published an article on 12 November 2015 regarding live streaming of local government Council and Committee meetings (attached). Their view is that the only purpose of recording Council or Committee meetings should be to confirm the correctness of the Minutes, and that they should not be published otherwise, and essentially that the Minutes should remain available as a public record of the meetings.
It is apparent that there are numerous risks involved in live streaming. Elected Members are not protected from defamation action being taken against them as a result of something said during a Council meeting. In stating this, the Town currently audio record meetings which are uploaded onto the website. These recordings are only edited to exclude discussion on confidential matters that are discussed behind closed doors. This same process will be applied if online live streaming of Council meetings is adopted. Whilst risks exist, it is important to mention that the risks already existed and essentially Elected Members will need to decide if they wish to be visually recorded for Council meetings.

Local Governments in Western Australia live streaming their Council meetings

The Town has sought feedback from Councils in Western Australia that currently live stream their meetings.

City of Bunbury have been live streaming their Council meetings for three years. The City of Bunbury confirmed that live streaming their meetings works well and is a great way of furthering engagement/ communication with the community.

City of Greater Geraldton have been live streaming their Council meetings for 5 years. They report that a major positive from live streaming meetings is being engaged with the community and providing opportunities for the community to attend Council meetings remotely this resulting in more informed and engaged residents. However that being said, they have said that they have had technical issues on occasions which are out of their control – once the meeting has started.

City of Greater Geraldton views for recent Council meetings:

- 23 October – Special Meeting – Swearing in of new Councillors – 14 Views
- 17 October – Council Meeting – 28 Views
- 26 September – Council Meeting – 29 views
- August –Mullewa office – no livestreaming available
- 25 July – Council Meeting – 15 views
- 27 June – Council meeting – 73 views (Adoption of budget)

City of Vincent have been live steaming their Council meetings for 5 months. They have reported that live streaming promotes transparency and accountability. They stated that one of the major advantages of this service is for their residents and interested parties to have accessibility to these meetings when they are unable to attend. Approximately to date, the City of Vincent received 45 views per meeting.

City of Joondalup have been live streaming their Council meetings for many years and to date has not incurred any problems. The city of Joondalup have stated that the obvious benefit to live streaming meetings is that persons with an interest in the meeting items can listen to the debate, without having to be physically present at the meeting.

Process for Live Streaming Council Meetings

There are significant costs involved in the purchase of recording equipment for the purpose of live streaming. Currently there is no cost allocation within the Town budget to facilitate for this purchase. The Town is looking at low cost options to commence live streaming Council meetings immediately if adopted by Council. The Town will look at a more permanent option in the future.

Initially, the Town proposes to use an iPhone which will be placed on a tripod. The iPhone has a single camera and will record the meeting whilst open to public. This will be streamed online through a streaming platform such as Facebook.

Once the meeting has finalised, a link will be published on the Town's website which will redirect viewers to Facebook. This link will allow a viewer to move through the video recording of a meeting to a particular item on the meeting agenda that is being discussed. This provides a very convenient method for a person to go through the recorded proceedings of a meeting to items of particular interest. This service would be advertised prior each Council meeting to ensure that community has access to live streaming.

The Town acknowledge the importance to encourage community to participate, take an interest and get involved in local government and believe that making Council meetings more accessible will be a better outcome for the community.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, due to the impact live streaming of Council meetings could have on community members who are unable to attend; thus giving them the option to watch it online.

CONSULTATION

Internal

The Governance team have consulted this item for consideration with:

- Chief Executive Officer
- Director Development, Sustainability and Lifestyle
- Director Infrastructure and Town Services
- Manager Technology
- Senior Communications Officer

External Agencies

The Governance team have consulted this item for consideration with:

- City of Joondalup
- City of Greater Geraldton
- City of Bunbury
- City of Vincent

LEGISLATION AND POLICY CONSIDERATIONS

Regulation 11 of the Local Government (Administration) Regulations 1996 provides for what content is to be included in the minutes. There is no provision that this includes that a meeting is to be video or audio recorded, however having these services ensure that a true reflection of the meetings is recorded in the meeting minutes.

