



## **TOWN OF PORT HEDLAND**

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

**WEDNESDAY 27 JUNE 2018 AT 5:30PM**

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

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#### **Our Vision:**

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

*David Pentz  
Chief Executive Officer*

*Distribution Date: 6 July 2018*

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## Item 1 Opening of Meeting

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

## Item 2 Acknowledgement of Traditional Owners and Dignitaries

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

## Item 3 Recording of Attendance

### 3.1 Attendance

Mayor Camilo Blanco  
Deputy Mayor Louise Newbery  
Councillor Julie Arif  
Councillor Peter Carter  
Councillor George Daccache  
Councillor Tricia Hebbard  
Councillor Warren McDonogh  
Councillor Telona Pitt

David Pentz                      Chief Executive Officer  
Anthea Bird                     Director Corporate and Performance  
Robert Leeds                  Director Development, Sustainability and Lifestyle  
Gerard Sherlock              Director Infrastructure and Town Services  
Josephine Bianchi            Manager Governance  
Tammy Wombwell             Governance Officer/ Minute Taker

Public                              10  
Media                               1  
Officers                            9

Elected Member Meeting Attendance - 2018										
Meeting Type	Date	Mayor Blanco	Deputy Mayor Newbery	Councillor Arif	Councillor Whitwell	Councillor Carter	Councillor Daccache	Councillor Hebbard	Councillor McDonogh	Councillor Pitt
AFS	10/01/18	✓	✓	✓	A	A	✓	A	✓	A
PAB	17/01/18	✓	✓	✓	✓	✓	✓	A	✓	✓
OCM	24/01/18	✓	✓	✓	✓	✓	✓	✓	✓	A
AGM	24/01/18	✓	✓	✓	✓	✓	✓	✓	✓	A
CB	07/02/18	✓	✓	✓	✓	✓	✓	A	✓	✓
AFS	14/02/18	✓	✓	✓	✓	✓	✓	✓	✓	✓
ARG	20/02/18	✓	✓	R	✓	✓	A	A	✓	A
PAB	21/02/18	✓	✓	✓	✓	✓	✓	✓	✓	A
OCM	28/02/18	✓	✓	✓	✓	✓	A	✓	✓	✓
ARG	06/03/18	✓	✓	✓	✓	A	A	✓	L	✓
CB	07/03/18	✓	✓	✓	✓	A	✓	✓	L	A

AFS	14/03/18	✓	✓	L	✓	✓	✓	✓	✓	A
PAB	21/03/18	✓	✓	L	✓	✓	✓	A	✓	A
BW	24/03/18	✓	✓	L	✓	✓	✓	✓	✓	✓
OCM	28/03/18	✓	✓	L	✓	✓	✓	✓	✓	✓
CB	04/04/18	✓	✓	L	✓	✓	A	✓	✓	A
AFS	11/04/18	✓	A	L	✓	A	A	✓	A	A
PAB	18/04/18	✓	✓	L	✓	✓	✓	✓	A	A
OCM	23/04/18	✓	✓	L	✓	L	✓	✓	✓	✓
AFS	09/05/18	✓	✓	A	✓	✓	✓	✓	✓	✓
PAB	16/05/18	✓	✓	✓	✓	✓	A	✓	A	✓
CB	23/05/18	✓	✓	✓	✓	✓	A	✓	✓	✓
OCM	23/05/18	✓	✓	✓	✓	✓	✓	✓	✓	✓
CB	29/05/18	✓	R	✓	A	✓	✓	A	A	A
CB	06/06/18	✓	✓	✓	✓	A	✓	A	✓	✓
AFS	13/06/18	✓	✓	✓	✓	A	✓	A	✓	A
BW	23/06/18	✓	✓	✓	✓	A	✓	✓	✓	✓
OCM	27/06/18	✓	✓	✓	A	✓	✓	✓	✓	✓

Legend			
AFS	Agenda Feedback Session	✓	Attended
PAB	Public Agenda Briefing	A	Apology
OCM	Ordinary Council Meeting	L	Approved Leave of Absence
SCM	Special Council Meeting	R	Representing the ToPH at another location
AGM	Annual General Meeting of Electors		
CB	Confidential Briefing		
BW	Budget Workshop		

### 3.2 Attendance by Telephone / Instantaneous Communications

Nil

### 3.3 Apologies

Councillor Richard Whitwell

### 3.4 Approved Leave of Absence

Nil

### 3.5 Disclosure of Interests

Name	Item no.	Interest	Nature
Councillor Daccache	14.1 Wodgina Village Expansion – Retrospective Approval	Financial	Councillor Daccache holds shares in Mineral Resources Ltd, the value of which are over the threshold.
	14.2 Wodgina Fly Camp – Retrospective Approval		
Councillor Hebbard	11.2.1 Needle Safety Initiatives	Impartiality	Councillor Hebbard is the Vice Chair of Hedland Well Women's Centre. Councillor Hebbard advises that she is exempt under 5.63(g) of the <i>Local Government Act 1995</i> as she is a public servant.

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**Item 4 Applications for Leave of Absence**

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**CM201718/218 COUNCIL DECISION****MOVED: CR PITT  
MCDONOGH****SECONDED:****CR****That Council approve the following applications for leave of absence:**

- **Councillor Arif from 9 July to 3 August 2018;**
- **Councillor Carter from 5 July to 16 July 2018;**
- **Councillor Daccache from 7 August to 20 August 2018; and**
- **Councillor Hebbard from 21 September to 10 October 2018.**

**CARRIED 8/0**

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**Item 5 Response to Previous Questions**

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**5.1 Response to Questions taken on notice from Public at the Ordinary Council Meeting held on Wednesday 23 May 2018****5.1.1 Mr Dean Davis**

*There is a requirement for valid data on the abuse of needles and syringes to prevent the transmission of disease. Information has been provided that all needles and syringes correctly and incorrectly collected end up in the local landfill. Can the Town start collecting serialised data at the landfill, including information on container size, weight, the collection point and if they were disposed of correctly or incorrectly?*

*Whilst researching needle and syringe programs, I have been told that it is ok to use unmarked or unidentifiable plastic bottles for the disposal of syringes, and that they can be disposed of in general waste. I have read the Draft Waste Local Law 2018, and it is ambiguous when dealing with needle and syringe waste. To protect the landfill operators, staff and contractors, can the Town amend the Draft Waste Local Law 2018 to specifically ban the allowance of needles, syringes and bio hazardous waste into collectable waste, and not promote the disposal of needles and syringes into general waste?*

The Community Safety Advisor advises that the Town of Port Hedland in no way supports hazardous waste into general waste. Our current disposal units are monitored weekly and disposed of by local contractors. Public disposal units are located at all public toilet facilities in South Hedland, Port Hedland, shopping centre restrooms and medical practices. The disposal units are then transported to the Landfill in which they are disposed of in hazardous waste which is sectioned off from the general waste area. For syringes disposed of in general waste (which has its associated risks) the Town of Port Hedland Local Laws and Internal Operating Procedures have prevention measures for staff to mitigate any direct contact with general waste. There is no validity in data by introducing a reporting process in which we record disposal bin sizes and weight, their collection point and if they were correctly disposed of or not. This process deflects from the urgent need to address needles in public spaces, not at the Landfill.

Additionally the Acting Regional Director of Pilbara Population Health, Mr Alistair Pinto, correspondence to you dated 23 May 2018 identified 'Syringes do not come with individual serial numbers nor do the 'Fitpacks'. The Port Hedland Alcohol and Other Drug (PHAOD-VSU) Management Plan 2018-2020 has a standalone Priority four (4) area of addressing needle syringe disposal issues and raising awareness of local NSP programs. The purpose of this strategic document is to ensure there is a coordinated response from support services to tackle community safety issues such as incorrectly disposed of needles. There are currently thirteen (13) identified actions under Priority Four (4) which are divided into demand reduction, supply reduction and harm reduction initiatives.

### 5.1.2 Mr Dave McGowan

*The Council has engaged contractors to remodel the roundabout on North Circular Road in South Hedland. There are obvious reworks and questionable planning with the installation of rocks. What was the budget for these works, and what plans have been released initially for the contractor to work to?*

The Acting Director Infrastructure and Town Services advises that Council endorsed an allocation of \$200,000 within the 2017/ 2018 budget. The project was workshopped internally with Parks and Gardens operational staff to develop a design to allow for an aesthetically pleasing landscape entry statement to South Hedland whilst considering ongoing maintenance factors such as traffic management and ensuring safe work practices for Town staff performing routine maintenance. The concept design was discussed with Elected Members during a briefing session, and the final design was circulated to Elected Members for comment on 2 November 2017. The Town prepared detailed plans for the works which included both Civil, Electrical, Asphaltting and Planting Plans. Each contractor was provided with a copy of the relevant plans as and when required.

## 5.2 Response to Questions taken on notice from Elected Members at the Ordinary Council Meeting held on Wednesday 23 May 2018

### 5.2.1 Councillor George Daccache

*What was discussed during your recent meeting with Premier Mark McGowan?*

The Executive Assistant to the Chief Executive Officer and Mayor advises that the following topics were discussed:

- Port Expansion
- Job Creation
- West End Dust Resolution
- Anti-Social Behaviour and Issues
- Marina
- Wealth Fund / Economic Sustainability
- FIFO

*Note: During the Ordinary Council Meeting on 27 June 2018, the Mayor requested that the following statement be recorded in the minutes:*

*“[During the Council Meeting on 23 June 2018, Councillor Daccache asked questions] Regarding my recent meeting with Minister MacTiernan, the Minister for Regional Development, the subject matter was confidential and the Minister specifically stated that it remain confidential. On 1 May 2018, Council, including Councillor Daccache, were issued with all the information relating to the meeting with Minister MacTiernan.*

*Councillor Daccache asked what was discussed during my recent meeting with BHP during their Forum on Corporate Responsibility, and if there was any money discussed. I stated that it was my understanding that the meeting was open to all Councillors to attend. In regards to the BHP dinner, an email RSVP was sent on 4 April 2018 at 10:23am to all Councillors and the Mayor, and Councillor Daccache also attended that dinner.*

*Councillor Daccache asked what was discussed during my recent meeting with the Premier Mark McGowan and the question was taken on notice. I have spoken about this meeting in detail on the ABC and Spirit Radio. The Premier also spoke about conversation at the Port Hedland Chamber of Commerce and Industry get-together on the same day, which Councillor Daccache attended at the Esplanade Hotel.*

*On page 13 of the Minutes of the Ordinary Council Meeting (OCM) on 23 April 2018, under item 8 ‘Announcements by Presiding Member without Discussion’, I spoke about the Premier’s visit in detail. Councillor Daccache was at that meeting and also voted to confirm the minutes of that meeting under item 10.1 in the May OCM. The attendance record shows that all Council were present [at the 23 May 2018 OCM].*

*Councillor Daccache stated his express disappointment in the CEO’s non-attendance of the Pilbara Kimberly Forum along with Deputy Mayor Newbery and Councillor Pitt. All Council, including Councillor Daccache were informed by email on 27 April 2018 the meeting schedule of the CEO and the Mayor whilst the Pilbara Kimberly Forum was on, and was followed by a detailed email by myself on 2 May 2018 at 2:43pm which outlined the meeting content of the Pilbara Regional Council OCM and discussions with the Department of Transport, Department of Regional Development and the Department of Local Government”.*



**5.2.2 Councillor Telona Pitt**

*It has been stated before that there was \$50,000 funded to the Aboriginal Strong Leaders Group from the Town. How much money has been allocated towards the Aboriginal and Torres Strait Islander Drug and Alcohol Forum? I would like to request a breakdown of the expenditure to both forums, including the consultant's fees for both.*

The Senior Partnerships and Engagement Officer advises that the Town is currently preparing a Request for Proposal (RFP) for the provision of advisory services on issues relating to Aboriginal and Torres Strait Islander groups and communities throughout the Port Hedland area. It is planned to have the RFP closed and selected by the end of the current financial year.

A breakdown of the 2017/18 budget for the Hedland Aboriginal Strong Leaders (HASL) Forum and Working group is as follows:

**Forums**

Month	Description	Cost
July 2017	Catering	\$1,800.00
	Room hire	\$455.00
	<b>Total</b>	<b>\$2,255.00</b>
August 2017	Catering	\$2,100.00
	Room hire	\$455.00
	<b>Total</b>	<b>\$2,555.00</b>
December 2017	Catering	\$1,050.00
	Room hire	\$171.50
	<b>Total</b>	<b>\$1,221.00</b>
April 2018	Catering	\$1,800.00
	Room hire	\$546.00
	Morning tea	\$25.90
	Chair hire	\$70.00
	<b>Total</b>	<b>\$2,441.90</b>

**Working Groups**

Month	Description	Cost
October 2017	Room hire	\$130.00
	Catering donated	\$0.00
	<b>Total</b>	<b>\$130.00</b>
June 2018	Room hire	\$180.00
	<b>Total</b>	<b>\$180.00</b>

**Grand Total                      \$8,782.90**

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**Item 6 Public Time**

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*Important note:*

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

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

The Mayor opened Public Question Time at 5:41pm.

**6.1 Public Question Time****6.1.1 Ms Julie Walker**

*My question is for the Chief Executive Officer (CEO). Are you a Director of the Julyardi Aboriginal Corporation?*

The Chief Executive Officer advised that he is on the Board [of the Julyardi Aboriginal Corporation].

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

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

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

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

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

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

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

### 6.1.2 Mr Dean Davis

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

The Chief Executive Officer advised that the question would be taken on notice.

*Can I have my two questions from the last Council meeting turned into agenda items? Specifically, the proposed Waste Local Law 2018, Schedule 1 'Meaning of non-collectible waste' and the data collection of landfill for needle exchange programs.*

The Chief Executive Officer advised that he is reluctant to commit further staff resources in creating another report and that he feels that the Town has answered Mr Davis' questions sufficiently.

### 6.1.3 Mr Scott Lowe

*Last night at 5:22pm, I received correspondence that a Special Council Meeting would be held tomorrow night to finalise the rating strategy. As at 4:30pm today, the agenda item for that meeting has still not been posted on the Town's website. Is there any reason that correspondence to submissions that were provided on the rating strategy were not sent well in advance? And is there any reason why the agenda item is not available, so that we can see what staff have recommended to Council? It looks like the Town are attempting to get an agenda item through Council with as little transparency as possible, similar to the item for the extension of the Port Haven lease. It comes as a surprise because the consultation with the community prior to this had been well executed.*

The Director Corporate and Performance advised that the agenda item is currently going through the final edits and that the intent is to have the agenda available tomorrow morning. The Director Corporate and Performance also advised that it had not been a deliberate attempt to conceal the rating strategy and that the recommendation would be based on feedback received from Elected Members during a detailed workshop held on Saturday 23 June 2018.

*Can I please have a reason as to why those who provided a submission [on the rating strategy] did not get a response until 5:22pm last night? It would have been useful to have received that correspondence in a timely fashion so that people could have attended tomorrow night's meeting.*

The Director Corporate and Performance advised that the meeting was advertised two or three weeks ago on the Town's website. The Director Corporate and Performance also advised that she was not aware that the responses had only gone out yesterday and acknowledged that it was not good practice.

The Mayor closed Public Question Time at 5:50pm.

The Mayor opened Public Statement Time at 5:50pm.

## **6.2 Public Statement Time**

### **6.2.1 Mr Scott Lowe**

I spoke to Town of Port Hedland staff today about the failure to raise the profile of the Special Council Meeting [28 June 2018 – Rating Strategy] with the community. I was directed to the Facebook post and a miniscule advert in the North West Telegraph a couple of weeks ago. I don't feel it is acceptable to outsource the communications of such an important matter to Facebook. The website indicates that there is a Special Council Meeting being held tomorrow night, but is silent on what it is about.

As I cannot attend tomorrow night's meeting, I will make my comments in statement time tonight regarding the rates.

I have tried to get feedback from the Town staff and to date, I have not received a response. I have left messages with staff to return my calls regarding recommendations I made in my submission.

One issue I would like to raise in particular, is in regards to the industrial category. Being that the intent for rates this year is to normalise the rate in the dollar (RiD) with that of the residential category, this has led to an average 70% increase on the rates for industrial properties. My recommendation is to set the minimum for industrial the same as residential as I believe it is too big an increase to apply in one year. I would ask the Town to provide a reason as to why the minimum industrial rate needs to be set at \$2,000.

It is only now becoming apparent to some people what yearly impact of the rating strategy is on them, so whilst I congratulate the Town on the process they've endeavoured to go through in formulating this plan, the interaction with the community was probably more limited than it would have otherwise been as people did not know the impact that it would have on their rates. This is an important factor to consider for any future community consultation. When the Town asked if people would accept a reduction in services for a reduction in rates, there was probably about a fifty/fifty answer of yes and no, because at that point in time they didn't have their rates notices in their hand asking them to put their hands in their pockets for twice as much as they did last year.

**6.2.2 Mr Dean Davis**

It is fantastic that Council is voting on lobbying to the State Government for the instatement of a Needle Exchange Program with a goal of a return rate of 80%, with boots on the ground by the end of 2018 in the Town of Port Hedland and not specifically the Pilbara.

This push is to reduce harm and exposure to children, reduce the violence seen in our schools from people who inject drugs in the home and within the community. Outrage was shown at school board meetings during 2017 by parents and caregivers about this epidemic.

Police are requesting help from Local Government and are constantly raising Ice [methamphetamine] issues, including newspaper reports stating that children as young as 12 are injecting drugs. It cannot be said that this is the first time that Local Government have been made aware of people who inject drugs and the effects on children and the community.

This is not about stigmatised people. It's about the unwillingness or refusal to respect the community and its safety and the failure of the Needle Syringe Program (NSP) in not taking steps to correct the direct harm seen and reported by the community. I am certain that Council will rise above the bias shown.

The lack of serialised data, suppression and resistance from organisations does not help reduce harm or exposure to children from people who inject drugs and their bio-hazardous waste. It enables bio-hazardous dangers in our children's homes and public areas in allowing plausible deniability. The use of the words 'high volume areas' instead of 'children's parks' and to set these locations up, enable bio-hazardous dangers in itself, and is an intolerable act. Demanding that our children share 'children safe zones' with high risk injectable drug activity and bio-hazardous waste is preposterous and irrational.

Mr Alistair Pinto, acting Director of Pilbara Population Health has emailed each Elected Member links to current reports and documents scoping relevant stakeholders in the Pilbara, including evidence based research of a Needle and Syringe Exchange Program (NSEP), yet the agenda item does not reference them. There are statistical anomalies with data provided on page 53 of the agenda, [From 1 January 2018 to 30 May 2018 the Parks and Gardens team have collected 143 syringes in public spaces]. This differs greatly with data previously provided by Local Government where the numbers ranged 200 to 300 needles a month in public locations.

Statements heard during meetings with WA Health, the Well Womens Centre and Local Government stated that apart from giving out needles, the only other activity the NSP has, is a duty of care in informing people of correct disposal locations. Also, after meeting with the local pharmacy about being mentioned in the agenda item and the pharmacy being a stakeholder in the NSP, they commented that they were not contacted or asked to contribute data by the Town. This quantifies concerns of fictional information being submitted as fact to Council and the community. In 2009 when State Government specifically recommended a NSEP in Port Hedland. The failure of the implementation of the program coupled with questionable information and ambiguous intent of information provided is hiding the urgency for action. The push for Section 64 will increase the amount of people who inject drugs. Knowing this, the onus is on us to prevent the harm to children, community and the environment.

In closing, I trust that Council will take guardianship of the community and our children's care and safety as a priority by helping in the implementation of a NSEP by the end of the calendar year 2018.

**6.2.3 Ms Rebekah Worthington**

My statement is in regards to agenda item 11.2 Needle Safety initiatives.

As many others here I am a community member with an emotional investment in this town and its people. I am a leader as the CEO Hedland Well Women's Centre, I am here raising a family, and now consider myself a long term resident.

This is an issue and a topic that has received a lot of attention recently in local forums, unfortunately much of it in a negative light. As a current NSP provider who has successfully run this program for many years we feel we have a heavy weight in this topic.

Before we raise all this attention to an issue if we could please really look at it and understand it. As it stands there are current NSP services in town operating successfully. This is evident in the reduction of blood borne viruses, which is the sole purpose of NSP programs. Through our service at the centre we consider the program to be extremely successful, this is evident through the many referrals, support and assistance that is provided to our clients. This is also supported by the outcomes achieved over the duration of the program.

Importantly this is and has been an effective harm minimisation program with no one ever been infected with a disease from a discarded needle, not just in Port Hedland but in the country.

Understandably it is a topic that fuels emotion. We know that disposal of needles is an issue and it is concerning, but it is an issue that we are working hard as a community to address and are achieving great outcomes. Remember the fact of no one person has been infected with a discarded needle. Unfortunately disposal of needles and drug use is an issue that will not go away but let's not take away from what is being achieved.

I need to make a correction to a statement made of our services in the agenda, (page 52) the centre currently have a full time and part time counsellor available for treatment on request. We also work closely with other drug and alcohol services and have successfully referred NSP clients to these services. We also have a full time health nurse available for STI checks. We welcome and support the community consultation process that WA Country Health Service is about to embark. We also believe it is imperative that comprehensive research be carried out to assess all practices and programs relating to Needle Syringe Safety and specifically within Hedland.

We sit firmly in a position of supporting practices that are identified to be the best to suit the community as a whole. Let's first of all understand the difference and purpose of these programs and let's be sure to not get them confused.

If after community consultation and significant research is carried out, it is found that a Needle Exchange program is what is best suited for the Hedland community and a vast improvement on current services then by all means please lobby for such a program. But for now hold up, look at the current issue, current programs and let's weigh it up.

I would like to end mentioning a few. Firstly Dean Davis, your passion in this space is clear thank you for bringing this to the fore front and raising this topic to a public space. However, if we could please remember that when discussing large community issues in a public setting it comes with large responsibility. If we could please hold that responsibility with dignity and in the right forums.



Secondly thank you to the Town of Port Hedland for your continued recognition and support of current services and continuation in working together in this space.

Lastly, I would like to thank recognise the many individuals, services, groups and forums who work extremely hard and on the ground day in day out, who address these and many other community issues at the core and who are achieving great outcomes in this space. If we could build each other up and commend them in this work not tear down, then we may be able to achieve more together. I plead Council to consider all options and take a long term sustainable approach that will see long term impact and change.

#### **6.2.4 Mr John Peters**

Recently a mining giant's CEO announced a profit of \$5.5 billion, and what has our Town received from that? I would say a pittance [Mr Peters held up a newspaper article to show the Council and public gallery]. What influences the cost of production for iron ore or any other mineral? The short answer is two things - the fixed cost and the variable cost.

In 1980, the cost of iron ore was \$12.15 and the minimum wage was \$129.50 per week. In 1989 the cost of iron ore was \$12.03. In 2005 it jumped to \$28.11, the minimum wage was \$484.40 and we were exporting 100,000,000 tonnes of iron ore. In 2008, the cost of iron ore was \$60.80, the minimum wage was \$543.78 and we exported 112,000,000 tonnes. In February 2011, the cost of iron ore was \$187.18 per tonne, and we were the largest port by volume with 200,000,000 tonnes exported. Today, the cost of iron ore is around \$66.66 and the minimum wage is \$719.20. The profit that mining companies made must have been around \$30 billion, and what has the Town got? A stadium? A skate park? A swimming pool? I don't think that's enough.

In 1960 a development levy of .25c per tonne was introduced. In 1980 the price of iron ore was \$12.15 and the levy made sense. In 2011 the price of iron ore was \$187.18, however, the development levy stayed the same. This makes no sense. We propose an increase of the development levy by \$1.00 per tonne.

We are seeking the support of the Town to introduce a permanent development levy to commence from 1 January 2019 of \$1.00 per tonne on all exports excluding livestock, agriculture and fisheries. The levy is to be paid to the Port Hedland Redevelopment Authority and will be divided between the Pilbara Wealth Fund, Traditional Owners Fund, Pilbara Economic Fund and the Port Hedland Redevelopment Fund.

The Mayor closed Public Statement Time at 6:14pm

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

Nil

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**Item 7 Questions from Members without Notice**

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**7.1 Deputy Mayor Newbery**

*Could you please advise what section of the [Local Government] Act [applies] and for what reason was I requested to leave the Honourable Melissa Price's office and Senator Linda Reynolds office due to confidential matters during our recent trip to Canberra? Who determined the confidentiality and the reason for my removal?*

The Mayor advised that it was himself that determined the confidentiality and clarified that there were two instances where the Deputy Mayor was asked to leave and that the Deputy Mayor was in attendance along with the Mayor and the CEO during all other meetings during their visit to Canberra. The Mayor advised that the reason for confidentiality is in regards to the State and Local election mail tampering and fraud issues that he has been investigating over the past twelve months and that he believes that the Deputy Mayor has a direct link to one of the complainants, which is why he asked the Deputy Mayor to leave. The Mayor stated that he is sure that Federal Members that he has spoken to will bring the matter to light shortly.

*Have Council ever had a briefing or been given information regarding a 'Port First Approach'?*

The Mayor advised that Elected Members have spoken on a number of occasions about a 'Port First Approach' from the Town of Port Hedland and that the direction on a 'Port First Approach' is indicated in the recently adopted Strategic Community Plan and in the Port City Growth Plan. The Mayor advised that the Town will work with industry to develop jobs and opportunities which will increase the population of Port Hedland.

