



TOWN OF PORT HEDLAND

ORDINARY COUNCIL MEETING MINUTES

WEDNESDAY 27 MAY 2015 AT 5:30PM

COUNCIL CHAMBERS, MCGREGOR
STREET, PORT HEDLAND

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**“A nationally significant, friendly city that people
are proud to call home”**

M.J. (Mal) Osborne
Chief Executive Officer

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ITEM 1 OPENING OF MEETING

The Mayor declared the meeting open at 5:41pm.

ITEM 2 ACKNOWLEDGMENT OF TRADITIONAL OWNERS

The Mayor acknowledged the traditional owners, the Kariyarra people.

ITEM 3 RECORDING OF ATTENDANCE**3.1 Attendance***Elected Members*

Mayor Kelly Howlett

Councillor Gloria Jacob

Councillor George Daccache (entered at 5:50pm)

Councillor Jan Gillingham

Councillor David Hooper

Councillor Julie Hunt

Councillor Lorraine Butson

Councillor Troy Melville

Officers

Mal Osborne Chief Executive Officer

Sid Jain Director Corporate Services

Brendan Smith Director Works and Services

Chris Linnell Acting Director Community and Development Services

Grace Waugh Minute Taker/ Governance Officer

Public 4

Media 1

ToPH staff 11

3.2 Apologies

Nil

3.3 Approved Leave of Absence

Nil

ITEM 4 RESPONSE TO PREVIOUS QUESTIONS**4.1 Questions from Public at Ordinary Council Meeting held on Wednesday 22 April 2015****4.1.1 Mr Camilo Blanco**

These questions are in relation to item 12.3.2 'Updates to the Town of Port Hedland 2014/15 Delegation Register'. Who currently has delegation to sign planning approvals?

At the 22 April 2015 Ordinary Council meeting the Chief Executive Officer advised that it depends on the type of application, as there are a range of delegations in the planning area.

As the Mayor then proceeded to say that this question was to be taken on notice, the Chief Executive Officer provided further advice. This being that all delegations from Council to Town officers in relation to the Town Planning Scheme No. 5 and the Planning and Development Act 2005 are all listed in the 2014/15 Delegation Register, which is a public document that can be found on the Town's website.

4.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 22 April 2015**4.2.1 Councillor Gillingham**

The broken roundabout in Pretty Pool has been raised a number of times however hasn't been fixed. When is this going to happen?

Chief Executive Officer advised that the Styles Road roundabout modification design has been revised and completed. The Town is currently undergoing the procurement process to assess whether the project can be completed in-house. As soon as this process is completed, works will be scheduled and the community will be notified prior to commencement of the project.

My following questions relate to an email I received from Mr. Sid Jain, Director Corporate Services, regarding explanations of the process of the recovery of my ToPH Councillor sent emails on 6 April 2015.

When were councillors going to be notified that the new migration process to the new Microsoft exchange server was to take place?

Chief Executive Officer advised that Elected Members were not going to be emailed as there was no impact to Elected Member emails. There were no noticeable changes to normal email operations for Elected Members. It was an operational matter and would have been dealt with at the time.

My Councillor mailbox was migrated at 2:00pm on 8 December 2014. As this was prior to the date of the actual migration, were the following steps taken. When were all the Councillors and staff notified that this was occurring?

Chief Executive Officer advised that Elected Members were not notified as there was no impact to Elected Member emails. There were no noticeable changes to normal email operations for Elected Members. This was an operational matter and would have been dealt with at the time. Staff were emailed prior to the mail migration on Tuesday, 2 December 2014 at 10.50 am and after the mail migration on Sunday, 4 January 2015 at 12.36 pm.

How were everyone's mobiles and laptops etc, then configured to have the same name as the previous system if the change was made as the IT Department has stated?

Chief Executive Officer advised that mobiles and laptops did not require configuration because there was no impact on the Town's external domain name server to which they connect to access mail. They continued to operate as per normal. Migration was object based not position based and had no impact on mailbox external attributes. It retained both attributes being:-

- Server name – webmail.porthedland.wa.gov.au & mail.porthedland.wa.gov.au
- User name

In regards to the migration from Microsoft 2010 to 2013, when was the actual migration of the Microsoft upgrades completed?

Chief Executive Officer advised that the project end date was on or around 10 December 2014.

Mr Jain's email stated that seven days from the completed actions the Microsoft 2010 was switched off, which date/dates did this occur?

Chief Executive Officer advised that it occurred on or around 17 December 2014.

Who completed the work?

Chief Executive Officer advised that Mr Clint Boessen, an externally contracted Microsoft Exchange Certified Engineer, completed the work.

As the email mentioned that it was done over the weekend, which weekend was the final cut-over completed?

Chief Executive Officer advised that the weekend was 6 December 2014 to 7 December 2014.

How was it verified that everything with the new Microsoft programs worked without errors?

Chief Executive Officer advised that the Microsoft Migration tool performed verification and error correction. This is a fully automated process.

How did the IT Department notify everyone regarding the errors of email box migrations?

Chief Executive Officer advised that there were no errors when final migration happened. The Microsoft Migration tool performed verification and error correction. This is a fully automated process. All errors are corrected prior to final migration occurring. Not correcting any errors stalls the migration process.

When staff and outsourced contractor/s were satisfied that Microsoft 2013 was operating and set up as required and the migration from 2010 to 2013 had commenced migrating all mail boxes, why were councillors and staff not notified, as I have not received any pre emails or post emails to this affect as stated above? (Ie. I did not get an email to notify me to restart my Outlook.)

Chief Executive Officer advised that as stated previously there was no requirement to notify Elected Members due to the reasons stated in answers to questions above. As stated previously staff were notified.

Given that our IT Department maintains our IT systems, and if no errors were generated, then why is it the IT Department cannot provide me with the lost sent emails requested as this was prior to the migration date?

Chief Executive Officer advised that the Town has never claimed that Councillor Gillingham's sent emails are lost. In order to possibly retrieve those emails the steps advised in the Town's initial email to Councillor Gillingham are required to be carried out to rebuild the old system. It will then be possible to determine if the requested emails are recoverable.

Why would I as a councillor need to pay independently approximately \$14,000 to have work undertaken to track down lost 'sent' emails from my ToPH Councillor 'sent' email box? Is this not the care and responsibility of the ICT Manager and IT staff at ToPH?

At the Ordinary Council Meeting held on Wednesday 24 June 2015 Council removed the reference to the word 'personal'.

Chief Executive Officer advised that the cost of \$14,000 is for the steps detailed in the Town's initial email to Councillor Gillingham to rebuild the old email system to determine if the requested emails are recoverable. This cannot be done here on site as this could cause issues with the current mail server. It needs to be rebuilt off site and tested in a lab environment. It is not considered appropriate that ratepayers should have to fund this expense for a personal matter related to Councillor Gillingham. The current IT team do not have the capability or capacity to undertake this highly technical work.

4.2.2 Councillor Hunt

Following the media release about Finbar taking over the hospital site in Port Hedland, when will the hospital be removed? How long does the community have to wait?

Chief Executive Officer advised that a meeting between the Town and Finbar is currently being organised and this question will be raised with them.

My concern is that if presales take years will the hospital sit there for years as well?

Chief Executive Officer advised as per the above answer a meeting between the Town and Finbar is currently being organised and this question will be raised with them.

ITEM 5 PUBLIC TIME

Important note:

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

Mayor advised that there have been no permissions sought to record the meeting and no permission has been granted.

Mayor opened Public Question Time at 5:43pm.

5.1 Public Question Time

5.1.1 Ms Louise Newbery-Starling on behalf of the Port Hedland Ratepayers Association

The Port Hedland Ratepayers Association requests the calculations on the proposed rate increases to be calculated without minimum rated properties included across all of the categories.

Mayor advised that it is not standard practice.

Chief Executive Officer advised that the Town can provide the information without the minimum rated properties included. The minimum rates are triggered by the gross rental valuation. If the property valuation times the rate in the dollar doesn't meet the minimum rate value that has been set then the Town charges the minimum rates.

Chief Executive Officer asked Ms Newbery-Starling to clarify whether it is the number of properties that fall under the minimum rate that is being requested.

The Port Hedland Ratepayers Association is proposing that the rate be calculated without the minimum rate for properties.

Mayor advised that the comment is a rating suggestion and should be formally submitted to the Town of Port Hedland.

When is the submission deadline for the current rating strategy and has it been extended to reflect the proper voting and advertisement processes?

Mayor advised that submissions close at 5pm on Friday 5 June 2015, this includes the proper voting and advertisement processes.

Considering the Valuer General does not value each individual property in the residential category in Hedland who determines the property devaluation greater than 39% in this category being 40% plus devaluation?

Chief Executive Officer advised that the Valuer General does provide the valuation for every property in Port Hedland. Whether the valuation moves in a positive or negative form, it is calculated by the Valuer General's office on a four yearly cycle across all local governments. If there is an addition or demolition done to a property then once the work has been completed the Town will send the individual property details to the Valuer General's office for calculation which then becomes an interim rate.

Manager Financial Services clarified that valuations are conducted every three years.

Mayor advised that any property owner can contest the property valuation through the Valuer General's office.

The properties devalued by 39% or more would receive the reduction in rates charged which is 49% of Hedland properties according to the Town's finance team. Who determines the fall in the GRV to accommodate the rate reduction considering not every single property is individually valued? You are saying that they are individually valued. As the rate in the dollar is set across the whole residential category who determines the increase in the GRV in Hedland residential properties, as the GRV would have to be increased to ensure that 51% of properties in the Hedland residential category receive an increase?

Chief Executive Officer advised that the valuations are set by the Valuer General's office. Modelling has been completed on how many properties are likely to fall below the medium figure of 39% which will receive a reduction in rates. The other valuations may have been in areas where the Valuer General has not assessed such a reduction, as an example Pretty Pool may be different to Koombana.

Has the Town looked at all possibilities of where cut backs can be made?

Mayor advised in the affirmative. The Town has commissioned a report on process improvements.

Chief Executive Officer advised that it is an ongoing program. The Town is continually looking at where it can create efficiencies and better value for the dollar that is spent.

Are the savings going to happen before the rate decision is made?

Mayor advised that cost savings have been part of the development of the budget, rating strategy and rating model.

When will the community get to see the significant falls and costing?

Mayor advised that it will be ongoing and part of tonight's agenda is a report on the quarterly budget review. Each quarter the budget is being reviewed, recalibrated and refined. The Town has also undertaken a considerable study in terms of its fees and charges, and services.

5.1.2 Mr Camilo Blanco

In relation to the answer provided to my question in tonight's agenda on the planning delegations. When will the updated delegation register be available on the Town's website?

Coordinator Governance advised that the delegation register was updated at the last Council meeting. The delegation register should already be on the Town's website and a link will be sent to Mr Blanco. In accordance with the *Local Government Act 1995* the yearly delegation register review has been scheduled for June 2015.

The delegation register on the Town's website has not been updated.

Mayor advised that the link will be sent to Mr Blanco.

My question at the last Ordinary Council Meeting was in relation to who has delegations under the Town Planning Scheme No.5 specifically delegations 5.1 part 1 'uses' and 5.1 part 2 'conditions'. Up until 22 April 2015 the Manager Development Services and Director Planning had those delegations.

Mayor advised that it is public question time and Mr Blanco is making a statement. Mayor asked for Mr Blanco's question.

Previously there have been people who have been talking for 5 minutes during public question time. I am explaining my question.

Mayor advised Mr Blanco that he can only ask his question.

Is that discrimination?

Mayor advised in the negative and asked Mr Blanco for his question.

Who had the authority or delegation to sign off on planning approvals between February and April 2015 in regards to delegation 5.1 part 1 'uses' and 5.2 part 2 'conditions'?

Chief Executive Officer advised that this question is taken on notice and a written answer will be provided.

How long has the Acting Director Community and Development Services been in the acting role?

Chief Executive Officer advised that the Acting Director Community and Development Services has been in the role since late January 2015.

How much longer will the Acting Director Community and Development Services continue to act in that role?

Chief Executive Officer advised that the recruitment process for the Director Community and Development Services is underway and the applications close at the end of the week.

Does the Acting Director Community and Development Services have a written contract?

Chief Executive Officer advised that Mr Linnell is employed through Lo-Go Appointments who are a placement company specialising in local government temporary placements. There is a contract with Lo-Go Appointments to provide the service for as long as the Town needs.

Section 5.39 (1a)(b) of the Local Government Act 1995 states a person may be employed by the local government as a senior employee for the term not exceeding three months during any two year period without a written contract. How can the Acting Director Community and Development Services still be employed by the Town of Port Hedland?

Chief Executive Officer advised that this is a regular occurrence in local government during the recruitment period. Chief Executive Officer believes that the Department of Local Government's general view on this matter is that there are no issues where temporary placements are made while recruitment campaigns are undertaken.

Note: Section 5.39 (1a)(a) of the Local Government Act 1995 applies to acting senior employees:

"5.39. Contracts for CEO and senior employees

(1a) Despite subsection (1) —

(a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting;"

Is the Town in breach of the Local Government Act 1995?

Mayor advised in the negative. The Town is well progressed with the recruitment process and will continue with that process.

Can you tell me under which section of the Local Government Act 1995 you are authorised to employ a senior employee and who is acting as a Director?

Chief Executive Officer advised that the Town has not employed a senior employee. The Town has employed an acting officer in the role.

Note: Section 5.39 (1a)(a) of the Local Government Act 1995 applies to acting senior employees:

"5.39. Contracts for CEO and senior employees

(1a) Despite subsection (1) —

(a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting;"

Under item 12.1.3 'Proposed Permanent Closures of Portions of Hamilton Road and Shoata Road, South Hedland Road Reserve' in tonight's agenda, page 28 states there are no financial implications. How can there be no financial implications considering the applicant is going to make money out of this development?

Chief Executive Officer advised that the road closure process is a statutory process through the relevant legislation and does not allow the Town to charge fees. The land is still unallocated crown land or a road reserve owned by the government.

North Circular Road in the Pilbara's Port City Growth Plan extends through the piece of land specified in the map under subject road reserve 3. The idea was that the road would go around the back to the South Hedland CBD. If Council allows the road closure to happen then North Circular Road will have to go through the oval of the school or the transformers that have been placed on North Circular Road will have to be moved so the road can be moved over. The Pilbara's Port City Growth Plan identified North Circular Road being extended and being used as a flood buffer for south west creek.

Mayor asked for Mr Blanco's question.

Elected Members need to be across this issue before it is voted on.

Mayor advised that Elected Members discussed the item at the Public Agenda Briefing held last week which is open to the public. Questions were asked at the briefing and a better map for the item was provided. The road closure is in keeping with the Pilbara's Port City Growth Plan.

Mayor closed Public Question Time at 5:59pm.

Mayor opened Public Statement Time at 6:00pm.

5.2 Public Statement Time

5.2.1 Mr Greg Comiskey, Whelans Planning

Mr Comiskey from Whelans Planning made a statement that opposed the recommendation for item 12.1.7 'Proposed Extension of Non-conforming Use - Transport Depot and Dome Workshop Addition on Lot 3 (3) Trig Street, Wedgefield' on behalf of the applicant.

Mr Comiskey provided background for the site advising that it is zoned general industry. In November 2011 a scheme amendment was adopted. Until the scheme amendment came into place a transport depot was classed as 'permissible' in the general industry zone. At the time of advertising the scheme amendment consultation was limited, however the amendment affected a number of industrial activities in Wedgefield. No businesses that would be affected by the amendment were consulted with. The Town is currently reviewing the Town Planning Scheme No. 6 and Whelans requests that the issue created by the scheme amendment from 2011 be rectified. The site now requires planning approval as a 'non-conforming use' as it is now a 'prohibited use' in the zone. The report indicates that the site has never had planning approval for a

transport depot and that the approval granted in 1993 was for a 'use not listed'. Mr Comiskey believes that was incorrect as the approval was not determined by an absolute majority vote by Council which was required at the time. The approval related to the storage of buildings therefore under the Town Planning Scheme should have fallen under the definition of 'transport depot'. The nature of the use covers transport and storage of buildings that requires the operation of heavy vehicles and movement of goods from one vehicle to another and the storage of those goods. This was consistent with the definition of a transport depot under the Town Planning Scheme at the time and the current Town Planning Scheme. The site fell under the definition of transport depot in 1993 when the original approval was granted. The current approval with Council is a relative minor modification which is consistent with the activities that have occurred on the site since 1993.

5.2.2 Mr Camilo Blanco

Mr Blanco made a statement in response to the previous statement by Mr Comiskey in relation to dome workshops in Wedgefield.

Mr Blanco is against dome workshops in Wedgefield as the town has just been through a huge boom and all you see in Wedgefield are domes. It costs companies next to nothing to build domes. When the iron ore price drops, all the domes disappear and the town finds itself with unimproved land again. Council should make companies build big workshops so when the companies leave there is infrastructure left. On the site that item 12.1.7 'Proposed Extension of Non-conforming Use - Transport Depot and Dome Workshop Addition on Lot 3 (3) Trig Street, Wedgefield' refers to there are buildings that were deposited on the site a long time ago and during each cyclone these buildings get blown onto somebody else's property. Mr Blanco believes the site on Trig Street should be cleaned up.

Mayor closed Public Statement Time at 6:08pm.

ITEM 6 QUESTIONS FROM MEMBERS WITHOUT NOTICE

6.1 Councillor Gillingham

My first question relates to the answer provided at the top of page 10. It is stated in the reply from the Chief Executive Officer that it is not considered appropriate that ratepayers should have to fund this expense [to rebuild Cr Gillingham's old email system] for a personal matter. I have never stated that it is a personal matter. Why is it presumed that my questions regarding information technology is a personal matter when the emails in question that are missing are of a confidential matter between Mayor and Councillors?

Mayor advised that when Council adopts the minutes at the next meeting a correction can be made to amend the answer to say that it is not of a personal matter.

Can you answer my question now or will it be taken on notice?

Mayor advised that the minutes can be confirmed with changes if need be.

Chief Executive Officer advised that the Town does not believe there have been any lost emails and has evidence of this. This is based on the Town's systems and the work that has been done to date.

Mayor advised that the sentence will be deleted.

If no issues were encountered on the 8 December when my email box and others (approximately 200) were migrated, then why would only my council mailbox have emails that are missing?

Chief Executive Officer advised that the Town has already answered this question previously. The Town does not believe there are missing emails.

Mayor advised that there are no missing emails.

My question from last month's Council meeting about being notified of the upgrades has still not been answered. Why were Town staff notified and Councillors not notified?

Chief Executive Officer advised that as indicated on page 8 of this agenda the Town did not intend to notify Elected Members as there wasn't a need to.

As a Councillor who has been allocated a Councillor Email address, are Councillors classed as email users?

Mayor advised in the affirmative.

If Councillors are classed as users of the email system then why were Councillors not notified of upgrades and shutdowns during November and December 2014? Councillors are now being notified of all upgrades and shutdowns to the Town of Port Hedland computer systems.

Mayor advised that Elected Members being notified of upgrades and shutdowns of the computer systems has been a process improvement implemented since your concern have been raised. The Town is improving its processes and procedures. In November and December 2014 the Town believed there would be no impact to Elected Members mailboxes therefore Elected Members were not notified. Everyone now receives every notification of any change, impact or interruption to the server that the Town has.

Do Town staff and Councillors have to sign computer use agreements as per the Town of Port Hedland computer IT policy?

Mayor advised that everyone is required to click 'ok' when logging into the system to say that they will follow the procedures and policies.

Chief Executive Officer advised that the once a user logs on to the computer system the Town of Port Hedland Computer User Policy is displayed that requires users to click 'ok'. That screen that is displayed is the agreement that all Town staff and Elected Members have to follow.

Do Town staff or Councillors have to sign a document?

Mayor advised that it is not a document. It is through the system when users are required to click 'ok' to agree. There is no access to the system if you don't click 'ok'.

My next question was going to be if I have signed an agreement in the past could I have a copy of the computer agreement?

Mayor advised that there is no signed agreement.

The answer to my question from the April 2015 Council Meeting says that the project end date was on or around the 10 December 2014 but the cutover date was completed before the 8 December 2014. What was the actual date?

Mayor advised that this question is taken on notice so the Town can provide a technical break down.

It was stated that the Microsoft migration tool was a fully automated process with verification and error correction. If this is so then why are my emails missing? These emails being a block of sent emails dating from the 4 October to 21 November 2014.

Mayor advised that there are no missing emails on the Town's system.

The emails are the emails that were between yourself, myself and Councillors around the 10 or 12 of November 2014.

Mayor advised that the emails are not missing and Elected Members received the emails.

They are missing from my email box. Is the Council responsible for the migration of work being done on the computer systems?

Chief Executive Officer advised that the Town of Port Hedland is responsible not the Council. It is the Town's system and server. Some work is conducted by Town staff and other work is conducted by outside support services.

Why are the emails missing or is it that the IT department does not know?

Mayor advised that the emails are not missing.

They are missing off my Councillor email.

Mayor advised that it is a matter or issue with Councillor Gillingham's computer as the emails are not missing from the system.

I use the council email box to see my Councillor emails. I don't use my private email system for council emails.

Mayor advised that there is nothing missing. The emails in question have been sent, received and responded to. The emails are there and always have been. If the emails are not there now, several months after, then they may have been deleted or archived. The emails are not missing.

Chief Executive Officer advised that Town officers are happy to meet with Councillor Gillingham and go through the questions and the system. There is innuendo that the Town's systems are at risk. A significant amount of time and work has been put into addressing all the questions asked by Councillor Gillingham to date. It is becoming repetitive answering the same questions that have been answered previously.

I don't feel as if I am getting the correct answers.

Mayor advised that there are no missing emails.

The Town of Port Hedland conditions of computer use agreement has a condition of use, point 6, that states all staff and contractors are reminded that the internet is not secure, there is no authentication on electronic mail. Messages may be forged with or disclosed to others without your knowledge. Do all staff and Councillors sign the computer use agreement?

Director Corporate Services advised that this question is taken on notice as he does not have the document available at present.

Chief Executive Officer advised that it is part of Town officers' induction.

Manager Technology advised that the Town has a firewall and that all incoming and outgoing connections are secure.

I am not concerned with what is coming from the outside, it is what is from the inside.

Mayor advised that the Town is protected by the firewall.

Chief Executive Officer advised that he is concerned at what Councillor Gillingham is saying in a public forum in relation to being concerned about the Town's internal processes.

Mayor advised that everything that comes in and everything that goes out from the Town and Elected Members is protected by the firewall and protected by the security mechanisms the Town has in place. There is no one interfering with emails, there is no one hacking into emails and there is no one sending emails.

It has been almost two years since the Town of Port Hedland signed up to the Department of Local Government IT strategy at the December 2014 Council Meeting. The item was for the Town's IT department to implement its new IT strategy. All WA councils were taking this strategy on board. Where is the Town up to with the IT strategy?

Mayor advised that this question will be taken on notice to provide a full report.

Two months ago I was told that I could pay up to \$14,000 to allow the Town of Port Hedland staff to locate my emails which have been misplaced off the council email base. I have been told this work would have to be outsourced. I asked the then Acting Chief Executive Officer if I could bring in my own IT person after having credentials checked who could sit with Town of Port Hedland IT staff and that I would fund this service myself. I was told that it was not likely that I would be able to do this. Why is this so?

Mayor advised that there are no emails missing. No emails have been hacked and sent. In relation to having an external IT person come in to reconstruct the system the answer has been articulated on page 10 where it states that to rebuild the old email system it will cost \$14,000. Bringing in an independent IT person would put at risk the Town's current certification and security process and it is not the normal thing to do. It is not permitted.

Are you familiar with how the computer systems work?

Mayor advised that she is familiar with the computer systems and has the utmost confidence in the Town's IT staff, IT software, IT equipment, contractors, specialists and certification that the Town has in place. This is all in place to ensure that nothing ever happens to any of the emails, any of the Town's privacy or communication. The only thing that is being done is people doing something inappropriate and forwarding emails they shouldn't.

Is the Town outsourcing to an outside administrator of almost up to \$60,000 per year? How much IT work is actually being outsourced?

Mayor advised that the Town has provided a breakdown in past communication to Councillor Gillingham by the then Acting Chief Executive Officer. The communication was very detailed and can be found in the relevant minutes.