Policy 1/015 'Audio Recording of Council and Committee Meetings' outlines how audio recordings of Council and Committee meetings are created, stored, used, accessed and disposed of in accordance with legislative and policy requirements. If Council resolve to live stream Council meetings, it is recommended that this policy is amended to include live streaming as an additional recording method.

FINANCIAL AND RESOURCES IMPLICATIONS

If the Council choose to implement live streaming of Council meetings, there would be financial implications. Initially the Town propose to use existing resources and buy minimally which would include the purchase of an iPhone, tripod, additional microphone and an iPhone speaker to live stream Council meetings, however if Council wish to invest in more advanced technology, it would require a budget amendment to include this expense.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

This following section/s of the Council's *Strategic Community Plan 2014-2024* are applicable in the consideration of this item:

1.1 A unified community across our townships	• Ensure all members of the community can access our services and facilities • Provide safe and accessible community facilities, services, events and open spaces that connect people and neighbours • Facilitate the provision of high-quality health services and facilities equal to those found in metropolitan areas
1.2 A vibrant community rich in diverse cultures	• Deliver and support programs, events, facilities and services which attract and retain residents to increase our permanent population • Celebrate our multiculturalism, indigenous culture, arts and history • Work with key agencies and our community to reduce antisocial behaviours and improve community safety
4.1 Strategic and best practice local government administration	• Deliver high quality corporate governance accountability and compliance. • Maintain a strong and sustainable financial position • Be efficient and effective in use of resources, infrastructure, assets and technology • Attract, develop and retain an effective workforce to deliver organisational outcomes

4.2 Engage our community and stakeholders	• Lead a community-oriented organisation that delivers responsive and helpful services to our customers • Represent our community and provide transparent and accountable civic leadership • Facilitate community engagement and civic participation • Be a powerful voice and influential partner with Federal and State Governments and major industries for the development of Port Hedland • Ensure community members know how to access our services and facilities • Promote a positive representation of our community and Town's services

Social

There are identifiable social impacts with the community as if the officer's recommendation is adopted, public members will be able to watch Council meetings live online.

There are no significant identifiable environmental 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) that an unforeseeable emergency is recorded live.

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be Low (2) that any persons recorded in a live streaming of meeting may be subject to a defamation action taken against them.

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be Low (2) that any persons recorded in a live streaming of a meeting could be subject to scrutiny based on the content of their submission which could lead to public humiliation.

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be Low (3) that Elected Members may not feel comfortable in debating an item openly.

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be Low (3) that members of the public may not feel comfortable making public statements and asking public questions.

OPTIONS

Option 1 - Adopt Officers Recommendation

Option 2 - Amended Officers Recommendation

That Council approve video recording for the purposes of live online streaming during Council and Committee meetings.

Option 3 – Do not adopt Officers Recommendation

CONCLUSION

Live streaming Council meetings is starting to become common within Western Australia with a number of Councils using this service to enable its residents to be able to watch Council meetings when they are unable to attend. Councillor McDonogh has requested that Elected Members consider using this type of service. Elected Members will need to consider the pros and cons of this service and make a decision based on this. The Town recommend that Council amend policy 1/015 'Audio Recording of Council and Committee Meetings' as this will ensure that the policy is current with our recording practices.

ATTACHMENTS

1. Local Government Update – Proposed recording and live streaming of local government Council and Committee meetings; McLeods Barristers and Solicitors
2. Amended Town of Port Hedland Policy 1/015 'Audio Recording of Council and Committee Meetings'

ATTACHMENT 1 TO ITEM 14.2

McLEODS
BARRISTERS & SOLICITORS

Local Government Update

Proposed recording and live streaming of local government council and committee meetings

By Denis McLeod, Partner, McLeods

The issue: proposed recording of council meetings

In Western Australia there has been a long running debate on the question of whether Council meetings should be streamed live online, with the recordings being made available to electors by uploading to the local government's website as soon as practical, and maintained online as an archive.