*Could I please have a date and paperwork that was given to us about a 'Port First Approach', other than what is in the Strategic Community Plan?*

The Mayor advised in the affirmative.

*During our discussion with the Honourable Melissa Price, she stated that after discussions with Edgar Basco, the President of Iron Ore WA BHP Billiton, that he was bold and confident in saying the West End is gone. Do you have any knowledge of these discussions and do you consider such statements as detrimental to Port Hedland?*

The Mayor advised that he is unable to answer the question as he did not make the statements and stated that the Deputy Mayor should direct her questions to [the Honourable] Ms Price and Mr Basco.

*Thank you Mr Mayor, but your response is unacceptable.*



## 7.2 Councillor George Daccache

*At the 28 February 2018 Ordinary Council Meeting (OCM), Council resolved to appoint a Mayor and the Deputy Mayor to attend the 2018 Regional Cooperation Forum and the National General Assembly in Canberra and represent the Town of Port Hedland from 17 to 20 June 2018. At the 23 April 2018 OCM, Council endorsed an agenda item explicitly outlining the topics and matters to be discussed with Ministers during the visit. Whilst you and the Deputy were in Canberra, the Deputy Mayor was asked to leave. She is an Elected Member acting in her capacity as a representative of the Town and she was endorsed by Council to be there. She is not your subordinate or employee. Can you show me where in the [Local Government] Act or the Regulations you have the power to act as her superior?*

The Mayor advised that the [Local Government] Act states that each Council member at this table is equal.

*Where in the [Local Government] Act or Regulations do you have the power to ask the Deputy Mayor to leave meetings?*

The Mayor advised that the Deputy Mayor was asked to leave because it was a confidential discussion and that the Deputy Mayor complied with the request out of respect for the Mayor, the CEO and the others present in the room.

*Where in the [Local Government] Act or Regulations do you have the power to make any decisions that contravenes Council's decision?*

The Mayor asked Councillor Daccache to clarify his question so that all in attendance can understand the intent.

*What part of the [Local Government] Act says that you can, when you feel like it, say that a meeting is confidential and you want Councillors to leave the meeting?*

The Mayor advised that the Deputy Mayor was asked to leave in two instances and that there were no issues at the time.

*Deputy Mayor Newbery is entitled to access any information provided by the Local Government that is relevant to the performance its functions under section 5.92 of the [Local Government] Act. This includes verbal information discussed at official meetings that Deputy Mayor Newbery was representing the Town at. Where is the section that allows you to block access to information from Council members?*

The Mayor advised that Council has the opportunity to request any information that they need to perform their duty and that if information is requested, it will be received.

*Is it in the best interest of the community to keep information from your own Councillors?*

The Mayor advised that he has informed Council many times that at any stage, any information that Council requests will be provided to them and that he is not aware of any instances of Council being refused information that has been asked for.

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

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

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

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

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

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

*At the last OCM, you instructed the CEO to provide me with evidence that I, and other Councillors, were invited to a BHP meeting that you attended. So far I have not received anything.*

The Mayor advised that the email was sent on Wednesday 4 April 2018 at 10:23am and that it would be in Councillor Daccache's email inbox.

The Mayor advised that the Standing Orders [Local Law] states that Elected Members are entitled to ask one or two questions and that that he would not take any further questions from Councillor Daccache.

### 7.3 Councillor Telona Pitt

*Further to Deputy Mayor Newbery and Councillor Daccache's questions referring to the recent trip to Canberra, why wasn't it made transparent that you would hold confidential meetings in Canberra?*

The Mayor advised that the Deputy Mayor was present at all meetings that were stated in the agenda item that Council voted on and that the two meetings where the Deputy Mayor were asked to leave were additional.

### 7.4 Mayor Camilo Blanco

The Mayor stated that he would like to ask Councillor Pitt a question. The Strong Leaders question keeps coming up by yourself [Councillor Pitt] and the interaction from the Town of Port Hedland and Indigenous Elders, is there anything else you [Councillor Pitt] would like to know on that, we have answered your question.

Councillor Pitt advised in the negative and stated that she did not ask a question on that tonight. Councillor Pitt advised she had been invited to attend a Hedland Aboriginal Strong Leaders Group (HASLG) meeting and that she would attend the August meeting after NAIDOC week.

The Mayor asked Councillor Pitt if there were any issues with the Town of Port Hedland dealing with the HASLG in her opinion.

Councillor Pitt stated that she represents the constituents that voted for her and that there are community members that are concerned.

The Mayor asked Councillor Pitt to clarify that statement as he does not understand the issues and that he deals with the HASLG and finds that their interaction with the Aboriginal community is fine. The Mayor asked Councillor Pitt for a reason why she thinks that interaction is inappropriate.

Councillor Pitt advised that she has never stated that and asked the Mayor to show where she had stated that.

The Mayor asked Councillor Pitt if she is happy with the Town engaging with the HASLG.

Councillor Pitt stated that she has concerns that community members are not being heard within the Aboriginal community and that particular organisations are missing out on vital funding.

The Mayor asked Councillor Pitt if she understood the answers that were provided [under section 5.2.2 of these minutes] which shows where the funds have gone.

Councillor Pitt advised in the affirmative.

The Mayor advised that the funds are not going to anyone and that the funds are going towards running meetings.

Councillor Pitt stated that when Council voted in the welfare card the Mayor clearly stated that there was \$50,000 specifically for HASLG.

The Mayor advised that there is \$50,000 in the budget to deal with any Aboriginal issues or meetings.

Councillor Pitt disagreed with the Mayor and stated that the minutes of the meeting stated that \$50,000 was for the HASLG.

The Mayor stated that his statement made during that meeting was incorrect and that the allocation is not to the HASLG.

Councillor Pitt interjected and stated that it was stated in the minutes of the meeting and that it was unfortunate that she does not have a copy.

Councillor Daccache stated that it's a shame.

The Mayor asked Council to settle down and follow Standing Orders.

Councillor Pitt replied that they are.

The Chief Executive Officer advised that the funding allocation is not restricted to any particular group and that it is used for meetings and catering and the like.

Councillor Pitt interjected and stated that the minutes are then wrong and the Mayor has said the wrong thing.

The Chief Executive Officer advised that the allocation is not providing a quantum of funds to any particular group.

Councillor Pitt stated that when Council voted on the welfare card, the minutes state that the Mayor said that \$50,000 was given to the HASLG. Councillor Pitt also stated that the minutes of that meeting have been approved and that if they were wrong they should have been fixed.

The Mayor asked Councillor Pitt to settle down and advised that he was happy to admit that he was wrong in stating that the \$50,000 was specifically for HASLG, but stated that it is also Council's responsibility to look at the financial statements.

Councillor Pitt interjected and stated that she had read them and that she understood them clearly.

Councillor Daccache interjected and told the Mayor to respect Councillor Pitt.

The Mayor advised Councillor Pitt that her responsibility as a Councillor is to look through the finances of the Town.

Councillor Pitt interjected and stated that she has, and that she held concerns [over the finances].

The Mayor advised that in that case, she would see that \$50,000 has not gone to the HASLG.

Councillor Pitt asked why the Mayor had said it.

The Mayor advised that it was a mistake.

Councillor Pitt asked the Mayor why it is ok for him to make mistakes but have a go at everyone else [Councillors] in public forums where Councillors don't have the ability to defend themselves.

Councillor McDonogh moved a motion to proceed to the next matter on the agenda.

Councillor Daccache stated that it was the Mayor that raised the matter.

Councillor McDonogh stated that he was trying to control it.

Councillor Pitt agreed that Council move on.

Councillor Daccache stated that the Mayor started it.

The Mayor called for a Point of Order.

Councillor Daccache asked the Mayor to show him under what section [the Point of Order was called].

Councillor McDonogh advised that it is under section 12.1(a) [of the Standing Orders Local Law].

## Item 8 Announcements by Presiding Member without Discussion

The Mayor stated that last week he visited Canberra with the Deputy Mayor and the CEO and that a range of subjects were discussed with relevant Ministers, including:

- Port Hedland being a key industry growth area;
- Connecting with Government officials;
- Business potential and creating jobs and growth in the region;
- The Northern Australian Growth Fund;
- Capital trade;
- Lithium and production;
- Bringing oil and gas onshore;
- LNG bunkering;
- Direct freight opportunities between Japan, Indonesia and Port Hedland;
- Port Hedland being a strategic defence capable location;
- Space program; and
- Wrap-around services for Aboriginal and Torres Strait Islander people.

The Mayor stated that the Town will supply the Federal Government with further information that was requested during their visit and that the Town will engage with State Government to create a Local, State and Federal Government alliance to direct Port Hedland into the future.

Mayors Meetings for the month of May 2018:

Date:	Meeting:	Details of Meeting
1/05/2018	Pilbara Regional Council Ordinary Council Meeting in Perth	As per the PRC Agenda
1/05/2018	Meeting with Minister Saffiotti's office in Perth	Discussion around Port Hedland Marina and West End Planning
1/05/2018	Meeting with Minister MacTiernan's office in Perth	Discussion around the Port Hedland Marina and Funding
1/05/2018	Meeting with Minister for Local Government office and Department of Local Government	Matters regarding performance of council
1/05/2018	City of Vincent Council Meeting	Attended as a guest
4/05/2018	ANZAC Day Service at Baler Primary School	Attended as guest speaker
4/05/2018	Meeting with Port Hedland Police	Community Safety Matters and update on Council matters
7/05/2018]	Port Authority Futures Forum	Strategic Forum on Future outlook
8/05/2018	Meeting with Port Hedland Industries Council CEO	Meet and Greet
9/05/2018	Meeting with Horizon Power	General catch-up and update
10/05/2018	The Web Business Hub 'Hackathon'	Attended as Mentor and Judge
11/05/2018	PHCCI Budget Breakfast with Alannah MacTiernan	Attended as guest for announcement of Budget
11/05/2018	The Web Business Hub 'Hackathon'	Attended as Mentor and Judge
14/05/2018	Rates Community Consultation Session	Attended to represent ToPH and Elected Members
15/05/2018	Rates Community Consultation Session	Attended to represent ToPH and Elected Members
17/05/2018	Monthly PHCCI meeting	General catch up and update

17/05/2018	Meeting with Department of Local Government	One on One meeting
17/05/2018	Meeting with the Western Australian Football Association	Presentation on review of football and regional governance review.
18/05/2018	Meeting with Landcorp	General catch-up and update meeting
18/05/2018	Welcome to Hedland	Attend to open event
19/05/2018	Red Earth Arts Precinct Opening	Attend as guest
21/05/2018	Street Sweeper School Visit – Baler Primary	Attend for photos and meet the kids
23/05/2018	Street Sweeper School Visit – St Cecelia's	Attend of photos and meet the kids
24/05/2018	Elected Member Training – Serving on Council	Full day training
25/05/2018	Elected Member Training – Understanding Financial Reports	Full day training
25/05/2018	Library Living Book Session	Attended as 'book' for the session
26/05/2018	Best of Hedland Awards Night	Attended as guest
29/05/2018	Judging of Street Sweeper Art	Attend to Judge Art work for street sweeper
29/05/2018	Marina Pre-Risk Workshop	Attended as stakeholder. Strategic Discussion on Marina
29/05/2018	Marina Pre-Risk Workshop	Full day strategic risk workshop

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

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

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

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

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**10.1 Confirmation of Minutes of the Ordinary Council Meeting held on Wednesday 23 May 2018****CM201718/219 OFFICER RECOMMENDATION/ COUNCIL DECISION****MOVED: CR MCDONOGH****SECONDED: CR ARIF**

**That Council confirm that the Minutes of the Ordinary Council Meeting held on Wednesday 23 May 2018 are a true and correct record.**

**CARRIED 8/0***Disclaimer*

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

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**Item 11 Reports of Officers**

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**11.1 Corporate and Performance****11.1.1 Live Streaming of Council Meetings (File No. 13/01/0031)**

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

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**CM201718/220 OFFICER'S RECOMMENDATION/ COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR PITT**

**That Council approve live streaming recording of Ordinary and Special Council Meetings.**

**CARRIED 8/0**

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**PURPOSE**

The purpose of this report is for Council to consider continuing live streaming of Council meetings as per Council resolution at the Ordinary Council Meeting held on 22 November 2017.

**DETAIL**

At the Ordinary Council Meeting held on Wednesday, 22 November 2017, the Council made a decision to approve the live stream recording of Council Meetings for a trial period of 6 months in accordance with Policy 1/015 'Audio Recording of Council and Committee Meetings'. Live streaming of Council meetings commenced at the Ordinary Council Meeting held on 13 December 2017 and has continued to be live streamed for the full trial period of 6 months.

The provision of live online streaming of Ordinary and Special Council Meetings will provided the residents of Port Hedland, who are unable to attend these meetings, an opportunity to watch these meetings live online. The following table outlines the number of people who have viewed the Ordinary Council Meetings live online recordings as at the 7 June 2018, for the 6 month trial period:



Trial Period	Live streaming views via Facebook
13 December 2017	3,500
24 January 2018	1,510
28 February 2018	978
28 March 2018	451
23 April 2018	848
23 May 2018	2,300
<b>Total Views for 6 months</b>	<b>9,587</b>

The high number of viewings would seem to indicate that the public are watching and are interested in Local Government proceedings. For this reason, it is recommended that Council consider making the decision to continue to live stream Council Meetings.

#### *Process for Live Streaming Council Meetings*

The Town recorded the Council meetings via livestream for the full trial period using existing resources which included an iPhone placed on a tripod. The iPhone has a single camera and records the meeting whilst open to public. This recording is streamed online through the Town's Facebook platform.

Thus far, the Town has not experienced significant technical difficulties with recording a Council meeting live online through Facebook and it is proposed to continue to live stream Ordinary Council Meetings as per the current set up.

There would be significant costs involved in the purchase of additional recording equipment for the purpose of live streaming and the Town currently do not have any cost allocation within the Town budget to facilitate this purchase.

#### *Outcome of Live Streaming*

The Town recommends that Council meetings continue to be live streamed via Facebook. The Town acknowledges the importance to encourage community to participate, take an interest and get involved in Local Government and believes that by making Council meetings more accessible will be a better outcome for the community.

It is apparent that local residents are interested in Local Government proceedings based on the significant number of views the live streaming recordings receives for each Council meeting. It is important to encourage openness and transparency and live streaming of a Council meeting helps achieve this, as it is an easy accessible tool for residents to update and follow the current affairs of the Town.

#### **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 Council meetings online.

## CONSULTATION

### *Internal*

- The Governance Team
- Senior Communications Officer

## 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.

## FINANCIAL AND RESOURCES IMPLICATIONS

Currently there are no additional costs if Council choose to continue the live streaming recording with existing resources, however if Council wish to invest in more advanced technology, it would require a budget amendment to include this expense.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

### **Our Community**

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

#### **1.b An Inclusive and Involved Community**

- 1.b.4 Regular opportunities for the broad community to have input into the Town of Port Hedland plans and programs are provided for transparency, accountability and two-way interaction
- 1.b.5 Opportunities to get involved and results of engagement are regularly promoted

### *Social*

There are identifiable social impacts for the community if the officer's recommendation is adopted, as 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 members of the public may not feel comfortable making public statements and asking public questions.

### **OPTIONS**

*Option 1 - Adopt Officers Recommendation*

*Option 2 - Amend 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 has provided for the Town's residents to be able to watch Ordinary and Special Council Meetings when they are unable to attend. It is apparent that local residents are interested in keeping up to date with Local Government decisions as the total views outlined in the table above are high. The Town recommends that Council adopt the officer's recommendation to facilitate the continuance of this service.

### **ATTACHMENTS**

Nil

**11.1.2 Quarterly Status of Council Decisions (File No. 13/06/0001)**

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

**CM201718/221 OFFICER'S RECOMMENDATION/ COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR MCDONOGH**

**That Council receive the 'Status of Council Decisions' as at 12 June 2018 as per attachment 1.**

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

This 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. This report is presented to Council for information purposes only.

**DETAIL**

The 'Status of Council Decisions' (SOCD) spreadsheet is an important administrative tool used by the Town to monitor all decisions of Council. 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 online.

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.

**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.

There has been no external or community consultation in regards to this internal document.

## 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:

### **Our Leadership**

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

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

4.b.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 12 June 2018 (Under separate cover)

**11.1.3 Statement of Financial Activity for the Period Ended 30 April 2018  
(File No. 12/14/0003)**

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

**CM201718/222 OFFICER RECOMMENDATION/ COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR HEBBARD**

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

- 1. Receive the Monthly Financial Health Check for the period ended 30 April 2018;**
- 2. Receive the Statement of Financial Activity for the period ended 30 April 2018;**
- 3. Receive the Material Variance Report;**
- 4. Note the Accounts paid under delegated authority for period ended 30 April 2018; and**
- 5. Receive the Credit Card Statements for period ended 30 April 2018.**

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

The purpose of this report is to present to Council the Statement of Financial Activity for the period ended 30 April 2018. Supplementary information is also presented to Council to provide further information regarding the Town's activities.

**DETAIL**

The information provided in this report are for the period ended 30 April 2018, with financial results included in *Attachment 2. Statement of Financial Activity Notes 1-12* prepared by Moore Stephens on behalf of the Town of Port Hedland.

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

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

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

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

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

The net current asset position as at 30 April 2018 is \$12.0M. The net Municipal balance (after matured investments and restricted reserves taken into account) as at 30 April 2018 is \$2.9M.

	2017/18 Actuals
Current Assets: Cash and Investments	\$234.9M
Restricted Cash – Reserves	\$232.0M
Unrestricted Cash Position as at 30 April 2018	\$2.9M

#### *Previous Decisions*

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

#### **LEVEL OF SIGNIFICANCE**

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

#### **CONSULTATION**

##### *Internal*

All consultation and engagement is conducted internally.

##### *External Agencies*

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

##### *Community*

N/A

#### **LEGISLATION AND POLICY CONSIDERATIONS**

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

## FINANCIAL AND RESOURCES IMPLICATIONS

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

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

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

### **Our Leadership**

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

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

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

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

## RISK MANAGEMENT CONSIDERATIONS

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

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

## OPTIONS

### *Option 1 - Adopt Officers Recommendation*

Note the Statement of Financial Activity and reports for the period ended 30 April 2018 in accordance with *regulation 34(1) of the Local Government (Financial Management) Regulations 1996*.

### *Option 2 - Amend Officers Recommendation*

That Council receive the Statement of Financial Activity for the period ended 30 April 2018 and request further information or clarification.



*Option 3 – Do not adopt Officers Recommendation*

That Council do not note or receive the Statement of Financial Activity for the period ended 30 April 2018.

**CONCLUSION**

The opening funding surplus of \$4.1M presented in YTD Actual on the Statement of Financial Activity is as per the Audited Annual Financial Report 2016/17. As at 30 April 2018, the net current asset position is \$12.0M compared to the current budgeted closing position for 30 June 2018 \$584.8K.

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

**ATTACHMENTS**

1. Monthly Financial Health Check
2. Statement of Financial Activity Notes 1-12 (Under separate cover)
3. Note 13 Material Variance Report (Under separate cover)
4. Accounts paid under delegated authority listing (Under separate cover)
5. Credit Card Statements for period ended 30 April 2018

## ATTACHMENT 1 TO ITEM 11.1.3

# MONTHLY FINANCIAL HEALTH CHECK



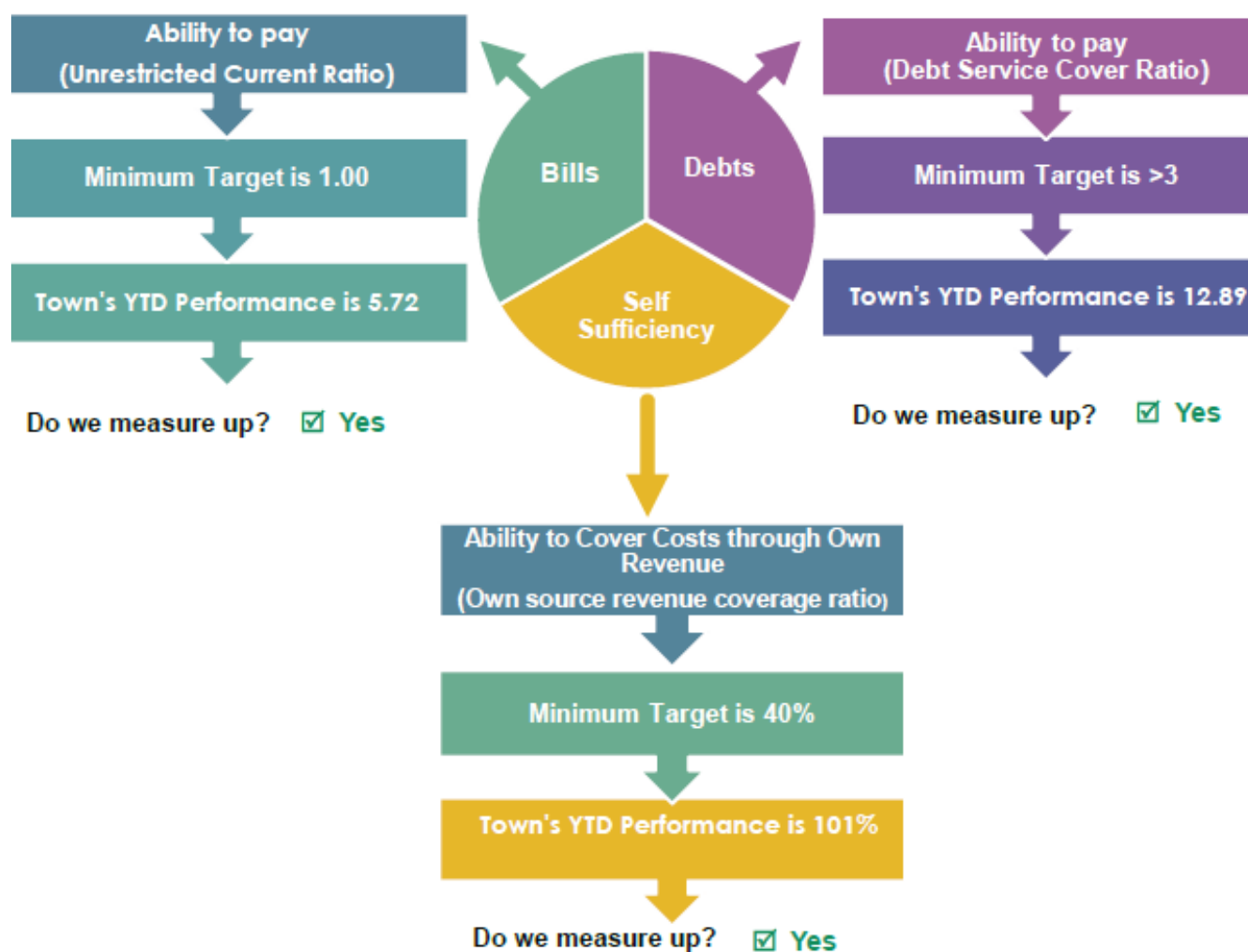
As at 30 April 2018

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

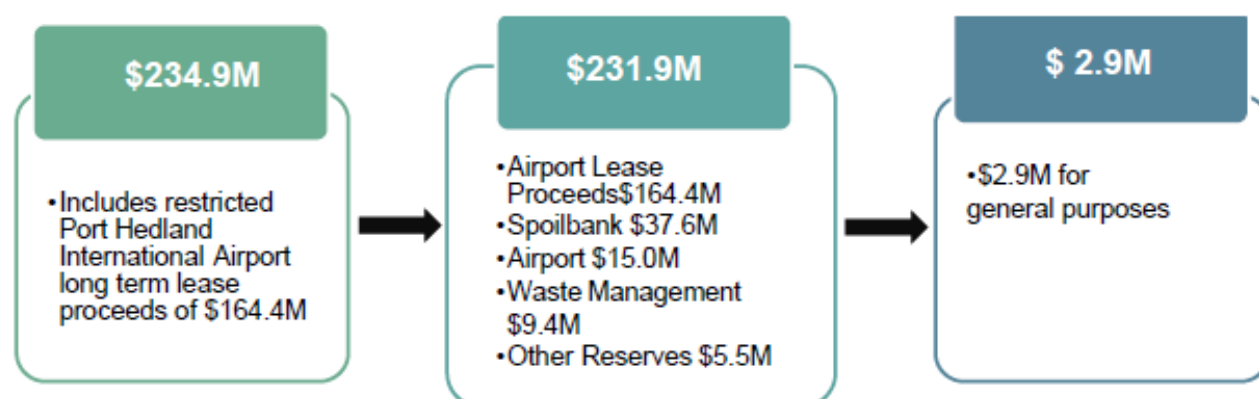


Financial Snapshot (Year to Date)	Actual (000's)
Operating Revenue	\$41,221
Operating Expenditure (Including Non-Cash Items)	(\$39,155)
Non-Cash Items	\$8,284
Capital Revenue	\$2,910
Capital Expenditure	(\$11,873)
Loan Repayments	(\$972)
Transfers to/from Reserves	\$7,461
Updated Surplus Brought Forward 1 July 2017	\$4,125
Current Municipal Surplus Position at 30 April 2018	\$12,001
Current Budget Municipal Surplus Position at 30 June 2018	\$1,068

## Financial health indicators



## Cash in the bank



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

### Adjusted Operating Surplus

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

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

Minimum Target is 1%

Town's YTD Performance is 5%

Do we meet the target? ☒ Yes

Adjusted operating surplus and self-sufficient ratios are high due to rates being fully invoiced at beginning of the financial year. However as the year progresses, operating expenditure will continue to draw on this revenue source reducing to target by 30 June 2018.