Answers to my previous set of questions state that the Town has qualified staff in the IT department and yet page 4 of my last set of questions and page 10 of tonight's agenda relating to retrieving the footprints of my missing emails states the current IT team do not have the capability or the capacity to undertake this highly technical work. I have been on council since 2005 and I do not recall problems with the IT department and computers until emails started missing in 2014.

Chief Executive Officer advised that it is inappropriate to comment on Town officers.

I would like to finish my question.

Mayor advised Councillor Gillingham that she is pushing the boundaries in terms of the allegations and statements about the expertise and conduct of Town officers.

It is written in the response to the last question taken on notice included under item 4.2.1 that the current IT team do not have the capability or capacity. Could you please explain why?

Mayor advised that the explanations that have already been provided to Councillor Gillingham for the work and hours it would take to rebuild the system have been very detailed. The responses itemised how long it would take for every step of the process and it was deemed that it wasn't necessary to rebuild the system. No emails have been lost and no emails are missing. Councillor Gillingham is alleging that emails are missing however it is only an allegation as there were no issues with the transfer of the system. No other person in the approximately 200 email users in the Town's directory have experienced any issues.

Could Council look into having an independent IT forensic auditor engaged to audit and validate computer systems against the Department of Local Government's computer policies and procedures as per the local government IT strategy?

Mayor Howlett advised that the Town will look into it but that she is happy and satisfied with the current certification, approval and authorisation processes that the Town has in place in relation to IT. The Town can review the current systems and procedures to see if there is anything further that can be improved. The Town's IT team and everything associated with the Town's communications, emails, website and Facebook are 120 out of 10. The team is going over and above what they need to do and do their utmost to make sure everything is done in a clear manner. No one is interfering with anyone's personal email account or communication whether they are a Councillor, a Director, a CEO, a Manager, Coordinator or any other staff member at the Town. Mayor reiterated that Councillor Gillingham's allegations are not substantiated and are continually made each month.

If I have not deleted my emails or put them into archives then why is it that they are not in the deleted box? I have been told that they would stay in the deleted box for two years and if they are in the archive box then they should stay there for seven years however the emails are no longer there.

Mayor advised that many people have looked at Councillor Gillingham's IT system and there are no emails missing.

Councillor Jacob called a point of order. Councillor Jacob asked that the matter be taken to a separate meeting. If Councillor Gillingham is unsure on the IT processes then she can speak with an IT specialist.

Mayor advised that Councillors are allowed to ask questions and Councillor Gillingham's questions will be answered if they haven't already been responded to.

Councillor Jacob advised that the questions have been answered over the past three months.

Mayor advised that the questions that were taken on notice will be answered.

There was a presentation by Town officers in regards to trees in Port Hedland. It was mentioned that the Town is looking at planting more boab trees however I have had a look at the current boab trees in town which are struggling. Can we ask Town officers to consider not using boab trees?

Mayor advised that all Elected Members were asked to provide feedback to Town staff via email. Mayor asked that Councillor Gillingham provide her feedback directly to staff.

6.2 Councillor Butson

When is the decommissioning of the old South Hedland Skate Park going to happen? There was an accident at this location two and a half weeks ago where a child was hit.

Chief Executive Officer advised that a date for that project has not been set at this stage. This question is taken on notice.

Over the last few months there have been quite a few staff members leave the Town of Port Hedland. Are they receiving their gifts as per the Town of Port Hedland policy?

Mayor advised in the affirmative.

Chief Executive Officer reminded Elected Members of the Town of Port Hedland Standing Orders Local Law which states that a Council member shall not comment adversely on Town of Port Hedland employees or another Council Member.

ITEM 7 DECLARATIONS OF ALL MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER BEFORE THE MEETING

Mayor Howlett	Councillor Hooper
Councillor Jacob	Councillor Hunt
Councillor Daccache	Councillor Butson
Councillor Gillingham	Councillor Melville

ITEM 8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 22 April 2015

201415/242 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR HOOPER

That Council confirm that the Minutes of the Ordinary Meeting of Council held on Wednesday 22 April 2015 are a true and correct record.

CARRIED 8/0

ITEM 9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Mayor Activity Report for the April/May 2015 period to date is as follows:

April 2015

Wednesday, 1st April

- Meeting Department Prime Minister & Cabinet Kit Quarry South Hedland
- Attended Hedland Well Women's Centre Monthly Morning Tea Event
- Attended TOPH Airport Committee Public Agenda Briefing
- Attended TOPH Airport Committee Meeting
- Attended EM & Exec Meetings
- Attended Community Conversations Event – Budget Development

Thursday, 2nd April

- Judged Easter Hat Parade At Baler Primary School Easter Assembly
- Attended Meeting Port Hedland Public Transport Plans
- Meeting Cassia Primary School Principal Narelle Ward
- Meeting Cassia Education Support Centre Principal Deepmala Pillay
- Meeting St Cecilia's Catholic Primary School Peter Allen
- Attended 6 Month Birthday Celebration Pizza Giveaway To Bloodwood Tree Association Hostel – Pizza Capers

Saturday, 4th April

- Volunteered As A Town Ambassador For Cruise Ship Visit

Tuesday, 7th April

- Weekly Spirit Radio (1026am) Mayor Chat
- Weekly A/CEO, Deputy Mayor and Mayor Catch Up
- Attended DeGrey LCDC Meeting At Pardoo Station
- Attended Soroptimist International Monthly Dinner Meeting

Wednesday, 8th April

- Mayor Coffee Chat & Filming With German TV Crew
- Attended New Residents Welcome Function At Hedland Well Women's Centre

Monday, 13th April

- Catch Up Meeting Re: ANZAC Day
- Attended Airport Governance Long Term Lease Review Workshop

Tuesday, 14th April

- Weekly Spirit Radio (1026am) Mayor Chat
- Weekly A/CEO, Deputy Mayor and Mayor Catch Up
- Weekly TOPH & NWT Media Meeting
- Attended Afternoon Tea Farewell Event For Geoff Byrnes
- Attended PHCCI Business After Hours At Hedland Well Women's Centre

Wednesday, 15th April

- Catch Up Meeting – Overview Of Strategic Matters
- Attended EM & Exec Meetings

- Meeting With Atlas Iron
- Meeting With WA Minister For Police and WA Attorney General

Thursday, 16th April

- Attended Monthly TOPH & PHCCI Catch Up Meeting

Friday, 17th April

- Attended Meeting With Finbar Group
- Attended Waterfront/Marina Steering Group Meeting
- Attended Key Stakeholder Meeting Port Hedland Waterfront Development
- Meeting Foodbank WA

Saturday, 18th April

- Attended Bengali New Year Celebrations At Lotteries House South Hedland

Sunday, 19th April

- Attended Whim Creek Memorial Service
- Attended Walk Thru At Wanangkura Stadium ARM Architects – 2015 WA Architectural Awards

Monday, 20th April

- Attended South Hedland CBD Forum At Lotteries House, South Hedland
- Site Visit To JD Hardie Youth Zone Re Native Animal Rescue
- Information Session For ANZAC Day Breakfast Volunteers

Tuesday, 21st April

- Weekly Spirit Radio (1026am) Mayor Chat
- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Attended Aboriginal Consultation Forum: Port Hedland Marina/Waterfront Consultation
- Media Interview ABC NW Radio Re Meeting With Attorney General & WA Police Minister
- Weekly TOPH & NWT Media Meeting
- Attended TOPH Port Hedland Marina Reference Group Meeting

Wednesday, 22nd April

- Attended PHCCI Business Breakfast
- Attended TOPH Audit & Finance Committee Meeting
- Attended EM & Exec Meetings
- Chair Ordinary Council Meeting

Thursday, 23rd April

- Meeting Pindan Re Working With LandCorp On Athol St, Port Hedland
- Attended Presentation Re Productivity Commission Report & Provision Of Long Day Care

Friday, 24th April

- Attended Port Hedland Primary School ANZAC Assembly
- Attended Hedland Senior High School ANZAC Assembly
- Attended Swearing In Ceremony To Be A Justice of the Peace (JP)

Saturday, 25th April

- Volunteered At The ANZAC Dawn Service Community Breakfast
- Attended The ANZAC Day Dawn Service
- Attended The ANZAC Day Wreath Laying At Sea
- Participated In The BloodySlow Cup – Australia vs New Zealand Netball Game
- Visited RSL – Port Hedland ANZAC House

Tuesday, 28th April

- Weekly Spirit Radio (1026am) Mayor Chat
- Attended Main Roads Adopt-A-Spot Program Launch
- Weekly TOPH & NWT Media Meeting
- Meeting With Premier Hon Colin Barnett

Wednesday, 29th April

- Attended A Briefing/Introduction Meeting Darwin Airport Group
- Attended The Welcome Sundowner National Local Government Managers Association Assembly & Business Expo (Darwin)

Thursday, 30th April

- Attended The National Local Government Managers Association Assembly & Business Expo (Darwin)

May 2015

Friday, 1st May

- Attended The National Local Government Managers Association Assembly & Business Expo (Darwin)

Saturday, 2nd May

- Attended The Kimberley/Pilbara Joint Local Government Forum (Darwin)

Sunday, 3rd May

- Attended The Kimberley/Pilbara Joint Local Government Forum (Darwin)

Monday, 4th May

- Attended The Kimberley/Pilbara Joint Local Government Forum (Darwin)
- Phone Link Up Meeting Re North West Festival

Tuesday, 5th May

- Weekly Spirit Radio (1026am) Mayor Chat
- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Meeting Tourism NT Richard Schoonraad NT Cruise Ship Marketing & Servicing
- Meeting Tourism Top End Visitor Marketing & Servicing In NT
- Attended Rose Nowers Early Learning Centre Board Meeting

Saturday, 9th May

- Attended Dinner For Soroptimist International Port Hedland Event For WA SI President Lisa Bowen

Sunday, 10th May

- Opening Speech & Participated 2015 Mother's Day Classic

Mayor thanked Town officers involved in the Mother's Day Classic event which was well attended by many dogs, kids and families. Mayor attended Welcome to Hedland night and congratulated the Town's events team on the delivery. The Town of Port Hedland stall was very funky and interactive. Mayor is looking forward to the Spinifex Spree that will be in the last week of July 2015 and the North West Festival being held in August. Mayor congratulated Town officers involved and Sunset Events for the great line-up. There has been a lot of feedback from the youth of the town on Facebook. Mayor advised that tickets for the North West Festival are on sale. Mayor also attended the presentation by Finbar three weeks ago on the stage one development on the old Port Hedland hospital site. Finbar have submitted a development approval for 106 units. Mayor advised that when Elected Members went to Darwin in 2009 they saw the apartments on the harbour that they wanted on the Port Hedland hospital site. After the recent visit to Darwin the Mayor is excited to see that the development approval that has been submitted outdoes the Darwin apartments. Mayor advised that yesterday the Town of Port Hedland made the first sale at Kingsford Smith Business Park. The \$2.9 million has been deposited into the Town's account from Bunnings. Bunnings will make a significant presence and contribution to the community. There has been a lot of speculation on Facebook that Bunnings wouldn't be coming to Port Hedland however the money has now been received. Mayor thanked Town officers involved in making the sale to Bunnings happen. The sale will act as a domino effect for other sales as a number of businesses were just waiting for the Bunnings sale to go through.

ITEM 10 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

10.1 Councillor Jacob

Councillor Jacob advised that it is great that the Kingsford Smith Business Park has a tenant which is now an attraction to other small businesses. Councillor Jacob missed out on the North West Festival announcement however she is impressed with the line-up that Sunset Events and Town staff have organised. At this time of the year in the Pilbara there is no event that surpasses the North West Festival. Councillor Jacob advised that this year there will be an Economic Forum that will lead into the Festival weekend with the program currently being developed. Councillor Jacob attended the Pilbara Development Commission (PDC) blueprint workshop. The Town will be contributing feedback to PDC in shaping the framework that will look at how funding is allocated for major projects. Councillor Jacob advised that it is important that the community voices its opinions about the positive things that are happening in the region and not be silent. The last day for feedback is the 28 June 2015. Councillor Jacob attended the Australian Citizenship Ceremony held on Thursday 14 May 2015 that was featured in the North West Telegraph' it was wonderful to welcome all new citizens. Councillor Jacob had a tour of the new Youth Involvement Council (YIC) facility which is the youth accommodation program for crisis youth in the community. There was a land swap with the Department of Housing who built a purpose built facility which has capacity to deliver services including psychological services, case management work and providing modern facilities for the clients. The facility includes two transition units for clients.

10.2 Councillor Gillingham

Councillor Gillingham attended the Freeman of the Town of Port Hedland event for Bob Neville. She thanked the Town for organising the event. Councillor Gillingham also attended the Welcome to Hedland night, the Port Hedland Chamber of Commerce and Industry breakfast, the North West Festival announcement and the lunch with the Pilbara Ports Authority Board.

10.3 Councillor Hooper

Councillor Hooper attended many of the events that other Elected Members have already mentioned. He attended a training program in Perth on how to manage recovery activities after emergency situations such as cyclones. This session provided information on how the Town can prepare and be better prepared for a crisis activity. Councillor Hooper would like to get involved in the review of the Town's current emergency management plan.

10.4 Councillor Hunt

Councillor Hunt attended many of the events that other Elected Members have already spoken about. She attended the Pilbara Ports Authority Community Consultation Group as the Town of Port Hedland Council representative. It was the first meeting of the newly formed group. There were discussions on how the Pilbara Ports Authority is structured and organised over the region. Managers spoke on their relevant areas and there was a presentation on the new tower and administration building and on the training that the pilots are required to attend. Councillor Jacob advised that the Pilbara Ports Authority are building a commercial jetty next to the current community jetty at the end of Wedge Street and that the community jetty will be able to be used by the community by August this year.

10.5 Councillor Melville

Councillor Melville is looking forward to the South Hedland Swans hosting Wickham in the Indigenous round on Saturday night, and also the return to horse racing at the Port Hedland race track. Councillor Melville thanked Town officers with assisting the Turf Club Committee with overcoming a few issues that arose.

ITEM 11 PETITIONS/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS

Nil

Disclaimer

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

ITEM 12 REPORTS OF OFFICERS**12.1 Community and Development Services****12.1.1 Delegated Planning, Building & Environmental Health Approvals and Orders for April 2015**

Carly Thompson, Executive Assistant – Community & Development
File No. 18/07/0002 & 07/02/0003

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/243 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR HUNT

That Council receive the Schedule of Planning and Building approvals and Environmental Health, Building and Planning orders issued by Delegated Authority and the listing of current legal actions for the month of April 2015.

CARRIED 8/0

EXECUTIVE SUMMARY

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of April 2015.

DETAILED REPORT

A listing of Planning and Building approvals and Environmental Health, Building and Planning orders issued by the Town's Planning, Building and Environmental Health Services under Delegated Authority for the month of April 2015 are attached to this report. Further to Council's request a listing of current legal actions is also attached to this report.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND POLICY IMPLICATIONS

Town of Port Hedland Delegation Register outlines the limitations of delegated authority and requires a list of approvals made under it to be provided to Council. This report is prepared to ensure Council is advised of the details of applications which have been dealt with under delegated authority.

ATTACHMENTS

1. Statistics for Building, Planning and health Approvals for the month of April 2015.

7 May 2015

ATTACHMENT 1 TO ITEM 12.1.1

DELEGATED PLANNING APPROVALS FOR APRIL 2015

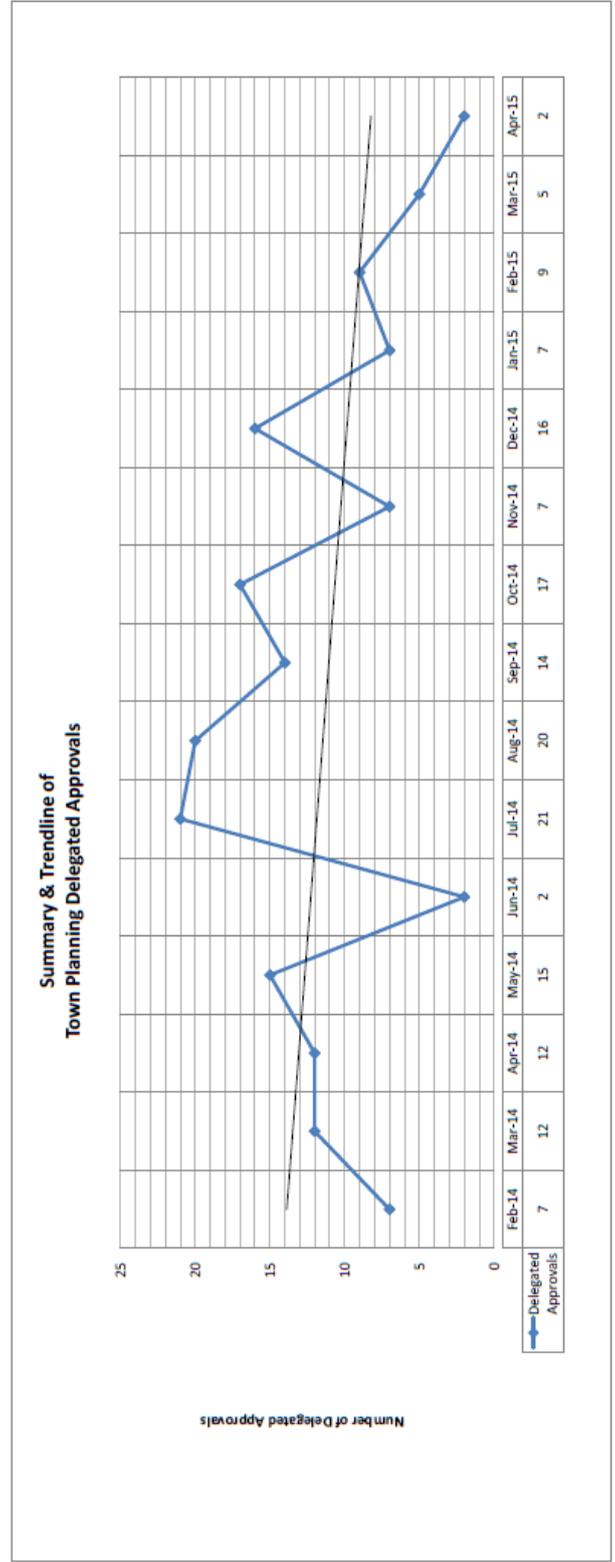
APPLICATION NO.	DESCRIPTION	LOT	PROPERTY ADDRESS	DATE APPROVED	APPLICANTS NAME	DEVELOPMENT VALUE
2015/046	OFFICE - RETROSPECTIVE APPROVAL 3X PATIOS	3813	1 PARDOO STREET WEDGEFIELD 6724	23/04/2015	SHANE ROBERT GINBEY	\$ 50,000.00
2015/052	INDUSTRY - LIGHT - CARPARK SHELTER AND TWO (2) SEA CONTAINERS	2954	3 YANANA STREET WEDGEFIELD 6724	23/04/2015	PILBARA META MAYA REGIONAL ABORIGINAL CORPORATION	\$ 90,000.00
TOTAL 2						\$ 140,000.00

COUNCIL PLANNING APPROVALS FOR APRIL 2015

APPLICATION NO.	DESCRIPTION	LOT	PROPERTY ADDRESS	DATE APPROVED	APPLICANTS NAME	DEVELOPMENT VALUE
2015/015	CHANGE OF USE - 'MOTOR VEHICLE AND/OR MARINE REPAIR' AND 'INDUSTRY LIGHT'	3	UNIT 3 2 STEEL LOOP WEDGEFIELD 6721	22/04/2015	POUND PLANNING & LAND DEVELOPMENT	\$ -
2015/025	INDUSTRY - GENERAL - RETROSPECTIVE WORKSHOP, STORAGE, OFFICE AND ABLUTIONS	1008	6 MURRENA STREET WEDGEFIELD 6724	22/04/2015	RESOLVE GROUP PTY LTD	\$1,500,000.00
TOTAL 2						\$1,500,000.00

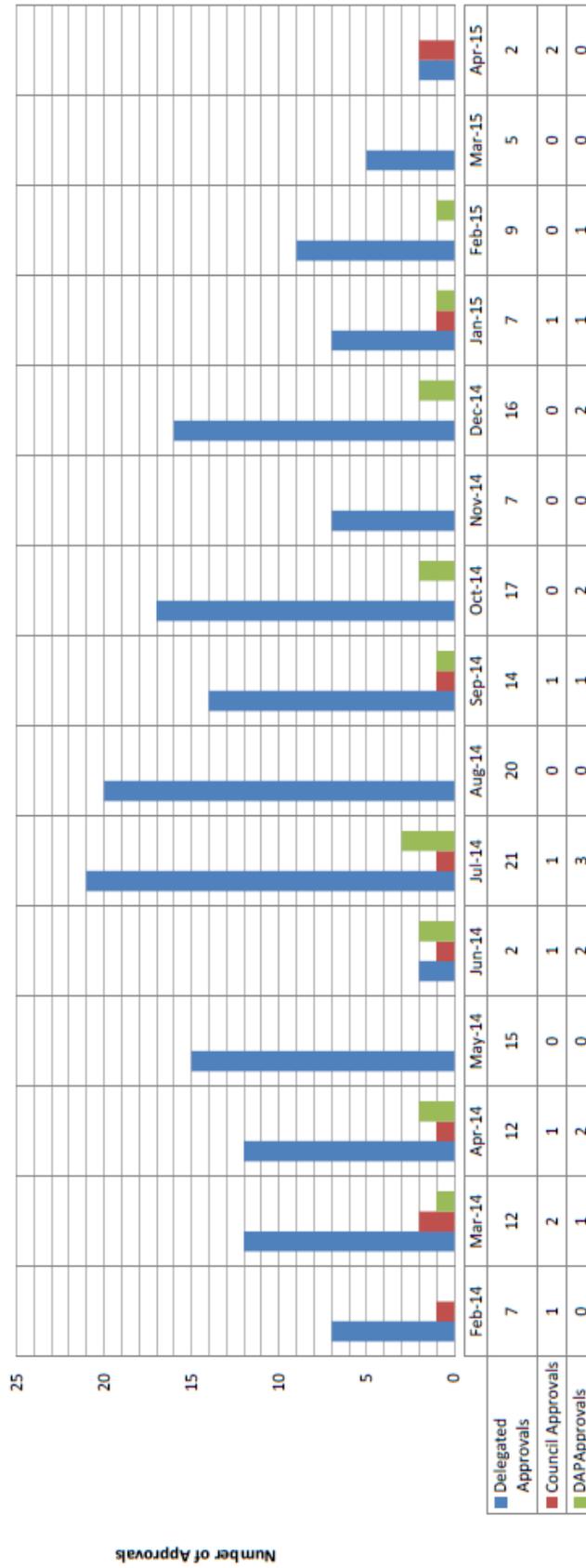
Note: There were no applications approved by DAP in April.

