



Town of
Port Hedland



Notice of Meeting and Agenda Ordinary Meeting of Council

Council Chambers, McGregor St, Port Hedland

5:30pm Wednesday 26 June 2019

Distribution Date:
18 June 2018

David Pentz
Chief Executive Officer

Our Vision

*To be Australia's leading
Port Town embracing
community, culture
and environment*



DISCLAIMER

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DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

Local Government Act 1995 – Section 5.65, 5.70 and 5.71

Local Government (Administration) Regulation 34C

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Administration) Regulation 34C</i>			
Name of person declaring the interest			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____

Date: _____

Important Note: Should you declare a **Financial** or **Proximity** Interest, in accordance with the Act and Regulations noted above, you are required to leave the room while the item is being considered.

For an **Impartiality** Interest, you must state the following prior to the consideration of the item:

“With regard to agenda item (read item number and title), I disclose that I have an impartiality interest because (read your reason for interest). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

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Item 1 Opening of Meeting

The Mayor is to declare the meeting open at __ pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

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.

Item 3 Recording of Attendance

3.1 Attendance

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

3.2 Attendance by Telephone / Instantaneous Communications

3.3 Apologies

3.4 Approved Leave of Absence

Councillor Tricia Hebbard
 Councillor Warren McDonogh

3.5 Disclosures of Interest

Name	Item no.	Interest	Nature

Item 4 Applications for Leave of Absence

Item 5 Response to Previous Questions

5.1 Response to Questions taken on notice from Public at the Ordinary Council Meeting held on Wednesday 22 May 2019

Nil

5.2 Response to Questions taken on notice from Elected Members at the Ordinary Council Meeting held on Wednesday 30 April 2018**5.2.1 Councillor George Daccache**

I am concerned about the response to the question from Councillor Julie Arif (item 5.31 of these minutes) regarding the amount of \$31,665.35. The original question was from Ms Lauren Shannon at the 13 February 2019 Ordinary Council Meeting and it was raised again at the 27 March 2019 Ordinary Council Meeting. The response to Ms Lauren Shannon's question listed six items on which the money was spent:

- *Air Conditioning servicing for all units*
- *Cockroach treatment and rodent baiting*
- *General maintenance including lighting, footpath renewal, ablution repairs, reticulation repairs, plumbing repairs, electrical repairs, etc.*
- *Electrical safety audit*
- *Emptying skip bins*
- *Parts and materials purchased for maintenance*

The explanation included in today's response to Councillor Arif's question listed only two items: fire equipment servicing and general maintenance including roof repairs. Could you explain the change?

I would like an apology to the volunteers that ran the Retirement Village for a number of years, because the response did not acknowledge their contribution. I would also like to see the receipts or invoices for the six items listed above.

The Director of Corporate and Performance advised that the response to the original question from Ms Lauren Shannon was incorrect. Whilst the 2016/17 budget had provision for expenditure at Port Hedland Retirement Village, no monies were actually spent by the Town in that financial year. It should be noted that the Port Hedland Retirement Village Association was responsible for the day to day management of Port Hedland Retirement Village in 2016/17.

The incorrect information was due to miscoding of invoices in 2016/17. The \$31,665.35 actually related to repairs to the roof at South Hedland Returned and Services League (RSL).

Item 6 Public Time

Important note:

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

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

6.1 Public Question Time**6.2 Public Statement Time****6.3 Petitions/Deputations/Presentations/Submissions**

Item 7 Questions from Members without Notice

Item 8 Announcements by Presiding Member without Discussion

Mayors Meetings for the month of May 2019:

Date	Meeting	Topic
01/5/2019	Meeting with Mayor of Broome	Meet and greet
01/5/2019	South Hedland Police	Domestic Violence Program Roll out
01/5/2019	Police and Dave & Janice Steele	Street disturbance issues
01/5/2019	Confidential Briefing	As per agenda
02/5/2019	Baler Primary School	Anzac Service Speech
02/5/2019	FMG Meeting	FMG / ToPH Meeting
06/05/2019	Hedland Senior High School	Attendance Strategy Meeting
06/05/2019	Productivity Commission	Remote area tax concessions and payments
08/05/2019	PHCCI	Catch up session
08/05/2019	Agenda Feedback Session	As per agenda
08/05/2019	CEO Recruitment process	As per agenda
09/05/2019	PEAC Students	Hedland models presentation
09/05/2019	BHP	Non process infrastructure
09/05/2019	Hedland Youth Awards	Present certificates
10/05/2019	State budget luncheon	Hon. Stephen Dawson presenting state budget
10/5/2019	Welcome to Hedland	Opening speech
13/5/2019	Roy Hill Meeting	Roy Hill / ToPH Meeting
13/5/2019	Department of Planning, Lands and Heritage	Draft Improvement Plan – West End
15/5/2019	PHCCI meeting	PHCCI / ToPH Meeting
15/5/2019	West End Improvement Plan	As per agenda
15/5/2019	Public Agenda Briefing	As per agenda
15/5/2019	Long Term Financial Plan	As per agenda
16/5/2019	Water Safety Forum	Royal Life Saving event
16/5/2019	Department of Communities	Housing Discussions
17/5/2019	Citizenship Ceremony	Welcome new citizens
21/5/2019	Landcorp	Stakeholder Management Plan
21/5/2019	FY20 Budget Project Review	Budget Workshop
22/5/2019	Ordinary Council Meeting	As per agenda
23/5/2019	Department of Communities – Community Consultation Forum	10 year strategy to reduce family and domestic violence
23/5/2019	Hedland Senior High School	School Board Meeting
28/5/2019	Opening of Student Leadership conference	Open Conference
29/5/2019	Developing Northern Australian filming	Filming
29/5/2019	Budget Modelling workshop	Budget Workshop

**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:

Item 10 Confirmation of Minutes of Previous Meeting

10.1 Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday 22 May 2019

OFFICER'S RECOMMENDATION

That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday 22 May 2019 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

10.2 Confirmation of Minutes of the Special Council Meeting held on Wednesday 5 June 2019

OFFICER'S RECOMMENDATION

That Council confirm that the Minutes of the Special Council Meeting held on Wednesday 5 June 2019 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

10.3 Confirmation of Minutes of the Special Council Meeting held on Wednesday 12 June 2019

OFFICER'S RECOMMENDATION

That Council confirm that the Minutes of the Special Council Meeting held on Wednesday 12 June 2019 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

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 11 Reports of Officers

11.1 Corporate and Performance**11.1.1 Statement of Financial Activity for the Period Ended 30 April 2019 (File No. 12/14/0003)**

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

OFFICER'S RECOMMENDATION

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

1. Receive the Statement of Financial Activity for the period ended 30 April 2019;
2. Receive the Material Variance Report;
3. Note the Accounts paid under delegated authority for period ended 30 April 2019; and
4. Receive the Credit Card Statements for period ended 30 April 2019.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the Statement of Financial Activity for the period ended 30 April 2019. Supplementary information is also presented to Council to provide further information regarding the Town's activities.

DETAIL

The information provided in this report is for the period ended 30 April 2019, with financial results included in *Attachment 1 - Statement of Financial Activity Notes 1-12* prepared by the Town of Port Hedland (Town).

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

As part of the 2018/19 original budget, Council adopted the following thresholds as levels of material variances for financial reporting.

1. With regards to expenditure classified as capital projects, a variance of 10% or \$10,000, whichever is greater, of the year to date budget, with individual project as the level that requires explanation.
2. With regards to all other items excluding capital projects identified above, a variance of 10% or \$50,000, whichever is greater, of the year to date budget, with Nature and Type as the level that requires explanation.