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

### Asset Sustainability Ratio

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

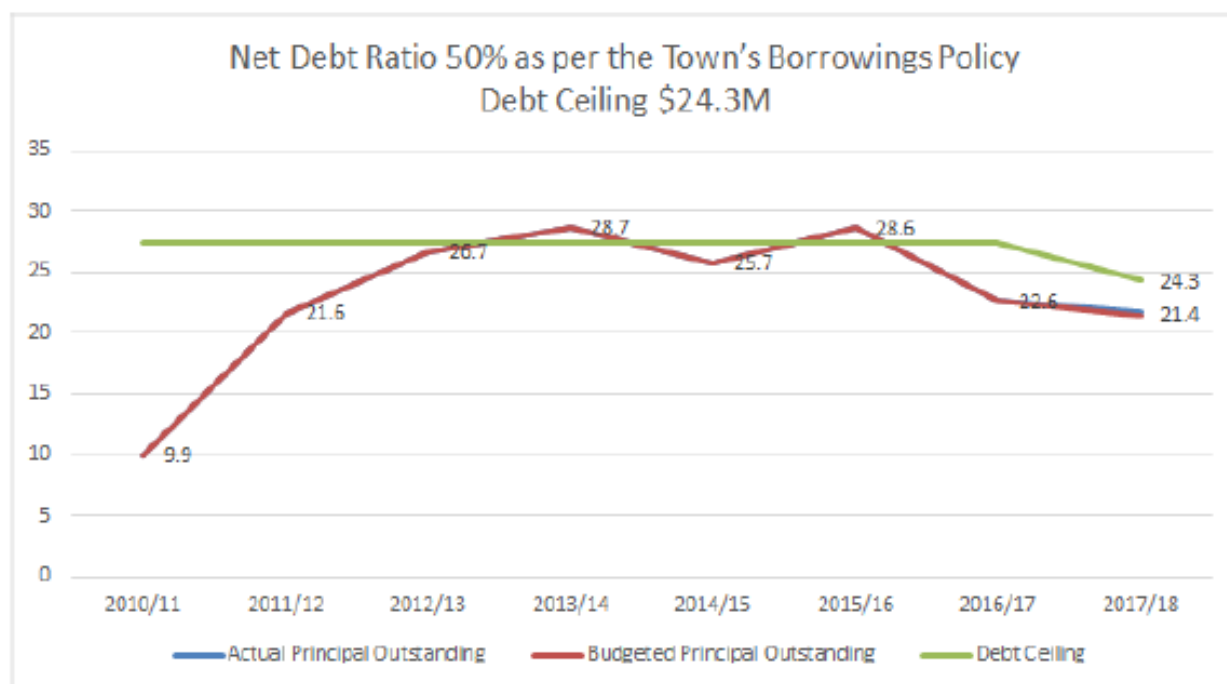
Minimum Target is 90%

Town's YTD Performance is 59%

Do we meet the target? ☐ No

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

## Debt levels



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

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

**Budgeted Net Debt Ratio = 47%**

**Actual Net Debt Ratio = 54%**

**Total Actual Principal Amount Outstanding 30 April 2018 = \$21.6M**

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

### Intergenerational Loans

Loan Purpose	Principal Amount Outstanding	Remaining Term
1. Marquee Park	\$4.20M	14/15 years
2. JD Hardie Upgrade	\$2.46M	14/16 years
3. Wanangkura Stadium	\$8.37M	15/16 years
4. GP Housing	\$1.27M	16 years

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

**ATTACHMENT 5 TO ITEM 11.1.3****TOWN OF PORT HEDLAND****Summary of Credit Card Statements for the Month of April 2018****Attachment 5**

Account Name	Account Number	Debit Balance (\$)
Town of Port Hedland	xxxx-xxxx-xxxx-4300	6,250.19
Town of Port Hedland	xxxx-xxxx-xxxx-8364	12,593.25
Town of Port Hedland	xxxx-xxxx-xxxx-3111	0.00
Town of Port Hedland	xxxx-xxxx-xxxx-6321	3,592.05
Town of Port Hedland	xxxx-xxxx-xxxx-2287	3,189.46
Town of Port Hedland	xxxx-xxxx-xxxx-1669	0.00
Town of Port Hedland	xxxx-xxxx-xxxx-9507	0.00
<b>TOTAL</b>		<b>25,624.95</b>

At the Town of Port Hedland, the Council's Corporate and Performance Directorate and Finance Team have an overriding objective of providing quality corporate governance; accountability; transparency and compliance and welcome any questions or queries on the credit card statements from not just Elected Members, but the public in general.



NAB Connect

## Transaction History Report

Account details

Account name  
TOWN OF PORT HEDLAND  
Account number  
XXXX-XXXX-XXXX-2287  
Currency  
AUD

Account balance summary

Opening balance: 0.00 CR  
Total credits: 0.00 CR  
Total debits: 3,189.46 DR  
Closing balance: 0.00 CR  
  
Date from: 01 April 2018  
Date to: 30 April 2018

Transaction details

Date	Narrative	Reference	Debit amount	Credit amount	EOD balance
09/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		694.52 DR		694.52 DR
10/04/2018	CREDIT CARD PURCHASE PIRTEK PORT HEDLAND WEDGEFIELD		320.12 DR		
10/04/2018	CREDIT CARD PURCHASE TOTAL CONNECTIONS BIBRA LAKE		480.09 DR		800.21 DR
13/04/2018	CREDIT CARD PURCHASE MAIN ROADS WA DON AITK EAST PERTH		979.00 DR		979.00 DR
16/04/2018	CREDIT CARD PURCHASE BEAUREPAIRES 5262 PORT HEDLAND		412.00 DR		412.00 DR
26/04/2018	CREDIT CARD PURCHASE HORIZON POWER BENTLE BENTLEY		303.73 DR		303.73 DR



## Transaction History Report (Continued)

## Account details

Account name  
TOWN OF PORT HEDLAND  
Account number  
XXXX-XXXX-XXXX-4300  
Currency  
AUD

## Account balance summary

Opening balance: 0.00 CR  
Total credits: 0.00 CR  
Total debits: 6,250.19 DR  
Closing balance: 0.00 CR  
  
Date from: 01 April 2018  
Date to: 30 April 2018

## Transaction details

Date	Narrative	Reference	Debit amount	Credit amount	EOD balance
03/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951500795515SPRING HILL		4.23 DR		
03/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146305386SPRING HILL		325.00 DR		329.23 DR
04/04/2018	CREDIT CARD PURCHASE PRO PHONE TECHNOLOGY PORT HEDLAND		210.00 DR		210.00 DR
05/04/2018	CREDIT CARD PURCHASE POTSHOT HOTEL RESORT EXMOUTH		441.53 DR		441.53 DR
06/04/2018	CREDIT CARD PURCHASE DYMCKS PERTH PTY LT PERTH		16.99 DR		
06/04/2018	CREDIT CARD PURCHASE WWW.GETTYIMAGES.COM 61-2-90042209		92.65 DR		109.64 DR
09/04/2018	CREDIT CARD PURCHASE WRISTBAND FACTORY PORT MACQUARI		130.00 DR		
09/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		347.31 DR		477.31 DR
10/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951500900470SPRING HILL		5.97 DR		
10/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146498865SPRING HILL		459.00 DR		464.97 DR
11/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		99.00 DR		99.00 DR
16/04/2018	CREDIT CARD PURCHASE AVANGATE*COERNIC.CO M 699AMSTERDAM		47.34 DR		
16/04/2018	CREDIT CARD PURCHASE BLINDSONTHENET HOMEBUSH		134.88 DR		182.22 DR
17/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951500991026SPRING HILL		4.23 DR		
17/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951500991082SPRING HILL		8.45 DR		



**Transaction History Report (Continued)**

Date	Narrative	Reference	Debit amount	Credit amount	EOD balance
17/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146666904SPRING HILL		325.00 DR		
17/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146666848SPRING HILL		650.00 DR		987.68 DR
20/04/2018	CREDIT CARD PURCHASE WESTERN AUSTRALI EAST PERTH		124.00 DR		124.00 DR
24/04/2018	CREDIT CARD PURCHASE BLINDSONTHENET HOMEBUSH		294.61 DR		294.61 DR
27/04/2018	CREDIT CARD PURCHASE MOORE STEPHENS (WA) P/L PERTH		2,530.00 DR		2,530.00 DR

**Transaction History Report (Continued)**Account detailsAccount balance summary

Account name  
TOWN OF PORT HEDLAND  
Account number  
XXXX-XXXX-XXXX-9507  
Currency  
AUD

Opening balance: 0.00 CR  
Total credits: 0.00 CR  
Total debits: 0.00 DR  
Closing balance: 0.00 CR  
  
Date from: 01 April 2018  
Date to: 30 April 2018

Transaction details

No transactions found.

**Transaction History Report (Continued)**Account detailsAccount balance summary

Account name  
TOWN OF PORT HEDLAND  
Account number  
XXXX-XXXX-XXXX-3111  
Currency  
AUD

Opening balance: 0.00 CR  
Total credits: 0.00 CR  
Total debits: 0.00 DR  
Closing balance: 0.00 CR  
  
Date from: 01 April 2018  
Date to: 30 April 2018

Transaction details

No transactions found.

## Transaction History Report (Continued)

## Account details

Account name  
TOWN OF PORT HEDLAND  
Account number  
XXXX-XXXX-XXXX-8364  
Currency  
AUD

## Account balance summary

Opening balance: 0.00 CR  
Total credits: 318.00 CR  
Total debits: 12,593.25 DR  
Closing balance: 0.00 CR  
  
Date from: 01 April 2018  
Date to: 30 April 2018

## Transaction details

Date	Narrative	Reference	Debit amount	Credit amount	EOD balance
03/04/2018	CREDIT CARD PURCHASE FACEBK *DH54XEN4Y2 fb.me/ads		3.43 DR		
03/04/2018	CREDIT CARD PURCHASE FACEBK *6H54XEN4Y2 fb.me/ads		318.64 DR		
03/04/2018	CREDIT CARD PURCHASE YOURMEMBER-CAREERS 7274976573 CT		445.00 DR		
03/04/2018	CREDIT CARD PURCHASE THE PEARLE OPERATION CABLE BEACH		795.00 DR		
03/04/2018	CREDIT CARD PURCHASE THE PEARLE OPERATION CABLE BEACH		795.00 DR		2,357.07 DR
04/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951500808244SPRING HILL		5.17 DR		
04/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951500808421SPRING HILL		7.94 DR		
04/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146330774SPRING HILL		398.01 DR		
04/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146331598SPRING HILL		611.00 DR		1,022.12 DR
05/04/2018	CREDIT CARD PURCHASE PETALS NETWORK ARMIDALE		152.90 DR		152.90 DR
06/04/2018	CREDIT CARD PURCHASE CLINIPATH PATHOLOGY AN OSBORNE PARK		40.00 DR		
06/04/2018	CREDIT CARD PURCHASE IAN TAYLOR & MURRAY GERALDTON		60.50 DR		
06/04/2018	CREDIT CARD PURCHASE Dropbox BWFxBDTYM3QV db.tt/cchelp		119.00 DR		219.50 DR
09/04/2018	CREDIT CARD REFUND THE PEARLE OPERATION CABLE BEACH			159.00 CR	
09/04/2018	CREDIT CARD REFUND THE PEARLE OPERATION CABLE BEACH			159.00 CR	

## Transaction History Report (Continued)

Date	Narrative	Reference	Debit amount	Credit amount	EOD balance
09/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951500881172SPRING HILL		7.36 DR		
09/04/2018	CREDIT CARD PURCHASE MAILCHIMP *MONTHLY MAILCHIMP.COMGA		65.97 DR		
09/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146468236SPRING HILL		566.00 DR		321.33 DR
10/04/2018	CREDIT CARD PURCHASE WWW.CARTRANSPORTEXP RES MOLENDINAR		1,095.85 DR		1,095.85 DR
12/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951500944734SPRING HILL		5.86 DR		
12/04/2018	CREDIT CARD PURCHASE QML PATHOLOGY MURARRIE		90.00 DR		
12/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146575495SPRING HILL		451.00 DR		546.86 DR
16/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		952.76 DR		952.76 DR
17/04/2018	CREDIT CARD PURCHASE Chambers Jewellers Port Hedland		230.00 DR		230.00 DR
19/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951501036483SPRING HILL		9.48 DR		
19/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146750913SPRING HILL		729.00 DR		738.48 DR
20/04/2018	CREDIT CARD PURCHASE WOOLWORTHS 4316 PORT HEDLAND		29.05 DR		
20/04/2018	CREDIT CARD PURCHASE BRUMBYS GO SOUTH HEDLAND		155.00 DR		184.05 DR
26/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		347.31 DR		
26/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		347.31 DR		
26/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		553.80 DR		
26/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		694.52 DR		
26/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		694.52 DR		2,637.46 DR
27/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951501114500SPRING HILL		4.23 DR		
27/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7951501114905SPRING HILL		5.08 DR		
27/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146883497SPRING HILL		325.00 DR		
27/04/2018	CREDIT CARD PURCHASE VIRGIN AUST 7952146884357SPRING HILL		391.00 DR		725.31 DR
30/04/2018	CREDIT CARD PURCHASE TECH PRO RESEARCH 4153442000 CA		397.04 DR		
30/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		694.52 DR		1,091.56 DR

**Transaction History Report (Continued)**Account details

**Account name**  
TOWN OF PORT HEDLAND  
**Account number**  
XXXX-XXXX-XXXX-6321  
**Currency**  
AUD

Account balance summary

**Opening balance:** 0.00 CR  
**Total credits:** 0.00 CR  
**Total debits:** 3,592.05 DR  
**Closing balance:** 0.00 CR  
  
**Date from:** 01 April 2018  
**Date to:** 30 April 2018

Transaction details

Date	Narrative	Reference	Debit amount	Credit amount	EOD balance
13/04/2018	CREDIT CARD PURCHASE DOME PORT HEDLAND PORT HEDLAND		30.20 DR		30.20 DR
16/04/2018	CREDIT CARD PURCHASE VITA CAFE DINING KARRATHA		50.50 DR		50.50 DR
18/04/2018	CREDIT CARD PURCHASE DOME PORT HEDLAND PORT HEDLAND		38.75 DR		38.75 DR
26/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		1,389.04 DR		
26/04/2018	CREDIT CARD PURCHASE QANTAS AIRW MASCOT		2,083.56 DR		3,472.60 DR

**Transaction History Report (Continued)**Account details

**Account name**  
TOWN OF PORT HEDLAND  
**Account number**  
XXXX-XXXX-XXXX-1669  
**Currency**  
AUD

Account balance summary

**Opening balance:** 0.00 CR  
**Total credits:** 0.00 CR  
**Total debits:** 0.00 DR  
**Closing balance:** 0.00 CR  
  
**Date from:** 01 April 2018  
**Date to:** 30 April 2018

Transaction details

No transactions found.

**End of report**

**11.1.4 2017/18 Budget Review for period ended 30 April 2018 (File No. 12/05/0013)**

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

**CM201718/223 OFFICER RECOMMENDATION/ COUNCIL DECISION****MOVED: CR MCDONOGH****SECONDED: CR ARIF**

**That Council endorse the 2017/18 Budget Review for period ended 30 April 2018 resulting in a projected closing municipal surplus of \$1,101,516 as at 30 June 2018.**

***CARRIED BY ABSOLUTE MAJORITY 8/0***

**PURPOSE**

This report presents the 2017/18 third quarterly Budget Review for period ended 30 April 2018. This review evaluated the current capital and operational projects, expected funding and reserve transfers in line with project progress as well as considered any changes resulting from unforeseen circumstances, resulting in budget variations discussed in the background of this report. The proposed budget changes from the review indicate an overall budget variation of \$512,157 from a current budgeted closing balance of \$589,359, resulting in an estimated closing municipal surplus of \$1,101,516 as at 30 June 2018.

**DETAIL**

The purpose of this report is to review the budget as at 30 April 2018 and evaluate the current capital and operational projects; expected grants, subsidies and contributions; and reserve transfers, forecasting expected actual spend and revenue for the current financial year up to 30 June 2018 in line with project progress and current information.

The Budget Review is an opportunity to evaluate the current budget as a result of numerous factors that affect the expenditure and revenue streams. The reviews are used as a tool for decision making for current and future activities and they are a key component of prudential financial management practices in order to mitigate financial risk exposure to Council.

In conjunction with compliance to legislation, the review conducted was an opportunity to review project progress, revenue and reserve funds, taking into account any changes in the macro or minor economic variables and any other relevant information, and use it as a tool to ensure accurate financial reporting and estimated closing surplus up to the end of the financial year. This process further assists with identifying any projects which will carry forward into the following financial year. These carry forwards will be included as part of the 2018/19 Annual Budget.

## Summary of Current Financials as at 30 April 2018:

- Capital expenditure to date is at 54% completion compared to the current annual budget. A concerted effort is being made to ensure majority of projects not already identified as carry forwards are completed by 30 June 2018.
- Operating expenditure is generally in line with budget YTD. In total it is 15% under budget, mainly due to the \$10.8M airport works yet to be spent due to scoping and project delivery timeline.
- Operating revenue is overall in line with budget YTD. Grant payments are under budget due to timing of payments, and interest income behind schedule due timing of maturities.

For more detailed information in relation to the current financial position in relation to the 2017/18 budget, please refer to the Statement of Financial Activity for the period ended 30 April 2018 presented at 27 June 2018 Council meeting.

A Statement of Financial Activity by Nature and Type and by Program is attached (attachment 1) which demonstrates the current annual budget, the proposed annual budget following the variations included as part of the forecast review and the budget amendments.

Below is a summary of the major variations:

	<b>Variation</b>	<b>Commentary</b>
Operating grants, subsidies and contributions	\$357K reduction	<ul style="list-style-type: none"> <li>- Mia Mia Contribution \$464k revenue removed - doubtful debt. Corresponding transfer to reserves removed.</li> <li>- \$166k increase to Community Safety and Crime Prevention revenue due to early payment of grant revenue to be placed into reserves for future years expenditure</li> <li>- Removal of unconfirmed \$75k grant for Local History Digitisation, with the corresponding expenditure side also removed. Project is under review.</li> </ul>
Fees & charges	\$412K reduction	<ul style="list-style-type: none"> <li>- Decrease in Landfill Premium Bin revenue by \$291k. Corresponding reserve transfer amended.</li> <li>- \$75k decrease in building permit revenue due to decreased trends in applications.</li> <li>- \$18k reduction in Sports Ground revenue hire due to reduced casual bookings and higher community discounts applied.</li> <li>- \$17k reduction in fines and penalties due to amended approach of education across the community.</li> </ul>
Other revenue	\$97K increase	- Movement in relation to reimbursement income for utilities, with corresponding expenditure increases and decreases also applied.
Profit on Sale of Assets	\$101K increase	- Additional Kingsford Smith Business Park lots sold resulting in an increased profit realised.
Employee costs	\$82K reduction	- Reduction in salaries and wages due to vacancies identified and difficulty filling roles.

	<b>Variation</b>	<b>Commentary</b>
Materials & contracts	\$11,018K reduction	<ul style="list-style-type: none"> <li>- \$10.7M reduction to Airport Projects for 17/18 due to negotiations with PHIA for completion of works under the current lease obligations.</li> <li>- Amendment of operational project forecasts as per the Operational Projects Works Program totalling \$296,026 reduction with \$228,560 to be carried forward to 2018/19. Refer attachment for detail.</li> <li>- Miscellaneous movements between budget items, with minimal impact to the bottom line.</li> </ul>
Capital Expenditure	\$5,785K reduction	<ul style="list-style-type: none"> <li>- Amendment of capital project forecasts as per the Capital Works Program with \$3,018K identified to be carried forward to 2018/19 for completion. Refer attachment for detailed breakdown of projects.</li> </ul>
Proceeds from Sale of Asset	\$737K increase	<ul style="list-style-type: none"> <li>- Increase in proceeds as a result of additional Kingsford Smith Business Park lots sold. All proceeds are transferred to the Asset Management Reserve.</li> </ul>
Transfer from reserves	\$15,285K reduction	<ul style="list-style-type: none"> <li>- Reduction of transfers from reserves in line with funded projects carried forward to 2018/19 as per the details project attachments.</li> <li>- \$10.7M retained in airport reserve</li> <li>- \$3M retained in Spoilbank reserve</li> <li>- Adjustment to Waste reserve as a net result of movement in revenue and project carry forwards.</li> </ul>
Transfer to reserves	\$1,165K increase	<ul style="list-style-type: none"> <li>- Mia Mia Contribution \$464k removed in line with reduced revenue.</li> <li>- Increase transfer to Asset Management Reserve for additional KSBP land sale proceeds.</li> <li>- Increase transfer to Unfinished Works reserve for carry forward projects currently funded by municipal.</li> <li>- Transfer grant received in advance to Unspent Grants reserve for future spend.</li> </ul>

## LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because budget reviews are vital to ensure the Town is forecasting expected expenditure and revenue in line with current conditions and commitments. Budget reviews are used as a tool for decision making for current and future activities and they are a key component of prudential financial management practices in order to mitigate financial risk exposure to Council.

## CONSULTATION

### *Internal*

All consultation and engagement is conducted internally. The 2017/18 Current Budget has been reviewed by all Budget Managers and the Executive Leadership Team, who collectively have considered the impact of the budget amendments presented to benefit the community as a whole and keep within the budget guidelines of a balanced budget.



## LEGISLATION AND POLICY CONSIDERATIONS

A local government is required to carry out a budget review between the 1 January and 31 March of each financial year in accordance with regulation 33A(1) of the *Local Government (Financial Management) Regulations 1996*. The review must consider the financial performance between 1 July to 31 December, the financial position at the date of the review, and review the outcomes for the end of financial year forecast as stipulated in regulation 33A(2A).

Any budget review must be submitted to Council within 30 days of completion, with Council to determine whether or not to adopt the review by absolute majority as required by regulation 33A(2) and (3).

If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, as this Council has, Regulation 13 of the *Local Government (Financial Management) Regulations 1996* requires the Town to prepare a list of accounts paid by the CEO each month showing for each account paid since the last such list was prepared —

- (a) the payee's name; and
- (b) the amount of the payment; and
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction

## FINANCIAL AND RESOURCES IMPLICATIONS

The 2017/18 third quarter budget review for period ended 30 April 2018 has identified a decreased operating revenue and a decrease in operating expenditure, resulting in an operating deficit decrease of \$10,541,589 mainly due to the Airport works required under the lease agreement being deferred. The overall result of the budget amendments is a proposed increase to the closing municipal surplus, resulting in an estimated closing municipal surplus of \$1,101,516 as at 30 June 2018.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

### **Our Leadership**

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

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

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

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



## RISK MANAGEMENT CONSIDERATIONS

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

There is a risk rating of medium (6) assigned to the risk that the review not be submitted to Council within 30 days after the review has been finalised. This risk has an unlikely possibility and a moderate impact in relation to compliance with significant regulatory requirements imposed.

There is a risk rating of medium (6) assigned to the risk under financial implication that the budgeted closing surplus as at 30 June 2018 will be understated, meaning prudential financial management practices in order to mitigate financial risk exposure to Council are not being followed.

## OPTIONS

### *Option 1 - Adopt Officers Recommendation*

That Council adopt the 2017/18 Budget Review for period ended 30 April 2018, resulting in a projected closing municipal surplus of \$1,101,516 as at 30 June 2018.

### *Option 2 – Do not adopt Officers Recommendation*

That Council do not adopt the 2017/18 Budget Review for period ended 30 April 2018, resulting in a projected closing municipal surplus of \$1,101,516 as at 30 June 2018.

## CONCLUSION

This report presents a summary of the 2017/18 Budget Review for period ended 30 April 2018. A number of variations are proposed as part of this review taking into account any changes in the macro or minor economic variables and any other relevant information, and use it as a tool to ensure accurate financial reporting and estimated closing surplus up to the end of the financial year. This process further assists with identifying any projects which will carry forward into the following financial year and presented as part of the 2018/19 Annual Budget. The outcome of the review presents an estimated municipal surplus of \$1,101,516 as at 30 June 2018.

## ATTACHMENTS

1. 2017/18 Budget Review Financial Statements and Supplementary Documents for period ended 30 April 2018 (Under separate cover)

**11.1.5 2016/17 Annual Audit Finding Actions (File No. 12/14/0001)**

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

**CM201718/224 OFFICER RECOMMENDATION/ COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR CARTER****That Council receive the audit finding action items from the 2016/17 Annual Audit.*****CARRIED 8/0*****PURPOSE**

The purpose of this report is to present to Council how the Town's administration has addressed and actioned the findings identified in the Audit Findings and Closing Report from the Town's Auditors, RSM Australia (formerly RSM Bird Cameron), for the year ended 30 June 2017 (attachment 1).

**DETAIL**

Each year, the Town is subject to an external audit for its Annual Financial Report (AFR), with the external auditors providing an Independent Auditors Report, Audit Findings and Closing Report. For the year ended 30 June 2017, the Town's Auditors, RSM Australia (RSM) presented four significant matters and five moderate matters for consideration by Management. These are outlined in Annexure A Management Letter within the closing report (attachment 1). RSM conducted the end of year audit onsite from 30 October to 1 November 2017, with the Annual Financial Report submitted to the Auditors on 31 October 2017. Areas of audit emphasis included the following:

- Payroll
- Cash and treasury cycles
- Inventory
- Fixed assets
- End of year accruals
- Restricted cash reserves
- Airport provisions

The role of the Auditor is to provide an opinion based on their audit as to whether the Town's financial statements are free of material misstatement. The Auditors also prepare a separate, more detailed report for Management, identifying any issues arising from the conduct of the audit, and recommending any corrective actions.