DELEGATED PLANNING APPROVALS FOR APRIL 2015



COUNCIL, DELEGATED & DAP PLANNING APPROVALS FOR APRIL 2015

Summary & Trendline of
Town Planning Council, Delegated & DAP Approvals



DELEGATED BUILDING APPROVALS FOR APRIL 2015

BUILDING PERMITS								
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
15-052	07.04.2015	1 BARROW PLACE	SOUTH HEDLAND 6722	ROBERT MORTON	Carpport	\$ 15,000.00	32	10a
15-053	07.04.2015	Lot 831 SUTHERLAND STREET	PORT HEDLAND 6721	MW Building Pty Ltd	2 x Steel framed shade structures	\$ 41,701.00	0	10a
15-054	10.04.2015	10 PANJYA PARADE	PORT HEDLAND 6721	Stephen Myers	Construction of Above ground spa and fencing	\$ 10,000.00	4	10b
15-063	29.04.2015	30 MCGREGOR STREET	PORT HEDLAND 6721	Pindan Contracting Pty Ltd	Construction of Public Art Work & Shade Structure	\$ 125,000.00	0	10a
15-059	20.04.2015	L115 OXIDE WAY	WEDGEFIELD 6722	ESSAM WILLIAMS	Construction of 4 x Shade Sails	\$ 13,200.00	80	10a
15-056	30.04.2015	L115 OXIDE WAY	WEDGEFIELD 6722	THE SIGNCRAFT GROUP	Signage x 4	\$ 19,500.00	0	10b
15-064	30.04.2015	38 LANGLEY GARDENS	PORT HEDLAND 6721	REVE POOLS	Installation of 1 x Inground Swimming Pool	\$ 30,000.00	15	10b
15-065	30.04.2015	7 YANANA STREET	WEDGEFIELD 6724	Kieran Reid	Caretakers Dwelling	\$ 330,000.00	200	1a
15-060	28.04.2015	15 TREVALLY ROAD	SOUTH HEDLAND 6722	TANGENT NOMINEES PTY LTD	Construction of Single dwelling and fence	\$ 499,590.00	123	1a & 10b
13-117	30.04.2015	7 YANANA STREET	WEDGEFIELD 6724	ABDUL MOUSLI	Caretakers Dwelling	\$ 330,000.00	200	2
15-061	29.04.2015	10 SANDHILL STREET	WEDGEFIELD 6724	COLIN WILKINSON DEVELOPMENTS PTY LTD	Workshop and Office	\$ 3,458,941.00	1121	5 & 7b
TOTAL 11						\$ 4,872,932.00	1775	

TOWN OF PORT HEDLAND CERTIFICATION		
Certificate Type	Number	Issued
Certificate of Design Compliance	6	
Certificate of Construction Compliance	0	
Certificate Building Compliance	0	
TOTAL	6	

OCCUPANCY PERMIT FOR APRIL 2015

OCCUPANCY PERMIT		
Permit Number	Decision Date	Description of Work
15-057	16.04.2015	Retrospective approval for Managers office
Total 1		

STRATA APPLICATION FOR APRIL 2015

STRATA APPLICATIONS								
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor Area	Classification
15-062	30.04.2015	LOT 220 TREVALLY ROAD	SOUTH HEDLAND 6722	LAND SURVEYS	Strata of six (6) residential units	\$ -	0	1a 10a & 10b
Total 1						\$ -	0	

DEMOLITION APPLICATION FOR APRIL 2015

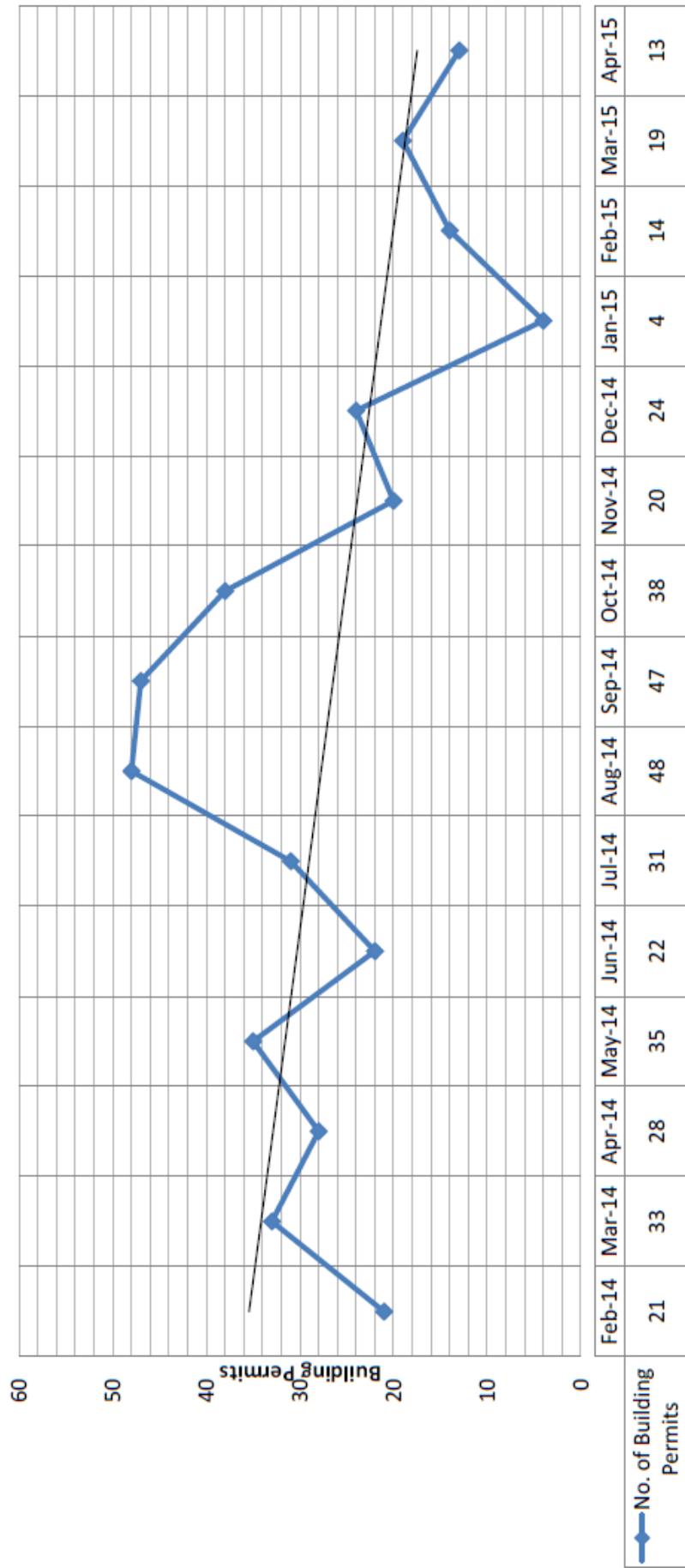
DEMOLITION PERMIT								
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor Area	Classification
15-055	16.04.2015	43 MORGANS STREET	PORT HEDLAND 6721	Joanne Herrick	Demolition of two (2) single storey dwellings and associated stores/carports	\$ 40,000.00	291	1a & 10a
TOTAL 1						\$ 40,000.00	291	

OVERVIEW SUMMARY FOR APRIL 2015

SUMMARY				
No of Permits	Permit Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
1	Demolitions	\$40,000	291	\$137.46
2	Dwellings	\$829,590	323	\$2,568.39
5	Class 10a	\$204,901	116	\$1,766.39
2	Class 10b	\$49,500	15	\$3,300.00
2	Commercial	\$3,788,941	1,321	\$2,868.24
1	Strata - Occupancy	N/A	N/A	N/A
13		\$4,912,932	2,066	

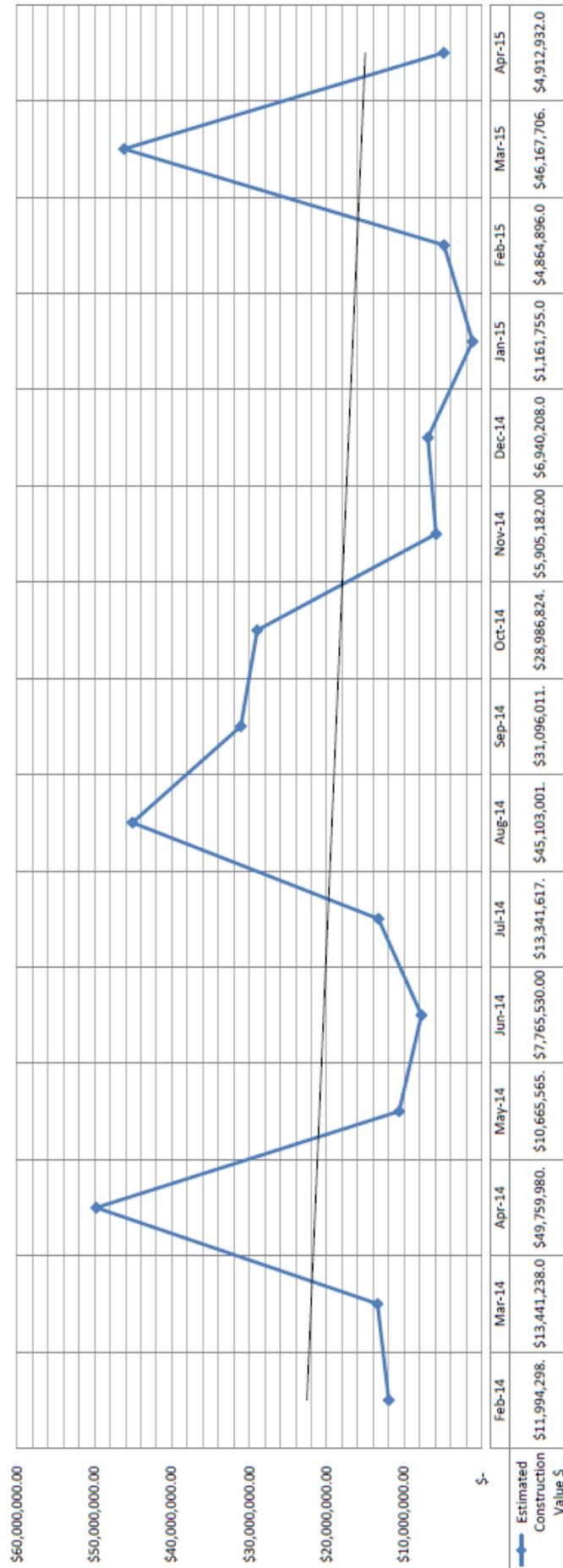
BUILDING APPROVALS FOR APRIL 2015

Summary & Trendline for Building Permits



BUILDING APPROVALS FOR APRIL 2015

**Summary & Trendline of
Estimated Construction Value of Building Permits Issued**



Ranger Services Monthly Statistical Information

2015	Jan-15	Feb-15	Mar-15	Apr-15
Camping Jobs	0	4	2	2
Cat Jobs	9	12	18	23
Dog Jobs	78	67	71	82
Fire Jobs	16	19	7	5
Litter Jobs	22	30	38	13
Livestock Jobs	0	2	1	1
Off road Vehicles Jobs	0	0	0	0
Parking Jobs	47	45	29	27
Abandoned Vehicles Jobs	42	27	47	39
Wildlife Jobs (Snakes etc)	10	9	10	5
Dog Health Program	0	0	0	0
Dogs Impounded	34	38	40	30
Cats Impounded	5	13	24	20
Total Infringements	43	108	107	28
Animals Adopted	10	5	4	4
Fires Overtime Hrs	10.5	3.5	2	0
Overtime Hrs	62	38	27	38.5
Additional hrs by Contract Staff	43.5	21	17	19.5
*Total Jobs Attended	227	215	227	177

***Total Jobs Attended not reflective of the following:- Patrols of parks, reserves, foreshores & pound duties. NB:Cat Jobs relate to calls about lost, found, wanted , abandoned or feral trapped cats. Cats impounded relates to the total number of impounded ca**

CURRENT LEGAL MATTERS FOR APRIL 2015

CURRENT LEGAL MATTERS				
File No.	Address	Issue	Current Status	Officer
117650G	Lot 2505 # 7 Moorambine Street, Wedgefield	Unauthorised Residential Structures	Handed over to the attorney - 1st Hearing set for Friday 2nd August 2013 - Adjourned until 30th August 2013 - Adjourned until 18th October 2013 - Sentencing scheduled for 22nd November 2013 - Adjourned until 20th Feb 2014 - Sentencing scheduled for the 9th April 2014 - Adjourned until 9th May 2014 - Set down for trial on 2nd December 2014 - Trial adjourned until the 6th and 7th August 2015	BM
401840C	Lot 841 # 34 Sutherland Street, Port Hedland	Asbestos house dumped on reserve (Old hospital site)	Frank Cain was fined \$2,500	MS
154427G	Lot 16 # 59-61 Greenfield Street, South Hedland	Unauthorised use as a laydown and storage facility	Third mention scheduled for 29th June 2015.	RS
130510G	Lot 5873 # 17 Schillaman Street, Wedgefield	Unauthorised Development (Illegal Dwelling on Council Land)	Frank Cain was fined \$12,500	MS
154426G	Lot 15 # (55-57) Greenfield Street, South Hedland	Unauthorised lay down and storage facility	Next mention on 3rd July 2015	RS
118650C	Lot 1638 (18) Yanana Street, Wedgefield	Unauthorised development and use	Second mention on the 17th July 2015.	RS

12.1.2 Proposed Road Dedication on Lot 8016 Throssell Road, South Hedland on Deposited Plan 77750

Katherine Shaw, Lands and Technical Officer
File No. 803303G

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/244 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HOOPER

SECONDED: CR HUNT

That Council resolve to request Department of Lands to dedicate a portion of Lot 8016 Throssell Road, South Hedland on Deposited Plan 77750 as road reserve, as per Attachment 1, subject to the following advice being provided to the applicant;

- a) Telstra and Optus have assets within the area and suggest that the applicant contact dial-before-you-dig to obtain a detailed site plan showing the location of the Telstra and Optus infrastructure;**
- b) Engage a Telstra Accredited Plant Locator (APL) to determine the exact location of the Telstra assets.**

CARRIED 8/0

EXECUTIVE SUMMARY

The Town is in receipt of a request from McMullen Nolan Group on behalf of Horizon Power to dedicate a portion of Lot 8016 Throssell Road, South Hedland as road reserve. The road reserve is required to accommodate a Horizon Power transformer.

The Town recommends that Council support the request.

DETAILED REPORT

As part of the redevelopment of South Hedland Town Centre, underground power is to be installed to service three newly created lots being Lot 8015, 8016 and 8018 Throssell Road, South Hedland. Please refer to Attachment 1 – Locality Plan.

The infrastructure to be installed includes a Horizon Power transformer on Lot 8016 Throssell Road, South Hedland. In order to accommodate the Horizon Power transformer a 47m² portion of Lot 8016 is required to be dedicated as road reserve. Please refer to Attachment 2 – Road Widening Plan.

This request has been referred internally, externally and advertised in the North West Telegraph. The statutory advertising period of thirty five (35) days is designed to allow all interested parties, including public service providers, to comment on the proposal prior to Council dedicating a road or a portion of a road.

Notwithstanding the above, the following public service providers were requested to provide comment:

- Water Corporation,
- Telstra,
- Optus.

The Water Corporation did not respond. Telstra and Optus have advised that they have no objections but did provide the following advice:

- Telstra have assets within the area and suggest that the applicant contact dial-before-you-dig to obtain a detailed site plan and engage a Telstra Accredited Plant Locator (APL) to determine the exact location of the asset;
- Optus have assets within the area and recommend that the applicant lodge a Dial-before-you-dig is request before works are undertaken.

The application was circulated internally to Technical Services with no objections received.

FINANCIAL IMPLICATIONS

There will be no financial implications to the Town.

STATUTORY AND POLICY IMPLICATIONS

Section 56 of the *Land Administration Act 1997* establishes the procedure for dedicating a road.

Strategic Planning Implications

Strategic Community Plan 2014-2024

The following section of Council's Strategic Community Plan 2014 - 2024 is considered relevant to the proposal:

2. Supporting a diverse economy
- 2.1 A thriving, resilient and diverse economy

The dedication of the road reserve will facilitate underground power being installed in the South Hedland Town Centre. The re-development of the South Hedland Town Centre will benefit significantly from the installation of underground power.

ATTACHMENTS

1. Locality Plan.

2. Road Widening Plan.

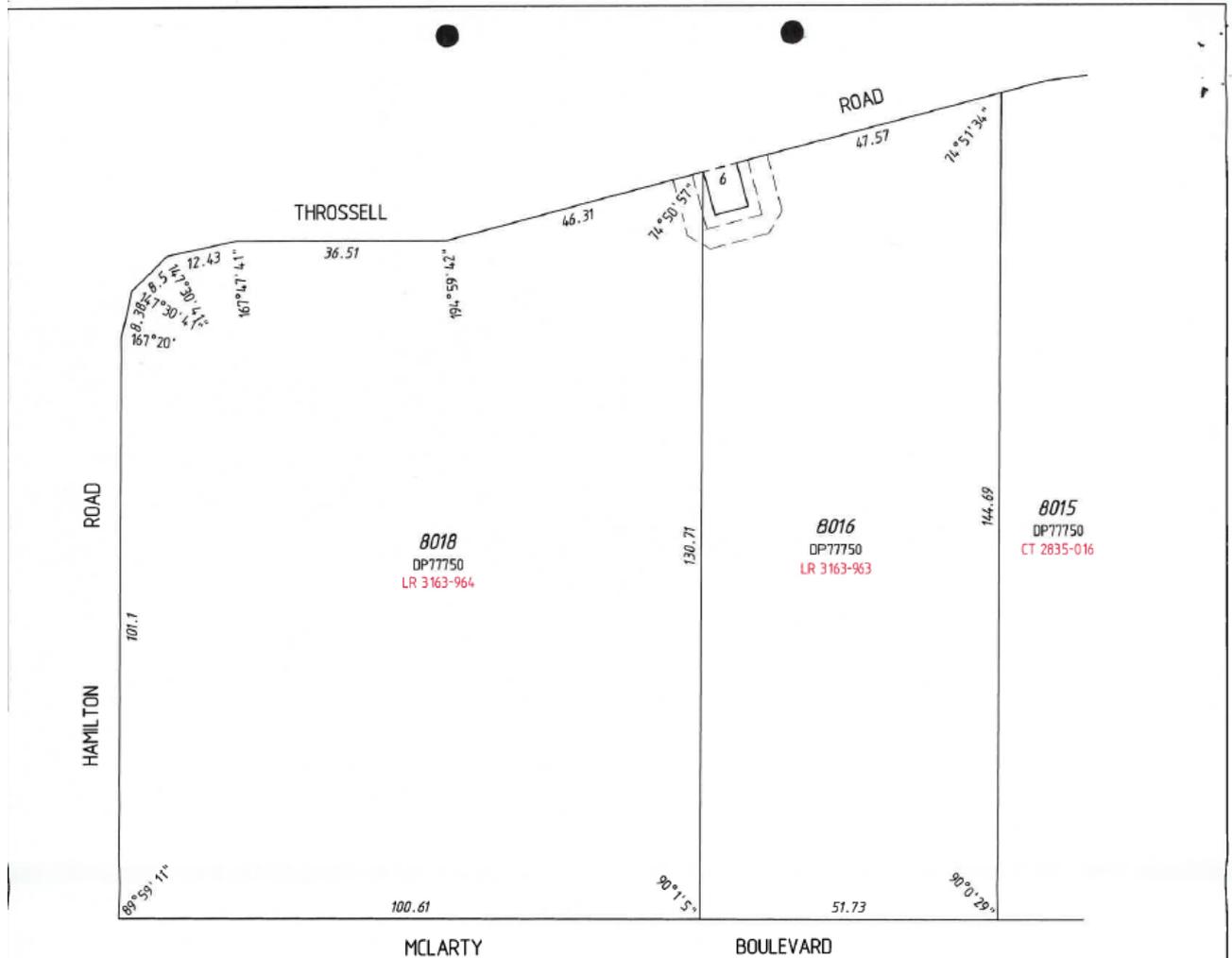
30 April 2015

ATTACHMENT 1 TO ITEM 12.1.2

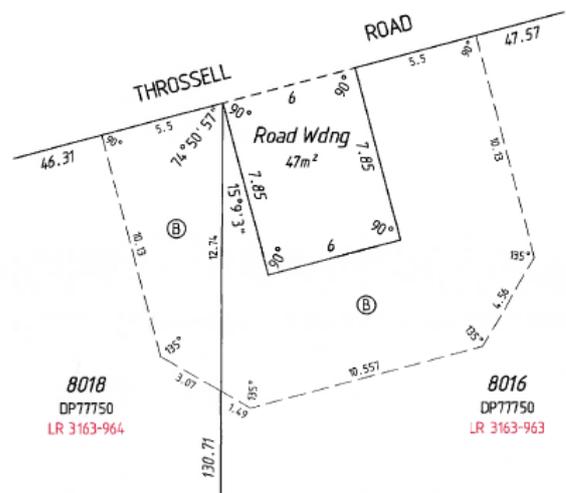
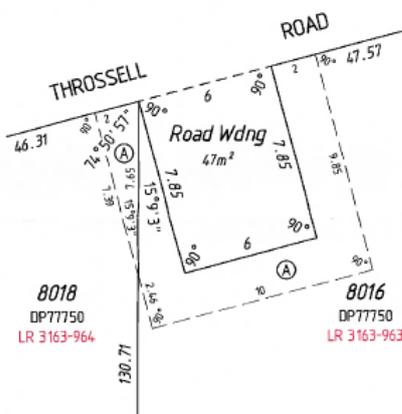
Attachment 1 – Locality Plan



ATTACHMENT 2 TO ITEM 12.1.2



ENLARGEMENT (A)
"FENCING RESTRICTION"
SCALE 1:200 @ A3



ENLARGEMENT (B)
"BUILDING RESTRICTION"
SCALE 1:200 @ A3

					<p>HORIZON POWER LAND REQUIREMENTS LOTS 8016 AND 8018 ON DP77750 THROSSSELL ROAD, SOUTH HEDLAND</p>	<p>CLIENT LANDCORP</p>	<p>The contents of this plan are current and correct as of the date stated within the revision panel. All consultants and persons relying on this data should satisfy themselves of this plan's currency by contacting MCLARTY Nelson Group.</p>
<p>Drawn: [] Date: []</p>		<p>Checked: [] Date: []</p>					
<p>SCALE @ A3 1:750</p>		<p>The boundaries shown on this plan were not re-established as part of this survey. Therefore this plan does not guarantee their accuracy. Existing structures, easements or interests are not depicted and a title search is recommended to obtain this information. The responsibility of the subject of boundaries is recommended for any proposed works on or near existing boundaries.</p>			<p>MCLARTY NELSON GROUP Level 1, 2 Salsbery Court Jennings, W.A. 6144 PO Box 2226, Seacombe W.A. 6146, Australia Offices in: Brisbane, Bundaberg, Mackay, Rockhampton, Townsville, Port Hedland</p>	<p>Tel: (08) 9466 5100 Fax: (08) 9456 1500 info@mcclarty.com.au www.mcclarty.com.au A4810 007 101 222</p>	<p>Project No: 95168-MP-123-A</p>

12.1.3 Proposed Permanent Closures of Portions of Hamilton Road and Shoata Road, South Hedland Road Reserve

Katherine Shaw, Lands and Technical Officer
File No. 28/01/0017

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/245 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR HOOPER

That Council resolve to request the Department of Lands to permanently close four portions of Hamilton Road and Shoata Road, South Hedland, as per attachment 1, subject to:

- a) Department of Housing acquiring the adjoining unallocated crown land and Reserve 32697 for residential development purposes;**
- b) A minimum of 12 metres clearance from the edge of the North Circular Road is required to allow for future road widening;**
- c) Any alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of the Manager of Engineering and Projects;**
- d) Compliance with the Telstra's requirements to relocate any existing infrastructure to the new road reserve.**

CARRIED 8/0

EXECUTIVE SUMMARY

The Town is in receipt of a request from Department of Housing to close portions of Hamilton Road and Shoata Road, South Hedland and amalgamate the portions into the adjoining unallocated crown land (UCL) to facilitate future residential development.

The Town recommends that Council support the request.

DETAILED REPORT

The Department of Housing wishes to purchase the portions of road reserve and amalgamate the land into the adjoining UCL and Reserve. The Department of Housing is in discussions with Department of Lands to purchase the adjoining UCL and acquire Reserve 32697. Reserve 32697 is not under the management of the Town. Department of Housing proposes to development the acquired land into a variety of residential accommodation types.

The portions of road reserve are not required as part of the surrounding local roads. The four portions of road reserve are 21.5706ha, 22.0423ha, 2.7788ha and 2.7782 ha. Please refer to Attachment 1 – Road closure plan.

This matter was referred internally, externally and an advertisement was placed in the North West Telegraph. The statutory advertising period of thirty five (35) days is designed to allow all interested parties, including public service providers, to comment on the proposals prior to Council permanently closing a road reserve.

Notwithstanding the above, the following public service providers were requested to provide comment:

- Horizon Power,
- Water Corporation,
- Telstra,
- Optus,
- Department of Water

Optus and Horizon Power did not respond. The Water Corporation, Department of Water and Telstra have raised no objection to the proposal, subject to the following:

- Telstra require that any existing infrastructure located within the current road reserve is relocated to the new road reserve;

The application was circulated internally to Technical Services; no objections were received, subject to the following:

- A minimum of 12 metres clearance from the edge of the North Circular Road is required to allow for future road widening;
- Any alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of the Manager Infrastructure Development.

FINANCIAL IMPLICATIONS

There will be no financial implications to the Town.