Commentary is provided on variances as details above as per *Attachment 2 - Note 13. Explanation of Material Variances*.

The opening funding surplus of \$7.1M presented in YTD Actual on the Statement of Financial Activity is as per the closing surplus presented in the audited June 2018 financial statements.

The net current asset position as at 30 April 2019 was \$20.0M. The breakdown of the cash position is displayed below:

	2018/19 Actuals
Current Assets: Cash and Investments	\$251.1M
Restricted Cash – Reserves	\$238.4M
Unrestricted Cash Position as at 30 April 2019	\$12.1M

Previous Decisions

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

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

All consultation and engagement is conducted internally.

Community

N/A

LEGISLATION AND POLICY CONSIDERATIONS

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

FINANCIAL AND RESOURCES IMPLICATIONS

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

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

Reserves:

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

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

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

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

RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', there is a risk rating of medium (6) assigned in the 2018/19 budget to the risk that a reduction in income or increase in expense throughout the 2018/19 financial year is likely to have an impact on the Town's ability to meet service levels or asset renewal funding requirements. The risk action plan is to monitor revenue and expenditure on a regular basis ensure in line with budget and amend as needed.

OPTIONS

Option 1 - Adopt Officers Recommendation

Note the Statement of Financial Activity and reports for the period ended 30 April 2019 in accordance with regulation 34(1) of the *Local Government (Financial Management) Regulations 1996*.

Option 2 - Amend Officers Recommendation

That Council receive the Statement of Financial Activity for the period ended 30 April 2019 and request further information or clarification.

Option 3 – Do not adopt Officers Recommendation

That Council do not note or receive the Statement of Financial Activity for the period ended 30 April 2019.

CONCLUSION

The opening funding surplus of \$7.1M presented in YTD Actual on the Statement of Financial Activity is as per the closing surplus presented in the audited financial statements. The net current asset position was \$20.0M.

Variances in operating revenue and expenditure are addressed in detail in *Attachment 2 - Note 13. Explanation of Material Variances*. The net current asset position will decrease as operating and capital budgets are expended throughout the year.

ATTACHMENTS

1. Statement of Financial Activity Notes 1-12 (Under Separate Cover)
2. Note 13 Explanation of Material Variance Report (Under Separate Cover)
3. Accounts paid under delegated authority listing (Under Separate Cover)
4. Credit Card Statements for period ended 30 April 2019 (Under Separate Cover)

11.1.2 Rates & Sundry Debtors write off (File No. 12/15/0005)

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

OFFICER'S RECOMMENDATION

That Council pursuant to section 6.12(1)(c) of the Local Government Act 1995, approve the write-off of bad debts to the value of \$1,858,137.26 as per the attached schedule (provided under confidential cover), to be actioned in the 2018/19 financial year.

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to provide information that supports the write-off of bad debts for the year ending 30 June 2019. The proposed schedule of write-offs is attached under confidential cover. It is recommended that Council approve the write – off of monies pursuant to section 6.12(1)(c) of the *Local Government Act 1995* as the debts are deemed unrecoverable.

DETAIL

Council has adopted a Debt Management Policy (Policy 2/005) which outlines the procedure for the recovery of outstanding debts owed to the Town of Port Hedland. Under the guidelines of the policy, The Town has attempted to recover these debts without success.

All debts recommended for write off hold an overdue term of 120 days or greater. Rates debt collection has been unable to enact section 3 (seizure of rent) and section 4 (sale or caveat on land) of the debt policy as the land is leased and the building is not tenanted or producing rent. In writing off these bad debts, Council is not prevented from reinstating the debt if future circumstances change and the debt becomes collectable. However, this is highly unlikely as the Deed of Company Arrangement (DOCA) indicates a projected dividend of nil for unsecured creditors. The company is still subject to the DOCA and is yet to be wound up.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 “Significant Decision Making” this matter is considered to be of medium significance due to the financial implications – The debt has been provided for in the provision for doubtful debts.

CONSULTATION

External Agencies

The Town has made various attempts to recover these funds without success. Administrators Ferrier Hodgson were appointed 05/07/2018.

LEGISLATION AND POLICY CONSIDERATIONS

Section 6.12(1)(c) of the *Local Government Act 1995* provides Council with the power to write off any amount of money which is owed to the local government by an absolute majority decision.

The attachment is confidential in accordance with sections 5.23(2)(d) and 5.23(2)(e)(iii) of the *Local Government Act 1995*.

Council has adopted a Debt Management Policy (Policy 2/005) which outlines the procedure for the recovery of outstanding debts owed to the Town of Port Hedland

FINANCIAL AND RESOURCES IMPLICATIONS

The total amount of \$1,858,137.26 has been provided for in the provision for doubtful debts.

\$1,129,029.27 was recognised as doubtful debt expense in 2018/19 with the remainder \$729,107.99 recognised in prior years.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

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

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

RISK MANAGEMENT CONSIDERATIONS

There is a financial risk associated with this item because the Town is unlikely to recover the debt owed. The risk rating is considered to be extreme (20), which is determined by a likelihood of almost certain (5) and a consequence of major (\$300,0001 - \$1M) (4).

The Town is in the hands of the administrator and this risk cannot be eliminated or reduced. To mitigate the current risk, the budget is adjusted to ensure the Town does not rely on the income from the debtor(s) under administration. In future, credit checks should occur prior to entering large scale long term leases. Security, such as bank

guarantees should also be required as part of any large scale lease in the event of non-payment.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

In writing off these bad debts, Council is not prevented from reinstating the debt if future circumstances change and the debt becomes collectable

ATTACHMENTS

1. Schedule of accounts recommended for write off (Confidential, under separate cover)
2. Deed of Company Arrangement entered 2 November 2019 (Confidential, under separate cover)

11.1.3 Corporate Business Plan Performance Report – as at June 2019 (File No. 02/09/0015)

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

OFFICER'S RECOMMENDATION

That Council receive the 2018-2022 Corporate Business Plan performance report as at June 2019.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to receive the second performance report on the actions identified in the 2018-2022 Corporate Business Plan.

DETAIL

Integrated planning and reporting gives local governments a framework for establishing local priorities and linking these to operational functions as detailed in their Strategic Community Plans and Corporate Business Plans.

The Town of Port Hedland's 2018-2022 Corporate Business Plan (CBP) was adopted by Council in October 2018. It outlines the organisation's key initiatives to achieve the deliverables listed in the Town's 2018-2028 Strategic Community Plan and is reviewed annually, in line with the development of each year's annual budget.

The attached performance report ensures that Council and the community are aware of the organisation's progress against the CBP's key initiatives, and that required services, programs and activities are being delivered.

This report outlines the progress made against these initiatives and covers the period of March to June 2019.

A summary of the key achievements to date are noted below:

- 100% of black spot funded road projects have been completed on time and on budget
- Welcome to Hedland Night was held in May
- Revised Grants policy was adopted in October 2018. Grant Information Sessions held on 7 and 19 March 2019
- Detailed policy review schedule developed and implemented
- Information sheet has been developed for the home business approval process
- Workplace experience and traineeships provided

- Monthly assessment of fuel loading undertaken
- Annual review of the Local Emergency Management Arrangements undertaken and actions completed
- Off-road vehicle education program developed
- Promotional plans for JD Hardie, Matt Dann and Libraries produced for every event held

It should be noted that due to tropical cyclone Veronica, the delivery of some of the projects have been delayed.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Internal

Multiple managers and officers were consulted during compilation of this second performance report.

LEGISLATION AND POLICY CONSIDERATIONS

Section 5.56 of the *Local Government Act 1995* outlines the requirement for local governments to plan for the future. The adoption, implementation and reporting of strategic community and corporate business plans facilitate this requirement.