A summarised table of the findings and management actions undertaken is included below.

AUDIT FINDINGS	RATING	MANAGEMENT ACTION UNDERTAKEN
Submission of Annual Financial Report to Auditors	Significant	<p>Issues were identified early by the Town and the following have been actioned to address concerns:</p> <ul style="list-style-type: none"> <li>• Process and Structure review of the Finance Team</li> <li>• Engagement of Moore Stephens to review current processes and rectify issues</li> <li>• Appointment of new Manager Financial Services</li> </ul> <p>All statement imbalances were addressed for the final AFR 16/17.</p>
Reconciliation of fixed assets	Significant	<p>Moore Stephens has been engaged to assist the Town in transitioning and rectifying fixed asset issues. The following has been completed:</p> <ul style="list-style-type: none"> <li>• Cease use of Assetic for asset accounting</li> <li>• Centralise all asset accounting functions into SynergySoft for central control</li> <li>• Review depreciation methodology and application</li> </ul> <p>The Town's administration is still to finalise a review of all current procedures and is undertaking a comprehensive review of all fixed assets on the asset register in collaboration with Moore Stephens. Completion due 30 June 2018.</p>
Ratios	Significant	<p>To address the financial sustainability for the Town, there are a number of key documents which are required. The Town has recently adopted the Strategic Community Plan and is working closely with Moore Stephens and Elected Members to develop a comprehensive Long Term Financial Plan which is linked to the strategic direction of the Town. As part of this process, the Town has considered the current debt portfolio and a decision was made by Elected Members that the opportunity cost of paying out the Town's debt was greater than the benefit of paying out the debt.</p> <p>The Town will continue to review own source revenue streams and drive operational efficiencies in expenses to ensure financial sustainability for the Town, using the State Government ratios as a base guideline.</p>
Bank reconciliations	Significant	<p>The Town's administration will continue to work towards an automated bank reconciliation process. An overhaul of the bank reconciliation process has been undertaken, and a comprehensive procedure is being developed with strict controls, review processes and reconciliations.</p>
Non-compliance with purchasing policy	Moderate	<p>A new purchasing policy was adopted by Council in February 2018 which has been reviewed to ensure current practices align to WALGA best practices. Electronic requisition and purchase order approval is scheduled to be rolled out across the organisation in July 2018 which increases governance and control over the process. An online quotation portal was launched in</p>

AUDIT FINDINGS	RATING	MANAGEMENT ACTION UNDERTAKEN
		November 2017. New procedures were adopted by ELT in May 2018 to ensure compliance the purchasing policy
Completeness of tender register	Moderate	As per the above, the newly established Procurement Team ensures completeness of the tender register and it is reviewed on a regular basis. No issues were identified during the interim audit undertaken by RSM in May 2018.
Failure to submit 'Related Party Disclosure' declaration forms	Moderate	Policy 1/028 Related Party Disclosures was adopted by Council in November 2017. Governance processes are in the process of being reviewed and amended to ensure any employee leaving the organisation has completed the appropriate documentation. A register is maintained and reviewed on a regular basis by the Governance Team.
Nature of income and expense (IE) codes 701 and 702	Moderate	Moore Stephens was engaged to complete a comprehensive chart of account review. This was provided to the Town in November 2017 and all changes recommended have been implemented, inclusive of amending the set-up of accounts for reserve transfers relating to IE code 701 and 702. This has rectified all reporting confusion in relation to these accounts.
Incomplete overhead allocations	Moderate	As part of the chart of account review, Moore Stephens also review the overhead allocations across the organisation in line with the <i>Local Government Act 1995</i> and Regulations. Amended allocations were presented to Council as part of the mid-year budget review process and are reconciled on a monthly basis.

## LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, due to likely consequences arising from non-compliance, potential to impact the Town's ability to deliver services, impact to the reputation of the Town of Port Hedland and general interest by the community in the compliance capability of the business operations of the Town of Port Hedland.

## CONSULTATION

### *Internal*

This report was completed with the input and assistance of the Executive Leadership Team, the Financial Services team and the Governance team.

### *External Agencies*

Moore Stephens

## LEGISLATION AND POLICY CONSIDERATIONS

The *Local Government Act 1995* and associated *Regulations* determine most of the audit requirements listed above.

Part 7 of the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* details the requirements for audit.

In accordance with the *Local Government Act 1995* section 7.12A (4), a Local Government is required to prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and forward a copy of that report to the Minister by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.

## FINANCIAL AND RESOURCES IMPLICATIONS

There are no direct financial and resource implications arising from this agenda 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:

### **Our Leadership**

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

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

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

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

## RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be Medium (9) for this agenda item. This is calculated as moderate consequence and possible likelihood. This report promotes legislative compliance, good governance, transparency and accountability.

The action report is to be received by Council and sent to the Minister by the end of the next financial year, or 6 months after the last report prepared under section 7.9 (Section 7.12A). Not accepting the report by this time will be a breach of the *Local Government Act 1995*. As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be Medium (9).

**OPTIONS**

*Option 1 - Adopt Officers Recommendation*

*Option 2 – Do not adopt Officers Recommendation*

**CONCLUSION**

This report presents the Council with an overview of the how the Town's administration has addressed and actioned the findings identified in the Audit Findings and Closing Report from the Town's Auditors, RSM Australia (formerly RSM Bird Cameron), for the year ended 30 June 2017 and the items which are still in progress. The Town is continuously working towards improvements in the financial management area and there will be a focus on creating stronger internal controls within financial management and processes in accordance with the Town's values and long term sustainability.

**ATTACHMENTS**

1. Audit Findings and Closing Report for the year ended 30 June 2017 (Under separate cover)

**11.1.6 Appointment of Approved Mentor (File No. 13/01/0032)**

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

**CM201718/225 OFFICER'S RECOMMENDATION/ COUNCIL DECISION****MOVED: CR MCDONOGH****SECONDED: CR HEBBARD****That Council;**

- 1. Acknowledge in accordance with the attached Scope of Works the Department of Local Government's recommendation to appoint a suitable mentor; and**
- 2. Consider the allocation of funds to the amount of \$50,000 within the 2018/19 Financial Year for the remuneration, travel and accommodation expenses of the appointed mentor.**

***CARRIED 7/1***

For: Mayor Blanco, Deputy Mayor Newbery, Cr Arif, Cr Carter, Cr Hebbard, Cr McDonogh, Cr Pitt.

Against: Cr Daccache.

**PURPOSE**

The purpose of this agenda item is to request that Council consider appointing a mentor as a result of the Department of Local Government, Sport and Cultural Industries (the Department).

**DETAIL**

Since the October 2017 Elections, the Town's Council has experienced a series of issues which have resulted in a breakdown in communication amongst its members, making the operations of the Council difficult to achieve. The Department was contacted by the Town's Administration and this resulted in the Department coming up to Port Hedland and having individual meetings with Elected Members and with the Town's Administration, in order to assess the situation.

Based on the results from this process, the Department has recommended that a mentor be appointed to work with the Town and Elected members, to come up with a plan to ensure that key performance indicators are set and achieved, and the areas of concern as stipulated in the Scope of Works document (Attachment 1) addressed accordingly. The success of the suitable mentor is dependent on the co-operation he receives in achieving his objective of addressing the good governance issues identified. It is considered that a period of 6 months would be needed in order to allow an effective outcome in the mentoring process.

The mentor recommended by the Department to commence in July 2018, has long served as a Mayor and is the recipient of the Member of the Order of Australia AM, for services to Local Government in community. The mentor has other roles, including the Local Government Advisory Board, The Local Government Insurance Board, and various public advisory boards. Further details are defined under the Mentor's Qualifications and Experience (Confidential) document (Attachment 2).

The Minister has also recognised the mentor as a well-respected and very experienced commissioner.

### LEVEL OF SIGNIFICANCE

This matter is considered to be of high significance as it has a direct bearing on the effective working relationship between Elected members which has important consequences for the ability of the Town to deliver efficiency and effectiveness in its general function of providing good government for the persons within its district.

### CONSULTATION

#### *Internal*

- Elected members
- Senior management staff.

#### *External Agencies*

It is expected that ongoing discussions will be held with the Department as part of the monthly reporting cycle included in the process.

### LEGISLATION AND POLICY CONSIDERATIONS

In accordance with Section 5.23 (2) (b) of the *Local Government Act 1995*, the name of the mentor has been omitted from this item. Should Council wish to discuss the mentor in further detail, the meeting would need to be closed to members of the public.

The process may involve suggested amendments to Council policies in regard to matters of good governance.

### FINANCIAL AND RESOURCES IMPLICATIONS

The costs to the Town for remuneration of the appointed mentor is up to an amount of \$50,000 for a period of 6 months. The mentor will be coming to Port Hedland twice a month, to attend Confidential Briefing Meetings and Ordinary Council Meetings, as well as being available for targeted meetings with Councillors, Deputy Mayor and Mayor.

<b>The cost is allocated as follows:</b>	<b>\$50,000</b>
Services (as per Scope of Works)	\$30,000
Travel and Accommodation	\$11,000
Contingency (for any additional and/or unexpected costs)	\$9,000



## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

The appointment of a person as a mentor for the Town of Port Hedland is an initiative that aims to improve the strategic position of the Town and assist in supporting it to be a more efficient and effective local government.

### **Our Leadership**

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

#### **4.a A global, national, state and local presence and voice**

- 4.a.1 Town of Port Hedland is represented and advocated for in International, Federal, State and regional forums and policy development
- 4.a.2 Town of Port Hedland is marketed and promoted locally, state-wide, nationally and internationally to tourists and investors
- 4.a.3 A positive narrative and unique brand is developed and promoted

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

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

#### **4.c Effective delivery of services and infrastructure to meet community needs**

- 4.c.1 High quality and responsive customer service is provided
- 4.c.2 Community members, business and tourists are engaged to provide feedback about local facilities and services
- 4.c.3 Innovative marketing to attract amenity usage is implemented
- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

## RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be extreme (20) in terms of reputational impact, resignation of Council members and/or election costs to the ratepayers. This rating is determined as a major (4) consequence and a likelihood of almost certain (5).

## OPTIONS

*Option 1 - Adopt Officers Recommendation*

*Option 2 – Do not adopt Officers Recommendation*

That Council approve the appointment of a mentor for the purpose of achieving a better understanding of their duties and responsibilities, improving Council culture and cohesion, and obtaining additional knowledge and skills.

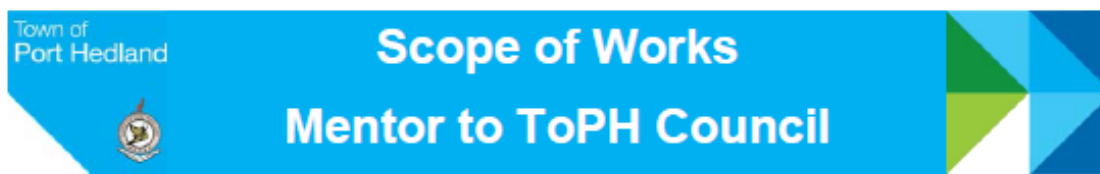
**CONCLUSION**

A suitable mentor be appointed to assist the Town of Port Hedland's (TOPH) Councillors in their public roles and to achieve a better Council culture between Elected members, as well as between Elected members and the TOPH administration. Developing Councillors knowledge and skills will assist in serving the community more effectively and efficiently.

**ATTACHMENTS**

1. Scope of Works
2. Mentor's Qualifications and Experience (Confidential)

## ATTACHMENT 1 TO ITEM 11.1.6

**Scope of Works**

The incumbent will work closely with the Town's administration, Elected Members, and in consultation with the Department to assist with the development and implementation of an action plan to address the issues identified.

This plan is to include an implementation timeframe over an initial period of six months, commencing in July 2018.

The plan's focus should centre primarily on the following four areas of concern (identified as part of the 2018 AICD Governance Review):

- Council members' understanding of duties and responsibilities
- Council members' knowledge and skills
- Council culture and cohesion (between elected members as well as elected members and ToPH administration)
- Council members' contribution and preparation in relation to briefings, Ordinary and Special Council and Committee meetings, as well as representation at external meetings, formal or otherwise.

The incumbent will be required to:

- be in attendance on the second Wednesday of each month and on the fourth Wednesday of each month (with the exception of the month of August) to attend confidential briefing sessions and Council meetings respectively, as well as being available throughout those days for targeted meetings with Councillors, Deputy Mayor and Mayor;
- advise, assist and generally ensure that everything is done to progress the implementation of the identified action plan;
- provide brief monthly reports to the department on progress made;
- provide advice on conduct and stewardship to Elected members in their meetings and in their public roles more generally; and
- provide advice on any other statutory matters of good governance and local government sector practice.

15 June 2018

## 11.2 Development, Sustainability and Lifestyle

6:54pm Councillor Hebbard declared a financial interest in item 11.2.1 Needle Safety Initiatives as she is the Vice Chair of Hedland Well Women's Centre and that she is exempt under 5.63(g) of the *Local Government Act 1995* as she is a public servant.

### 11.2.1 Needle Safety Initiatives (*File No. 03/11/0002*)

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

#### CM201718/226 OFFICER'S RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR DACCACHE**

**SECONDED: CR MCDONOGH**

**That Council directs the Mayor and Chief Executive Officer to lobby and advocate for improved Needle Safety Initiatives with State and Federal Government.**

**CARRIED 8/0**

## PURPOSE

The purpose of this report is to outline the current Needle Syringe Program (referred to NSP in this report) in Hedland and the impact this service has on both the community and support services after Mr. Dean Davis, a Hedland community member requested an item put forward for Council to support a Needle and Syringe Exchange Program at the Public Agenda Briefing on 16 May 2018. Furthermore, the report identifies the business plan that the WA Country Health Services (referred to as WACHS in this report) is currently establishing, to identify a risk/needs assessment in strengthening NSP and investigating alternative needle safety initiative, such as a Needle and Syringe Exchange Program (referred to NSEP in this report). This report is aimed at providing comprehensive information on the current and future work being conducted in this space for Elected Members to confidently lobby and advocate from an informed platform.

## DETAIL

Needle and Syringe Programs (referred to NSPs in this document) are a public health measure which aims to reduce the transmission of HIV, hepatitis B and hepatitis C by providing free sterile injecting equipment for people who inject drugs (PWID). To operate an NSP, government and non-government organisations require NSP approval under the [Medicines and Poisons Act 2014 \(external site\)](#) and the [Medicines and Poisons Regulations 2016 \(external site\)](#). NSPs can also provide:

- Health and safer injecting information;
- Referrals to drug treatment, blood-borne virus testing; and

- Treatment and referrals to legal and social services.

*(Department of Health, Government of Western Australia)*

#### *Needle Syringe Program (NSP) in Port Hedland*

There are two NSP providers in the Port Hedland community, being Hedland Well Women's Centre and WA Country Health Services- Pilbara. The NSP program has been operating for 22 years in the Port Hedland community, from the sites mentioned above and is funded through Communicable Disease Control Directorate, Sexual Health and Blood borne-Virus Program (SHBBVP) - Department of Health, in Perth. The NSP providers are both located in South Hedland and collection points are as followed:

- Administration office of Hedland Well Women's Centre
- Emergency Department triage desk at Hedland Health Campus
- Pilbara Population Health- Community Health reception at Hedland Health Campus

Please note that syringes can also be purchased at pharmacies for a minimal monetary amount for PWID, and for community members who are required to inject for health purposes (not related to drug use) such as diabetes etc.

Hedland Well Women's Centre (HWWC) is a non-for profit organisation that provides holistic support for women and their families requiring physical, emotional, social and mental health support. The Centre is a one stop shop of support services which provides an array of networking, therapeutic and educational events for the Hedland community. Although their scope of work is female specific, they have been the main NSP provider in the Hedland community since 1995. The advantages of the Centre being a NSP provider is they have a diverse range of therapeutic services available for NSP users. A brief intervention model is practiced in which staff of the Well Women's Centre identify if there are any urgent needs and concerns that need to be addressed by the NSP client. Staff members are well equipped with referral forms to Alcohol and Other Drug (AOD) services and currently have a full time and part time counsellor available for treatment on request for NSP users. Furthermore Well Women's Centre have a NSP Coordinator who oversees the operations and reporting protocols as mandated by WA Health. Well Women's Centre have reported that although they are a female centric service they have a high number of males accessing their NSP which can be assumed that the geographical location of their service is accessible, and that they provide a judgement-free environment for users to access services with limited stigma and shame. Please refer to attachment one (1) of this report *'Media Release- Hedland Well Women's Centre Needle Syringe Program'* and please find a direct link to the Hedland Well Women's Centre service page if you require further information <https://www.wellwomens.com.au/>.

WA Country Health Services is the other major NSP provider at Hedland Health Campus, in which NSP users can access Community Health during business hours or the Emergency Departments (referred to "ED" in this report) on shift, triage nurse 24/7. It is assumed a majority of service users utilise the NSP at the ED afterhours and outside of the Hedland Well Women's Centre business hours. Additionally Pilbara Population Health has a NSP Coordinator located, for a fixed term, at Hedland Health Campus overseeing the development of a business case to establish a Needle and Syringe Exchange Program (NSEP), with a focus on Port Hedland and Karratha.

The scoping and development of the business case is estimated to take up to twelve (12) months to ensure all relevant stakeholders are involved in the community consultation process. Furthermore, the business case will outline a risk and needs assessment guided by evidence-based practice to formulate Pilbara specific recommendations on establishing a NSEP. The SHBBVP have funded this role and is committed to funding the development of the NSEP in the region by mid/late-2019.

Due to the geographical context of the Pilbara a twelve (12) month timeframe is sufficient enough to ensure the business plan holds credibility by scoping relevant stakeholders, including evidence-based research and understanding the costs associated in implementing a NSEP and how it will amalgamate with the current NSP services.

Both the NSP providers mentioned previously hand out up to ten (10) packs per person. In each pack there is:

- Five (5) syringes
- Five (5) disposable caps
- Five (5) bacterial swabs
- Referral Information to support services
- Maps of disposable location units.

Pharmacy based NSP provide approved packaged needle and syringe products, together with disposable receptacles, with different packs available in the market.

#### *Reporting and Disposal Protocols*

The Town of Port Hedland's Works and Services team provide daily worksheets of any needles found in public spaces in which they maintain and clean. From 1 January 2018 to 30 May 2018 the Parks and Gardens team have collected 143 syringes in public spaces. This information is collated in an excel spreadsheet and is open to the public upon request. The purpose of this reporting process is to identify any hot spots of incorrectly disposed needles and have a coordinated approach to needle safety with relevant stakeholders. The Town's Community Safety Advisor is currently in the process of streamlining reporting processes with external stakeholders, this will commence 1 July 2018. The Town does not have the right to release any external stakeholder's data regarding NSP and must be requested from these organisations directly. Public disposal units are located at all public toilet facilities in South Hedland, Port Hedland, shopping centre restrooms and medical practices. Disposal units are monitored weekly and disposed of by local contractors. The disposal units are then transported to the Landfill where they are disposed of in *hazardous waste* which is sectioned off from the general waste area. For syringes disposed of in general waste (which has its associated risks) the Town of Port Hedland Local Laws and Internal Operating Procedures have prevention measure for staff to mitigate any direct contact with general waste. The SHBBVP advise members of the public, if a needle or syringe disposal unit cannot be located, using the disposal receptacles distributed with the syringe should be used, which bends and locks the syringe inside, preventing the syringe to be re-used. This can then be safely disposed of in general waste. For further information on how members of the public can dispose of syringes please refer to attachment three (3) of this report.

In addition, the Town of Port Hedland is part of an online local government network for Community Safety officers and stakeholders responsible for the planning and implementation of community safety. Responses received from other Local Government areas identified that only incorrectly disposed of needles were reported if recognised as an issue in their community. The Town of Port Hedland has been advised by the A/Population Health Director Pilbara that:

*“...data around the number of ‘Fitpacks’ handed out from NSP are not an accurate reflection in increasing/decreasing drug use in any town and...can be misconstrued without understanding the function of NSP Injecting drug users can obtain needles from a variety of sources and dispose of them in a variety of ways – hence why data on the number of ‘Fitpacks’ collected from NSP’ collected is not overly useful in gauging disposal issues. Syringes do not come with individual serial numbers nor do the ‘Fitpacks’. Also there are a variety of different ‘Fitpacks’ containing differing equipment, however the ‘Fitpacks’ and ‘Fitpack Plus’ distributed in Port Hedland (from hospital, community and pharmacy NSP) contain 5 and 3 syringes respectively and a disposal unit, so the client can safely dispose of the syringes in waste or via accessing a sharps disposal unit. Information on safe disposal is also included on the stickers attached to each pack distributed in WA. What would be useful once a NSEP is established is distribution and return data from the site itself – this data would be easily recordable and reportable as part of establishing a NSEP.”*

*(Correspondence received via email on 23 May 2018).*

The Town of Port Hedland has an App called Snap, Send & Solve in which community members can take a photo of a public health issue, public facility or community safety concern and notify the Town of the location in which the Works and Services team can attend to within a 24 hour period, depending on urgency. Furthermore the Port Hedland Alcohol and Other Drug (PHAOD-VSU) Management Plan 2018-2020 has a standalone Priority Four (4) area of addressing needle syringe disposal issues and raising awareness of local NSP programs. The purpose of this strategic document is to ensure there is a coordinated response from support services to tackle community safety issues such as incorrectly disposed of needles. There are currently thirteen (13) identified actions under Priority Four (4) which are divided into demand reduction, supply reduction and harm reduction initiatives. Please refer to attachment (2) of this report.

#### *Current Needle and Syringe Exchange Programs in WA*

Peer Based Harm Reduction WA operate a fixed site Needle and Syringe Exchange Program (NSEP) in Perth CBD, as well as in Bunbury, in the South West region of WA. A mobile service operates within the South West region, visiting Busselton, Manjimup, and Margaret River, to offer increased access to sterile injecting equipment and disposal facilities. Peer Based Harm Reduction WA also have active outreach teams servicing other suburbs in the Perth metropolitan area and in the South West/surrounding regions.

(Peer Based Harm Reduction WA, <http://harmreductionwa.org/>)

The WA AIDS Council (WAAC) NSP provides services to PWID across the Perth metropolitan area. Their mobile service operates in the suburbs of: Armadale, Fremantle, Forrestfield, Gosnells, Joondalup, Midland, Mirrabooka and Rockingham. There is also a fixed NSEP site at the WA AIDS Council office in West Perth and in Fremantle. (WA AIDS Council, as cited on 28 May 2018 via <https://waaids.com/needle-exchange.html>)

Palmerston Association Inc. operate a fixed site NSEP in Mandurah, in the Peel region, south of Perth, while in the Goldfields and Midwest regions, the Goldfields Population Health Unit (Kalgoorlie) and Midwest Mental Health and Community Alcohol and Drug Service (Geraldton) operate fixed site NSEPs respectively.

(Palmerston Association Mandurah <http://www.palmerston.org.au/services/needle-and-syringe-program-mandurah>)



All services operated by non-government organisations provide single needles and syringes, barrels and tips free on exchange, or at a low cost, as well as provide safe disposal services for used injecting equipment. The regional services in Goldfields and Midwest offer all products free of cost for the client. All services provide safer sex equipment, user-friendly advice, and relevant information for referral services.

### *Previous Research*

In 2009, the Australian Government Department of Health and Aging published the Return on Investment in Needle and Syringe Programs in Australia study and found that an investment of \$12.9m in the funding of NSPs in Western Australia from years 2000-2009 has resulted in a saving of \$124m in healthcare costs, with more than 19,000 Disability Adjusted Life Years saved with a net financial saving of \$111m. The lifetime net present value of investment in NSPs that took account of all healthcare costs and savings (but not costs associated with productivity losses) would be \$5.63bn (\$1.97bn discounted at 3%). Across Australia more than \$1.28bn was saved in healthcare costs over this period, for an investment of \$243m. If total patient healthcare/treatment costs, productivity gains and losses are included in the analysis, a return of \$27 is received per one dollar invested in NSP.

It was estimated that within this period, NSPs across Australia directly averted:

- 32,050 new HIV infections
- 96,667 new hepatitis C infections

(The Department of Health, viewed on 28 May 2018,  
<http://www.health.gov.au/internet/main/publishing.nsf/content/needle-return-2>)

The Town of Port Hedland is improving our reporting processes to reflect community concerns of incorrectly disposed of needles. Public comments have been viewed on various social media platforms and have outlined their concerns that programs such as NSEP and NEP enable drug use without tackling the addiction itself. It is important to understand that addiction to drugs is unfortunately a complex matter. PWID often feel stigmatized in the community, especially when accessing mainstream health and medical services. It is important that people recognize PWID have the same basic health needs and rights as anyone else in the community. NSP and NSEP services are often the first contact points PWID have with health services, and provide an opportunity for brief intervention, and referral to other health, and drug treatment services. It is very hard for someone who injects drugs to break the cycle of addiction, but accessing NSP can provide one method to engage with a health and support service. The Town's focus is on strengthening community and capacity building services to improve the liveability of Port Hedland. The strength of support services such as Hedland Well Women's Centre has created a space for often marginalised and stigmatised groups to access services feeling welcomed and not shamed, in the hope that they will reach out for help and access intervention services. Support services like this connect the Hedland community and strengthen the assets already in place. Additionally, the Town is working in collaboration with support services to further strengthen the disposal message for PWID and have a tri-sector collaboration of reporting protocols.