STATUTORY AND POLICY IMPLICATIONS

Section 58 of the *Land Administration Act 1997* and regulation 9 of the *Land Administration Regulations 1998*, establishes the procedure for closing a road.

The subsequent sale of the Crown Land is undertaken by State land Services on behalf of the Minister in accordance with Part 6 of the *Land Administration Act 1997*.

Strategic Planning Implications

Strategic Community Plan 2014-2024

The following section of Council's Strategic Community Plan 2014 - 2024 is considered relevant to the proposal:

- 2. Supporting a diverse economy
- 2.1 A thriving, resilient and diverse economy

The closure of this redundant road reserve will facilitate the development of additional residential development for Department of Housing and support Town growth.

ATTACHMENTS

- 1. Road Closure Plan.

21 April 2015

12.1.4 Proposed Permanent Closure of a Portion of Collier Drive Road Reserve, South Hedland

Katherine Shaw, Lands and Technical Officer
File No. 28/01/0017

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/246 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR GILLINGHAM

That Council resolve to request Department of Lands to close a portion of Collier Drive Road Reserve, as per Attachment 1, subject to the following;

- a) Any alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of the Manager Engineering and Projects.**

CARRIED 8/0

EXECUTIVE SUMMARY

The Town is in receipt of a request from GHD to close a portion of Collier Drive road reserve to facilitate the development of Lot 100 Wise Terrace, South Hedland.

The Town recommends that Council support the request.

DETAILED REPORT

On the 29 January 2014 the Development Assessment Panel approved fifty five (55) grouped dwellings, twenty (20) multiple dwellings, office and retail on Lot 100 Wise Terrace, South Hedland.

An 18m² portion of Collier Drive road reserve is required to be closed and amalgamated into Lot 100 Wise Terrace, South Hedland to facilitate the development of the Lot. The portion of road reserve accommodated a Horizon Power substation module, which has since been removed by Horizon Power. Please refer to Attachment 1 – Road Closure Plan.

This matter was referred internally, externally and an advertisement was placed in the North West Telegraph. The statutory advertising period of thirty five (35) days is designed to allow all interested parties, including public service providers, to comment on the proposals prior to Council permanently closing a road reserve.

Notwithstanding the above, the following public service providers were requested to provide comment:

- Horizon Power,

- Water Corporation,
- Telstra,
- Optus.

Optus did not respond. The Water Corporation, Horizon Power and Telstra have raised no objection to the proposal.

The application was circulated internally to Technical Services; no objections were received, subject to the following:

- Any alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of the Manager of Engineering and Projects.

FINANCIAL IMPLICATIONS

There will be no financial implications to the Town.

STATUTORY AND POLICY IMPLICATIONS

Section 58 of the *Land Administration Act 1997* and regulation 9 of the *Land Administration Regulations 1998*, establishes the procedure for closing a road.

The subsequent sale of the Crown Land is undertaken by State land Services on behalf of the Minister in accordance with Part 6 of the *Land Administration Act 1997*.

Strategic Planning Implications

Strategic Community Plan 2014-2024

The following section of Council's Strategic Community Plan 2014 - 2024 is considered relevant to the proposal:

2. Supporting a diverse economy
 - 2.1 A thriving, resilient and diverse economy

The closure of this redundant road reserve will facilitate the development of additional residential and commercial development and will support Town growth.

ATTACHMENTS

1. Road Closure Plan.

23 April 2015

ATTACHMENT 1 TO ITEM 12.1.4



12.1.5 Proposal to Extend Lease for Noxious Operations on Lot 5857 House no. 20 Schillaman Street, Wedgefield

Katherine Shaw, Lands and Technical Officer
File No. 130632G

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/247 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HOOPER

SECONDED: CR MELVILLE

That Council:

- 1. Supports the proposal to extend Lease I8165520 for Noxious Use on Lot 5857 Schillaman Street, Wedgefield for a period of two (2) years, commencing 1 July 2015 and expiring 1 July 2017 - timeframe subject to Department of Lands approval.**
- 2. Request the Department of Lands to extend Lease I8165520 for Noxious Use on Lot 5857 Schillaman Street, Wedgefield for a period of two (2) years.**

CARRIED 7/1

EXECUTIVE SUMMARY

The Town has received a request from SNC Lavalin on behalf of Toxfree to support the extension of the Lease for a Noxious Use at Lot 5857 Schillaman Street, Wedgefield for a period of two (2) years and to amend the conditions of the extension of the Lease specified by the Town in a previous Council resolution.

Council is recommended to support the extension of the Lease.

DETAILED REPORT

On 7 February 2008, the Department of Environment and Conservation approved an application for a licence to operate an Oil and Liquid Recycling Facility on Lot 5857 Schillaman Street, Wedgefield. The approved operations were for 'Incineration' and a 'Liquid Waste Facility'. Please refer to Attachment 1 – Locality Plan.

The licence to operate was renewed and approved on 6 February 2009, with an expiry date of 8 February 2012, listing the same operational uses.

At the Ordinary Council Meeting held on 12 December 2012 Council resolved to:

- 1. Support the proposal to renew Lease I816520 for Noxious Use on Lot 5857 Schillaman Street, Wedgefield, for a period of two (2) years, with*

the ability to, on request to Council extend for a further two (2) years, subject to the following conditions:

- *An operational plan endorsed by the DEC and EPA clearly outlining the impact the use may (if any) have on the existing surrounding uses; and*
- *A mitigation plan endorsed by the DEC and EPA clearly indicating how (if any) impacts identified in (a) above will be alleviated.*

Toxfree's lease is a Crown Lease with Department of Lands. The lease of the land expired 31 December 2014. Toxfree have been tenants at will since the expiry of their lease.

The Toxfree facility is a prescribed premise and a Licence has been issued by the Department of Environment and Regulation (DER) under *Environmental Protection Act 1986, Part V* (Licence Number L6789/1994/16). Pursuant to the *Environmental Protection Regulations 1987, Schedule 1*, Toxfree is licensed to carry out the following activities:

- Category 39 – Chemical or oil recycling
- Category 61 – Liquid waste facility
- Category 61A – Solid waste facility

Toxfree advised DER in June 2013 that waste incineration operations were no longer occurring at the facility and Category 60 - Incineration was removed from the Licence in July 2013. The incinerator has been decommissioned and removed from the site. As per Licence Number L6789/1994/16, DER required a summary of the results of environmental monitoring and compliance reporting under *Environmental Protection Act 1986* since cessation of incineration operations.

The Toxfree facility has developed an integrated Quality Environment Safety and Training (QUEST) Management System, which provides a framework to the business and site operations. Toxfree have advised that they will provide the Town with a summary of the latest QUEST environmental audit results for the premise and a summary of internal QUEST requirements and how these have been applied to operational processes to manage and mitigation environmental impacts.

It is recommended that as the Incinerator has been removed from the site and Toxfree are taking measures to ensure Environmental Compliance, the conditions of the extension of the lease regarding an operational plan and mitigation plan are no longer applicable.

FINANCIAL IMPLICATIONS

There are no financial implications to the Town.

STATUTORY AND POLICY IMPLICATIONS*Strategic Planning Implications*

Strategic Community Plan 2014-2024

The following section of Council's Strategic Community Plan 2014 - 2024 is considered relevant to the proposal:

2. Supporting a diverse economy
- 2.1 A thriving, resilient and diverse economy

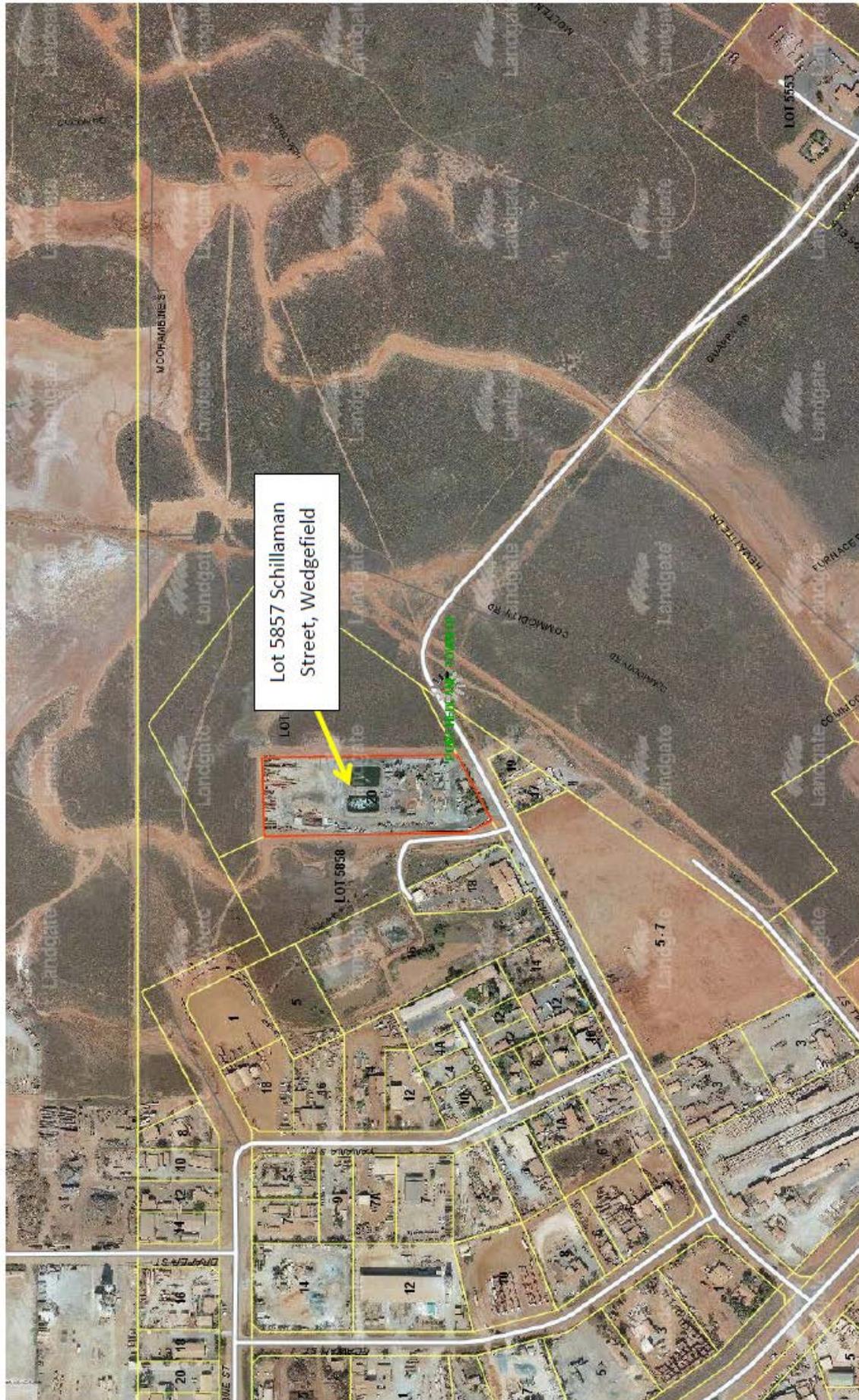
Toxfree provides an essential waste processing service to the Pilbara Region. The waste processing facility brings economic diversification and employment opportunities for the community of Port Hedland.

ATTACHMENTS

1. Locality Plan.

4 May 2015

ATTACHMENT 1 TO ITEM 12.1.5



12.1.6 Proposed Extension of Time for Industry Noxious – Concrete Batching Plant Facility on Lot 1032 (16) Murrena Street, Wedgefield

Ben McKay, Acting Senior Statutory Planning Officer
File No. 120490G

DISCLOSURE OF INTEREST BY OFFICER

Nil

AMENDED RECOMMENDATION

That Council:

1. Approve the request to extend the approval period for Planning Permit (2013/292) issued 24th July 2013 for a “Noxious Industry” – Concrete Batching Plant Facility on Lot 1032 Murrena Street, Wedgefield
2. Amend and extend for 12 months to expire on 23 July 2016, Condition 2 of the permit issued 24th July 2013 to now read:

“2. The approval shall be a valid for a period of 3 years”
3. Advise the applicant that no further extensions of this approval will be considered in the future.

201415/248 COUNCIL DECISION

MOVED: CR DACCACHE

SECONDED: CR HOOPER

That Council:

1. Approve the request to extend the approval period for Planning Permit (2013/292) issued 24th July 2013 for a “Noxious Industry” – Concrete Batching Plant Facility on Lot 1032 Murrena Street, Wedgefield
2. Amend and extend for 12 months to expire on 23 July 2016, Condition 2 of the permit issued 24th July 2013 to now read:

“2. The approval shall be a valid for a period of 3 years”

CARRIED 5/4 BY THE MAYOR’S CASTING VOTE

Reason: Council believe that the option for further extensions of the approval should be considered in the future as there may be changes in location possibilities.

EXECUTIVE SUMMARY

The Town received a request from Mobile Concreting Solutions Pty Ltd. on behalf of the property owner Emanuel Dillon, for an extension of time request to previously approved application 2013/292 issued 24th July 2013 for “Noxious Industry” – Concrete Batching Plant Facility on Lot 1032 Murrena Street, Wedgefield (Subject site).

The application is supported by Town officers, and is recommended for approval.

DETAILED REPORT

Site Description (Attachment 1)

The site is rectangular and has an area of 4,836m², ingress to and egress from the site is obtained via Murrena Street.

In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5), the subject site is zoned “Industry” and is located within the “Wedgefield Special Control Area”. TPS5, zoning table identifies the proposed use of “Industry Noxious” as an “SA” use. An “SA” use can be considered for approval by Council within an “Industry” zone subject to compliance with clause 4.3 of TPS5.

Proposal

The applicant proposed a three (3) year approval period for “Noxious Industry” – Concrete Batching Plant Facility on Lot 1032 Murrena Street, Wedgefield to align with the current lease held on the block. Planning approval was granted at the Ordinary Council Meeting held on 24th July 2013 for a two (2) year period.

It was determined that although the current location was not ideal for the proposed use, no other land was available at the time. Scheme amendment 65, to allow “Noxious Industry” within the Transport Development Zone however had been initiated and the process to rezone the land was expected to take twelve (12) – eighteen (18) months, hence only a two (2) year approval was supported.

Scheme Amendment 65 was gazetted on 13 January 2015 with the Scheme text amended on 26 March 2015. Due to the current economic climate and the finalization of the Scheme Amendment occurring only recently, the applicant is asking for an additional 12 months in order to see out the current lease on the property as well as beginning discussions for purchasing appropriately zoned land.

FINANCIAL IMPLICATIONS

A fee of \$200 has been received as per the prescribed fees approved by Council.

STATUTORY AND POLICY IMPLICATIONS

In accordance with the Planning and Development Act 2005, the proposed development is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Section 6.7.2 (Industry General Provisions) of the TPS5 states as follows:

In considering planning applications within the Strategic industry, Industry, Industrial Development, Transport development and Light Industry zones, Council shall have regard for the:

- Compatibility of uses;
- Potential impact of the proposal on the efficient and effective operations of the existing and planned industry, infrastructure or public purpose, and
- Risks, hazards, health and amenity associated with the proposed use being located in proximity to existing and planned industry, infrastructure or public purpose or any other use.

The following sections of Council's Strategic Plan 2014 – 2024 are considered relevant to this proposal:

- 2 Supporting a diverse Economy
- 2.1 A thriving, resilient and diverse economy

Facilitate commercial, industry and Town growth.

Planning Comment

Although it is recognised the Town has a pivotal role in the increasing the range of businesses operating within the Town, these types of industries need to demonstrate their ability to effectively operate without creating land use conflicts with sensitive land uses.

ATTACHMENTS

1. Locality Plan
2. Applicants justification

04 May 2015

ATTACHMENT 1 TO ITEM 12.1.6



ATTACHMENT 2 TO ITEM 12.1.6



MOBILE CONCRETING SOLUTIONS PTY LTD
PO BOX 1435, Karratha WA 6714
ABN: 50 130 398 266
ACN: 130 398 266
PH: (08) 9185 0400
FAX: (08) 9185 0450
admin@mobileconcrete.com.au

Ben Mckay
Statutory Planning Officer,
Town of Port Hedland.
PO Box 41, Port Hedland WA 6721.

Extension of Time to application 2013/292

Dear Ben,

I am writing to you to request a 12 month extension of time to the Shire Permit approval 2013/292.

This approval expires on the 24th July 2015.

Mobile Concreting Solutions Pty Ltd (MCS) are a Safety, Quality and NATA accredited Company who specialises in the Supply of Concrete and Construction materials to the Mining and Construction Industry.

The purpose for the EOT is that we are committed to a 3 year lease at the current Lot, as this lease is quite expensive we wish to utilise it as best we can.

It is our intention to purchase land once this lease expires in the now appropriately zoned lots.

MCS promotes the practice of employing locally as opposed to the FIFO model, as such MCS employs 23 people locally throughout the Pilbara.

MCS are an independent Supply Company and since beginning operations in Port Hedland 18 months ago, the price of Concrete has dropped more than 20%. This creates some positivity for investment in a contracting market.

Thank you for your consideration and I look forward to your response.

Kind Regards

A handwritten signature in black ink, appearing to read 'Richard Clarke', is written over a thin horizontal line.

Richard Clarke
Managing Director.

12.1.7 Proposed Extension of Non-conforming Use - Transport Depot and Dome Workshop Addition on Lot 3 (3) Trig Street, Wedgefield

Ben McKay, Acting Senior Statutory Planning Officer
File No. 121670G

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/249 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR BUTSON

That Council refuses the application submitted by Whelans on behalf of the owner, John Yujnovich, for the extension of the Non-Conforming Use – Transport Depot and Dome Workshop Addition on Lot 3 (3) Trig Street, Wedgefield for the following reasons:

- a) The previous approved use on the subject site has been for ‘Storage of Buildings’.**
- b) The applicant has not demonstrated a non-conforming use right for a “Transport Depot”.**
- c) In terms of TPS5 the proposed use defined as “Transport Depot”, being a prohibited use within the “Industry” zone.**

CARRIED 8/0

EXECUTIVE SUMMARY

The Town received an application from the Whelans Town Planning on behalf of John Yujnovich. Council is asked to consider this application for Planning Approval for a proposed extension to an Non-conforming Use – Transport Depot – Dome Workshop addition on Lot 3 (3) Trig Street, Wedgefield (subject site).

The current approved use on the subject site is ‘Storage of Buildings’, being a use not listed, which was approved on 16 February 1993. At the time of approval the Town of Port Hedland Town Planning Scheme No. 4 (TPS4) was gazetted and had a use listed for “Transport Depot”.

The subject site was capable of approval as a “Transport Depot” yet not applied for, instead a specific use of ‘Storage of Buildings’ was applied for and approved.

The applicant has acknowledged the use on the site has remained consistent and in accordance with the 1993 approval.

On this basis, the Town’s officers recommend Council refuse the application.

DETAILED REPORT

Site Description (attached 1)

The subject site achieves access from Trig and Pinga Streets and covers an area of approximately 7,544m². In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5) the subject site is zoned "Industry" and is located within the "Wedgfield Special Control Area". The proposed use "Transport Depot" is in terms of the TPS 5, a non-permitted use.

Previous Approvals

On the 16 February 1993, Planning Approval was granted for "Storage of Buildings" on Lot 3 (3) Trig Street, Wedgfield.

On the 23 February 2000, Planning Approval was granted for "Caretakers Dwelling" on Lot 3 (3) Trig Street, Wedgfield. The Planning Approval was never enacted and therefore lapsed on 23 February 2011.

On the 2 December 2009, Planning Approval was granted under delegated authority for "Showroom, Warehouse and Incidental Offices" on Lot 3 (3) Trig Street, Wedgfield. The Planning Approval was never enacted and therefore lapsed on 2 December 2010. The previous approval of 1993 was still the approved use on the site.

On the 28 April 2011, Planning Approval was refused under delegated authority for "Change of Use Storage Facility/ Depot/laydown area – Storage of Complete and Incomplete Buildings" on Lot 3 (3) Trig Street, Wedgfield. Therefore the previous approval of 1993 was still the approved use on the site.

On the 5 September 2011, Planning Approval was granted under delegated authority for "Warehouse and Incidental Office" on part of Lot 3 (3) Trig Street, Wedgfield. Therefore the previous approval of 1993 was still the approved use on the majority of the site.

On the 8 March 2012, Planning Approval was refused under delegated authority for Change of Use "Warehouse" to "Storage Facility/ Depot/laydown area – Storage of Complete and Incomplete Buildings" on Lot 3 (3) Trig Street, Wedgfield.

Subsequently an appeal was lodged with the State Administrative Tribunal (SAT) and on 9 November 2012 the Town was invited to reconsider its decision. On the 12 December 2012 Council granted Planning Approval for Change of Use "Warehouse" to "Storage Facility/ Depot/laydown area – Storage of Complete and Incomplete Buildings" on Lot 3 (3) Trig Street, Wedgfield.

On the 5 July 2013 the SAT proceeding was withdrawn, meaning the Planning Approval granted on 12 December 2012 in accordance with s.31 State Administrative Tribunal Act 2004 was withdrawn. The refusal on 8 March 2012 remained in place. Therefore the previous approval of 1993 was still the approved use on the majority of the site

On the 6 November 2013, Planning Approval was granted under delegated authority for "Retrospective Warehouse, Shed and Incidental Office" on part of Lot 3 (3) Trig Street, Wedgfield. Therefore the existing approved uses onsite

are “Retrospective Warehouse, Shed and Incidental Office” on part of Lot 3 (3) Trig Street, Wedgefield and the previous approval of 1993, “Storage of Buildings” the majority of the site. (Attachment 2)

Proposal

The applicant is seeking approval for extension of a Non-conforming Use – Transport Depot and Dome Workshop addition on Lot 3 (3) Trig Street, Wedgefield. The proposal is to reconfigure and upgrade the overall operations through removing and relocating a number of existing buildings from the subject site as well as creating a designated Storage/Laydown area for relocated Buildings. A Workshop and wash down bay is also proposed on the site.

Consultation

The application was circulated as follows:

Internally:

- Technical Services
- Environmental Health Services

Externally:

- Water corporation
- Main Roads
- Telstra
- Optus
- Horizon Power

The comments raised by the internal and external agencies have been captured within the report.

FINANCIAL IMPLICATIONS

An application fee of \$1,698.30 has been received as per the prescribed fees approved by Council.

STATUTORY AND POLICY IMPLICATIONS

In accordance with the *Planning and Development Act 2005*, the proposed development is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Establishing Non-Conforming Use Rights

Section 8.1 of TPS5 “Non-Conforming Use Rights” states:

“Except as otherwise provided in this Part, no provision of the Scheme shall prevent the:

- (a) *continued use of any land or building for the purpose for which it was lawfully used at the time of coming into force of the Scheme, or*
- (b) *carrying out of any development thereon for which, immediately prior to that time, a permit or permits, lawfully required to authorise the development to be carried out were duly obtained and are current.”*

The current approved use on the site is the Planning Approval granted on 16 February 1993 for ‘Storage of Buildings’, subject to the following conditions:

1. *That a pre cyclone inspection is called for and that all buildings are inspected.*
2. *That each building is securely tied down immediately it is placed on site between 1 November to 30 April. The building must be stored and secured to manufacturer’s recommendation. That Structural Engineer’s certificates being submitted for each type of building showing footing and tiedown sizes and positions. Engineer’s calculations must be submitted.*
3. *That Council be notified for each individual building being placed on site during cyclone season within three days.*
4. *That no building is used for any other purpose than storing on site.*
5. *That only complete and undamaged buildings are stored in the open ground and all openings are to be protected.*

At the time the original approval was issued it was assessed in accordance with the use listed on the Planning Application, being “Storage of Buildings’, The approved Use on the site has always been in compliance with the Planning Approval granted on 16 February 1993 for the ‘Storage of Buildings’, as recognised by the applicant in their report. At the time of the Planning approval TPS4 was gazetted and in effect.

TPS4 did have a Use listed for ‘Transport Depot’ defined as:

“Means land and Buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another of such motor vehicles and includes maintenance and repair of the vehicles used, but not of other vehicles.”

The subject site has never lawfully had approval for a ‘Transport Depot’ and therefore cannot justify a Non-Conforming Use right.

Development controls

Development in the Industry zone is subject to the provisions of Clause 6.7 (Industry Provisions).