Regulation 19DA of the *Local Government (Administration) Regulations 1996* specifies that Council must review its CBP annually and if modifications are made, the decision must be made by an absolute majority.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial or resource implications related to this report, as it is for information purposes only.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The following section of the Council's Strategic Community Plan 2018-2028 is applicable in relation to this performance report:

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

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

RISK MANAGEMENT CONSIDERATIONS

There is a reputational risk associated with this item, as it may be perceived that the Town has not performed as expected by the community. The risk rating is considered to be medium (6), which is determined by a likelihood of possible (3) and a consequence of minor (2).

To reduce this risk, the action plan is to consistently monitor and ensure that the Town's administration is performing its duties to the best of its ability to meet or exceed its key deliverables as outlined in the Corporate Business Plan.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Do not adopt officer's recommendation

CONCLUSION

This report is provided to inform Council of the progress that the Town has made in regards to the adopted actions in the Corporate Business Plan. The Corporate Business Plan outlines the organisation's key initiatives to achieve its deliverables in the Strategic Community Plan.

ATTACHMENTS

1. 2018-2022 Corporate Business Plan – Progress Update #2 (Under separate cover)

11.1.4 Status of Council Decisions Update (File No. 13/06/0001)

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

OFFICER'S RECOMMENDATION

That Council receive and note the 'Status of Council Decisions' as at 6 June 2019 as per attachment 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to inform Council of actions that have been undertaken in relation to decisions of Council which have not been fully completed.

DETAIL

The 'Status of Council Decisions' (SOCD) spreadsheet is an important administrative tool used by the Town to monitor the implementation of Council decisions. Any Council decision that has not yet been fully implemented will remain on the list until it has been completed.

Once the minutes of each Council meeting has been published, the minute taker uploads each decision of Council onto the spreadsheet and allocates it to the relevant officer for actioning and comment. The spreadsheet is accessible by all relevant Town officers.

The SOCD spreadsheet is presented on a quarterly basis for Council and the community to note the progress and status of decisions which have not been fully enacted, and the reasons for this.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance. The SOCD spreadsheet is for information purposes only.

CONSULTATION*Internal*

All officers that have been deemed responsible for enacting each Council decision has provided an update on its status.

LEGISLATION AND POLICY CONSIDERATIONS

Section 2.7 of the *Local Government Act 1995* states how Council is responsible for directing the Local Government's affairs.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial or resource implications in relation to this item.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

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

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

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) in terms of reputational impact. This rating is determined as an insignificant (1) consequence and a likelihood of rare (1).

OPTIONS

There are no alternative options in relation to this item, as it is for Council to receive.

CONCLUSION

The Status of Council Decisions spreadsheet is an important tool that Town officers utilise to implement and enact all decisions of Council. This quarterly report is to inform Council of the status of decisions that have not been completed, or are of an ongoing nature.

ATTACHMENTS

1. Status of Council Decisions Spreadsheet as at 6 June 2019 (Under Separate Cover)

11.1.5 Adoption of Strategic Resource Plan 2019/20 – 2033/34 incorporating Long Term Financial Plan and Asset Management Plan (*File No. 12/11/0004*)

Author	Director Corporate & Performance
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'S RECOMMENDATION

That Council adopt the Town of Port Hedland Strategic Resource Plan 2019/20 – 2033/34, incorporating the Long Term Financial Plan and Asset Management Plan for the same period.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider the Town of Port Hedland Strategic Resource Plan 2019/20 – 2033/34. This document is a ten year plan (with additional five years in summary) incorporating the Long Term Financial Plan (LTFP) and Asset Management Plan (AMP). The LTFP outlines the Town's financial capacity to meet the objectives as identified in the adopted Strategic Community Plan 2018 – 2028, whilst considering long term financial sustainability.

DETAIL

At the Ordinary Council Meeting held on 30 April 2019, Council requested that the LTFP be presented at the June 2019 Ordinary Council Meeting.

The Town of Port Hedland Strategic Resource Plan 2019/20 – 2033/34 incorporates the LTFP and AMP. These are components of the *Integrated Planning Reporting Framework and Guidelines* issued in September 2016 by the then Department of Local Government and Communities.

The LTFP is one element of the Town's integrated strategic planning framework that ensures that the community's aspirations for the future are realistically achievable. The framework includes many other elements including the adopted Strategic Community Plan 2018 – 2028, asset management plan, annual budget process, workforce plan and the adopted Corporate Business Plan 2018 - 2022. These interrelated plans give consideration to the capacity of the Town to deliver on the strategies within the Strategic Community Plan.

The LTFP and AMP are interrelated, with information from the AMP required to assess mandated Local Government ratios included in the LTFP.

The LTFP has been developed using the adopted quarter 3 budget for 2018/19 as the opening position, and draft budget for 2019/20 as year one. It should be noted that year one of the LTFP is consistent with the draft 2019/20 budget, but is not in full alignment with the budget agenda item presented at the same Ordinary Council Meeting.

The LTFP will be reviewed annually as part of the development of the Operational Plan and Annual Budget and will be subject to a major review every four years in line with the review of the Strategic Community Plan. It is not intended that the LTFP is *set in concrete* – it is a guide for future action and the modelling that occurs as part of the Plan will help Council to decide how it can best meet community aspirations.

Asset management is made up of three key elements namely asset management policy, asset management strategy and asset management plans. The Strategic Resource Plan incorporates a compliant AMP for its major asset classes. It should be noted that the Town intends to review and further develop its asset management policy, strategy, and supporting processes and systems in FY2019/20.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance. Whilst the Strategic Resource Plan 2019/20 – 2033/34 (incorporating the LTFP and AMP) is a 15 year plan supporting the Strategic Community Plan 2018 – 2028, it is not a firm commitment by the Town for that timeframe. It is a guide only with the annual budget process providing more detailed review and analysis of the financial position of the Town and its assets.

CONSULTATION

Internal

- Major projects have been discussed internally with Officers of the Town.
- Elected members have attended a number of workshops with Officers of the Town and external consultants to discuss key assumptions and major projects to be included in the LTFP. Workshops have been held in 2018 and 2019.

External Agencies

- Moore Stephens were engaged by the Town to complete the Strategic Resource Plan (incorporating LTFP and AMP) to ensure full compliance with the requirements of the *Local Government Act 1995* and the *Integrated Planning and Reporting Framework and Guidelines*.

Community Consultation

- Significant community consultation was undertaken to develop the adopted Strategic Community Plan 2018 to 2028. This consultation and document has informed the development of the Strategic Resource Plan 2019/20 to 2033/34.

LEGISLATION AND POLICY CONSIDERATIONS

In accordance with section 5.56 of the *Local Government Act 1995*, and in further detail, Regulations 19C and 19DA of the *Local Government (Administration) Regulations 1996*, the Town is required to plan for the future, by way of a Community Plan and a Corporate Business Plan. The Corporate Plan must integrate matters relating to resourcing, including asset management, workforce planning, and long-term financial planning.

The Strategic Resource Plan 2019/20 – 2033/34 (incorporating LTFP and AMP) supports the current adopted Strategic Community Plan 2018-2028 and the adopted Corporate Business Plan 2018 – 2022.

The Strategic Resource Plan 2019/20 – 2033/34 (incorporating LTFP and AMP) also meets the requirements outlined by the Department of Local Government and Communities in *Integrated Planning and Reporting Framework and Guidelines* published in September 2016.

FINANCIAL AND RESOURCES IMPLICATIONS

There has been considerable investment in time in the development of this document by many Officers of the Town and Elected Members during 2018 and 2019.