After more than 40 years as a lawyer acting for and against local governments, I have formed the firm view that any recording of Council and committee meetings should be used for the purpose of confirming the correctness of the Minutes of meetings, but should not be otherwise published. The Minutes should then remain available as the public record of the meetings.

The article that follows provides an explanation of that view. As a starting point, my view is premised on acceptance of the proposition that local government is a worthwhile institution that should be preserved and encouraged, and not presented with obstacles calculated to discourage the participation of well intentioned men and women of good sense. Perhaps not all Council members are in that category, but my proposition is that the significant majority who are, should not be discouraged from participating.

The Westminster System of Government

Discussion of the meeting recording and live streaming issue should start with recognition of the basic principles of the Westminster System of government, which apply to the WA State Government, and which focus principally on the three distinct branches of government, being:

There has been a long running debate on the question of whether Council meetings should be streamed live online, with the recordings being made available to electors

1 **Parliament**: which makes laws to facilitate government. Under s.2(2) of the *Constitution Act 1889 (WA)* (**Constitution Act**), the Parliament in WA consists of the Monarchy, Legislative Assembly and Legislative Council.

2 **Executive**: which administers the government in accordance with the laws. (The Cabinet is the effective part of the Executive, which is subject to the strict conventions of Cabinet confidentiality and solidarity).

3 **The Courts and Tribunals**: which interpret the laws and apply them to resolve disputes. (S.54 of the Constitution Act ensures the independence of Supreme Court judges, which generalises to all the States' judicial persons and tribunals).

Not only are those three branches of government intended in principle to function separately, but they are in fact administered separately.

Local Government within the Westminster System

Although Local Government operates within the Westminster System, there are critical features and differences, including the following, that go some way to explain why Council meetings should not be streamed live online, etc, as some critics propose:

1 The Council of a local government may perform in any given meeting the role of all three branches of government:

(a) Legislative function of Council:

Council makes and amends the local government's laws including:

- local laws; and
- planning schemes.

(b) Executive functions of Council:

Council performs the same function for its district as State Cabinet performs for the State.

(c) Judicial functions of Council:

Council makes quasi-judicial decisions, such as determining applications for planning approval. In doing that a Council is expected to act like a Court or tribunal by complying as far as possible with principles of judicial fairness. A difference here is that unlike Courts and tribunals, a Council's deliberations are required to be in public, and determined by majority vote, which requirements impose special rigors on Council members who are:

- part-time in their Council role;
- essentially untrained in legal and judicial process and principles; and
- subject to popular election and re-election (unlike judges and tribunal members).

2 Council acting as the Executive branch of local government makes decisions on policies and strategies of government and on contract and financial issues like the Cabinet in the State Government, but in stark contrast its deliberations are required to be in public, and Councils do not have the protection of Cabinet confidentiality and solidarity.

3 So far as Councils' quasi-judicial functions are concerned, Council members are expected to explain, discuss and debate their opinions as they evolve, in public meetings, and their decisions are made by majority vote in open ballot. This is in stark contrast to the privacy and confidentiality of judicial and tribunal members' deliberations towards reaching a decision.

4 Unlike all members of the judiciary in Australia, Council members are popularly elected, and must be prepared to defend their public decisions to their electors at the four-yearly Council elections. A decision properly made consistent with planning and legal principle may nevertheless be very unpopular with the electors. Council members who act properly, but contrary to the wishes of the electors, have a burden of explanation to electors going beyond the requirement of judges and Tribunal members to give reasons for their decisions, and they don't have to be concerned about electoral consequences of their decisions.

McLEODS
BARRISTERS & SOLICITORS

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5 Council members are subject to very strict laws on financial interest, and impartiality interest, which by comparison are only very loosely and weakly applied to members of Parliament. State political parties can receive very substantial and regular donations from lobby and pressure groups which would result in serious penalties in the case of local government Council members.

6 Council members do not enjoy the protection of absolute privilege from actions for defamation for what is said in their meetings, in stark contrast with the protection of absolute privilege enjoyed by members of Parliament for what is said in their sessions.