Strategic Planning Implications

The following section of Council's Strategic Community Plan 2014-2024 is considered relevant to the amendment:

- 2 Supporting a diverse Economy
- 2.1 A thriving, resilient and diverse economy

Facilitate commercial, industry and Town growth.

Planning Comment

Although it is recognised the Town has a pivotal role in the increasing the range of businesses operating within the Town, these types of industries need to demonstrate their ability to effectively operate without creating land use conflicts with sensitive land uses.

Planning Comment

Although it is recognised the Town has a pivotal role in the development of Port Hedland to become a major transport hub and link in the Pilbara, the Town should be supporting the relocation of these types of industries in a designated area, ergo the Transport Development zone.

The following section of the Pilbara's Port City Growth Plan is considered relevant to the amendment:

5.6.6 Precinct 6 – Wedgefield Industry & Logistics

"The Wedgefield Industry & Logistics Precinct supports our City's primary Light Industrial and Transport Industry businesses. Expansion of the precinct will continue to provide greater diversity of industrial land choice and act as the catalyst for improved amenity within established Wedgefield".

Planning Comment

Precinct Plan 6 identifies the need to support a dedicated transport and logistics area with the gradual relocation of the heavier industries into the new zone. By refusing the application, it should encourage the business owner to relocate to the Transport Development zone.

Policy Implications

10/001 – Existing Trees

"Pundal trees shall not be removed without prior consent of Council".

A visit to the site has revealed there are no Pundal Trees located on the site

ATTACHMENTS

1. Locality Plan
2. Applicants Justification (Under Separate Cover)
3. Development Plans

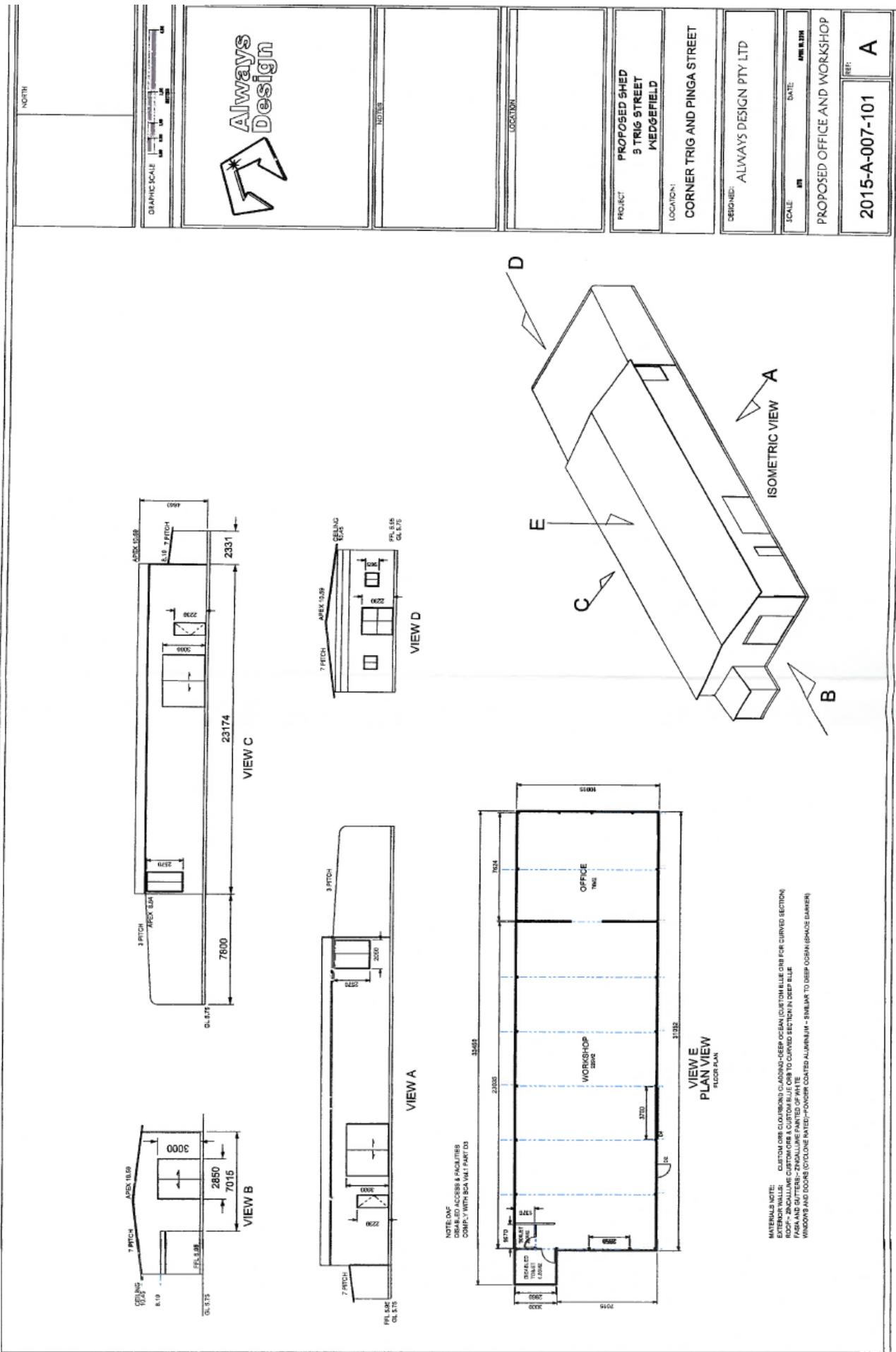
23 April 2015

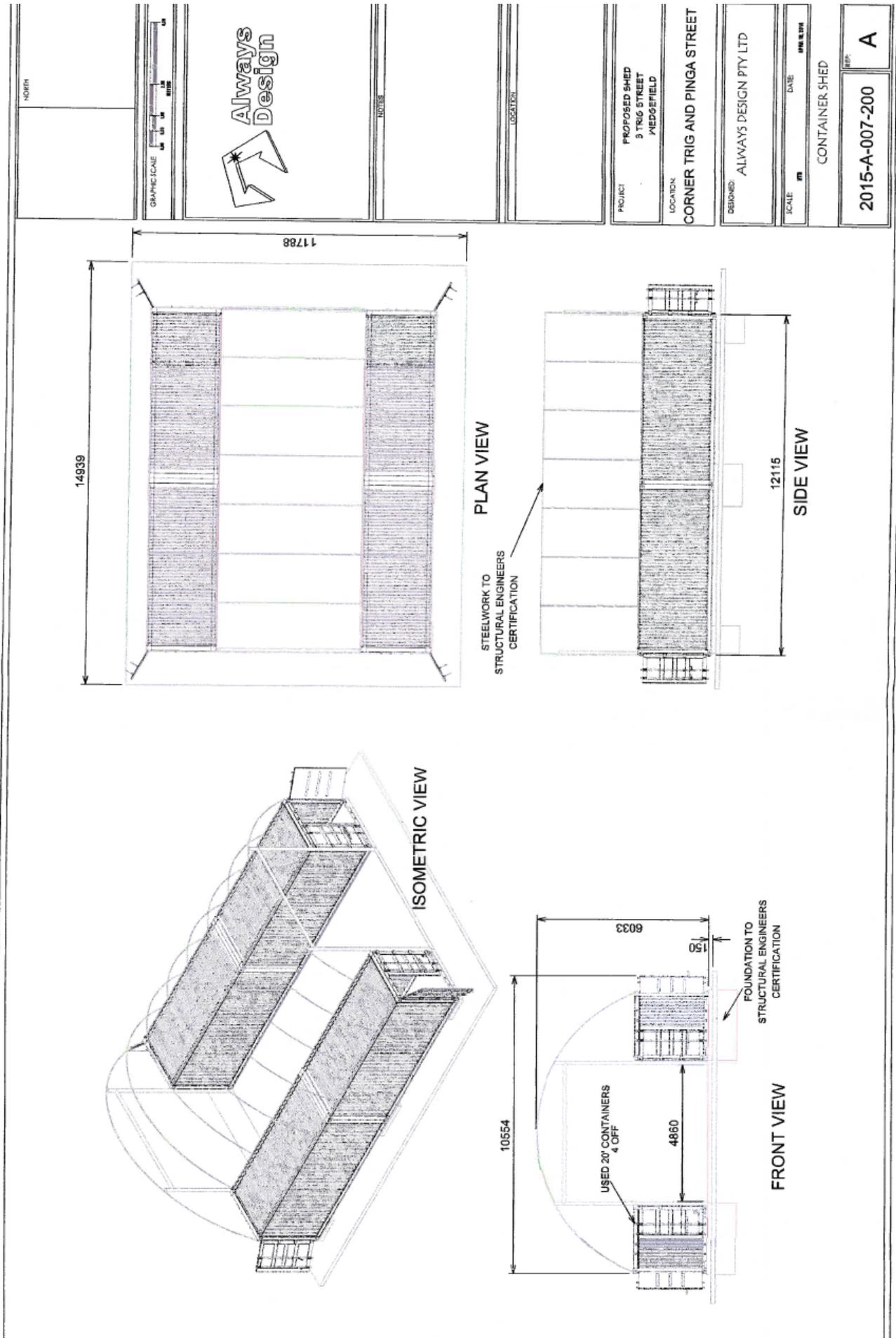
ATTACHMENT 1 TO ITEM 12.1.7

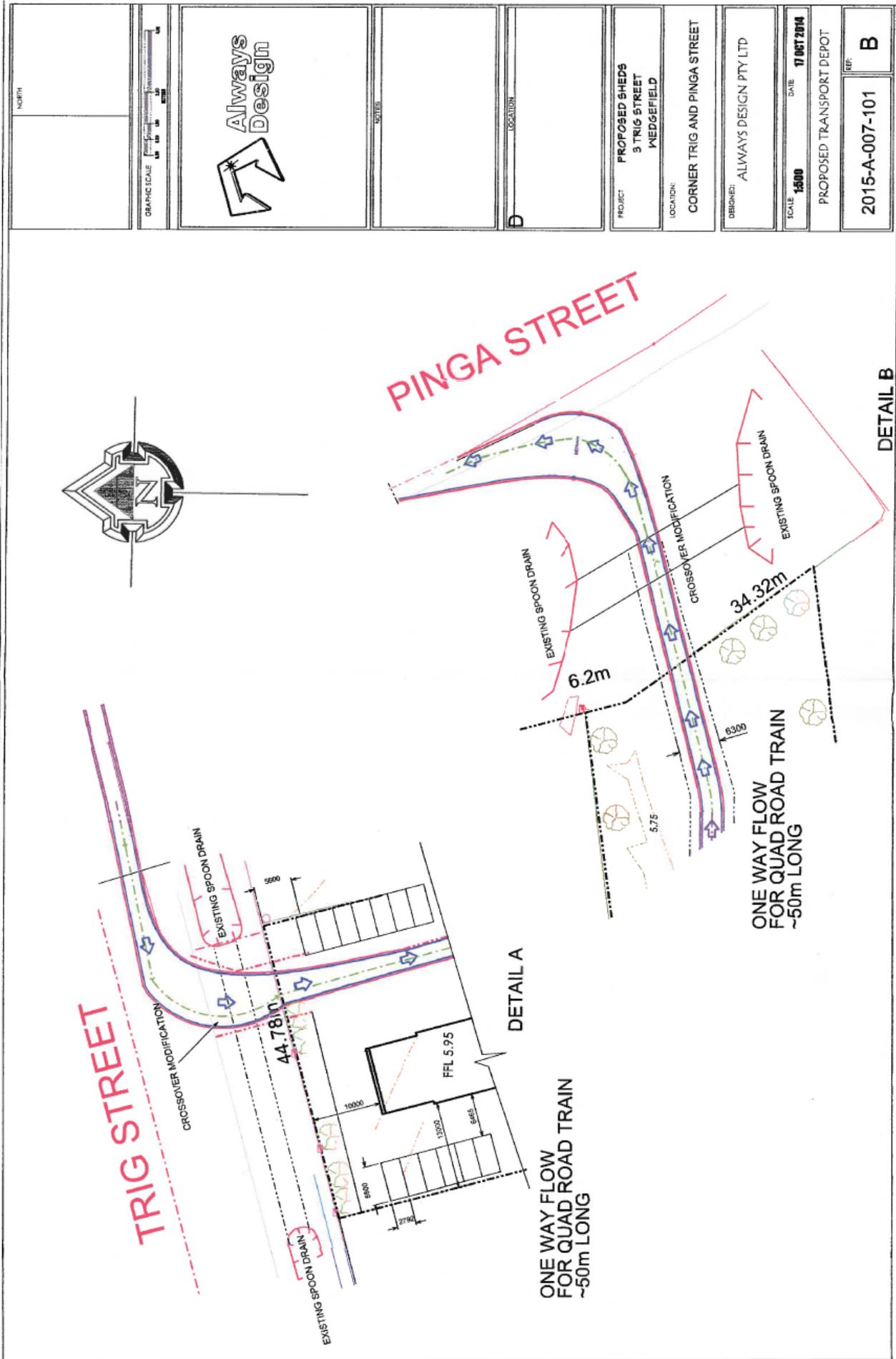


Figure 1: Local Context









12.2 Works and Services

Nil

12.3 Corporate Services**12.3.1 Proposed Town of Port Hedland Cemetery Local Law 2015**

Josephine Bianchi, Governance Coordinator
File No. 13/09/0002

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/250 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR MELVILLE

That Council:

- 1. Adopt the proposed Town of Port Hedland Cemetery Local Law 2015;**
- 2. Pursuant to section 3.12 of the Local Government Act 1995, give Statewide public notice that it intends to make the Town of Port Hedland Cemetery Local Law 2015, as per Attachment 1:**
 - a. the purpose of which is to provide for the orderly management of those Cemeteries within the district, in accordance with established plans and to create offences for inappropriate behaviour within cemetery grounds; and**
 - b. the effect being that all persons in the administration of the cemeteries, burying deceased persons in the cemeteries, or otherwise providing services to or making use of the cemeteries, are to comply with the provisions of this Local Law.**
- 3. Submit a copy of the proposed Town of Port Hedland Cemetery Local Law 2015 to the Minister for Local Government and Communities for comment.**

CARRIED BY ABSOLUTE MAJORITY 8/0

EXECUTIVE SUMMARY

The Town of Port Hedland has been reviewing its local laws and identified that a more contemporary local law for the management of cemeteries was required.

This agenda item is for Council to:

1. Consider the intent to make a proposed new Town of Port Hedland Cemetery Local Law 2015; and
2. Allow the Presiding person to give notice of the purpose and effect of the proposed Town of Port Hedland Cemetery Local Law 2015; and
3. Adopt the proposed Town of Port Hedland Cemetery Local Law 2015 for advertising purposes.

DETAILED REPORT

The current Town of Port Hedland Local Law (Cemeteries) was adopted by Council on 1 December 1999 and gazetted on 10 January 2000.

To comply with the provisions of section 3.16 of *the Local Government Act 1995*, the Town of Port Hedland undertook a review of its local laws on 23 March 2013.

At the conclusion of the review process, it was identified that a more contemporary local law relating to the management of cemeteries was required, and the existing local law should be repealed as part of the process.

The proposed new Town of Port Hedland Cemetery Local Law 2015 is based on contemporary drafting requirements and is similar in content to other local laws adopted by local governments.

To comply with the provisions of section 3.12 of the Act, when making a local law, the Presiding Person is required give notice of the purpose and effect of the proposed local law at the Council meeting where the local law is being considered. This is achieved by:

- a. ensuring that the purpose and effect of the local law is included in the agenda for that meeting; and
- b. by ensuring that the minutes of the meeting of the council include the purpose and effect of the proposed local law.

The purpose and effect of the Town of Port Hedland Cemetery Local Law 2015 is –

Purpose – To provide for the orderly management of those Cemeteries in accordance with established plans and to create offences for inappropriate behaviour within cemetery grounds.

Effect - All persons in the administration of the cemeteries, burying deceased in the cemeteries, or otherwise providing services to or making use of the cemeteries, are to comply with the provisions of this Local Law.

Internal Consultation

Consultation in relation to the proposed local law was undertaken with relevant officers during the drafting of the proposed Cemetery local law.

External Consultation

As required by section 3.12 the Local Government Act 1995, an advertisement is to be placed, in a state-wide newspaper, inviting the public to comment on the proposed local law, with submissions being open for a period of not less than 6 weeks (42 days).

The advertisement will be placed once Council has resolved its intent to make the local law.

The Town will also hold information session with the Friends of the Cemetery group and other stakeholders as required.

In addition, copies of the proposed Local Law, (gazettal copy), must be sent to the relevant Minister(s) for comment. In this case the relevant Minister is the Minister for Local Government and Communities.

FINANCIAL IMPLICATIONS

The state-wide advertising would cost approximately \$600 and local public advertising costing approximately \$250. These costs have been incorporated as part of the Local Law Review included in the 2014/15 Budget.

STATUTORY AND POLICY IMPLICATIONS

In making a new local law, Council must comply with the provisions of section 3.12 of the Act.

The Local Government (Functions and General) Regulations (Regulation 3) states that for the purpose of Section 3.12(2) of the Act, the person presiding at a council meeting is to give notice of the purpose of the local law by ensuring that the purpose and effect of the proposed local law is included in the agenda for that purpose and the minutes of the meeting of the council include the purpose and effect of the proposed local law.

Section 4.1 'Strategic and best practice local government administration' under 'Leading our community' of the Strategic Community Plan applies as it outlines that governance processes and associated policies and procedures align with leading practice and are up to date with legislative requirements.

ATTACHMENTS

1. Gazette ready copy of the Town of Port Hedland Cemetery Local Law 2015 (Under Separate Cover)

6 May 2015

12.3.2 2015 WA Local Government Convention and Trade Exhibition and Appointment of Delegates for the Western Australian Local Government Association (WA) AGM

Grace Waugh, Governance Officer
File No. 14/01/0003

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/251 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR GILLINGHAM

That Council:

- 1. Appoint Mayor Kelly Howlett and Deputy Mayor Gloria Jacob to represent Council as voting delegates at the Western Australian Local Government Association's Annual General Meeting, to be held on Wednesday 5 August 2015 at 1:30pm;**
- 2. Appoint Cr Hunt and Cr Melville as proxy voting delegates for the Western Australian Local Government Association's Annual General Meeting, to be held on Wednesday 5 August 2015 at 1:30pm; and**
- 3. Note that the following Elected Members will be attending the 2015 Western Australian Local Government Convention and Trade Exhibition:**

**Mayor Howlett
Councillor Jacob
Councillor Daccache
Councillor Gillingham
Councillor Hooper
Councillor Hunt
Councillor Melville**

CARRIED 8/0

EXECUTIVE SUMMARY

Two voting delegates are required for the 2015 Annual General Meeting (AGM) for the Western Australian Local Government Association (WALGA) being held on Wednesday 5 August 2015 at 1:30pm. The AGM will take place during the Western Australian Local Government Convention and Trade Exhibition which is being held from Wednesday 5 August 2015 to Friday 7 August 2015. Elected Members are asked to confirm their attendance at the 2015 Western Australian Local Government Convention & Trade Exhibition.

DETAILED REPORT

The WA Local Government Convention and Trade Exhibition is held annually in Perth with the WALGA AGM taking place on the first day being Wednesday 5 August 2015. The theme for the 2015 WA Local Government Convention and Trade Exhibition is 'Local Government. Switched On'. The formal presentations, seminars and workshops will be based around this theme and aims to inspire new ways of thinking, innovative ways of working and to assist the Local Government Sector in shaping its own future.

Member Councils are entitled to be represented at the WALGA AGM with two voting delegates, pursuant to the WALGA Constitution. Only registered delegates or proxy registered delegates can exercise voting entitlements on behalf of Member Councils. Voting delegates may be Elected Members or serving officers.

Council is required to appoint two Elected Members as the Town of Port Hedland voting delegates to attend the AGM; Town officers are recommending that the Town of Port Hedland voting delegates be the Mayor and Deputy Mayor.

WALGA also offers the opportunity for Elected Members to attend professional development from Monday 3 August through to Tuesday 11 August 2015.

In accordance with the Elected Member training schedule for 2015 that was circulated to Elected Members on 4 March 2015 the Town is proposing that Elected Members attend the CEO Performance Appraisals training provided by WALGA on Tuesday 11 August 2015.

FINANCIAL IMPLICATIONS

The travel, accommodation and conference costs will be incorporated in the 2015/16 Budget. The registration cost per person to attend the 3 day convention is \$1,708, this includes:

Full Delegate Registration	\$1,475
ALGWA Breakfast (Thursday)	\$55
Convention Breakfast (Friday)	\$88
Full Delegate Gala Dinner	\$90
Total	\$1,708

Flights and accommodation for the 3 days per person would be approximately \$1,400. The total cost per person to attend the convention (including registration, travel and accommodation costs) is approximately \$3,200. Elected Members will receive a meal allowance and be provided with cab charge vouchers for transportation purposes in accordance with policy 4/008 'Elected Member Entitlements'.

Should Elected Members wish to attend the CEO Performance Appraisals training on Tuesday 11 August 2015, the Town will look at scheduling other meetings with relevant stakeholders and/or appropriate site visits between the WALGA conference and the training to ensure effective use of Elected Members' time.

The cost per person for the extra four night's accommodation and registration cost would be \$1,200. Therefore the total cost per Elected Member would be \$4,300 approximately.

STATUTORY AND POLICY IMPLICATIONS

The Western Australian Local Government Association Constitution, section 24, states that each ordinary Member of the association is entitled to be represented by two delegates at any Annual General Meeting or Special General Meeting.

Policy 4/008 'Elected Member Entitlements' outlines what travel and accommodation expenses Elected Members are entitled to.

Section 4.2 'Engage our community and stakeholders' of the Strategic Community Plan 2014 – 2024 applies as Elected Members will be gaining skills to provide transparent and accountable civic leadership. Elected Members will also be liaising with other local government Elected Members, employees and key stakeholders.

ATTACHMENTS

1. WALGA Voting Delegate Information 2015 Annual General Meeting
2. 2015 WALGA Convention Registration Brochure (Under Separate Cover)
3. 2015 WALGA Professional Development Opportunities

15 April 2015



**Notice
of
Annual General
Meeting**

**and
Procedural Information
for Submission of Motions**

**Perth Convention and Exhibition
Centre**

Wednesday, 5 August 2015

Deadline for Agenda Items

(Close of Business)

Monday 8 June 2015



2015 Local Government Convention General Information

The 2015 Local Government Convention will be held at the *Perth Convention and Exhibition Centre* (PCEC) from 5 August to 7 August 2015. The tentative schedule for the Convention is as follows:

<u>Wednesday 5 August</u>	<u>START</u>	<u>FINISH</u>
Special State and Local Government Forum	8.30 am	12.30 pm
Collection of Voting Keypads	10.00 am	1.30 pm
Honour Recipients Luncheon	12 Noon	1.00 pm
WA Local Government Association AGM opening (including Honours Awards Presentations)	1.30 pm	5.30 pm
Convention & Trade Exhibition Welcome Reception	5.30 pm	7.00 pm
<u>Thursday 6 August</u>		
ALGWA Breakfast	7.00 am	8.30 am
Opening and Convention Sessions	9:00 am	5.30 pm
Sundowner	5.30 pm	7.00 pm
Mayors & President Reception – Government House (by Prior invitation)	6.00 pm	7.30 pm
<u>Friday 7 August</u>		
Convention Breakfast with Justin Langer	7:30 am	8:45 am
Convention Sessions	9:00 am	4.30 pm
Convention Gala Dinner	7:00 pm	11.30 pm

Further details are contained in the registration brochure which will be distributed to all Local Governments in May.

WALGA Annual General Meeting

The Annual General Meeting for the Western Australian Local Government Association will be held from 1:30 pm to 5.30 pm on Wednesday 5 August 2015. This event should be attended by delegates from all Member Local Governments.

Cost for attending the Annual General Meeting

Attendance at the Annual General Meeting is **free of charge** to all Member Local Governments; lunch is not provided. All Convention delegates must register their attendance in advance. Registration for the Welcome Reception that evening must also be notified in advance.



Submission of Motions

Member Local Governments are hereby invited to submit motions for inclusion on the Agenda for consideration at the 2015 Annual General Meeting. Motions should be submitted in writing to the Chief Executive Officer of WALGA.