The engagement of Moore Stephens to complete modelling and documentation has incurred \$25,523.70 (including GST) over FY18 and FY19. Additional costs to finalise the engagement are yet to be quantified.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 1.d.1** The present and future facilities and requirements of the Town are planned for and developed in-line with relevant facility standards and community needs
- 1.d.2** Facilities and community infrastructure are revitalised across the Town
- 1.d.3** Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
- 4.b.1** Sound long-term financial planning is implemented

There are no financial or resource impacts associated with this item.

Corporate Business Plan

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

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

RISK MANAGEMENT CONSIDERATIONS

There is a low risk associated with this item. The Strategic Resource Plan (incorporating the LTFP and AMP) is essentially a long-term risk mitigation tool. The LTFP reviews the long-term sustainability of the Town and ensures that aspirations of the Strategic Community Plan are financially viable.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Do not adopt officer's recommendation

CONCLUSION

The Strategic Resource Plan 2019/20 – 2033/34 is a ten year plan (with additional five years in summary) incorporating the Long Term Financial Plan (LTFP) and Asset Management Plan (AMP). The LTFP outlines the Town's financial capacity to meet the objectives as identified in the adopted Strategic Community Plan 2018 – 2028, whilst considering long term financial sustainability.

ATTACHMENTS

1. Draft Town of Port Hedland Strategic Resource Plan 2019/20 – 2033/34 (Under Separate Cover)
2. Forecast Statement of Funding for the period 2019 – 2034 (Under Separate Cover)

11.1.6 Adoption of Revised 2019/20 Rating Strategy & Adoption of the 2019/20 Annual Budget (File No. 12/05/0012)

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

OFFICER'S RECOMMENDATION

PART A – GENERAL AND MINIMUM RATES

That Council:

1. Impose the following differential general rates and minimum payments on Gross Rental and Unimproved Value for the 2019/20 financial year.
2. General Rates:

a) GRV Residential	9.6289 cents in the dollar
b) GRV Commercial / Industrial	9.6287 cents in the dollar
c) GRV Mass and Tourist Accommodation	19.2093 cents in the dollar
d) UV Pastoral	11.0785 cents in the dollar
e) UV Mining and Other	19.7513 cents in the dollar

 Minimum Payments:

a) GRV Residential	\$1,300
b) GRV Commercial / Industrial	\$1,900
c) GRV Mass and Tourist Accommodation	\$1,900
d) UV Pastoral	\$1,900
e) UV Mining and Other	\$200
3. Endorse the 2019/20 Statement of Objects & Reasons as per Attachment 3.

ABSOLUTE MAJORITY VOTE REQUIRED

PART B – CONCESSIONS AND INCENTIVES

That Council:

1. Grant concessions and refunds in relation to the 2019/20 rate charges listed in the attached schedule (Attachment 1, note 1(h)), pursuant to section 6.47 of the *Local Government Act 1995*, the *Rates and Charges (Rebates and Deferrals) Act 1992* and Council policy 2/014 Rates Concession Policy (Rateable Land);
2. Grant fee waivers in relation to the 2019/20 Fees & Charges Schedule in accordance with the Western Australian Companion Card Program as described

in the attached schedule (Attachment 2, Fees and Charges), pursuant to section 6.12 (1)(b) of the *Local Government Act 1995*.

3. Provide eligible pensioners affected by the \$750.00 rebate capping with a Council initiated concession (as of right, no application necessary) for the balance (gap) to their 50 percent rebate on the 2019/20 annual rates, pursuant to section 6.47 of the *Local Government Act 1995* and subject to the *Rates and Charges (Rebates and Deferments) Act 1992*.

ABSOLUTE MAJORITY VOTE REQUIRED

PART C – INSTALMENT PAYMENT ARRANGEMENTS

That Council

1. Nominates the following due dates for the payment of rates in full by instalments, pursuant to section 6.45 of the *Local Government Act 1995* and regulation 64 (2) of the *Local Government (Financial Management) Regulations 1996*:

Full Payment and instalment due date	23 August 2019
2nd quarterly instalment date	22 November 2019
3rd quarterly instalment date	21 February 2020
4th quarterly instalment date	15 May 2020

2. Adopts an initial instalment administration charge of \$0 and an instalment charge of \$14 for each instalment after the initial instalment is paid (excluding eligible pensioners and seniors) where the owner has elected to pay rates and service charges through an instalment option, pursuant to section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*;
3. Adopts an interest rate of 5.5% per annum where the owner has elected to pay rates and service charges through an instalment option (excluding eligible pensioners and seniors), pursuant to section 6.45 of the *Local Government Act 1995* and regulation 68 of the *Local Government (Financial Management) Regulations 1996*;

SIMPLE MAJORITY VOTE REQUIRED

PART D – INTEREST ON OVERDUE AMOUNTS

That Council:

1. Adopts an interest rate of 11% per annum for rates and service charges and on the costs of proceedings to recover such charges that remain unpaid longer than 35 days after the due date (excluding eligible pensioners and seniors), pursuant to section 6.51 (1) and 6.51 (4) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*;

2. Adopts an interest rate of 11% per annum on all sundry debtor charges that remain unpaid longer than 35 days after the due date, pursuant to section 6.13 of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*.

ABSOLUTE MAJORITY VOTE REQUIRED

PART E – FEES AND CHARGES FOR 2019/20

That Council:

1. Adopts the amended 2019/20 Schedule of Fees and Charges as included as Attachment 2 of this agenda and minutes, pursuant to section 6.16 of the *Local Government Act 1995* with the changes detailed in the table below;

	Current minimum fee 2019/20	New minimum fee 2019/20
<u>Cemeteries – Grave Site Digging</u>		
Dig grave at least 1.8m to 2.1m deep (Single Plot) - Monday to Friday	2,350	2,034
Dig grave at least 2.1 m to 2.4 m (double plot) - Monday to Friday	2,350	2,034
Dig grave at least 1.8m and not more than 2.1m deep (Single Plot) -Saturday / Sunday / Public holiday	2,600	2,275
Dig grave at least 2.1 m to 2.4 m (double plot) - Saturday / Sunday / Public holiday	2,600	2,275
<u>Certified application for Building Permit (s. 16(l))</u>		
a) for building work for a Class 1 or Class 10 building or incidental structure	97.70	105.00
b) for building work for a Class 2 to Class 9 building or incidental structure	97.70	105.00
Uncertified application for Building Permit (s. 16(1))	97.70	105.00
<u>Application for a Demolition Permit (s. 16 (1))</u>		
a) for demolition work in respect of a Class 1 or Class 10 building or incidental structure	97.70	105.00
b) for demolition work in respect of a Class 2 to Class 9 building	97.70	\$105.00 for each story of the building
Application to extend the time during which a building or Demolition Permit has effect (s. 32(3)(f))	97.70	105.00
<u>Application for Occupancy Permits, Building Approval certificates</u>		
Application for an Occupancy Permit for a Completed Building (s. 46)	97.70	105.00

Application for a temporary Occupancy Permit for an incomplete Building (s. 47)	97.70	105.00
Application for a modification of Occupancy Permit for additional use of a building on a temporary basis (s. 48)	97.70	105.00
Application for a replacement Occupancy Permit for permanent change of the building's use or classification (s. 49)	97.70	105.00
Application for an Occupancy Permit or Building approval Certificate for registration of strata scheme, plan of re-subdivision (s. 50(1) or (2))	\$10.80 for each strata unit covered by the application, but not less than \$107.70	\$11.60 for each strata unit covered by the application, but not less than \$115.00
Application for an Occupancy Permit for a Building in respect of which unauthorised work has been done. (s. 51(2))	97.70	105.00
Application for a Building Approval certificate for a Building in respect of which unauthorised work has been done. (s. 51(3))	97.70	105.00
Application to replace Occupancy Permit for an existing Building (s. 52 (1))	97.70	105.00
Application for a Building Approval certificate for an existing building where unauthorised work has not been done (s. 52(2))	97.70	105.00
Application to extend the time during which an Occupancy Permit or Building approval Certificate has effect (s. 65(3)(a))	97.70	105.00