The Town of Port Hedland has awarded University of Western Australia (UWA) a Request for Quote to identify the base line data of community safety needs in Port Hedland. In addition to this, they will also be scoping a map and gap analysis of support services to identify the community services assets and areas in which support services can align to meet community needs. This scope of work will be a tri-sector collaboration and the first of its kind for the Port Hedland community. The outcome will provide the Town with quantitative localised data and provide a framework to understand community needs, improve reporting processes and highlighting the importance of collaboration across the sectors to measure the impacts community safety initiatives have in Hedland. This project is commencing in July 2018 and is expected to be finalised by November 2018.

To date, there has been no previous agenda items discussed by elected members for needle safety initiatives or exchange programs, as per internal governance records, predating from 1998.

### 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 impacts the recommendation will have on the community.

### CONSULTATION

#### *Internal*

- Administration Officer - Infrastructure & Town Services
- Leisure & Landscape Project Officer
- Legal Advisor
- Manager Environmental Health and Community Safety
- Manager Waste Operations
- Manager Depot Operations
- Team Leader Ranger
- Director Development Sustainability & Lifestyle
- Chief Executive Officer

#### *External Agencies*

Community Safety Advisor attended the Port Hedland Alcohol and Other Drug Management Plan working group on 26 April 2018 to discuss updates of initiatives identified in the plan i.e. needle safety initiatives.

Face to face and email correspondence with Chief Executive Officer, Hedland Well Woman's Centre between April-May 2018.

Email and verbal correspondence with Senior Policy Officer, Communicable Disease Control Directorate (Department of Health) between April-May 2018.

Face to face and email correspondence with Manager Housing Services| Pilbara, Department of Communities between March-April 2018.

Face to face and email correspondence with Public Health Manager, WA Country Health Services Pilbara between April-May 2018.

Email and verbal correspondence with Acting Director, Population Health Pilbara (WA Country Health Services Pilbara) between April-May 2018.

Face to face discussion with Director of Public Health Advocacy Institute of WA on 6 June 2018.

### *Community*

A meeting with Mr. Dean Davis was scheduled on 12 April 2018 (3:00pm-4:00pm) to address his concerns at Hedland Well Women's Centre. Attendees were Public Health Manager of WA Country Health Service Pilbara, Chief Executive Officer of Hedland Well Women's Centre, Manager Environmental Health and Community Safety and Community Safety Advisor from Town of Port Hedland.

Community Safety Advisor met with Hedland Aboriginal Strong Leaders Elders on 8 June 2018 to discuss the agenda item. The following statement was released from Hedland Aboriginal Strong Leaders, *"they strongly support a NSEP in Hedland and support the Town of Port Hedland advocating for it. They believe it would have a positive impact on the community and contribute to Closing the Gap on outcomes for well-being of intravenous drug users in the Hedland community. They recognise the drug problem in the Hedland community including users that identify as Aboriginal people and would welcome any measures to reduce harm to the entire community from this issue. At this time they do not see any cultural concerns or implications."* Statement received 15 June 2018 via email.

## LEGISLATION AND POLICY CONSIDERATIONS

*Medicines and Poisons Act 2014* (external site)

*Medicines and Poisons Regulations 2016* (external site)

*Proposed Waste Local Law 2018*

This is a State and Federal government matter, there are currently no local laws for needle safety initiatives. Local governments do not have the power to make local laws under Part 3, Division 2, and Subdivision 2 of the *Local Government Act 1995* in respect of needle safety initiatives.

## FINANCIAL AND RESOURCES IMPLICATIONS

Nil

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

### **Our Community**

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

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

- 1.a.1 Stakeholders are engaged to develop a whole of town approach to increase accessibility to quality health and wellbeing services
- 1.a.2 Community needs and gaps in health provision are identified and delivered
- 1.a.5 Agencies and the community are fully engaged to reduce anti-social behaviours and improve community safety

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

1.b *An Inclusive and Involved Community*

1.b.5 Opportunities to get involved and results of engagement are regularly promoted

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

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

3.a *A healthy natural environment*

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

3.b.5 The protection and valuing of amenities and urban space is enhanced through community engagement

#### **Our Leadership**

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

4.a *A global, national, state and local presence and voice*

4.a.1 Town of Port Hedland is represented and advocated for in International, Federal, State and regional forums and policy development

4.a.3 A positive narrative and unique brand is developed and promoted

4.c *Effective delivery of services and infrastructure to meet community needs*

4.c.1 High quality and responsive customer service is provided

4.c.2 Community members, business and tourists are engaged to provide feedback about local facilities and services

#### *Social*

The perceived and actual risks of needle safety initiatives can create division in community.

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 (4) due to the reputation of the Town supporting the recommendation which is for the Mayor and Chief Executive Officer to lobby and advocate for needle safety initiatives.

#### **OPTIONS**

*Option 1 - Adopt Officers Recommendation*

*Option 2 - Amended Officers Recommendation*

That Council:

- Request further community and stakeholder consultation.
- Report back to Elected Members at the Ordinary Council Meeting on 22 August 2018.

*Option 3 – Do not adopt Officers Recommendation*

**CONCLUSION**

Needle Safety Initiatives have been at the forefront of community safety discussions. The Town of Port Hedland is in a position to advocate to State and Federal government for improved needle safety initiatives and highlight the NSP program which is a harm reduction model for preventing the spread of blood-borne viruses in the community. This agenda item is to inform elected members and community of the current needle safety initiatives and the future scope of work being undertaken from WA Country Health Services to strengthen these programs Pilbara wide by investigating alternative options of incorporating a Needle and Syringe Exchange Program.

**ATTACHMENTS**

1. Media Release- Hedland Well Women's Centre Needle Syringe Program
2. Port Hedland Alcohol and Other Drug Management Plan- Priority 4
3. Healthy WA- What to do if you find a discarded needle and syringe

## ATTACHMENT 1 TO ITEM 11.2.1



## MEDIA RELEASE

Contact: Rebekah Worthington CEO 9140 1124

**\*\*FOR IMMEDIATE RELEASE\*\***

### **HEDLAND WELL WOMEN'S CENTRE NEEDLE SYRINGE PROGRAM**

The Hedland Well Women's Centre runs a Health Service Based Needle Syringe Program funded by the Department of Health and has done so successfully for the past 10 years.

The purpose of NSP is for harm minimisation through the provision of clean needles. The aim is to reduce the risk of incidence of needles and injecting equipment being shared. The program provides education and information and encourages safe disposal. Often clients who access NSP may not present to other health services, therefore this serves as an opportunity for referral and provision of vital health and other services such as legal and social services. NSP programs are cost effective to the Health Department saving money that would otherwise need to be spent on the treatment of Blood Borne Viruses such as Hepatitis and HIV.

The Well Women's Centre believes in the effectiveness of the program and through this contributes to the radical reductions in blood borne viruses nationally. We support the national strategy to reduce viruses that may be transmitted through the sharing of injecting equipment.

The Well Women's Centre recognise that incorrect disposal of used needles is a concern and a valid fear within the community, especially when found in public spaces. This is one of the unfortunate side effects of drug use. The Well Women's Centre work in collaboration with the Town of Port Hedland on addressing this issue. We provide interventions with our clients on the correct disposal of needles and continue to educate around this.

We are confidently assured by the fact that there have been no reported cases in Western Australia of a person being infected with HIV, Hepatitis B and Hepatitis C following accidental injury from discarded injecting needles found in a public setting. This has been reported by the Department of Health and we attribute this to the success and continuation of the Needle and Syringe Program.

The Well Women's Centre also work in conjunction with other community key stake holders and contribute to outcomes as set out in Priority 4 of the Port Hedland Alcohol and Drug Management plan.

9140 1124  
2B Leake Street  
PO Box 2072  
SOUTH HEDLAND 6722





On a more intimate note, The Well Women's Centre value and treat all of our clients with the utmost respect and take a non-judgemental non-discriminatory approach. In the 10 years this program has operated out of the centre we have seen a number of clients make changes in their life to reduce the use of drugs and in turn make some positive life changes. Through the centre we can provide support and the correct referral process for clients to enhance and empower them in making better choices of behaviour.

At the end of the day this is why the Well Women's Centre will continue to support and work within this space. Ultimately we care about this town and all members that make up this community, therefore we will continue to strive, support and work towards all programs that aim to better the health and well-being of the people of the Hedland Community.

The Well Women's Centre are happy to discuss or answer any further enquiries regarding this media release or the Needle Syringe Program.

Rebekah Worthington

CEO

## ATTACHMENT 2 TO ITEM 11.2.1

PRIORITY 4 Addressing needle syringe disposal issues and raising awareness of local NSP programs					
Incorrect disposal of needles promotes a risk to the wider community. It is important that the safe use of needles be promoted, as well as the correct disposal of needles in the community.					
SHORT-TERM OUTCOME/S (next 24 months)	KEY PERFORMANCE INDICATOR	COLLECTION TOOL		COLLECTED BY	
Community is more knowledgeable on the need for NSP and the safe use and disposal of needles.	An increase in knowledge/understanding	Perception Survey		All PHAODMP Members	
Community is more knowledgeable on the correct way to dispose of needles, including reporting and handling of incorrectly disposed of needles from public areas	An increase in knowledge/understanding	Perception Survey		All PHAODMP Members	
Reduced number of incidences of incorrectly disposed of needles in Port/South Hedland.	A decrease in the number of reported incorrectly disposed needles in Port/South Hedland.	No. of reported incorrectly disposed sharps in Port/South Hedland.		TOPH	
ACTIONS		LEADERS	RESOURCES	CONTRIBUTORS	BY WHEN
<b>Demand Reduction</b> (educate/persuade/design/control)					
WACHS to appoint a Pilbara Region NSP Coordinator.		WACHS	Funding, SHBBV, & Hepatitis WA	PCADS, WWC & SHBBVP	May- Jun 18
Share local and regional data on distribution and disposal, incl trends and statistics linked to blood borne virus trends (to PHAODMPWG and as appropriate to public).		SHBBV & WWC	MHC & ADF	PCADS, Dept Communities, Bloodwood Tree, Wirraka Maya, WACHS & Relationships Australia	Ongoing
Record and map out the locations of incorrectly disposed needles in Port/South Hedland and identify hot spots in the area.		TOPH	WACHS	WWC, Litter collection community groups & individuals	Ongoing

Identify, implement and promote education and the reporting pathways for community if they find incorrect disposed needle and syringes.	TOPH & WWC	MHC, ADF & Peer Based Harm Reduction WA (formerly WASUA)	SHBBVP & WACHS	Ongoing
<b>Supply Reduction</b> (design/control)				
Provide and maintain safe disposal units in toilets, at NSP sites and other facilities/areas where there is a high frequency of needle finds.	TOPH & WACHS	Peer Based Harm Reduction WA (formerly WASUA)	WWC	Ongoing
Review current signage on and around the safe disposal units. Where required include more hazard signs on containers, maps of how to get to current NSP sites and disposal units in Port/South Hedland.	TOPH	Peer Based Harm Reduction WA (formerly WASUA)	WACHS, WWC & SHBBVP	Jul-Dec 18
<b>Harm Reduction</b> (educate/persuade)				
Review and assess if the number, location and size of the current disposal units are adequate.	TOPH	Peer Based Harm Reduction WA (formerly WASUA)	WACHS & WWC	Jul-Dec 18
Consider the environment at identified 'hot spots' in Port/South Hedland and identify ways to make these areas more conducive to prompt the correct disposal of needle and syringes.	TOPH	Peer Based Harm Reduction WA (formerly WASUA)	WACHS & WWC	Jul-Dec 18
Promote safer use and disposal of needles.	WACHS & WWC	Peer Based Harm Reduction WA (formerly WASUA)	TOPH	Ongoing
Investigate the possibility of a mobile NSP service.	WACHS & Bloodwood Tree	Peer Based Harm Reduction WA (formerly WASUA)	SHBBVP & Hepatitis WA	Jul-Dec 19
Provide the Council, litter collection community groups/individuals and members of the public with safe needle disposal training.	TOPH	MHC, ADF & Hepatitis WA		Ongoing



Provision of safe disposal information, including verbal advice and written resources/signage at the NSP sites.	WACHS & WWC	Peer Based Harm Reduction WA (formerly WASUA) & SHBBVP	SHBBVP, TOPH & Hepatitis WA	Ongoing
Develop, implement and support public education initiatives regarding safe needle use and correct disposal of needles.	WACHS & WWC	Peer Based Harm Reduction WA (formerly WASUA)	PCADS, TOPH, SHBBVP & Hepatitis WA	Ongoing

## PRIORITY AREA TIMELINE

	Action	2018												2019												2020		
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Nar
Priority 4	WACHS to appoint a Pilbara Region NSP Coordinator.																											
	Share local and regional data on distribution and disposal, incl trends and statistics linked to blood borne virus trends (to PHAODMPWG and as appropriate to public).																											
	Record and map out the locations of incorrectly disposed needles in Port/South Hedland and identify hot spots in the area.																											
	Identify, implement and promote education and the reporting pathways for community if they find incorrect disposed needle and syringes.																											
	Provide and maintain safe disposal units in toilets and other facilities/areas where there is a high frequency of needle finds.																											
	Review current signage on and around the safe disposal units. Where required include more hazard signs on containers, maps of how to get to current NSP sites and disposal units in Port/South Hedland.																											
	Review and assess if the number, location and size of the current disposal units are adequate.																											
	Consider the environment at identified 'hot spots' in Port/South Hedland and identify ways to make these areas more conducive to prompt the correct disposal of needle and syringes.																											
	Promote safer use and disposal of needles.																											
	Investigate the possibility of a mobile NSP service.																											
	Provide the Council, litter collection community groups/individuals and members of the public with safe needle disposal training.																											
	Provision of safe disposal information, including verbal advice and written resources/signage at the NSP sites.																											
	Develop, implement and support public education initiatives regarding safe needle use and correct disposal of needles.																											

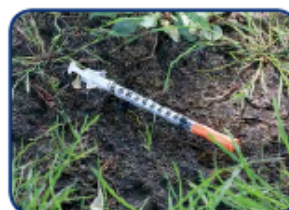


Government of Western Australia  
Department of Health



# What to do if you find a discarded needle and syringe

1. Do not be alarmed.
2. Get a rigid-walled, puncture resistant, plastic container, with a well-secured, screw top lid (not glass, aluminium, or frosted plastic).
3. Bring the container to the needle and place it on the ground.
4. Pick up the needle from the blunt end – do not touch the sharp point.
5. Do not try to re-cap the needle.
6. Put the needle, point first, into the container.
7. Tightly seal the container.
8. Put the container in a domestic rubbish bin.



Tell children never to pick up a needle, but to let an adult know if they find one.

## What to do if you injure yourself with a discarded needle

- Wash the area gently with soap and water as soon as possible
- Apply antiseptic, if available, and a clean dressing
- Obtain prompt medical advice from your doctor or hospital emergency department.

## Problem areas

If you are regularly finding needles and syringes in a particular area, please contact your Local Government Environmental Health Officer.

## Further information

Visit [healthywa.wa.gov.au](http://healthywa.wa.gov.au)

WA Health is not responsible for any harm incurred by following the above information, and does not condone the use of drugs.

Produced by the Communicable Disease Control Directorate, Department of Health, 2015

**11.2.2 Community Partnership Grants (File No. 15/08/0001)**

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

**CM201718/227 OFFICER'S RECOMMENDATION/ COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR DACCACHE****That Council,**

- 1. Acknowledge that applications for funding under policy 6/003 'Funding and Donations' were initially invited whereby applicants could apply for up to 3 years of funding.**
- 2. Endorse the following applications for funding support:**
  - a) Royal Life Saving Society of WA – \$15,000 – for 1 year to deliver water safety education and swimming programs for children and adults especially targeted to culturally and linguistically diverse and Aboriginal communities;**
  - b) St John Ambulance - \$10,721.49 – to purchase equipment to train St John Ambulance volunteers;**
  - c) Rose Nowers Early Learning Centre - \$15,000 – for 1 year to deliver workshops and training in trauma and trauma informed care including Safe4Kids Protective Behaviours Program;**
  - d) Returned Services League - \$6,000 – for 1 year to support annual commemoration days including ANZAC Day, Bombing of Port Hedland commemoration, Vietnam Veterans Day and Remembrance Day; and**
  - e) Sang Rok Hedland Judo Club - \$8,280 – for 1 year to host the North West Championships and run coaching and officials' course.**

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

The purpose of this report is for Council to consider the endorsement of applications for funding support under the Community Partnership Grant that have been received from various applicants.

The Community Partnership Grant is an annual round of funding offered to the community under the Funding & Donations Policy 6/003. The objective of this policy is to ensure the Council allocate financial support to the community in the most effective manner.

## DETAIL

The Community Partnership Grant (CPG) is one of three different types of grants offered to the community by the Town of Port Hedland.

CPG is a unique category in that the grant offers x3 year funding of up to \$45,000 maximum and the requirements for eligibility is slightly more complex. The Town actively promotes this funding category on an annual basis and the advertisement for the current round was published in April 2018.

### *Review process*

This year, we received a total of 10 applications ranging from rescue services to health care and sporting groups.

Applications were assessed against the Town's Policy 6/003 'Funding & Donations' to ensure compliance and to determine the merit of the project or event.

A panel including Manager Facilities, Management Accountant, Senior Partnerships and Engagement Officer and the Community Engagement Officer met to discuss each of the applications. The review process involved assessment of the applicants to determine that five applicants met the requirements of the Policy and relevant guidelines. The panel prepared a matrix to assess all applications based on information applicants provided throughout the review process.

Applicants were then scored from (1 to 5) according to the following:

- Alignment with ToPH Strategic Plan 2014-2024
- Sustainability beyond ToPH support
- Demonstrated high level of community need for event/program/service
- Community impact and demonstrated increase access
- Meets ToPH Policy 6/003 'Funding & Donations' Guidelines & Selection Criteria (Yes/No response)

Applicants were requested to align their applications with the current Strategic Community Plan which at the time of advertising and closing was the 2014-2024 Plan. This has now been superseded by the 2018-2028 Plan however all applications were reviewed based on the 2014-2024 Plan.

### *Issues*

As per the policy: "Funding amount - Maximum \$15,000 support per financial year over a three year agreement (maximum support of \$45,000 over three financial years)"

1. Applicants prepare their submissions based on the notion that they will be funded for 3 years. In May 2017 Council approved grants for three community organisations only for the 2017/18 year – this was for a combined total of \$42,000. We recommend a one year funding allowance only until such time as the policy has been reviewed.

*Recommendation*

That council fund the following applications based on the outcome of the review process (outlined previously) and supported by the information provided in the Community Partnership Grant Matrix Register (attachment 1).

Ranking	Applicant	Amount	Comments
1	Royal Life Saving Society of WA (RLS)	\$15,000.00	RLS will deliver water safety education and swimming programs for children and adults especially targeted to culturally and linguistically diverse and Aboriginal communities.  Demonstrated clear community need for this project and have proven success in other parts of Western Australia.
2	St John Ambulance Service	\$10,721.49	Funding to purchase training equipment for St John Ambulance volunteers.  This project will also benefit many sports clubs and events which are attended by St John Ambulance. They attended 3044 jobs in Port Hedland in 2017.
3	Rose Nowers Early Learning Centre	\$15,000.00	Workshops and training in trauma and trauma informed care including Safe4Kids Protective Behaviours Program that supports prevention of sexual abuse in children as well as cultural events and celebrations, resources and programs.
4	Returned Services League (RSL)	\$6,000	Funding to purchase equipment, advertising, flags, floral tributes and catering for ANZAC Day, Bombing of Port Hedland commemoration, Vietnam Veterans Day and Remembrance Day.  Demonstrated need and sustainability.
5	Sang Rok Hedland Judo Club	\$8,280	Hosting of North West Championships and run coaching and officials course which promotes sustainability of the club which contributes to health and wellbeing of participants.

**LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of moderate significance, as it is based on the rationale of the Strategic Community Plan endorsed at the May 2018 OCM and the Towns policy 6/003 'Funding & Donations'.

## CONSULTATION

### *Internal*

Consultation has been sought from several officers throughout the process including: Manager Financial Services, Senior Partnerships and Engagement Officer, Community Engagement Officer, Management Accountant.

The Director of Development, Lifestyle and Sustainability was also consulted.

### *Community*

The Grant was advertised through the ToPH Community Notices, on the ToPH Facebook Page and promoted through email networks. A number of organisations called to find out more information and understand whether their initiative would fit the criteria. The Community Engagement Team responded to all enquiries.

## LEGISLATION AND POLICY CONSIDERATIONS

Section 6.12 of the *Local Government Act 1995* and Reg. 12 and Reg. 13 of the *Local Government (Financial Management) Regulations 1996* outline the provisions of granting funding and delegates the CEO authorisation to make the payment. Although the CEO has authority under regulation 13 to make payments, the delegation from the Council to the CEO under the policy (and also in the Delegation register) states that the Community Partnership Grants are to be decided by Council on an annual basis.

The attachment to this report has been made confidential in accordance with section 5.23 (2) (e) of the *Local Government Act 1995*.

## FINANCIAL AND RESOURCES IMPLICATIONS

Outcome of recommendation report will be to endorse \$55,001.49 Community partnership funding from the Community Grant budget for 2017/2018. The total 2017/2018 budget allocation is \$170,025. We have approved \$26,600.09 for Community funding and donations to date leaving a current underspend of \$143,424.91 prior to this recommendation being adopted.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

This following sections of the Council's *Strategic Community Plan 2018-2028* are applicable in the consideration of this item as it relates to the process of awarding grants funds but as outlined above, applications were assessed based on the 2014-2024 Strategic Community Plan.

### **Our Community**

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

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

1.a.2 Community needs and gaps in health provision are identified and delivered

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

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

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

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

#### **Our Leadership**

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

- 4.b Transparent and accountable governance and financial sustainability

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

#### **Social**

There are several identifiable social impacts that will result from the approval of the allocation of the Community Partnerships Funding. These include: supporting critical community services; supporting a recreational activity within the community; improvement in social outcomes through supporting early based learning programs for trauma informed care; cultural engagement; and enhancing a sense of community through commemorative events and services.

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 (3) given that the \$55,001.49 submitted for approval is in relation to the 2017/18 Community Partnership funding for which there currently remains a budget of \$143,424.91.

There is a risk rating of Low (3) assigned to the Reputation risk given that the Town could be compromised should we not allocate the Community Partnership funding. This is given we have advertised the funding round and applicants have taken the time to prepare and submit their applications and provide all relevant requested information.

#### **OPTIONS**

*Option 1 - Adopt Officers Recommendation*

*Option 2 – Do not adopt Officers Recommendation*

That Council does not endorse the proposed payment of funding for the current round of Community Partnership Grants.

#### **CONCLUSION**

The review process has identified five worthy applicants for the current round of Community Partnership Funding. The selection is based on a thorough review process by an independent panel of members. Successful applicants have applied by the due date and provided all necessary documentation as requested. Therefore Council's endorsement of the recommended successful applicants will contribute to positive social outcomes and provide support for the community of Port Hedland.

#### **ATTACHMENTS**

1. Summary of Community Funding and Donations Applications for 2018/19 Financial Year Matrix (Confidential – Under separate cover)



**11.2.3 Recommendation to Western Australian Planning Commission on Osprey Rural Structure Plan (File No. 2018/005)**

**Applicant / Proponent:** Creative Planning and Design (Department of Communities)  
**Subject Land / Locality:** Various Lots in South East South Hedland  
**Author:** Graduate Planner  
**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.

**CM201718/228 OFFICER'S RECOMMENDATION/ COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR PITT**

That Council, pursuant to Part 4 of Schedule 2 – Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

1. Considers the submissions received during public consultation included as Attachment 2 of this report.
2. Recommends that the Western Australian Planning Commission approve the Osprey Rural Structure Plan with modifications as follows:
  - a) Plan 1 – Structure Plan Map designates all sensitive land uses within the landfill and sand mine buffer areas as an 'Investigation Area' or 'Future Residential Area'.
  - b) Section 4: Subdivision and Development Requirements of the Structure Plan report to include a section which details the requirements of the buffer areas including:
    - i) Explanation of the need for the buffer
    - ii) Reference the Structure Plan to Clauses 6.6 and 6.7 of the Town of Port Hedland Local Planning Scheme No. 5
    - iii) Determine the requirements which need to be addressed prior to subdivision being permitted in areas subject to buffers
    - iv) Updating Figure 16 – Indicative Staging Plan to accommodate the recommended modifications to the Structure Plan
  - c) Reducing the amount of public open space to a maximum of 8% of the total subdivisible area, and contributing the remaining 2% of required public open space to the Town of Port Hedland as cash-in-lieu.
  - d) Proposed public open space to be consolidated into not more than two (2) separate locations, and to be reflected in Section 4.6 and Figure 13 – Public Open Space Plan of the Structure Plan report.
  - e) Modification of Section 4.6 and Figure 13 – Public Open Space Plan to remove public open space 'Park F' and consolidate this area as a part of the proposed K-12 School site.