The closing date for submission of motions is COB **Monday, 8 June 2015**. *Please note that any motions proposing alterations or amendments to the Constitution of the WA Local Government Association must be received by COB **Friday, 15 May 2015** in order to satisfy the 60 day constitutional notification requirements.*

The following guidelines should be followed by Members in the formulation of motions:

- Motions should focus on policy matters rather than issues which could be dealt with by the WALGA State Council with minimal delay.
- Due regard should be given to the relevance of the motion to the total membership and to Local Government in general. Some motions are of a localised or regional interest and might be better handled through other forums.
- Due regard should be given to the timeliness of the motion – will it still be relevant come the Local Government Convention or would it be better handled immediately by the Association?
- The likely political impact of the motion should be carefully considered.
- Due regard should be given to the educational value to Members – i.e. does awareness need to be raised on the particular matter?
- The potential media interest of the subject matter should be considered.
- Annual General Meeting motions submitted by Member Local Governments must be accompanied by fully researched and documented supporting comment.

Enquiries relating to the preparation or submission of motions should be directed to Ana Fernandez, Executive Officer Governance on 9213 2013 or via email afernandez@walga.asn.au.

Emergency Motions

No motion shall be accepted for debate at the Annual General Meeting after the closing date unless the Association President determines that it is of an urgent nature, sufficient to warrant immediate debate, and delegates resolve accordingly at the meeting. Please refer to the Conference Standing Orders for details.

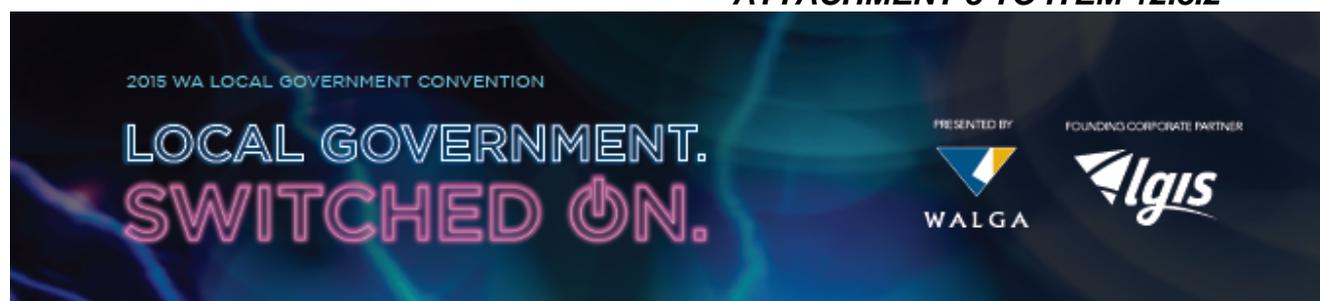
A handwritten signature in blue ink, appearing to read "Troy Pickard", is written over a circular blue stamp.

Mayor Troy Pickard
President

A handwritten signature in black ink, appearing to read "Ricky Burges", is written over a circular blue stamp.

Ricky Burges
Chief Executive Officer

ATTACHMENT 3 TO ITEM 12.3.2



WALGA PROFESSIONAL DEVELOPMENT OPPORTUNITIES

The following WALGA training courses are offered in Perth during Monday, 3 August to Tuesday, 11 August to coincide with the 2015 Local Government Convention.

Pre Convention	
<p>Monday, 3 and Tuesday, 4 August 9.00am – 4.30pm Cost: \$1,200 (incl GST) Venue: Adina Apartment Hotel (Avon Room)</p>	<p>Procurement Training for Local Government (for Officers) <i>Procurement Training for Local Government</i> is a foundation course in procurement for Local Government Managers and Officers, designed specifically for individuals who are not formally trained or qualified in procurement.</p> <p>This 2 day workshop will provide participants with a practical working knowledge of best practise procurement and contract management that is directly relevant and transferrable to their roles and responsibilities within Local Government.</p>
<p>Tuesday, 4 August 9.00am – 4.30pm Cost: \$650 (incl GST) Venue: Adina Apartment Hotel (Canning Room)</p>	<p>Managing Contracts in Local Government (for Officers) <i>Managing Contracts in Local Government</i> is designed to assist Local Governments and Contract Managers in Western Australia to address issues and raise the bar in improving all aspects of their contract management performance. Managing Contracts tailors modern leading contract management practice specifically for contract managers in the Western Australian Local Government Context.</p> <p>This practical training is designed for procurement practitioners and for all those in Local Government who have contract management responsibilities and would like to improve their understanding and practice.</p>
<p>Tuesday, 4 August 9.00am – 4.30pm Cost: \$450 (incl GST and airport) Venue: WALGA Boardroom</p>	<p>Serving on Council (for Elected Members) <i>Serving on Council</i> is designed to give Elected Members the confidence to perform their role on Council. This course has been specifically developed to address the unique needs of Elected Members in leading and support their communities whilst acting within the processes and procedures imposed on Local Government in general and, more specifically, at a governing board level.</p> <p>The course provides an overview of the roles and responsibilities of Elected Members, the Local Government environment and Council operating procedures. It recognises both internal and external influences on Councillors and the necessity for them to perform their role in a due diligence environment.</p>



Convention	
<p>Wednesday, 5 August 9.00am – 4.30pm Cost: \$450 (GST exempt) Venue: WALGA Boardroom</p>	<p>Decision Making at a Governing Board Level (for Elected Members)</p> <p><i>Decision Making at a Governing Board Level</i> is designed to allow Councillors to look in-depth at the decision-making processes and capabilities required by those who have been elected to serve their communities within Local Government.</p> <p>The course examines the separate but complementary roles and functions of those involved at the decision making levels of Local Government and why we depend on people to make the system work and not the other way around. Participation in this course provides insights into what it means to operate at the highest levels in Local Government.</p>
<p>Wednesday, 5 August 9.00am – 4.30pm Cost: \$650 (GST) Venue: Adina Apartment Hotel (Canning Room)</p>	<p>Planning and Specification Development (for Officers)</p> <p><i>Planning and Specification Development</i> focuses in detail on the critical steps associated with planning and specification development for successful contracts.</p> <p>Addressing key planning areas including; understanding the supply market, risk management and procurement planning, this course will also provide skills, processes and hands on case studies to assist those Officers involved in all aspects of the preparation of specifications.</p>
<p>Thursday, 6 August 9.00am – 4.30pm Cost: \$550 (GST) Venue: WALGA Boardroom</p>	<p>Participate in Local Government Emergency Management (for Elected Members and Officers)</p> <p><i>Participate in Local Government Emergency Management Preparation</i> provides the foundation to increase Local Governments' knowledge of their preparation and planning responsibilities under the <i>Emergency Management Act 2005</i>.</p> <p>The aim of the course is to assist Local Government to initiate, coordinate and manage Local Government emergency management planning activities under the <i>Emergency Management Act 2005</i>.</p>
<p>Thursday, 6 August – Friday, 7 August 9.00am – 4.30pm Cost: \$850 (GST) Venue: WALGA Boardroom</p>	<p>Local Government Act (Advanced) (for Officers)</p> <p><i>Local Government Act – Advanced</i> has been designed to enhance the ability of participants to comply with their role as professionals under the <i>Local Government Act</i>. This course discusses our legal system, how to understand and interpret Statutes and how to relate this specifically to the <i>Local Government Act 1995</i>. Other relevant Acts and Regulations were referred to throughout the course.</p> <p>Participants will increase their knowledge and skills in order to respond to questions or provide information to Council and Councillors.</p>
<p>Friday, 7 August 9.00am – 4.30pm Cost: \$550 (GST) Venue: WALGA Boardroom</p>	<p>Manage Recovery Activities for Local Government (for Elected Members and Officers)</p> <p><i>Manage Recovery Activities for Local Government</i> provides the foundation to increase Local Governments' knowledge of their recovery responsibilities under the <i>Emergency Management Act 2005</i>.</p> <p>The aim of the course is to assist Local Government to initiate, coordinate and manage Local Government recovery activities under the <i>Emergency Management Act 2005</i>.</p>

Post Convention	
<p>Saturday, 8 August 9.00am – 4.30pm Cost: \$495 (incl GST) Venue: WALGA Boardroom</p>	<p>Professionally Speaking (for Elected Members) <i>Professionally Speaking (or how to deal with communication minefields – everything from media interviews to hostile public meetings) is an interactive workshop specifically designed to get participants 'battle-ready' and offers practical techniques for handling unfamiliar public speaking situations with confidence and aplomb. While the focus of the session is on demystifying the media and getting the best result from every media opportunity, these skills can also be effectively used in other business settings.</i> <i>Presented by Award Winning TV Journalist, Andrea Burns.</i></p>
<p>Monday, 10 August 9.00am – 4.30pm Cost: \$450 (incl GST) Venue: WALGA Boardroom</p>	<p>Understanding Financial Reports and Budgets (for Elected Members) <i>Understanding Financial Reports and Budgets uses existing legislation as its basis to explore the way in which Local Governments are required to plan for the future, develop an annual budget and monitor, review and interpret financial reports.</i> <i>Topics covered within the course include the legislative requirements for Local Government accounting, understanding budget documents, familiarisation with budget processes and discussing accounting terms and financial reports.</i></p>
<p>Tuesday, 11 August 9.00am – 4.30pm Cost: \$450 (incl GST) Venue: WALGA Boardroom</p>	<p>CEO Performance Appraisals (for Elected Members) <i>CEO Performance Appraisals provides the skills and knowledge required for Elected Members to manage the performance of their Chief Executive Officer. This course makes the link between performance management and performance development, and reinforces both functions as a key requirement of an effective CEO.</i> <i>Topics covered within the course include the legal responsibility of Elected Members to review the performance of their CEO, the process involved before and after the review, measuring achievements and setting goals.</i></p>



Places are limited, so be sure to register as soon as possible.

12.3.3 Polar Aviation – Landing fees

Sara Bryan, Manager Property and Asset Strategy
05/05/0045

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/252 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HOOPER

SECONDED: CR JACOB

That Council approves an annual landing fee charge of \$39,000 exclusive of GST for Polar Aviation's 2015/16 landing activity at the Port Hedland International Airport, with the following discount structure for payments made upfront, in advance:

Advance payment term options	Invoice dates	Discount	Annual fee (ex GST)
12 months	1 July 2015	30%	\$27,300
6 months	1 July 2015 1 January 2016	20%	\$31,200
3 months	1 July 2015 1 September 2015 1 January 2016 1 April 2016	10%	\$35,100

CARRIED BY ABSOLUTE MAJORITY 8/0

EXECUTIVE SUMMARY

This item seeks Council's endorsement of terms for an annual landing fee charge agreement between the Town of Port Hedland (Town) and Polar Aviation Pty Ltd (Polar Aviation) for landing activity at the Port Hedland International Airport (PHIA) for the 2015/16 budget period.

DETAILED REPORT

Polar Aviation are a locally based aviation business specialising in air charter, air freight services, scenic tours and flight training. They operate a fleet of eight small aircraft out of their hangar at the PHIA, one of which is used solely for flight training.

In early 2014, Polar Aviation requested the Town to consider an annual fee structure for their landing activity at the PHIA.

In considering this request, Officers conducted substantial research of peer airport operators and their approach to fee setting for general aviation operations. This research concluded that an annual landing fee charge arrangement would be beneficial in managing Polar Aviation's operations out of PHIA.

At its Ordinary Meeting held Wednesday 28 May 2014, Council resolved the following (part resolution):

"That Council:

...

Approve a discount of 30% for Polar Aviation's 2014/15 annual landing fee charges on the condition that the fees are paid in advance in full for the 2014/15 budget period."

The above decision was formalised by way of a letter of agreement and Polar Aviation paid their annual landing charge in full, in advance as per the terms of agreement.

Setting the annual landing fee charge

In arriving at the annual landing fee charge for the 2014/15 budget period, the actual landing data for Polar Aviation between the period of 1 March 2013 and 28 February 2014 was analysed and reviewed against pricing models at peer airports including Broome, Karratha and Newman.

The application of the same principles for the subsequent twelve month period indicates that the landing activity for Polar Aviation would incur an equivalent annual charge of \$39,000 exclusive of GST.

Approach to recommendation

Advance payment term	Discount	Annual fee (ex GST)
12 months	30%	\$27,300
6 months	20%	\$31,200
3 months	10%	\$35,100

In accordance with the conditions of the current annual landing fee charge agreement, the discount structures above are provided on the grounds that the payments were to be made in full, in advance. Any delayed payments would revert the payable amounts back to the rates as adopted within the Town's fees and charges.

Polar Aviation have indicated that they would be prepared to make one annual payment in advance in order to guarantee the 30% discount rate terms.

It is not anticipated that the consideration of this matter will result in any other arrangements of this nature for general aviation flights, landing into the PHIA. Polar Aviation is the only general aviation operator with regular flight activity and tenure arrangements at the PHIA who would benefit from a fixed arrangement at this time.

This item has been researched and prepared in consultation with the PHIA operations and redevelopment teams.

FINANCIAL IMPLICATIONS

Should Council resolve to proceed with officer's recommendation of this item, Polar Aviation will receive an equivalent 30% discount based on the last 12 months of landing fees for their use of the PHIA. Based on the landing data used in preparation of this recommendation, the annual landing fee charge proposed for the 2015/16 budget period contains a \$2,100 increase to the previous annual charge.

Entering into a formal agreement for landing charges to be paid in advance would reduce administration charges incurred in the monthly management of the accounts.

STATUTORY AND POLICY IMPLICATIONS

Regulation 26 of the Local Government (Financial Management) Regulations 1996 and Section 6.12 of the Local Government Act 1995 are applicable to this item in providing the Local Government with the power to grant discounts in relation to any amount of money which is owed to the Local Government.

ATTACHMENTS

Nil

15 April 2015

12.3.4 2015 UHY Haynes Norton Report on Risk Management, Legislative Compliance and Internal Controls and Change of Name for the Audit & Finance Committee

Josephine Bianchi, Governance Coordinator
File No. 12/14/0002

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION

That Council:

- 1. Note the Audit & Finance Committee decision 201415/044 at the meeting held on Wednesday 22 April 2015.**
- 2. Receive the results of the review provided by the CEO under section 17 (3) of the Local Government (Audit) Regulations 1996.**
- 3. Note that the Town will present to the Audit & Finance Committee a quarterly management improvement plan based on the review.**
- 4. Request the Chief Executive Officer, or his delegate(s), bring a report to Council on the budget allocations and structural change required to embed an integrated risk management system in the organisation.**
- 5. Supports the development and implementation of an integrated risk management system.**
- 4. Rename the Audit & Finance Committee to the Audit, Risk and Governance Committee and amend the terms of reference as per attachment 2.**

201415/253 AMENDED RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR HUNT

That Council:

- 1. Note the Audit & Finance Committee decision 201415/044 at the meeting held on Wednesday 22 April 2015.**
- 2. Receive the results of the review provided by the CEO under section 17 (3) of the Local Government (Audit) Regulations 1996.**
- 3. Note that the Town will present to the Audit & Finance Committee a quarterly management improvement plan based on the review.**
- 4. Request the Chief Executive Officer, or his delegate(s), bring a report to Council on the budget allocations and structural change required to embed an integrated risk management system in the organisation.**

5. Supports the development and implementation of an integrated risk management system.
6. Rename the Audit & Finance Committee to the Audit, Risk and Governance Committee and amend the terms of reference as per attachment 2.
7. Advertise an expression of interest for an additional community member with experience in risk management to assist the Audit, Risk and Governance Committee with its revised scope based on the following criteria:
 - Sound understanding of audit, risk and governance management practices
 - Proven experience in implementing risk management frameworks at a corporate level
 - Experience as a committee or board member

CARRIED 8/0

EXECUTIVE SUMMARY

This report recommends that Council receive the report presented by the CEO and prepared by UHY Haynes Norton (UHY) on the appropriateness and effectiveness of the Town's systems in regard to risk management, internal control and legislative compliance, as per Regulation 17 of the *Local Government (Audit) Regulations 1996*.

The Audit & Finance Committee members discussed at the committee meeting held on Wednesday 22 April 2015 to change its name from the Audit & Finance Committee to the Audit, Risk and Governance Committee and amend the terms of reference to include the requirements under regulation 17 of the *Local Government (Audit) Regulations 1996* being risk management, internal control and legislative compliance.

DETAILED REPORT

The Local Government (Audit) Regulations 1996 (the Regulations) were amended in 2013 to extend the responsibilities of the Audit Committee and Chief Executive Officer of local governments in relation to the reviewing and reporting local government's systems and procedures in regard to risk management, internal control and legislative compliance.

At its Ordinary meeting of 17 December 2014, the Council resolved:

"201415/144 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR HOOPER

That Council:

1. *Receive the report from the Governance Coordinator regarding review of the Town's systems and procedures;*
2. *Note UHY Haines Norton will be engaged to review the Town's systems and procedures in regards to risk management, internal control and legislative compliance by 30 June 2015; and*
3. *Request that the Chief Executive Officer or his delegate(s) advise the Department of Local Government and Communities of point 2 above.*

CARRIED 6/2"

The scope of UHY's services was to:

- Identify risk management systems policies, procedures and plans in place at the Town, including the effectiveness of the Town's business continuity planning for all service areas;
- Evaluate internal financial control systems and procedures;
- Review the probity of the Town's procurement framework;
- Assess systems and processes for maintaining legislative compliance;
- Develop a gap analysis of any improvements identified during the review;
- Prepare a report of matters identified during the review to assist the CEO to assess the appropriateness and effectiveness of the relevant systems and procedures

UHY carried out a site visit to Port Hedland in February 2015 and undertook meetings with the Town's Executive Leadership Team, Managers, Coordinators, and other relevant officers. UHY also undertook a number of off-site visits to determine the appropriateness and effectiveness of the Town's systems at its various locations.

In carrying out its review UHY considered both the appropriateness and the effectiveness of its systems in relation to risk management, internal control and legislative compliance.

With regard to risk management it was found that whilst the Town does have processes in place to cover organisational functions, an overarching corporate Risk Framework is required.

In terms of legislative compliance the Town does have control procedures and systems in place, however they are considered to be informal and it is recommended they be captured via a documented legislative compliance strategy, to be added to the current Annual Compliance Audit return.

Internal controls were generally considered to be operating effectively, however UHY recommends that to ensure appropriateness the Town should consider the implementation of a risk based approach towards these.

UHY's findings have been provided to the Town in a report (refer attached) along with an Improvement Plan. The Improvement Plan sets out the different actions that need to be taken to improve risk management, legislative compliance and internal controls at the Town. All actions from the plan will be prioritised, responsible officers allocated and resources made available. The implementation of this Plan will be one of the major responsibilities of the newly created Executive/Business Improvement Officer position.

The report from UHY was presented to the Audit & Finance Committee meeting held on Wednesday 22 April 2015. The Committee resolved:

"201415/044 AUDIT & FINANCE COMMITTEE DECISION

MOVED: MAYOR HOWLETT SECONDED: MR HRAMBANIS

That the Audit and Finance Committee:

- 1. Receive the results of the review provided by the Chief Executive Officer under section 17 (3) of the Local Government (Audit) Regulations 1996.*
- 2. Recommend that the Council receive the results of the review provided by the Chief Executive Officer under section 17 (3) of the Local Government (Audit) Regulations 1996.*
- 3. Note that the Town will present to the Committee a quarterly management improvement plan based on the review.*
- 4. Request the Chief Executive Officer, or his delegate(s), to bring a report to back to Council on the budget allocations and structural change required to embed an integrated risk management system in the organisation.*
- 5. Recommend to Council that it supports the development and implementation of an integrated risk management system.*

CARRIED 4/0"

Progress against the Plan will be reported to the Audit & Finance Committee on a quarterly basis. It should be noted that a number of the actions have already commenced and are at various stages of completion.

The Town recognises it has the responsibility to embed a robust and appropriate risk management framework across the whole of the organisation and is already ensuring that any gaps in its systems are identified and rectified as part of its day-to-day operations, to ensure its commitment towards continuous improvement.

To reflect the changes brought about by this review, Committee members have also expressed an interest in the committee being renamed to Audit, Risk and Governance Committee. Town officers therefore suggest that the terms of reference of the committee should also be amended to include reference to section 17 of the Local Government (Audit) Regulations 1996.

Revised terms of reference can be found under Attachment 2. The expanded scope of the committee would include but not be limited to overseeing the following:

Financial Management:

- a. Changes in accounting practices, policies and material changes in accounting treatment, providing advice on the appropriateness of implementation strategies
- b. Quarterly Financial Reports on all of the Town of Port Hedland managed community facilities

Risk Management

- a. The Town's risk management strategies and policies
- b. The adequacy of the Town's risk management systems and practices
- c. The management of strategic risks, identifying as appropriate, specific risks for more detailed review and response

Internal Controls

- a. The standard and effectiveness of the Town's corporate governance and ethical considerations
- b. The integrity, adequacy and effectiveness of the Town's financial and administration policies, systems and controls in providing financial and governance information which:
 - Is accurate and reliable
 - Complies with legislative obligations and requirements
 - Minimises the risk of error, fraud, misconduct or corruption

Legislative Compliance

- a. The integrity, adequacy and effectiveness of the Town's systems and controls for legislative compliance
- b. The level of compliance with legislative obligations as well as the Town's policies
- c. The CEO's report on the review of the Town's legislative compliance systems, at least once biennially
- d. The annual statutory Compliance Audit

Internal and External Audit Planning and Reporting

- a. The process to select and appoint an External Auditor
- b. The integrity, adequacy and effectiveness of the Town's Internal Audit Plan and External Audit Plan
- c. Reports, findings and recommendations arising from Internal and External Audits
- d. The audit of the Town's Annual financial statements
- e. The integrity, adequacy and effectiveness of the management response and any actions proposed to be taken to address issues raised by the Internal or External Auditor
- f. The oversight and monitoring of implementation of agreed actions

FINANCIAL IMPLICATIONS

Additional resources will be required for the implementation of the Improvement Plan and associated process and systems. To enable this to happen the new position of Executive/Business Improvement Officer has been created as a first step. Additional resources required will be included in the Town's 2015/16 operating budget for consideration by Council.

In accordance with the Audit & Finance Committee decision at the meeting held on Wednesday 22 April 2015 the Town will present a report to Council on the budget allocations and structural change required to embed an integrated risk management system in the organisation.

STATUTORY AND POLICY IMPLICATIONS

Section 17 of the Local Government (Audit) Regulations 1996 requires the CEO to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance separately or all at the one time, on the provision that each matter is reviewed at least once every two years. This section also states that the CEO is to report to the audit committee the results of that review which was considered at the Audit & Finance Committee meeting held on Wednesday 22 April 2015.

Section 16(c) of the Local Government (Audit) Regulations 1996 requires the CEO to report to Council the results of that review and give a copy of the CEO's report to the Council.

Section 4.1 'Strategic and best practice local government administration' of the Town's 2014-2024 Strategic Community Plan applies with regard to high quality corporate governance accountability and compliance, and maintaining a strong and sustainable financial position

All public documents such as policies, code of conduct, cyclone procedures, compliance audit returns, complaints handling, council and committee minutes referred to in UHY's report can be found listed on the Town's website.

ATTACHMENTS

1. April 2015 UHY Report on review of Risk Management, Legislative Compliance and Internal Controls (Under Separate Cover)
2. Proposed Amended Terms of Reference for the Audit, Risk and Governance Committee

14 April 2015

ATTACHMENT 2 TO ITEM 12.3.4**Proposed Terms of Reference for the Audit, Risk and Governance Committee****AIM/PURPOSE:**

The Audit, Risk and Governance Committee objective is to assist the Town of Port Hedland Council in liaising with the auditor and overseeing the external audit function and promoting the transparency and accountability of Council's financial management systems and reporting

The Audit and Finance Committee has been established in accordance with Part 7 of the Local Government Act 1995 to:

1. Liaise with the Auditor(s) to assist Council in carrying out functions in relation to external audit, including liaising with the Auditor and develop a process for selection and appointment of a person as the Auditor.
2. Receive Quarterly Budget Review Reports;
3. Receive Quarterly Financial Reports on all of the Town of Port Hedland's Managed Community Facilities;
4. Review and suggest improvements to Risk Management within the organisation; and
5. Assist the organization in the development of an internal audit program and make recommendations to Council regarding:
 - Financial Management
 - Risk Management
 - Internal Controls
 - Legislative Compliance
 - Internal and External Audit Planning and Reporting

QUORUM:

The quorum for the Committee be a minimum of 50% of its membership.