ABSOLUTE MAJORITY VOTE REQUIRED

PART F – OTHER STATUTORY FEES FOR 2019/20

That Council, pursuant to:

1. Section 53 of the *Cemeteries Act 1986* adopts the Fees and Charges for the Cemeteries included in the Schedule of Fees and Charges included as Attachment 2;
2. Regulation 53 of the *Building Regulations 2012*, adopt an annual swimming pool inspection fee of \$55 (GST exempt), regardless of the number of inspections required to achieve compliance;
3. Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, adopt the following charges for the removal and deposit of domestic and commercial waste:

(1)	240 ltr bin weekly collection – Classic	\$292.50
(2)	240 ltr bin weekly collection – Classic - with eligible pensioner/senior (20% discount)	\$234.00
(c)	240 ltr bin weekly collection – Premium	\$700.0
(d)	240 ltr bin weekly collection – Premium - with eligible pensioner/senior (20% discount)	\$560.00
(e)	240 ltr bin weekly collection – Classic for residents meeting DAIP requirements	\$292.50

SIMPLE MAJORITY VOTE REQUIRED

PART G – ELECTED MEMBERS FEES AND ALLOWANCES FOR 2019/20

That Council in accordance with decision CM 201819/208 and pursuant to:

1. Section 5.99 of the *Local Government Act 1995* and regulation 34 of the *Local Government (Administration) Regulations 1996*, adopt the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

Mayor	\$47,516.00	Councillors	\$31,678
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2. Section 5.99A of the *Local Government Act 1995* and regulations 34A and 34AA of the *Local Government (Administration) Regulations 1996*, adopt the following annual allowances for elected members:

Information Technology Allowance	\$3,500
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3. Section 5.98 (5) of the *Local Government Act 1995* and regulation 33 of the *Local Government (Administration) Regulations 1996*, adopt the following annual local government allowance to be paid in addition to the annual meeting allowance:

Mayor	\$89,753
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4. Section 5.98A of the *Local Government Act 1995* and regulation 33A of the *Local Government (Administration) Regulations 1996*, adopt the following annual local government allowance to be paid in addition to the annual meeting allowance:

Deputy Mayor	\$22,438
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ABSOLUTE MAJORITY VOTE REQUIRED

PART H – MATERIAL VARIANCE REPORTING FOR 2019/20

For the purposes of regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996* and AASB 1031 Materiality, regarding level of material variance for financial reporting in 2019/20, that Council adopt the following thresholds:

1. With regards to expenditure classified as capital projects, a variance of 10% or \$10,000, whichever is greater, of the year to date budget, with individual project as the level that requires explanation
2. With regards to all other items excluding capital projects identified above, a variance of 10% or \$50,000, whichever is greater, of the year to date budget, with Nature and Type as the level that requires explanation.

SIMPLE MAJORITY VOTE REQUIRED

PART I – RESERVES FOR 2019/20

That Council adopts to amend the purpose of the “Financial Risk Reserve” with the purpose to read:

“To provide funds to mitigate against Financial Risks including legal cases with penalties awarded against the Town, SAT rulings upholding valuation objections on high value properties likely to cause significantly large refunds and other unknown events potentially resulting in financial loss to the Town. This reserve is to be used as the Town’s overdraft facility for the purpose of not utilising external overdraft facilities for short periods from time to time during the financial year.”

ABSOLUTE MAJORITY VOTE REQUIRED

PART J – MUNICIPAL BUDGET FOR 2019/20

That Council adopt the Municipal 2019/20 budget as presented (Attachment 1) including associated notes and supplementary information in accordance with section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*.

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider and adopt the municipal fund budget for the 2019/20 financial year together with supporting schedules, including imposition of rates and minimum payments, adoption of amended fees and charges, setting of Elected Member fees for the year and other consequential matters arising from the budget papers.

DETAIL

The Municipal 2019/20 budget and its related documentation is being presented to Council for adoption following extensive work by officer's and consultation with Elected Members over the past months. The budget has been compiled on the principles contained in the Strategic Community Plan 2018-2028, the Disability Access & Inclusion Plan 2017-2022, draft Long Term Financial Plan and Corporate Business Plan 2018-2028 to bring together a balanced budget in a challenging economic environment.

A considerable amount of work has been undertaken to review and reduce operating expenditure levels to ensure a realistic and deliverable program for 2019/20. There has been a strong focus on ensuring consistent service levels and an emphasis on capital renewal works for this financial year. Officers will continue to focus on identifying efficiencies within the business and seek out additional revenue to improve the Town's operating deficit and closing municipal surplus.

The 2018/19 actuals presented in the budget are as at 31 May 2019 and do not represent the full year figures for the Town. A number of adjustments have been made to these for significant movements to actuals predicted up to 30 June 2019 including the payment of all borrowings and reserve transfers

Rate Model

Rates revenue is a substantial source of discretionary revenue for the Town of Port Hedland, and will account for approximately 60% of operating revenue in the 2019/20 budget.

The proposed differential rates model presented to Council was prepared under the Department of Local Government, Sports and Cultural Industries guidelines of objectivity, fairness and equity, and transparency as set out in their Rating Policy – Differential Rates (s.6.33)(March 2016). The Town prepared a robust rating strategy, taking a holistic approach which considered the impact on all rate payers and submissions received, ensuring a fair and equitable distribution of the rates yield and ensuring appropriate service delivery and asset renewal is provided for the Town. The model distributes the rates burden more objectively and equitably with uniform rating for GRV Residential, Commercial and Industrial differentials. Uniform rating also improves transparency, administrative efficiency and reduced compliance costs.

As 2019/20 was not a general revaluation year for the Town, rates have been determined based on property valuations provided by the State Valuer General's Office in the 18/19 financial year.

The proposed rating strategy and model was advertised for public submission on 1 May 2019. Submissions from the rate payers and electors were requested and received after a 21 day submission period. A total of six submissions was received. The officer's recommendation has been discussed at length with the Elected Members in a confidential workshop held on Wednesday 29 May 2019. The model presented in the recommendation has considered all feedback. The amended model reduces the proposed increase to 3% applied to the rate in the dollar for GRV Residential, GRV

Commercial/Industrial and UV Pastoral. The vacant differentials have been removed and these properties combined with either residential or commercial/industrial. GRV Mass and Tourist Accommodation have been reduced to 199% above the base GRV general rate, and have been combined to one rate in the dollar. UV Mining and Other have also been combined with the rate in the dollar reduced to 178% of the base UV general rate. These simplifications continue to move the Town towards uniform rating across all differentials. There have been no changes to the minimum general payment, and a reduction in UV Mining and Other minimums to \$200.

It should be noted that Ministerial approval is not required for the presented rating model detailed below.

Category	Minimum	RiD	Yield	RiD Multiplier
GRV Residential	\$1,300	9.6289	\$13,062,454	100%
GRV Commercial / Industrial	\$1,900	9.6287	\$5,292,848	100%
GRV Mass Accommodation and Tourist Accommodation	\$1,900	19.2093	\$2,774,084	199%
UV Mining and Other	\$200	19.7513	\$21,925,937	178%
UV Pastoral	\$1,900	11.0785	\$125,804	100%

Fees and Charges

The draft 2019/20 budget provides for total fees and charge revenue of \$13M. Of the total budgeted fees and charges revenue for 2019/20, \$8.1M is to be received from waste management services and the balance of \$4.9M is received from all other facilities. The re-introduction of the leisure facilities results in an increased revenue from fees and charges compared to the 2018/19 financial year.