- f) **Clause 4.3(e) is added to Part 1 – Implementation Section of the Structure Plan which details the requirements for a Health Risk Assessment to be undertaken prior to subdivision and development.**
  - g) **Clause 5(c) is added to Part 1 – Implementation Section of the Structure Plan which states “A Local Development Plan is to be prepared for the easternmost parts of Stage 6 and Stage 7 of the Structure Plan which detail acoustic requirements for buildings in accordance with *State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning*.**
  - h) **Modify Plan 1 – Structure Plan Map to include the provision of a minimum of 10% of subdivisible area for R10 to R15 residential density in Stage 7 and Stage 8 of Figure 16 – Indicative Staging Plan.**
  - i) **Include provisions in Section 4: Subdivision and Development Requirements to ensure a suitable a local road network design and interface with public open spaces is developed at subdivision stage.**
3. **Requests that the Western Australian Planning Commission does not approve the Osprey Rural Structure Plan until such time as the Department of Water and Environment Regulation has endorsed a Local Water Management Strategy for the site.**

**CARRIED 7/1**

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

## PURPOSE

The purpose of this report is for Council to consider submissions on the Osprey Rural Structure Plan (herein referred to as the Structure Plan) and make a recommendation to the Western Australian Planning Commission (WAPC) to determine the Structure Plan.

## BACKGROUND

Creative Planning and Design (the applicant), on behalf of the Department of Communities, have prepared the Osprey Rural Structure Plan which is proposed to apply to land currently zoned 'Urban Development' in South East South Hedland. The site area is bounded by Collier Drive road reserve to the South, Murdoch Drive to the North, Brolga Way to the West and North Circular Road to the East and comprises of five separate land parcels owned in freehold by the State of Western Australia. The Structure Plan provides a planning framework for the development of approximately 1,184 dwellings, comprising low (R20) to medium (R40) residential density capable of accommodating a maximum population of 3,078 persons (2.6 persons/dwelling). The Structure Plan includes a small local centre, public open space (P.O.S) and future school site. The Structure Plan includes provisions that will permit approximately 121 hectares of subdivision as detailed below.

## Osprey Rural Structure Plan Land Use Summary

• Residential	53.3 hectares
• Commercial / Mixed Use	2.7 hectares
• Public Open Space	9.48 hectares
• Public Purposes (Primary School)	12.7 hectares
• Public Purposes (Water and Drainage)	13.6 hectares
• Public Purposes (Energy)	4.54 hectares
• Roads	24.33 hectares
• Total Subdivisible Area	121.36 hectares

The site area is identified in the Port City Growth Plan (2012) as an area of future residential development, inclusive of public open space, school facilities and a local centre. The site was termed 'Site K' and is identified as a key area of land for development in the 'South Hedland East' Precinct. The site of the proposed Osprey Rural Structure Plan was the subject of Scheme Amendment No. 76 (here in referred to as SA 76), which was submitted in 2015. SA 76 proposed to rezone Lots 570-572 and Lot 574 from 'Rural' to 'Urban Development', and remove existing R20 zoning from Lot 9001 to 'Urban Development'. The Town of Port Hedland adopted SA 76 on the 24<sup>th</sup> of June, 2015, citing consistency with the Port City Growth Plan (2012). At the 23 March 2016 Ordinary Council Meeting, Council resolved to proceed with SA 76 as per Council resolution 201516/189, which included modifications to add buffer areas between the South Hedland Landfill site and nearby extraction areas. The Department of Planning (DoP) requested further information to address environmental concerns and the suitability of the land for future residential development on 6 May 2016. This included a Bushfire Hazard Level Assessment, noise and vibration assessment, odour and harmful gas assessment, dust assessment and contaminated site assessment. The applicant opted to proceed with SA 76 through completion of aforementioned assessments, resulting in endorsement from the WAPC on 21 June 2017. The Osprey Rural Structure Plan was submitted to the Town of Port Hedland on 15 January 2018. Advertisement of the Structure Plan took place from 14 February 2018 to 29 March 2018.

**DETAIL**

The Structure Plan envisages subdivision and development largely based on the Port City Growth Plan (2012). Approval of the Structure Plan will ensure a significant amount of 'development ready' land is made available in South Hedland. There are a number of factors which have impacted the design and development of the Structure Plan, and some of these factors require modification of the Structure Plan to ensure the most suitable design is implemented in line with Local and State Government planning objectives. Recommended modifications to the Structure Plan based on submissions received and assessment in accordance with the planning framework are detailed below under the following headings:

- Sensitive land uses in buffer areas
- Site contamination
- Overhead transmission line
- Rail Noise
- Public open space and drainage
- Local centre
- Movement networks

*Sensitive Land Uses in Buffer Areas*

The South East and South West portions of the Osprey Rural Structure Plan are located within Special Control Area buffer zones under the Town of Port Hedland Local Planning Scheme No. 5. Immediately east of the Structure Plan is the South Hedland Landfill facility, which receives an average of 167,000 tonnes of waste per year. Potential impacts from a Class 2 landfill include noise, dust, odour and gas. A 500m buffer exists surrounding the landfill site as determined by the *EPA Guidance for the Assessment of Environmental Factors No. 3 Separation Distances between Industrial and Sensitive Land Uses*. The Structure Plan accounts for the presence of the landfill buffer, and notes that no sensitive development can occur until the buffer is removed. However, a Structure Plan is valid for ten (10) years once endorsed by the WAPC, and the Town has signalled that the landfill facility will remain operational well beyond this timeframe.

The Mining Dust Buffer Special Control Area (Basic Raw Material Extraction Area Mining Leases M45/531 and M45/689) present a further constraint to the southern portion of the Structure Plan site. These mining leases form the Pippingarra Sand Pit which is operated by BJ Young Earthmoving. The Structure Plan area is susceptible to dust from sand mine operations and from vehicles using associated unsealed roads. The applicant has stated that operations are 'generally small', and on an 'as needs' basis. However, the site was previously used to excavate 150,000m<sup>3</sup> for a project, thus is more than capable of being used for large scale projects. A 300m buffer is stated in the Structure Plan report as being sufficient from the North of the sand mine, however a 500m buffer is shown on the Structure Plan map. Given the possibility of major projects in future years, the presence of unsealed roads in the area and prevailing wind conditions, the existing 500m buffer should be retained.

It is recommended that:

- The 500m buffer zones should be retained for both the South Hedland Landfill and Mining Tenements until they are no longer in operation or deemed acceptable to be reduced
- Development proposed within these buffer zones to be designated as 'investigation area' or 'future residential'

This modification to the Structure Plan is necessary for the following reasons:

- The South Hedland Landfill Facility will be operational until at least 2030, whereas a Structure Plan is valid for ten (10) years
- Mining Tenements M45/531 and M45/689 are valid until 19/08/2034 and 16/09/2038 respectively, meaning that the buffer associated with these tenements will be in place well beyond the validity of the Structure Plan
- Due to the nature of the surrounding land uses, the level of contamination or potential health risks to sensitive land uses cannot be determined until such uses are removed and the site can be adequately investigated and assessed.

*Site Contamination*

The Structure Plan area is expected to be contaminated. A Preliminary Site Investigation (PSI) conducted by Cardno in 2016 stated that a response was yet to be attained by the Department of Environment Regulation (now Department of Water and Environmental Regulation). However, it was noted that the site was reported to the DER as a known suspected contaminated site as of 9 March 2012, due to uncontrolled dumping of waste which included asbestos materials.

Identified areas containing asbestos were deemed to be successfully remediated, but the presence of asbestos in the site area could not be ruled out. The Department of Health (DoH) has recommended each lot is cleared and inspected for ACM during clearing activities, as well as the establishment of an Asbestos Management Plan during the clearing of the site. Additional dumping of waste including dis-guarded drums were identified as Contaminants of Potential Concern (CoPC), including ACM, heavy metals, pesticides and solvents. The South Hedland Landfill site was identified as an Area of Potential Environmental Concern (AoPEC), as an additional cause of contaminants of potential concern. It is recommended that:

- A health risk assessment and asbestos management plan are created prior to the clearing of land for the purpose of subdivision

This modification to the Structure Plan is necessary for the following reasons:

- The site is suspected to be contaminated, due to uncontrolled dumping of waste and materials. Suspected materials and contaminants within the site area include asbestos, ACM, heavy metals and solvents
- The South Hedland Landfill site, immediately adjacent to the Structure Plan site and proposed sensitive land uses, has been identified as an Area of Potential Environmental Concern

#### *Overhead Transmission Line*

Alinta Energy expressed concern in respect to the presence of an overhead transmission line which traverses through the site. The transmission line is lower than what would normally be permitted in an urban area, though the applicant has stated Alinta Energy have a project in the works to position the line further from ground level. A buffer corridor has been retained following the powerline, as it is not financially viable to underground the line, or sections of the line. Alinta has suggested that developers and stakeholders comply with relevant legislation and policies, such as clearance heights and when carrying out works in the vicinity of the transmission line. No changes are recommended to the Structure Plan in relation to the overhead transmission line.

#### *Rail Noise*

BHP are concerned regarding the presence of the Mount Newman railway, located in close proximity to the South Eastern portion of the Structure Plan. Appropriate noise assessments have been undertaken by the applicant, which state that the noise levels meet the requirements of State Planning Policy 5.4 *Road and Rail Transportation Noise and Freight Consideration in Land Use Planning*. However, this is one of the last stages of the Structure Plan and the noise environment could change, such as an increase in the frequency of passing trains. Due to this uncertainty, and the general proximity to a major industrial railway, it is proposed that in the Local Development Plan for such stages of the Structure Plan, that noise design controls are implemented to address and prevent any potential conflicts associated with sensitive land use and nearby industrial transportation.

To address this issue, it is recommended that:

- Clause 5(c) is added to Part 1 – Implementation Section of the Structure Plan which states: “A Local Development Plan is to be prepared for the easternmost parts of Stage 6 and 7 of the Structure Plan which detail acoustic requirements for buildings in accordance with *State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning*.”

This modification to the Structure Plan is necessary for the following reasons:

- BHP noise assessment indicates that development may be subject to rail noise
- Protect future sensitive land use developments from noise and protect existing industrial land uses from encroaching noise sensitive development

#### *Public Open Space & Drainage*

Western Australian Planning Commission Development Control Policy 2.3 – Public Open Space in Residential Areas requires that residential subdivision incorporates a minimum of 10% of the total subdivisible area as public open space (POS). For the Osprey Rural Structure Plan, this figure is 8.71 hectares, where 9.48 hectares (10.89% of subdivisible area) has been provided in the draft Structure Plan report. This POS is unrestricted, so does not involve the use of drainage corridors to be integrated as POS. The *Planning and Development Act 2005*, details how Local Governments may accept cash-in-lieu for POS. The total amount of POS required may be reduced to 8%, with a 2% cash-in-lieu contribution being acceptable by the Local Government authority. It is recommended that:

- The amount of POS proposed in the Structure Plan is reduced to a maximum of 8%, with 2% cash-in-lieu to be provided to the Town of Port Hedland
- POS should be consolidated into larger spaces as opposed to a greater number of small parks
- Removal of public open space 'F' and consolidate this space as a part of the proposed school site

This modification to the Structure Plan is necessary for the following reasons:

- Given the climatic conditions of Port Hedland, it is highly time consuming, challenging and costly to maintain POS
- Establishing more POS than what is required will create additional maintenance challenges for the Town's Works and Services, once the Town becomes the managing authority of the POS (generally two summers)
- There is adequate provision of POS in the surrounding area, which is either proposed or existing, including Reserve No 51787 immediately adjacent to the Structure Plan area, which is 2.8 hectares in area
- The Department of Education has advised that any standalone school would be inclusive of its own playing fields, thus additional P.O.S adjacent to the school would not necessarily be required and would be better utilised by a school for playing fields or drainage requirements
- Residents of the Town of Port Hedland have strongly indicated that new POS is not a priority and this is reflected in the Town's Strategic Community Plan (2018). Instead, residents favour the improvement of valued or potentially valuable existing spaces
- The Town is currently preparing a Parks and Paths Strategy which is due to be presented to Council in September 2018, to formalise the strategic approach to a reduction in POS
- Consolidation of POS areas as shown in the draft Structure Plan will further reduce the costs and difficulties of maintaining a number of spaces, or 'pocket' parks. Consolidation would not reduce the amount of POS significantly, but instead provide two large open spaces which meet minimum land area requirements

### *Local Centre*

The local centre proposed in the Structure Plan is consistent with the vision for a small local centre in this area as outlined in the Port City Growth Plan (2012), and is not considered to have a detrimental impact on existing commercial areas due to the limited 1,500m<sup>2</sup> permitted floorspace. The local centre aims to service the local population in the proposed Structure Plan area, as well as nearby existing residential areas.

### *Movement Networks*

A traffic impact assessment was completed by Cardno Consultants as a requirement of Liveable Neighbourhoods (2015) and Transport Impact Assessment Guidelines (2016). The movement networks proposed within the Structure Plan are generally consistent with Liveable Neighbourhoods provisions. The Town considers that the spatial layout of proposed local access roads could be more appropriately implemented in regard to the interface with drainage corridors. Whilst these roads are shown on a concept master plan, which has no statutory effect, it is recommended to address the relationship between local access roads and open drainage corridors in a section under Section 4: Subdivision and Development Requirements to ensure a suitable a local road network design and interface with public open spaces.

## **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low-moderate significance, as the Town is only responsible for making a recommendation to the Western Australian Planning Commission who will determine the Structure Plan.

## **CONSULTATION**

### *Internal*

The Town's Infrastructure and Town Services and Environmental Health Departments were consulted regarding the Structure Plan. Comments received have been incorporated into the Officer Recommendation section of this report.

### *Public Consultation*

Public consultation for the Osprey Rural Structure Plan was carried out for a period of forty-three (43) days between 14 February 2018 and March 29 2018. An advertisement was published in the North West Telegraph on March 14 2018 and letters were sent directly to potentially affected landowners and relevant agencies as follows:

- Department of Biodiversity, Conservation and Attractions
- Department of Communities
- Pilbara Education Regional Office
- Department of Education
- Department of Fire and Emergency Services
- Department of Health
- Department of Jobs, Tourism, Science and Innovation
- Department of Mines, Industry Regulation and Safety
- Department of Planning, Lands and Heritage
- Department of Primary Industries and Regional Development
- Department of Transport

- Department of Water and Environment Regulation
- Horizon Power
- Landcorp
- Main Roads WA
- Pilbara Development Commission
- Port Hedland Chamber of Commerce
- Telstra
- Water Corporation
- BHP
- Alinta Energy
- BJ Young Earthmoving

Eight (8) submissions were received following community and agency consultation and an outline and summary of this has been included as Attachment Two (2) to this report.

### LEGISLATION AND POLICY CONSIDERATIONS

The Town is required to process Structure Plans in accordance with 'Part 4 – Structure Plans' of Schedule 2 – Deemed Provisions for Local Planning Schemes within the *Planning and Development (Local Planning Schemes) Regulations 2015*. Appendix 7 of the Town of Port Hedland Local Planning Scheme No. 5 (LPS5) prescribes requirements for any Structure Plan prepared for the South Hedland East Development Plan Area, which has been assessed below:

- i. *Subdivision and development within the structure plan area shall have due regard to the requirements of a Structure Plan(s) approved by the Western Australian Planning Commission.*

The Structure Plan is proposed to apply to land zoned 'Urban Development – South Hedland East Development Plan Area' and will guide subdivision and development of land once endorsed by the Western Australian Planning Commission. There are not considered to be any issues with the area to which the Structure Plan applies.

- ii. *Structure Plan(s) prepared over the structure plan area land shall be consistent with and incorporate the findings and recommendations of the following technical reports-*
  - *Detailed Site Investigation and Sampling and Analysis Quality Plan; and*
  - *A Local Water Management Strategy covering the whole of the structure plan area to the satisfaction of Department of Water.*

The Structure Plan report includes a number of site investigation and surrounds studies including the aforementioned. Additional studies such as South Hedland Landfill Odour report and mining buffer have been completed and form a part of the final structure plan report. The Department of Water and Environmental Regulation (DWER) were given an opportunity to comment on the proposed Local Water Management Strategy (LWMS) during public consultation of the Structure Plan, however no comments were received. It is expected that DWER would provide comments on the LWMS before the WAPC approves the Structure Plan. It is therefore recommended that the WAPC does not approve the Structure Plan until DWER has endorsed the LWMS.



iii. *Structure Plan(s) prepared over the structure plan area shall be consistent with the following requirements:*

- *Staging of the structure plan area shall commence from the north and west extent of the site and continue south and east with the final stage of development being in the south-east portion of the site;*
- *Incompatible or odour sensitive land use or development shall not be established within the South Hedland Landfill Odour Buffer Special Control Area in accordance with clause 6.6; and*
- *Incompatible or dust sensitive land use or development shall not be established within the Mining Dust Buffer Special Control Area in accordance with clause 6.7.*

Osprey Rural Structure Plan is staged to begin subdivision and residential development on the Northern end of the site area. Development will be staged to the remaining boundaries, and it is recommended that no sensitive development is to occur whilst the South Hedland Landfill and Mining Dust Buffer zones remain applicable to the Structure Plan area.

### FINANCIAL AND RESOURCES IMPLICATIONS

The Town has received an estimated fee from the applicant of \$8,548.50. There is no financial risk to the Town of Port Hedland from the Council recommending the WAPC to approve the proposed Structure Plan.

### STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

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

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

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

- 3.b.1 The present and future needs for serviced land and infrastructure provision are identified, planned and developed
- 3.b.4 Innovation and resilience of the built form are encouraged, assessed and implemented

#### **Our Leadership**

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

#### **4.c Effective delivery of services and infrastructure to meet community needs**

- 4.c.4 Efficiency strategies across the Town's infrastructure and amenity assets are implemented

### STATE PLANNING POLICY CONSIDERATIONS

The Osprey Rural Structure Plan is consistent with the Western Australian Planning Commission's Structure Plan Frameworks (2015), as well as the following State Government Planning Policies:

- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- Liveable Neighbourhoods

## RISK MANAGEMENT CONSIDERATIONS

As per the risk matrix contained in policy 1/022 'Risk Management', the level of risk is considered to be low – medium.

## OPTIONS

*Option 1 - Adopt Officers Recommendation*

*Option 2 - Amended Officers Recommendation*

*Option 3 – Do not adopt Officers Recommendation*

## CONCLUSION

The Osprey Rural Structure Plan has been prepared by Cardno and Creative Planning and Design, on behalf of the Department of Communities to facilitate subdivision and development of a large area of 'Urban Development' zoned land. The basis of this structure plan is to minimise the potential of a serious land shortage seen in Port Hedland during years of economic boom, and ensure that suitable residential land is readily available. The structure plan meets provisions and precinct requirements established in the Port City Growth Plan (2012), which identifies South Hedland East as a key node for residential and community growth. The Structure Plan is generally consistent with the provisions of Local Planning Scheme No. 5 and has been prepared in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. It is recommended that the Osprey Rural Structure Plan be supported, and that Council resolve to accept the schedule of submissions, and recommend the Western Australian Planning Commission approve the Structure Plan with modifications listed in the Officer Recommendation.

## ATTACHMENTS

1. Osprey Rural Structure Plan
2. Schedule of Submissions
3. Letter from Applicant – Request to forward Structure Plan to WAPC

**ATTACHMENT 1 TO ITEM 11.2.3**

Figure 2: Aerial Photo







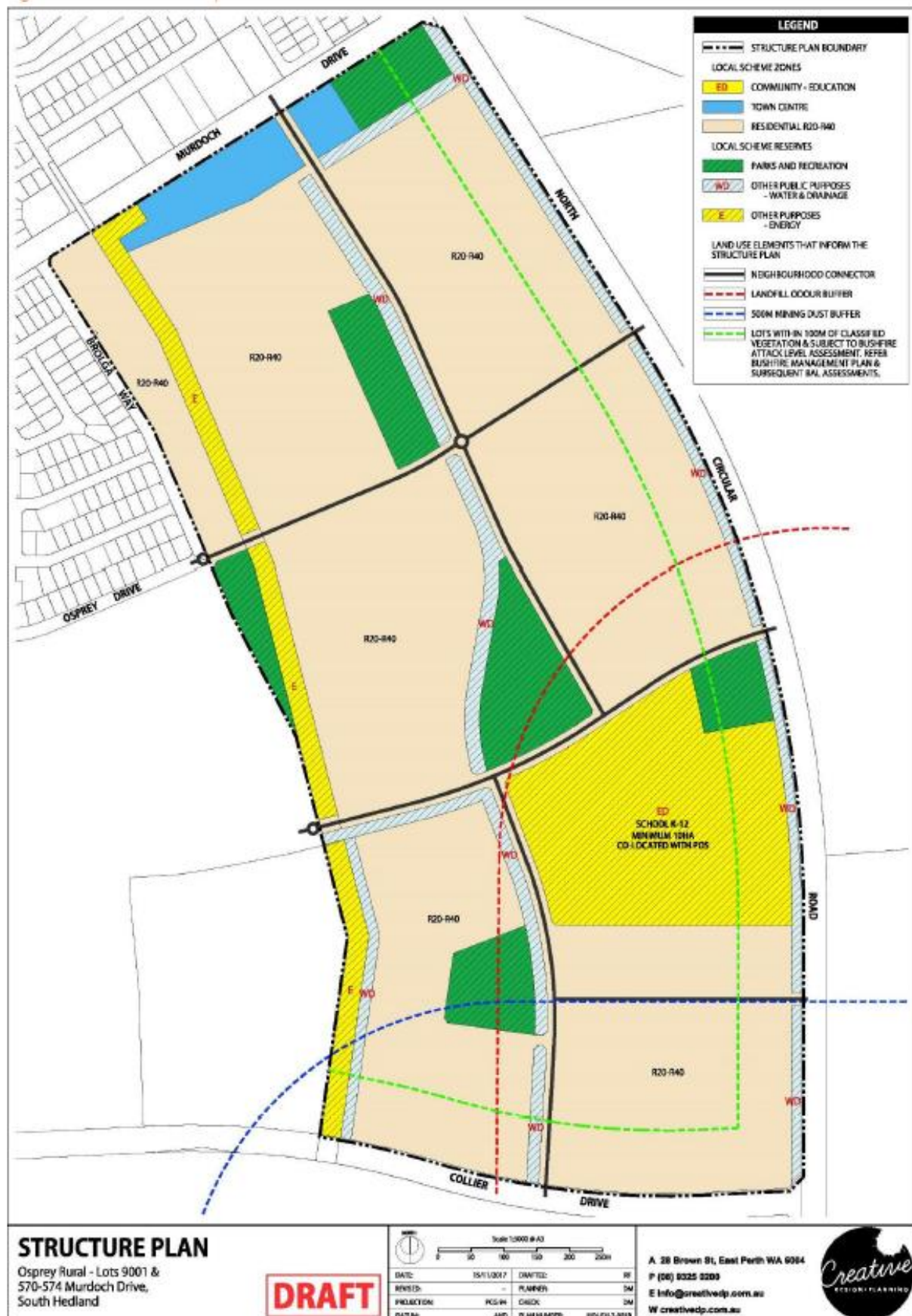


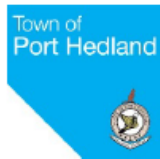
Figure 7: Indicative Development Concept





Figure 8: Structure Plan Map



**ATTACHMENT 2 TO ITEM 11.2.3**

## Osprey Rural Structure Plan

**Schedule of Submissions***27 June 2018*

No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
1	27/02/2018	Water Corporation	629 Newcastle Street, Leederville WA 6007	<p>Issue/Comment No. 1.1</p> <ul style="list-style-type: none"> <li>Generally agrees with water and wastewater infrastructure provision in sections 4.9.1 &amp; 4.9.2.</li> </ul> <p>Issue/Comment No. 1.2</p> <ul style="list-style-type: none"> <li>Developers should liaise closely with the Corporation's Headwork's Delivery Team.</li> </ul>	<p>Officer Response No. 1.1</p> <ul style="list-style-type: none"> <li>Detailed design of water and wastewater systems will be developed at subdivision stage.</li> </ul>	<p>Officer Recommendation No. 1.1</p> <ul style="list-style-type: none"> <li>No modifications required.</li> </ul>

No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
2	09/03/2018	Department of Jobs, Tourism, Science and Innovation	1 Adelaide Terrace, East Perth WA 6004	Issue/Comment No. 2.1 <ul style="list-style-type: none"> <li>No comment on Osprey Rural Structure Plan</li> </ul>	Officer Response No. 2.1 <ul style="list-style-type: none"> <li>Noted.</li> </ul>	Officer Recommendation No. 2.1 <ul style="list-style-type: none"> <li>No modifications required.</li> </ul>
3	02/03/2018	Department of Biodiversity, Conservation and Attractions	Lot 3 Anderson Road Karratha, WA 6714 PO Box 835 Karratha 6714	Issue/Comment No. 3.1 <ul style="list-style-type: none"> <li>No comment on Osprey Rural Structure Plan</li> </ul>	Officer Response No. 3.1 <ul style="list-style-type: none"> <li>Noted.</li> </ul>	Officer Recommendation No. 3.1 <ul style="list-style-type: none"> <li>No modifications required.</li> </ul>
4	20/03/2018	Department of Health	189 Royal Street, East Perth WA 6004 PO Box 8172, Perth Business Centre, Perth WA 6849	Issue / Comment No. 4.1 <ul style="list-style-type: none"> <li>Future developments are required to connect to scheme water and reticulated sewerage</li> <li>Approval is required for any on-site waste water treatment process. Such proposals must be in accordance with DOH publications</li> </ul> Issue / Comment No. 4.2 <ul style="list-style-type: none"> <li>Structure plan is to acknowledge and incorporate appropriate separation distances in accordance with EPA Environmental Assessment Guideline 3 'Guidance for the Assessment of Environmental Factors No. 3 – Separation Distances between Industrial and Sensitive Land Uses'</li> </ul>	Officer Response No. 4.1 <ul style="list-style-type: none"> <li>Noted. These are standard requirements for subdivision and will be addressed at subdivision referral stage by the Department of Health and Water Corporation.</li> </ul> Officer Response No. 4.2 <ul style="list-style-type: none"> <li>Agreed. Appropriate buffers are identified in the Town's Local Planning Scheme No. 5 which are not considered to be adequately recognised and accounted for in the proposed structure plan.</li> </ul>	Officer Recommendation No. 4.1 <ul style="list-style-type: none"> <li>No modifications required.</li> </ul> Officer Recommendation No. 4.2 <ul style="list-style-type: none"> <li>It is recommended that all sensitive land uses located within buffer areas are marked as a 'Development Investigation Area' as per the proposed modifications listed in the Officer Recommendation.</li> </ul>