The above comments demonstrate that the fundamental features of the local government system necessarily expose it already to a high level of public scrutiny that makes it a very difficult process to participate in, and to function effectively.

Comparison of Council Executive functions with State Government Executive functions

The Council in its role as the Executive must discuss matters critical to good government, in open Council, where similar issues dealt with by the State Government Executive would be discussed and decided strictly behind closed doors, and the proceedings would be protected by the conventions of Cabinet confidentiality and solidarity. For a Council to have those essentially confidential discussions streamed online, etc as the critics propose, would make the process all the more onerous and complex for the Council. Consider what the reaction of the Premier and Cabinet Ministers would be if the public insisted Cabinet meetings be open to the public, much less streamed online.

The professional politicians in State Government are not required to cope with that. Yet the current debate would expose the part-time, non-professional, essentially unpaid Council members, to that rigour. That doesn't seem reasonable or fair.

Comparison of Council quasi-judicial functions with Courts and tribunals

The unreasonableness and unfairness is even clearer when it comes to Council's quasi-judicial functions, which apply whenever the Council is deciding on planning and building applications, and applications for a wide range of other licences, permits and approvals. Council members are expected then to perform their functions in a judicially correct way. Yet unlike all Courts and tribunals, Council members are required to discuss their thinking in public, which goes a long way beyond the normal requirement that judges give reasons for their decisions. Of course Councils must give reasons for their decisions, as judges must, but consider what the reaction of judges and tribunal members would be if the public insisted that judges and tribunals conduct in public their deliberations and the steps in their consideration of a case, much less produce a transcript of their confidential deliberations.

The highly trained lawyers and other professionals who serve as judges and tribunal members are not required to cope with that. Yet the current debate would expose the part-time, non-professional, essentially unpaid Council members to that rigour. That doesn't seem reasonable or fair.

Council's legislative function

There may presently be some argument for a Council's legislative function to be held in public, and perhaps, unlike Parliament, streamed online, etc. The fact that Council members are not protected from defamation action by absolute privilege is probably a strong enough argument against that, and it is certainly an adequate argument against streaming of debate online, etc.

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Consider then the contrast with the position of members of Parliament. Many of them do not speak on any issue in Parliament from month to month. And when they do wish to speak on legislation, they generally have much time to prepare their speeches, and they generally have research assistants available, and can prepare speeches for weeks in advance. By comparison, Council members attend ordinary Council meetings once or twice each month, and also special meetings and committee meetings, and from time to time electors and public meetings. At any of those meetings many issues could arise calling for discussion and debate by the Council members. At an ordinary Council meeting, there may be dozens of matters before the Council which call for debate and a vote by Council members.

Is it reasonable to suggest then to the Council members that every word they utter in the process of deliberations will be recorded and streamed online, and recordings made available to any member of the public who might decide to put their every word under microscopic scrutiny. Not even well prepared professionals or legal experts could reasonably be expected to withstand that kind of scrutiny, without the potential for regular embarrassment, and criticism and perhaps recrimination and Court action.

Likely consequences of recording or live streaming of Council meetings

A possible effect of introducing that kind of scrutiny would be that the detailed thinking and reasoning of Council members would go underground. Rather than giving the benefit of their deliberations to the members of the public who care to attend a meeting, they may make their decisions for their own private reasons, and not attempt to explain or discuss those reasons in the public forum. That would be dramatically bad for the system of open local government. Another consequence would be to force Councils to do all their effective work, and to carry on their real debate, in non-formal Council briefing sessions or the like, which are not required to be open to the public. That could also be quite adverse for the system of open local government. More significantly, exposure to that level of scrutiny and risk is likely to function as a significant disincentive to persons interested in election to the office of councillor, which would undermine community participation in local government.