The preparation of the 2019/20 Fees & Charges Schedule was a result of information sought from officers including justification of the fee/charge to understand the basis of the fee structure (legislative, market comparison, cost recover, or other) and quantification of the fee/charge to underpin the 2019/20 Fees & Charges revenue budget.

The key changes were:

- (1) Reduction in cemetery fees from the original adoption of fees and charges (CM201819/177) 30/04/2019. A concern was raised in a letter from the Hon David Templeman MLA that the Town's proposed cemetery fees were significantly higher than other Pilbara councils, accordingly the fees were reduced.
- (2) New bin service fee for residents meeting Disability Access & Inclusion Plan Disability (DAIP) requirements.
- (3) New fees to address contamination issues at the landfill site.
- (4) Building commission legislated fees increased.

Elected Members Fees and Allowances

At the Ordinary Meeting of 22 May 2019, Council resolved to adopt the amounts for Elected Member fees and allowances as per the Salaries and Allowances determination (resolution number CM 201819/208). These amounts have been incorporated into the 2019/20 budget.

Capital Works Program

A capital works program totalling \$40M for investment in infrastructure, land and buildings and plant and equipment is planned. Projects are itemised in the Capital Expenditure Program included in the supplementary information to the draft budget.

Loans

Budgeted total loan principal outstanding will be nil as at 30 June 2019. The total early repayment of all loans held with WA Treasury was approved on the 30/04/2019 as per CM201819/178. There are no new loans budgeted for 2019/20.

Grant Funding

Total operating and non-operating grant funding and external contributions of \$14.65M. The Town will continue to seek grant funding for projects as it becomes available.

Reserves

It is proposed that the purpose of the Financial Risk Reserve be amended to allow for this reserve to be used as the Town's overdraft facility for short periods of time during the financial year. This reduces the need for the Town to have an external overdraft facility thereby saving both facility fees and interest expense.

The draft budget allocates interest revenue earned on the PHIA Long-term Lease Proceeds Reserve to the Municipal fund and will be used towards funding the operations of the Town and an increased asset renewal programme included in the proposed capital projects schedule.

The draft budget for FY20 transfers net profit of waste activities to the Waste Reserve. This practice was suspended in the FY19 budget, with FY19 net profit from waste activities used to fund general operations.

New Accounting Standards

The impact of the new accounting standards in relation to revenue from contracts with customers, leases and income for not-for-profit entities has been detailed in the 2019/20 budget under note 16. These impacts have not been applied to the current asset note in the budget as additional work is required to understand the accounting impacts of these changes and also consider the complex nature of the airport lease transaction. These changes do not affect cash movement and are not expected to have a material impact on the estimated closing surplus position identified. Additional information is currently being sourced on the treatment of the new standards and the

impact to the Town's financials from an external provider, and will be presented to Council in the first quarter budget review.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance. Section 6.2 of the *Local Government Act 1995* requires that no later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June. To not adopt the budget would be in breach of the legislated requirements.

CONSULTATION

Internal

The proposed Municipal 2019/20 budget has been prepared in consultation with officers of the Town of Port Hedland and in accordance with the presentations made to Elected Members at the various budget workshops over the last few months. The budget has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

Budget submissions prepared by officers of the Town of Port Hedland were reviewed in detail by the Executive.

External Agencies

Department of Local Government; Heritage; Culture and the Arts provided feedback on current (FY19) and proposed (FY20) cemetery fees.

Community

At the Ordinary Council Meeting held on 30 April 2019, Council resolved to endorse the 2019/20 Differential Rating Model for advertising and community consultation (decision CM201819/179). The Rating Strategy was subsequently advertised on 1 May 2019 via state-wide and local public notice in accordance with section 6.36 of the *Local Government Act 1995* and 6 formal submissions were received.

LEGISLATION AND POLICY CONSIDERATIONS

Section 6.2 of the *Local Government Act 1995* requires that no later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt (absolute majority required), in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2019/20 budget as presented is considered to meet statutory requirements.

Section 5.63(1) of the *Local Government Act 1995* specifically excludes the need to declare a financial interest where matters; have an interest common to a significant number of rate payers/electors; relate to the imposition of any rate, charge or fee; relate to a fee, reimbursement of an expense or an allowance payable to Elected Members.

The budget is based on the principles contained in the adopted Strategic Community Plan 2018-2028, the adopted Corporate Business Plan 2018-2022 and the draft Long Term Financial Plan.

FINANCIAL AND RESOURCES IMPLICATIONS

The 2019/20 budget presents a balanced budget with an estimated municipal surplus of \$875,802. This surplus is based on the assumption of a municipal surplus brought forward from 2018/19 (opening balance) of \$1,532,862 as adopted as the predicted closing balance for 2018/19 at the third quarter budget review. The municipal surplus brought forward from 2018/19 will be finalised through the end of financial year reporting and brought back to Council for adoption once confirmed.

It is recommended that Council adopts a balanced budget with a carried forward municipal surplus. In 2019/20 municipal rates are a predominant source of income at over 60% of the total operating revenue budgeted.

The Town is required to have an established 2019/20 budget to ensure its daily operations are carried out effectively and efficiently and in a timely manner.

The 2018/19 actual figures provided in the budget document are interim as at 31 May 2019 and are subject to change following the completion of the audited annual financial report.

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.d.1** The present and future facilities and requirements of the Town are planned for and developed in-line with relevant facility standards and community needs
- 1.d.2** Facilities and community infrastructure are revitalised across the Town
- 1.d.3** Facilities and community infrastructure are well maintained, managed and fit for purpose to provide a range of lifestyle opportunities
- 3.b.1** The present and future needs for serviced land and infrastructure provision are identified, planned and developed
- 3.b.2** Emergencies such as cyclones are prepared for, educated about, responded to and recovered from in partnership with key agencies
- 3.b.3** Sustainable energy, waste and water management practices are provided and promoted

- 3.b.4 Innovation and resilience of the built form are encouraged, assessed and implemented
- 3.b.5 The protection and valuing of amenities and urban space is enhanced through community engagement
- 3.c.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry
- 3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
- 3.c.3 Engagement with the community on urban renewal and greening initiatives is enhanced
- 4.b.1 Sound long-term financial planning is implemented
- 4.b.2 Transparent and regular financial reporting and communication to the community is undertaken
- 4.b.3 Transparent and regular governance reporting and communication to the community is undertaken
- 4.b.4 Constructive forums are provided for discussion and the representation of the diversity of views and needs that impact on the Town's developments, programs and policies

RISK MANAGEMENT CONSIDERATIONS

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

There is a risk rating of medium (6) assigned to the risk that if the budget is not adopted, the Town will fail to achieve a clear financial position for the 2019/20 financial year.

There is a risk rating of medium (9) assigned to the risk that the Council do not adopt the 2019/20 budget, resulting in the delay or inability to perform specific capital works which are essential but do not currently have an approved budget item line. This risk is possible with a moderate impact in relation to compliance with significant regulatory requirements imposed.

There is a risk rating of medium (6) assigned to the risk that delayed adoption of the FY20 budget may impact delivery of the capital works program. Certain projects must consider the wet season during scheduling, with delay in adoption of the budget potentially delaying commencement of works.

OPTIONS

Option 1 – Adopt officer's recommendation

Should the Council wish to adopt all officer's recommendation then it can employ the en-bloc method of voting.

Option 2 – Amend officer's recommendation

Should Council decide to amend some of the officer's recommendations then it must do so in accordance with the relevant voting requirements listed under each part of the recommendation.