No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
				<p>Issue / Comment No. 4.3</p> <ul style="list-style-type: none"> <li>Conduct a health risk assessment to consider potential health risks of the site. Consider air pollution, asthma levels, past and present contamination, nearby sources of pollution, dust and contamination sources and conflicting land uses.</li> </ul> <p>Issue / Comment No. 4.4</p> <ul style="list-style-type: none"> <li>Improve safety of travel by foot, bike and public transportation near schools and on school property through provision of safe infrastructure and integration.</li> </ul>	<p>Officer Response No. 4.3</p> <ul style="list-style-type: none"> <li>Given the proximity of the South Hedland landfill, sand mining operations and history of illegal dumping on the site, which may have involved asbestos, there may be health hazards associated with the site. As a risk management approach should be adopted and adequate planning controls and solutions implemented to reduce potential hazards to sensitive land uses and groups.</li> </ul> <p>Officer Response No. 4.4</p> <ul style="list-style-type: none"> <li>Noted. The proposed school is not feasible until odour buffer is removed or reduced. Provisions for safe infrastructure and integration not applicable until more detailed stages of planning are undertaken.</li> </ul>	<p>Officer Recommendation 4.3</p> <ul style="list-style-type: none"> <li>Clause 4.3(e) is added to Part 1 – Implementation Section of the Structure Plan which states: "A Health risk assessment of the Structure Plan site is undertaken prior to subdivision and development. The Health Risk Assessment shall consider air pollution, asthma levels, past and present contamination, nearby sources of pollution, dust, contamination sources and conflicting land uses as appropriate depending on land area being subdivided and health issues identified".</li> </ul> <p>Officer Recommendation 4.4</p> <ul style="list-style-type: none"> <li>No modifications required</li> </ul>
No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
5	21/03/2018	Department of Primary Industries and Regional Development	3 Baron-Hay Court, South Perth WA 6151	<p>Issue / Comment No 5.1</p> <ul style="list-style-type: none"> <li>Osprey Rural Structure Plan will not create a significant detrimental impact on primary industries or regional development</li> </ul>	<p>Officer Response No. 5.1</p> <ul style="list-style-type: none"> <li>Noted</li> </ul>	<p>Officer Recommendation 5.1</p> <ul style="list-style-type: none"> <li>No modifications required</li> </ul>

No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
6	23/03/2018	BHP	125 St Georges Terrace, Perth WA 6000	<p>Issue / Comment No 6.1</p> <ul style="list-style-type: none"> <li>Southeast portion of the Osprey Rural Precinct is affected by noise resulting from passing trains on the Mount Newman Railway.</li> <li>Design controls should be introduced over any residential development on the affected land so that future residents are not disturbed by noise.</li> </ul> <p>Issue/Comment No. 6.2</p> <ul style="list-style-type: none"> <li>Area affected by railway noise is also affected by other buffer areas. Proposed structure plan should reconsider the layout and land uses with the aim to provide maximum residential amenity and avoid locating sensitive land uses in areas subject to multiple amenity impacts.</li> </ul>	<p>Officer Response No. 6.1</p> <ul style="list-style-type: none"> <li>Noted. The proximity of passing trains to this portion of the structure plan presents a possible risk to the amenity of sensitive land uses. Implementation of noise design controls to minimise noise impacts on residential land uses within the noise buffer area are recommended.</li> </ul> <p>Officer Response No. 6.2</p> <ul style="list-style-type: none"> <li>A portion of the structure plan area is subject to four different buffer zones (bushfire, odour, mining dust and noise). Sensitive land uses such as residential and education are recommended not to be permitted in such areas, and should not be considered viable for development until buffers are reduced or removed.</li> </ul>	<p>Officer Recommendation 6.1</p> <ul style="list-style-type: none"> <li>Clause 5(c) is added to Part 1 – Implementation Section of the Structure Plan which states: "A Local Development Plan is to be prepared for the easternmost parts of Stage 6 and 7 of the Structure Plan which detail acoustic requirements for buildings in accordance with <i>State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning</i>.</li> </ul> <p>Officer Recommendation 6.2</p> <ul style="list-style-type: none"> <li>Officer recommendations 4.2 and 6.1 adequately address this matter.</li> </ul>
No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
7	11/04/2018	Alinta Energy	A Port Hedland Power Station, Great Northern Highway, South	<p>Issue / Comment No 7.1</p> <ul style="list-style-type: none"> <li>Transmission line be undergrounded as part of the Osprey Development. If</li> </ul>	<p>Officer Response No. 7.1</p> <ul style="list-style-type: none"> <li>The cost of undergrounding the entire transmission line or even</li> </ul>	<p>Officer Recommendation 7.1</p> <ul style="list-style-type: none"> <li>Buffer corridor for overhead transmission line to remain</li> </ul>

No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
			Hedland WA 6722 PO Box 2160, South Hedland WA 6722	whole line to be undergrounded not feasible, sections of the line where a roadway is proposed to pass underneath it. If line cannot be undergrounded developer and stakeholders need to be aware of requirements set out by Alinta.	sections of the line under roadways is not financially feasible for the developer. A buffer corridor should remain and P.O.S near this corridor should be removed.	and contractors conducting works in vicinity of the line should follow correct procedures.
No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
8	16/04/2018	Department of Education	151 Royal Street, East Perth, WA 6004	<p>Issue / Comment No 8.1</p> <ul style="list-style-type: none"> <li>Estimated residential dwelling yield of 1,184 would require its own 4ha primary school site, in addition to the high school site.</li> </ul> <p>Issue / Comment No 8.2</p> <ul style="list-style-type: none"> <li>Department of Education does not build K-12 schools and requirements are for 4 ha primary schools and 12-13ha high schools contained separately. In some cases they may be built adjacent to each other. Proposed K-12 school minimum 10ha with co-located public.</li> </ul> <p>Issue / Comment No 8.3</p> <ul style="list-style-type: none"> <li>School site is located within the Landfill Odour Buffer and would not be available for development until landfill ceases to operate. Department of Education currently has no requirement for a second high school in South Hedland.</li> </ul>	<p>Officer Response No. 8.1</p> <p>Noted. Structure plan allows for minimum 10ha of space for the proposed school.</p> <p>Officer Response No. 8.2</p> <ul style="list-style-type: none"> <li>Department of Education will not support a K-12 school, and applicant has not allowed enough area for two separate school sites to be constructed in line with Department of Education requirements. Applicant has stated that they want the site to remain flexible for either Department of Education School or a Private School site, which has separate requirements.</li> </ul> <p>Officer Response No. 8.3</p> <ul style="list-style-type: none"> <li>Noted. Applicant has adequately stated that the school is not an option until South Hedland Landfill ceases operation.</li> </ul>	<p>Officer Recommendation 8.1</p> <ul style="list-style-type: none"> <li>No modifications required</li> </ul> <p>Officer Recommendation No. 8.2</p> <ul style="list-style-type: none"> <li>No modifications required</li> </ul> <p>Officer Recommendation 8.3</p> <ul style="list-style-type: none"> <li>Officer recommendation 4.2 adequately addresses this matter.</li> </ul>

No/ Ref	Date Received	Name	Address	Summary of Comments Made	Officer Response	Officer Recommendation
				<p>Issue / Comment No 8.4</p> <ul style="list-style-type: none"> <li>Stand-alone 10-12ha high school site would contain its own playing fields. Further information is sought on the proposal to share public open space. The 0.5 ha of POS in the north-eastern corner identified for drainage would not form part of the school site as the school would need to instigate its own drainage requirements. Preferred that 0.5 ha of drainage is relocated.</li> </ul>	<p>Officer Response 8.4</p> <ul style="list-style-type: none"> <li>Noted. The proposed public open space is located adjacent to a key distributor road and on the external boundary of the structure plan. Would not meet Department of Education requirements in relation to a school facility.</li> </ul>	<p>Officer Recommendation 8.4</p> <ul style="list-style-type: none"> <li>Section 4.6 and Figure 13 – Public Open Space Plan is modified to remove 'Park F' public open space as it would be better utilised if it formed a part of the dedicated school site.</li> </ul>

## ATTACHMENT 3 TO ITEM 11.2.3



15 May 2018

Principal Town Planner  
Town of Port Hedland  
PO Box 41  
Port Hedland WA 6721

Dear Sir

**RE: REQUESTED MODIFICATIONS TO OSPREY RURAL STRUCTURE PLAN**

On behalf of our client, the Department of Communities, we wish to respond to the Town's advice that it is not prepared to support the proposed structure plan without various modifications first being made.

Given the history of this project and prior liaison with the Town throughout the preparation and processing of Scheme Amendment 76 and the preparation of the draft structure plan, the requested modifications are surprising, disappointing and for the most part in our view and that of the Department of Communities, unnecessary.

The comments contained in your email correspondence of 18 April and 20 April 2018 are addressed sequentially, as follows.

**1. Sensitive land uses proposed in South Hedland Landfill Odour Buffer and Mining Dust Buffer Special Control Areas**

The Town has requested that land within the buffer Special Control Areas be designated 'Future Residential Area' or 'Investigation Area'. With respect, that is what the structure plan already indicates. Clause 4.3(d) in Part 1 of the structure plan report clearly states that subdivision and development within the Special Control Areas will not be able to proceed until and unless it can be demonstrated that the relevant hazards have either been removed or can be successfully mitigated.

The provisions of clauses 6.6 and 6.7 of LPS5, both of which were inserted by the same scheme amendment (Amendment 76) that rezoned this land to 'Future Development' for expressly this reason, set out the matters that would have to be addressed by Council before any development within these areas could be approved. Hence there is no danger that inappropriate development would take place while hazards arising from either the landfill or the mining lease are still in place.

Notwithstanding that the approval period for a structure is ten years and that there is the likelihood that both these buffers will still be in place at that time, the structure plan is doing its job of indicating the intentions for the land once those hazards are removed. The timeframe for many large land developments commonly extends beyond ten years, however this does not mean that structure plans should not indicate land that would be developed beyond that timeframe.

Although it seems unnecessary given that the Special Control Areas are already defined by LPS5, the Department of Communities would be willing to flesh out the relevant sections of the structure plan report to further emphasise the



relevance of the Special Control Areas and *SPP 4.1 State Industrial Buffer Policy* (already referenced in paragraph 2.2.1.3 of the structure plan report). It is requested that this be recommended to the WAPC in its consideration of the structure plan.

With reference to the requested change to the staging plan:

- The stages are indicative only and the plan (Figure 16 in the Explanatory Section of the structure plan report) already shows that land affected by the buffers would be in the last stages, for the very reason that the removal of these hazards is unlikely in the short term. Paragraph 4.9.6 also makes it clear that stages 7 and 8 and the eastern part of stage 6 will not commence until the constraints associated with the landfill and mining buffers are removed or can be managed.
- As stated in the *Structure Plan Framework* (WAPC, August 2015) "As staging is dependent upon triggers it is not necessary to include spatial areas or timing for staging". It would be preferable to remove the staging plan from the report if this remains an issue for the Town.

## **2. BHP submission – noise buffer**

The Town requests a response to the submission by BHP, which suggests that the south-eastern portion of the structure plan area would be affected by noise from the Mount Newman Railway, and recommends that design controls should be introduced over residential development so that future residents are not disturbed by noise.

BHP made a similar submission in response to the advertising of Amendment 76. In response, an acoustic assessment was commissioned from qualified acoustic engineers Herring Storer and is included as a technical appendix to the structure plan report. The assessment of the railway noise was undertaken in accordance with the requirements of *SPP 5.4 Road and Rail Transportation Noise and Freight Consideration in Land Use Planning*. The noise modelling was adjusted for a predicted increase in daily train movements from around 30 to 60 and indicated that without any noise amelioration, noise received at the residences located closest to the railway line would be below the night period "Target" noise level. Therefore, under SPP 5.4, there are no requirements for this development. For this reason, none were included in the structure plan report.

The BHP submission does not address the findings of the Herring Storer report but largely reiterates points made in its initial submission.

The area that BHP is concerned about is located within the final stages of the development because of the presence of the landfill and mining buffers. The Department of Communities acknowledges that it is possible that the noise environment could change in the meantime, such as by even more frequent trains than assumed in the modelling, and/or by other factors.

The Department is not opposed to including noise design measures in housing but would only do so if the need is demonstrated, which it has not been at this time. On this basis, the Department would be prepared to accept a requirement that a further acoustic assessment be undertaken prior to approval of any subdivision of that land to determine the noise status and any need for acoustic mitigation of houses at that time. Wording to that effect could be included in Part 1 of the structure plan, if required. It would be preferred if this change be recommended to the WAPC rather than requiring the change beforehand.

## **3. Public open space**

The Town's comments on public open space are particularly surprising as these matters have never been raised with the Department or its consultants before. To meet the Town's requested changes on the location and amount would

require a fundamental redesign and recommissioning of several technical studies including the LWMS and Local Transport Management Strategy.

That the maintenance of public open space is a concern for the Town is acknowledged. Given the climate and issues of maintenance, it is fully accepted that the future detailed design and construction of public open space should be robust, requiring minimal maintenance whilst maximising amenity and functionality. This may include hydrozoning and unvegetated landscape components. However, the Department is concerned that reducing the amount of open space in Osprey Rural to just 5% would deprive the future community of access to parks. Osprey Rural is on the fringe of the urban area and so is intrinsically less accessible to parks in other parts of Port Hedland.

It is unreasonable of the Town to require fundamental changes at this late stage. The structure plan and its underlying concept plan has developed over four years to this point with the full knowledge of the Town of Port Hedland and there has been no mention of a lesser amount of public open space being required until now. The concept has been developed in good faith based on the information that had been made available, and planning policy.

It is noted that the Town is basing its request for only 5% public open space for this development based on an internal review currently underway, and statements in the draft version of *Liveable Neighbourhoods*. Our information is that there are considerable revisions to the advertised draft (2015) of *Liveable Neighbourhoods* due to a very large number of submissions, so we are not inclined to rely upon the advertised draft for guidance.

Nevertheless, the draft still states that a 10% provision of public open space is the standard requirement, with a reduction to a minimum of 5% only possible in certain circumstances including:

- Where public open space is not used for water management purposes; and
- It is demonstrated that there is sufficient public open space in the locality.

The structure plan has been designed with public open space as a fundamental element of the local water management strategy and there has been no demonstration that there is or will be sufficient public open space for the Osprey Rural community to access elsewhere. It is also a requirement of *Liveable Neighbourhoods* that parks be located within easy walking distance of homes, and this is already challenging in Osprey Rural due to the need to accommodate significant drainage channels without reducing and consolidating the parks as currently shown.

The amount and location of public open space in a 'green spine' is a fundamental design element and one that the Town has been aware of from the earliest stages of this project.

The intention is to create a spine of linked public open spaces that will facilitate north-south pedestrian and cycle movement and allow for better visual integration of the (relocated) north-south drain into the landscape. Indicative cross sections (Figure 12 of the structure plan report) illustrate how this can be achieved. Together with roads, public open spaces are also an integral part of the local drainage system, as described in the LWMS, and provide overflow flood storage. The Department considers that this provides an excellent opportunity to integrate drainage, public open space and pedestrian and cycle circulation in a well-designed space and would offer far superior amenity for residents than having a drainage channel lined with back fences.

The Department does not accept the Town's comments on the location of public open space on 'higher order roads'. The future traffic volumes on these roads will not be high, and the locations were selected to maximise accessibility and contribution to visual amenity.

#### 4. School

The Department of Communities is aware that the Department of Education requires neither a primary school nor a high school because this advice was received in April 2014. Nevertheless, as a department with a social mandate, the Department of Communities elected to keep the option of a school site in the long term open because it is possible that a non-government educator could require a site and private developers do not tend to make provision for such uses unless the need has already been identified. Consequently, appropriate sites for private schools can be very difficult to find. It is for this reason that the site is described as a 'K-12' facility, and this was previously supported by the Town.

As stated in paragraph 4.8 of part one of the structure plan report, if at the time the land is being considered for development there is still not demand for a school site in this area, an amendment to the structure plan would be sought. As has already been noted, this land is in any case the last stages of the development due to the presence of the buffers.

With regard to the area of public open space indicated adjacent to the school site, the intention is that this would be visually and potentially physically integrated with the school grounds and would have an overflow drainage function when required.

#### 5. Road Network

The specific nature of the Town's expressed concern regarding the layout of proposed local access roads with the drainage corridors is unclear. The roads are an integral part of the drainage system, directing water towards public open space and the drainage corridors. It would be a matter for detailed design to address the way road reserves and drains would be treated. As you note in your correspondence, the concept plan is indicative only. However, the Department would not object to a specific reference to the need to address the design of the interface between roads, lots, drains and public open space, if the Town considers this to be necessary.

#### 6. Overhead Transmission Line

The presence of the Alinta Energy transmission line corridor was of course an important consideration in the design for this site. It is a constraint but not, as suggested in Alinta's correspondence, one that should prevent development of the adjacent land.

The corridor is 30 metres wide with an area of 4.54 hectares and is identified as Lots 572 and 573, which are separated by the existing drainage corridor (Lot 574). If Alinta Energy now requires a widened corridor adjacent to (future) developed land then this should be specified; although it would result in a lower lot yield for affordable housing, a widened corridor could be accommodated relatively easily without fundamental changes to the structure plan design.

This land is expressly for the purposes of the transmission corridor and the intention would be that at the time of detailed design all recommended clearances from power lines would be reflected in adjacent landscaping and structures. Ideally, the ground plane beneath the powerlines would be visually and preferably physically integrated with the adjacent public open space to allow for visual continuity and pedestrian access across it, however this would be negotiated with Alinta Gas at the time. The transmission line is currently unfenced and access under it is uncontrolled. If fencing of the corridor or parts of the corridor to limit access were deemed essential, this could be achieved.

Clearance below transmission lines where roads are required to cross the corridor (proposed in two locations only) may necessitate undergrounding in those locations, subject to discussions with Alinta Energy and the Town of Port



Hedland. It is noted, however, that even if the lines have been constructed by Alinta Energy lower than usual for such infrastructure, there is no reason for very high vehicles to use either of these proposed crossings as there are alternative (and preferable) ways for them to enter the structure plan area, namely from either Murdoch Drive or North Circular Road.

#### 7. Bushfire and Overhead Transmission Line

Your email dated 20 April 2018 forwarded comments from an officer of the Department of Planning, Lands and Heritage relating to bushfire hazard represented by the Alinta Energy overhead transmission line.

The design concept for Osprey Rural shows the following adjacent to the 30-metre wide transmission corridor:

- local access roads of 17.2 metres; or
- public open space; or
- residential zoned land; or
- drainage corridor.

This corridor is largely cleared of vegetation as maintenance vehicle access tracks exist on both sides of and beneath the transmission structure for its entire length. This is in effect a wide fire break. Unless the transmission line is undergrounded, which is highly unlikely, this corridor will be maintained in a low fuel state for the safety and maintenance of the transmission infrastructure.

Future access roads will be effective fire breaks, public open space will be designed and managed in a low fuel state as necessary, and the drainage corridor will also by its nature be a low fuel zone.

The Bushfire Management Plan provided with the draft structure plan is a strategic assessment appropriate for this level of planning and complies with the relevant guidelines. A Bushfire Hazard Plan has been prepared as although a concept layout plan has been prepared, it does not include proposed lot layout and therefore a BAL Contour Map was not prepared. A more detailed bushfire management plan including a BAL Contour Map will be prepared, as is required, to accompany future subdivision applications and should it be assessed at that time that the transmission corridor represents a risk to surrounding development it will be addressed accordingly. However, at this stage it is not considered that the transmission corridor is or will be a risk.

#### Conclusion

With respect, it is our opinion and that of our client that the modifications requested by the Town of Port Hedland are generally unnecessary and inappropriate. Some of the changes would require a fundamental redesign, recommissioning of several of the supporting technical studies, and significant reworking of the report. We would prefer not to have to do any of these until the requirements of the WAPC are known.

We therefore request that the Town of Port Hedland forward the structure plan, submissions, and its comments to the WAPC for its consideration. Should the WAPC agree with the changes recommended by the Town or require any other modifications to the structure plan as advertised, then the Department of Communities will consider whether the project would still be viable and if so, gladly make the requested changes at that time.

Please do not hesitate to contact Denise Morgan of this office should you wish to discuss the points raised in this letter further.

Yours faithfully

CREATIVE DESIGN + PLANNING



FRANK ARANGIO

MANAGING DIRECTOR

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**Item 12 Reports of Committees**

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

**12.1 Audit, Risk and Governance Committee Minutes – 5 June 2018****CM201718/229 OFFICER RECOMMENDATION/ COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR MCDONOGH**

**That Council receive the Minutes of the Ordinary Meeting of the Audit, Risk and Governance Committee held on 5 June 2018 at 5:30pm inclusive of the following decisions:**

- 11.1.1 Audit, Risk and Governance Committee Work Plan for the 2018/19 Financial Year;**
- 11.1.2 Auditor General's Report on Control over Corporate Credit Cards - Summary of Findings March 2018;**
- 11.1.3 Funding and Donations for the quarter 1 January 2018 to 31 March 2018; and**
- 11.1.4 Quarterly Status of the ARG Committee's Endorsements to Council and the Council Decision Risk.**

**CARRIED 8/0**

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

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Nil

**Item 14 New Business of an Urgent Nature****CM201718/230 COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR CARTER**

That Council consider the following late items for inclusion in the agenda of the 27 June 2018 Ordinary Council Meeting:

- 14.1 Wodgina Village Expansion – Retrospective Approval;
- 14.2 Wodgina Fly Camp – Retrospective Approval; and
- 14.3 Early Adoption of Capital Work Projects 2018/19.

**CARRIED 8/0**

7:06pm Councillor Daccache declared a financial interest in items 14.1 'Wodgina Village Expansion – Retrospective Approval' and 14.2 'Wodgina Fly Camp – Retrospective Approval' as he holds shares in Mineral Resources Ltd, the value of which are over the threshold. Councillor Daccache left the room.

### **14.1 Wodgina Village Expansion – Retrospective Approval (*File No. 2018/082*)**

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

**CM201718/082 OFFICER'S RECOMMENDATION/ COUNCIL DECISION****MOVED: CR ARIF****SECONDED: CR MCDONOGH**

That Council, pursuant to Clause 68 (2) of Schedule 2 of Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolves to:

1. **APPROVE** Development Application 2018/082 for the expansion of Transient Workforce Accommodation at Wodgina located on Mining Leases M45/0050 and M45/0381 subject to the following conditions:
  - a. This approval relates only to the proposed "Transient Workforce Accommodation Expansion and Infrastructure", as indicated on the approved plans (DRG2018/082/1 – DRG2018/082/7).
  - b. If the development referred to in (a) above is not substantially commenced within a period of two (2) years from the date of this approval, the approval shall lapse and be of no further effect.

- c. The development referred to in (a) above is only valid for a period of five (5) years from the date of this approval. Upon expiring, the applicant shall return the land to its original state to the satisfaction of the Town of Port Hedland.
- d. A Site Rehabilitation Plan (SRP) shall be submitted to the Town for endorsement three (3) months prior to the lapse of this approval, as outlined in (c) above. The endorsed site rehabilitation plan shall be completed to the Town's satisfaction in accordance with works specified in the endorsed Site Rehabilitation Plan.
- e. Access to the site from Great Northern Highway shall be constructed to the Town's satisfaction prior to occupation of the development.
- f. No earthworks (including batters), construction work, plant or materials shall intrude onto adjacent land without prior approval of the Town.
- g. All landscaping areas shall be maintained to the satisfaction of the Town of Port Hedland.
- h. Compaction and stabilisation must be carried out to the satisfaction of the Town.
- i. A Bushfire Attack Level Assessment is required to be undertaken by a "Level 1 BAL Assessor" or accredited "Bushfire Planning Practitioner" as per clause 6.5 of *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* and recommendations implemented to the satisfaction of the Town of Port Hedland.
- j. A minimum of twenty six (26) car bays shall be provided for the "Transient Workforce Accommodation" development as indicated on the approved site plan (DRG2018/082/1).
- k. No parking bays shall be obstructed in any way or used for any other purpose than parking.
- l. Stormwater shall be retained on-site, in accordance with the Town's Works and Services Guidelines.
- m. Dust and sand shall be controlled and contained in accordance with an approved dust management plan to the satisfaction of the Town of Port Hedland.