Other considerations

There are other considerations worthy of brief mention including:

- Members of the public, at Council meetings are able to speak in question time and on deputations or representations on issues arising at Council meetings. The Council has no control over their comments, but the recording and live streaming of the proceedings could result in the local government being liable in defamation for the republication of defamatory remarks, or being otherwise responsible for insulting or malicious comments.
- On listening to a recording of a Council meeting, it is often difficult to identify the person responsible for a particular comment. That is likely to lead to confusion and complications, with the local government being required to identify speakers in order to deal with complaints.
- To expect a local government to edit the recordings of meetings to guard against defamatory or otherwise hurtful comments, and to identify speakers, would place an unreasonable burden on the local government administration. There would be a further burden of work and expense in obtaining legal advice on possible defamation.
- A Council acts as a collegiate body. The views of individual Council members are for practical purposes irrelevant. The only view that counts is that expressed in a resolution of the Council. To record and stream live

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the comments of individual Council members during debate has the potential to deflect attention away from the most important statement on the topic, which is the resolution passed by the Council and any reasons it identifies for its decision.

- Even newspapers would not contemplate allowing its reporters to present their views on a topic in a direct recording of their thinking processes, without the opportunity for careful independent editing and the possibility of scrutiny by the newspaper's lawyers. That applies no matter how well the reporter may have researched the topic.
- The threat of Court action for defamation can be a very disturbing prospect for a Council member whose personal and family assets may be at risk. A wealthy/powerful or vexatious complainant may press even a bad action through lengthy and expensive litigation processes, and the fact that the action may ultimately fail is little consolation to a Council member whose life for months or years may be dominated by the presence and risks of the action.
- Any member of the public interested in an issue to be considered at a Council meeting can and generally will attend the meeting. Many of those who press for recording and live streaming of the proceedings online may be more interested in targeting Council members whose views they wish to criticise, than to inform themselves on the issues.
- Those concerned about the standard of debate at Council meetings are presumably intelligent and sensitive persons. They are the very people who should offer themselves for election to that important public service. That should improve the standard of debate far more effectively than recording and live streaming of meeting proceedings, and will be of more benefit to the public.

Conclusion

Those are some of the reasons for my view that Council meetings should not be streamed live online, with recordings made available to electors by uploading to the local government's website as soon as practical and maintained online as an archive. For the reasons I have discussed above, in my opinion the minutes of Council meetings should remain as the basic public record of meetings, without the additional processes of exposure and scrutiny which are being proposed by the local government critics.

I know that some local governments do record their meetings and then make the recordings available to the public on their website. That is a decision any Council can legitimately make, but it is another matter for Councils to have that regime imposed on them.

For further information in regard to the above, contact Denis McLeod on 9424 6201 or dmcleod@mcleods.com.au. The information contained in this update should not be relied upon without obtaining further detailed legal advice in the circumstances of each case.

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ATTACHMENT 2 TO ITEM 14.2

1/015 ~~AUDIO~~ RECORDING OF COUNCIL AND COMMITTEE MEETINGS

Policy Objective

The objective of this policy is to set out how audio and live streaming recordings of Council and Committee meetings are created, stored, used, accessed and disposed of in accordance with legislative and policy requirements.

Policy Content

1. Purpose of Audio Recordings of Meetings

Audio recordings of Council and Committees meetings will be made for the purpose of:

- assisting in the preparation of minutes
- ensuring decisions are accurately recorded
- verifying the accuracy of minutes prior to their confirmation

2. Purpose of Recording Council Meetings via web live streaming

Live streaming of Council meetings will be made for the purpose of:

- ensuring that a true and accurate account of the debate and discussions at the meetings is available
- providing an opportunity for any interested individuals to watch Council Meetings live online where they are unable to attend
- providing an opportunity for residents to keep up to date with Council decisions
- verifying the accuracy of minutes prior to their confirmation

~~3~~2. Public Notification of Recording of Meetings

Council Meetings:

Advice will be provided to the members of the public attending meetings that an audio and live streaming recording of the meeting will be made and that their voice and details may be released to a third party other than people in the room. The wording of the advice will be as follows:

Town of Port Hedland

1/015 ~~AUDIO~~ RECORDING OF COUNCIL AND COMMITTEE MEETINGS

'This meeting is being recorded on audio tape and streamed live online as an ~~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.'