MEMBERSHIP:

Elected Members:

Mayor Kelly Howlett

Councillor Gloria Jacob – Presiding Member

Councillor Julie Hunt

Councillor Lorraine Butson – Deputy Presiding Member

Community Member:

Mr Bill Hrambanis

Deputy Members:
Councillor George Daccache
Councillor Jan Gillingham
Councillor David Hooper
Councillor Troy Melville

MEETING FREQUENCY:

As and when required.

DELEGATION:

The Town of Port Hedland Council provides delegated authority to the Audit and Finance Committee to meet annually with the Town's auditor(s) as required by Section 7.12A(2) of the Local Government Act 1995.

TENURE:

Ongoing

RESPONSIBLE OFFICER:

Director Corporate Services

12.3.5 Policy Review – Adopt Policy 2/017 ‘Grant Funding’

Laura Delaney, Coordinator Financial Services
File No. 04/03/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/254 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR JACOB

That Council adopt policy 2/017 ‘Grant Funding’.

CARRIED 8/0

EXECUTIVE SUMMARY

The Town of Port Hedland policy manual is being reviewed to ensure that policies are relevant and up to date. The policies will be reviewed in a staged approach and presented to Council for endorsement in due course.

Officers are proposing that the Council adopt policy 2/017 ‘Grant Funding’.

DETAILED REPORT

An audit of the Town’s policy manual identified a number of policies that need to be rescinded or amended as they no longer reflect current Town practices or are better suited to be an internal operating procedure (IOP).

Policies are adopted by Council and establish guidelines or provide direction for the Town’s activities and actions. Policies are defined as the principles and intent behind the programs that a local government implements. A policy can also be a general plan or approach to a specific need, problem or issue.

An IOP outlines operational day-to-day processes and can be stand alone or found in conjunction with policies. Council is not required to adopt IOPs as these deal with operational matters only and not with the strategic direction of the local government, which is a policy function.

Policy for adoption	Comments	Responsible Officers
2/017 Grant Funding	The Town of Port Hedland does not currently have an existing Grant Funding Policy adopted by council. This report presents a Grant Funding Policy for council’s consideration. This Grant Funding Policy has been prepared to provide a framework for correct and consistent applications, acceptance and acquittals of grant funding within the Town of Port Hedland.	Manager Financial Services

FINANCIAL IMPLICATIONS

The Grant Funding Policy will improve grant monitoring. This improved monitoring aided through the grants register will allow for an accurate financial reflection of the grants position at the end of each financial year. Furthermore the policy will ensure the Grants Register is consistently updated, therefore ensuring that unspent grants are also accurately restricted at year end.

STATUTORY AND POLICY IMPLICATIONS

Section 4.1 'Strategic and best practice local government administration' of the Strategic Community Plan 2014 – 2024 applies as updating the policy manual assists with delivering high quality corporate governance accountability and compliance.

Section 6.15 (1) (b) (ii) of the *Local Government Act 1995* provides Council with the power to accept grant funding.

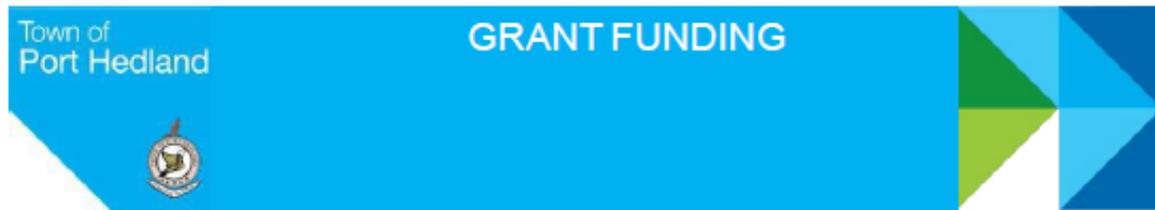
The delivery and ongoing use of the Grants Register links to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* which requires the Town to prepare a monthly Statement of Financial Activity. The Town prepares this Statement as part of its delivery of high quality corporate governance, accountability and compliance. The Town's goals and actions in this regard are set out in the Leading our Community section of the Strategic Community Plan 2014-2024

ATTACHMENTS

1. 2/017 Grant Funding Policy

4 March 2015

ATTACHMENT 1 TO ITEM 12.3.5



2/017 GRANT FUNDING

Policy Objective

The objective of the *External Grant Funding Policy* is to provide a framework for correct and consistent applications, acceptance and acquittals of grant funding within the Town of Port Hedland.

The Town has a responsibility to ensure that grant funding is identified and applied for in a timely manner, all communications are undertaken in a professional manner and that the acquittal process is completed accurately.

Grant funding assists in financing the Town's operations and capital works.

Policy Content

The Town of Port Hedland encourages the application for funds that will result in a direct benefit to the Community or satisfy the general requirements of the Town of Port Hedland.

Grant Applications:

The Chief Executive Officer or delegate has authority to make submissions for grant funding subject to their purpose falling within the Community Strategic Plan and Corporate Business Plan, or those which provide a positive impact for the community as a whole.

Acceptance of Grants:

A Director can accept grant funding to their delegated authority level, except when explicitly stated in the funding agreement that the Chief Executive Office is required to execute the contract.

The following circumstances require council approval for the acceptance of grants:

- Grants that result in expenditure not identified and authorised as part of the budget process will require a Quarterly Budget Review item, except;
- Grants that require more than a \$50,000 unbudgeted co-payment of funds from the Town of Port Hedland; or Grants where the amount varies significantly from that which has been identified and authorised as part of the budget process. Both these require a standalone agenda item.

If a grant application is successful and there is no existing budget for either the income or proposed expenditure; Council will need to approve the budget amendment, which it may do so after considering a report on the proposal either separately or if appropriate as part of a general budget review. Any Funding Agreement that requires an unbudgeted own source contribution of more than \$50,000 needs to be presented to Council for endorsement and approval of the budget variation. If a signed funding agreement is in place, for grants less than



\$50,000 expenditure is allowable on the provision of a budget adjustment in the next presented quarterly budget review.

Competing Grant Applications

Where more than one fund application is being submitted under a particular grant program, the grants administration officer and management accountant financial reporting will coordinate a meeting with relevant business units to review and prioritise grant applications. This review panel will comprise of managers of each Directorate. The final project order will be at the discretion of the Chief Executive Officer.

Auspicing On Behalf Of Community Organisations

The Town will generally not consider auspicing funding on behalf of community organisations due to the following reasons:

1. The significant vulnerabilities faced by the Town of Port Hedland in regards to control, compliance and accountability;
2. The increased administrative burden placed upon the town to manage the reporting and funding requirements of auspicing;
3. The perceived inequitable and unfair presentation of the Town of Port Hedland to the wider community.

A thorough review of risks associated with auspicing on behalf of the community has been completed by staff and remains an internal control document. In limited circumstances only; under discretion from the Chief Executive Officer Auspicing may be considered.

Grant Application Cover Sheet

All grant applications are to be provided to the Finance Officer – Grants Administration accompanied by the Grant Funding Cover Sheet.

Workflow Diagram

The 'Workflow Diagram' details the process involved in Grant Funding from the identification stage through to the acquittal.

Definitions

Nil

Town of
Port Hedland



GRANT FUNDING



Council adoption date and resolution no.	
Date of adoption of amendment and resolution number do not delete the previous dates	
Relevant legislation	
Delegated authority	
Business unit	Finance
Directorate	Corporate Services
Review frequency	As required



Grant Funding Cover Sheet

In accordance with the *Grant Funding Policy* all grant applications and acquittals must be reviewed and signed off by Finance.

If the application and acquittal require CEO approval then it must be reviewed by Finance prior to being submitted to the CEO.

Grant Name: _____

Funding Body: _____

Project: _____

Grant Amount (\$): _____

Expected Delivery Date: _____

Responsible officer: _____

Town contribution (\$): _____

Has this been budgeted for? _____

Please provide the account numbers: _____
(Income & Expenditure)

Grant Application

Finance Approval: _____

Date: Name Signature

Grant Acquittal

Grant Not Pursued

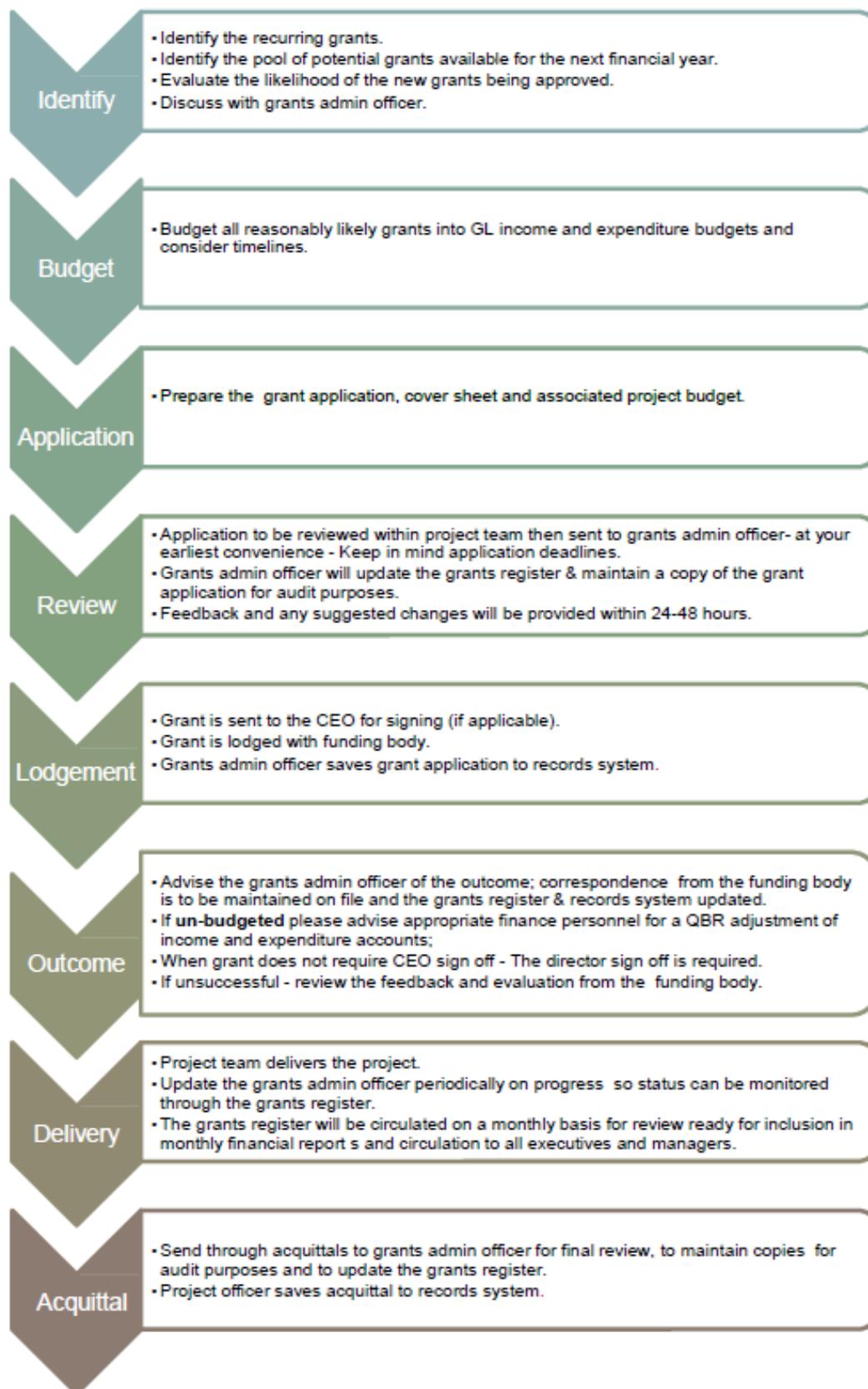
Grant Unexpended

Finance Approval: _____

Date: Name Signature



GRANT FUNDING



12.4 Office of the CEO

Nil

ITEM 13 LATE ITEMS AS PERMITTED BY PRESIDING MEMBER/ COUNCIL**13.1 2014/15 Quarterly Budget Review and Statement of Financial Activity for the period ended 31 March 2015**

Laura Delaney, Management Accountant Financial Reporting
File No. 12/14/0003

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION

That Council:

- 1. Receive the 2014/15 Quarterly Budget Review and Statement of Financial Activity (and supporting information) for the period ended 31 March 2015;**
- 2. Note the accounts paid during March 2015 under delegated authority;**
- 3. Adopt the 2014/15 March Quarterly Budget Review and amend the 2014/15 Budget as per the Schedule of Budget Variations, resulting in an overall favourable change in projected net current assets of \$292k and a projected net current asset balance of \$1.824m as at 30 June 2015;**
- 4. Amend the 'Unspent Grants & Contributions Reserve' to the 'Unspent Grants, Loans & Contributions Reserve' with a purpose of restricting unspent grants, loans and contributions at the end of the financial year;**
- 5. Establish a budget of \$1,093,685.70 for the transfer into the Unspent Grants, Loans & Contributions Reserve, upon reconciliation at the end of financial year;**
- 6. Transfer \$610,834, being additional interim rate revenue received, into the Strategic Reserve and a further \$163,598 for the purpose of retiring debt and debt consolidation;**
- 7. Transfer \$80,000, being savings identified within private rental costs, and a further \$450,000 into the Staff Housing Reserve to fund the maintenance, refurbishment, redevelopment and construction of staff housing;**
- 8. Transfer \$450,000 into the Plant Reserve to fund the Plant Replacement Program;**
- 9. Transfer \$10,000, being the YMCA contribution for Spin Bikes into the Community Facilities Reserve;**

10. Transfer \$2,281,314.34 into the Unfinished Works & Committed Works Reserve, being the Municipal funded amount for the following accounts:

Account Description	Amount
Employee Costs - Training & Development - People & Culture	\$80,000.00
Materials and contracts - DAIP Disability Access Audit - Community Services & Development	\$50,000.00
Materials and Contracts - Scheme Review - Town Planning/Regional Development	\$92,800.00
Materials and Contracts - Developer Contributions Policy - Town Planning/Regional Development	\$65,000.00
Materials and Contracts - Local Heritage Register (Municipal Inventory) - Town Planning/Regional Development	\$50,000.00
Capital Expenditure - Work In Progress - South Hedland Cemetery Upgrade (Friends of the Cemetery) - Cemeteries	\$35,000.00
Capital Expenditure - Work in Progress - Facility Upgrade - J D Hardie Centre	\$134,247.67
Capital Expenditure - Work in Progress - SHAC Upgrade - South Hedland Aquatic Centre	\$457,739.67
Capital Expenditure - Infrastructure - Faye Gladstone Netball Courts - South Hedland Sportsgrounds : Recreation	\$20,077.00
Capital Expenditure - Infrastructure - Playground Equipment - Port & South Sportsgrounds : Parks & Gardens	\$102,000.00
Capital Expenditure - Buildings - Sports Building Upgrades - Port & South Sportsgrounds : Parks & Gardens	\$168,000.00
Capital Expenditure - Infrastructure - Wallwork Road Bridge - Infrastructure Construction (for Pinga Street in 2015/16)	\$303,369.00
Capital Expenditure - Infrastructure - Captains Way : Murdoch Drive : Blackspot Program - Infrastructure Construction	\$29,298.00
Capital Expenditure - Infrastructure - Wedgefield Road & Drainage Strategy - Infrastructure Construction	\$75,000.00
Capital Expenditure - Infrastructure - Drainage Minor Works - Infrastructure Construction	\$133,644.00
Capital Expenditure - Work in Progress - Caravan Route Signage / Port Hedland Boundary Signs - Infrastructure Maintenance	\$60,000.00
Materials and Contracts - Land Development Costs - Economic Development	\$130,000.00
Capital Expenditure - Land - Land Development : JD Hardie - Economic Development	\$150,139.00
Capital Expenditure - Work in Progress - Land Development : Butler Way - Economic Development	\$110,000.00
Capital Expenditure - Work in Progress - Land Development : Pretty Pool - Economic Development	\$35,000.00
TOTAL VARIATIONS	\$2,281,314.34

11. Transfer \$1,983,892.89 from the Strategic Reserve to retire the following loans, with a prepayment date of the 29th of May 2015.

Loan Number & Purpose	Amount
#112 Aquatic Centre	\$226,031.07
#114 Gratwick Pool	\$145,928.01
#116 Visitors Centre	\$60,352.64
#122 HACC House	\$198,326.00
#140 JD Hardie	\$303,524.96
#142 Civic Centre Refurbishment	\$540,909.61
#141 Wallwork Road	\$508,820.60
TOTAL VARIATIONS	\$1,983,892.89

201415/255 AMENDED RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR MELVILLE

That Council:

1. Receive the 2014/15 Quarterly Budget Review and Statement of Financial Activity (and supporting information) for the period ended 31 March 2015;
2. Note the accounts paid during March 2015 under delegated authority;
3. Adopt the 2014/15 March Quarterly Budget Review and amend the 2014/15 Budget as per the Schedule of Budget Variations, resulting in an overall favourable change in projected net current assets of \$292k and a projected net current asset balance of \$1.824m as at 30 June 2015;
4. Amend the 'Unspent Grants & Contributions Reserve' to the 'Unspent Grants, Loans & Contributions Reserve' with a purpose of restricting unspent grants, loans and contributions at the end of the financial year;
5. Establish a budget of \$1,093,685.70 for the transfer into the Unspent Grants, Loans & Contributions Reserve, upon reconciliation at the end of financial year;
6. Transfer \$610,834, being additional interim rate revenue received, into the Strategic Reserve and a further \$163,598 for the purpose of retiring debt and debt consolidation;
7. Transfer \$80,000, being savings identified within private rental costs, and a further \$450,000 into the Staff Housing Reserve to fund the maintenance, refurbishment, redevelopment and construction of staff housing;
8. Transfer \$450,000 into the Plant Reserve to fund the Plant Replacement Program;

9. Transfer \$10,000, being the YMCA contribution for Spin Bikes into the Community Facilities Reserve;
10. Transfer \$2,281,314.34 into the Unfinished Works & Committed Works Reserve, being the Municipal funded amount for the following accounts:

Account Description	Amount
Employee Costs - Training & Development - People & Culture	\$80,000.00
Materials and contracts - DAIP Disability Access Audit - Community Services & Development	\$50,000.00
Materials and Contracts - Scheme Review - Town Planning/Regional Development	\$92,800.00
Materials and Contracts - Developer Contributions Policy - Town Planning/Regional Development	\$65,000.00
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Capital Expenditure - Infrastructure - Captains Way : Murdoch Drive : Blackspot Program - Infrastructure Construction	\$29,298.00
Capital Expenditure - Infrastructure - Wedgefield Road & Drainage Strategy - Infrastructure Construction	\$75,000.00
Capital Expenditure - Infrastructure - Drainage Minor Works - Infrastructure Construction	\$133,644.00
Capital Expenditure - Work in Progress - Caravan Route Signage / Port Hedland Boundary Signs - Infrastructure Maintenance	\$60,000.00
Materials and Contracts - Land Development Costs - Economic Development	\$130,000.00
Capital Expenditure - Land - Land Development : JD Hardie - Economic Development	\$150,139.00
Capital Expenditure - Work in Progress - Land Development : Butler Way - Economic Development	\$110,000.00
Capital Expenditure - Work in Progress - Land Development : Pretty Pool - Economic Development	\$35,000.00
TOTAL VARIATIONS	\$2,281,314.34

11. Transfer \$1,983,892.89 from the Strategic Reserve to retire the following loans, with a prepayment date of the 29th of May 2015.

Loan Number & Purpose	Amount
#112 Aquatic Centre	\$226,031.07
#114 Gratwick Pool	\$145,928.01
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#122 HACC House	\$198,326.00
#140 JD Hardie	\$303,524.96
#142 Civic Centre Refurbishment	\$540,909.61
#141 Wallwork Road	\$508,820.60
TOTAL VARIATIONS	\$1,983,892.89

12. Further amend the 2014/15 budget to recognise a grant of \$50,000 from the Pilbara Development Commission for the development of a Retail Attraction Program with a matching contribution as follows:

Account Description	Current Budget	Amended Budget	Change in Net Current Assets
Materials and Contracts - Retail Attraction Program - Tourism & Area Promotion	\$0	\$100,000	Establish an expenditure budget of \$100,000 Contra Adjustment \$50,000 Unfavourable Adjustment \$50,000
Operating Grants Subsidies & Contributions - Grant Funding - Tourism & Area Promotion	\$0	\$ 50,000	Establish a revenue budget of \$50,000 Contra Adjustment

CARRIED BY ABSOLUTE MAJORITY 8/0

EXECUTIVE SUMMARY

This report presents the March Quarterly Budget Review for the 2014/15 Budget, including the Statement of Financial Activity for the period ended 31 March 2015. A number of budget variations are proposed as part of this review, which results in an overall favourable change in projected net current assets of \$292k, resulting in a projected net current asset balance of \$1.824m as at 30 June 2015.

Supplementary information has been presented to the Council to provide further information regarding the Town's activities.

DETAILED REPORT

The March Quarterly Budget Review (QBR) for the 2014/15 Budget includes a number of significant variations.

In discussing proposed amendments in the commentary below, recommended budget variations are categorised as either *Favourable (F)*; *Unfavourable (U)*; *Contra (C)* or *Carry Over*. This status relates to their impact on the net current asset position. As an example, a project that is fully funded by Grants or Reserves would generally be a Contra entry – that is, it will have a nil impact on net current assets as the expenditure is fully supported by specific source funding. The balance of net current assets is a key indicator of the Town's ability to meet its debts and obligations as and when they fall due, and its financial flexibility in responding to opportunities, such as dollar for dollar grants, as and when required.

Major variations arising as part of the March QBR include:

Municipal Fund:

- A budget increase of \$1.2m in additional interest revenue. This is a great achievement and is partly attributable to a dedicated treasury function to administer the Towns investment portfolio – F
- Internal employee costs (salaries and superannuation). Savings of approximately \$165k have been achieved in internal employee costs due to a number of vacancies throughout the financial year - F
- New loans now funded via Muni: there will be no drawdown on the JD Hardie Land Acquisition (\$150,139) and Floodwater Pump Refurbishment (\$300,000) loans as these will be funded through the Municipal fund - U
- A budget increase to recognise the cost of the first and second installment payable to Sunset Events for management of the 2015 North West Festival - 45% based on \$1m in total revenue (including \$500k contribution by the TOPH) – C \$325,000 – U \$125,000
- A budget reduction in Town Planning Fees due to a reduction in the number of planning applications. In 2013/14 there were 512 planning application received. In 2014/15 year to date, there have been 258 planning applications received – U \$390,000
- A budget reduction in Permits Certified due to a reduced number of applications – U \$135,000
- A budget decrease to remove the budget for Underground Power which has been accounted for within the balance sheet – U \$237,750
- A budget increase for Water Corporation Charges as a result of WaterCorp not supplying sufficient reuse at Kevin Scott Oval and Marie Marland – U \$175,000
- A contra adjustment to recognise additional interim rate revenue received of \$610,834 and transfer to the Strategic Reserve – C – and an additional transfer of \$163,598 for the purpose of retiring debt and debt consolidation - U
- A contra adjustment to recognise \$80,000 in private rental savings and transfer to the Staff Housing Reserve – C – and an additional transfer of \$450,000 to fund the maintenance, refurbishment, redevelopment and construction of staff housing - U
- Transfer \$450,000 into the Plant Reserve to fund the Plant Replacement Program - U
- BHP Reserve – reallocation from project underspends on the Kevin Scott Oval Cricket Net Upgrades, Wanangkura Stadium Signage and the Pioneer Cemetery Upgrade and allocation of interest received to the Scoreboard Replacement project \$170k – C

- BHP Reserve – return of funding to the Reserve from Community Integration Working group \$197,776 - C
- A contra adjustment to remove the budgets relating to Catamore Court as the contract with Megara requires for all sales and expenditure to be managed via the trust fund.
- A contra adjustment as the South Hedland Town Centre Landscaping will not commence until the 2015/16 financial year (total budget of \$1.216m). This is funded through the Developer Contributions Public Open Space Reserve – C
- A contra adjustment of \$1.2m to carry over the budget for the Café Construction based on an estimation of expenditure and corresponding FMG contribution that would be incurred/received this financial year (pending outcome of contract) - C
- A contra adjustment between the Kingsford Smith Business Park (KSBP) accounts (Marketing & Promotion, Property Settlement Costs, Transfer to Airport: Proceeds from KSBP, Proceeds from Sale and Subdivision Construction) as only the Bunnings settlement is expected to be finalised this financial year. The contract of sale stipulates \$2.695m - C
- Unspent Grants, Loans & Contributions forecast of \$1.09m
- Carry over projects totaling \$2.28m.
- A contra adjustment to restrict the municipal funds into the Unfinished Works & Committed Works Reserve - C

Waste:

- An increase in General Tipping Fees & Scrap Metal of \$1.1m – F
- An increase in Hazardous Waste revenue of \$1.25m – F
- A reduction in Tyres revenue of \$265k – U
- A reduction in Liquid Waste revenue of \$390k – U
- Carry over projects and funding with a net total of \$662k (Development of Landfill Master Plan and Site Infrastructure).
- Net impact of transfer to Waste Reserve equals an increase of \$1.58m. The estimated closing balance of the Waste Reserve is \$7.493m.