CONCLUSION

The proposed Municipal 2019/20 budget has been prepared in accordance with the presentations made to Elected Members at the various budget workshops over the last several months.

The 2019/20 budget has been prepared in a financially responsible manner with an emphasis on reducing operating expenditure and an increase in renewal of existing assets. The 2019/20 budget will ensure both the current needs of residents are met while at the same time providing infrastructure developments to meet any future requirements.

ATTACHMENTS

1. 2019/20 Annual Statutory Budget and Supporting Notes (Under Separate Cover)
2. 2019/20 Fees and Charges Schedule (Under Separate Cover)
3. Statement of Objects and Reasons 2019/20 (Under Separate Cover)

11.2 Development, Sustainability and Lifestyle

11.2.1 Award of Tender RFT 1819-49 – ‘Local Planning Strategy and Scheme Review’ (File No. 18/07/0057)

Author	Manager Town Planning & Development
Authorising Officer	Director Development Sustainability & Lifestyle
Disclosure of Interest	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council:

1. Endorse the recommendation of the evaluation panel and award the Tender for RFT 1819-49 – Local Planning Strategy and Scheme Review to
for a projected contract value of (excluding GST).

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider a summary of the assessment of submissions received for Tender RFT 1819-49 Local Planning Strategy and Scheme Review and consider the evaluation panel's recommendation to award the tender to the preferred tenderer.

DETAIL

The *Planning and Development Act 2005* (Act) requires all local governments in Western Australia to review their Local Planning Schemes (Scheme) every five years. As a precursor to a Scheme Review, local governments are required under the *Planning and Development (Local Planning Scheme) Regulations 2015* (Regulations) to review their local planning strategy (Strategy).

The Town of Port Hedland's (Town's) current local planning strategy, the Port City Growth Plan, was adopted by Council on 23 May 2012 and endorsed by the Western Australian Planning Commission on 27 December 2012. As the Port City Growth Plan was prepared during the height of the resources sector construction boom and the resource sector has since shifted into operational phase, the population and economic growth aspirations listed in the document are no longer appropriate to underpin the provisions of a new local planning scheme. The Town of Port Hedland is therefore required to review the Port City Growth Plan before the Scheme Review process commences in order to:

- Set out the short, medium and long-term planning directions for the Town;
- Apply new and updated state and regional planning policies; and
- Provide the rationale for zones, reserves and other provisions of the new scheme.

The current Town of Port Hedland Local Planning Scheme No. 5 (LPS5) was gazetted on 31 August 2001 and is substantially overdue for review. The Scheme Review process was commenced in 2013 but never eventuated for a variety of reasons including uncertainty over expansion of the Port of Port Hedland and the future of residential development in the West End. The announcement by the State Government in October 2018 that an Improvement Plan and Scheme will be prepared over the West End of Port Hedland (potentially west of McGregor Street) with restrictions on residential development has provided the necessary certainty with respect to the future of the area to progress with the Scheme Review process, noting that any provisions in the Scheme for the West End will be superseded by corresponding Improvement Scheme provisions.

The successful tenderer for the Strategy and Scheme Review project is required to ensure the revised Strategy and new Scheme recognise the State Government's decision on the West End and synergise where possible with the Department of Planning, Lands and Heritage's processes to prepare the Improvement Plan and Scheme, whilst ensuring Council, community and stakeholder expectations and aspirations are recognised for the area.

The project will require the successful respondent (the consultant) to undertake a comprehensive review of the Town of Port Hedland's current local planning strategy, the Port City Growth Plan (2012), and prepare a revised local planning strategy and new local planning scheme to reflect the current strategic direction of the Town and to plan for its future spatial land use needs, as detailed in the Tender documentation.

It is expected that the revised Strategy and new Scheme will comprise a major enhancement to Town's present statutory and strategic planning framework, providing long term direction, facilitate sustainable economic development and adapt the processes of land use management in response to major drivers of the Town's economy in accordance with the Town's Strategic Community Plan 2018-2028.

The ultimate purpose of this project is delivery of a revised Strategy and new Scheme covering the entire municipality of the Town of Port Hedland in accordance with relevant planning legislation, policy and practices. It is an essential element of the project for the deliverables to address and achieve the following:

- the legislative requirements of the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- the objectives, policy measures, and guidelines of State Planning Policies of the Western Australian Planning Commission (WAPC);
- the guidance (including structure and content for local planning strategies) provided in the Western Australian Planning Commission's Local Planning Manual (2010);

- the Town's responsibilities and outputs under the Integrated Planning and Reporting Framework (WALGA, 2016); and
- the International Association for Public Participation (IAP2) concepts, principles and current industry practice for public participation.

A key objective of the project will be effective targeted community and stakeholder engagement in the preparation of the revised Strategy and new Scheme. Project deliverables shall be structured on the principles of the IAP2 Public Participation Spectrum, determine the appropriate level of engagement for each initiative, and recommend tools and activities for each level. It is anticipated that different levels of engagement may be appropriate for different components of the Strategy and Scheme.

The revised Strategy is required to be generally structured in the format detailed in the WAPC's Local Planning Manual (2010), including spatial plans, and supporting documents and studies. The Strategy will provide a framework for land use planning and development within the Town of Port Hedland and the strategic basis and rationale for the new Scheme. The Strategy will set out the Town's objectives for future planning and development over the next 20 years and include strategies and actions by which to pursue those objectives. The Strategy will need to address the social, environmental, resource management and economic factors that affect, and are in turn affected by, land use and development.

The new Scheme will be made under the *Planning and Development Act 2005* which sets out the general objects of schemes, the matters which may be addressed in schemes and comprise the principal statutory tool for implementing the objectives, strategies and actions of the revised Strategy to achieve the Town's aims and objectives. The new Scheme text and maps will be consistent with the model scheme format prescribed by Schedules 1 and 3 of the Regulations where practicable.

RFT 1819-49 – Local Planning Strategy and Scheme Review

The Town released a Request for Tender (RFT) on 6 March 2019, requesting Respondents to detail how they will meet the requirements of the Project Brief by delivering the project under seven (7) phases. Respondents were required to clearly outline in their response how they will deliver the project based on these phases:

- **Phase 1:** Project Inception, Detailed Review Of Existing Strategy & Scheme
- **Phase 2:** Prepare Community And Stakeholder Engagement Plan & Deliver Engagement Activities
- **Phase 3:** Prepare Draft Local Planning Strategy & Scheme
- **Phase 4:** Council Briefing, Refer To Council Meeting, Refer To WAPC To Certify Advertising
- **Phase 5:** Public Advertising Of Draft Strategy And Scheme
- **Phase 6:** Finalisation Of Strategy And Scheme Documentation
- **Phase 7:** Publish And Advertise Approved Strategy And Scheme

There were also three (3) Value Add components included in the Request for Tender as follows:

- o Economic Development & Diversification Strategy
- o Regional Water Management Strategy
- o Heavy Vehicle Access Strategy

The RFT was released on Vendorpanel (the Town’s e-tendering portal) on Wednesday 6 March 2019 and was advertised in the West Australian and the North West Telegraph on Wednesday 6 March 2019 with a closing date of 11 April 2019.

The Town received five (5) submissions for RFT 1819-49 – Local Planning Strategy and Scheme Review. The respondents were as follows:

1. Element Advisory Pty Ltd
2. GHD Pty Ltd
3. Hames Sharley
4. Reel Planning Pty Ltd
5. Taylor Burrell Barnett

All submissions received from respondents were compliant.

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 Council.
- b) Ensure the tender submissions are assessed fairly in accordance with a predetermined weighting schedule;
- c) Ensure adherence to Local Government policies and legislation; and
- d) Ensure that the requirements specified in the request are evaluated in a way that can be measured and documented.