**2. ADVISE Wodgina Limited Pty Ltd of the following:**

- a. The approved development requires a Building Permit in accordance with the *Building Act 2011*.
- b. The applicant is reminded this is a development approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.

- c. Prior to the commencement of any works, all levels of the sites shall be in accordance with a 1:100 year flood event to be determined by a suitably qualified engineer at the applicants cost.
- d. This land is located in an area likely to be subject to inundation and flooding over the next 100 years.
- e. In relation to suitable construction of access from Great Northern Highway as stated in Condition (e), the Town will liaise with Main Roads WA to determine acceptable construction standards.
- f. Prior to the commencement of any works, the developer shall submit an application for the registration of a Lodging House to the Town's Environmental Health Department for assessment and approval.
  - i. The Lodging House must maintain compliance with the Town of Port Hedland Local Law 2016.
  - ii. The Lodging House must be licensed under the *Health (Miscellaneous Provisions) Act 1911*.
- g. The effluent waste disposal system must maintain compliance with the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulation 1974* to the satisfaction of the Town of Port Hedland.
- h. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 2016.
- i. The development is required to comply with the *Health (Public Buildings) Regulations 1992*.
- j. All food premises within the development must be licensed under the *Food Act 2008*.
- k. Potable water must be available in compliance with the Australian Drinking Water Guidelines 2011.

**CARRIED 4/3**

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

## PURPOSE

The purpose of this report is for Council to determine Development Application 2018/082 which seeks approval to expand Transient Workforce Accommodation (TWA) at Wodgina Mine located on Mining Leases M45/0050 and M45/0381.

## DETAIL

Wodgina Mine is located approximately 120km south of Port Hedland, accessed via Great Northern Highway. The Wodgina Mine is part of the Wodgina Lithium Project, which is owned and operated by Wodgina Lithium Pty Ltd (WLPL). WLPL is a wholly owned subsidiary of Mineral Resources Limited (MRL), whom purchased Wodgina mine assets from Global Advanced Metals Wodgina (GAMW) in September 2016, and began a Direct Shipping Ore (DSO) Lithium Resource project from the site. Following recommencement of additional projects at the Wodgina site in 2017, as well as an increased demand for lithium currently projected in the future, a larger workforce is required by WLPL to meet demands. WLPL have applied for the expansion of the existing Wodgina mine camp, which was acquired from GAMW. The extent of physical works proposed by the application are within the mining tenement area, within the existing camp site boundary. The proposed works are as follows:

- Construction of 104 rooms
- Two (2) laundry facilities

The addition of 104 rooms will enable the Wodgina camp to accommodate up to 700 people. The majority of the workforce at Wodgina are fly in / fly out (FIFO) workers, who commute to and from the Wodgina site from Port Hedland International Airport. The expansion to the camp has been justified by Mineral Resources Limited for the following reasons:

- Existing 600 person camp will not be capable of accommodating additional employees and contractors for future operations
- The proposed expansion will occur in the boundaries of existing camp and utilize existing service infrastructure
- Operating cost considerations
- The distance of 120 km from Port Hedland to Wodgina presents logistical and safety challenges if workforce are required to travel daily to Wodgina from Port Hedland.

As Wodgina is approximately 120kms from Port Hedland, it can be classified as a remote TWA camp. The proposal generally complies with the Town's Transient Workforce Accommodation Strategy, which makes exceptions for remote TWA Camps which have been established through the *Mining Act 1978*. Due to the distance of the camp from Port Hedland and associated safety and logistics challenges with daily commuting, as well as the existing accommodation and service infrastructure present on-site, the application is capable of approval subject to the recommended conditions and advice notes.

## LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of moderate significance in terms of implementing Council's Transient Workforce Accommodation Strategy.

## CONSULTATION

### *Internal*

The application was referred internally to Works and Services and Environmental Health. Comments received were considered when assessing the application and Conditions / Advice Notes are recommended to be implemented as part of the decision where appropriate.

*External*

The application was referred to Main Roads WA. A submission was received from Main Roads WA which has resulted in Condition (e) being recommended to ensure suitable access is developed from Great Northern Highway. As the subject land is 'no zone', zoning provisions to advertise the application are not applicable.

**LEGISLATION AND POLICY CONSIDERATIONS**

The development application has been assessed in accordance with the general Scheme Objectives of LPS5 and the Town's Transient Workforce Accommodation Strategy. The application for "Transient Workforce Accommodation" is proposed on land which is not zoned under LPS 5, which means zoning requirements such as advertising are not applicable. The application complies with Clause 1.5 of LPS5, as it will create economic opportunities in the region and the remoteness of the site will mean limited impacts are had on social and lifestyle aspects as detailed in Clause 1.5 (b). The application is consistent with provisions for Transient Workforce Accommodation under Clause 5.4, and it is recommended that the applicant complies with Clause 5.4.3 and Clause 5.4.4 in the rehabilitation of the site through conditions of approval. The application is consistent with the objectives of the Transient Workforce Accommodation Strategy due to the remote location of the camp, and the strategy does not impact or affect land subject to mining leases and tenements developed pursuant to the provisions of the *Mining Act 1978*.

**FINANCIAL AND RESOURCES IMPLICATIONS**

A retrospective application fee applies for the processing this application in accordance with the *Planning and Development Regulations 2009*. Currently the rates payable for the Wodgina Camp are \$294,104 p/a. An increase in the number of beds at the facility from 600 to 704 as a result of this development application will result in an indicative increase in rates to \$343,121 p/a based on pro rata calculations (indicative costing pending final valuation to be provided by the Valuer General on the completion of the development).

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

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

**Our Economy**

*We build prosperity for all – enabling sustained economic growth.*

**2.d The development and expansion of key industries**

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

*Environmental*

The expansion of Wodgina Transient Workforce Accommodation camp will result in minor environmental impacts. The proposed facilities are to be located on land which is situated within the existing camp boundaries, meaning minimal clearing will be required. It has been recommended as a condition of approval that a site rehabilitation plan is submitted to the Town which details how the site will be remediated following the cease of operations at the site.



*Economic*

The increase in Transient Workforce Accommodation will increase rates revenue for the Town of Port Hedland. Due to the remote location of the camp, indirect economic benefits are not anticipated for the Town.

*Social*

Minimal social impacts are expected from the development due to the remote location of the TWA camp.

**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) .

**OPTIONS**

*Option 1 - Adopt Officers Recommendation*

*Option 2 - Amended Officers Recommendation*

*Option 3 – Do not adopt Officers Recommendation*

**CONCLUSION**

Following the purchase of Wodgina mine assets from Global Advanced Metals Wodgina, expansion of production infrastructure and an anticipated increase in demand for Lithium Ore, Mineral Resources Limited require additional transient workforce accommodation facilities at the Wodgina Camp. The application proposes the addition of 104 rooms, to allow for the camp to accommodate up to 704 people. Given the remote location of the minesite, existing facilities and service infrastructure on the site, and the provisions of the *Mining Act 1978* it is considered appropriate to grant approval for the development application, subject to the recommended conditions and advice notes.

**ATTACHMENTS**

1. Site Plan (Under separate cover)
2. Regional Context (Under separate cover)
3. Development Plans (Under separate cover)
4. Cover Letter (Under separate cover)

**14.2 Wodgina Fly Camp - Retrospective Approval (File No. 2018/081)**

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

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**OFFICER'S RECOMMENDATION**

MOVED: CR ARIF

That Council, pursuant to Clause 68 (2) of Schedule 2 of Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolves to:

1. Approve Development Application 2018/081 for Transient Workforce Accommodation and Infrastructure at Wodgina located on Mining Lease M45/382, subject to the following conditions:
  - a. This approval relates only to the proposed "Transient Workforce Accommodation Expansion" and "Associated Infrastructure", as indicated on the approved plans (DRG2018/081/1 – DRG2018/081/8).
  - b. If the development referred to in (a) is not substantially commenced within a period of two (2) years from the date of this approval, the approval shall lapse and be of no further effect.
  - c. The development referred to in (a) is only valid for a period of two (2) years from the date of this approval. Upon expiring, the applicant shall return the land to its original state, to the satisfaction of the Town of Port Hedland.
  - d. A Site Rehabilitation Plan (SRP) shall be submitted to the Town for endorsement three (3) months prior to the lapse of this approval, as outlined in (c) above. The endorsed Site Rehabilitation Plan shall be completed to the Town's satisfaction in accordance with works specified in the endorsed Site Rehabilitation Plan.
  - e. Access to the site from Great Northern Highway shall be constructed to the Town's satisfaction prior to occupation of the development.
  - f. No earthworks (including batters), construction work, plant or materials shall intrude onto adjacent land without the prior approval of the Town.
  - g. All landscaping areas shall be maintained to the satisfaction of the Town.
  - h. Compaction and stabilisation must be carried out to the satisfaction of the Town.
  - i. A Bushfire Attack Level assessment is required to be undertaken by a "Level 1 BAL Assessor" or accredited "Bushfire Planning Practitioner" as per clause 6.5 of *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* and recommendations implemented to the satisfaction of the Town of Port Hedland.
  - j. Car and bus parking and maneuvering areas shall be provided wholly within the boundaries of M45/382.

- k. No parking bays shall be obstructed in any way or used for any other purpose than parking.
- l. Stormwater shall be retained on-site, in accordance with the Town's Works and Services Guidelines.
- m. Dust and sand shall be controlled and contained in accordance with an approved dust management plan to the satisfaction of the Town of Port Hedland.

2. Advise Mineral Resources Limited of the following:

- a. The approved development requires a Building Permit in accordance with the *Building Act 2011*.
- b. The applicant is reminded this a development approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
- c. Prior to the commencement of any works, all levels of the sites shall be in accordance with a 1:100 year flood event to be determined by a suitably qualified engineer at the applicants cost.
- d. This land is located in an area likely to be subject to inundation and flooding over the next 100 years.
- e. In relation to suitable construction of access from Great Northern Highway as stated in Condition (e), the Town will liaise with Main Roads WA to determine acceptable construction standards.
- f. Prior to the commencement of any works, the developer shall submit an application for the registration of a Lodging House to the Town's Environmental Health Department for assessment and approval.
  - i. The Lodging House must maintain compliance with the Town of Port Hedland Local Health Law 2016.
  - ii. The Lodging House must be licensed under the *Health (Miscellaneous Provisions) Act 1911*.
- g. The effluent waste disposal system must maintain compliance with the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974* to the satisfaction of the Town of Port Hedland.
- h. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 2016.
- i. The development is required to comply with the *Health (Public Buildings) Regulations 1992*.
- j. All food premises within the development must be licensed under the *Food Act 2008*.

- k. Potable water must be available in compliance with the Australian Drinking Water Guidelines 2011.

***MOTION LAPSED FOR WANT OF A SECONDER***

7:20pm Councillor Daccache re-entered the room and resumed his chair. The Mayor advised Councillor Daccache of the decision made in his absence.

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**PURPOSE**

The purpose of this report is for Council to determine development application 2018/081 which seeks approval to construct a two hundred and fifty six (256) person fly camp at the Wodgina Mine.

**DETAIL**

Wodgina is located approximately 120kms south of Port Hedland via the Great Northern Highway. Wodgina Mine, known as the Wodgina Lithium Project, is owned and operated by Wodgina Lithium Pty Ltd (WLPL). Wodgina Lithium Pty Ltd is a wholly owned subsidiary of Mineral Resources Limited (MRL), who in June 2016 signed an agreement with Global Advanced Metals (GAMW) to purchase mine assets at the Wodgina mine, following the discovery of a Direct Shipping Ore (DSO) Lithium resource at the site. The sale of the Wodgina Project from GAMW to WLPL was completed on 9 September 2016. Since the takeover by MRL, additional projects have recommenced at the Wodgina site, as well as an increase in production from the Wodgina Lithium mine. To meet current and future demands, MRL sought approval for the expansion of a beneficiation plant and power plant at the Wodgina Lithium Project, which was approved by the Department of Mines, Industry Regulation and Safety on 16 March 2018. In order for this project to be completed, MRL have submitted a development application for the construction of a 256 personnel fly camp situated approximately 300m north-east of the existing Wodgina camp. The proposed works are as follows:

- Construction of 256 rooms
- Laundry
- Kitchen and dry mess hall
- Wet mess hall
- Gymnasium

The fly camp is expected to be utilised for a period of 12 – 18 months for the construction of the beneficiation and power plant at the Wodgina site. The fly camp will also be used to accommodate additional contractors, and possibly employees from other resource sector companies seeking accommodation for staff. Following the completion of these projects, MRL intend to keep the fly camp to be used for potential projects in future and for an additional accommodation option as well as the Wodgina camp.

The proposed fly camp complies with LPS 5 provisions and the Town's Transient Workforce Accommodation Strategy, largely due to the remote location of the camp, the nature of the camp being 'temporary' and provisions set out in the *Mining Act 1978*. A two (2) year development approval is recommended for the application, which provides adequate time for the camp to be utilized for its intended purpose and duration. If MRL seek to continue the operation of the fly camp beyond this time, an extension to the development approval may be sought at the time of expiry. Any application to extend the development approval will be assessed against the planning framework at the time of application which does not necessarily mean approval will be recommended or granted.

### LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of moderate significance in terms of implementing Council's Transient Workforce Accommodation Strategy.

### CONSULTATION

#### *Internal*

The application was referred internally to Works and Services and Environmental Health. Comments received were considered when assessing the application and Conditions / Advice notes are recommended to be implemented as part of the decision where appropriate.

#### *External*

The application was referred to Main Roads WA. A submission was received from Main Roads WA which has resulted in Condition (e) being recommended to ensure suitable access is developed from Great Northern Highway. As the subject land is 'no zone', zoning provisions to advertise the application are not applicable.

### LEGISLATION AND POLICY CONSIDERATIONS

As the subject land is not zoned under the Town of Port Hedland Local Planning Scheme No. 5 (LPS5) Scheme Maps, zoning table requirements and provisions are not applicable to the development application. However, General Scheme objectives and development provisions apply and have been used to assess the application. The application is consistent with Clause 1.5 of LPS5 for the following reasons:

- The development will allow for the accommodation of additional workforce and associated economic benefits
- As the Wodgina site is remote, there will be minimal impact on social aspects within the townsites of Port and South Hedland
- The application proposes development in the existing footprint of a previous camp meaning there will be minimal environmental impact

The application further complies with Clause 5.4 of LPS5, as it is consistent with the provisions for Transient Workforce Accommodation under this Clause. The applicant will be required to submit plans in accordance with Clause 5.4.3, Clause 5.4.4 and Clause 5.4.5 of LPS5 which details how the site will be rehabilitated once the fly camp is no longer operational. These are recommended to be addressed as a condition of approval. The development application is generally consistent with the principles contained in the Town of Port Hedland Transient Workforce Accommodation Strategy, as the proposed camp is 120kms south of the nearest townsite which classifies the location as remote. The Town of Port Hedland Transient Workforce Accommodation Strategy 2014 states that:

*The intent of this strategy is to review the definition of TWA's to address non-residential workers staying within a TWA and restricting occupation to;*

1. *Construction workers*
2. *Operational workers required for resources industry maintenance requirements*

Although MRL have proposed a more long term operational timeframe than usual for a fly camp, such a land use is classified as a temporary accommodation facility primarily used in the construction phase of a project. The application further complies with a key objective in the strategy in which the strategy does not impact or affect land subject to mining leases and tenements developed pursuant to the provisions of the *Mining Act 1978*, which applies to remote mining operations.

#### FINANCIAL AND RESOURCES IMPLICATIONS

A retrospective application fee applies for the processing this application in accordance with the *Planning and Development Regulations 2009*.

#### STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

##### **Our Economy**

*We build prosperity for all – enabling sustained economic growth.*

##### **2.d The development and expansion of key industries**

2.d.2 The development of industry specific value chains are encouraged and supported

##### *Environmental*

The construction of the fly camp will result in minor environmental impacts. The development involves the construction of a temporary accommodation camp which will require clearing of land. Following the lapse of planning approval or removal of the camp, a site rehabilitation plan should be submitted to the Town which is recommended as a condition of approval.

##### *Economic*

The increase in number of TWA beds will increase rates revenue for the Town. Indirect economic benefits will not be seen by the Town due to the remote location of the site.

*Social*

As the proposed development is located over 100km from the Port Hedland Townsite, there will be minimal social impacts on the Town.

**RISK MANAGEMENT CONSIDERATIONS**

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

**OPTIONS**

*Option 1 - Adopt Officers Recommendation*

*Option 2 - Amended Officers Recommendation*

*Option 3 – Do not adopt Officers Recommendation*

**CONCLUSION**

Given the expansion of Wodgina Mine and associated facilities, Wodgina Lithium Pty Ltd require the development of a temporary construction camp to accommodate fly in / fly out workers who will be involved in the expansion projects. Due to the remote location of the proposed camp and associated travel times and logistics costs, and the short term nature of the development, it is considered appropriate to approve the development application.

**ATTACHMENTS**

1. Site Plan (Under separate cover)
2. Regional Context (Under separate cover)
3. Development Plans (Under separate cover)
4. Cover Letter (Under separate cover)

### 14.3 Early Adoption of Capital Work Projects 2018/19 (File No. 12/05/0012)

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

#### CM201718/232 OFFICER RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR MCDONOGH**

**SECONDED: CR ARIF**

That Council endorse the below capital works projects and approve budget for financial year 2018/19, with commencement of projects from 1 July 2018, prior to adoption of the complete Annual Budget for financial year 2018/19:

Project	Budget Request	Reserve Funding	Net Impact on Municipal
Desktop phone system renewal	\$155,000		\$155,000
Server room renewal	\$120,000		\$120,000
Microwave replacement (link to Depot) renewal	\$130,000	(\$130,000)	\$0
Library software	\$90,000		\$90,000
Commercial building renewal programme	\$314,000		\$314,000
Housing renewal programme	\$277,000	(\$277,000)	\$0
Marquee Park pump replacement and repair	\$290,000		\$290,000
Gratwick Aquatic Centre – remedial works	\$500,000		\$500,000
Kevin Scott playground renewal	\$350,000		\$350,000
Soft fall renewal	\$75,000		\$75,000
Bollard installation	\$100,000		\$100,000
Drainage improvement programme	\$350,000		\$350,000
Plant replacement programme	\$134,000	(\$134,000)	\$0
<b>TOTAL</b>	<b>\$2,885,000</b>	<b>(\$541,000)</b>	<b>\$2,344,000</b>

**CARRIED BY ABSOLUTE MAJORITY 8/0**

#### PURPOSE

This report presents capital projects for Council to endorse for early adoption prior to the 2018/19 Annual Budget adoption. This will allow for the projects to commence from 1 July 2018 to ensure the Town is able to take advantage of optimum construction time and continue with critical works. This also ensures continuity of business process and resource allocations. The expenditure for the projects is \$2,885,000 with reserve funding of \$541,000, resulting in a net municipal impact to the Town of \$2,344,000. The early approved projects will be included as part of the 2018/19 Annual Budget complete capital works programme.



## DETAIL

The 2018/19 Annual Budget and its related documentation will be presented to Council in August 2018 for final review and adoption, following a number of workshops held with Elected Members over the last few months. The budget is being compiled based on the principles contained in the adopted Strategic Community Plan, draft Long-Term Financial Plan and draft Corporate Business Plan with the goal to bring together a balanced budget in a challenging economic environment. Planning and setting a budget is a critical decision making tool for current and future activities and is a key component of prudential financial management.

In conjunction with compliance to legislation, the annual budget preparation is an opportunity to review current and future projects, revenue streams, and current operational efficiencies, taking into account any changes in the macro or minor economic variables and any other relevant information.

A considerable amount of work has already been undertaken to review and reduce expenditure levels, consider current revenue streams and prioritise essential capital projects to work towards a realistic and deliverable programme for 2018/19. Officers will continue to focus on efficiencies and effectiveness, and seek additional revenue to improve the Town's operating deficit and closing municipal surplus.

The proposed 2018/19 Annual Budget is being prepared in accordance with the presentations made to Elected Members at the various budget workshops over the last few months and will include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

The 2018/19 Annual Budget will not be presented to Council for approval until August 2018 due to the rates revenue component requiring approval by the Minister for Local Government, Heritage, Culture and the Arts. Accordingly, it is requested that the below capital projects are endorsed by Council prior to budget adoption, providing the ability for them to commence from 1 July 2018. This will ensure the Town is able to take advantage of optimum construction time and continue with critical works, as well as ensuring continuity of business process and resource allocations.

Project	Budget Request	Reserve Funding	Net Impact on Municipal
Desktop phone system renewal	\$155,000		\$155,000
Server room renewal	\$120,000		\$120,000
Microwave replacement (link to Depot) renewal	\$130,000	(\$130,000)	\$0
Library software	\$90,000		\$90,000
Commercial building renewal programme	\$314,000		\$314,000
Housing renewal programme	\$277,000	(\$277,000)	\$0
Marquee Park pump replacement and repair	\$290,000		\$290,000
Gratwick Aquatic Centre – remedial works	\$500,000		\$500,000
Kevin Scott playground renewal	\$350,000		\$350,000
Soft fall renewal	\$75,000		\$75,000
Bollard installation	\$100,000		\$100,000
Drainage improvement programme	\$350,000		\$350,000
Plant replacement programme	\$134,000	(\$134,000)	\$0
<b>TOTAL</b>	<b>\$2,885,000</b>	<b>(\$541,000)</b>	<b>\$2,344,000</b>

## LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance. Budget adoption is required under the *Local Government Act 1995* prior to the commencement of works and the Town is unable to commence works without Council endorsement. Budget adoption and undertaking capital works will have positive outcomes for the present and future social, economic, environmental and cultural well-being of Port Hedland.

## CONSULTATION

### *Internal*

- Internal business units responsible for the projects
- Executive Leadership Team
- Elected Member Workshop held 23 June 2018

## 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 for Local Government, Heritage, Culture and the Arts 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 Budget is based on the principles contained in the adopted Strategic Community Plan, the draft Long-Term Financial Plan, and the draft Corporate Business Plan.

## FINANCIAL AND RESOURCES IMPLICATIONS

The early adoption of 2018/19 capital works projects results in a net municipal cost of \$2,344,000. The expenditure and reserve transfer budgets will form part of the complete 2018/19 Annual Budget which is expected to be presented to Council in August 2018.

Early adoption of the listed capital works will ensure maximisation of resources throughout the year and provides ability to undertake projects during optimum construction time, giving the Town a greater ability to ensure completion of projects with minimal delays.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

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

### **Our Leadership**

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

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

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

4.b.2 Transparent and regular financial reporting and communication to the community is undertaken

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

There are significant benefits to the local economy arising from adoption of the 2018/19 municipal Budget, including the investment in local infrastructure and the utilisation of local trades and businesses where possible, practical and available.

Significant social impacts will be achieved upon adoption of the 2018/19 municipal Budget, including the investment into community infrastructure and programmes, and the promotion of the Town as a great place to live and work.

### **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) assigned to the risk that should Council not endorse the early adoption of the capital projects, business continuity could be affected, as well as loss in optimum construction time, resulting in possible delays to project completion and increased costs.

### **OPTIONS**

#### *Option 1 - Adopt Officers Recommendation*

The Council endorse the listed capital works projects to commence 1 July 2018 and approve budget for 2018/19.

#### *Option 2 – Do not adopt Officers Recommendation*

The Council do not endorse the listed capital works projects to commence 1 July 2018 and approve budget for 2018/19.

### **CONCLUSION**

This report presents capital projects for Council to endorse for early adoption prior to the 2018/19 Annual Budget adoption. This will allow for the projects to commence from 1 July 2018, ensuring continuity of business process and resource allocations. The expenditure for the projects is \$2,885,000 with reserve funding of \$541,000, resulting in a net municipal impact to the Town of \$2,344,000. All projects will be included as part of the 2018/19 Annual Budget complete capital works programme for approval by Council in August 2018.

### **ATTACHMENTS**

Nil

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

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**CM201718/233 COUNCIL DECISION****MOVED: CR DACCACHE****SECONDED: CR HEBBARD**

That Council close the meeting to members of the public as prescribed in section 5.23(2) of the *Local Government Act 1995*, to consider item 15.1 YMCA Contract Variation.

**CARRIED 8/0**

7:23pm The Mayor declared the meeting closed to the public.

**15.1 YMCA Contract Variation (File No. 03/00/0010)****CM201718/234 OFFICER'S RECOMMENDATION/ COUNCIL DECISION****MOVED: CR MCDONOGH****SECONDED: CR ARIF**

That Council accept the request from YMCA WA to amend the contract "*Management Agreement – Town of Port Hedland Leisure Facilities*" and adjust the Management Fee calculation method to be based off "*7.1% of actual total income including actual deficit*".

**CARRIED 8/0****CM201718/235 COUNCIL DECISION****MOVED: CR MCDONOGH****SECONDED: CR CARTER**

That Council open the meeting to members of the public.

**CARRIED 8/0**

7:25pm The Mayor declared the meeting open to the public.

**Item 16 Closure**

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**16.1 Date of Next Meeting**

The next Special Meeting of Council will be held on Thursday 28 June 2018 commencing at 5.30pm. The next Ordinary Meeting of Council will be held on Wednesday 25 July 2018, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 18 July 2018, commencing at 5:30pm.

**16.2 Closure**

There being no further business, the Mayor declared the meeting closed at 7:25pm.