Airport:

- An increase in Passenger Service Charges \$500k – F
- Significant amount of deferred/re-programmed Capital Works
- A reduction in Security Screening Equipment \$200k - F
- An increase in Airport Governance Review \$500k – U
- A reduction in Passenger Security Screening Charges \$250k – U
- An increase in International Terminal Works Expansion \$400k – U
- Carry over projects with a net total of \$9.16m (including an internal transfer for KSBP and Capital Works Program).
- The proposed carry-overs are to be closely reviewed as part of 2015/16 Budget to ascertain critical Capital Works requirements of the Town versus Capital Works to be transferred to potential Airport Lessee.
- Net impact of transfer from Airport Reserve equals a reduction of \$2.067m which will result in a transfer to the Airport Reserve at end of financial year. The estimated closing balance of the Airport Reserve is \$20.692m.

Capital Works Program

- The original budget of \$59.227m has been amended throughout the 2014/15 financial year to \$52.860m. The current percentage of completion of the total Capital Works Program is 41.11% when compared to the current budget.
- As part of this QBR the Capital Works Program will decrease from the current budget of \$52.860m to \$28.202m. The current percentage of completion of the total Capital Works Program is 77.06% when compared to the proposed budget.
- Excluding the Airport Capital Works Program, the percentage of completion is currently 81.62% when compared to the proposed budget.
- The Airport Capital Works Program current percentage of completion of is 66.35% when compared to the proposed budget.

Road Program

- The clearance rate for the 2014/15 Road Program is budgeted to be 77.33% with the remaining 22.67% being carried over into the 2015/16 financial year.
- The \$1.3m in carry over is funded mainly through Regional Roads Group (RRG) (includes carry over from 2013/14) and Royalties to Regions (R2R) funding for the Capital Works project: Pinga Street (Carry Over \$1,195,014).

Note that both the Waste and Airport Funds are wholly Reserve funded and do not impact on Municipal unrestricted cash, therefore all proposed budget amendments are *Contra (C)* movements. The *'Commentary for Council'* and *'Movement'* of each proposed budget variation provides an indication as to whether it represents a *Favourable (F)*; *Unfavourable (U)*; *Contra (C)* or *Carry Over* movement.

A complete listing of proposed budget amendments, together with management commentary is included in the attachments to this report.

The Statement of Financial Activity is presented in a similar format to the Rate Setting Statement as included in the 2014/15 Annual Budget. The operating section of the Statement of Financial Activity is shown by program in accordance with Regulation 34 (3)(b) of the *Local Government (Financial Management) Regulations 1996*.

The following commentary is provided on variances between year to date actuals and year to date proposed budget for the period ended 31 March 2015:

Account Description	YTD Variance	Comment
Non-Cash Items: Depreciation	-82%	Depreciation has been run for Plant & Equipment – Municipal for the period July 2014 to January 2015. Depreciation for the remaining asset classes will not be run until the end of the financial year due to the requirements associated with fair value for 2014/15.

Non-Cash Items: (Profit)/ Loss on Disposal of Assets	83%	Disposals have been processed resulting in an approximate loss of \$12k.
Non-Cash Items: Movement in Deferred Debtors (Rates)	-100%	Movement in Deferred Debtors (Rates) will be reconciled at the end of the financial year.
Non-Cash Items: Contributed Assets - Grants and Contributions Capital	-100%	\$1.75m Contributed Asset related to GP Housing Stage 2. Accounting treatment will occur at the end of the financial year.
Capital: Proceeds from Disposal of Assets	-87%	Proceeds from the Disposal of Assets totaling \$274k have been received in the period July 2014 to March 2015. Income from the sale of the Kingsford Smith Business Park lots has not yet occurred, although the settlement of Bunnings is imminent.
New Loan Borrowings	-100%	No loan funds have been drawn down. Loan funds relate to the Solar Farm.
Transfers from/to Unspent Grants	-100%	Unspent Grants will be reconciled at the end of the financial year.
Transfers from Unspent Loans	-100%	Unspent Loans will be reconciled at the end of the financial year.

The net current asset position as at 31 March 2015 is \$15.153m. This balance is expected to decline significantly across the remainder of the financial year, as projects are delivered, and operational budgets are fully expended.

The unrestricted cash position as at 31 March 2015 is \$13.523m. This is calculated as follows:

	2014/15 Actual (000's)
Current Assets: Cash and Investments	\$83,837
Restricted Cash – Reserves	(\$66,893)
Restricted Cash – Unspent Grants	(\$2,614)
Restricted Cash – Unspent Loans	(\$808)
Unrestricted Cash Position as at 31 March 2015	\$13,523

FINANCIAL IMPLICATIONS

The Statement of Financial Activity includes an actual municipal surplus carried forward of \$817k. The surplus is attributable to a number of capital projects that have been carried-over from the 13/14 financial year. These projects were considered by Council at the September 2014 Ordinary Council Meeting (OCM), with a funding requirement of \$655k from the municipal surplus carried forward. The carried forward surplus in the Amended Budget – Carryovers (Sep OCM) column has been adjusted accordingly.

The projected municipal surplus as at 30 June 2015 following the March QBR is \$1.824m. The following reconciliation is provided:

	000's
Budget Municipal Surplus Brought Forward 30 June 2015	\$1,802
Change in Net Current Assets arising from 2013/14 Carryovers	(\$655)
Change in Net Current Assets arising from September QBR	(\$86)
Change in Net Current Assets arising from December OCM	(\$75)
Change in Net Current Assets arising from December QBR	(\$325)
Change in Net Current Assets arising from March QBR	\$292
Municipal Surplus Carried Forward 1 July 2014 – Budget	\$54
Municipal Surplus Carried Forward 1 July 2014 – Actual	\$817
Amended Budget Municipal Surplus Brought Forward 30 June 2015	\$1,824

RISK IMPLICATIONS

The Town of Port Hedland is exposed to a number of financial risks in both its Annual Budget and Long Term Financial Plan (which is underpinned by some key assumptions). Most of these risks exist in respect to recurrent revenue streams which are required to meet current service levels. Any reduction in these revenue streams into the future is likely to have an impact on the Town's ability to meet service levels or asset renewal funding requirements, unless the Town can replace this revenue or alternatively reduce costs.

- TWA Rate Revenue (15/16 Budget) \$3,685,176
- Precinct 3 Lease Payment (15/16 Budget) \$3,795,258
- Port Haven Lease Revenue (including Carpark 15/16 Budget) \$1,275,292
- Mia Mia Lease Fee (15/16 Budget) \$195,982
- Mia Mia Community Contribution \$464,844
- Interest on Investments (including all cash-backed Reserves with the exception of the BHP Reserve) allocated to Muni (14/15 forecast) \$3,005,000
- Airport dividend to Muni (14/15 Budget) \$3,269,000 (LTFP assumes an increase in dividend from 2018/19 of \$350k and again in 2019/20 of a further \$350k)
- \$40m in sale proceeds from Kingsford Smith Business Park to be achieved by 2022/23 (with proceeds to be transferred to Airport Reserve to meet CAPEX requirements)
- \$500k FMG Contribution to operational costs at Wanangkura Stadium
- Sustainability Partnership being negotiated with BHPBIO
- Opening of new landfill site and closure/rehabilitation of current site \$96m investment over 20 years
- \$1.5m capital funding requirement and \$1.1m recurrent funding requirement over 3 years for Scotty's Café in the event that the project proceeds without external funding

STATUTORY AND POLICY IMPLICATIONS

The Town undertakes regular budget reviews as part of its delivery of high quality corporate governance, accountability and compliance. The Town's goals and actions in this regard are set out in the Leading our Community section of the Strategic Community Plan 2014-2024.

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires that the Town carry out a mid-year review of its annual budget, with a copy of the review and the relevant Council resolution to be provided to the Department of Local Government. The Town currently exceeds the minimum statutory requirements by undertaking budget reviews on a quarterly basis rather than half yearly.

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires the Town to prepare a monthly Statement of Financial Activity. The monthly Statement of Financial Activity is to be presented to the Council at an ordinary meeting within 2 months after the end of the month to which the statement relates. Where the month coincides with QBR reporting (September, December, March) the Statement of Financial Activity will be incorporated in the QBR document.

The Town has a current resolution arising out of the adoption of the 2014/15 budget requiring that material budget variations be reported through to Council. Materiality being established at the lesser of 10% of the amended program budget or \$100,000 for each of the categories of Operating Revenue; Operating Expenditure; Non-Operating Revenue and Non-Operating Expenditure. Officers have presented all proposed budget variations, supported by Management commentary as part of the March QBR.

Note the Statement of Financial Activity includes six budget columns:

1. Original Budget;
2. Amended Budget arising from the Schedule of Budget Carryovers presented to Council at the September OCM;
3. Amended Budget arising from the September QBR;
4. Amended Budget arising from variations adopted by Council at the December OCM;
5. Amended Budget arising from the December QBR;
6. Amended Budget arising from the March QBR.

The change in budgeted net current assets as at 30 June 2015 (the last row on the Statement of Financial Activity) reconciles to the Schedule of Budget Variations.

The Capital Works Program and Road Program have been incorporated into the supporting information provided to the Council. Additional documents will also be added in future months including the Grants Register.

ATTACHMENTS

1. Statement of Financial Activity for the Period Ended 31 March 2015 (Under Separate Cover)
2. 2014/15 Quarterly Budget Review (Under Separate Cover):
 - Summary
 - Detailed
 - Capital Works Program
 - Road Program

3. Accounts paid under delegated authority for the month of March 2015
(Under Separate Cover)

20 May 2015

201415/256 COUNCIL DECISION**MOVED: CR JACOB****SECONDED: CR MELVILLE**

That Council consider late item 13.2 'Western Australia Vietnam Business Council Inc. Membership'.

CARRIED 8/0**13.2 Western Australia Vietnam Business Council Inc. Membership**

Julie Rouse, Executive Assistant, Office of CEO
File No. 13/05/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/257 RECOMMENDATION/ COUNCIL DECISION**MOVED: CR HUNT****SECONDED: CR HOOPER****That Council:**

- 1. Agree to become a corporate member of the Western Australia Vietnam Business Council as per the terms of the membership guidelines at an annual cost of \$300.00.**
- 2. Appoint Mayor Howlett and CEO (or his nominee), with Cr Jacob as proxy, to represent the Town of Port Hedland at the Western Australia Vietnam Business Council meetings.**

CARRIED 8/0

EXECUTIVE SUMMARY

In early May 2015 the Town of Port Hedland received a letter from the Consulate General of the Socialist Republic of Vietnam in Perth enclosing a letter of introduction from the Chairman of the Western Australia Vietnam Business Council Inc (WAVBC) and encouraging the Town of Port Hedland to become a corporate member of the business council in order to receive first-hand information and services on the business opportunities with Vietnam.

DETAILED REPORT

The Town of Port Hedland has received an invitation (attached to this report) from the Consulate General of the Socialist Republic of Vietnam in Perth, Mr Le Viet Duyen inviting Council to become a member of the WAVBC. Also enclosed with this letter was a letter from the Chairman of the WAVBC, Mr Graeme Sheard, announcing the recent incorporation of this business council.

In his letter Mr Sheard notes that growing trade, investment, education, cultural and personal relationships between Western Australia and Vietnam underpin a need to ensure that these ties are nurtured and developed for the benefit of businesses, communities and the people of Western Australia and Vietnam.

The role of the WAVBC will be to foster these relationships to network, identify opportunities and ensure the long standing beneficial ties between Australia and Vietnam continue to grow.

Given Vietnam's strong economic growth and young and well educated population this makes it an ideal business partner. Western Australia's ease of access and proximity to Vietnam compared to that of Australia's Eastern States makes business and social contact and exchanges as straightforward for WA as dealing with the more distant parts of Australia. The WAVBC hopes to be a useful resource and conduit for Western Australian companies in using these advantages to their commercial benefit.

Furthermore at the recent Joint Pilbara, Kimberley and Northern Territory Forum in Darwin earlier this month, attended by the Town's Mayor, Deputy Mayor, Crs Daccache, Hunt and Melville, and the CEO, the Consulate General, Mr Le Viet Duyen gave a presentation on "Western Australia/Northern Territory - Vietnam International Markets and Relationships". A copy of this presentation is attached to this report.

FINANCIAL IMPLICATIONS

There will be a minor financial impact to Council of \$300 for the annual Corporate Membership fee which will be funded in the current budget under Member Subscriptions and incorporated in future year budgets.

STATUTORY AND POLICY IMPLICATIONS

The potential to increase trade, investment, education, and cultural and personal relationships align with Section 2 of Council's Strategic Community Plan in 'Supporting a diverse economy', as well as providing 'A nationally significant gateway city and destination'.

This is also reflected in the Pilbara's Port City Growth Plan endorsed by the WA Planning Commission on 5 July 2015 under Section 5.0 City Growth Strategy whereby strategies for sustaining and diversifying economic growth are identified under the following headings:

- 5.2.1 Being prepared for Growth
- 5.2.2 Affordability and Accessibility
- 5.2.4 Developing Unique Capabilities
- 5.2.6 Marketing and Attracting Investment

ATTACHMENTS

1. Letter of introduction from Consulate General for Mr Le Viet Duyen
2. Accompanying letter from Mr Graeme Sheard, Chairman of the WAVBC
3. WAVBC Membership Application Form

4. Presentation by Mr Le Viet Duyen (Under Separate Cover)

26 May 2015

ATTACHMENT 1 TO ITEM 13.2



**CONSULATE GENERAL
SOCIALIST REPUBLIC OF VIETNAM
PERTH – AUSTRALIA**

Level 8, 16 St Georges Terrace, Perth WA 6000
P.O. Box 3122 East Perth WA 6892
Tel. (08) 9221 1158 / Fax. (08) 9225 6881
E-mail: vnconsulate.perth@gmail.com
Website: www.vietnam-consulate.org.au

Dear Sir/Madame,

I would like to enclose herewith the Introduction Letter from Mr. Graeme Sheard, the Chairman of Western Australia Vietnam Business Council Inc. (WAVBC) .

In 2014, the trade turn-over between WA and Viet Nam has increased 150% in compare with 2012, reached \$1,185 billion.

Viet Nam has become the 2nd biggest market for livestock export from Australia. Viet Nam also is the 3rd largest buyer of agricultural products from WA, just after China and Japan.

As well, Viet Nam is marked as the star in the global economy as the leading exporter of many commodities, such as coffee (2nd biggest producer in the world), cashew nut, pepper (1st the biggest exporter in the world), aqua products, furniture, electronic items (Samsung, Intel..etc.)

In that prospect, the WAVBC will be the focal contact point and supporting services hub for you and your companies, organisations in doing businesses with Viet Nam, as well as fostering your benefit from this vibrant market of 90 million young and energetic population.

You are encouraged to register to be the member of the business council WAVBC to secure your advantages and receive the first-hand information and services on the business opportunities with Viet Nam.

I wish you all the success in getting yourself a better position in business with WAVBC!

A handwritten signature in black ink, appearing to read 'Le Viet Duyen', with a stylized flourish at the end.

LE VIET DUYEN

ATTACHMENT 2 TO ITEM 13.2**Western Australia Vietnam Business Council Inc***(Registered No: A1018348R)*

PO Box 455, South Perth WA 6951

Email: wavbc@outlook.comWebsite: www.wavbc.org.au

20 April 2015

Dear Sir/Madam,

It is with pleasure that I announce the incorporation of the Western Australia -Vietnam Business Council Incorporated ("WAVBC").

Growing trade, investment, education, cultural and personal relationships between Western Australia and Viet Nam, underpin a need to ensure that these ties are nurtured and developed for the benefit of businesses, communities and the people of Western Australia and Viet Nam.

The role of the WAVBC will be to foster these relationships to network, identify opportunities and ensure the long standing beneficial ties between Australia and Vietnam continue to grow.

The Western Australia - Vietnam Business Council Incorporated is planned to be launched officially in June 2015.

To ensure these developments, on behalf of the WAVBC, I look forward to your support, assistance and cooperation for the mutual benefit of trade, investment, education and people to people relations for businesses and communities in Western Australia and Viet Nam.

Yours faithfully

Graeme Sheard
Chairman

ATTACHMENT 3 TO ITEM 13.2



Western Australia Vietnam Business Council Inc

(Registered No: A1018348R)

PO Box 455, South Perth WA 6951

Email: wavbc@outlook.com

Website: www.wavbc.org.au

MEMBERSHIP APPLICATION FORM

PERSONAL INFORMATION

Full name*:

Profession & Position:

Postal Address*:

State*:

Post Code:

Email*:

Phone* (work hours)

Mobile:

Do you own a business?

If Yes, business name:

CORPORATE CONTACT INFORMATION

Company Name*:

Business Registration (ABN):

Business Type:

Postal Address*:

State*:

Post Code:

Website:

Business Email* :

Business Phone Number*:

Corporate Contact Person*:

* Required information

MEMBERSHIP CATEGORIES

\$300 Corporate Membership

\$120 Standard Individual Membership

\$40 Student Membership (Students must be currently enrolled and studying. Students who are deferred should contact the Committee to discuss membership options)

PAYMENT METHODS

Cheque (*Please make cheque out To Western Australia Vietnam Business Council Inc*)

EFT DETAILS –WAVBC BSB 016 112. Acc # 396 297 102 Please record your name in the "Message/Reference" field of your Internet Banking site. List your payment receipt #

APPLICANT:

Signature _____

Date _____

Complete this form, sign, scan & email to: Denis Leonov (Secretary) at secretary@wavbc.org.au

Or post to: WAVBC Secretary, P.O. Box 455, South Perth. WA. 6951

ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

ITEM 15 REPORTS OF COMMITTEES

Note: The Minutes of this Committee meeting are enclosed under separate cover.

15.1 Audit & Finance Committee Minutes – 22 April 2015**201415/258 RECOMMENDATION/ COUNCIL DECISION****MOVED: CR JACOB****SECONDED: CR HUNT**

That Council receive the Minutes of the Ordinary Meeting of the Audit & Finance Committee held on 22 April 2015 at 12:00pm inclusive of the following decisions:

8 Confirmation of Minute of the Audit & Finance Committee Meeting held on Wednesday 18 February 2015

11.1.1 GP Housing Quarterly Review: Quarter 3 – January – March 2015

11.1.2 Courthouse Gallery Quarterly Review: January to March 2015

11.1.3 Port Hedland Visitor Centre: Financial Quarterly Review of the Third Quarter being January to March 2015

11.1.4 Town of Port Hedland Leisure Facilities Management Contract Third Quarter Report 2014/15

11.3.1 Audit Agreement 1 July 2014 – 30 June 2019 – Town of Port Hedland and RSM Bird Cameron

CARRIED 8/0

15.2 Date of the next Audit & Finance Committee Meeting**201415/259 RECOMMENDATION/ COUNCIL DECISION****MOVED: CR HUNT****SECONDED: CR MELVILLE**

That Council set the next Audit & Finance Committee Meeting for Wednesday 10 June 2015 at 12:00pm in Council Chambers.

CARRIED 8/0

ITEM 16 CONFIDENTIAL ITEMS**201415/260 COUNCIL DECISION****MOVED: CR HOOPER****SECONDED: CR MELVILLE**

That Council consider late confidential item 16.1 'Proposed 2.3MWp Solar Farm – Progress Report on Funding Agreement and Project Risk Mitigation'.

CARRIED 8/0**201415/261 COUNCIL DECISION****MOVED: CR DACCACHE****SECONDED: CR MELVILLE**

That Council close the meeting to members of the public as prescribed in section 5.23(2) of the Local Government Act 1995, to enable Council to consider the following item:

16.1 Proposed 2.3MWp Solar Farm – Progress Report on Funding Agreement and Project Risk Mitigation

CARRIED 8/0

7:34pm Mayor advised that the meeting is closed to members of the public.

16.1 Proposed 2.3MWp Solar Farm – Progress Report on Funding Agreement and Project Risk Mitigation

201415/262 RECOMMENDATION 1/ COUNCIL DECISION**MOVED: CR JACOB****SECONDED: CR MELVILLE****That Council:**

- 1. Receive the Risk Matrix on the Solar Farm project as per Attachment 1 as final due diligence with respect to this project.**
- 2. Re-affirm its support for the Solar Farm project and authorise the Chief Executive Officer to execute the Funding Agreement with ARENA, with grant funding to be provided up to a maximum of \$6m.**
- 3. Request that in the event that the Port Hedland International Airport is leased, that the requirement for a Power Purchasing Agreement with the Airport Lessee be included in the Airport Lease Term Sheet.**

CARRIED 8/0

NOTE: Mayor called for a show of hands in favour (1/3 of the number of offices of council members whether vacant or not – this being four) to consider the revoking of part of point 1 of Decision 201415/154 of Item 16.3 ‘Town of Port Hedland Sole Ownership Proposal: 2.3MWp Solar’ presented to Council’s Ordinary Meeting held on 17 December 2014, and recorded on page 107 of those Minutes. The following Elected Members raised their hands:

Councillor Hooper

Councillor Melville

Councillor Hunt

Councillor Jacob

201415/263 RECOMMENDATION 2/ COUNCIL DECISION

MOVED: CR HOOPER

SECONDED: CR MELVILLE

That Council revokes part of point 1 of decision 201415/154 of Item 16.3 ‘Town of Port Hedland Sole Ownership Proposal: 2.3MWp Solar’ held on 17 December 2014 and recorded on page 107 of those Minutes, that states:

“That Council:

- 1. Approve a loan to the value of \$4,725,675 to fund the 2.3MWp solar farm to be constructed at the southeast corner Kingsford Smith Business Park (subject to survey).”**

CARRIED BY ABSOLUTE MAJORITY 8/0

201415/264 RECOMMENDATION 3/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR MELVILLE

That Council approve equity funding of \$4,725,675 as the Town’s contribution to the Solar Farm project, to be funded from the Airport Reserve and amend the 2014/15 Budget accordingly.

CARRIED BY ABSOLUTE MAJORITY 8/0

201415/265 COUNCIL DECISION

MOVED: CR MELVILLE

SECONDED: CR DACCACHE

That Council open the meeting to members of the public.

CARRIED 8/0

7:45pm Mayor advised that the meeting is open to the public. Mayor read out to the public Council’s decisions made whilst behind closed doors.

ITEM 17 APPLICATIONS FOR LEAVE OF ABSENCE**201415/266 COUNCIL DECISION****MOVED: CR JACOB****SECONDED: CR DACCACHE**

That Council approve the following applications for leave of absence:

- Councillor Jacob from 5 June to 8 June 2015 and 20 June to 23 June 2015;
- Councillor Gillingham from 12 June to 23 June 2015;
- Councillor Hunt from 3 June to 26 June 2015;
- Mayor Howlett from 5 June to 8 June 2015 and 20 June to 23 June 2015.

CARRIED 8/0

ITEM 18 ATTENDANCE BY TELEPHONE/ INSTANTANEOUS COMMUNICATIONS

Nil

ITEM 19 CLOSURE**19.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 24 June 2015, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 17 June 2015, commencing at 5:30pm.

19.2 Closure

There being no further business, the Mayor declared the meeting closed at 7:48pm.