Committee Meetings:

Advice will be provided to the members of the public attending meetings that an audio recording of the meeting will be made and that their voice and details may be released to a third party other than people in the room. The wording of the advice will be as follows:

'This meeting is being recorded on audio tape 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.'

The advice will be displayed in the following manner:

- On the notice of agenda for meetings of Council, Electors and Committees
- On notices at the entry to the Council Chambers or place where meetings are held
- On paperwork associated with Public Question and Public Statement Time
- On the Town of Port Hedland website
- Verbally by the Chairperson at the commencement of the ordinary, special and committee meeting of Council and Annual General Meeting of Electors

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1/015 ~~AUDIO~~ RECORDING OF COUNCIL AND COMMITTEE MEETINGS

~~4~~3. *Storage of Recordings and requests for recordings*

Audio and live streaming recordings of the entire meeting will be stored in accordance with State Records Act 2000 and General Disposal Authority (GDA) 2010.

Any request for audio recordings of Council or Committee meetings made available to members of the Council, or the public will be maintained in Council's records.

Any request for live streaming recordings of Council meetings made available to members of the Council, or the public will be maintained in Council's records.

~~5~~4. *Access to Recordings*

Council Members may obtain a copy of the recorded proceedings of the business of the Council or Committee Meeting, upon request to the Chief Executive Officer, free of charge.

Access to audio recordings:
Members of the public may access an audio recording of the Council or Committee Meeting that reflects the written record of the business of the meeting. This will exclude recording of discussion of items that are considered behind closed doors.
Audio copies of Council and Committee Meetings available to the public will be provided on the Town's website together with the written record of that meeting, free of charge.
-This will be within 10 working days of the relevant Council or Committee meeting.

Access to live streaming:
Members of the public may access a live streaming recording of the Council Meeting that reflects the written record of the business of the meeting. This will exclude recording of discussion of items that are considered behind closed doors.
Live streaming recordings of Council Meetings will be available to the public via a link published on the Town's website together with the written record of that meeting, free of charge.
This will be within 10 working days of the relevant Council or Committee meeting.

Costs of providing ~~CD audio~~ any recordings of Council and Committee Meetings available to the public will be advertised in the Town's Schedule of Fees and Charges each year.

Definitions

Town of Port Hedland

1/015 ~~AUDIO~~ RECORDING OF COUNCIL AND COMMITTEE MEETINGS

Audio Recording

Means any recording made by any electronic device capable of recording sound. This includes but is not limited to recordings made by video camera, cassette recorder, or DAT recorder, and stored on compact disc (CD), Digital Audio Tape (DAT), or in any other format (such as WAV, MP3, etc).

Live Streaming

Means any recording made by any electronic device capable of transmitting or receiving video and audio coverage of an event over the internet.

This policy does not impinge on any person's access to public records under the Freedom of information Act.

Council Adoption Date and Resolution No.	OCM 28 November 2012 (201213/189)
Date of adoption of amendment and Resolution Number *Do not delete previous dates*	*OCM 25 May 2016 (201516/236)*
Relevant Legislation	State Records Act 2000 General Disposal Authority (GDA) 2010 Local Government Act 1995 ToPH Local Law on Standing Orders
Delegated Authority	N/A
Business Unit	Corporate Information
Directorate	Corporate Services
Review Frequency	Annual

Item 15 New Business of an Urgent Nature

15.1 Statement of Financial Activity for the period ended 31 October 2017 (File No. 12/14/0003)

This item was removed from the agenda.

15.2 Adoption of the 2016/17 Annual Report

This item was removed from the agenda.

Item 16 Matters for Which Meeting May Be Closed (Confidential Matters)

Nil

Item 17 Closure

17.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 13 December 2017, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 6 December 2017, commencing at 5:30pm.

17.2 Closure

There being no further business, the Mayor declared the meeting closed at 7:23pm.