The compliant submissions were assessed against the qualitative criteria as listed in the below table:

Qualitative Criteria	(%)
<p>Demonstrated Understanding & Methodology Respondents should detail the process they intend to use to achieve the requirements of the specification. Supply details and an outline of your proposed methodology in an attachment labelled “Demonstrated Understanding & Methodology”.</p>	60%

Qualitative Criteria	(%)
<p>Areas to cover include:</p> <ul style="list-style-type: none"> • A project schedule/timeline. • The process for the delivery of the project. • Demonstrated understanding of the Scope of Work. • Detail how the contractor/s will integrate with any contractor/s engaged by the Department of Planning, Lands and Heritage for the Improvement Plan/Scheme for the West End of Port Hedland. • Details of any subcontractors to produce pieces of work that feed into the overall strategy and scheme including any 'Value Add' components of the project. • Detail the philosophy underpinning the proposed approach • Detail how quality deliverables will be achieved for each phase • Detail contingency plan/s for each phase in case certain contents within the strategy and scheme fail to be accepted by key stakeholders or endorsed by Council and/or the WAPC resulting in substantial project delay or failure to deliver on time and budget. 	
<p>Key Personnel, Relevant Experience & Capacity to Deliver Respondents should provide details of personnel to be allocated to this project, their relevant experience in delivering similar projects, their time commitments to the project and overall organisational capacity to supply and sustain the project deliverables by addressing the following information in an attachment labelled “Key Personnel, Relevant Experience & Capacity to Deliver”. Areas to cover include:</p> <ul style="list-style-type: none"> • Each person's availability and direct time commitment schedule. • Each person's role in the performance of the contract, a copy of their Curriculum Vitae and details of membership to any professional or business associations. • Qualifications, with particular emphasis on experience of personnel, in projects of a similar nature. • Any contingency measures or backup of resources, including personnel (where applicable). • Details of any conflict/s of interest including any current or recent clients located in the Town of Port Hedland that may seek to influence the strategy and scheme to the benefit of their organisation. • Provide a scope of any sub-contracted organisation's involvement. • Demonstrated sound judgement and discretion. • Provide details of issues that arose during previous similar projects and how these were managed. • Demonstrate competency and proven track record of achieving outcomes. 	<p>40 %</p>

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

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the Town is required to review its local planning strategy and scheme at regular intervals (every five (5) years) in accordance with the *Planning and Development Act 2005*. The Town's existing Strategy has been operative for seven (7) years and the Town's existing Scheme has been operative for eighteen (18) years which means they are significantly overdue for review in accordance with the Act. Award of the RFT will enable the Town to meet legislative obligations in relation to the local town planning framework.

CONSULTATION

Internal

Executive Leadership Team
Governance/Procurement
Evaluation Panel

External Agencies

Department of Planning, Lands and Heritage were included as a non-voting member on the Evaluation Panel and the Strategy and Scheme will require endorsement by WAPC for the project to be a success.

A Project Steering Group has been assembled comprising representatives from the following agencies:

- Town of Port Hedland
- Department of Planning, Lands and Heritage
- Department of Water and Environmental Regulation
- Pilbara Development Commission
- Landcorp
- Department of Communities

A draft scope for the tender was referred to the group for comment prior to release on Vendorpanel.

Community

The RFT was released to the community via Vendorpanel (the Town's e-tendering portal) on 6 March 2019 and was advertised in the West Australian and the North West Telegraph on 6 March 2019 with a closing date of 11 April 2019.

LEGISLATION AND POLICY CONSIDERATIONS

Section 3.57 of the *Local Government Act 1995*, and division 2 of the *Local Government (Functions and General) Regulations 1996* apply in relation to the invitation of tenders.

The evaluation report and corresponding details relating to the respondents offers are deemed confidential pursuant to section 5.23 (c) and (e) of the *Local Government Act 1995*.

The following Town policies were considered in relation to this tender:

- 2/007 'Purchasing'
- 2/016 'Regional Price Preference'

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

FINANCIAL AND RESOURCES IMPLICATIONS

The draft 2019/20 budget allocates \$350,000 toward the project. The preferred tenderer is within the budget allocation as shown in the confidential attachment.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

- 1.d.1** The present and future facilities and requirements of the Town are planned for and developed in-line with relevant facility standards and community needs
- 2.b.2** The Town's economic development strategy is supported through engagement with key economic groups
- 2.b.3** Red tape for business is minimised through review and reform of relevant policies and by-laws
- 2.b.4** Business approval processes are transparent and pathways streamlined
- 2.c.1** Business and government agencies and other relevant stakeholders are engaged to:
 - Identify strategic employment and economic development priorities
 - Assess and address market failures affecting the cost of living
 - Assess and address cost of doing business challenges
- 2.c.2** Opportunities for social enterprise, innovators, and small and medium sized businesses are identified, and strategies to attract and support them are implemented
- 2.d.1** Investment in key infrastructure development such as the port and logistics is pursued
- 2.d.2** The development of industry specific value chains are encouraged and supported
- 3.a.1** Traditional owners, key stakeholders, and the community are informed and actively involved in the protection and enhancement of the natural environment
- 3.a.2** Biodiversity is understood by the community and protected

- 3.a.3 Natural resource assets are well-managed and enhanced
- 3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed
- 3.b.3 Sustainable energy, waste and water management practices are provided and promoted
- 3.b.4 Innovation and resilience of the built form are encouraged, assessed and implemented
- 3.b.5 The protection and valuing of amenities and urban space is enhanced through community engagement
- 3.c.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry
- 3.c.2 The community is surrounded by and has access to attractive natural habitats, built form, parks and amenities
- 3.c.3 Engagement with the community on urban renewal and greening initiatives is enhanced
- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

Environmental, social and economic impacts will be considered in developing a revised local planning strategy and scheme for the Town of Port Hedland.

Corporate Business Plan

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

- 3.b.1 – Implement and review the local planning strategy and local planning scheme

RISK MANAGEMENT CONSIDERATIONS

There is a compliance and reputational risk associated with this item because the recent State Government decision to prepare an Improvement Plan and Scheme over the West End of Port Hedland requires the Town's local planning framework to respond. This risk rating is considered to be High (15) which is determined by a likelihood of almost certain (5) by a consequence of moderate (3).

This risk will be eliminated by the adoption of the officer's recommendation.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

It is recommended that Council awards RFT 1819-49 – Local Planning Strategy and Scheme Review to the preferred tenderer indicated in the Tender Evaluation Report. This company have met 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 12 Reports of Committees

Note: The Minutes of this Committee meeting are available on the Town's website

12.1 Audit, Risk and Governance Committee Minutes - 14 May 2019

OFFICER'S RECOMMENDATION

That Council receive the Minutes of the Audit, Risk and Governance Committee held on 14 May 2019 at 5:30pm inclusive of the following decisions:

- 10.1 Confirmation of Minutes of the Audit, Risk and Governance Committee Meeting held on Tuesday 12 February 2019;
- 11.1.1 20158/19 Budget Review for period ending 31 March 2019;
- 11.1.2 Interim Audit and Financial Management Review; and
- 11.1.3 Funding and Donations for the quarter 1 January 2019 to 31 March 2019.

SIMPLE MAJORITY VOTE REQUIRED

Item 13 Motions of Which Previous Notice Has Been Given

Nil

Item 14 New Business of an Urgent Nature

Nil

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

Nil

Item 16 Closure

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 24 July 2019 commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 17 July 2019, commencing at 5:30pm.

16.2 Closure

There being no further business, the Mayor declared the meeting closed at __pm.